

From: [Peter Rimbos](#)
To: [Wolf, Karen](#)
Cc: [Miller, Ivan](#); [Hiester \(GMVUAC\) Steve](#); [Vukich \(GV/LHA\) Gwyn](#); [O'Brien \(EPCA\) Tim](#); [Stafford \(UBCUAC\) Nancy](#); [Guddat \(SCAR\) Jeff](#); [Tanksley \(HHA\) Michael](#); [Glover \(FoSV\) Serena](#)
Subject: GMPC PUBLIC COMMENT
Date: Wednesday, June 24, 2020 10:00:59 AM
Importance: High

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Karen,

Good morning. Unfortunately, I have a conflict with this afternoon's GMPC meeting, but still would like to provide **Public Comment** on behalf of all the cc'ed organizations above. It appears such **Public Comments** are made through you (at least based on the GMPC webpage)—if that is not the case, please let me know. Please relay the following to GMPC members and place in the Public Record:

We have several concerns with proposed language such as: "high conservation value property;" "modifications to the four-to-one ratio;" and "accepting non-UGA-adjacent parcels." First, there is a direct conflict with existing Countywide Planning Policies (CCPs):

- o CPP Policy DP-16b1:

"DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

...

- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
 - 1) is at least four times the acreage of the land added to the Urban Growth Area;"

Further, we believe a "reduced ratio" for "high-conservation properties" is inconsistent with the King County Charter (the basic structural document of the King County government, similar to a constitution) under Section 26.14 HIGH CONSERVATION VALUE PROPERTY and existing King County Code. In November 2009, King County voters approved the Open Space Protection Amendment to the Charter, which ensured that certain King County-owned properties listed on a "High Conservation Value Property Inventory" would have enhanced protection against sale, transfer, change of use, or surplus. Properties on the inventory were acquired "to conserve, preserve, protect or enhance natural or scenic resources", such as timberlands, streams, wetlands,

wildlife habitat, or scenic vistas, and for “passive recreational opportunities.” The updated High Conservation Value Property Inventory includes 105 sites, with a total acreage of 16,503 acres in fee and 142,623 acres in easement.

However, the phrase “High Conservation Value Property” is never defined in the Charter. In the process properties the County already owns are selected and given extra protection. So, to use that phrase in a different way – that presumably would also be in King County Code, if passed, would cause confusion and, thus, should not be done. The statement that the County is going to use criteria or a definition similar to High Conservation Value properties is meaningless, since no definition exists!

This appears to be an attempt to give legitimacy to some properties where someone might want to do 4:1 that otherwise doesn't qualify, but it doesn't work. Also, using a “reduced ratio,” likely would invite legal challenges, since the 4:1 program originates from the Countywide Planning Policies (CPPs).

We request the GMPC recommend no changes to the 4:1 Program, such as accepting a “reduced ratio” for “high-conservation properties” or “accepting non-UGA-adjacent parcels” to be considered.

Allowing roads serving urban needs *outside* of the urban area is in direct conflict with existing KCCP policies that call for urban-serving facilities primarily to be located *within* the urban growth area. Proposed changes (KCCP **Policy U-189**) regarding roads through the Rural Area to serve Urban Areas must be reviewed in terms of there being strong rules in place to ensure that such decisions are based on science and not politics. Further, proposed changes to **Policy U-189** are clearly inconsistent with CPP Policy **DP-16b1** (discussed earlier) and the following CPP policies:

- CPP Policy **DP-17c**:

“If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

...

c) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;”

- CPP Policy **T-2**:

“Avoid construction of major roads and capacity expansion on existing roads in the Rural Area and Resource Lands. Where increased roadway capacity is warranted to support safe and efficient travel through the Rural Area, appropriate rural development regulations and effective access management should be in place prior to authorizing such capacity expansion in order to make more efficient use of existing roadway capacity and prevent unplanned growth in the Rural Area.”

The proposed King County Council Amendment on Policy U-189 mentions “the County may allow roads to be located outside of the urban portion of the development to protect critical areas or for other ecological benefit.” This is inconsistent with CPP Policy DP-17c above.

Further, under RCW 36.70A—Growth Management, there is no express need for public facilities, such as roads, to be placed in the Rural Area to serve urban needs:

RCW 36.70A.70(5) Rural Element.

“(d)(iii) ... Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;
(d)(iv) ... provide public facilities and public services in a manner that does not permit low-density sprawl;”

We request the GMPC recommend no changes that would allow urban-serving roads in the Rural Area to ensure consistency with the CPPs.

Just so you know, I also have provided the above Comments to GMPC member Syd Dawson, City of Maple Valley Councilman.

I've cc'ed Ivan, as he obviously has an interest in potential changes to the KCCP.

This Friday, on behalf of all the Organizations cc'ed above, I will submit to the KC Council an **ADDENDUM** to our **Joint Comments** (submitted to the KC Council on June 8). Our **ADDENDUM** will include the above comments and much more.

Thank you.

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"To know and not to do is not to know."-- Chinese proverb

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