

June 3, 2020

To: King County Council

Re: Proposed Ordinance 2019-0413

Honorable Councilmembers,

Our King County Unincorporated Rural Area organizations—*Enumclaw Plateau Community Assoc. (EPCA)*, *Friends of Sammamish Valley (FoSV)*, *Greater Maple Valley Unincorporated Area Council (GMVUAC)*, *Green Valley/Lake Holms Assoc. (GV/LHA)*, *Hollywood Hills Assoc. (HHA)*, *Soos Creek Area Response (SCAR)*, and *Upper Bear Creek Unincorporated Area Council (UBCUAC)*—have long recognized the importance of participating in reviews of all proposed King County Comprehensive Plan (KCCP) updates.

Without the shield of incorporation, as possessed by cities, we recognize what is accepted and implemented by King County Ordinance, governs citizens in the unincorporated areas by implementing policies that directly affect quality of life and the ability to sustain and insulate the Rural Area. We take this very seriously and hope the Council understands the full impact of its actions on the Rural Area.

We have worked tirelessly, and in good faith, to provide detailed comments on KCCP updates—some of our organizations—for the past two decades. However, this year, while nearing the end of the **first 4-yr Mid-Point Update (Update)**, we all are under State “lock-down” orders which prevent most face-to-face meetings. Yet, under these extraordinary circumstances, the Council is moving quickly to prepare and vote on *Striking Amendment 2* to the **Update**, which includes “*substantive changes*,” as evidenced by the following on the Council’s webpage (our **highlighting** below):

*“The Mobility and Environment Chair continues to work with all Councilmembers, Executive staff, and stakeholders to refine Striking Amendment S1. It is likely that the Striking Amendment S1 will be updated and issued as Striking Amendment S2. If issued, Striking Amendment S2 will be made public prior to the June 9, 2020 public hearing at full Council. Some of the topics under consideration **include substantive changes to policy or regulations** for the Four-to-One Program, Transfer of Development Rights Program, Non-Resource Industrial Use, Agricultural Production District and Public Infrastructure Mitigation, Cottage Housing, Accessory Dwelling Units, Sea Level Rise, Climate Change and Greenhouse Gas Emission Mitigation, Fossil Fuel Facilities, Subarea Planning Program, Skyway-West Hill Subarea Plan, Workplan Action Items, and the Woodinville Roundabout Mitigation Map Amendment.”*

Further, the Council states: “*a finalized striking amendment, and individual line amendments, would be issued around June 5, 2020.*” This is only 4 days before the scheduled Public Hearing! The repercussions possible from a recently defined *Striking Amendment S2* with “*substantive changes*” should make this concern obvious. It also is stated: “*Councilmembers may offer additional amendments for consideration by the Council.*” So, potentially anything could be proposed and added at the last minute by the Council!

Depending on how it is handled by the Council, the only potential *partial* solace offered is stated at the end of the Council’s Public Hearing notice (our **highlighting** below):

*“In the event that the June 9, 2020 public hearing must be held remotely to comply with the WA State Governor’s Declaration 20-28 (or as amended) regarding the Open Public Meetings Act, then the Council may consider a phased approach to the 2020 update to the 2016 King County Comprehensive Plan: **the first phase to address those topics and issues that are necessary to be adopted in 2020, and a second phase for the remaining topics that can be delayed and adopted in 2021, or as part of the eight-year update in 2024.** In the description for Striking Amendment S2, there is consideration for a phased adoption option.”*

We request the Council address the following concerns with its KCCP approval process and schedule:

1. This is the **first 4-yr Mid-Point Update**. Executive Constantine’s Staff, members of the Public, and all of us have worked diligently for nearly 2 years, yet, in the final month, the Council could make “*substantive changes*” and then hold, what is expected to be, a “*virtual*” Public Hearing.

2. The Council has stated it will publicly release details (of the language it plans to use for the areas identified in *Striking Amendment 2*) “*around June 5,*” just 4 days prior to its June 9 Public Hearing. This affords the Public nearly no time to credibly review and comment on what could be “*substantive changes*” (again, the Council’s own wording).
3. In the 3 weeks between its June 9 Public Hearing and its June 30 potential final adoption the Council could add *additional* items the Public will be unable to rebut. This has been a long-standing concern. A Councilmember can submit additional proposals or changes, even if they apply to an area outside his or her own district, and have them approved as part of the final **Update**. Members of the Public directly impacted are then denied the basic due process of representation and, if by some chance, they hear about these last-minute proposals, they have to take immediate action (sometimes only 1 or 2 days) to defend their own local areas. Such changes leave the Public vulnerable and feeling targeted and should simply not be allowed. Everyone (Council and Public) involved in the review and update of the KCCP should play by the same rules.
4. A “*phased approach*” has both pros and cons, but we believe the cons outweigh the pros because this would allow yet *another* year, when even *more* items can be proposed that again could represent “*substantive changes.*” We recommend, should a “*phased approach*” be implemented, it only allow for Public Comment, *not* major changes to the **Update**. Without a clear process developed for dealing with items to be “*phased*” versus those to be dealt with this year, it conceivably could result in yet *another* year when even *more* items can be proposed that again could be *substantive*. In addition, given the fact that the contents of *Striking Amendment 2* will not be made available to the Public until around June 5, how will the decision be reached on which items are addressed now versus those “*phased*” to 2021? How can the Council assure the Public there will be transparency, along with adequate time, for Public review and comment regarding the “*phased*” items, when it has not provided enough time for this year’s proposals? We believe that trust in the process is critical.

Thank you.

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