

## Attachment A: GMPC Recommended Amendments to Countywide Planning Policies Related to Urban Growth Area Amendments

***In the Development Patterns chapter, starting on page 24, amend as follows:***

### **Amendments to the Urban Growth Area**

The following policies guide the decision-making process by both the GMPC and King County regarding proposals to amend the Urban Growth Area.

**DP-15** Review the Urban Growth Area at least every ten years. In this review consider monitoring reports and other available data. As a result of this review and based on the criteria established in policies DP-16 through DP-19, King County may propose and then the Growth Management Planning Council may recommend amendments to the Countywide Planning Policies and King County Comprehensive Plan that make changes to the Urban Growth Area boundary.

**DP-16** Allow amendment of the Urban Growth Area only when the following steps have been satisfied:

- a) The proposed amendment is under review by the County as part of an amendment process of the King County Comprehensive Plan;
- b) King County submits the proposal to the Growth Management Planning Council for the purposes of review and recommendation to the King County Council on the proposed amendment to the Urban Growth Area;
- c) The King County Council approves or denies the proposed amendment; and
- d) If approved by the King County Council, the proposed amendment is ratified by the cities following the procedures set forth in policy FW-1.

**DP-17** Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or

- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space:
- 1) Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2) Is ~~contiguous with~~ adjacent to the **Joint Planning Agreement (JPA)** Urban Growth Area with at least ~~a portion~~ half of the dedicated open space to be located on the site and fully buffer the proposed Urban Growth Area expansion from surrounding rural and resource lands; and
  - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity ~~or is park land that has been owned by a city since 1994 and is less than thirty acres in size.~~

**DP-18** Add land to the Urban Growth Area only if expansion of the Urban Growth Area is warranted based on the criteria in DP-17(a) or DP-17(b), and it meets all of the following criteria:

- a) For expansions based on DP-17(a) only:
- i. Is adjacent to the existing Urban Growth Area;
- ~~b) For expansions based on DP-17(a) only, is; and~~
- ii. Is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- ~~eb)~~ Can be efficiently provided with urban services and does not require supportive facilities or services to cross or be located in the Rural Area;
- ~~ec)~~ Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- ~~ed)~~ Is not currently designated as Resource Land;
- ~~fe)~~ Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city;
- ~~f) Is not expanding the Urban Growth Area from a location that was previously expanded through the Four-to-One program; and~~

g) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area change; and

h) For expansions of the Urban Growth Area based on the criteria in DP-17 (b) where the area is adjacent to an incorporated area, no development proposal or activity shall be allowed until the land added to the Urban Growth Area is annexed into a city or town.

**DP-19** Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with adjacent to the Rural Area, and:

- a) Is not characterized by urban development;
- b) Is currently developed with a low-density lot pattern that cannot be realistically redeveloped at an urban density; or
- c) Is characterized by environmentally sensitive areas making it inappropriate for higher density development.

## Attachment B: GMPC Recommended Amendments to King County Comprehensive Plan Policies Related to Urban Growth Area Amendments through the Four-to-One Program

***In Chapter 2: Urban Communities, starting on page 2-34, amend as follows:***

While urban separators complement the regional open space system by helping to define urban communities, the King County ~~Four-to-One~~ Four-to-One Program provides an opportunity to add land to the regional open space system through the dedication of permanent open space. The ~~Four-to-One~~ Four-to-One Program has been recognized as an innovative land use technique under the Growth Management Act and for King County, the purpose of the program is to create a contiguous band of open space, running north and south along the ~~main~~ Urban Growth Area Boundary. Since its inception in 1994, just over 1,300 acres have been added to the Urban Growth Area while nearly 4,500 acres of permanent open space have been conserved. Changes to the Urban Growth Area through this program are processed as Land Use Amendments to the King County Comprehensive Plan, subject to the provisions in King County Code chapter 20.18.

**U-185** Through the ~~Four-to-One~~ Four-to-One Program, King County shall actively pursue dedication of open space along ~~the original~~ Joint Planning Agreement (JPA) Urban Growth Area line adopted in the 1994 King County Comprehensive Plan. Through this program, one acre of Rural Area zoned land may be added to the Urban Growth Area in exchange for a dedication to King County of four acres of permanent open space. ~~Land added to the Urban Growth Area for drainage facilities that are designed as mitigation to have a natural-looking visual appearance in support of its development, does not require dedication of permanent open space.~~

**U-186** King County shall evaluate ~~Four-to-One~~ Four-to-One proposals for both quality of open space and feasibility of urban development and annexation. The highest quality proposals shall be recommended for adoption as amendments to the Urban Growth Area. Lands preserved as open space shall retain their Rural Area designations; ~~and~~ should generally be configured in such a way as to connect with open space on adjacent properties; and should fully buffer the new urban area from surrounding rural and resource lands.

**U-187** King County shall use the following criteria for evaluating open space in ~~Four-to-One~~ Four-to-One proposals:

- a. Quality of fish and wildlife habitat areas;
- b. Connections to regional open space systems;
- c. Protection of wetlands, stream corridors, ground water and water bodies;
- d. Unique natural, biological, cultural, historical, or archeological features;
- e. Size of proposed open space dedication and connection to other open space dedications along the Urban Growth Area line; and
- f. The land proposed as open space shall remain undeveloped, except for those uses allowed in U-188 King County Code Section 20.18.180.D.

**U-188** King County shall preserve the open space acquired through the Four-to-One Program primarily as natural areas, passive recreation sites or resource lands for farming or forestry. King County may allow ~~the following~~ certain additional uses only if located on a small portion of the open space, provided that these uses are found to be compatible with the site's natural open space values and functions, such as those listed in the preceding policy:

- ~~a. Trails;~~
- ~~b. Compensatory mitigation of wetland losses on the urban designated portion of the project, consistent with the King County Comprehensive Plan and the Critical Area Ordinance; and~~
- ~~c. Active recreation uses not to exceed five percent of the total open space area. Support services and facilities for the active recreation uses may locate within the active recreation area only, and shall not exceed five percent of the active recreation area. An active recreation area shall not be used to satisfy the active recreation requirements for the urban designated portion of the project as required by King County Code Title 21A.~~

**U-189** Land added to the Urban Growth Area under the ~~Four-to-One~~ Four-to-One Program shall:

- a. not expand the Urban Growth Area from a location that was previously expanded through the Four-to-One program;
- b. be limited to residential development and have a minimum density of ~~four~~ eight dwellings per acre, ~~and shall~~

- c. be physically contiguous adjacent to the original Joint Planning Agreement (JPA) Urban Growth Area, unless there are limitations due to the presence of critical areas, ~~and shall~~
- d. be able to be served by sewers and other efficient urban services and facilities; provided that such sewer and other urban services and facilities shall be provided directly from the urban area and shall not cross the open space or Rural Area or Natural Resource Lands.;
- e. ~~Drainage facilities to~~ support the urban development ~~shall be~~ with drainage facilities that are located within the urban portion of the development.;
- f. ~~In some cases, lands must~~ meet the affordable housing requirements under this program.;
- and
- g. not result in more than a total of 4,000 acres ~~The total area~~ added to the Urban Growth Area as a result of this ~~policy shall not exceed 4,000 acres~~ program.

**U-190** King County may amend the Urban Growth Area to add Rural Area lands to the Urban Growth Area consistent with Policy U-185 through the Four-to-One program during the annual, midpoint, or ten-year Comprehensive Plan amendment process. Open space dedication shall occur at final formal plat recording. If the applicant decides not to pursue urban development or fails to record the final plat prior to expiration of preliminary plat approval, the urban properties shall be restored to a Rural Area land use designation and associated zoning during the next annual review of the King County Comprehensive Plan.

**U-190a** For Four-to-One proposals adjacent to an incorporated area, no development proposal or activity shall be allowed until the land added to the Urban Growth Area is annexed into a city or town.

## Attachment C: GMPC Recommended Amendments to King County Code Provisions Related to Urban Growth Area Amendments through the Four-to-One Program

***In the King County Code, Title 20, amend as follows:***

**20.18.040 Site-specific land use map or shoreline master program map amendment classification (in effect everywhere except the shoreline jurisdiction, where it will take effect fourteen days after state Department of Ecology approval of Ordinance 18810, Sections 10 and 11).**

- A. Site-specific land use map or shoreline master program map amendments may be considered during the annual update, midpoint update, or ~~eight~~ ten-year update, depending on the degree of change proposed.
- B. ~~The following categories of site~~ Site-specific land use map amendments or shoreline master program map that do not require substantive change to comprehensive plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors, may be initiated by either the county or a property owner for consideration in the annual update. ÷
- ~~1. Amendments that do not require substantive change to Comprehensive Plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors; and~~
- ~~2. Four-to-one proposals.~~
- C. The following categories of site-specific land use map and shoreline master program amendments may be initiated by either the county or a property owner for consideration in the ~~eight~~ ten-year update or midpoint update:
1. Amendments that could be considered in the annual update;
  2. Amendments that require substantive change to Comprehensive Plan policy language; and
  3. Amendments to the urban growth area boundary.

**20.18.170 The four to one program – process for amending the urban growth area to achieve open space.**

A. The purpose of the Four-to-One program is to create a contiguous band of open space, running north and south along the [Joint Planning Agreement (JPA) UGA TENURE].

B. The total area added to the urban growth area as a result of this program shall not exceed four thousand acres. The department shall keep a cumulative total for all parcels added under this section. ~~The total shall be updated annually through the plan amendment process.~~

~~B.C.~~ Proposals shall be proposed via the comprehensive plan docket process or an adopted scope of work for a comprehensive plan update, shall be processed as land use amendments to the Comprehensive Plan, and may be considered in the annual update, midpoint update, or ~~eight~~ ten-year update.

~~D.~~ Site suitability ~~and development conditions~~ for both the urban and rural portions of the proposal shall be established through the preliminary formal plat approval process.

~~E.~~ Development conditions for the proposal shall be established through a tri-party agreement between the County, the property owner, and the city or town affiliated for future annexation. The tri-party agreement shall:

1. be approved via ordinance by the legislative bodies of the city or town and the County;

2. be approved at the time of the King County Council adoption of the land use amendment,  
and

3. include an effective date that is concurrent with ratification of the countywide planning policy map amendment. If the amendment is not ratified, the tri-party agreement and Four-to-One proposal shall be void and not take effect, and the urban properties shall be restored to a rural area land use designation and associated zoning during the next annual review of the comprehensive plan.



~~EF.~~ A term conservation easement shall be placed on the open space at the time the ~~four-to~~ one Four-to-One proposal is approved by the ~~council~~ Council. Upon final plat approval, the open space shall be permanently dedicated ~~in fee simple~~ to King County. Dedication shall take the form of onsite or offsite fee simple, an offsite transferable development rights conservation easement, or an onsite subdivision tract, to be determined in the tri-party agreement.

~~D. Proposals~~ G. Prior to legislative action, proposals adjacent to incorporated areas ~~or~~ potential annexation areas shall be referred to the affected city or town and special purpose districts (such as, sewer, water, and school districts), for review and recommendations.

H. Proposals adjacent to an incorporated area or a potential annexation area may be approved subject to an agreement that the area will be added to the city or town's potential annexation area in their comprehensive plan. Upon ratification of the amendment, the countywide planning policies will reflect both the urban growth area change and potential annexation area change, followed by city or town action to add the potential annexation area to their comprehensive plan. For proposals adjacent to an incorporated area, the County ordinance and tri-party agreement shall specify that no development proposal or activity shall be allowed until the land added to the urban growth area is annexed into a city or town.

**20.18.180 The four to one program – criteria for amending the urban growth area to achieve open space.** Rural area land may be added to the urban growth area in accordance with the following criteria:

- A. A proposal to add land to the urban growth area under ~~this~~ the Four-to-One program shall meet the following criteria:
1. A permanent dedication to the King County open space system of four acres of open space is required for every one acre of land added to the urban growth area;
  2. The land shall not be ~~zoned agriculture (A)~~ designated as natural resource land;

3. The land added to the urban growth area shall:
  - a. be physically contiguous adjacent to Joint Planning Agreement (JPA) urban growth area as adopted in 1994, unless the director determines that the land directly adjacent to the urban growth area contains critical areas that would be substantially harmed by development directly adjacent to the urban growth area and that all other criteria can be met; and
  - b. not be in an area where a contiguous band of public open space, parks, or watersheds already exists along the urban growth area boundary;
  - c. not expand the urban growth area from a location that was previously expanded through the Four-to-One program; and
4. The land added to the urban growth area shall be able to be served by sewers and other urban services;
5. A road serving the land added to the urban area shall not be counted as part of the required open space;
6. Land added to the urban growth area for drainage facilities in support of its development shall not require dedication of permanent open space;
7. All urban facilities shall be provided directly from the urban area and shall not cross the open space or rural area and be located in the urban area except as permitted in subsection ED of this section;
- ~~7~~8. Open space areas shall retain a rural designation;
- ~~8~~9. At least half of the required open space shall be located on the site and shall fully buffer the new urban area from surrounding rural and resource lands. The minimum depth of the open space buffer shall be one half of the property width, unless the director determines that a smaller buffer of no less than two hundred feet is warranted due to the topography and critical areas on the site; ~~shall~~ generally parallel the urban growth area boundary; and ~~shall~~ be configured in such a way as to connect with open space on adjacent properties;

~~9~~10. The minimum size of the property to be considered is twenty acres. Smaller parcels may be combined to meet the twenty-acre minimum;

~~10~~11. Urban development under this section shall be limited to residential development and shall be at a minimum density of ~~four~~ eight dwelling units per acre; and

~~11~~12. The land to be retained in open space is not needed for any facilities or services necessary to support the urban development.

~~B. A proposal that adds two hundred acres or more to the urban growth area shall also meet the following criteria:~~

~~1. The proposal shall include a mix of housing types including thirty percent below-market-rate units affordable to low, moderate and median income households;~~

~~2. In a proposal in which the thirty percent requirement in subsection B.1 of this section is exceeded, the required open space dedication shall be reduced to three and one-half acres of open space for every one acre added to the urban growth area;~~

~~C. A proposal that adds less than two hundred acres to the urban growth area and that meets the affordable housing criteria in subsection B.1. of this section shall be subject to a reduced open space dedication requirement of three and one-half acres of open space for every one acre added to the urban growth area; Proposals shall comply with the affordable housing requirements in 20.18.XXX.~~

~~D~~C. Requests for redesignation shall be evaluated to determine those that are the highest quality, including, but not limited to, consideration of the following:

1. Preservation of fish and wildlife habitat, including wildlife habitat networks, and habitat for endangered and threatened species;

2. Provision of regional open space connections;

3. Protection of wetlands, stream corridors, ground water and water bodies;

4. Preservation of unique natural, biological, cultural, historical or archeological resources;

5. The size of open space dedication and connection to other open space dedications along the urban growth area boundary; and
6. The ability to provide extensions of urban services to the redesignated urban areas; and

**ED.** The open space acquired through this program shall be preserved primarily as natural areas, passive recreation sites or resource lands for farming and forestry. The following additional uses may be allowed only if located on a small portion of the open space and provided that these uses are found to be compatible with the site's natural open space values and functions:

1. Trails;
2. Compensatory mitigation of wetland losses on the urban designated portion of the [project proposal](#), consistent with the King County Comprehensive Plan and K.C.C. chapter 21A.24; and
3. Active recreation uses not to exceed five percent of the total open space area. The support services and facilities for the active recreation uses may locate within the active recreation area only, and shall not exceed five percent of the total acreage of the active recreation area. The entire open space area, including any active recreation site, is a regional resource. It shall not be used to satisfy the on-site active recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the [four-to-one Four-to-One](#) property.

NEW SECTION: 20.18.XXX A Four-to-One proposal that expands the urban growth area and adds ten or more residential dwelling units shall meet the following criteria:

- A. Thirty percent of the units shall be affordable for residents earning up to eighty percent of the area median income.
- B. The affordable units shall be provided for home ownership and the length of the term of the affordability shall be for fifty years from the date of the initial occupancy.

C. The following subsections in K.C.C. chapter 21A.48 shall be used to direct appropriate implementation of these requirements:

1. 21A.48.010.C. regarding exceptions to affordable housing requirements;

2. 21A.48.040.A. regarding the calculation of affordable dwelling units;

3. 21A.48.050 regarding regulation of affordable dwelling units and dimensional standards;

4. 21A.48.060 regarding approval of calculation of number of required affordable dwelling units and allowed market rate dwelling units a condition of development permit issuance - covenant or deed restriction required before certificate of occupancy issuance; and

5. 21A.48.080 regarding approval of request for alternative compliance - modification or waiver of requirements for affordable dwelling units - requirements.

D. Implementation of these requirements shall be established in the County ordinance and tri-party agreement.