

Resolution sponsored by:

Councilmember Craig Goodwin - Councilmember Carol Benson

Councilmember Tamie Deady - Councilmember Ron Taylor

CITY OF BLACK DIAMOND WASHINGTON

RESOLUTION NO. 13-857

A RESOLUTION OF THE CITY OF BLACK DIAMOND, WASHINGTON, EXPRESSING OPPOSITION TO THAT PORTION OF KING COUNTY ORDINANCE NO. 17845 APPROVING AMENDMENTS TO THE KING COUNTY CODE AUTHORIZING CONSIDERATION OF ANNUAL AMENDMENTS TO THE KING COUNTY COMPREHENSIVE PLAN ALLOWING MINING SITE CONVERSION DEMONSTRATION PROJECTS

WHEREAS, as required by the Growth Management Act, King County has adopted procedural requirements relating to amendments to the King County Comprehensive Plan which requirements are codified at King County Code (“KCC”) Ch. 20.18; and

WHEREAS, on December 3, 2012, the King County Council adopted Ordinance No. 17485 amending the procedures applicable to annual amendments to the King County Comprehensive Plan (the “**Comprehensive Plan**”) as set forth at KCC 20.18.030; and

WHEREAS, in particular, the amendments to KCC 20.18.030 approved by the King County Council expand the categories of amendments to the KC Comprehensive Plan that may be considered on an annual basis to include amendments necessary to implement a Mining Site Conversion Demonstration Project; and

WHEREAS, prior to approval of this amendment, an amendment to the Comprehensive Plan necessary to allow a Mining Site Conversion for residential uses could only be considered during the four year Comprehensive Plan amendment Cycle; and

WHEREAS, the amendments approved on December 3, 2012 now allow the King County Council to consider such amendments to the Comprehensive Plan on an annual basis; and

WHEREAS, the adoption of this amendment has the potential to hamper and dilute the long-term growth management and planning process that is necessary for thoughtful and careful consideration of amendments to the Urban Growth Area Boundaries and, in particular, amendments that would affect industrial land uses that have substantial and long-term impacts upon the environment and the community such as mining and forestry; and

WHEREAS, allowing consideration of such significant and far-reaching amendments on an annual basis will be a drain on local resources and the public and will result in reactionary responses rather than long-term growth management and planning; and

WHEREAS, several mines surround our community and could be subject to these new

provisions, including the Reserve Silica mine which is located within ¼ mile of our City's current UGA boundaries; and

WHEREAS, the City Council understands that the owners/representatives of the Reserve Silica mine have been actively seeking a rezone of their 402 acre property from Mining (or Forestry following reclamation) to Rural Area 10, which would allow one home per 10 acre lot and could potentially allow approximately 50 homes to be constructed on this site; and

WHEREAS, conversion of mining and forestry resource properties for residential use is inconsistent with the County's goal of protection and preservation of such resource properties; and

WHEREAS, the City is circumspect of mining site conversion projects for residential uses that may serve primarily to reduce the financial obligations of the mine owners associated with the requirements for reclamation and conversion to forestry use and increase their property value; and

WHEREAS, such projects should be subject to long-term planning as is evidenced by the potential for the mining sites near, but outside of, Black Diamond to be developed without the urban services and infrastructure that will be required by the residents of such a development; and

WHEREAS, the need for long-term planning and growth management is further evidenced by the process engaged in by the City of Black Diamond and King County, dating back to the signing of the Black Diamond Urban Growth Area Agreement between the City, Plum Creek Timber and King County in 1996, and the subsequent environmental impact statements, annexation agreements and the open space area agreement also signed by the City of Black Diamond, Plum Creek Timber, the Cascade Land Conservancy and King County in 2005; proceeding with a rezone at the neighboring mining sites would ignore this important history and precedence; and

WHEREAS, allowing such annual consideration of Comprehensive Plan amendments also ignores the importance of this open space for the long-term water-quality health of our City which was recognized in the establishment of King County open space areas protecting Ravensdale Lake and Ravensdale Creek, and ignores the importance of Ravensdale Creek as a current important salmon spawning stream for winter run Coho from the Green River and as a watershed draining into Lake Sawyer; and

WHEREAS, Silica mining properties are located immediately adjacent to and drain directly into Ravensdale Lake and Ravensdale Creek; thus, development of this site could result in adverse impacts on Lake Sawyer and salmon spawning in Ravensdale Creek, including increases in phosphorus loading into Lake Sawyer which has already suffered from historically high levels, which the City has worked hard to address in the Development Agreement with Yarrow Bay and with King County in its designation of Ravensdale Creek for purposes of meeting anti-degradation standards; and

WHEREAS, the Black Diamond Open Space Areas Agreement set aside 1,500 + acres of Ravensdale Ridge surrounding the Reserve Silica site as conservation forest land, which was an important part of the open space buffer provided as part of the Black Diamond UGA; and

WHEREAS, the set aside contemplated that the Reserve Silica site would be reclaimed and converted to forestry purposes; and

WHEREAS, the City Council finds that for the foregoing reasons, it does not in principle support, and opposes, the amendments to KCC 20.18.030 approved by the King County Council pursuant Ordinance No. 17485 allowing consideration of amendments to the King County Comprehensive Plan on an annual basis to implement Mining Site Conversion Demonstration Projects;


NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. That, for the reasons above-stated, the amendments to KCC 20.18.030 approved by the King County Council pursuant Ordinance No. 17485 allowing consideration of amendments to the King County Comprehensive Plan on an annual basis to implement Mining Site Conversion Demonstration Projects are contrary to the best interest of the City of Black Diamond, contrary to the goals of the City and King County to engage in long-term growth management and planning; and may result in significant adverse impacts to the community and the environment.

Section 2. That the King County Council is encouraged to amend KCC 20.18.030 by repeal of those provisions allowing Mining Site Conversion Demonstration Projects to be considered on an annual basis.

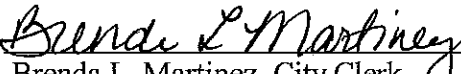
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 7TH DAY OF MARCH, 2013.

CITY OF BLACK DIAMOND



Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:



Brenda L. Martinez, City Clerk

Approved as to form:

Chris Bacha, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted: