

## KING COUNTY GROWTH MANAGEMENT PLANNING COUNCIL

**AGENDA TITLE:** King County Review of the Four-to-One Program

**PRESENTED BY:** Interjurisdictional Staff Team (IJT)

### **Topics for Discussion:**

The 2016 King County Comprehensive Plan included a workplan item to review the County's Four-to-One Program.<sup>1</sup> This review began in 2018 and has included discussions with the Interjurisdictional Staff Team (IJT) of the Growth Management Planning Council (GMPC), which is introducing the topic for review and discussion. The GMPC will be asked to make recommendations in 2019; any changes must ultimately be adopted by the King County Council and ratified by the cities.

### **Background:**

The Four-to-One Program ("4:1") is an innovative land use technique allowed under the Washington State Growth Management Act that seeks to create a contiguous band of open space along the original 1994 Urban Growth Area (UGA.)

For properties that meet the criteria, the program allows land owners to apply to have their land considered, with twenty percent of the land (i.e., the "one") potentially added to the UGA and the remaining eighty percent (i.e., the "four") permanently added to the King County Open Space System. Four-to-One projects are approved at the discretion of the county as part of an update to the Comprehensive Plan; this includes review and recommendation by the GMPC.

Through nine transactions<sup>2</sup> since program inception in 1994, about 350 acres have been added to the urban growth area and about 1,300 acres of permanent open space have

---

<sup>1</sup>

<http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/4t01.aspx>

<sup>2</sup> In addition to 4:1 projects that adhered to the program criteria, three Joint Planning Agreement projects were approved based on 4:1 "principles" meaning conservation was achieved through related programs such as the Transferrable Development Rights ("TDRs") program. Joint Planning Agreements were a tool used in the 1990s to finalize the urban growth area boundary and these types of transactions are not likely to occur again. The three Joint Planning Agreements were: the Grand Ridge/Issaquah Highlands Agreement, a related Issaquah Highlands Expansion Area Agreement, and the Black Diamond Agreement.

been conserved. The program was used most heavily in the 1990s after the initial UGA was set.

The 4:1 Program is guided by policies and criteria in the Countywide Planning Policies, King County Comprehensive Plan, and King County Code.<sup>3</sup>

### **Review Process and Outcomes:**

The technical and policy review is being conducted by County staff, and has included outreach to city staff through the IJT. The review considers a variety of factors: overall program performance, site-specific implementation experience, review of the eligibility and evaluation criteria as well as the procedural aspects of the program. Included below is: (a) background on the existing program, (b) an overall summary of the review, and (c) potential revisions to the program.

### **A. Background on Four-to-One Program**

The following is a summary of the key provisions of the existing program.

- Voluntary tool for property owners to add land to UGA.
- Discretionary approval by county, based on eligibility and evaluation criteria.
- Eligible lands include Rural Area zoned parcels. Agricultural lands are exempted in King County Code, and all Natural Resource lands are exempted in the Countywide Planning Policies.
- Criteria for new open space lands:
  - Contiguous to 1994 UGA, intended to buffer the surrounding rural area from new urban land, and the open space should connect to other open spaces where feasible.
  - Evaluation criteria include quality of open space for fish and wildlife habitat, protection of wetlands, stream corridors, ground water and water bodies; unique natural, biological, cultural, historical, or archeological features; and size of the open space dedication.
  - Open space retains rural area zoning but can be used for agriculture/forestry; use of land include incidental uses like trails, active recreation on 5% of land, and wetland mitigation.
- Criteria for new urban lands:
  - Contiguous to 1994 UGA, only residential development is allowed, urban development must achieve minimum of 4 dwelling units per acre.
  - Must be served by sewers and other urban services and facilities directly from the existing urban area without crossing the open space or rural area.
  - Jurisdictions must agree to add the new urban land to their Potential Annexation Area (PAA).

---

<sup>3</sup> Countywide Planning Policies DP-16 and DP-17; Comp. Plan Policies U-185 to U-190; King County Code 20.18.170 and 20.18.180

## **B. Overall Summary of Review**

The following is a summary of the program review conducted by staff.

- The Four-to-One program was enacted almost 25 years ago and has been used infrequently.
- The program goal to create a contiguous band of open space next to the main urban growth area boundary, and the program, while limited, has helped to secure the UGA boundary in some areas. Nine Traditional Four-to-One proposals have been approved, adding 359 new urban acres and conserving 1,300 open space acres.
- The program was also intended to address unresolved UGA issues, and it has done this through some of the larger, non-traditional projects. Three Joint Planning Agreement transactions occurred, adding 941 urban and 2,386 open space. Note that these are not technically Four-to-One projects but were partially based on Four-to-One principles. With the resolution of the remaining joint planning areas in the early 2000s, it is not likely that these types of development will occur again.
- Combined, the program has had a limited but positive impact on securing the UGA boundary, a mostly positive impact on open space, and the acquisitions have complemented other land use tools such as transfer of development rights.
- For context, between 1994 and the present, the UGA grew by a net total of 256 acres; this includes Four-to-One expansions and contractions of the UGA such as Cougar Mountain Park, East Cougar Mountain PAA, and the establishment of Lower Green Agricultural Production District.
- Overall recommendation is to retain the program as a tool in conservation toolbox, and to propose some changes to the criteria and process.

## **C. Potential Revisions to Program**

The following are potential revisions identified by staff that the GMPC and County Council may wish to consider.

### ***New Urban Lands***

- (a) When the urban area is adjacent to a city, require annexation as condition of approval rather than requiring adding to Potential Annexation Area. When the urban area is adjacent to a potential annexation, require notice be added to the properties' titles that the current and/or future property owner(s) of the site shall not contest the annexation (as was done in a 2016 Four-to-One). This would avoid the creation of new isolated pockets of urban unincorporated areas for the county to serve, and create predictability for property owners about future governance.

- (b) This change means that new urban development created under the Four-to-One program would be governed by city regulations; this requires binding the title to county conditions of approval.

### ***New Open Space Lands***

- (a) Require **open space** to be *primarily* on-site and *fully buffer* the new urban land to the extent practicable from the surrounding rural area. This would continue to allow some flexibility in the program (in some cases, it is difficult to find enough open space in the immediate project area) while shoring up the UGA as the program intended.
- (b) Expand the **open space** criteria to evaluate: (1) potential for public access, (2) ability of County to efficiently manage open space, and (3) impacts to nearby resource lands. These changes would address concerns that have arisen by the creation of isolated pockets of open space which area difficult for the County to serve. It would also make sure that opportunities for public access and resource conservation are being considered.

### ***Program Procedures***

- (a) Allow open space land to be **designated agricultural, forest** or open space, if that is the preferred use of the land. This would create the potential for conserving more resource lands through the program.
- (b) Clarify that Four-to-Ones must be **initiated by the property owner** through the annual Docket process. As with other land use and zoning applications, this would ensure property owners are aware of and support consideration of their property in the program.
- (c) Clarify that GMPC reviews expansions *and contractions* to the UGA. This is a technical change to reflect the regional nature of all UGA-related decisions.

### ***Consistency Among Provisions***

- (a) Make Comprehensive Plan consistent with CPPs regarding **exempting all natural resource lands** not just agricultural lands (this change protects other natural resource lands).
- (b) Make CPPs consistent with Comprehensive Plan regarding residential development only and adjacency to 1994 UGA.
- (c) Make CPPs consistent with the aforementioned changes regarding annexation, open space to be on-site, and others.

**Next Steps:**

The next steps in the project are scheduled as follows:

- Continue IJT review in late 2018/early 2019.
- County Council and GMPC review in 2019.
- GMPC review and recommendation in 2019.
- GMPC adoption of CPP amendments in 2019.
- County Council adoption of Countywide Planning Policy amendments in 2019; City Ratification Process.
- County Council review of Comprehensive Plan and King County Code changes as part of 2020 Comprehensive Plan update.

**For More Information:**

Contact Ivan Miller, AICP, Comprehensive Planning Manager, King County, at 206-263-8297 or [ivan.miller@kingcounty.gov](mailto:ivan.miller@kingcounty.gov).