

INTERJURISDICTIONAL TEAM

**RECOMMENDED AMENDMENT
FOR THE URBAN GROWTH AREA POLICY AND PROGRAM REVIEW**

September 15, 2023

1. Amendment

Amendments related to **role of the GMPC**. This is a **new** amendment is based on public comment.

Amendments shown in **yellow** highlighting, **green strikethrough** (deletions) and **green underline** (additions).

RP-106 ~~((Except for Four-to-One proposals,))~~ King County shall not amend the Urban Growth Area prior to the Growth Management Planning Council taking action on the proposed amendment to the Urban Growth Area.

2. Effect

The amendment makes Comprehensive Plan consistent with CPPs (and reflects the current practice) which has been to bring all urban growth area changes, including Four-to-One proposals, to the Growth Management Planning Council.

3. Citation

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.

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**RECOMMENDED AMENDMENT
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September 15, 2023

1. Amendment

Amendments related to issue of **Landscaping Buffers**. This amendment based on discussion with stakeholders.

Amendments shown in **yellow** highlighting, **green strikeout** (deletions) and **green underline** (additions).

In Attachment C (King County Code), beginning on line 100, amend as shown:

~~((8))~~9. At least half of the site shall be placed in dedicated open space and shall fully buffer the new urban area from surrounding rural area and natural 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))~~ be no less than two hundred feet unless the director determines that a smaller buffer is warranted due to the topography and critical areas on the site, ((shall)) generally be parallel to the urban growth area boundary, and ((shall)) be configured in such a way as to connect with open space on adjacent properties. The required open space buffer shall contain Type 1 landscaping, per K.C.C. 21A.16.040, unless the director determines that different landscaping would better protect natural resources and functions, and land use compatibility, in the area;

2. Effect

This amendment clarifies the type of landscaping to be used in the required buffers. The amendment provides for a full screening of the property from the adjacent rural area and natural resource lands, consistent with King County Code.

3. Citation

21A.16.040 Landscaping - screen types and description. The three types of landscaping screens are described and applied as follows:

A. Type I landscaping screen:

1. Type I landscaping is a "full screen" that functions as a visual barrier. This landscaping is typically found adjacent to freeways and between residential and non-residential areas.

2. Type I landscaping shall minimally consist of:

a. A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;

- b. Between 70 and 90 percent evergreen trees;**
- c. Trees provided at the rate of one per 10 linear feet of landscape strip and spaced no more than 30 feet apart on center;**
- d. Evergreen shrubs provided at the rate of one per linear four feet of landscape strip and spaced no more than 8 feet apart on center; and**
- e. Ground cover pursuant to K.C.C. 21A.16.090;**

B. Type II landscaping screen:

1. Type II landscaping is a "filtered screen" that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street;

2. Type II landscaping shall minimally consist of:

a. A mix of evergreen and deciduous trees and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;

b. At least 50 percent deciduous trees and at least 30 percent evergreen trees;

c. Trees provided at the rate of one per 20 linear feet of landscape strip and spaced no more than 30 feet apart on center;

d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

e. Ground cover pursuant to K.C.C. 21A.16.090;

C. Type III landscaping screen:

1. Type III landscaping is a "see-through screen" that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between apartment developments;

2. Type III landscaping shall minimally consist of:

a. A mix of evergreen and deciduous trees generally interspersed throughout the landscape strip and spaced to create a continuous canopy;

b. At least 70 percent deciduous trees;

c. Trees provided at the rate of one per linear 25 feet of landscape strip and spaced no more than 30 feet apart on center;

d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than 8 feet apart on center; and

e. Ground cover pursuant to K.C.C. 21A.16.090. (Ord. 11621 § 55, 1994: Ord. 11210 § 4, 1994: Ord. 10870 § 389, 1993).

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**RECOMMENDED AMENDMENT
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September 15, 2023

1. Amendment

Amendments related to issue of **Affordable Housing Requirements for Rental Units**.

Amendments shown in **yellow** highlighting, **green strikeout** (deletions) and **green underline** (additions).

In Attachment C (King County Code), beginning on line 154, amend as shown:

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.) Thirty percent of the total number of units in the proposal shall be affordable housing units. Homeownership affordable housing units shall be affordable to residents earning up to eighty percent of the area median income. Rental affordable housing units shall be affordable to residents earning up to sixty percent of the area median income.~~

C. For proposals that include exclusively home ownership units, the affordable units shall all be provided for home ownership. For proposals that include units exclusively rental units, the affordable units shall all be provided for rental. For proposals that include rental and homeownership units, the proportion of affordable rental units to affordable homeownership units shall be identical to the proportion for market rate units.

D. The length of the term of the affordability requirement for homeownership affordable housing units shall be for fifty years from the date of the initial occupancy. The length of the term of the affordability requirement for rental affordable housing units shall be for the life of the project from the date of initial occupancy.

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

2. Effect

The amendment establishes affordable housing requirements for proposals that are exclusively comprised of homeownership units, exclusively rental units, and a mix of unit. These are similar to the already proposed home ownership provisions, and the new rental unit provisions are consistent with the County's Inclusionary Housing Ordinance ([LINK](#)).

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RECOMMENDED AMENDMENT
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September 15, 2023

1. Amendment

Amendments related to issue of **State Notification**. This amendment is based on discussion with stakeholders.

Amendments shown in **yellow** highlighting, **green strikeout** (deletions) and **green underline** (additions).

In Attachment C (King County Code), beginning on line 58, amend as shown:

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

2. Effect

This amendment adds state agencies into the review process for Four-to-One proposals. This could help to ensure a more comprehensive view and response to growth and environmental preservation.