

Minutes of 2/11/97 Meeting of the Four Creeks U.A.C.

The meeting began at 7:03 p.m. In attendance, were Members Gordon Christensen, Leonard J. Davidson, Rod Dembowski, Norm Green, Mary Ellen Hamblin, Rich Harris, Kathryn J. Kaluzny, Rick Kofmehl, Stan Rabe, Bob Rhoades, J. Patrick Spencer, Jack Steidl, Ken Ulrich, Jr., and Everett Wilcock. Also in attendance was Bong Santo Domingo.

1. Minutes of Meeting for January 15, 1996. The following corrections were made: Everett and Pat attended the meeting of Sunset Valley Farms on January 15, 1997, not the High Valley Community and Saddle Association; and Mary Ellen said the Treasury balance was \$177.98. With those two corrections, the minutes were approved. Rod added the notes were very good.

2. Treasurer's Report. Mary Ellen reported that the treasury has \$177.98. [On 2/12/97 the Treasurer called the Secretary and said the correct treasury report is: a balance of \$178.98 plus \$50 from the High Valley Community and Saddle Association, giving the UAC a balance of \$228.98.]

3. Council Committees. At his request, Rod was added to the Legislative Committee. Gordon moved, and Rod seconded, a motion to approve all committee assignments. Everett said the first person listed on each committee assignment is to convene committee meetings. He said the chair is an ex officio member of each committee.

4. Cedar Hills Regional Landfill. Pat attended a Cedar Grove Compost meeting. The company's public relations person said the public is invited to visit the facility at any time. For complaints about smell, call the Puget Sound Air Pollution Control Authority at (800) 552-3565. Call 205-5590 if the complaint is about the Cedar Hills Landfill.

There is a meeting at the Issaquah bus barn on February 12th. To attend, call Shirley Jurgensen at 296-8431 or Julie Bassett at 205-5590. A motion was made to have Bob and Ken attend on behalf of the UAC. Rod said the Strategic Plan done a year ago called for continued use of the Cedar Hills Landfill, rather than shipping waste out of the area. Rich noted another five-year plan was coming soon.

5. Stonegate Variance on 148th Ave.. Kathryn and Bob had no new information.

6. Issaquah Bypass. Rich said studies were being done, and there was nothing further to do until the draft EIS is issued.

7. Briarwood Incorporation. Rod said that, on January 21st, the King County Council approved spending \$40,000 for a feasibility study. He said the study would be put out for bids. There is a proposal to have an up-or-down vote in November 1997. A community summit is to be held in February to discuss what the residents want, what the priorities are, what the tax base is.

8. May Creek Water Basin. Everett said there would be a meeting at his home the next day, at 10 am with Mary Meeker, from Brian Derdowski's staff, as Brian wanted community input for the basin plan. Gordon and Bob said they could attend.

9. UAC Budget, Copying, and Mailing. Pat asked whether there was new information about county funds for the UAC. Bong said there was no extra money in the budget this year, and no UAC's had received any money. He said that his office would do copying and mailing for the UAC, that the office was committed to providing communications. He said that North Highland and West Hill were doing communications through his office. He said DDES can generate a mailing list for the entire UAC area, that Bob Derrick, the director, was the person to call.

10. Community Outreach by Ron Sims. Bong said that Ron Sims wanted to meet with the UAC. Gordon made a motion, seconded by Rod, to invite Ron to the April meeting. Rich amended the motion, to propose he be invited for April or May. The motion passed 13-0. Everett said he would write to Ron.

11. Mail to UAC; Charter Review; Code Enforcement. Everett referred mail about stream corridors and a number of other topics to Rick's committee. Everett also had a communication about the Charter Review Commission, which was having meetings at the Fairwood library on February 18th and Green River Community College on the 19th. Gordon said he would attend the one at the Fairwood library. Everett said one of the matters of concern to the Review Commission was improving governance of the unincorporated areas of King County. Rod said he had heard that Brian Derdowski was now chair of the King County Unincorporated Affairs Committee. Gordon said King County was losing territory to new cities and was trying to strengthen governance of unincorporated areas. Rich made a motion, seconded by Bob, that UAC's should be strengthened and become involved in the process. It passed 12-0, with one abstention. Everett said he would set up a subcommittee and to let him know if one were interested in being on it.

Kathryn reported that Louisa Miller said the county wanted input on a the proposed code enforcement ordinance from unincorporated areas. Everett said a vote on the ordinance, 93-682, was being postponed by Kent Pullen, that Ted Cowan was objecting to it. He said that the Maple Valley UAC had sought support from our UAC, in opposing the ordinance. He said that he thought we took action at our November meeting on the ordinance. No one could recall any such action. He said the proposed ordinance changes enforcement levels and gives the code some teeth. Rick noted that someone in another county fixed a road that had washed out on his property after obtaining a grading permit, and was fined under SEPA. Everett said that the issue holding it up was access to private property to enforce the code, that the issue was whether a county official could come on private property without notification. He said that persons concerned about property rights believe that a search warrant is necessary to look for code violations, whereas now the county relies on the code official's determination of probable cause to enter someone's place and search for evidence of violations. Rick said the ordinance would give police powers to the county code enforcement officials. Bob said he did not want to give up the right to have the code enforced. Everett noted that we spend hours and hours in the council working on ordinances to meet public health needs, and they cannot be enforced. Gordon pointed out that the code is there, but it has no teeth. He said that the abusive property rights people don't want it enforced. Everett said that, at Coalfield Crossing, someone with a grading permit filled 12 feet of wetlands, and there was no way to enforce the code except by a stop-work order. He said that, as a result of the filling of the wetlands, the playing fields flood. Everett referred the proposed code enforcement changes to the Legislative Committee, asking for a package of materials to distribute before the next meeting. We should invite people with strong opinions about the ordinance to the next meeting.

12. Clearing and Grading Codes. Susie Kalhorn and Jeff Stern did a presentation about the clearing and grading codes. They were written in 1938 and changed over the years, but never recodified. The county is trying to consolidate the codes, such as taking standards in several places and putting them in one spot and determining whether they apply county-wide. They said there is a difference between State Department of Natural Resources and King County logging permits.

For grading 100 cubic yards, higher or lower, a permit is required. The requirements are different for a rural lot. The county issues grading permits to regulate Cedar Hills and Cedar Grove; these are renewed every five years, this being the only opportunity to regulate these operations. The same applies to the quarry.

The county is looking at the benchmark of 100 cubic yards for a permit, and whether it should be cumulative over, for example, one year, and whether paving should be considered as a cumulative factor, not per instance.

To remove "hazard" trees, a permit is required. It costs hundreds of dollars to remove them. The county is looking at how to make it easier without creating a loophole.

Another issue discussed was how to truly enforce the codes. There is not enough staff to enforce all potential violations. It is not worth the effort to pursue violations because it would take staff from priority work. Code enforcement funds come from the general fund, not from permit fees. They want feedback about funding.

The Sensitive Areas Ordinance is under review, with the second draft out for comment. The major issue is opening up steep slopes for development. Currently, if the grade is over 40%, the land may not be developed. Also, if an owner is "vested" in a legal lot, the owner has five years to build on it, even if it is in a sensitive area--provided the application for a building permit was made before the area was designated as "sensitive." No variances are allowed for sensitive areas, but there is available an exception for reasonable use. If the lot is 15,000 square feet, one can give notice to the public and prove it is safe to build. If the land is not platted, no construction will be allowed. Developers say that, if the county's goal is dense population of the urban areas, steep slopes should be developed.

Gordon said that there is more development and heavier rains now, so the bar should be raised. He said that, in High Valley, a 50-year drainage pond was to be established, and residents pushed for a 100-year standard instead.

Rick noted engineering standards are relational and have a cumulative effect when considering development and changes, favoring localized standards. Jeff said a proposed new Surface Water Design Manual being transmitted to the County Council deals with smaller projects to some extent. Norm asked whether there were any penalties if a sloped area were developed and the land was not stable, after all. Jeff said the geotechnical community has errors and omissions insurance, but, in reality, they are not around when a slide occurs. He noted that the City of Seattle did a great deal of clean-up after slides and that it is unlikely it will recover the costs. Rich suggested more protection is needed for construction on slopes, with

owner liability, perhaps included in the Homeowner Liability and Disclosure form at the time of purchase. The Growth Management Act calls for protection of steep slopes as critical areas and create wildlife habitat. Rod noted view corridors and a tax benefit for this. He suggested that so much of the value of one's lot be used to create a fund for perpetual maintenance of lots. Everett said that he maintains a drainage easement across his land. Norm does not want development on higher terrain. Rich said the floor of the Kent Valley should be developed leaving the higher land vacant. Rick suggested that mining and logging permits be in the purview of either the state government or the county government, not both. In King County, a county logging permit costs \$600, \$400 of which goes to the state government, and a state permit costs \$25. There is legislation pending to alleviate this disparity. For someone like Manke, doing development, there is a six-year moratorium, with the State requiring replanting within three years. For commercial harvesting, a permit costs \$50, is reviewed by the county, and has no six-year moratorium. Ken expressed concerns about the drafting process, including the strength of the influence of the Master Builders Association. Jack questioned the definition of a "100-year flood," if one happens every ten years. Someone else said that, at another meeting he had attended, one person suggested the county just fire all of the staff and use the money saved to buy up the land.

The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Kathryn J. Kaluzny, Secretary

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