

TITLE:	GMPC Proposed Amendments to Urban Growth Area Amendment Policies and Program
PRESENTED BY:	Interjurisdictional Team (IJT)

Overview

The King County Growth Management Planning Council (GMPC), supported by its Interjurisdictional staff team (IJT), is reviewing the Urban Growth Area (UGA) expansion policies and provisions in the Countywide Planning Policies (CPPs), King County Comprehensive Plan, (Comp Plan), and King County Code (Code).¹

Ordinance 19384² directs the review to be comprehensive to ensure that the three documents are consistent and that a GMPC motion with recommendations on the three documents be included in the Public Review Draft of the King County Comprehensive Plan. In addition, the review includes consideration of the provisions enacted in Senate Bill 5593³ that allows UGA “exchanges” and is consistent with the timelines in House Bill 1241.⁴

What Comes Next

The next steps in the review are as follows:

- April 2023 – Proposed Recommended Amendments provided to GMPC for review; amendment form provided to GMPC members to propose additional amendments.
- May 2023 – GMPC action to release GMPC Recommended provisions for public comment.
- June-July 2023 – Public comment period.
- September 2023 – GMPC final action recommending changes to provisions, followed by transmittal to County Council.
- 2024 – County Council review; potential GMPC review of King County Council proposed revisions.
- 2025 – CPP ratification process following King County Council action. Following this, proposals would be reviewed under new provisions.

¹ Four-to-One provisions: CPPs policies DP-15 to DP-19 [[LINK](#)], Comp Plan policies U-185 to U-190 [[LINK](#)], Code section 20.18.170 and 20.18.180 [[LINK](#)]

² Ordinance 19384 [[LINK](#)]

³ Senate Bill 5593 [[LINK](#)], codified at Revised Code of Washington 36.70A.130.3

⁴ House Bill 1241 [[LINK](#)], codified at Revised Code of Washington 36.70A.130.5

Review Requirements and Summary of Recommendations

A summary of the Proposed Recommended Amendments for topics where GMPC reached agreement is shown in the following tables. Where the GMPC did not reach agreement, the currently adopted language is presented, with inconsistencies, pending GMPC direction. The summary is organized by the topics in Ordinance 19384, followed by additional topics identified during the review process. Attached are the specific line amendments to effectuate the recommendations.

For More Information

If members and/or their staff are interested in additional detail, please contact Ivan Miller, GMPC staff, at ivan.miller@kingcounty.gov or 206-263-8297.

Summary of Recommendations

The Ordinance directed a review of **procedural** issues. Recommended Amendments on these procedural issues are noted below.

Ord. 19384 Procedural Issues		Recommended Amendments
Include proposed procedural improvements to make it clearer how four-to-one program projects are applied for, reviewed, approved and monitored after approval.	Application	Recommendation: Disallow use of the Site-Specific Map Amendment Process for Four-to-One proposals.
	Review	Recommendation: Specifically list school districts as one of the parties to whom Four-to-One Proposals will be sent for review and recommendation.
	Approval	Recommendation: Require tri-party agreements as part of proposal approvals to ensure approval conditions are binding, even after annexation.
	Monitoring	Recommendation: No changes proposed.

The Ordinance directed a review of **policy** issues. Recommended Amendments on these policy issues are noted below.

Ord. 19384 Policy Issues	Recommended Amendments
a. Should the four-to-one program require projects be contiguous with the 1994 urban growth area boundary, later adopted boundaries through subsequent joint planning processes between the county and cities, or some combination thereof	<p><u>1. UGA Tenure</u></p> <p>GMPC did <i>not</i> reach agreement on this topic. Therefore, the current provisions will be released pending GMPC direction at its May 2023 meeting.</p>
	<p><u>2. Consistency</u></p> <p>The Ordinance⁵ directs that the GMPC recommendations "ensure the three documents are consistent." They are <i>not</i> consistent now.</p> <p><i>The existing language, with inconsistencies, is included unchanged</i> for GMPC member consideration and possible amendment. The language will be updated for consistency amongst the three sets of provisions, pending GMPC direction.</p>

⁵ Ordinance 19384, section 4.A. reads as follow: "A. The county's Four to One program has been effective in implementing Growth Management Act goals to reduce sprawl and encourage retention of open space. There have been previous efforts to update the Four to One program as part of the 2020 King County Comprehensive Plan update and 2021 Countywide Planning Policies update. There is a need to comprehensively review the Countywide Planning Policies ("the CPPs"), King County Comprehensive Plan ("KCCP") and King County Code ("KCC") to ensure the three documents are consistent and reflect countywide growth management goals, including collaboration with cities affected by the program." (emphasis added)

Ord. 19384 Policy Issues	Recommended Amendments	
	<p>Staff identified three possible options:</p> <ol style="list-style-type: none"> 1. "...original Urban Growth Area line adopted in the 1994 King County Comprehensive Plan..." <ul style="list-style-type: none"> ➤ <i>This is current approach in the Comprehensive Plan and K.C. Code.</i> 2. "...original Urban Growth Area line adopted in the 1994 King County Comprehensive Plan, as amended by Joint Planning Area Agreements, #..." <ul style="list-style-type: none"> <i>note: # denotes new footnote to be added that specifies all of the relevant JPA ordinances</i> ➤ <i>This is the potential approach under consideration, per the directing Ordinance.</i> 3. "...the urban growth area..." <ul style="list-style-type: none"> ➤ <i>This is the current language in the CPPs.</i> <hr/> <p>3. Impact on future UGA changes</p> <p>Recommendation: Regardless of the UGA tenure chosen, disallow past or future Four-to-One proposals to cascade or leapfrog on one another.</p>	
<p>b. Should the four-to-one program allow reduced open space dedication if a proposal contains lands with high ecological value, such as lands that could provide for high-value floodplain restoration, riparian habitat or working resource lands</p>	<p>Recommendation: Do not include a reduced ratio, nor a variable ratio.</p>	
<p>c. Should the four-to-one program allow for noncontiguous open space preservation</p>	<p>Onsite</p>	<p>Recommendation: Require that at least half of the open space be located on the site.</p> <p>Recommendation: Require that the new urban area be fully buffered from surrounding rural and resource lands.</p>
	<p>Offsite</p>	<p>Recommendation: Allow the option for onsite and offsite Fee Simple dedication, offsite Transferable Development Rights easements, and onsite Tracts to be used to meet the open space requirement. Require that offsite conservation come from parcels that are located adjacent to the UGA boundary. Use the Tri-Party Agreement Process to determine and codify the approach.</p>

Ord. 19384 Policy Issues	Recommended Amendments
d. Should the four-to-one program allow facilities, such as roads or stormwater, that serve the new urban area to be located in the Rural Area	<p><u>1. Consistency</u></p> <p>Section 4.A. of the Ordinance directs that the GMPC recommendations "ensure the three documents are consistent." They are generally consistent now on this topic, but a few wording changes are needed for full consistency.</p> <p>Recommendation: Disallow facilities or services for the new urban area to cross or be located in the rural area.</p>
e. Should the four-to-one program allow nonresidential and multifamily residential projects	<p>Recommendation: Disallow nonresidential uses in Four-to-One proposals. Continue to allow multifamily proposals.</p>
f. Should the four-to-one program allow projects that are not likely to be annexed in a timely manner	<p>Recommendation: Continue to allow proposals that are not likely to be timely annexed and continue to require cities to agree to add the new urban land to their Potential Annexation Areas.</p> <p>Recommendation: For proposals adjacent to cities and towns, require annexation prior to any site development or permitting.</p>

Additional issues arose during the review. Recommended Amendments on these issues are noted below.

Additional Policy Issues	Recommended Amendments
Ensure consistency regarding eligible natural resource lands	<p><u>1. Consistency</u></p> <p>Recommendations: Consistent with the current language in the CPPs, amend the Comprehensive Plan and Code to disallow any natural resource lands from using the program.</p>
Revise affordable housing provisions to be more effective and current	<p>Recommendation: Restructure affordable housing provisions to require affordable housing in most proposals, support home ownership, support long-term affordability, consistent with the County's inclusionary housing program.</p>
Revise minimum urban density	<p>Recommendation: Change the minimum urban density from 4 dwelling units per acre to 8 to increase housing supply.</p>

Additional Policy Issues	Recommended Amendments
Consider use of 5593 Exchanges	<p>Recommendation: Do not authorize use of these exchanges and continue to rely on Four-to-One program for UGA expansions. Monitor the use of this program in other Counties and report back to GMPC in advance of 2029 Updates to Comprehensive Plans.</p> <p><i>Note: If the GMPC recommends authorizing 5593 Exchanges, develop provisions related to programmatic issues, new urban area issues, and new rural area issues.⁶</i></p>

Ordinance 19384 calls for a “comprehensive review” of all the provisions. Given this, Recommended Amendments beyond those issues specifically enumerated in the Ordinance are noted below.

Clarifying Amendments	Recommended Amendments
<p>Clarifying amendments are proposed in order to:</p> <ul style="list-style-type: none"> • Increase consistency amongst the provisions, • Move technical and detailed provisions from the Countywide Planning Policies and Comprehensive Plan into the King County Code, • Update language to be consistent with current plan terminology, • Fix grammar and capitalization, add serial commas, and • Remove outdated provisions. 	

Attachments

- **Attachment A:** GMPC Recommended Amendments to Countywide Planning Policies Related to Urban Growth Area Amendments
- **Attachment B:** GMPC Recommended Amendments to King County Comprehensive Plan Policies Related to Urban Growth Area Amendments through the Four-to-One Program
- **Attachment C:** GMPC Recommended Amendments to King County Code Provisions Related to Urban Growth Area Amendments through the Four-to-One Program

⁶ A suite of issues was identified in the January 2023 GMPC meeting packet.

- “Programmatic” issues – establish program purpose, establish timing and cadence for use of program, develop procedures for application-review-approval, address nexus and boundary issues, address reversion and cascading proposal issues
- “New urban area” issues – UGA adjacency, existing development patterns, minimum densities, minimum parcel size, future zoning and eligible uses, service provision, annexation, affordable housing, buffering and open space requirements
- “New rural area” issues – existing development patterns, future zoning, reinstatement provisions