

October 23, 1997

Introduced By:

Pete von Reichbauer

clerk 10/23/97

Proposed No.:

97-648

MOTION NO. **10369**

1
2 A MOTION stating King County's compliance with the Central
3 Puget Sound Growth Management Hearings Board's decision and
4 order in Case No. 97-3-0002 relating to the Urban Growth Area
5 of the city of Black Diamond.
6

7 WHEREAS, in 1994, King County adopted its Comprehensive Plan,
8 consistent with the provisions of the Growth Management Act (RCW 36.70A);

9 WHEREAS, as part of the 1996 Amendment to the King County
10 Comprehensive Plan, Ordinances 12533 and 12534 were adopted for the purposes
11 of establishing an Urban Growth Area (UGA) for the city of Black Diamond, and
12 authorized the execution of the Black Diamond Urban Growth Area Agreement
13 (the Agreement);

14 WHEREAS, on January 24, 1997 these two ordinances were challenged
15 before the Central Puget Sound Growth Management Hearings Board (the Board);

16 WHEREAS, on July 23, 1997 the Board determined in Case No. 97-3-0002
17 that King County's adoption of the Black Diamond UGA, as implemented by the
18 Agreement, complies with the GMA, except for that portion of the UGA known as
19 the Lake 12 Annexation Area;

20 WHEREAS, the Board remanded the Black Diamond UGA back to King
21 County to resolve the noncompliance of the Lake 12 Annexation Area with RCW

1 36.70A.110 and to update Technical Appendix D of the Comprehensive Plan to
2 account for the acreage included in the Black Diamond UGA;

3 WHEREAS, a deadline of January 16, 1998 was established for King
4 County to comply with the remand order;

5 WHEREAS, King County has sent, via certified mail, to the property
6 owners of the Lake 12 community, a copy of the Black Diamond Agreement and a
7 statement acknowledging the terms of the Agreement for them to sign;

8 WHEREAS, the property owners have returned to King County signed
9 statements concurring with the terms of the Agreement; and

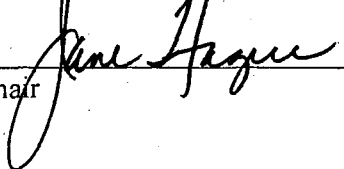
10 WHEREAS, a revision to King County Comprehensive Plan Technical
11 Appendix D is attached to this motion to account for the capacity of the Black
12 Diamond UGA.

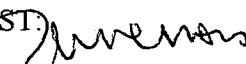
13 NOW, THEREFORE BE IT MOVED by the Council of King County:

14 That King County has demonstrated compliance with the Central Puget Sound Growth
15 Management Hearings Board Final Decision and Order of Case No. 97-3-0002.

16 PASSED by a vote of 9 to 2 this 15th day of December, 19 97

17 KING COUNTY COUNCIL
18 KING COUNTY, WASHINGTON

19 
20 _____
21 Chair

22 ATTEST: 
23 _____
24 Clerk of the Council

25 Attachments: (A) Statements signed by Lake 12 property owners and a list of signatories
26 (B) Technical Appendix D
27

Appendix D

Growth Targets and the Urban Growth Area

Note:

Appendix D has been revised in accordance with the Final Decision and Order of the Central Puget Sound Growth Management Hearings Board, Case No. 97-3-0002. King County was directed to account for the designation of the Black Diamond Urban Growth Area. The Black Diamond capacity calculations have been added as an attachment to this Appendix. The capacity calculations contained within the body of Appendix D have not been updated. Appendix D does not reflect any amendments made to the Urban Growth Area since the adoption of the King County Comprehensive Plan in November, 1994.

I. Abstract

This appendix provides an analysis of the size and location of the King County Urban Growth Area (UGA). The appendix discusses the factors that determined the drawing of the UGA to accommodate projected population growth by 2012 pursuant to the state Growth Management Act (GMA). The relevant information for this study came from reports of the various technical committees assigned to provide data for the UGA, the Countywide Planning Policies, the Environmental Impact Statements of the Countywide Planning Policies and the King County Comprehensive Plan, recent Community Plans, and a review of the work of other jurisdictions developing similar policies throughout the country.

The King County UGA is sized to adequately accommodate projected growth while also accounting for unpredictable circumstances that could alter the calculated supply of buildable land or the number of households needed to accommodate projected population growth. The location of the UGA takes in areas of the County that already have urban services or have solid commitments for urban services, and as a result, would be inconsistent with the criteria for rural land.

II. Background

The Countywide Planning Policies establish a framework UGA for King County. King County will designate a final UGA in its Comprehensive Plan based on this framework. Each city within King County is responsible for determining, through its comprehensive plan, land use within its borders. King County is responsible for establishing land use in the unincorporated portion of the UGA through its comprehensive plan.

Key factors used in setting the UGA include population forecasts, growth targets, and land capacity. **Population forecasts** are predictions about future behavior based on past trends. **Growth targets** are a jurisdiction's policy statement on how many net new households it intends to accommodate in the future based on the expected size of the average household. **Land capacity** is derived from an estimate of vacant land plus the redevelopment potential of land already

partially developed or underutilized. Discount factors are applied to the estimate of land capacity to account for probable constraints to actually developing the land.

Forecasts are useful as an indicator of the potential future demand for land. Targets follow the development of specific goals and objectives for future growth and, under the GMA, they must be supported by commitment of funds, incentives, and regulations. Discounted capacity is a realistic estimate of how much growth may be accommodated in a geographic area.

Under the GMA, each county is required to accommodate 20 years of population growth. Counties are to establish UGAs "within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature" (RCW 36.70A.110(1)). Further based on OFM population projections, the GMA requires the UGA to "include areas and densities sufficient to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period" (RCW 36.70A.110(2)). As specified in RCW 36.70A.110(1), all cities are places for urban growth and, by law, must be included within the Countywide UGA. In addition, unincorporated areas may be included within the UGA "only if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth". Each UGA also shall include greenbelt and open space areas (RCW 36.70A.110(2)).

Several GMA goals, which must be balanced against each other, have an important bearing on these UGA requirements. Goals such as those dealing with affordable housing, economic development, open space, recreation, and the environment need to be balanced with those which encourage efficient urban growth and discourage urban sprawl.

The so-called "concurrency" goal for public facilities and services directs jurisdictions to ensure that "those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy without decreasing current service levels below locally established minimum standards" (RCW 36.70A.020(12)). Ensuring adequate land for industrial and commercial development and providing enough land to allow for choices in where people live will help advance economic development and maintain housing affordability. If the UGA is adequately sized, then pressures to develop on environmentally constrained land and on areas set-aside for open space are reduced. These factors must be balanced with the goal of reducing urban sprawl when determining the UGA.

III. Size of the Urban Growth Area

A. Growth to be Accommodated

1. Projected Countywide Household Growth

The Washington State Office of Financial Management (OFM) forecasts an additional 293,100 people in King County for the period 1992-2012, a projection that includes population throughout the County. This projection is to be the basis for designating the County's UGA.

Land use decisions are more closely dependent on the expected growth in households and dwelling units than on simple population forecasts. As a result, the OFM population forecast of an additional 293,100 people by 2012 has to be translated into a number of additional households in order to be meaningful for purposes of land use planning. Household size is an estimate of the number of people expected to live in each dwelling unit and is used to calculate how many new households will be needed to accommodate the expected increase in population.

The Countywide Planning Policies adopted a 20-year target of projected household growth for all of King County of 195,700. (LU-67) This household growth target is based upon the assumption that the average household size in King County in 2012 will be 2.2 people. Applying this average household size of 2.2 to the OFM forecast of 1,857,600 people projected to be living in King County in 2012 yields the Countywide Planning Policy target of 195,700.

If the household size is different, but the projected population increase remains constant, the number of new households will change. If the average household size is smaller, then there will need to be more households to accommodate the same population. If, however, the household is size larger, the same population can be accommodated in fewer households.

King County has analyzed a range of possible household projections based on different estimates of potential household size, as part of its analysis of the UGA. King County has looked at three possible scenarios for household sizes: 2.4, 2.2, and 2.0 people per household. The growth target in the Countywide Planning Policies is based on an average of 2.2 people per household. This is consistent with the forecast made by the Puget Sound Regional Council.¹ Average household size in King County is forecast by the Puget Sound Regional Council to decline over the next 20 years, although at a slowed rate, from 2.4 persons per household in 1990 to slightly more than 2.2 persons per household in 2010.²

Although household size has been declining and is expected to continue to decline, it is not completely clear how this expected decline will occur. An average household size of 2.4 people in 2012 would mean that average household size would stabilize; an average of 2.2 people per household in 2012 would mean average household size would continue to decline, but at a slower rate from recent historical trends; and an average of 2.0 people per household in 2012 would mean that average household size would continue to decline at approximately the same historical rate as for the period from 1970 to 1990.

During the 10-year period from 1970-1980 population in King County grew by 110,500 people and households grew by 103,900. This is almost a 1:1 relationship of the growth in population to the increase in the number of households. With an average household size of 2.4 people, the growth in households in King County by 2012 would be 126,500. With an average household size of 2.0 people, the growth in households in King County by 2012 rises to 278,000. The target of 195,700 households, which is based on 2.2 people per household, may be reasonable. It is more likely, however, that present trends will continue and household growth will be higher than the target of 195,700. (Table 4). The most likely range of projected household growth in King County for the next 20 years is between 195,700 and 278,000.

2. Allocation of Projected Household Growth to Cities and Unincorporated King County

The household growth target of 195,700 households was allocated to each of King County's 33 cities and to the County's unincorporated area by the Countywide Planning Policies.³ These targets are *estimates* of the number of new households that jurisdictions expect to receive during the period. The targets for each of the cities and the unincorporated area are expressed as ranges to reflect the uncertainties of each jurisdiction's ability to accommodate its growth targets. The countywide households target range is 171,816 (low), 195,700 (mid) and 222,558 (high).

The countywide household target of 195,700 was allocated among the jurisdictions in King County based on factors listed in Countywide Planning Policy LU-67b. The basis for the allocations, in accordance with Policy LU-67b, includes proximity to employment centers, the need to offer a range of housing types, the ability of a jurisdiction to provide capital facilities and utilities, and also consistency with the concept of developing 14 urban centers where household and job growth is to be concentrated. Each jurisdiction made policy decisions, stated as targets, about how much growth they planned to accommodate during the forecast period.

¹ Although the target of 195,700 households was initially sized for the population growth target of 325,800 (Countywide Planning Policies, 1992), it remains valid for the smaller population increase of 293,100 (Countywide Planning Policies, 1994).

² Puget Sound Regional Council "Working Draft - Forecast Allocations," unpublished, (August - November, 1993).

³ King County Countywide Planning Policies, Policy LU-67. King County Council Ordinance No. 11446, August 15, 1994.

The allocation of households to jurisdictions is connected to the allocation of estimated future jobs. Although not required by the GMA, the Countywide Planning Policies adopted a 20-year employment target in addition to the household target and also allocated the employment target to the cities and unincorporated King County. The Countywide employment growth target of 347,400 was based on job forecasts prepared by the Puget Sound Regional Council and was allocated to the cities and the county based upon factors listed in Countywide Planning Policy LU-68. The cities' household targets are tied in part to their employment targets because of the relationship between household and employment growth and the need to support Urban Centers while balancing local employment opportunities in activity centers and neighborhoods in the urban area.

Targets represent a commitment by the jurisdiction to accommodate growth. The Countywide Planning Policies require jurisdictions to plan for their targeted growth and to adopt a regulatory framework and the necessary infrastructure funding to achieve the targeted growth. The way each jurisdiction achieves its targets is within its discretion. It is the responsibility of each jurisdiction to determine how best to accomplish its growth targets. The jurisdictions will impose a variety of regulatory measures, appropriate to their area, to achieve their goals. It is the responsibility of King County to implement its growth targets through zoning decisions and other policies in the unincorporated areas.

The targets for each of the cities and the unincorporated areas are expressed as ranges in the Countywide Planning Policies. The total household range for just the cities in King County is 131,768 (low), 150,803 (mid), and 172,558 (high). The cities are required by the Countywide Planning Policies to accommodate this amount of growth. The target range for the unincorporated area of King County is 40,000 (low), 45,000 (mid), and 50,000 (high). King County is planning to accommodate 38,000 of the target households in the Urban Area and 7,000 in the Rural Area.

The unincorporated growth target ranges are accommodated through a variety of zoning densities appropriate to the respective geographic areas of the County. The Executive Proposed King County Comprehensive Plan directs that development in the UGA should occur at an average of seven to eight dwelling units per acre. Within the Urban Area, growth is targeted to go first to the Full Service Planning Areas where urban services are currently available, and second to the Service Planning Areas in which one or more urban service is not currently available.

The total ranges of estimated households in the Countywide Planning Policies (171,816 to 222,558) is actually narrower than the range analyzed in the prior section above (126,500 to 278,800). The ranges in the Countywide Planning Policies reflect the uncertainties of each jurisdiction's ability to accommodate the household targets whereas the household targets analyzed above are based on likely trends in household size. In other words, the household ranges shown in the Countywide Planning Policies fail to address the difficulty in estimating households related to uncertainty regarding household size. The mid-range target of 195,700 in the Countywide Planning Policies is a conservative estimate of the number of new households in King County by 2012. If the average household size continues to decline, commensurate with prior trends, then the household growth could be significantly greater.

B. Land Capacity in the UGA

1. Countywide

King County is required by the GMA to ensure sufficient land is available to accommodate the expected number of households by 2012. Most of the anticipated growth will occur in the UGA, including cities and unincorporated areas. Estimating land capacity involves much more than merely adding up all vacant and redevelopable land available in the county. Land capacity is an estimate of the amount of buildable land that is likely to be actually available; that means taking the base, or raw, number and subtracting out land that is unbuildable due to environmental and other constraints.

The capacity of both vacant and underutilized land is calculated by multiplying the available acreage by a factor representative of the zoning. For example, a 20 acre parcel with zoning of 4 dwelling units per acre is calculated as having a raw capacity of 80 units. This number is then reduced, or discounted, to account for the actual constraints of land development. Capacity estimates for King County are discounted for the 20 year planning period as follows:

- (1) From 15 to 30 percent for physically constrained land areas;
- (2) From 10 to 30 percent for rights-of-way;
- (3) From 5 to 15 percent for other public purpose lands; and
- (4) From five to 15 percent for vacant land, or from 15 to 25 percent for land included for redevelopment.

The "market" discounts specified in the fourth factor above are applied to account for the fact that not all land will be available for development during the 20 year period. Land included for redevelopment is discounted at a higher rate because the rate and degree to which currently developed land will be available is more uncertain than for vacant land.

King County has analyzed the range of potential land capacity for the UGA. To arrive at this range of discounted capacity, the low and high discount factors are applied to the UGA, as shown in Figure 1 below:

Figure 1
Range of Land Capacity Estimates
Based on Discount Factors

Maximum Buildout Land Capacity (UGA)	600,000
Less Discount Factors:	
(1) Physical Constraints (15% to 30%)	510,000 to 420,000
(2) Right-of-way (10% to 30%)	459,000 to 294,000
(3) Public Purpose Lands (5% to 15%)	436,050 to 249,900
(4) Market factors (10% to 20%)	392,445 to 199,920
<hr style="width: 20%; margin-left: auto; margin-right: 0;"/>	
Total Discounted Land Capacity (rounded)	392,000 to 200,000 dwelling units
Cities	319,200 to 154,000 dwelling units
Uninc. Urban King County	72,800 to 46,000 dwelling units

Figure 1 demonstrates the broad range of actual buildable land capacity that is possible to result within the UGA.

The Final Supplemental Environmental Impact Statement (FSEIS) for the Countywide Planning Policies contains a table of countywide land capacity estimates generated from data submitted by individual jurisdictions throughout the County. This capacity estimate in the FSEIS is high. There are three general qualifications that must be applied to this Countywide Planning Policy Capacity estimate: (1) the capacity totals are based on initial estimates, before most jurisdictions have adopted new comprehensive plans, (2) the estimates do not indicate whether infrastructure capacity exists in the areas reporting land capacity; and (3) the amount of development expected from redevelopment is significant and likely greatly overstated.⁴

⁴ Henigar & Ray, Inc., Draft Supplemental Environmental Impact Statement for the Countywide Planning Policies, (Seattle, WA: January 12, 1994) 18,22.

2. The Cities

King County has not independently analyzed each city's land capacity estimates as shown on the table in the FSEIS. Each city independently calculated its land capacity estimate by applying the discounts in whatever amounts it wished. The cities used the agreed upon discount ranges as guidance only: they did not necessarily stay within the ranges. Some cities did not apply discounts to their raw capacity numbers; some applied discounts for one or two factors, but not all; and some jurisdictions applied discounts outside the recommended ranges. Further, jurisdictions used current zoning or projected zoning, which may differ from zoning actually in place after adoption of comprehensive plans pursuant to GMA.⁵ Not all capacity estimates of the jurisdictions are based on newly adopted comprehensive plans. Many cities may not be able to realize the expected upzoning required to meet their capacity estimates due to opposition from neighborhood residents.

This is particularly true given the high percentage of estimated capacity in the cities expected to come from redevelopment. Realization of extensive capacity from redevelopment is highly uncertain and speculative and has not been tested in the Puget Sound region. With over half of the capacity dependent on redevelopment, the capacity estimate for the cities may well be significantly overstated. The land capacity estimate for the cities is 282,250 dwelling units in the FSEIS for the Countywide Planning Policies (Table 1). Applying the agreed upon discount factors, as Figure 1 above shows, the capacity in the cities could be as low as 164,000 units.

3. The Unincorporated Area

Discounted capacity in unincorporated King County is currently estimated to be 80,100 units, assuming application of mid-range discount factors. (61,000 in the Urban Area and 19,100 in the Rural Area), (Table 3). This is based on current zoning, but with the removal of growth reserve zoning. Other adjustments to the UGA are expected to be minimal and will not significantly alter the estimate.⁶ The Draft Supplemental Environmental Impact Statement (DSEIS) for the King County Comprehensive Plan estimates capacity in the unincorporated Urban Area to range from 33,818 to 43,087 additional housing units depending on different scenarios for discount factors.⁷ With the lifting of the growth reserve zoning in the Soos Creek, East Sammamish, Tahoma/Raven Heights, and Northshore Community Planning Areas, the capacity will increase to a range of 46,000 to 72,800 units.

The range of capacity calculated in Figure 1 above is consistent with the ranges developed in the DSEIS for the Comprehensive Plan. The vast majority of the capacity in unincorporated King County is from vacant land. Therefore, there is not as great uncertainty as is associated with capacity coming from redevelopment in the cities.

C. Analysis

The establishment of a UGA is not an exact science. There are many variables that must be considered in the analysis of where UGA boundaries should be drawn: including population growth, household size, actual buildable capacity, market factors, and policy considerations. As will be discussed below, if any variable in the analysis does not turn out in practice as initially predicted, then there are likely to be negative consequences. If a UGA is too constraining, then housing prices will rise and likely drive development elsewhere. Future urban development will be required to leapfrog over intervening rural densities and open space. Also, other planning goals, such as protecting the environment and providing a broad mix of housing choices, will not be accomplished. Conversely, if the UGA is too large, then urban sprawl may occur. The experience of establishing urban growth areas in this country is not extensive. Very few

⁵ Only the cities of Bellevue, Carnation, Clyde Hill, Federal Way, Kirkland, Medina, Mercer Island, Redmond, Renton, SeaTac, Seattle, and Tukwila based their capacity numbers on revised comprehensive plans.

⁶ Adjustments to the UGA adopted in the Comprehensive Plan for Joint Planning Areas and for one parcel in the 4:1 program are expected to yield approximately 800 units to the capacity.

⁷ Parks, Planning and Resources Department, King County Comprehensive Plan Supplemental Environmental Impact Statement (Seattle, WA: June, 1994) 179.

communities have imposed measures to manage growth similar to the GMA. There is very little empirical data to guide the creation of King County's UGA. "Although simple in concept, the construction of UGBs (*Urban Growth Boundaries*) proved difficult in practice. Part of the difficulty stems from the uncertainty concerning the rate of urban development. With the rate of urban development uncertain, determining exactly how much land to include inside a UGB is a difficult problem."⁸

It is generally accepted that an oversupply of land is needed in a UGA to account for uncertainties. Reasons are generally related to the operation of urban land markets, changes in the availability of land for development over time, and a need to avoid constraining land supply and causing increases in land cost. The amount of the oversupply needed is not known with certainty.

1. Relationship Between Anticipated Demand for Households and Estimated Development Capacity

King County is required by the GMA to ensure that sufficient land is available to accommodate the number of households expected by 2012. There is considerable uncertainty regarding both the *supply* of available land and *demand* for new housing units. Supply is defined as the capacity of developable land and demand is defined as the forecast of households. There has been much debate in King County as to whether the UGA is appropriate. As discussed below, the Fis/ED Task Force, the Affordable Housing Task Force, and the Master Builders Association among others, questioned the reliability of the capacity expected from redevelopment. If the UGA is constraining, then the scarcity of developable land could cause an escalation in housing prices. "...(a) UGA that contains growth, but drives housing prices out of reach and inhibits opportunities for economic development, miscarries the intent of GMA."⁹

Addressing the capacity supply question first, the development potential of land located within the UGA ranges from 200,000 dwelling units to 392,000 dwelling units., (Figure 1). using the most recent capacity estimate (Table 2) the UGA has a capacity of approximately 343,000 dwelling units. Because so much of this development potential relies upon the redevelopment of already developed land, King County expects that the actual development potential of lands located within the UGA is probably at or below this estimate (i.e. between 200,000-343,000). This is particularly true of the estimated development potential of lands located within the cities in King County.

The capacity of the cities in King County ranges from 154,000 to 319,200 dwelling units (Figure 1). An even higher percentage of this development capacity (approximately 55%) is expected to come from redevelopment in the cities. Further, the methodology for computing this development capacity is questionable. It was based on information found in assessor's files not produced for this purpose and a consistent approach to calculating capacity was not taken by the various jurisdictions throughout the County. For these reasons, King County expects the actual capacity of the cities within the County to be toward the lower end of this range.

The development capacity of the unincorporated portion of the UGA ranges from 46,000 to 72,800 dwelling units (Figure 1). King County expects the actual development capacity of lands located in the unincorporated portion of the UGA to be around the mid-point of this range, or approximately 61,000 dwelling units.

Turning next to demand for new households, again there is a range of possible housing demand. King County expects the number of net new households within the County by the year 2012 to range between 126,500 and 278,000, as discussed in Section III.A. on pages 2-3, above. The target for new households that was used in the Countywide Planning Policies was 195,700. This estimate is consistent with projections made by the Puget Sound Regional Council. Of this target, 188,700 new households would be expected to be located in the urban portion of the County (with the remaining 7,000 expected to be located in the rural portion of the County).

⁸ Gerrit Knapp and Arthur C. Nelson, The Regulated Landscape, Lessons on State Land Use Planning from Oregon (Cambridge MA: Lincoln Institute of Land Policy, 1992) 294.

⁹ Keith W. Dearborn and Ann M. Gygi, "Planner's Panacea or Pandora's Box: A Realistic Assessment of the Role of Urban Areas in Achieving Growth Management Goals," University of Puget Sound Law Review, 16,3 (1993): 987.

If one were to project current trends regarding declining household size into the future, the expected number of net new households in King County in the year 2012 would be 278,000. Of this countywide total, approximately 268,000 would be expected to locate within the urban portion of the County. King County expects household size to decline between now and 2012. The precise rate of decline cannot be known with certainty, however, King County expects that the number of new households in the UGA in the year 2012 may well fall between the Countywide Planning Policy target (188,700) and the high point in the range (268,000).

Breaking this demand for new housing down between the cities and the unincorporated portion of the UGA yields a range of expected new households in the respective portions of the UGA. In the cities, one would expect between approximately 150,800 and 214,000 new households by the year 2012, if actual new households fall between the target projected in the Countywide Planning Policies and the figure suggested by current household size trends. In the unincorporated portion of the UGA, assuming the number of new households falls between the Countywide Planning Policies target and the figure suggested by current household size trends, one would expect between approximately 38,000 and 54,000 new households by the year 2012.

Comparing the expected supply of development capacity with the projected demand for new dwelling units provides one measure of the reasonableness of the size of the County's UGA. One way to analyze this relationship is to assume a demand for households halfway between 188,700 and 268,000 (228,350) new households and a development capacity halfway between 200,000 and 343,000 (271,500) dwelling units. Under these assumptions, which are consistent with the County's expectations, the amount of capacity provided by the County's UGA in excess of the demand for new households would be approximately 19% (43,150 excess capacity divided by 228,350 demand for new households).

In the cities, King County expects between 154,000 and 282,000 new dwelling units can be accommodated by the year 2012. Further, King County expects household demand to range from 150,800 to 214,000 during the planning period. Taking the mid-range for each factor yields an excess capacity of approximately 19.5%. This methodology applied in the unincorporated portion of the UGA yields an excess capacity estimate of approximately 16% (between 46,000 to 61,000 capacity for new dwelling units and 38,000 to 54,000 demand for new households).

The household targets contained in the Countywide Planning Policies are based on an expected average household size of 2.2 people. In fact, household size is declining and recent trends suggest that the average household size in King County could be closer to 2 people in 2012. This would result in a greater demand for housing units over the 20 year period than estimated in the Countywide Planning Policies. In addition, the capacity analysis contained in the DEIS for the Countywide Planning Policies would appear to overstate the amount of buildable land available. Based on these considerations, King County expects the demand for housing to be closer to the high end of the estimated range, while supply of housing units is likely to be toward the lower end of the estimated range.

2. Factors determining the size of the UGA

It is generally accepted that a surplus of land capacity is necessary to make a UGA function properly. A surplus of land, or a capacity cushion, allows a jurisdiction to protect against the uncertainties inherent in planning for future growth and to balance competing planning goals.

To account for some uncertainties inherent in calculating the supply and demand of future households, the Washington State Department of Community, Trade, and Economic Development (DCTED), recommends that each UGA contain a capacity cushion, or surplus, of 25% of the anticipated growth.¹⁰ Relying on the experience of other states planning for growth, DCTED recommended that allowances be made for the availability of property for development in the marketplace and that a safety factor be added to land capacity estimates.

The cushion is different from the discount factors discussed above. Discount factors are used in an attempt to effectively translate capacity from raw acreage to actual buildable lots during the planning period. The cushion is a per-

¹⁰ Washington State Growth Management Program, Department of Community Development, Issues in Designating Urban Growth Areas, Part I, Providing Adequate Urban Land Supply, (Olympia, WA: March 1992) 17. This department is now called the Department of Community, Trade, and Economic Development (DCTED).

centage amount that is added to the final discounted capacity to address uncertainties related to development and to balance GMA goals such as encouraging the availability of affordable housing and promoting environmental protection.

A capacity cushion, or surplus, is necessary for two major reasons:

- (1) To guard against uncertainties inherent in capacity calculations which, if not addressed, would produce unacceptable impacts. In particular, if too little land capacity is available for future growth, land prices may escalate unacceptably and/or growth may be pushed into other counties in an unplanned manner.
- (2) To balance the GMA goals of containing urban growth and reducing sprawl with the equally important goals of preserving affordable housing, protecting the environment, and providing sufficient land for open space.

Oregon, the only other Northwestern state with a growth management program, uses a capacity cushion much larger than the standard established by DCTED. The Portland Metropolitan area added a 25% cushion to the *total* number of households expected at the end of a given period, not just to the incremental growth expected during the planning period as suggested by DCTED.¹¹ To plan for a 25% surplus over the total households expected in 2012, King County would need capacity for approximately 400,000 additional housing units.

The capacity cushion for the King County UGA is different depending on which scenario actually occurs. If demand for housing is high, (268,000 new households based on 2.0 people per household) and the supply of housing units is low (capacity for 200,000 new dwelling units based on highly constrained land), then there is actually a deficit of capacity in the UGA. In another scenario, if the demand for housing is high (268,00 new households) and the supply of housing units is in the mid-range (capacity for 343,000 new dwelling units as expected in the Countywide Planning Policies), then the UGA is sized with an approximate 28% cushion, commensurate with the guidelines established by DCTED, noted above.

In the unincorporated portion of the UGA if demand for housing is high (54,000 new households) and supply of housing units is in the mid-range (capacity for 61,000 new dwelling units), then the capacity cushion is 13%. Alternatively, if demand for housing is high (54,000 new households) and supply of housing units is at the low end of the range (capacity for 46,000 new dwelling units), there would be a deficit of building land capacity. It is uncertain which scenario will be realized in the future.

An uncertainty in the determining the appropriate size of the UGA is estimating the size of future households. The household targets in the Countywide Planning Policies are based on a household size of 2.2 people. If the household size follows current trends and continues to fall at the same rate from the current average of 2.4 people per household, then the average household size in 2012 could be 2.0 people per household. This reduction in the number of people per household would increase the total number of households needed in the UGA to 268,000 households.

The development potential of the land supply within the UGA is also difficult to determine with certainty. The capacity of each jurisdiction is an estimate of how much growth can be accommodated. Each jurisdiction estimated the vacant land and land suitable for redevelopment and then independently applied discount factors to account for barriers to development such as environmental constraints and market considerations. The capacity number has fluctuated during the process of preparing land use plans pursuant to GMA and will continue to vary as the plan of each jurisdiction is adopted. Initial estimates were based on zoning existing in 1992 at the time the calculations were made, while subsequent numbers have included proposed zoning for some jurisdictions.

Most jurisdictions used existing zoning which means zoning in place at the time the capacity estimates were calculated. Some jurisdictions chose to base their capacity estimates on intended zoning as it is expected to change with the

¹¹ The state subsequently ordered Portland to reduce the size of its urban growth boundary to include 15.8% more land than expected to be developed by the year 2000 instead of the 25% originally proposed by the metropolitan area.

adoption of their comprehensive plans. A lot of the change in zoning involves rezoning for redevelopment. Approximately 50% of the countywide capacity is from redevelopment, most of which is in the cities. The practicality of relying on redevelopment has not been tested. There is no actual experience on which to base expectations regarding the realization of net new households from redevelopment.

Accordingly, if the cities have overestimated the amount of redevelopment that will occur, then the capacity will fall from the predictions in the Final Environmental Impact Statement (EIS) for the Countywide Planning Policies.¹² In this case, more growth is likely to be accommodated in unincorporated King County where there is little reliance on redevelopment.

The range of discounts applied in King County was derived by an interjurisdictional staff team. There have been questions raised about the adequacy of the discounts applied by individual jurisdictions to accurately account for the constraints of actually developing land in the County.

The Fiscal Analysis and Economic Development Task Force (Fis/ED) of the Growth Management Planning Council prepared an issue paper on land capacity expressing its concern that capacity estimates are overstated by a significant factor.¹³ The Task Force questioned the appropriateness of using King County Assessor's files as the basis for the capacity data stating that the files were not designed for the analysis that was performed. In addition, The Task Force raised concerns about several factors including estimates for maximum yields on residential land, the redevelopment formula, the discount for market elements, and the land capacity cushion.

The Fis/ED Task Force was particularly concerned about the suitability of the redevelopment numbers and whether redevelopment would occur as expected. According to this Task Force's final report, redevelopment will require higher purchase prices than vacant land.¹⁴ The basis for this claim is contained in the report of the Regional Financing Strategies Committee which compared the cost of developing on raw land to the cost of redevelopment.¹⁵ The committee found that the cost for a redevelopment project was significantly higher than for a project on vacant land. Factors contributing to the increased cost include: base price of the land which tends to be higher in an already developed area due to less supply, demolition of the existing structure(s), site preparation, and construction costs which tend to be higher on a constrained site surrounded by existing development.

The Task Force also raised concerns about the fact that there has been no serious attempt to estimate the number of businesses and residents who are willing and able to afford these higher rents and purchase prices associated with redevelopment. The Fis/ED report, adopted by reference in the Countywide Planning Policies, recommends that 1995 be a year of confirmation of the baseline data and explicitly included a work program to accomplish review and updating of the capacity numbers.

The Affordable Housing Task Force of the King County Growth Management Planning Council also raised concerns about whether King County will realize the redevelopment estimates included in the capacity analysis. The Housing Task Force suggested that additional residential capacity may be needed in jurisdictions with a large proportion of redevelopment sites to compensate for the uncertainty of redevelopment.¹⁶

There are serious public policy consequences that result from a UGA that does not contain sufficient land to meet demand for future households. If the supply of housing is not adequate to meet the demand for housing, then housing prices are likely to rise. The impact of a UGA on housing prices was an explicit concern of the King County Afford-

¹² Parks, Planning and Resources Department, Final Supplemental Environmental Impact Statement for the Countywide Planning Polices Proposed Amendments (Seattle, WA: May 18, 1994) Table 1.

¹³ Fiscal Analysis and Economic Development Task Force, "Land Capacity Issue Paper", issued as an addendum to the Final Report, May 4, 1994.

¹⁴ Fiscal Analysis and Economic Development Task Force, Final Report (Seattle, WA: May 4, 1994) 15.

¹⁵ Fiscal Analysis and Economic Development Task Force, Regional Financing Strategies Committee, Report, (Seattle, WA: May 4, 1994) 20-23.

¹⁶ Affordable Housing Task Force of the King County Growth Management Planning Council, Affordable Housing in King County, Strategies for Achieving Growth Management Hosing Policies, (Seattle, WA: March 1994) 64.

able Housing Task Force which cautions that providing "... for sufficient land for housing is one of the most important steps a jurisdiction can take to promote affordability."¹⁷ An additional concern of the Housing Task Force is that an adequate mix of affordable housing types, such as small-lot single family, townhouse, multifamily and mobile home parks be available.

A UGA that provides certainty in the land market also serves to moderate housing prices. "A primary lesson from experiences with growth boundaries is that the greater the market factor, the less the need for routine expansion of the boundary."¹⁸ Routine expansion can lead to greater uncertainty and consequently more variability in the land prices due to speculation in the land market. "If future land use designations are firm, well known, and represent a public commitment to future development, then participants in the marketplace can make investment decisions consistent with public plans, thus resulting in a more efficient development process."¹⁹

If King County puts undue pressure on the housing market in King County by limiting choices, by causing a rise in housing prices due to constrained supply, or by fueling speculation by not providing certainty in the market, then growth projected for King County could go elsewhere in the Puget Sound Region. Restraint on development beyond that required by the GMA would have the result of shifting growth elsewhere. This issue was raised by the Fis/ED Task Force and also in the Draft Supplemental Environmental Impact Statement (DSEIS) for the Countywide Planning Policies. The DSEIS discussed the possibility that King County strategies could drive new development to adjoining counties. The report cautioned that these impacts also depend on the policies adopted in other counties.²⁰

Applications for subdivisions indicate that a shift is starting to occur in King County, although the actual cause cannot be determined. In 1993, King County jurisdictions received only nine percent of the four-county region's (King, Pierce, Snohomish, and Kitsap) applications for new dwelling units; Pierce County received 67% of the applications; and Kitsap's share of the applications was 14%.²¹

This unplanned shift in population has happened in other jurisdictions outside of Washington state. "Another unintended consequence of urban limits, one that has occurred in both San Diego and Montgomery County, Maryland, is that developers shift operations to outlying jurisdictions more receptive to growth."²²

The UGA in King County is sized to accommodate growth as projected by OFM without risking encumbrances on the market that could cause a rise in housing prices. There are many uncertain factors that could lead to undesired outcomes such as higher housing prices or a shift in population away from King County.

The demand for households is stated as a total based on the number of people expected in each household. What the total household number fails to show is the demand for a particular type of housing. King County needs to provide an array of housing types to accommodate the demand in the market. King County Comprehensive Plan Policy H-101 states that the County is to work with the cities and private sector to provide a wide range of housing to meet the needs of the diverse population. This means providing housing inside the urban centers at high densities and housing outside the centers at more moderate densities. The UGA needs to accommodate enough land to provide a variety of housing types so that existing and future residents have choices.

The Master Builders Association of King and Snohomish Counties stated in a letter to the Metropolitan King County Council that the housing targets underestimate demand for single-family homes because the targets are based on an

¹⁷ Affordable Housing Task Force 63.

¹⁸ Terry Jill Lassar and Douglas R. Porter, "Urban/Rural Boundaries, The Limits of Limits," Urban Land, 49,12 (1990) 33.

¹⁹ Nelson and Moore 67.

²⁰ Henigar & Ray, Inc., Draft Supplemental Environmental Impact Statement for the Countywide Planning Policies, (Seattle, WA: January 12, 1994) 24.

²¹ Annual Growth Report 18.

²² Lassar and Douglas 33.

extension of recent trends showing an increase in multifamily development. The Association believes that this trend cannot be sustained and therefore, predictions based on that trend are wrong.²³

The King County UGA is sized to include land that already has urban services or commitments for those services. The UGA encompasses land with these commitments to avoid piecemeal additions to the UGA and the resultant fueling of land speculation. There are approximately 450 square miles in the UGA compared to approximately 1,680 square miles of non-urban land in the County. In 1985, King County adopted a comprehensive plan that designated an urban area, rural area, and resource lands. Over the next eight years, zoning was applied consistent with the general land use designations. Subsequently, land was platted and commitments for services made in accordance with the planned densities for these areas.²⁴ Since 1985, King County has added approximately 80 square miles to the Rural Areas.

If these areas already committed to urban development are not included in the UGA, the likely result will be high density developments, possibly with sewers, in the Rural Area. This would have the effect of "degrading" the Rural Area by including urban-style development and creating a demand for urban services. If areas either with sewers, or likely needing sewers in the future, are included in the Rural Area, then there is pressure for properties adjacent to the sewer area to have sewers. Once sewers are present in the Rural Area, it is difficult to deny sewers to adjacent properties. The Comprehensive Plan clearly states that sewers are not allowed in the Rural Area, except in very specific cases, and to put already sewer areas into the Rural Area, when they are adjacent to the Urban Area, is unacceptable.

The State of Florida, one of a few other states with a state-mandated growth management program, recognized the need to accommodate existing commitments. The state requires communities that submit plans with a supply greater than 25 percent of projected demand to demonstrate (1) other measures to control sprawl or (2) that existing conditions (such as extensive committed or vested lands) require the extra land supply before approving the plans.²⁵

King County has applied a rationale similar to Florida's by including areas that currently have, or are committed to have, urban development and services. The size of the UGA in King County is linked to putting urban development inside the UGA so as not to include lands incompatible with rural uses inside the Rural Area. The King County Comprehensive Plan includes goals and policies to increase densities in the Urban Area and to decrease densities in the Rural Area. In the long-term, this will create a more dramatic difference between the two land use classifications.

In an evaluation of the growth management program in Oregon, it was recommended that the long term expansions of the urban growth boundary be based on 50 year public facilities needs. This would allow facilities to be sized for eventual demand. Although the state of Washington requires counties to plan for 20 years of growth in the UGA, major public facilities are designed to have useful lives that exceed 50 years. The state of Oregon did not allow facilities to be designed with excess capacity. Portland experienced low density development adjacent to the urban line that may now serve as a barrier to expansion of the urban growth boundary because the development was built without urban facilities. To expand the growth area may result in "leapfrogging" of urban development over the lower density development along the current boundary.²⁶ Leapfrogging results when expansion of higher density urban development is halted by existing low density development and subsequently "leaps" over the low density development to vacant land.

In accordance with Countywide Planning Policy FW-1, Step 8, King County is committed to maintaining a permanent Rural Area. The Executive Proposed King County Comprehensive Plan, Policy R-103, further states that the Rural Area is to be "long-term and unchanging". King County has included in the Urban Area, lands which contain urban level of services or can easily accommodate those services. In King County, a program has been proposed to create a permanent band of open permanent space along the UGA border (this is known as the "4 to 1" Program). If this band

²³ Letter from Master Builders Association of King and Snohomish Counties to the Honorable Cynthia Sullivan, Metropolitan King County Council, dated April 28, 1994.

²⁴ Refer to Section VII., Location of the Urban Growth Area, for a description of the area and a definition of commitments.

²⁵ DCTED 17.

²⁶ Arthur C. Nelson and Terry Moore, "Assessing urban growth management: the case of Portland, Oregon, the USA's largest urban growth boundary," Land Use Policy, 10,4, (1993): 300.

of open space was not set at the permanent border between urban and rural lands, then future extensions of urban development into the current Rural Area would result in "leapfrog" development over the open space. This action to establish a long-term and stable Rural Area will prevent the "leapfrogging" occurring in Oregon, as cited above. By sizing the UGA to adequately accommodate the range of expected outcomes, King County is fulfilling its commitment to providing certainty and maintaining the integrity of the Rural Area.

V. Location of the Urban Growth Area

A. Factors

The GMA directs counties to include in a UGA, "...territory that is located outside of a city only if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth." (RCW 36.70A.110(1)) The GMA further defines characterized by urban growth as "...land having urban growth located on it, or (to) land located in relationship to an area with urban growth on it..." (RCW 36.70A.030(14))

King County defines areas characterized by urban growth to include areas with existing urban development (higher densities, sewers, and major roads) and areas with commitments for urban growth (public water systems, sewers, land platted into small lots, vested urban development applications, and specific parcels where substantial costs had been incurred by property owners based on land use and zoning designations). King County's historical land use designations coupled with aggressive platting in the 1980s, has led to the inclusion of many unincorporated areas into the UGA.

Areas of unincorporated King County that are decidedly urban in nature with a full range of urban services, such as Shoreline and White Center, are included in the UGA. Areas characterized by higher density development (one acre and smaller lots) that will likely require sewers, offer potential for redevelopment, or that can be easily accommodated with urban services because of their adjacency to an existing served area were also included in the UGA. Territory in this category include areas east of Redmond, Kent, Renton, Auburn, and Federal Way and the central portion of the East Sammamish Plateau. None of these areas meet the criteria for inclusion in the Rural Area. The King County Comprehensive Plan states that the Rural Area be characterized by low density development compatible with rural character and uses, farming, forestry, mining, and rural service levels.

Some previously designated Urban Areas were not included in the UGA because they are characterized by low density development (lots of one acre or larger) which will not require sewers or the likelihood of redevelopment is minimal. These areas may contain smaller lot sizes than is required for new developments in the Rural Area, but they do not bring a commitment for an urban level of services in the future. Excluded from the UGA were approximately 49 square miles of low-density neighborhoods which were designated urban in the 1985 comprehensive plan but not served by a full range of services (especially sewers), and where higher-density infill was unlikely due to infrastructure costs, land use patterns, and environmental constraints. Examples include the East Maple Valley and Shadow Lake area in south King County, and Hollywood Hill, Ames Lake and Union Hill in north King County.

Another factor in determining the location of the UGA is the rapid pace of annexations and incorporations of unincorporated King County land to cities. Two new cities, Burien and Woodinville, incorporated in 1993. Also, in 1993, the voters of Newport Hills, and in 1994, Shoreline, approved the incorporation of two new cities to be effective in 1994 and 1995, respectively. There were also large annexations in 1993 and early 1994 that shifted people into Bellevue, Des Moines, and other cities.²⁷

²⁷ Annual Growth Report 51.

B. Description (north to south)

The King County Urban Growth Area includes all incorporated cities within the County and only those unincorporated areas characterized by urban growth, or adjacent to areas characterized by urban growth (please note the definition of "characterized by urban growth" above). The following narrative describes the Urban Growth Area boundary as depicted on the attached maps from north to south, and clarifies its consistency with the GMA.²⁸

Woodinville Area: The Urban Growth Area boundary begins at the Snohomish County line and follows the existing eastern boundary of the City of Woodinville, then traverses west along the southernmost boundary of Woodinville to the Kingsgate area. Sewered urban development in Kingsgate and existing manufacturing uses west of the Sammamish Valley Agricultural Production District are also included within the Urban Growth Area. The Hollywood Hill neighborhood, which is primarily developed at an average density of one home per two acres, is excluded from the UGA as there is not sufficient developable land to economically justify bringing sewers and other urban services to the neighborhood.²⁹

Redmond Area: The Urban Growth Area boundary then follows the northern boundary of the City of Redmond, and takes in land adjacent to the City limits as well as sewered, urban residential property immediately northeast of the City limits. Adjacent to the eastern boundary of Redmond, properties currently zoned and developed with intensive urban uses are also included.

The Novelty Hill area, located east of Redmond, is also included in the UGA because it is located in relationship to Redmond so as to be appropriate for urban growth. In 1989, Novelty Hill was determined to be the appropriate size and location for concentrated urban growth necessary to accommodate population projections for the Bear Creek community planning area.³⁰ These properties are located within the framework UGA contained in the Countywide Planning Policies. Novelty Hill is also located in close relationship to the City of Redmond as Novelty Hill Road, a minor arterial planned for an urban level of service, functions as a transportation and utility corridor connecting Redmond and Novelty Hill. Urban governmental services can be provided to Novelty Hill efficiently and cost-effectively. Further, the Novelty Hill property owners have incurred substantial costs in pursuing urban development there based on the existing Bear Creek Community Plan land use and zoning designations. Vested subdivision applications for these properties have been filed with King County under which these properties could be platted at a density of one unit per 35,000 square feet. It is far preferable from a planning perspective to develop these properties as urban planned developments than to allow them to develop as sprawling, low-density suburban subdivisions.

Land between Redmond and Novelty Hill is excluded from the UGA because it is too environmentally constrained to support urban growth and too valuable as an environmental resource to lose to intensive urban development. This intervening land is traversed by Bear Creek, a significant salmon habitat, and the creek valley walls are highly erosive.

Sammamish Plateau: The UGA boundary proceeds southeast from Redmond's city limits, including sewered, urban residential land in the Sahalee neighborhood. The boundary then takes in land adjacent to Sahalee to the east which is designated for urban growth by the 1993 East Sammamish Community Plan and planned for urban services: the Mystic Lake area includes land platted at urban densities and in a clustered pattern in anticipation of future urban development, the portion of the Beaver Dam property which is unconstrained and planned for urban services,³¹ and three properties

²⁸ The record of decisions which describe the Urban Growth Area for Rural cities is within the Rural Cities Urban Growth Areas Report, dated April 20, 1994.

²⁹ As noted in the Northshore Community Plan Update Environmental Impact Statement, completed in December, 1992.

³⁰ This determination is supported by the Bear Creek Community Plan Environmental Impact Statement completed in November, 1988.

³¹ Department of Development and Environmental Services (DDES) File No. 590P0038.

committed to urban development by virtue of vested development applications.³² Sewer and other urban governmental services can be cost-effectively provided to all of these properties.³³

The Aldarra Farm property is also included within the UGA as the property owners have incurred substantial costs in pursuing urban development based on the 1985 King County Comprehensive Plan urban designation for the site. The majority of the site is planned for urban services, and sewer service can be provided efficiently and cost-effectively. This property is adjacent to the urban areas of the Sammamish Plateau. The boundary then follows Duthie Hill Road and Issaquah-Fall City Road to the southwest, including within the UGA, the intensively developed Klahanie neighborhood.

Issaquah Area: A portion of the Grand Ridge property northeast of the City of Issaquah is included within the UGA. The included land is adjacent to the City of Issaquah and to land located in unincorporated King County that is intensively developed. The property is readily accessible to Interstate 90, and urban governmental services can be provided to the property efficiently and cost-effectively. Further, the land included within the UGA reflects an agreement between the King County Executive, the City of Issaquah and the Grand Ridge owners to allow urban development in exchange for the permanent preservation of over 1400 acres of land as open space just east of the UGA boundary.

South of Grand Ridge, the boundary follows the eastern and southern city limits of Issaquah, taking in a few parcels of land adjacent to the city limits which are logical for urban development and can easily be served by urban services. The UGA boundary then traverses west, taking in land which has been designated as appropriate for Urban Planned Development since adoption of the 1983 Newcastle Community Plan and Area Zoning, and then further west, including a portion of Cougar Mountain Park to allow sewer service for public facilities within the park.

Newport Hills Area: From the western edge of Cougar Mountain Park, the UGA boundary takes in land adjacent to the City of Newport Hills which has been designated and zoned for urban growth since 1983 by the Newcastle Community Plan, and then follows the city limits to its southeast corner.

Renton Area: South of Newport Hills, the UGA includes land east of the City of Renton which is currently developed with urban uses, and in most cases, is in need of urban services to serve existing development.³⁴ Southeast of Renton, the boundary includes land developed and served with urban governmental services, and takes in the Lake Desire and Shady Lake neighborhoods which include land developed at urban densities and planned for sewer service to eliminate septic tank effluent currently known to be entering the lakes.

Kent Area: South of the Lake Desire and Shady Lake neighborhoods, the UGA boundary traverses west along the Lake Young's Watershed, then south to take in sewer development east of Kent. The Lake Watershed is excluded from the UGA. East of the Lake Meridian area, the UGA extends east to the City of Black Diamond and includes all intervening areas already developed at urban densities and either currently served or planned for urban governmental services. The areas included are Covington, Lake Wilderness, Lake Sawyer, and portions of Maple Valley. Southeast of the Lake Meridian area, the UGA boundary follows Highway 18 to the southwest, taking in land developed at urban densities and served with urban governmental services. The boundary traverses west from Highway 18 to the Auburn city limits, excluding the unincorporated portion of the Green River Valley.

Auburn Area: From the point at which the Green River enters the City of Auburn, the UGA boundary follows the Green River to the southeast, taking in parcels immediately adjacent to and easily served by Auburn. The boundary then follows the Auburn City limits to the east and south until reaching the Pierce County line. A small, urbanized portion of the Muckleshoot Indian Reservation is included within the UGA at its southeastern edge.

³² Belvedere Park, DDES File No. 589P0025; Brighten's Landing, DDES File No. 589P0028; and Trossachs, DDES File No. 589P005.

³³ In accordance with the East Sammamish Community Plan Environmental Impact Statement completed in April, 1993.

³⁴ In accordance with the Soos Creek Community Plan Environmental Impact Statement, completed December, 1991.

V. Conclusion

King County believes that its final UGA is appropriately sized. King County estimates that there is buildable land capacity for between 200,000 and 343,000 new households within its UGA. Also, King County expects the demand for new households to be between 188,700 and 268,000. King County believes this relationship between estimated supply and expected demand for housing is reasonable. One way to analyze this relationship is to assume a demand for households halfway between 188,700 and 268,000 (228,350) new households and a development capacity halfway between 210,000 and 343,000 (271,500) dwelling units. Under these assumptions, the amount of capacity provided by the County's UGA in excess of the demand for new households would be approximately 19% (43,150 excess capacity divided by 228,350 demand for new households). This is a capacity cushion that is consistent with the cushion recommended by DCTED (25%). Expected scenarios for the relationship between the anticipated net new households and the estimated development capacity of the land within the UGA for unincorporated King County also support that the UGA has been appropriately sized. While no one can know for sure what will have happened by the year 2012, King County believes that its UGA is prudently sized.

King County does not, and cannot, know for sure how many new dwelling units can be accommodated within the County's UGA. Only actual experience will allow the County to know, in hindsight, how much development can be accommodated within the UGA. At the point the County designates its final UGA under the GMA, the County must analyze the adequacy of the size of the UGA on the basis of informed expectations regarding how much development will, in fact, occur within the UGA. The same considerations apply to demand for new dwelling units, as well. The County must base its UGA on its best projections regarding how many new household will be created by a population growth of 293,100 people.

The 1000 Friends of Washington evaluated the efforts of each county planning under GMA for the effectiveness of their Interim Urban Growth Area (IUGA) in meeting the goals of GMA. King County scored very high for categories of county/city coordination and land supply. King County received the report's highest rating for land supply and recognition for having a detailed land supply analysis.³⁵

King County believes that its final UGA is appropriately sized. King County estimates that between 210,000 and 362,00 new households can be accommodated within its UGA. Also, King County expects between 195,700 and 278,800 new households to be created by a population increase of 293,100. King County believes this relationship between estimated supply and expected demand for housing is reasonable. One way to analyze this relationship is to assume a demand for households halfway between 195,700 and 278,800 (237,250) new households and a development capacity halfway between 210,000 and 362,000 (286,000) dwelling units. Under these assumptions, the amount of capacity provided by the County's UGA in excess of the demand for new households would be approximately 20% (48,650 excess capacity divided by 237,350 demand for new households). This is a capacity cushion that is consistent with the cushion recommended by DCTED (25%). While no one can know for sure, at this point in time, what will have happened by the year 2012, King County believes that its UGA has been prudently sized.

³⁵ 1000 Friends of Washington, Growth Management or Planned Urban Sprawl?, (Seattle, WA: December 1993) 18.

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The UGA accommodates growth projected for King County while also achieving other planning goals:

- (1) Moderating housing prices by ensuring sufficient land for residential development;
- (2) Providing for a broad range of housing choices for County residents.
- (3) Providing additional land to compensate for land deemed undevelopable due to environmental constraints;
- (4) Making provision for open space and recreation in the UGA;
- (5) Ensuring sufficient room to grow and allowing for long-term planning in a stable environment;
- (6) Distributing economic development opportunities throughout King County; and
- (7) Recognizing prior commitments for higher densities and the need for urban-level services.
- (8) Protecting the integrity of a permanent rural area and providing a distinct and permanent urban area.

The King County UGA is sufficient to accommodate likely outcomes which are impossible to predict with certainty at this time. The goal of King County is to provide an adequate area for urban growth that does not constrain development leading to a rise in housing prices or a shift in population to other areas in the region. Simultaneously, King County desires to combat sprawl development and to protect our environmental resources.

Table 4
Range of Household Projections
Based on Household Sizes³⁶

	Target 2012	Change 1992 - 2012
I. Low household growth assumption		
Population	1,857,600	293,100
less grp qtrs -	30,000	--
Pop. in Households	1,827,600	293,100
H'hold size	2.40	--
Total Households	761,500	<u>126,500</u>
II. Mid-range growth assumption		
Population	1,857,600	293,100
less grp qtrs -	30,000	--
Pop. in Households	1,827,600	293,100
H'hold size	2.20	--
Total Households	830,700	<u>195,700</u>
III. High household growth assumption		
Population	1,857,600	293,100
less grp qtrs -	30,000	--
Pop. in Households	1,827,600	293,100
H'hold size	2.00	--
Total Households	913,800	<u>278,800</u>

³⁶ Total population includes population in households (occupied housing units) and population in group quarters (institutions, dormitories, nursing homes).

Group quarters population has been nearly constant for many years, and is assumed to remain constant at 30,000 persons through 2012.

The population in households, divided by household size, gives number of households.

Appendix D - Black Diamond Capacity

I. Introduction

This analysis was developed as a response to a request by the King County Council to demonstrate that the action is consistent with the goals of the Growth Management Act, to document the estimated capacity of the Urban Growth Area (UGA) for the City of Black Diamond as identified in King County Ordinance 12533, and to show how the potential UGA will benefit the City of Black Diamond and the surrounding communities. The UGA is a land use designation of the King County Comprehensive Plan and the King County Countywide Planning Policies. Usually, the area within the UGA is zoned for urban uses, however, the potential UGA for Black Diamond will be zoned as Urban Reserve (one unit per five acres) until the area is annexed to the City in the future upon satisfaction of several conditions outlined in King County Ordinance 12534.

The UGA for the City of Black Diamond has evolved over the past several years: In 1994, there was no UGA identified for City of Black Diamond; in 1995, Ordinance 12065 designated approximately 1,927 acres for the UGA; and in 1996, Ordinance 12533 reduced the UGA by approximately 1,155 acres to 772 acres.

While the estimated capacity for the UGA is 318 households, this UGA represents a unique opportunity for the City of Black Diamond to broaden its tax base, provide family-wage jobs, and resolve serious deficiencies in necessary infrastructure. Further, Ordinance 12533 creates much-needed, publicly-owned open space within and adjacent to the City. This will ensure that the City has opportunities for growth and maintain the rural character of the surrounding communities.

This paper will summarize the joint planning process outlined in the Countywide Planning Policies, demonstrate how the UGA is consistent with the goals of the Growth Management Act, and calculate the residential and commercial capacity of the UGA identified in Ordinance 12533.

II. The 1994 King County Countywide Planning Policies

The King County Countywide Planning Policies (CPPs), ratified by the cities in King County on November 25, 1994, identified Black Diamond as one of six cities of where the Urban Growth Areas was in dispute. Instead of designating a UGA, the CPPs identified a Joint Planning Area (JPA) for each of these six cities. The JPA represents the absolute maximum area that could be converted to the UGA through a subsequent planning process. The JPAs, once resolved, will be replaced by either a UGA or Rural land use designation. CPP Policy, FW-1, Step 8b, established the process for resolving the JPAs and the expected date for resolution as follows:

“The Urban Growth Areas of the following cities which are in dispute as of May 25, 1994 and illustrated on the attached maps, are now acknowledged as Joint Planning Areas (See Appendix 1). By December 31, 1995, King County, the cities, citizens and property owners will have completed a planning process to determine land uses and the Urban Growth Area for each city. The King County Executive will recommend amendments to the Urban Growth Area for each city for adoption by the Metropolitan King County Council. The Urban Growth Area for each city will be amended in a separate Council ordinance. These amendments are not subject to ratification under this policy.

Redmond (map #1) - 15 acres
 Issaquah (map #2)- 100 acres
 Renton (map #3) - 228 acres
 North Bend (map #4) - 480 acres

Black Diamond (map #5 titled: Black Diamond Urban Growth Area/Open Space) - max. 3,000 acres
 Snoqualmie (map #6 - area labeled Joint Planning Area; the time frame for completion of joint planning shall be that identified in the agreement between the City of Snoqualmie, King County and Snoqualmie Ridge Associates regarding Snoqualmie's future annexation of property on the Lake Alice Plateau.)")

III. Ordinance 12065

Ordinance 12065, adopted by the King County Council in 1995, implemented the 1994 CPPs and established 915 acres as the maximum for new urban development acreage within the UGA surrounding the City of Black Diamond. Additionally, 10 acres in the west for a road alignment adjustment, 160 acres for the Lake 12 area, and 50 acres east of the City in exchange for in-city forest land were also identified as potential UGA.

IV. Ordinance 12533

A. Summary

Ordinance 12533 reduces the overall UGA designated in Ordinance 12065 from 1,927 to 772 acres and reduces the amount available for urban development from 915 to 417 acres. The Agreement among the relevant parties in Ordinance 12534, sets aside land exclusively for commercial/industrial development ensuring the future economic viability of the City and the surrounding communities. The Agreement further requires, in part, that permanent open space be designated, critical resources be protected, and that infrastructure planning be completed.

B. GMA Goals

The Black Diamond Urban Growth Agreement in Ordinance 12534 identifies the UGA for the City of Black Diamond consistent with the following goals of the GMA:

1. Promotes economic development and the fiscal viability of Black Diamond by making land available for commercial and industrial development.
2. Encourages the availability of a variety of housing types including affordable housing.
3. Establishes major areas of open space within and around Black Diamond to preserve fish and wildlife habitat, maintain connections of critical areas, provide for urban separators and recreation areas, and preserve historic and treasured places.
4. Protects the environment through the well planned location of new urban areas and open space within and around Black Diamond consistent with natural resource principles agreed to by all of the affected parties.
5. Ensures that further development cannot occur without the planning for and provision of needed infrastructure prior to annexation.

C. Residential Capacity

The additional residential capacity due to the change in the UGA identified in Ordinance 12533, is 318 new residential households. This number represents the change to development capacity of the entire City of Black Diamond resulting from the Agreement in Ordinance 12534 and was calculated using the following methodology:

Acreage

Total UGA acres	772
Less open space (145 acres)	467
Less Lake 12 neighborhood (160 acres)	160
Less East annexation area swap (50 acres)	417
Less Commercial/industrial/mixed use (158 acres)	259
Gross acres available for residential development	259

The 160 acres attributed to the Lake 12 neighborhood includes the lake which is 40 acres and 120 acres of land. This figure is removed from the calculations for urban development because the land is mostly platted into one acre and smaller lots. Upon future annexation to the City of Black Diamond, the land will be zoned at one unit per acre. This zoning will not likely yield a substantial capacity increase over rural zoning because of the existing development pattern.

Households

Gross acres	259
Less sensitive areas (15%)	220
Less right of way and public purpose (15%)	187
Less market factor (15%)	159
Net developable acres	159
Net new households (4 units per acre)	636

In order to actualize the full residential capacity of the UGA in Ordinance 12533, two of the four units per acre must be transferred from existing residential areas within the current City limits. Therefore, half of the 636 households, 318, must be transferred from within the City resulting in a net gain of only 318 households in the UGA identified in Ordinance 12533.

It is important to note that the zoning for the potential UGA remains at low densities (one unit per five acres) until several conditions are met and the area is annexed to the City. Only after annexation will the capacity exist as calculated above.

D. Commercial/Industrial Capacity

There will be a total of 158 acres of commercial and industrial land added to the City of Black Diamond through the UGA as identified in Ordinance 12533. This commercial/industrial land, under a single ownership, is very much needed in South King County to stimulate job growth. In order to calculate the number of jobs that can be supported on the land, a discounting process, similar to that of housing, is used as follows:

Gross acres	158
Less sensitive areas (15%)	134
Less right of way and public purpose (15%)	114
Less market factor (15%)	97
Net developable acres	97

Since it is not known exactly how many acres will be in Commercial, Mixed Use, Business Park/Light Industrial, or Industrial, two scenarios are provided below. The following steps are necessary to turn net acres into jobs. The methodology is similar to that used to calculate the capacity by a subcommittee of the GMPC but the values used are taken from the 1996 Black Diamond Comprehensive Plan.

Zoning Category	Net acres	Density (FAR) ¹	Jobs per acre	New square feet	New jobs
Community Commercial	24.25	.25	25	264,083	606
Mixed Use	24.25	.25	25	264,083	606
Bus. Park/Light Industrial	24.25	.30	15	361,899	364
Industrial	24.25	.15	10	158,450	243
Totals	.97			1,048,515	1,819

Another scenario using the highest possible job count is presented below:

Zoning Category	Net acres	Density (FAR) ¹	Jobs per acre	New square feet	New jobs
Community Commercial	48.5	.25	25	528,165	1,213
Mixed Use	28.5	.25	25	528,165	1,213
Totals	97			1,056,330	2,426

The 1996 BDCP identifies a new job capacity for the City at 5,189 jobs. The potential UGA in Ordinance 12533 could result in total new job capacity range of 7,008 to 7,615 jobs over the next 20 or more years. Currently, Black Diamond has only 153 jobs. If all 7,615 jobs were to occur in the City by 2016 it would be a huge percentage increase.

V. Conclusion

The Black Diamond UGA, as approved in Ordinance 12533, will add 318 new households to the overall capacity of the King County. The estimated land capacity for the City of Black Diamond as of April, 1997 is 2,275 units (1997 Annual Growth Report, King County, Washington, page 98). The additional 318 units represents only 12% of the City's total capacity. Generally, the capacity of the UGA would not be added to the capacity numbers of a city; instead, it is included in the capacity estimates for unincorporated King County. However, the UGA for Black Diamond cannot be developed at urban densities until it is annexed by the City. It is appropriate in this case, to add the capacity to the City because if the area were to remain in unincorporated King County it could only be developed at rural densities.

The target of net new households for the City of Black Diamond, as specified in the Countywide Planning Policies, Appendix 2 is 1,022. Black Diamond expects to increase their target for households when the targets for the County are revised in the future to reflect recent incorporations and annexations.

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¹ FAR = Floor Area Ratio The ratio of building area to total parcel area.

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature Date _____

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Artisanne (Sue) Foss Date 11/25/97
Signature

Name (please print) Artisanne (Sue) Foss Phone No. 360-886-7035
Address 27420 SE Green River Gorge Rd
Black Diamond, WA 98010
Property Tax ID # 122106-9043-05

10369

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____ Date _____

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Gary W. Osterink Date 11/3/97

Name (please print) GARY OOSTERINK Phone No. (360) 886-1508
Address 30618 270TH SE
BLACK DIAMOND WA 98010
Property Tax ID # 408080-0125-08

9

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____ Date _____

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Richard C. Peterson Signature Date 10/29/97

Name (please print) Richard C & Barbara Peterson Phone No. 425-255-5783

Address 14034 171st Ave. S.E.
Renton Wa. 98059

Property Tax ID # 122106-9019-05

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE RECEIVED

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT 97 NOV -5 PM 4: 19

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature: [Handwritten Signature] Date: 11/3/97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature: _____ Date: _____

Name (please print) DARRELL WITZER Phone No. 425-413-9548

Address 27603 S.E. 306TH ST Black Diamond, wa 98010

Property Tax ID # 072107-9026-02 (LK 12 only)

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED OCT 31 1997

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Thomas A. Britton

Date 10-27-97

Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Date

Signature

Name (please print) THOMAS A. BRITTON Phone No. 360-886-9674

Address 27711 S.E. 306TH ST.
BLACK DIAMOND, CA 98010

Property Tax ID # 072107-9028-00

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby acknowledges and concurs with the limitations, prohibitions, and uncertainties of the UGA for Lake 12 Annexation Area imposed by the Agreement. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" UGA that does not provide the certainty that a traditional UGA is designed to establish.

Daniel Lynn Bullard
Signature

Nov. 15, 1997
Date

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not concur with the limitations, prohibitions, and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature

Date

Name (please print) Daniel Lynn Bullard Phone No. _____

Address 3046 So. 152nd St.
Seattle, Wash. 98188

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Rex Bunderson Date 10-28-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) REX BUNDESON Phone No. 206-841-0882
Address 13302 109TH AVE CTE
PUYALLUP WA 98374
Property Tax ID # 403080-0005-03
Parcel # R 6883020150

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 2533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

David Carter
Signature

Date 10-31-97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) _____ Phone No. _____

Address _____

Property Tax ID # _____

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12553 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Floyd L Claggett Date 10/27/97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) FLOYD L. CLAGGETT Phone No. 425-454-0576
Address 11027-NE 14TH
BELLEVUE WA 98004
Property Tax ID # 408080-0155-01

10369 ↓

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED

97 NOV -6 PM 4:19

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____

Date 11/5/97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____

Date _____

Name (please print) _____

Phone No. _____

Address _____

Property Tax ID # _____

10369

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED
OCT 31 PM 2:42
K.C.D. Dept.

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

[Handwritten Signature]
Signature

Date 10/27/97

Sarah Collins

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) Robert + Sarah Collins Phone No. 253-931-6772

Address 4205 Auburn Way South # 111
Auburn WA 98092

Property Tax ID # 072107-9021-07
And 072107-9023-07

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Don Duff Date 10-31-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) _____ Phone No. _____

Address _____

Property Tax ID # _____

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

OCT 30 1997

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Larry H. Holcomb - Trustee Date *October 29 1997*
Signature
for Enid Erickson

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

LARRY H. HOLCOMB - TRUSTEE
Name (please print) *ENID ERICKSON* Phone No. *360-886-1697*
Address *30816 270TH AV SE*
BLACK DIAMOND, WA 98010
Property Tax ID # *H 408080-0160-04 5255C*
H 408080-0170-02 5253C
H 408080-0165-09 5254C

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature Robert B Feagan Date Oct 31, 1997

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) ROBERT B FEAGAN Phone No. 206 937-8111
Address 4020 S W THISTLE
SEATTLE WASH 98136
Property Tax ID # H 408080 - 0110 - 05

35

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Earl Green Date 10-31-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) EARL GREEN Phone No. 253-6306188
Address 28211-149 Ave S.E.
KENT, WA 98042
Property Tax ID # 408080-0075-08

310

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996 by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby acknowledges and concurs with the limitations, prohibitions, and uncertainties of the UGA for Lake 12 Annexation Area imposed by the Agreement. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" UGA that does not provide the certainty that a traditional UGA is designed to establish.

ELIZABETH GREER Elizabeth Greer
F.E. GREER - ~~BRETT GREER~~ J.E. Greer
Signature

11-22-97
Date

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not concur with the limitations, prohibitions, and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature

Date

Name (please print) Phone No.

Address

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996 by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby acknowledges and concurs with the limitations, prohibitions, and uncertainties of the UGA for Lake 12 Annexation Area imposed by the Agreement. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" UGA that does not provide the certainty that a traditional UGA is designed to establish.

Patricia Greer-Jobeck
Signature

November 17, 1997
Date

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not concur with the limitations, prohibitions, and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature

Date

Name (please print) _____ Phone No. _____

Address _____

10369

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Annaloe Guhra-Pauley Date 11-3-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) ANNALOE GUHRA-PAULEY Phone No. (253) 858-5077

Address 7400 STINSON AVE # 327
GIG HARBOR WA 98335

Property Tax ID # 4 408050-0090-09

NEW MAILING ADDRESS

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

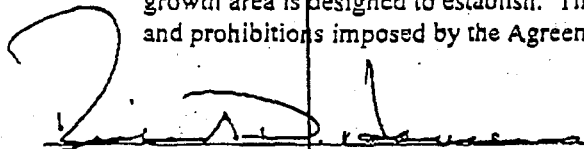
RECEIVED
97 OCT 31 PM 2:42
K.C.D.D.E.S.

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.


Signature

Date 10/29/97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) TONIA J. HANSEN & RICHARD D. HANSEN Phone No. (360) 886-2911 (253) 630-1632

Address 14710 SE 262ND ST
KENT WA 98032

Property Tax ID # 408080-0095-04
27221 206TH ST (LOT 19)
BLACK DIAMOND, WA. LAKE 12

103691

RECEIVED

OCT 30 1997

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

William J. Kambel

Date 10-29-97

Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Date _____

Signature

Name (please print) William J + Jennifer Kambel Phone No. 425-432-2918

Address 21207 SE 262nd St
Maple Valley WA 98038

Property Tax ID # 408080-0045

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Daniel L Kranz Date 10/31/97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) Daniel L Kranz Phone No. 360-886-0404
Address 27618 SE Green River Gorge Road
Black Diamond, WA 98010
Property Tax ID # 122106-9037-03

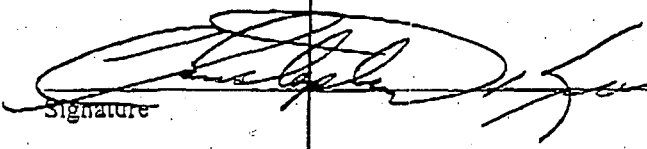
103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE
1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

 Date 11/2/97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) _____ Phone No. _____

Address _____

Property Tax ID # _____

16

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Lynn H. Livengood Date 10-31-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) Lynn H. Livengood Phone No. 425-226-6979
206-242-0003
Address ~~3786 So. 27th~~ 5024 W. Wash Blvd N.E.
Renton, Wash 98056
Property Tax ID # H 408080-0120-03
13944C

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

George A. Mathew Jr Date 11-1-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) GEORGE A MATHEW JR (206) Phone No. 937-8734
Address 8049 46th S.W
SEATTLE, WA 98136
Property Tax ID # 408080-0135-06

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE RECEIVED

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT NOV-5 PM 4:12

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature John Merryman Date 11-3-97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) John Merryman Phone No. 854-8400
Address 30809 13th PL S
FEDERAL WAY WA 98003
Property Tax ID # 0771079032

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Robert W Morris

Date 10-31-97

Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Date _____

Signature

Name (please print) Robert W Morris

Phone No. (360) 886 2209

Address 27628 SE GREEN RIVER GORGE Rd.

Black Diamond, WA, 98010

Property Tax ID # 072107-9033-03

072107-9035-01

072107-9036-00

34

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Elizabeth Moscardini Date 11-2-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) Elizabeth Moscardini Phone No. (360) 886-9058

Address 27611 SE 306th St.
Black Diamond, WA 98010

Property Tax ID # 072107-9031-05 We think that this is the number that you want. It is our tax dist. number

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Patricia A. Nash

Date 10-31-97

Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Date _____

Signature

Name (please print) PATRICIA A. NASH

Phone No. (541) 412-0671
or 412-0743

Address P.O. Box 2246
HARBOR OR. 97415

Property Tax ID # 072107-9030-06

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Eugene A. Oliver Date OCT 27, 1997
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) EUGENE A. OLIVER Phone No. (206) 783 0330

Address 10101 DAYTON AVE N
SEATTLE 98133

Property Tax ID # 408080-0010

38

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

William Smith, Manager Date 10-28-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) Palmer Coking Coal Co. Phone No. 425-432-4700

Address P.O. Box 10
Black Diamond WA 98010

Property Tax ID # 122106-9001; 122106-9044; 122106-9045; 072107-9034;
072109-9040; 072107-9045; 072107-9006; 408060-0015;
408060-0105.

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

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Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Warren D. Parker & Lola Parker Date 11-4-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) Warren & Lola Parker Phone No. 253-638-9256
Address POB 698
BLK DIAMOND, WA 98010
Property Tax ID # 072107 - 9020 - 08

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE
1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED
97 NOV -7 PM 4:03
K.C. Co. S.

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Ray J. Ashwald Date 11/5/97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) _____ Phone No. _____

Address _____

Property Tax ID # _____

10369

RECEIVED
97 DEC -2 PH 4: 10
K.C.D.D.E.S.

DECLARATION OF CONCURRENCE/NON-CONCURRENCE
1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Beverly Smith Date 11-27-97
Signature

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE RECEIVED

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT NOV 5 PM 4:14

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____ Date 11/1/97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) Michael J. Benson Phone No. 360-886-7273

Address Box 730 Black Diamond, WA 98010

Property Tax ID # _____

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

 Lou Thompson Date 11/2/97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) Lou THOMPSON Phone No. 206-878-4598
Address 19619 MILITARY RD, S
 SEATTLE WA 98188
Property Tax ID # 408080-6025-09

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Ronald D. Thompson

Katubem J. Morris
Signature

Date 10-31-97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date

Name (please print) RONALD D. THOMPSON Phone No. 360-376-5599

Address R.R. #1 Box 21
EASTSOUND WA. 98245

Property Tax ID # 408080-0035-07
408080-0035-08
408080-0035-06

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature [Handwritten Signature]

Date 10-30-97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature _____ Date _____

Name (please print) _____ Phone No. _____

Address _____

Property Tax ID # _____

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED
97 DEC - 11 AM 11:35

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Ann Watkins Date 11-20-97
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) Ann Watkins Phone No. 360.886.9290
Address 27318 SE GREY HURK 60166 WA
Black Diamond WA 98010
Property Tax ID # NOT WITH ME! PLEASE CALL ME FOR # - Thanks!

FAX (206) 296-6738 103694

~~FAXED 10/30/97 BY KEITH C. WATSON PAGE~~

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

~~DIGIT 60 THRU TELETYPE 11/2/97 SAME~~

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Keith C. & David Watson Date 10-30-97
Signature

Declaration of Non-Concurrence:

~~The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.~~

~~Signature _____ Date _____~~

Name (please print) KEITH C. & DAVID WATSON Phone No. 425-7428763

Address 12600 4th AVE W. # 11G
EVERETT, WA 98204

Property Tax ID # H 408080-0085-06

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature

[Handwritten signature]

Date

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature

[Handwritten signature]
Tolosa Holdings

Date

11/26/97

Name (please print) Tolosa Holdings Corp Phone No. 702.832-2133
Address 6253 Hollywood BL # 613
Los Angeles CA 90028
Property Tax ID # 07210 79 034

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED
97 NOV -7 PM 4:07
A.C.D.D.E.S.

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature Date

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Nathleen Swales _____
Signature Date 11/5/97

Name (please print) NATHLEEN H. SWALES Phone No. 360-886-1318
Address 30714 270th Ave SE
Black Diamond WA 98010
Property Tax ID # Parcel No. 408080-0145-04

103694

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Richard B Burnside
Signature

Date 11-18-97

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) Richard B Burnside Phone No. 360-886-2279

Address 27532 S.E. Green River Gorge Rd

Black Diamond Wa 98010

Property Tax ID # 122 106 9004

Attachment A

103691

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Glenn H. Anderson Date Nov 1, 1997
Signature

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Date _____

Name (please print) Glenn H. Anderson Phone No. (425) 2556106
Address 7410 S. 129th St
Seattle, WA 98178
Property Tax ID # 122106-9035-05

RECEIVED

NOV - 4 1997

7

10369

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED

97 NOV -5 PM 4:21

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____ Date _____

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature [Handwritten Signature] Date 11-3-97

Name (please print) SE DRURY Phone No. 360-886-2116
Address 27423 SE 306th
BK Diamond WA 98010
Property Tax ID # 408080-0040-00

10369

DECLARATION OF CONCURRENCE/NON-CONCURRENCE

1996 BLACK DIAMOND URBAN GROWTH AREA AGREEMENT

RECEIVED
NOV -6 PM 4:00
K.C. DEPT. OF PERMITS

On November 25, 1996, King County adopted an Urban Growth Area (UGA) for the City of Black Diamond, subject to the terms and conditions of the Black Diamond UGA Agreement (Agreement), a copy of which is attached (Ordinances 12533 and 12534). The UGA includes an area surrounding Lake 12, referred to as the Lake 12 Annexation Area. The Agreement executed on December 31, 1996, by King County, the City of Black Diamond, Plum Creek Timber Company and Palmer Coking Coal Company, establishes conditions under which urban growth and annexation can occur in the UGA, including the Lake 12 Annexation Area.

Declaration of Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby approves of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned is aware that the UGA for the City of Black Diamond is a "nontraditional" urban growth area that does not provide the certainty that a traditional urban growth area is designed to establish. The undersigned is also aware of the UGA's uncertainty, limitations and prohibitions imposed by the Agreement.

Signature _____ Date _____

Declaration of Non-Concurrence:

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Signature Charlotte M Coles Date 11-4-97

Name (please print) CHARLOTTE M. COLES Phone No. 360-886-2391

Address 27403 SE 306th
BLACK DIAMOND, WA 98010

Property Tax ID # 408080-0055-02
40 8080-0060-05

28

The undersigned, a property owner in the Lake 12 Annexation Area, hereby does not approve of designating the Lake 12 Annexation Area within the UGA and of the provisions of the Agreement, including those concerning the Lake 12 Annexation Area. The undersigned also does not concur with the limitations, prohibitions and uncertainties of the UGA for the Lake 12 Annexation Area imposed by the Agreement.

Ken Eide Jul & Eide Date 10/31/97
Signature

Name (please print) Kenneth M Eide Phone No. 886-2003

Address 275 08 SE Green River Gorge Rd.
Black Diamond WA. 98010

Property Tax ID # 48-0875093.

I:\complan\remand97\112-stmt.doc