

October 2014

Rural Area Issues

by Peter Rimbos, Corresponding Secretary

On Monday, October 6, the Area Council held its regular monthly meeting. Topics discussed included: (1) Annual Train Show, (2) Unincorporated Area Transportation Forum, and (3) Proposed Marijuana Processing and Production Facilities.

Public Comment

Several members of the Public commented on the proposed Marijuana Processing and Production Facilities planned on 6 1/2 acres in the Rural Area just northwest of SR-18, west of Maple Valley, and north of Covington. Many comments centered on King County's approval of "Innocent Purchaser" status for the Applicant, Maple Valley Industries, LLC. "Innocent Purchaser" status affects legality of lot and that it may not have been properly subdivided and sold.

Several citizens mentioned the Applicant knowingly knew it was not a legal lot when purchased from the State Department of Transportation. One member of the Public stated a letter bearing such proof recently was sent by concerned citizens to John Starbard, Director of King County's Department of Permitting and Environmental Review (DPER). A response has yet to be received.

Annual Model Train Show

The Area Council made final preparations for its annual community-wide Operating Model Train Show to take place on Saturday, October 18, and Sunday, October 19, from 10:00 AM to 5:00 PM at the Gracie Hansen Community Center, 27132 SE Ravensdale Way in Ravensdale.

The show will again include operating model trains featuring creative layouts in all gauges. Attendees can bring their own trains-- Lionel/HO/other--to run on tracks that are set up.

Suggested Donation for Adults is \$5 and for Children ages 3 to 11 is \$2.

Proposed Marijuana Facilities

Area Council Growth Management Committee members discussed their review of the entire proposed Marijuana Processing and Production Facilities Project File located at King County DPER. The focus was to ascertain answers on what is possibly the most critical question: Vesting.

Three Vesting concerns were discussed. Firstly, since King County DPER insists its finding the Commercial Site Development Permit Application as "complete" confers Vesting for all future permit applications, no further State Environmental Policy Act (SEPA) review will be required.

Secondly, although a recent King County Council July Ordinance vastly reduced the building footprint threshold before a Conditional-Use Permit (CUP) is required (30,000 sq ft vs. 2,000 sq ft), if the Applicant was already considered Vested, then a CUP will not be required.

Finally, applications for future Building Permits should not be approved until the King County Council's recently passed one-year Moratorium on Unincorporated Area isolated industrial parcels expires or is lifted, but prior Vesting of the Applicant would trump this. Consequently, for at least this property, what King County decides about the future of Unincorporated Area isolated Industrial parcels will not matter.

Area Council members discussed specific provisions relating to Vesting upon application for a building permit that exist in both State Code (RCW 19.27.095) and King County Code (20.20.070(c)). Also discussed were three recent Court cases decided by the State Supreme Court and two Appeals Courts, all ruling vesting can only be conferred at the building permit stage.

Area Council members also discussed King County DPER's October 3 "Technical Review" letter to the Applicant regarding its Commercial Site Development Permit application. DPER has included 69 Comments categorized under the following Issues: SEPA/Zoning, Traffic, Site Drainage, Wetlands, Geotechnical, and Fire.

From an initial look, it appears DPER has expressed some serious issues with road access and safety, as well as inadequate buffers for identified wetlands. DPER has given the Applicant 60 days until December 4 to "submit corrected plans." During that timeframe the Area Council will conduct a thorough review to ascertain if DPER's comments cover all the issues and will forward comments to DPER accordingly.

Transportation Forum

Area Council Transportation Committee Chair, Susan Harvey, summarized the Transportation Forum on Unincorporated Area Issues and Solutions held on September 16 in Issaquah. The Forum was organized by the three Unincorporated Area Councils (Greater Maple Valley Area, Four Creeks, and Upper Bear Creek), as well as the Green Valley/Lake Holms Association).

Susan stated an excellent cross-section of State Legislators, the Puget Sound Regional Council, King County Council members, and King County Department of Transportation officials attended, as well as many members of the public. The result was a productive discussion of unincorporated area transportation issues and solutions to improve our transportation system.

During the two-hour Forum a lively discussion highlighted general agreement that King County possesses an unsustainable transportation funding model. There was support for many of the potential solutions offered: Fairer systems to generate road revenues, share costs, and facilitate actions; Incentives for Cities to enable a Regional Arterial Network; Funding allocation distributions; Pursuit of road User Charges based on Vehicle Miles Traveled; Assess traffic corridors across jurisdictional "seams;" Consider assessing requirements using "demographic forecasting," not "growth targets;" Review annexation law on bonded debt to ensure more equitable outcomes; and Adjust Transportation Benefit District allowable funding splits (20%/80% vs. 40%/60%) to better address regional concerns.

Susan stated all officials agreed to continue an open dialogue with our four unincorporated area organizations to enable promising solutions to be vetted and seek eventual implementation.

Next Area Council Meeting

The Area Council's next monthly meeting will held Monday, November 3, from 7:00 - 9:00 PM at the Fire Station at SE corner of 231st St & SR-169. Meetings are held the first non-holiday Monday of each month. A Public Comment period at the beginning of each meeting provides an opportunity to voice issues of concern to Area Council members and government officials in attendance.

