

GMPC MOTION 23-3

A MOTION approving proposed amendments to the Urban Growth Area Policies and Four-to-One Program in the King County Countywide Planning Policies, King County Comprehensive Plan, and King County Code for public review and comment.

WHEREAS, Ordinance 19384 directed a review of the Four-to-One program and stated that while 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, King County Comprehensive Plan, and King County Code to ensure the three documents are consistent and reflect countywide growth management goals, based on collaboration with cities affected by the program; and

WHEREAS, Ordinance 19384 directed that the County Executive develop and recommend to the County Council changes to the Countywide Planning Policies, Comprehensive Plan, and King County Code, in consultation with the Interjurisdictional Team of the Growth Management Planning Council, and based on Growth Management Planning Council review; and

WHEREAS, Ordinance 19384 directed that the County Executive review the Four-to-One program to analyze all projects approved under the program, evaluate the performance of those projects against the program's goals, and consider potential amendments related to a suite of specified programmatic and policy issues; and

WHEREAS, Ordinance 19384 directed that Executive staff regularly update and consult with the offices of the councilmembers representing the county on the Growth Management Planning Council, the chair and vice-chair of the local services committee, or its successor, and the chair and vice-chair of the mobility and environment committee, or its successor, throughout the process, and such consultation has occurred; and

26 WHEREAS, Ordinance 19384 directed that County Executive recommended Countywide
27 Planning Policies, Comprehensive Plan, and King County Code changes, and a Growth Management
28 Planning Council motion that makes recommendations on the Four-to-One program be completed no later
29 than January 1, 2023 and be included in the public review draft and State Environmental Policy Act
30 environmental impact statement for the 2024 Comprehensive Plan Update, and be transmitted to the
31 council as part of the 2024 Comprehensive Plan update; and

32 WHEREAS, in its 2021 session, the Washington State Legislature adopted House Bill 1241
33 which extended the timeline for the 2024 Comprehensive Plan update by six months, and at its July 2022
34 meeting the Growth Management Planning Council agreed to move the date for the motion from January
35 2023 to June 2023, consistent with the new statutory deadlines; and

36 WHEREAS, the Growth Management Planning Council discussed the Four-to-One program at
37 multiple meetings in 2022 and 2023, and the Interjurisdictional Team did the same. And, at these
38 meetings, the Growth Management Planning Council considered oral and written public comments, and
39 the Interjurisdictional Team considered written public comments, including from cities affected by the
40 program;

41 NOW, THEREFORE, BE IT MOVED that the Growth Management Planning Council acts to
42 approve proposed amendments to the Urban Growth Area Policies and Four-to-One Program in the King
43 County Countywide Planning Policies, King County Comprehensive Plan, and King County Code

44 for public review and comment.

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Dow Constantine, Chair, Growth Management Planning Council

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49 Attachments

50 A: GMPC Recommended Amendments to Countywide Planning Policies Related to Urban Growth

51 Area Amendments

52 B: GMPC Recommended Amendments to King County Comprehensive Plan Policies Related to

53 Urban Growth Area Amendments through the Four-to-One Program

54 C: GMPC Recommended Amendments to King County Code Related to Urban Growth Area

55 Amendments through the Four-to-One Program

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

King County Countywide Planning Policies, as adopted (Ordinance 19553) on 12/6/2022, and ratified by 03/31/2023

In the Development Patterns chapter, beginning on page 25, amend as follows:

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

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

8 b) A proposed expansion of the Urban Growth Area is accompanied by dedication of
9 permanent open space to the King County Open Space System, where the acreage
10 of the proposed open space:

11 1) Is at least four times the acreage of the land added to the Urban Growth Area;

12 2) Is ~~((contiguous with))~~ adjacent to the original Urban Growth Area line adopted
13 in the 1994 King County Comprehensive Plan, as amended by Joint Planning
14 Area Agreements for the City of North Bend in Ordinance 12535 and the City
15 of Snoqualmie in Ordinance 14117, with at least ~~((a portion))~~ half of the site to
16 be placed in dedicated open space ~~((surrounding))~~ and shall fully buffer the
17 proposed Urban Growth Area expansion from surrounding Rural Area and
18 Natural Resource Lands; and

19 3) Preserves high quality habitat, critical areas, or unique features that contribute
20 to the band of permanent open space along the edge of the Urban Growth
21 Area; or

22 c) The area is currently a King County park being transferred to a city to be maintained
23 as a park in perpetuity~~((or is park land that has been owned by a city since 1994 and~~
24 ~~is less than thirty acres in size)).~~

25
26 **DP-18** Add land to the Urban Growth Area only if expansion of the Urban Growth Area is
27 warranted based on the criteria in DP-17(a) or DP-17(b), and it meets all of the following criteria:

28 a) For expansions based on DP-17(a) only:

29 1. Is adjacent to the existing Urban Growth Area((

- 30 b) ~~For expansions based on DP-17(a) only, is~~);
- 31 2. Is no larger than necessary to promote compact development that
- 32 accommodates anticipated growth needs;
- 33 ((e))b) Can be efficiently provided with urban services and does not require supportive
- 34 facilities or services to cross or be located in the Rural Area;
- 35 ((e))c) Follows topographical features that form natural boundaries, such as rivers and
- 36 ridge lines and does not extend beyond natural boundaries, such as watersheds, that
- 37 impede the provision of urban services;
- 38 ((e))d) Is not currently designated as Natural Resource Land;
- 39 ((f))e) Is sufficiently free of environmental constraints to be able to support urban
- 40 development without significant adverse environmental impacts, unless the area is
- 41 designated as an Urban Separator by interlocal agreement between King County
- 42 and the annexing city; ~~(and)~~
- 43 f) Is not expanding the Urban Growth Area from a location that was previously expanded
- 44 through the Four-to-One program;
- 45 g) Is subject to an agreement between King County and the city or town adjacent to the
- 46 area that the area will be added to the city's Potential Annexation Area. Upon
- 47 ratification of the amendment, the Countywide Planning Policies will reflect both the
- 48 Urban Growth Area change and Potential Annexation Area change; and
- 49 h) For expansions of the Urban Growth Area based on the criteria in DP-17 (b) where
- 50 the area is adjacent to an incorporated area, no development proposal or activity
- 51 shall be allowed until the land added to the Urban Growth Area is annexed into a city
- 52 or town.

53

54 **DP-19** Allow redesignation of Urban land currently within the Urban Growth Area to Rural land

55 outside of the Urban Growth Area if the land is not needed to accommodate projected urban

56 growth, is not served by public sewers, is ~~(contiguous with)~~ adjacent to the Rural Area, and:

- 57 a) Is not characterized by urban development;
- 58 b) Is currently developed with a low-density lot pattern that cannot be realistically
- 59 redeveloped at an urban density; or
- 60 c) Is characterized by environmentally sensitive areas making it inappropriate for higher
- 61 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

King County Comprehensive Plan, as adopted (Ordinance 19555) on 12/06/2023

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

1 While urban separators complement the regional open space system by helping to define urban
2 communities, the King County Four-to-One Program provides an opportunity to add land to the
3 regional open space system through the dedication of permanent open space. The Four-to-One
4 Program has been recognized as an innovative land use technique under the Growth
5 Management Act³ and for King County, the purpose of the program is to create a contiguous
6 band of open space, running north and south along the ((main)) Urban Growth Area Boundary.
7 Since its inception in 1994, just over 1,300 acres have been added to the Urban Growth Area
8 while nearly 4,500 acres of permanent open space have been conserved. Changes to the
9 Urban Growth Area through this program are processed as Land Use Amendments to the King
10 County Comprehensive Plan, subject to the provisions in King County Code chapter 20.18.

11

12 **U-185** Through the Four-to-One Program, King County shall actively pursue dedication of
13 open space along the original Urban Growth Area line adopted in the 1994 King
14 County Comprehensive Plan, as amended by Joint Planning Area Agreements for
15 the City of North Bend in Ordinance 12535 and the City of Snoqualmie in Ordinance
16 14117. Through this program, one acre of Rural Area zoned land may be added to
17 the Urban Growth Area in exchange for a dedication to King County of four acres of
18 permanent open space. ~~((Land added to the Urban Growth Area for drainage~~
19 ~~facilities that are designed as mitigation to have a natural looking visual appearance~~
20 ~~in support of its development, does not require dedication of permanent open~~
21 ~~space.))~~

22

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

30

31 **U-187** King County shall use the following criteria for evaluating open space in Four-to-One
32 proposals: a. Quality of fish and wildlife habitat areas; b. Connections to regional
33 open space systems; c. Protection of wetlands, stream corridors, ground water and
34 water bodies; d. Unique natural, biological, cultural, historical, or archeological
35 features; e. Size of proposed open space dedication and connection to other open
36 space dedications along the Urban Growth Area line; and f. The land proposed as
37 open space shall remain undeveloped, except for those uses allowed in ~~((U-188))~~
38 King County Code 20.18.180.D.

39
40 **U-188** King County shall preserve the open space acquired through the Four-to-One
41 Program primarily as natural areas, passive recreation sites or resource lands for
42 farming or forestry. King County may allow ~~((the following))~~ certain additional uses
43 only if located on a small portion of the open space, provided that these uses are
44 found to be compatible with the site's natural open space values and functions such
45 as those listed in the preceding policy(~~(:~~

46 a. ~~Trails;~~

47 b. ~~Compensatory mitigation of wetland losses on the urban designated portion of~~
48 ~~the project, consistent with the King County Comprehensive Plan and the~~
49 ~~Critical Area Ordinance; and~~

50 c. ~~Active recreation uses not to exceed five percent of the total open space area.~~
51 ~~Support services and facilities for the active recreation uses may locate within~~
52 ~~the active recreation area only, and shall not exceed five percent of the active~~
53 ~~recreation area. An active recreation area shall not be used to satisfy the active~~
54 ~~recreation requirements for the urban designated portion of the project as~~
55 ~~required by King County Code Title 21A)).~~

56
57 **U-189** Land added to the Urban Growth Area under the Four-to-One Program shall:

58 a. not expand the Urban Growth Area from a location that was previously
59 expanded through the Four-to-One program;

60 b. be limited to residential development and have a minimum density of ~~((four))~~
61 eight dwellings per acre~~((and shall));~~

62 c. be physically ~~((contiguous))~~ adjacent to the original Urban Growth Area line
63 adopted in the 1994 Comprehensive Plan, as amended by Joint Planning Area
64 Agreements for the City of North Bend in Ordinance 12535 and the City of
65 Snoualmie in Ordinance 14117, unless there are limitations due to the
66 presence of critical areas~~((, and shall));~~

67 d. be able to be served by sewers and other efficient urban services and facilities;
68 provided that such sewer and other urban services and facilities shall be
69 provided directly from the urban area and shall not cross the open space or
70 Rural Area or Natural Resource Lands((-);

71 e. ((Drainage facilities to)) support the urban development ((shall be)) with
72 drainage facilities that are located within the urban portion of the
73 development((-);

74 f. ((In some cases, lands must)) meet the affordable housing requirements under
75 this program; and

76 g. ((The total area)) not result in more than a total of 4,000 acres being added to
77 the Urban Growth Area as a result of this ((policy shall not exceed 4,000
78 acres)) program.

79

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

88

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

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

King County Code, Title 20, as updated on 05/08/2023

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

1 **20.18.040 Site-specific land use map or shoreline master program map amendment**
2 **classification (in effect everywhere except the shoreline jurisdiction, where it will take**
3 **effect fourteen days after state Department of Ecology approval of Ordinance 18810,**
4 **Sections 10 and 11).**

5 A. Site-specific land use map or shoreline master program map amendments may be
6 considered during the annual update, midpoint update or ~~((eight-year))~~ ten-year update,
7 depending on the degree of change proposed.

8 B. ~~((The following categories of site))~~ Site-specific land use map or shoreline master
9 program map amendments that do not require substantive change to comprehensive plan policy
10 language and that do not alter the urban growth area boundary, except to correct mapping
11 errors, may be initiated by either the county or a property owner for consideration in the annual
12 update:

13 ~~((1. Amendments that do not require substantive change to Comprehensive Plan policy~~
14 ~~language and that do not alter the urban growth area boundary, except to correct mapping errors;~~
15 ~~and~~

16 ~~2. Four to one proposals.))~~

17 C. The following categories of site-specific land use map and shoreline master program
18 amendments may be initiated by either the county or a property owner for consideration in the
19 ~~((eight-year))~~ ten-year update or midpoint update:

20 1. Amendments that could be considered in the annual update;

21 2. Amendments that require substantive change to Comprehensive Plan policy language;
22 and

23 3. Amendments to the urban growth area boundary. (Ord. 18810 § 10, 2018: Ord. 16985
24 § 6, 2010: Ord. 14047 § 2, 2001: Ord. 13147 § 20, 1998).

25

26 **20.18.170 The four to one program – process for amending the urban growth area to**
 27 **achieve open space.**

28 A. The purpose of the Four-to-One program is to create a contiguous band of open
 29 space, running north and south along the original Urban Growth Area line adopted in the 1994
 30 King County Comprehensive Plan, as amended by Joint Planning Area Agreements for the City
 31 of North Bend in Ordinance 12535 and the City of Snoqualmie in Ordinance 14117.

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

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

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

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

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

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

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

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

58 ~~((D. Proposals))~~G. Prior to legislative action, proposals adjacent to incorporated area or
 59 potential annexation areas shall be referred to the affected city or town and special purpose
 60 districts (such as sewer, water, and school districts) for review and recommendations. (Ord.
 61 18810 § 16, 2018: Ord. 17485 § 9, 2012: Ord. 16263 § 5, 2008: Ord. 14047 § 9, 2001).

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

70

71 **20.18.180 The four to one program – criteria for amending the urban growth area to**
 72 **achieve open space.** Rural area land may be added to the urban growth area in accordance
 73 with the following criteria:

74 A. A proposal to add land to the urban growth area under this program shall meet the
 75 following criteria:

76 1. A permanent dedication to the King County open space system of four acres of open
 77 space is required for every one acre of land added to the urban growth area;

78 2. The land shall not be (~~zoned agriculture (A))~~ designated as natural resource land;

79 3. The land added to the urban growth area shall:

80 a. be physically (~~contiguous~~) adjacent to the original urban growth area line as
 81 adopted in the 1994 King County Comprehensive Plan, as amended by Joint Planning Area
 82 Agreements for the City of North Bend in Ordinance 12535 and the City of Snoqualmie in
 83 Ordinance 14117, unless the director determines that the land directly adjacent to the urban
 84 growth area contains critical areas that would be substantially harmed by development directly
 85 adjacent to the urban growth area and that all other criteria can be met; and

86 b. not be in an area where a contiguous band of public open space, parks or
 87 watersheds already exists along the urban growth area boundary;

88 c. not expand the urban growth area from a location that was previously expanded
 89 through the Four-to-One program; and

90 4. The land added to the urban growth area shall be able to be served by sewers and
 91 other urban services;

92 5. A road serving the land added to the urban area shall not be counted as part of the
 93 required open space;

94 6. Land added to the urban growth area for drainage facilities in support of its
 95 development shall not require dedication of permanent open space;

96 7. All urban facilities shall be provided directly from the urban area and shall not cross the
 97 open space or rural area and be located in the urban area except as permitted in subsection
 98 ~~((E))~~D of this section;

99 ~~((7))~~8. Open space areas shall retain a rural designation;

100 ~~((8))~~9. At least half of the site shall be placed in dedicated open space and shall fully
 101 buffer the new urban area from surrounding rural area and natural resource lands. The minimum
 102 depth of the open space buffer shall ~~((be one half of the property width, unless the director~~
 103 ~~determines that a smaller buffer of))~~ be no less than two hundred feet unless the director
 104 determines that a smaller buffer is warranted due to the topography and critical areas on the site,
 105 ~~((shall))~~ generally parallel the urban growth area boundary and ~~((shall))~~ be configured in such a
 106 way as to connect with open space on adjacent properties;

107 ~~((9))~~10. The minimum size of the property to be considered is twenty acres. Smaller
 108 parcels may be combined to meet the twenty-acre minimum;

109 ~~((40))~~11. Urban development under this section shall be limited to residential
 110 development and shall be at a minimum density of ~~four~~) eight dwelling units per acre; and

111 ~~((44))~~12. The land to be retained in open space is not needed for any facilities or services
 112 necessary to support the urban development; and

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

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

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

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

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

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

129 2. Provision of regional open space connections;

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

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

133 5. The size of open space dedication and connection to other open space dedications
134 along the urban growth area boundary; and

135 6. The ability to provide extensions of urban services to the redesignated urban areas;
136 and

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

142 1. Trails;

143 2. Compensatory mitigation of wetland losses on the urban designated portion of the
144 ~~((project))~~proposal, consistent with the King County Comprehensive Plan and K.C.C. chapter
145 21A.24; and

146 3. Active recreation uses not to exceed five percent of the total open space area. The
147 support services and facilities for the active recreation uses may locate within the active recreation
148 area only, and shall not exceed five percent of the total acreage of the active recreation area. The
149 entire open space area, including any active recreation site, is a regional resource. It shall not be
150 used to satisfy the on-site active recreation space requirements in K.C.C. 21A.14.180 for the
151 urban portion of the four to one property. (Ord. 17485 § 10, 2012: Ord. 16263 § 6, 2008: Ord.
152 15606 § 1, 2006: Ord. 14047 § 10, 2001).

153

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

156 A. Thirty percent of the units shall be affordable for residents earning up to eighty
157 percent of the area median income.

158 B. The affordable units shall be provided for home ownership and the length of the term
159 of the affordability shall be for fifty years from the date of the initial occupancy.

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

162 1. 21A.48.010.C. regarding exceptions to affordable housing requirements;

163 2. 21A.48.040.A. regarding the calculation of affordable dwelling units;

164 3. 21A.48.050 regarding regulation of affordable dwelling units and dimensional
165 standards;

166 4. 21A.48.060 regarding approval of calculation of number of required affordable
167 dwelling units and allowed market rate dwelling units a condition of development permit
168 issuance - covenant or deed restriction required before certificate of occupancy issuance; and

169 5. 21A.48.080 regarding approval of request for alternative compliance - modification
170 or waiver of requirements for affordable dwelling units - requirements.

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