



Greater Maple Valley Unincorporated Area Council  
P.O. Box 101  
Maple Valley, WA 98038

August 11, 2020

To: Fereshteh Dehkordi-Westerlund ([fereshteh.dehkordi@kingcounty.gov](mailto:fereshteh.dehkordi@kingcounty.gov))

Re: Parcel No. 302207-9009 Located at NE Corner of SE Kent-Kangley Rd & Landsburg Rd SE [Lot "Y" per KC Boundary Line Adjustment (BLA) No. L02L0030; Recording No.: 20021029900005 (being a portion of south half STR 30-22-07 and north half STR 31-22-07)]

### **Introduction and Summary**

Please accept the comments herein from the Greater Maple Valley Unincorporated Area Council (GMVUAC), a community council of volunteer citizens who reside in the unincorporated area outside the City of Maple Valley and represents and advocates with King County, state officials, and other organizations for the interests of the citizens of our unincorporated area.

Our comments herein are based primarily on review of the State of WA Growth Management Act (GMA), King County Comprehensive Plan (KCCP), and King County Code Title 20—Planning and Title 21A—Zoning.

Based on our research, we conclude the applicant has not met the conditions laid out in the applicable KCCP policies, nor key King County Code stipulations. Consequently, we recommend the application to up-zone Parcel 302207-9009 from RA-10 to RA-5 be denied.

### **Comments**

#### **King County Comprehensive Plan (KCCP)**

Under the WA State Growth Management Act (GMA) the King County Comprehensive Plan (KCCP) dictates zoning. We are unaware the KCCP (including the recently completed *Mid-Point Update* including the Map Amendments considered by King County Councilmembers) addresses the subject property in any way.

The current KCCP (2018/2019) discusses Rural Area character, densities, etc. in **CHAPTER 3**

**RURAL AREAS AND NATURAL RESOURCE LANDS / III. Rural Densities and Development / B. Residential Densities** on pp. 3-16 thru 3-19. On p. 3-17 it is stated:

*“Residential density may be the single, most important factor in protecting or destroying rural character that can be influenced by government policies and regulations.”*

We note, with our emphases, and, in particular, with **yellow highlighting**, the following **Policies**:

**R-302 — Residential development in the Rural Area should occur as follows:**

- a. In Rural Towns at a variety of densities and housing types, compatible with maintenance of historic resources and community character; and**
- b. Outside Rural Towns at low densities compatible with traditional rural character and uses, farming, forestry, mining and rural service levels.**

Policy **R-302** states residential development should occur at “*low densities*” with “*traditional rural character.*”

**R-303 — Rural Area zoned properties should have low residential densities that can be sustained by minimal infrastructure improvements such as septic systems and rural roads, should cause minimal environmental degradation and impacts to significant historic resources, and that will not cumulatively create the future necessity or expectation of urban levels of services.**

Policy **R-303** states Rural Area zoned properties should have “*low residential densities.*”

**R-304 — Rural Area zoned residential densities shall be applied in accordance with R-305 – R-309. Individual zone reclassifications are discouraged and should not be allowed in the Rural Area. Property owners seeking individual zone reclassifications should demonstrate compliance with R-305 – R-309.**

Policy **R-305** states individual zone reclassifications should not be allowed in the Rural Area and that “*(P)roperty owners seeking individual zone reclassifications should demonstrate compliance*” with the following Policies (we simply list just a few of them below):

**R-306 — A residential density of one home per 10 acres shall be applied in the Rural Area where:**

- a. The lands are adjacent to or within one-quarter mile of designated Agricultural Production Districts, the Forest Production District or legally approved long-term mineral resource extraction sites; or**
- b. The lands contain significant environmentally constrained areas as defined by county ordinance, policy or federal or state law, or regionally significant resource areas or substantial critical habitat as determined by legislatively approved basin plans or Watershed Resource Inventory Area Plans; and**

**c. The predominant lot size is greater than or equal to 10 acres in size.**

Policy **R-306a** states zoning of RA-10 should be used where the property is within one-quarter mile of designated Forest Production District. This clearly is not met, as Forest Production District (FPD) lands are directly south of the subject property across Kent-Langley Rd. That land is owned by King County Parks as part of the Ravensdale Retreat Natural Area and is zoned Forestry (F) and is within the designated FPD. Given standard roadway lane widths of 12 ft (2 lanes x 12 ft = 24 ft), adding in 6-ft wide shoulders (2 shoulders x 6 ft = 12 ft), and assuming some County Right-of-Way (ROW) of 10 ft on each side (2 ROWs x 10 ft = 20 ft) gives a total of ~ 60 ft. This is more than an order of magnitude less than the 1,320 ft in a “1/4 mile.” **Thus, the requested up-zone directly violates Policy R-306a.**

Policy **R-306c** states zoning of RA-10 should be used where the predominant lot size is greater than or equal to 10 acres in size. The surrounding area consists of lots zoned RA-10 that abut the property on the north and east sides. Again, the land south (across Kent-Kangley Rd) is within the designated Forest Production District (FPD). Finally, the lots west across the Landsburg Road are zoned Neighborhood Business (NBP—Ravensdale Market and adjoining properties). **Thus, the requested up-zone directly violates Policy R-306c.**

**R-308 — A residential density of one home per five acres shall be applied in the Rural Area where:**

- a. The land is physically suitable for development with minimal environmentally sensitive features or critical habitat as determined by legislatively adopted watershed based plans;***
- b. Development can be supported by rural services;***
- c. The land does not meet the criteria in this plan for lower density designations; and***
- d. The predominant lot size is less than 10 acres.***

Policy **R-308** states RA-5 zoning should be used where the predominant lot size is less than 10 ac. Again, we restate that the subject property is abutted by properties with lot sizes larger than 10 ac.

Clearly, the applicant has not complied with Policies **R-305** through **R-309** as required by Policy **R-304** and, therefore, such an up-zone from RA-10 to RA-5 is not allowed

Finally, on p. 3-18 it is stated: *“Zoning to implement policies **R-306** through **R-309** has been applied through subarea and local plans and area zoning maps.”*

**Precedent is another major concern here.** Because there also is an abutting land mass of 40 ac to the east and another 44-ac parcel immediately to the east of that, with a 67-ac parcel on the north of these two, there is a very real potential for a snowball effect to create an enclave of 5-ac lots and increased density throughout the south half of this section in this NE corner of the intersection (potentially 12 residences for this 60 ac area -- rather than 6 under existing RA-10 zoning). In fact, Boundary-Line Adjustments (BLAs) of these three parcels (totaling 151 ac), could result in a total of 34 lots, instead of the zoned maximum of 18 lots. Potential actions such as these would set a dangerous precedent that would reverberate throughout King County’s Rural Area!

**King County Code: Title 20—PLANNING and Title 21A—ZONING**

Several parts of the King County Code pertain to Zoning, once again, with our emphases:

***Title 20.12.050 Zoning, potential zoning, property-specific development standards, special district overlays, regional use designations and interim zoning.***

- A. Official zoning, including but not limited to p-suffix, so-suffix and potential zoning, is contained in geographic information system data layers maintained by King County and is depicted on the official zoning maps, as maintained by the department of local services, permitting division.***

The subject property on the “official zoning maps” is “depicted” as RA-10 zoning.

***Title 21A.04.060 Rural area zone.***

- A. The purpose of the rural zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural or forest production districts or mineral extraction sites. These purposes are accomplished by:***

- 1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites and are able to be adequately supported by rural service levels;...***

- B. Use of this zone is appropriate in rural areas designated by the Comprehensive Plan as follows:***

- 1. RA-2.5 in rural areas where the predominant lot pattern is below five acres in size for lots established prior to the adoption of the 1994 Comprehensive Plan;***
- 2. RA-5 in rural areas where the predominant lot pattern is five acres or greater but less than ten acres in size and the area is generally environmentally unconstrained;***
- 3. RA-10 in rural areas where the predominant lot pattern is ten acres or greater but less than twenty acres in size. RA-10 is also applied on land that is generally environmentally constrained, as defined by county, state or federal law, to protect critical habitat and regionally significant resource areas (RSRAs). The RA-10 zone is also applied to lands within one-quarter mile of a forest or agricultural production district or an approved long-term mineral extraction site.***

Again, **Title 21A.04.060** states the same critical points contained in the KCCP **Policies** cited earlier.

**King County Code** does not support up-zoning of the subject property from RA-10 to RA-5.

## Conclusions

To repeat our earlier quote from the KCCP (*Ch 3 / III. / B.*; p. 3-17):

*“Residential density may be the single, most important factor in protecting or destroying rural character that can be influenced by government policies and regulations.”*

There is much more at stake here than just an up-zone—which is bad in and of itself, it is the integrity of King County’s Rural Area, in general, and the rural identity of Ravensdale, in specific.

Because there are abutting land masses of 40 or greater acres to the east, there is a very real potential for a snowball effect to create an enclave of 5-ac lots and increased density in this NE corner of the intersection (potentially 12 residences for this 60-ac area -- rather than 6 under current zoning). Clearly, a dangerous precedent would be set allowing others to follow the same path to up-zoning their parcels.

The applicant has not met the conditions laid out in the **KCCP policies** cited herein.

The applicant also has not met key parts of the **King County Code** cited herein.

## Recommendation

We recommend the application to up-zone Parcel 302207-9009 from RA-10 to RA-5 be denied.

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