



EXECUTIVE RECOMMENDED PLAN

**Area Land Use and Zoning Studies**  
**King County Comprehensive Plan**

September 2019

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## EXECUTIVE RECOMMENDED PLAN

### **Snoqualmie Agricultural Production District Boundary Adjustment Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes a study to consider expanding the Agricultural Production District. The Scope directs the following:

Consider expansion of the Agricultural Production District (APD) boundary to increase opportunities for farming, including areas near the Snoqualmie APD – Fall City areas and Carnation area, and the Enumclaw APD.

Five parcels, totaling approximately 68 acres, adjacent to the Snoqualmie Agricultural Production District, have been identified to include within the Agricultural Production District boundary. These parcels are currently in or have been in agricultural use and would be compatible with a rezone from Rural Area (RA) to Agriculture (A) zoning. Three parcels are proximate to the city of Carnation and two are proximate to the Fall City rural town. Property owners are interested in the rezone and inclusion in the Agricultural Production District.

#### **II. POLICY CONTEXT**

The King County Comprehensive Plan is the long-range guiding policy document for all land use and development regulations in unincorporated King County. Within the Comprehensive Plan, several policies reference the Agricultural Production Districts and supporting agriculture in King County.

Agricultural Production Districts were first designated in 1985 to protect irreplaceable agricultural lands and agricultural supportive uses. Policy directs Agricultural Production Districts to be contiguous blocks with clear boundaries, to reduce conflicts with other land uses. All parcels included in this study are contiguous to the current Snoqualmie Agricultural Production District and are in agricultural use.

**R-643** Agricultural Production Districts are blocks of contiguous farmlands where agriculture is supported through the protection of agricultural soils and related support services and activities. Roads and natural features are appropriate boundaries for Agricultural Production Districts to reduce the possibility of conflicts with adjacent land uses.

The parcels in consideration for this study are currently zoned for rural use (RA-10), but meet the size and use criteria for A-10 zoning. The five parcels range in size from six acres to 31 acres and are in agricultural use.

**R-645** All parcels within the boundaries of an Agricultural Production District should be zoned Agricultural, either A-10 or A-35.

**R-646** Lands within APDs should remain in parcels large enough for commercial agriculture. A residential density of one home per 35 acres shall be applied where the predominant lot size is 35 acres or larger, and a residential density of one home per 10 acres shall be applied where the predominant lot size is smaller than 35 acres.

**R-647** Agriculture should be the principal land use in the APDs. Permanent new construction within districts shall be sited to prevent conflicts with commercial farming or other agricultural uses, and nonagricultural uses shall be limited. New development shall not disrupt agriculture operations and shall have a scale compatible with an active farming district.

Three of the parcels considered in this study border the Urban Growth Area and Carnation city boundary. Policy supports including these parcels in the Agricultural Production District to preserve and support their agricultural use, and to mitigate against land use conflicts between agricultural and urban development. These parcels have also been preserved through a Farmland Preservation Program easement recognizing their agricultural suitability and inherent development pressure.

**R-652** King County commits to preserve Agricultural Production District parcels in or near the Urban Growth Area because of their high production capabilities, their proximity to markets, and their value as open space. King County should work with cities adjacent to or near Agricultural Production Districts to minimize the operational and environmental impacts of urban development on farming, and to promote activities and infrastructure, such as Farmers Markets and agriculture processing businesses, that benefit both the cities and the farms by improving access to locally grown agricultural products.

**R-642** King County shall continue to implement the objectives of the Farmland Preservation Program. Protection of property purchased under the Farmland Preservation Program shall be a high priority when balancing conflicting interests such as locating transportation, active recreation, utility facilities, or other uses that



could have an adverse impact on farm operations. King County shall use the Transfer of Development Rights Program as another tool to preserve farmland.

This proposal supports the goal of the Local Food Initiative adopted in 2014, namely to expand King County's local food economy to ensure job growth and economic viability for King county food businesses and farms. Expanding the Agricultural Production District to include viable and historically farmed land preserves agricultural land for farming and food production.

### III. BACKGROUND INFORMATION

This study considers the inclusion of private lands currently zoned RA into the adjacent Snoqualmie Agricultural Production District. The study parcels are located in two distinct groups, one bordering the City of Carnation and the other in the vicinity of the Fall City rural town. Each group of parcels has a separate justification for inclusion.

#### **Parcels adjacent to the Snoqualmie APD proximate to the City of Carnation**

This historically farmed property is in the rural area adjacent to the Agricultural Production District, the City of Carnation, and a 60-acre farm protected by a Farmland Preservation Program easement. In 2016, the owner of the property was considering developing these lands, as allowed by King County Code. To protect the land for its agricultural resource value, the land was purchased by King County with the intention to "buy-protect-sell" the property to preserve the agricultural use. King County Council authorized sale of this property and in October 2018. It was sold to Phong Cha along with a Forest Protection Program easement that permanently protects the land for farming and open space values. Mr. Cha is a Hmong farmer in the Snoqualmie Valley who intends to grow flowers and vegetables on approximately 13 acres of prime agricultural soil, as well as harvesting forest products in the upland area. Mr. Cha is interested in the inclusion of his properties into the Agricultural Production District and the rezone to agricultural zoning.

#### **Parcels adjacent to the Snoqualmie APD proximate to Fall City**

The two properties proximate to the Fall City rural town are located within the floodway of the Snoqualmie River, on the eastern side of State Route 203, across the highway from the southeastern boundary of the Snoqualmie Agricultural Production District. The Snoqualmie Valley is subject to periodic flooding; approximately 95 percent of the agricultural lands in the area are in the 100 year flood plain. Elevated farm pads mitigate flood damage by providing high ground to harbor livestock and to store farm machinery and other agricultural equipment and supplies in frequently flooded areas.

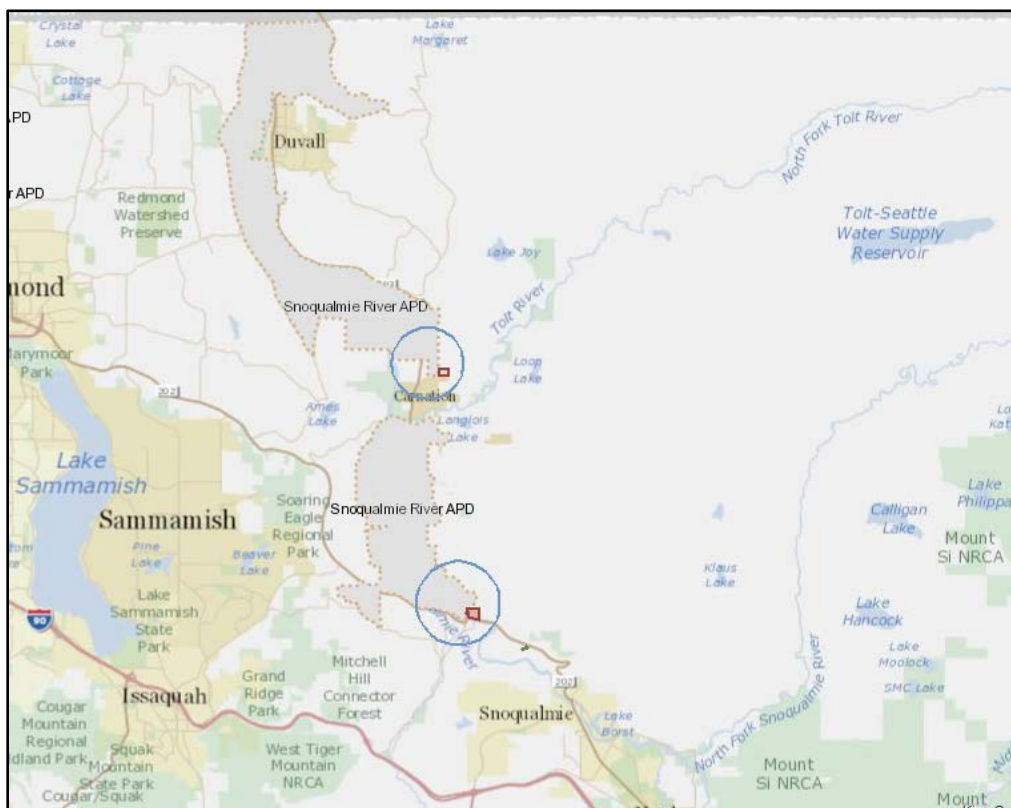
Farm pads are allowed on otherwise unbuildable agricultural land under King County Code **21A.24.260 C**: *"New residential or nonresidential structures are prohibited within the mapped FEMA floodway, except for farm pads and nonresidential agricultural accessory buildings within an agricultural production district..."* The farms are outside the Agricultural Production District (Figure 1) and currently unable to construct farm pads. Inclusion in the Agricultural

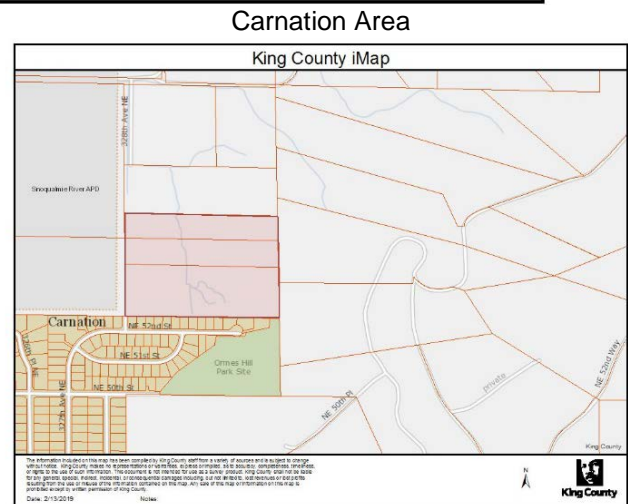
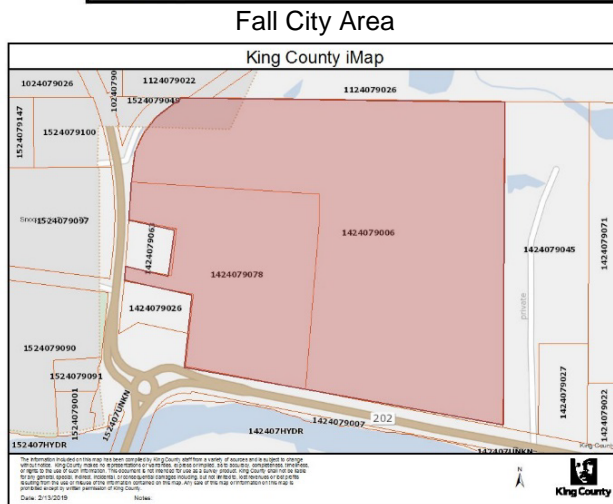
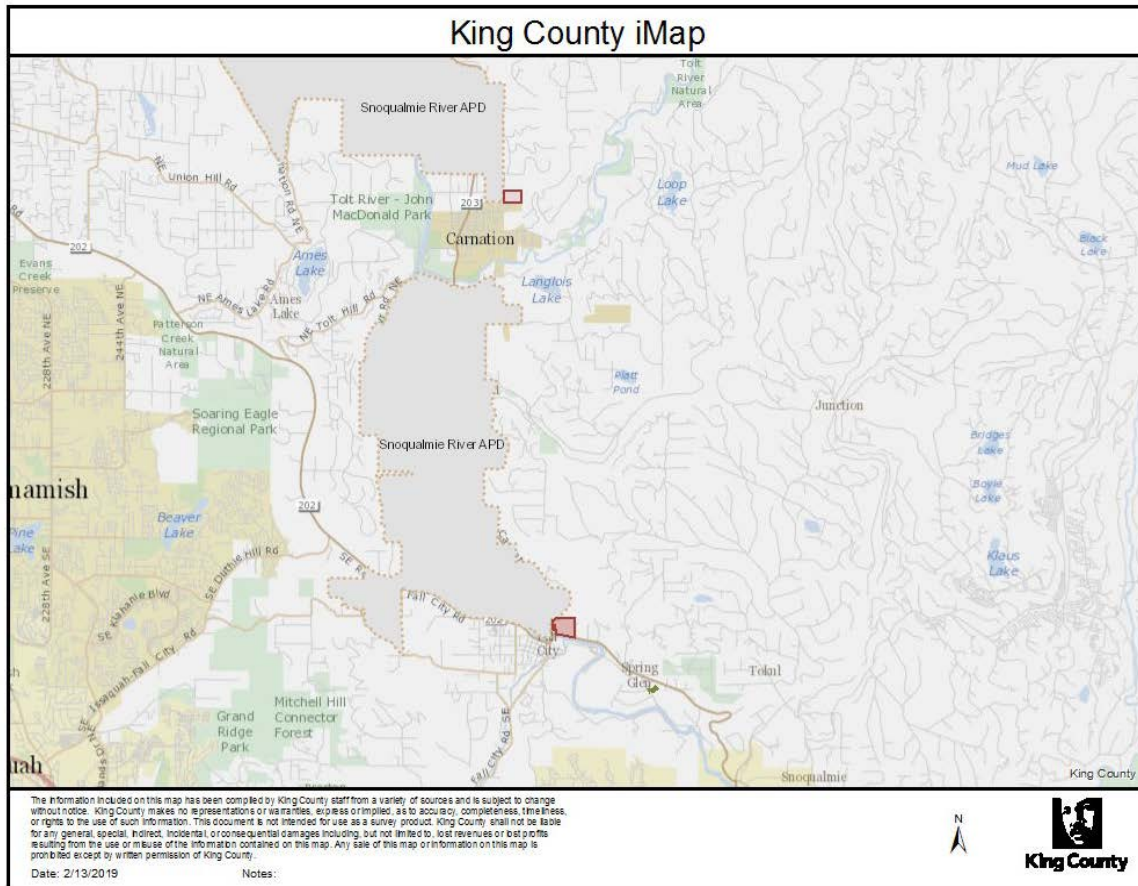
Production District will increase the agricultural viability of this farmland by allowing the farmers to enroll in the farm pad program. Thong Cha, the owner of the property adjacent to SR 202/203 is interested in including his property in the Agricultural Production District and the associated rezone to agricultural zoning, as is Pamela Thompson, the owner of the adjacent parcel to the Northeast.

Approximately one acre of the western portion of parcel 1424079078 is zoned with a property specific development condition, SV-P03, which does not allow new or additional fill from being placed within the Federal Emergency Management Agency (FEMA) delineated floodway. This condition affects three parcels in this area, including one of the parcels subject to this study. This condition should not affect the location of a farm pad on the property. Given this, the development condition is not proposed to be amended on any of the three parcels as it provides flood protection in this area.

## Maps

**Figure 1.** Vicinity map of APD additions. Parcels are within blue circles.





**Figure 2.** Parcel locations in the Snoqualmie Agricultural Production District, including the Fall City area parcel boundaries and the parcel boundaries proximate to the city of Carnation.

#### IV. PARCEL INFORMATION

APD	Parcel Number	Zoning	Comprehensive Plan Land Use	Acres	Present Use
Snoqualmie	1424079006	RA-10	Rural Area	30.46	Agricultural
Snoqualmie	1424079078	RA-10 / RA-10-P	Rural Area	11.35	Agricultural
Snoqualmie	1525079049	RA-10	Rural Area	13	Vacant (Single Family)
Snoqualmie	1525079005	RA-10	Rural Area	6.7	Vacant (Single Family)
Snoqualmie	1525079010	RA-10	Rural Area	6.27	Vacant (Single Family)
		Total		67.78	

#### Land Use

Currently, all parcels have Rural Area comprehensive plan land use, and are adjacent to land planned as agriculture or Rural Area. The study parcels bordering the City of Carnation are adjacent to a built out urban residential area, zoned at approximately six dwelling units per acre. All parcels in this study are actively being farmed as of 2019. King County holds a Farmland Preservation Program easement on the Phong Cha parcels in Carnation and is in the process of acquiring a Forest Protection Program easement on Thong Cha's parcels in the vicinity of Fall City. The Forest Protection Program easement limits uses on the site to agriculture and open space. The easement allows one residence and the future owner has the option to purchase the right to develop up to two additional residences. The easement limits the non-tillable surfaces to 5 percent of the site.

#### V. INFRASTRUCTURE

##### Snoqualmie Agricultural Production District - Carnation

Land is vacant. Access to 328<sup>th</sup> Ave NE is via a farm field access road along the western property line.

##### Snoqualmie Agricultural Production District - Fall City

Land is vacant. There is direct access to SR 203 from both parcels.

APD	Parcel Number	Infrastructure
Snoqualmie (Fall City)	1424079006	Agricultural, no septic/sewer, private water, access to SR 203
	1424079078	Agricultural, no septic/sewer, Water District, access to SR 203
Snoqualmie (Carnation)	1525079049	Vacant, no septic/sewer, no water
	1525079005	Vacant, no septic/sewer, no water
	1525079010	Vacant, no septic/sewer, no water

## VI. ENVIRONMENTAL

### Snoqualmie Agricultural Production District - Carnation

Parcels run from the toe of a steep slope onto a level plain; peak elevation of 150 feet to a base of 70 feet. The soils are *Sultan silt loam* best suited to seeded grass pasture or row crops.

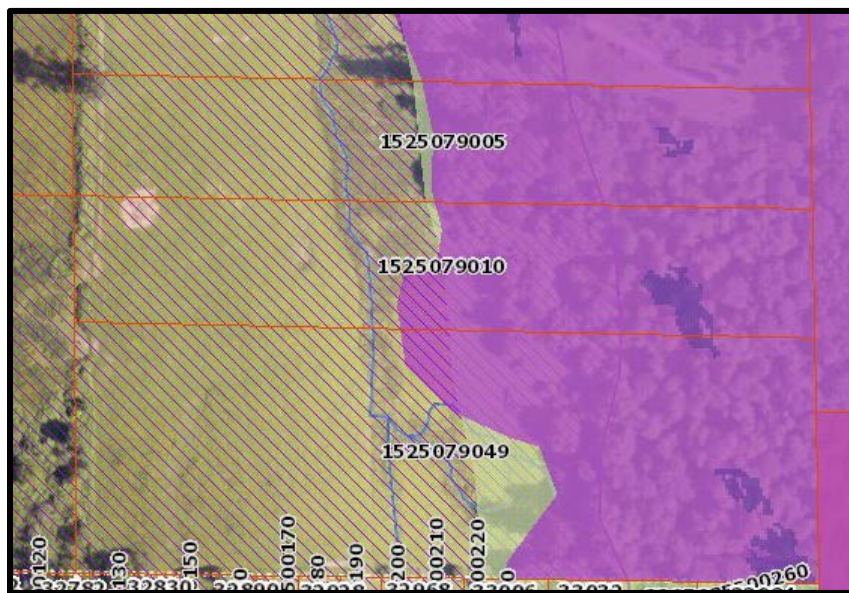
### Snoqualmie Agricultural Production District - Fall City

The site elevation is 180 feet with level topography. A large wetland complex is found in the northwestern portion. The soils are *Edgewick silt loams* best used for hay and pasture. Both parcels are within the 100 year floodplain.

### Critical Areas

The rezoning will not have an effect on the protections for critical areas on the parcels. This means that farming will be a viable use on these sites as a whole even with these designations.

APD	Parcel Number	Critical Areas & Flood Hazard
Snoqualmie (Fall City)	1424079006	Wetland, Floodplain, Seismic Hazard
	1424079078	Wetland, Floodplain/Floodway. Seismic Hazard
Snoqualmie (Carnation)	1525079049	Seismic, Landslide, Erosion Hazard
	1525079005	Seismic, Landslide, Erosion Hazard
	1525079010	Seismic, Landslide, Erosion Hazard

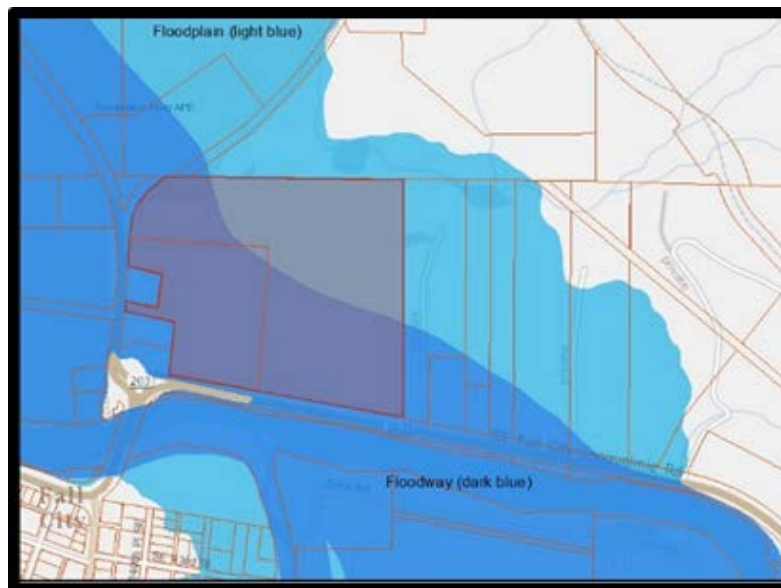


Carnation parcels Critical Area - Landslide hazard (purple shade), erosion hazard (green shade), seismic hazard (purple hatch)





Fall City parcels Critical Areas - Wetland (green hatch),  
Seismic hazard (purple hatch)



Critical areas and flood hazard on Fall City parcels properties -  
Floodplain (light blue), Floodway (dark blue)

## VII. CONCLUSION & RECOMMENDATION

Change the land use of five parcels from rural area to agriculture to include in the Snoqualmie Agricultural Production District, and rezone five parcels from RA-10 to A-10 zoning.

**Land Use**

Change the land use category on parcels 1424079006, 1424079078, 1525079049, 1525079005, 1525079010 from Rural Area to Agriculture, and include them in the Snoqualmie Agricultural Production District.

**Zoning**

Change the zoning on parcels 1424079006, 1424079078, 1525079049, 1525079005, 1525079010 from RA-10 to A-10, consistent with their proposed land use and inclusion in the Snoqualmie Agricultural Production District. Maintain the P-suffix SV-P03 on parcel 1424079078.

The inclusion of these five parcels in the Snoqualmie Agricultural Production District is supported by the Comprehensive Plan, the Farmland Protection Program, and the Local Food Initiative. All proposed parcels are, or will be, actively farmed and all land owners are interested in inclusion in the Agricultural Production District to preserve and further the agricultural enterprise of their property.

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## EXECUTIVE RECOMMENDED PLAN

### **Woodinville Roundabout Mitigation and Agricultural Production District Boundary Adjustment Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes a study to consider expanding the Agricultural Production District. The Scope directs the following:

As mitigation for the encroachment of the NE 171st Street roadway and roundabout intrusion into the APD: (1) consider changes to the Sammamish Agricultural Production District (APD) boundary to include portions of parcels identified or agreed to by the County for potential acquisition or easement by the City of Woodinville; and (2) consider changes to the urban growth area boundary to incorporate the additional right-of-way on NE 171st Street. Two parcels adjacent to the Sammamish Agricultural Production District, have been identified to include within the APD boundary. These parcels are currently in or have been in agricultural use and would be compatible with a rezone from Rural Area (RA) to Agriculture (A) zoning, and include the parcels in adjacent the Agriculture Production District (APD).

#### **II. BACKGROUND INFORMATION**

This study considers the inclusion of RA-zoned private lands into the adjacent Sammamish Agricultural Production District; these parcels are located in the unincorporated area near the City of Woodinville. This study will also explore moving the Urban Growth Area boundary, the City Limits of Woodinville, and the Agricultural Production District boundary.

On October 20, 2016, the City of Woodinville (City) was notified by King County of encroachment into the Sammamish Agricultural Production District during the construction of a roundabout on NE 171st Street that impacted one Agricultural parcel (1026059030). This resulted in a loss of one-third of an acre of land suitable for cultivation within the Agricultural Production District. No permits had been acquired and limited consultation occurred with King

County permitting staff other than the submission of a standard project State Environmental Policy Act Determination of Nonsignificance notice (August 15, 2016).



Encroachment into the Agricultural Production District, outside of Woodinville's city limits and outside of the Urban Growth Area boundary.

The City has agreed to purchase acreage to offset the loss of agricultural soils, thereby requiring the addition of adjacent lands into the Agricultural Production District, and a shift of the Agricultural Production District boundary.

The Department of Natural Resources and Parks identified candidate parcels that are adjacent to the Agricultural Production District boundary, proximate to the encroachment, and have suitable soil conditions for agriculture. The County and the City worked to assess the viability of the parcels and, following this, two parcels were identified for inclusion into the Agricultural Production District. The property owner is supportive of this change in land use and zoning.

### III. PARCEL INFORMATION

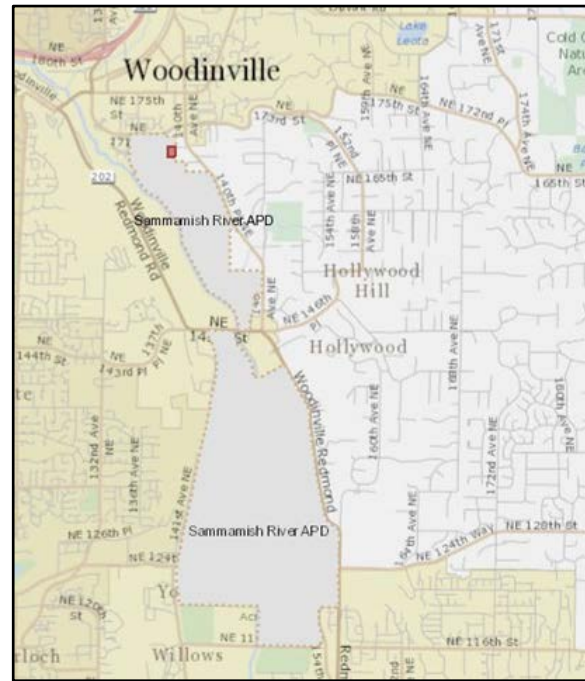
The following parcels are at issue for mitigation for the roundabout intrusion into the Agricultural Production District:

APD	Parcel Number	Zoning	Acres	Present Use
Sammamish	1026059169	RA 2.5 P	1.0	Vacant (Single Family)
Sammamish	1026059168	RA 2.5 P	1.0	Vacant (Single Family)

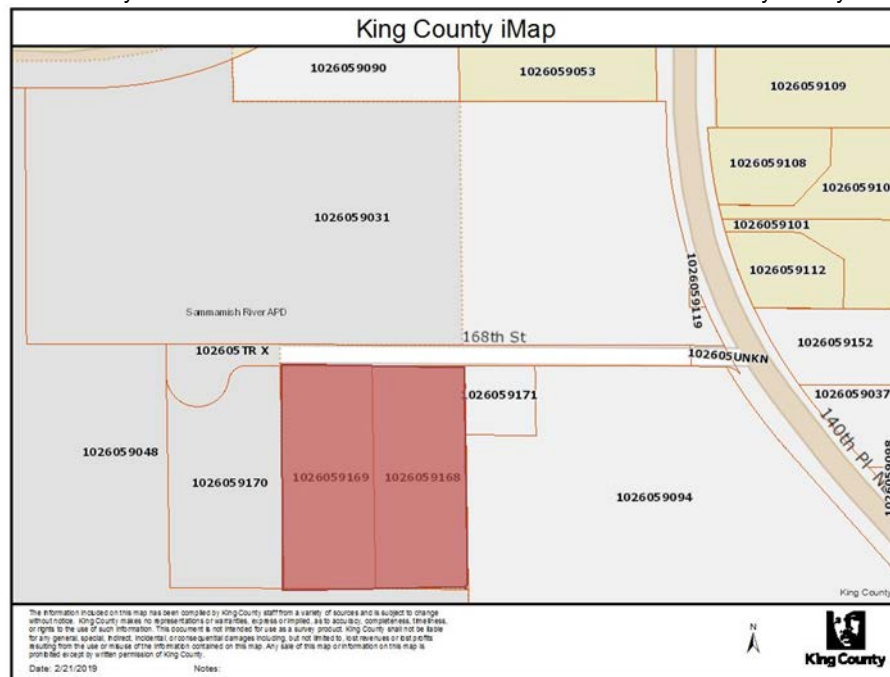
## Maps



Overall vicinity of APD additions



Parcels in the Vicinity of City of Woodinville



Parcel boundaries

## Land Use

The two parcels are owned by the Woodinville Alliance church. The church itself is located on the parcel to the east of the subject properties. The parcels are undeveloped grassy fields, mowed regularly, and may have been managed for hay production. There are no deed



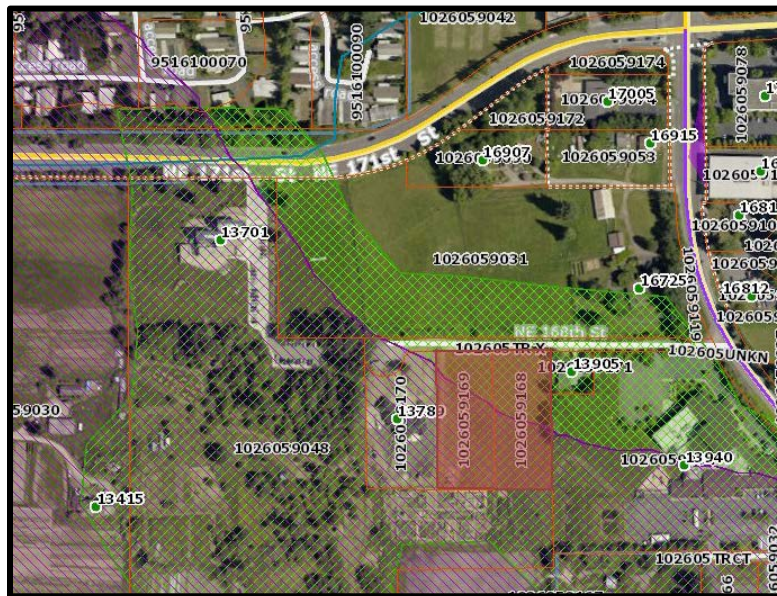
restrictions and the development rights have not been purchased. Both parcels have a development condition that limits the uses of the sites.

#### IV. INFRASTRUCTURE AND SERVICES

The parcels are vacant. Access to the nearest paved road (140th Pl NW) is via NE 168<sup>th</sup>, a private gravel road. There is no sewer/septic on the property and the high water table in the area (inches, by many estimates, during certain times of the year) makes installation of septic systems difficult. Water rights are not described in the property detail available through the Department of Assessments, but water is available from City of Woodinville pipes in 168<sup>th</sup> Street to the north and from the 21 Acres property to the south.

#### V. ENVIRONMENTAL ISSUES

The parcel is level, with an elevation of 40 feet and is outside of the Federal Emergency Management Agency (FEMA) designated floodplain. The lands may be in jurisdictional wetland although no delineation has been completed. The soils are of the *Indianola* type generally used for pasture. The northeast quarter of the property is indicated on the County Geographic Information System maps as a jurisdictional wetland, what is considered a “Grazed Wet Meadow” under Title 21A, however the site visit revealed that the property is a turf grass lawn with no apparent riparian vegetation. The rezoning will not have an effect on any possible Critical Area protections.



## VI. POLICY CONTEXT

The King County Comprehensive Plan is the long-range guiding policy document for all land use and development regulations in unincorporated King County. Within the Comprehensive Plan, several policies reference the Agricultural Production Districts and supporting agriculture in King County.

Agricultural Production Districts were first designated in 1985 to protect irreplaceable agricultural lands and agricultural supportive uses. Policy directs Agricultural Production Districts to be contiguous with clear boundaries to reduce conflicts with other land uses. All parcels included in this study are contiguous to the current Sammamish Agricultural Production District and are in agricultural use.

**R-643** Agricultural Production Districts are blocks of contiguous farmlands where agriculture is supported through the protection of agricultural soils and related support services and activities. Roads and natural features are appropriate boundaries for Agricultural Production Districts to reduce the possibility of conflicts with adjacent land uses.

The Comprehensive Plan requires that infrastructure be located outside of the Agricultural Production District, where possible, and that suitable mitigation occur for reductions to the Agricultural Production District.

**R-655** Public services and utilities within and adjacent to Agricultural Production Districts shall be designed to support agriculture and minimize significant adverse impacts on agriculture and to maintain total farmland acreage and the area's historic agricultural character:

- a. Whenever feasible, water lines, sewer lines and other public facilities should avoid crossing Agricultural Production Districts. Installation should be timed to minimize negative impacts on seasonal agricultural practices;
- b. Road projects planned for the Agricultural Production Districts, including additional roads or the widening of roads, should be limited to those that are needed for safety or infrastructure preservation and that benefit agricultural uses. Where possible, arterials should be routed around the Agricultural Production Districts. Roads that cross Agricultural Production Districts should be aligned, designed, signed and maintained to minimize negative impacts on agriculture, and to support farm traffic; and
- c. In cases when public or privately-owned facilities meeting regional needs must intrude into Agricultural Production Districts, they should be built and located to minimize disruption of agricultural activity.

**R-656** Lands can be removed from the Agricultural Production Districts only when it can be demonstrated that:

- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local Agricultural Production District boundaries;
- b. The land is determined to be no longer suitable for agricultural purposes; and
- c. Removal of the land from the Agricultural Production District may occur only if it is mitigated through the addition of agricultural land abutting the same Agricultural Production District that is, at a minimum, comparable in size, soil quality and agricultural value.

The County actively seeks, in multiple Comprehensive Plan policies, to site utility and transportation facilities outside of the Agricultural Production District and minimize impacts on agricultural land uses and practices. The City of Woodinville, in trying to avoid impacts to Woodin Creek – north of 171<sup>st</sup> Street – impacted the utility of agriculturally productive lands south of the street.

**R-642** King County shall continue to implement the objectives of the Farmland Preservation Program. Protection of property purchased under the Farmland Preservation Program shall be a high priority when balancing conflicting interests such as locating transportation, active recreation, utility facilities, or other uses that could have an adverse impact on farm operations. King County shall use the Transfer of Development Rights Program as another tool to preserve farmland.

**R-652** King County commits to preserve Agricultural Production District parcels in or near the Urban Growth Area because of their high production capabilities, their proximity to markets, and their value as open space. King County should work with cities adjacent to or near Agricultural Production Districts to minimize the operational and environmental impacts of urban development on farming, and to promote activities and infrastructure, such as Farmers Markets and agriculture processing businesses, that benefit both the cities and the farms by improving access to locally grown agricultural products.

The parcels in consideration for this study are currently zoned for rural use (RA-2.5) but meet the size use criteria for A-10 zoning. These parcels, like others in the Agricultural Production District, would be below minimum lot size for the zoning district.

**R-645** All parcels within the boundaries of an Agricultural Production District should be zoned Agricultural, either A-10 or A-35.

**R-646** Lands within APDs should remain in parcels large enough for commercial agriculture. A residential density of one home per 35 acres shall be applied where the predominant lot size is 35 acres or larger, and a residential density of one home per 10 acres shall be applied where the predominant lot size is smaller than 35 acres.

**R-647** Agriculture should be the principal land use in the APDs. Permanent new construction within districts shall be sited to prevent conflicts with commercial farming

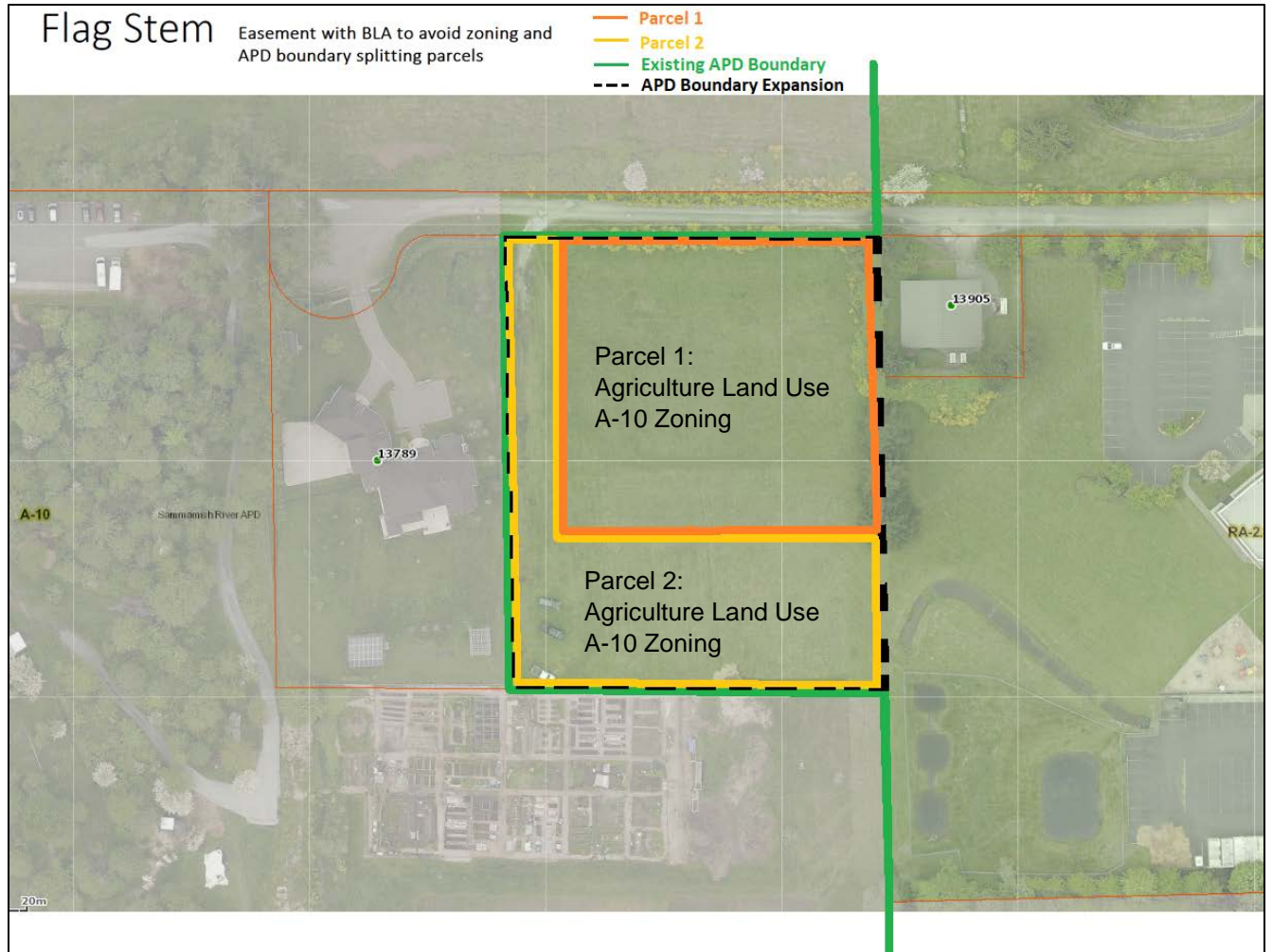
or other agricultural uses, and nonagricultural uses shall be limited. New development shall not disrupt agriculture operations and shall have a scale compatible with an active farming district.

## **VII. COMMUNICATION**

King County has been in active negotiations with the City of Woodinville since the County was first made aware of the encroachment on October 17, 2016. Woodinville's City Council signed a Memorandum of Understanding with the County on April 2, 2019, to identify steps to resolve the situation. Woodinville City staff has been in discussions with the Alliance Church (owner of the subject parcels) for the acquisition as a conservation easement of their parcels. King County staff has been simultaneously in discussions with agricultural entities—such as 21 Acres and King County's tenant farmer program—to be able to put the land under cultivation or use it for agricultural purposes.

## **VIII. RECOMMENDATION**

Both of the parcels proposed for inclusion in the Sammamish Agricultural Production District have had agricultural use in the past and are proximate to the location of the encroachment. The parcels are undeveloped and are well suited as mitigation acquisitions for the Woodinville encroachment. Due to the small size of these parcels, A-10 is the appropriate zoning. The Agricultural Production District boundary will be shifted to meet the conservation easement area.



Furthermore, the boundary of the Urban Growth Area and the city limits of Woodinville must be moved south of 171<sup>st</sup> Street to accommodate the roundabout (on parcel 10260590300), and the Agricultural Production District must be changed accordingly in both areas. This will require an urban growth area and Agricultural Production District boundary line adjustment and dedication to avoid splitting the parcel with the roundabout into two jurisdictions.

Parcel Number	Recommendation
1026059169 (reconfigured)	Add to the Sammamish Agriculture Production District. Change the land use designation to Agriculture. Change the zoning to A-10 for the western of the two parcels. Retain existing P-Suffix.
1026059168 (reconfigured)	Retain existing RA land use. Retain existing RA 2.5 zoning and P Suffix.



## IX. PROCESS AND NEXT STEPS

Given that this impacts land use, zoning, the Urban Growth Area and Agricultural Production District boundary, and the roundabout right-of-way, there are additional steps that would be connected to the map changes.

- Woodinville provides a legal description for the roundabout and NE 171<sup>st</sup> Street land area removed from parcel 1026059030 and quantifies the exact amount of area of encroachment (in square feet).
- King County processes a boundary line adjustment to reconfigure parcels 1026059168 and 1026059169 into the preferred flag-stem configuration as shown in this document.
- Woodinville acquires from Alliance Church a conservation easement in an equivalent amount of the encroached area, approximately 27,000 square feet, on the reconfigured western parcel (currently 1026059169).
- Woodinville transfers control of the easement to King County.
- King County amends the Urban Growth Area Boundary, pursuant to RCW 35A.14.300, to coincide with the property line south of NE 171<sup>st</sup> Street and the roundabout.
- King County changes the Comprehensive Plan land use designation from Rural Area (RA) to Agriculture (A) and rezones the western of the two parcel from RA-2.5 to A-10.
- King County amends the Agricultural Production District boundary to include parcel 1026059169 and to remove the encroached portion of parcel 1026059030.
- Woodinville annexes the 171<sup>st</sup> Street road improvements via the administrative process established in RCW.
- King County leases or otherwise assigns the parcels to a farm operator.

To the extent practicable, these steps should occur in a timeframe consistent with County Council adoption of the map amendments.

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## EXECUTIVE RECOMMENDED PLAN

### **Parcels North of Dick Thurnau Memorial Park in North Highline Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes a study to consider changing zoning in one area in North Highline. The Scope directs the following:

Review land use designations and implementing zoning on parcels adjacent to the northern edge of Dick Thurnau Memorial Park in North Highline to evaluate their potential as a mixed use site, allowing the co-location of affordable housing units, non-residential buildings with social services, co-working spaces, and other potential non-residential uses.

In 2016, a coalition of partners - White Center Community Development Association, Southwest Youth & Family Services, and Capitol Hill Housing - organized a study for the feasibility of a campus of housing co-located with community services on a potentially surplus County-owned land adjacent to Dick Thurnau Memorial Park. King County was engaged in these discussions through the Communities of Opportunity Program and signed a Letter of Intent in 2016 expressing its interest in working together with the partners to assess the feasibility of the project at the site. This Letter of Intent was extended in 2017 and 2018. The project has become known as the White Center HUB.

The HUB is envisioned to provide community services and rental housing affordable to individuals and families earning between 30 percent and 60 percent of the Area Median Income. The preliminary concept designs include a three-story 25,000-30,000 square foot community services facility and 80-100 apartments ranging in size from studios to three bedrooms. The site would also include spaces for the community to connect through cultural art, music, traditions, and community-wide activities; additional envisioned program elements include:

- family resource center
- workforce training
- youth development
- alternative education classrooms
- small business incubation
- early learning opportunities

- community garden

The partners are also in early discussions with HealthPoint, a Federally Qualified Community Health Center, to provide primary care services.

This Area Zoning and Land Use study will evaluate the zoning and land use designations for this site and other properties in the vicinity in the context of this HUB proposal.

## II. BACKGROUND INFORMATION

### Parcel Information

The 2.8-acre parcel (Number 0623049405) is located at 10821 8th Avenue SW and has an Urban Residential, Medium (um) land use designation and R-6 (Residential, six dwelling units per acre) zoning. The property is owned by King County and is the site of a former King County Public Health Center, as well as the current site of the White Center Food Bank.

The site is located in a Housing and Urban Development Qualified Census Tract<sup>1</sup> for use of Low-Income Housing Tax Credits, as well as in a Federal Opportunity Zone<sup>2</sup>.

The site is also located within the Potential Annexation Area of the City of Seattle. Seattle, at this time, has no active plans to annex the area and has no pre-annexation agreement with the County.

The immediately adjacent properties are designated Urban Residential, Medium (um) and have R-6 and R-8 zoning, but properties a few hundred feet away from the site are designated Urban Residential, High (uh) and Unincorporated Activity Center (ac) and are zoned R-18 through R-48.<sup>3</sup>

Dick Thurnau Memorial Park, south of the site, has an Open Space (os) land use designation, but is zoned R-6 similar to the surrounding properties on the north and west.

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<sup>1</sup> This is a Federal Housing and Urban Development department designation for use by entities using Section 42 of the Internal Revenue Code (Low-Income Housing Tax Credit). <https://www.huduser.gov/portal/datasets/qct/dda2000.html>. A Qualified Census Tract is any census tract (or equivalent geographic area defined by the Census Bureau) in which at least 50% of households have an income less than 60% of the Area Median Gross Income.

<sup>2</sup> An Opportunity Zone is an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>

<sup>3</sup> The Activity Center allows a variety of intensive zones such as R-12, R-18, R-24, R-48, NB, CB, O, and I. Per the Comprehensive Plan: "Unincorporated Activity Centers are the primary locations for commercial and industrial development in urban unincorporated King County. Currently, White Center is the only designated Unincorporated Activity Center, as other such centers are now parts of cities."

The former King County Public Health Clinic was converted to a homeless shelter with associated supportive services by Mary's Place, a Seattle-based non-profit, in 2017. The shelter has been operating under a temporary certificate of occupancy, which sunsets on July 31, 2020. Initial conceptual plans of the HUB proposal remove this facility and the other buildings on the site, but the project partners have committed to allowing Mary's Place to stay on site through this date.

## Maps

Figure 1 - Vicinity Map

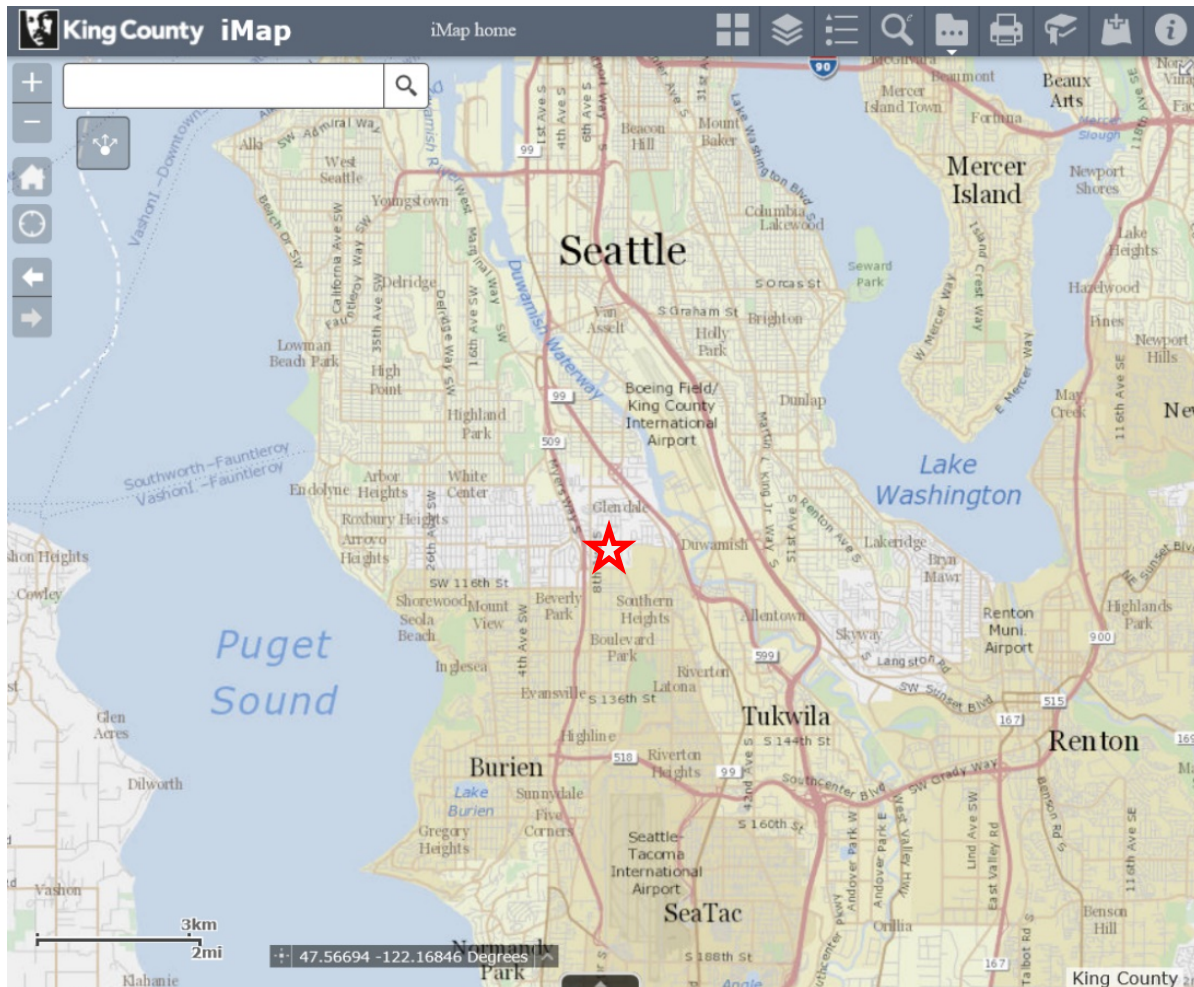


Figure 2 - Parcel Map

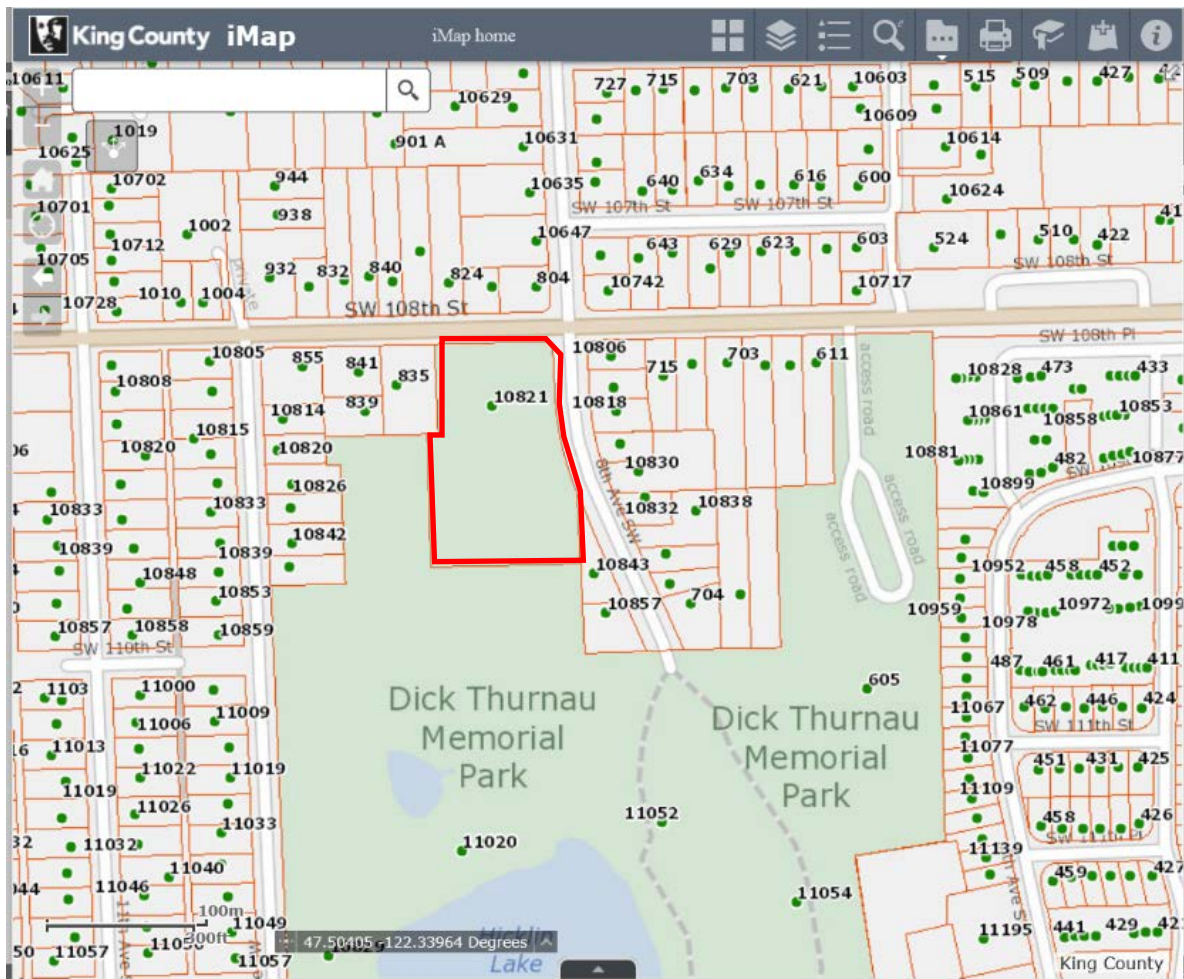
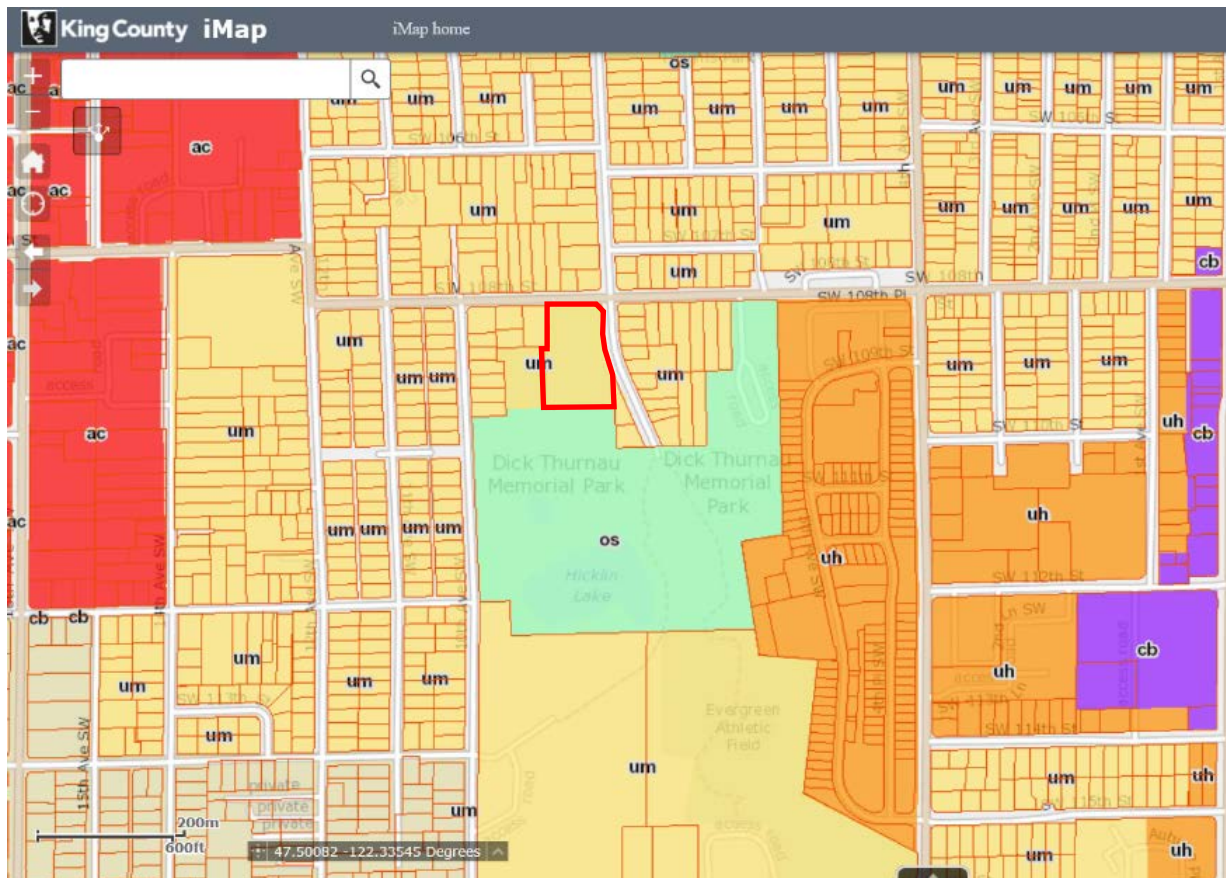


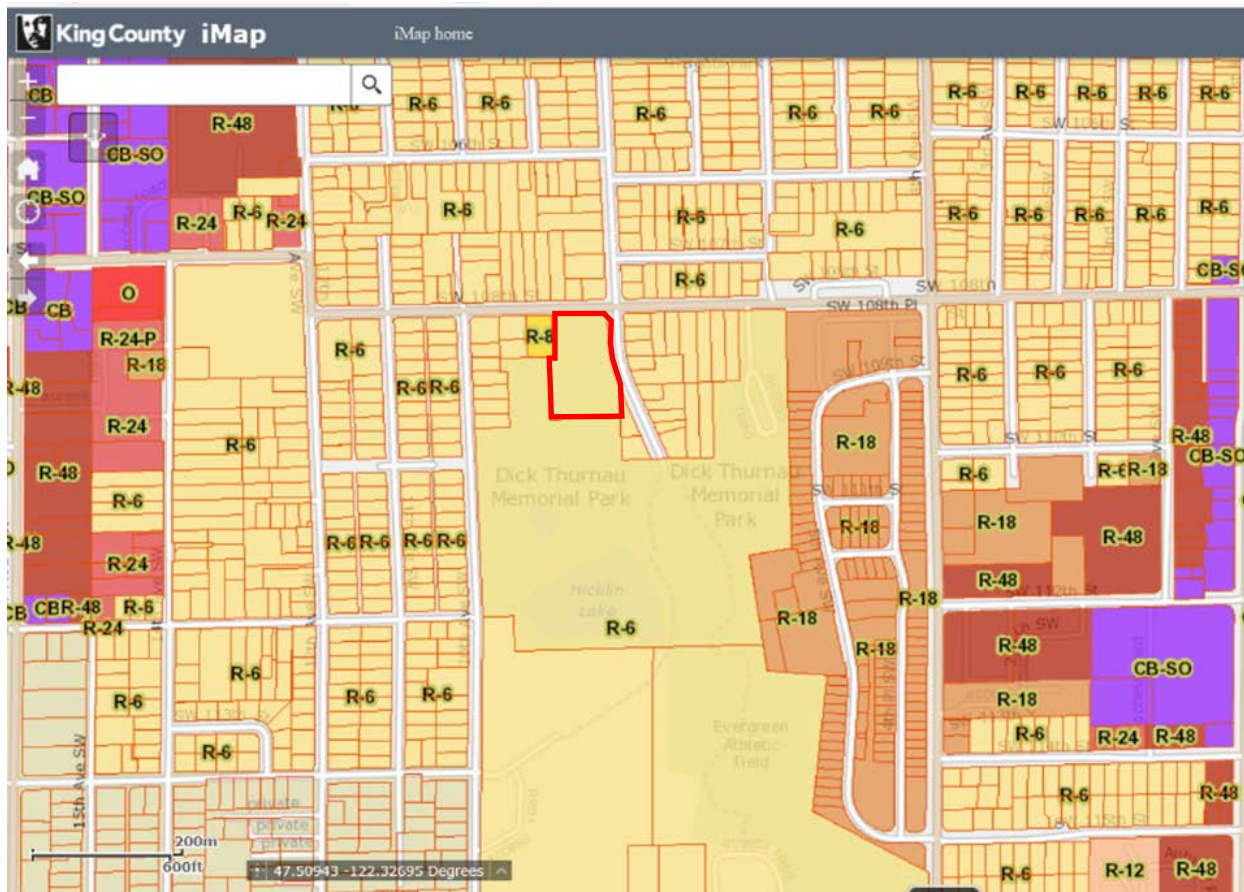


Figure 3 - Comprehensive Plan Land Use Designations



Comprehensive Plan Land Use Designations	
um	Urban Residential, Medium Density
uh	Urban Residential, High Density
ac	Unincorporated Activity Center
os	King County Open Space & Parks
cb	Community Business

Figure 4 - Zoning



King County Zoning Classifications (KCC Title 21A)	
O	Office
R-1 to R-48	Urban Residential, # units per acre
CB	Community Business
-P	P-Suffix Development Condition
-SO	Special District Overlay Development Condition



**Photos:**

The site is currently obscured from the adjacent residential properties to the north and east by heavy vegetative screening.

Figure 5 - View from SW 108th St



Figure 6 - View from 8th Ave SW



Figure 7 - Interior Site Photos



### Land Use Information

The existing zoning on the site allows for a total base density of 17 dwelling units. To achieve the project target of 81 units, an R-18/uh base density combined with use of the Residential Density Incentive program in K.C.C. Chapter 21A.34 could allow up to a 200 percent density bonus for up to 101 units, depending on the types of units, affordability, and target population.

Property Designations		Residential Density	
Zoning	Land Use	Base Density	Max density with bonuses <sup>4</sup>
R-6	um	6 du <sup>5</sup> /acre 17 total du	9-12 du/acre 25-34 total du
R-8	um	8 du/acre 22 total du	12-16 du/acre 34-45 total du
R-12	um	12 du/acre 34 total du	18-24 du/acre 50-67 total du
R-18	uh	18 du/acre 50 total du	27-36 du/acre 76-101 total du
R-24	uh	24 du/acre 67 total du	36-48 du/acre 101-134 total du
R-48	uh	48 du/acre 134 total du	72-96 du/acre 202-269 total du

King County has more than 200 enumerated uses in the permitted use tables contained within K.C.C. Title 21A. Uses in urban residential areas are allowed in either of two categories of zoning districts: R1 to R8 or R12 to R48. The lists of permitted uses are nearly identical between the two categories, but there are often less development conditions on those uses in the

<sup>4</sup> If 100 percent of the dwelling units are priced for owners earning 80% of area median income and certain other conditions are met, a density bonus up to 200 percent is allowed.

<sup>5</sup> Dwelling unit



more intensive R12 to R48 zones than in the R1 to R8 zones. For example, townhomes and apartments are permitted by-right in the R12 to R48 zones, but only permitted conditionally or with specific development restrictions in the R1 to R8 zones. Agricultural activities, harvesting crops, and marijuana production are permitted with restrictions in the R1-8, but not allowed in the R12 to R48.

By choosing a lower base density for the site (R-18 instead of R-24 or R-48) and by relying on incentives to achieve the target density, there is a higher likelihood of those units being constructed and priced at the appropriate income levels, as opposed to starting with a higher base density without the income restrictions. Beyond these market incentives, the HUB project partner developer is a non-profit organization that focuses on affordable housing.

The housing types of uses proposed by the HUB project - including apartments and townhomes - are permitted in the zone; the non-residential uses - such as day care, outpatient clinics, and specialized instruction schools - are either permitted or conditionally permitted, dependent on application type.

As adopted in the Comprehensive Plan, development of the North Highline Community Service Area Land Use Subarea Plan (Subarea Plan) will commence in mid-2019 and is scheduled for potential adoption by June 2021. This proposed rezone and land use amendment would precede the larger subarea planning effort given the community engagement already done for this project in 2017 and 2018, and to allow grant funding and construction timelines anticipated by the project partners to move forward with the necessary zoning and land use changes.

To better integrate the zoning with the neighborhood, future planning efforts will need to reconsider the zoning on the adjacent parcels to the east and west. The same site characteristics that make the HUB site appropriate for a rezone – transit service, park proximity, and walking distance to commercial areas – could apply to these adjacent residential parcels as well.

### III. INFRASTRUCTURE AND SERVICES

Water service for this area is provided by Seattle Public Utilities, while sewer service is provided by SW Suburban Sewer District. North Highline Fire District provides fire and rescue services, and the King County Sheriff provides police services. Impacts to service provision will be application-specific, but the proposed intensification of densities and uses is not likely to have significant regional impacts on services, though local improvements (sewer, roads, sidewalks, etc.) will likely be necessary.

**Figure 8 - RapidRide H Line**



The site is less than half a mile east of the King County Metro frequent-service bus routes (120 and 560) along 16th Ave SW in the Unincorporated Activity Center and is also half mile west of the Commercial Business district on 1st Avenue South. Route 120 will soon be converted to the RapidRide H Line, which will provide frequent bus service with reliable 15-minute headways.

#### IV. ENVIRONMENTAL ISSUES

There is an unnamed intermittent stream and wetland immediately to the west, the buffer of which extends slightly into the west portion of the subject parcel. The project proponents are aware of the critical area and have accounted for it in their development concepts to date.

Figure 9 - Critical Areas

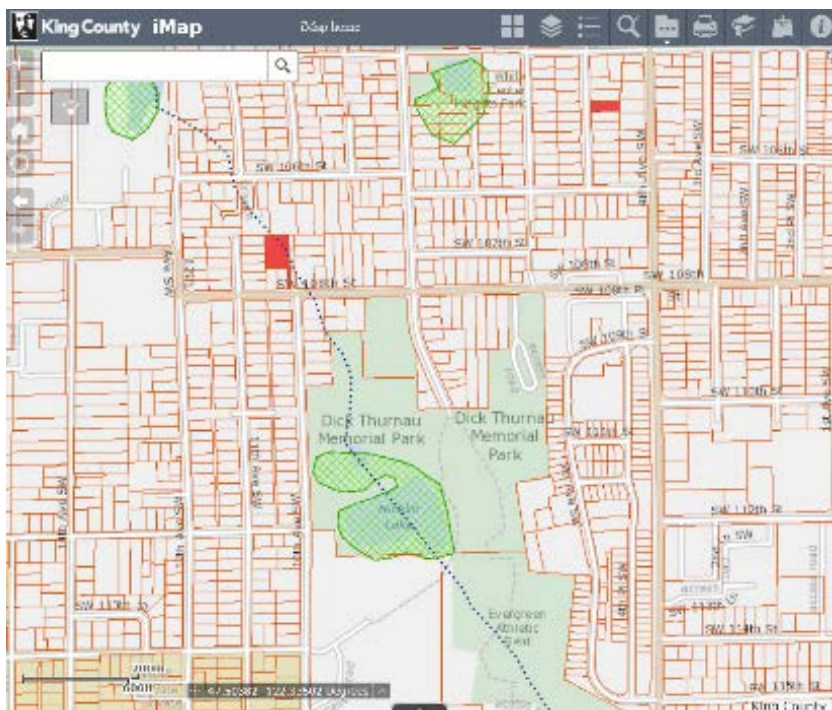
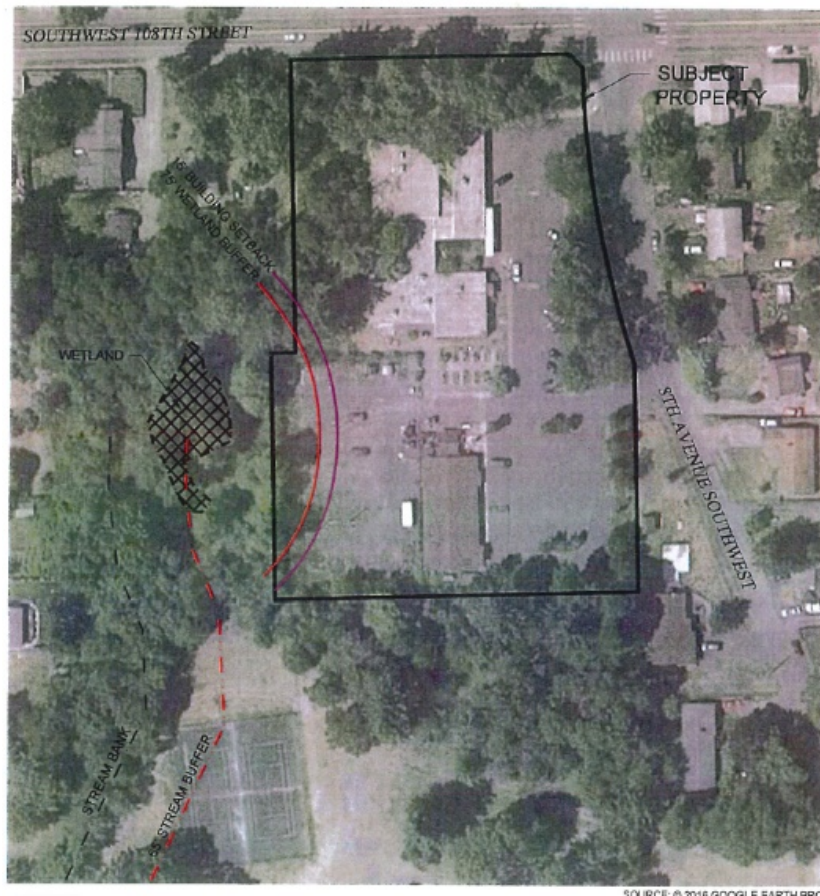


Figure 10 - Adjacent Delineated Stream, Wetland, and Buffers



This site is located within a Class 2 Critical Aquifer Recharge Area, which per state law, restricts certain industrial uses, and contains provisions on agricultural and recreational uses; it is not anticipated that the proposed project would negatively impact the recharge area. Further evaluation may be necessary to confirm a lack of impacts at the time of application submittal.

## V. POLICY CONTEXT

Analysis of relevant policies from the Comprehensive Plan yields findings in support of the project as outlined below.

**U-125** King County should support proposed zoning changes to increase density within the unincorporated urban area when consistent with the King County

Comprehensive Plan Land Use Map and when the following conditions are present:

- a. The development will be compatible with the character and scale of the surrounding neighborhood;
- b. Urban public facilities and services are adequate, consistent with adopted levels of service and meet Growth Management Act concurrency requirements, including King County transportation concurrency standards;
- c. The proposed density change will not increase unmitigated adverse impacts on environmentally critical areas, either on site or in the vicinity of the proposed development;
- d. The proposed density increase will be consistent with or contribute to achieving the goals and policies of this comprehensive plan, and subarea plan or subarea study, if applicable; or
- e. The development is within walking distance of transit corridors or transit activity centers, retail and commercial activities, and is accessible to parks and other recreation opportunities.

The neighborhood contains a variety of densities and uses. The immediate environs are R-6 and R-8 zoning, but the Unincorporated Activity Center is approximately 1000 feet west and R-18 zoning is 800 feet east.

The area is currently served by Seattle Public Utilities, SW Suburban Sewer District, and North Highline Fire District. Transportation concurrency is met for the North Highline travel-shed area, and transit is provided to the site by Metro local service.

There is one critical area (stream and wetland) on an adjacent site, the buffer of which only slightly intersects the western portion of the subject site - leaving sufficient and substantial room for achieving the zoned density.

The proposed action facilitates implementation of a variety of Comprehensive Plan policies related to the provision of affordable housing through partnerships (H-102), in unincorporated areas (H-103), co-located with community services (H-114), and of varied unit types and sizes (H-125).

The site is just less than half mile east of the Metro frequent-service bus routes (120 and 560) along 16<sup>th</sup> Avenue SW in the Unincorporated Activity Center and is also half mile west of the Commercial Business district on 1<sup>st</sup> Avenue South. The site is served directly by Metro local routes (128 and 131) and is adjacent to Dick Thurnau Memorial Park.

**U-126** King County, when evaluating rezone requests, shall consult with the city whose PAA includes the property under review; if a pre-annexation agreement exists, King County shall work with the city to ensure compatibility with the city's pre-annexation zoning for the area. King County shall also notify special purpose

districts and local providers of urban utility services and should work with these service providers on issues raised by the proposal.

No pre-annexation agreement exists, but the County has consulted with the City of Seattle.

**U-128** Density incentives should encourage private developers to: provide affordable housing, significant open space, trails and parks; use the Transfer of Development Rights Program, Low Impact Development and Green Building; locate development close to transit; participate in historic preservation; and include energy conservation measures.

The proposed project associated with this action would utilize the residential density incentives to provide between 80 and 100 affordable dwelling units, proximate to transit and parks, and within half mile of frequent transit service.

**H-114** King County should encourage development of residential communities that achieve lower prices and rents through clustered and higher density housing that shares common spaces, open spaces and community facilities.

The higher-density housing allowed under the proposed R-18 zoning, in combination with the density bonuses allowed, will create a residential community with concurrently-located support services and community facilities.

**H-125** King County shall assure that there is sufficient land in the unincorporated urban areas zoned to accommodate King County's share of affordable housing and provide a range of affordable housing types, including higher-density single-family homes, multifamily properties, manufactured housing, cottage housing, accessory dwelling units and mixed-use developments. King County should work with cities to increase opportunities for affordable housing development by assuring there is sufficient land capable of being developed for this range of housing types that are more likely to be affordable to low-, moderate- and middle-income households.

This rezone will increase the amount of land available for dedicated affordable housing in apartments and townhomes.

## **VI. COMMUNICATION**

With the assistance of the partners, White Center Community Development Association has been leading a robust community engagement process for over a year. At the White Center Community Summit in November 2017, they introduced the concept of the HUB to the community and opened nominations for a Neighborhood Advisory Council to help steer the project. The advisory council met six times over the course of 2018. The project plans were discussed in more detail at the White Center Community Summit in November 2018, and the

community was invited to the first of a series of community design workshops in December 2018. The partners intend to continue the community design workshops into 2019.

Additionally, per Comprehensive Plan policy U-126, the County reached out to the City of Seattle, as this area is within their Potential Annexation Area. The County briefed the City in the spring of 2019. In the summer of 2019, the City indicated that there were no identified concerns with the proposed zoning for the HUB site.

## **VII. CONCLUSION & RECOMMENDATION**

### **Conclusion**

Based on evaluation of the site, the neighborhood, the zoning, and the relevant Comprehensive Plan policies, increasing the density on this site for affordable housing and co-location of services is appropriate. There is sufficient parks and transit access to support the additional dwelling units while reusing an existing county-owned property that already provides community services. The increase in the total number of residential units is keeping in scale with the neighborhood as a whole - portions of which currently contain zoning up to R-48.

### **Recommendations**

Change the Comprehensive Plan land use designation on parcel 0623049405 (10821 8th Avenue SW) from Urban Residential, Medium to Urban Residential, High and to change the zoning from R-6 to R-18.

It is also recommended that the King County Zoning Code Section 21A.12.250 be revised to ensure that medical office/outpatient clinics, such as the type proposed by the community organizations supporting the HUB, be able to co-locate at the facility, provided it can be done in way that is consistent with the criteria for a conditional use permit. These amendments are shown in the Ordinance that is part of the 2020 update package.

### **C. Public Comment**

King County released a Public Review Draft of this report and an associated land use map amendment proposal to change the zoning on parcel 0623049405 from R-6 to R-18. King County received 15 comments on this proposal, all of which were in favor of the zoning change the HUB project, and the proposed housing and social services that the HUB will host.





## EXECUTIVE RECOMMENDED PLAN

### **Special District Overlay SO-230: Floodplain Densities Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes an analysis of deletion of an existing Special District Overlay. The Scope directs the following:

Analyze deletion of Special District Overlay SO-230: Floodplain Densities on all parcels to which it applies (this is an outcome of a 2018 Docket Request).

In 2018, a property owner submitted a Comprehensive Plan Docket Request<sup>1</sup> to remove Special District Overlay SO-230: Floodplain Densities (SO-230), which applies limitations for density for parcels in the floodplain, on their property.

The 2018 Docket Report noted that removal of Special District Overlays, per King County Code Title 21A.38.040 *Special District Overlay - General Provisions*, are accomplished through an Area Zoning Process, and are analyzed through an Area Zoning and Land Use Study as part of a Comprehensive Plan update. As such, and given that the SO-230 applies to over 400 properties, the County Executive recommended that this be considered in a future Comprehensive Plan update. The Docket Report also noted that a request to remove the same Special District Overlay was considered, and supported, in the 2016 Comprehensive Plan. This consideration is occurring through the 2020 Midpoint Update.

#### **II. BACKGROUND**

The purpose of a Special District Overlay is to carry out Comprehensive Plan and community, subarea or neighborhood plan policies that identify special opportunities for achieving public benefits by allowing or requiring alternative uses and development standards that differ from general code provisions.

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<sup>1</sup> King County Code Title 20.18.140: Provision for receipt, review of and response to the docket.

Special district overlays are generally applied to a group of individual properties or entire community, subarea or neighborhood planning areas and are designated primarily through the area zoning process. Removal is done through the same process.

The text of the subject Special District Overlay<sup>2</sup> includes the following conditions:

**21A.38.240 Special district overlay - Floodplain Density.**

A. The purpose of the floodplain density special district overlay is to provide a means to designate areas that cannot accommodate additional density due to severe flooding problems. This district overlay limits development in sensitive areas to reduce potential future flooding.

B. The following development standards shall be applied to all development proposals on RA-5 zoned parcels located within a floodplain density special district overlay:

1. Density is limited to one home per 10 acres for any property that is located within a sensitive area; and
2. All development shall be clustered outside of the identified sensitive areas, unless the entire parcel is a mapped sensitive area. (Ord. 12823 § 19, 1997).

This Special District Overlay originated in the 1989 Snoqualmie Valley Community Plan.<sup>3</sup> The condition stems from Area wide Suffix Condition AR-5-P, which limits density on Rural Area 5 parcels. The condition is shown on, or referenced in, multiple maps (pages 123, 125, 129, 132, 133, 141, and 181) and reads as follows:

**AR-5-P (one home per five acres with P-Suffix)**

The purpose of this zoning is to implement policies of the King County Comprehensive Plan which call for maintaining the rural community character of the planning areas and protect sensitive natural features. The following P-suffix shall apply: Subdivision activity within this zone designation requires the site plan review process to determine the boundary of sensitive areas as defined in the King County Sensitive Areas Folio. Density is restricted to one home per 10 acres for sensitive areas. One home per five acres is allowed on the non-sensitive areas. Mandatory clustering is required on the non-sensitive areas unless the entire site is a mapped sensitive area. This zoning implements Snoqualmie Valley Community Plan policies SQP 45 and SQP 48.

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<sup>2</sup> <https://www.kingcounty.gov/depts/permitting-environmental-review/gis/DevConditionsSearch/SDO/SO-230.aspx>

<sup>3</sup> <https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/2016CompPlanUpdate/Subarea-and-CommPlans/SnoqualmieValleyCommPlan.ashx?la=en>

The two referenced policies from the Community Plan read as follows:

**SQP 45** In unincorporated areas, a density of one home per 5 acres shall be applied to areas where there is an existing platting pattern of 5 acre lots or larger, where there are a minimum of environmental hazards or other land use constraints and where resources do not exist on site or nearby which would benefit from lesser density.

**SQP 48** To minimize the risk to public safety and reduce the potential for property damage, the following environmentally sensitive areas shall be designated one home per 10 acres.

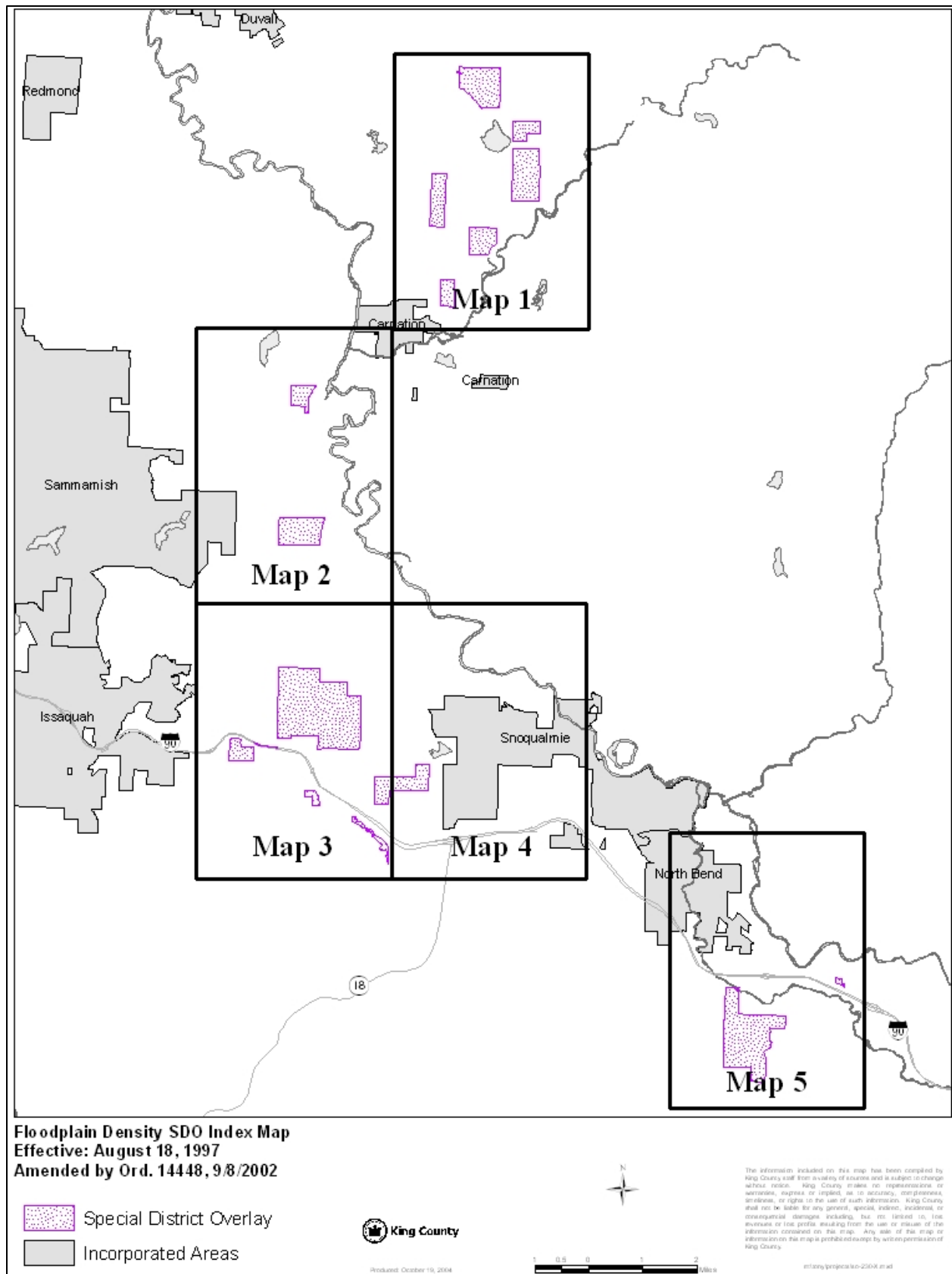
- A. floodways and flood-fringe areas (flood plains),
- B. class iii landslide hazard areas,
- C. slopes of a grade of 40% or more,
- D. unique/outstanding or significant wetlands,
- E. lands with erosion hazards or a combination of seismic and erosion hazards.

These conditions were imposed through the adoption of the Community Plan and subsequent ordinances that amended the plan and conditions. While the Snoqualmie Valley Community Plan is no longer in effect, SO-230 remains in effect.

During the zoning conversion in the mid-1990s, the rationale for the limitation was shortened to just flood hazards even though other critical areas were also protected under the original zoning.

While the current focus of SO-230 is on floodplain densities, the language still refers to "areas that cannot accommodate density" rather than parcels, and states that development be clustered outside of the "identified sensitive area" not just outside of the floodplain area. These retain and convey a focus that is broader than just floodplains.

The parcels to which SO-230 apply are shown on the following map.



As noted previously, the removal of SO-230 from another property in the 2016 Comprehensive Plan found that the while County's Sensitive Areas Ordinance<sup>4</sup> and Surface Water Design Manual<sup>5</sup> had been adopted in 1990, and while the Special District Overlay built on those provisions, both the Ordinance and Manual had been updated numerous times since 1990 to reflect best available science and both include rigorous standards for protecting critical areas and controlling runoff and sedimentation during the development process.

The Manual does this by addressing a wide variety of topics from drainage plan submittal requirements, hydrologic analysis and design, conveyance system analysis and design, flow control design and more. The effect of these requirements and standards are to minimize and mitigate impacts on water resources and functions.

In the 2016 Comprehensive Plan, the County determined that removing the Special District Overlay from the parcels at issue at that time would not likely result in any significant flooding or sedimentation issue, that the aforementioned regulations superseded the overlay in controlling runoff from new development, and therefore the Special District Overlay was no longer needed.

Looking at the broader context in 2018, SO-230 applies to a total of 426 parcels<sup>6</sup> that are or were zoned Rural Area 5 when the Special District Overlay was established. Of these parcels, 30 are in public ownership and therefore likely to never be developed, six are within cities and therefore not subject to this condition, and 89 are not zoned RA-5 and therefore not subject to this condition. Of the remaining 301 parcels, 229 are less than 10 acres, meaning they are unlikely to have sufficient size to be subdivided with or without the overlay. This leaves 72 parcels that are theoretically subdividable.

Of these, 19 show some type of environmental feature (such as wetlands, seismic or erosion hazard areas, stream corridors) in the County's mapping programs. While the exact impact of these constraints on development potential is beyond the scope of this study and infeasible to precisely quantify without a development proposal, the overall impact is some level of reduction or impact avoidance if the 72 larger sized parcels move to development.

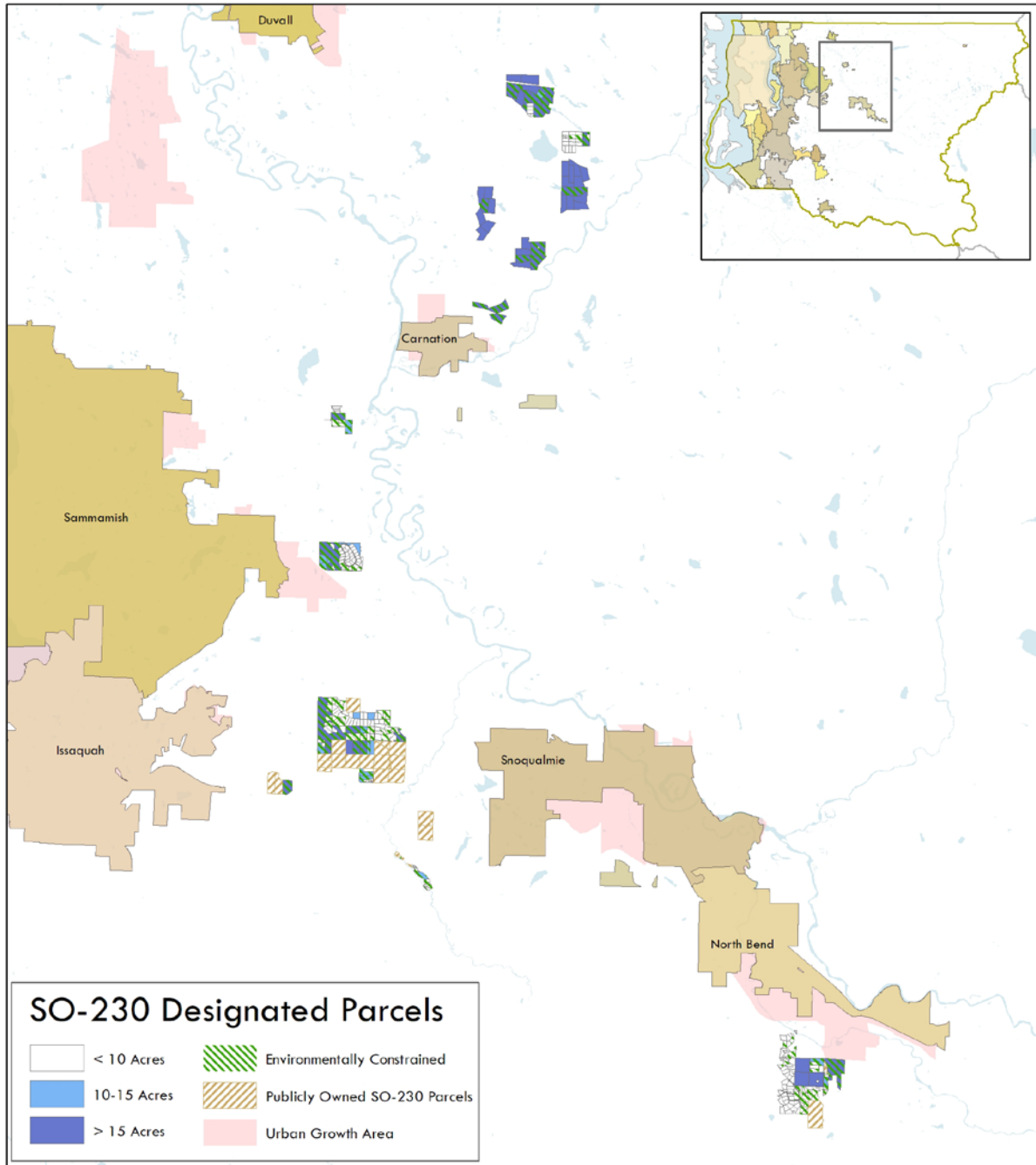
The following map shows the parcels, as well as the size breakdown, public ownership, and environmental features. The parcels in white are smaller than 10 acres, and those in blue are over 10 acres and therefore potentially impacted by the Special District Overlay.

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<sup>4</sup> [https://kingcounty.gov/council/legislation/kc\\_code/24\\_30\\_Title\\_21A.aspx](https://kingcounty.gov/council/legislation/kc_code/24_30_Title_21A.aspx)

<sup>5</sup> <https://your.kingcounty.gov/dnrp/library/water-and-land/stormwater/surface-water-design-manual/SWDM%202016%20complete%20document%20FINAL%20first%20errata%206%2015%202016.pdf>

<sup>6</sup> Note: The numbers in this Study vary slightly from those published in the 2018 Docket Report, but support the same conclusion published in the Docket.



### III. POLICY CONTEXT

As concluded in the analysis in 2016, removal of the Special District Overlay will have a limited impact given that the other regulations in place have superseded this. In addition to these regulations, other policies in the Comprehensive Plan help guide development in a manner that will limit impacts on floodplain densities. Some of these policies are noted below.

**E-462** Development shall occur in a manner that supports continued ecological and hydrologic functioning of water resources and should not have a significant adverse



impact on water quality or water quantity, or sediment transport, and should maintain base flows, natural water level fluctuations, unpolluted groundwater recharge in Critical Aquifer Recharge Areas and fish and wildlife habitat.

**E-499qq** King County shall implement a comprehensive local floodplain management program that protects lives, minimizes damage and disruption to infrastructure and critical facilities, preserves and restores natural floodplain functions, and ensures that new development does not put people in harm's way or cause adverse flooding impacts elsewhere, consistent with the King County Flood Hazard Management Plan.

**E-499qqq** King County shall continue to exceed the federal minimum standards stipulated by the National Flood Insurance Program for unincorporated areas to better protect public safety, reduce the risk of flood and channel migration hazards to existing public and private property.

## IV. CONCLUSION AND RECOMMENDATION

### Conclusion

In summary, the Special District Overlay applies to a limited set of potentially subdividable Rural Area 5 parcels; these parcels frequently have other environmental constraints that could minimize development potential or minimize impacts from development; and impacts of future development proposals (both on floodplains and environmental features) will be addressed through County regulations that have superseded this Special District Overlay.

### Recommendation

Based on this analysis, and the previous analysis in 2016 and 2018, the Executive recommends deletion of Floodplain Density Special District Overlay (21A.38.240) and removal of the designation from the all the parcels to which it currently applies. This includes the following parcels.

Parcel Number	Parcel Number	Parcel Number	Parcel Number
0098300010	0098300140	0098300270	0098300400
0098300020	0098300150	0098300280	0098300410
0098300030	0098300160	0098300290	0098300420
0098300040	0098300170	0098300300	0098300430
0098300050	0098300180	0098300310	0098300440
0098300060	0098300190	0098300320	0125079028
0098300070	0098300200	0098300330	0125079029
0098300080	0098300210	0098300340	0125079030
0098300090	0098300220	0098300350	0125079031
0098300100	0098300230	0098300360	0125079032
0098300110	0098300240	0098300370	0125079033
0098300120	0098300250	0098300380	0125079034
0098300130	0098300260	0098300390	0125079035

Parcel Number
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0125079046
0125079047
0125079048
0323079066
0323079067
0325079025
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0325079029
0325079031
0325079048
0325079049
0325079053
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2024079018
2024079019

Parcel Number
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Parcel Number
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2223089055
2223089067
2223089068
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2323089038
2323089079
2623089010
2623089023
2623089024

Parcel Number	Parcel Number	Parcel Number	Parcel Number
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2623089031	2824079010	3024079101	8835800030
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2623089055	2924079002	3324079005	8835800050
2623089058	2924079003	3324079006	8835800060
2623089062	2924079004	3324079017	8835800070
2623089085	2924079005	3424079001	8835800160
2623089122	2924079006	3626079003	8835800170
2623089144	2924079007	3626079005	8835800180
2623089145	2924079008	3626079007	8835800190
2623089158	2924079015	3626079020	8835800200
2626079001	2924079022	3626079021	8835800210
2626079046	2924079029	3626079022	8835800230
2626079047	2924079030	3626079023	8835800240
2626079048	2924079034	3626079024	8835800250
2626079049	2924079041	3626079025	8835800260
2626079057	2924079042	3626079026	8835800270
2626079081	2924079044	3626079027	8835800280
2626079083	2924079047	3626079028	8835800290
2626079084	2924079052	3626079029	8835800300
2626079085	2924079059	3626079030	8835800310
2626079086	2924079060	3626079031	8835800320
2626079087	2924079061	3626079032	8835800330
2626079088	2924079062	3626079033	8835800340
2626079089	2924079063	3626079034	8835800350
2626079090	292407UNKN	3626079035	8835800360
2626079091	2925079006	3626079036	8835800370
2626079092	2925079007	3626079037	8835800380
2626079093	2925079008	3626079038	8835800390
2626079095	2925079050	3626079039	8835800400
262607UNKN	2925079058	3626079040	8835800410
2723089004	2925079059	3626079041	8835800420
2723089024	2925079078	3626079053	8835800430
2723089101	2925079079	3626079054	8835800440
2723089105	2925079080	3626079058	8835800450
2726079037	2925079081	3626079059	8835800460
2824079005	2925079082	3626079060	8835800470
2824079006	2925079083	3626079062	8835800480
2824079007	2925079084	3626079065	8835800490
2824079008	3024079011	8835800010	8835800500

Parcel Number
8835800510
8835800520
8835800530
8835800540
8835800550
8835800560
8835800570
8835800580
8835800590
8835800600
8835800630
8835800640
8835800650
8835800660

Parcel Number
8835800670
8835800680
8835800690
8835800700
8835800720
009830TR-X
009830TRCT
009830TRCT
212407TRCT
212407TRCT
292407TR-A
292407TR-B
292407TR-C
292407TR-D

Parcel Number
292407TR-E
292507TR-A
292507TR-B
292507TR-C
292507TR-D
292507TR-E
292507TR-F
883577TR-K
883580TR-C
883580TR-D
883580TR-E
883580TR-F
883580TR-F
883580TR-G

Parcel Number
883580TR-I
883580TR-J
883580TR-K
883580TR-L
883580TR-M
883580TR-N
883580TR-Q
883580TR-R
883580TR-S
883580TRCT
0325079054
0325079056



## EXECUTIVE RECOMMENDED PLAN

### **East Cougar Mountain Potential Annexation Area Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes a study of land use and zoning in the East Cougar Mountain area. The Scope directs the following:

Work with the City of Issaquah, the City of Bellevue, and residents in the East Cougar Mountain Potential Annexation Area on potential land use changes and urban growth area boundary changes (this is an outcome of the 2016 Comprehensive Plan and a 2017 Docket Request).

#### **II. POLICY CONTEXT**

The subject potential annexation area (PAA) called the East Cougar Mountain Potential Annexation Area is a 278 acre area located on the southwestern edge of the City of Issaquah, on the border of Bellevue.

The Growth Management Act, the King County Countywide Planning Policies, and the King County Code all call for these urban islands to be annexed by the most appropriate adjoining cities. Some of these policies are noted below.

##### Countywide Planning Policies

**DP-18** 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 accommodate projected urban growth, is not served by public sewers, is contiguous with 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.

**DP-23** Facilitate the annexation of unincorporated areas within the Urban Growth Area that are already urbanized and are within a city's Potential Annexation Area in order to provide urban services to those areas. Annexation is preferred over incorporation.

**DP-24** Allow cities to annex territory only within their designated Potential Annexation Area as shown in the Potential Annexation Areas Map in Appendix 2. Phase annexations to coincide with the ability of cities to coordinate the provision of a full range of urban services to areas to be annexed.

### Comprehensive Plan

**U-201** - In order to meet the Growth Management Act and the regionally adopted Countywide Planning Policies goal of becoming a regional service provider for all county residents and a local service provider in the Rural Area and Natural Resource Lands, King County shall encourage annexation of the remaining urban unincorporated area. The county may also act as a contract service provider where mutually beneficial.

**U-125** - King County should support proposed zoning changes to increase density within the unincorporated urban area when consistent with the King County Comprehensive Plan Land Use Map and when the following conditions are present:

- a. The development will be compatible with the character and scale of the surrounding neighborhood;
- b. Urban public facilities and services are adequate, consistent with adopted levels of service and meet Growth Management Act concurrency requirements, including King County transportation concurrency standards;
- c. The proposed density change will not increase unmitigated adverse impacts on environmentally critical areas, either on site or in the vicinity of the proposed development;
- d. The proposed density increase will be consistent with or contribute to achieving the goals and policies of this comprehensive plan, and subarea plan or subarea study, if applicable; or
- e. The development is within walking distance of transit corridors or transit activity centers, retail and commercial activities, and is accessible to parks and other recreation opportunities.

## **III. LAND USE INFORMATION**

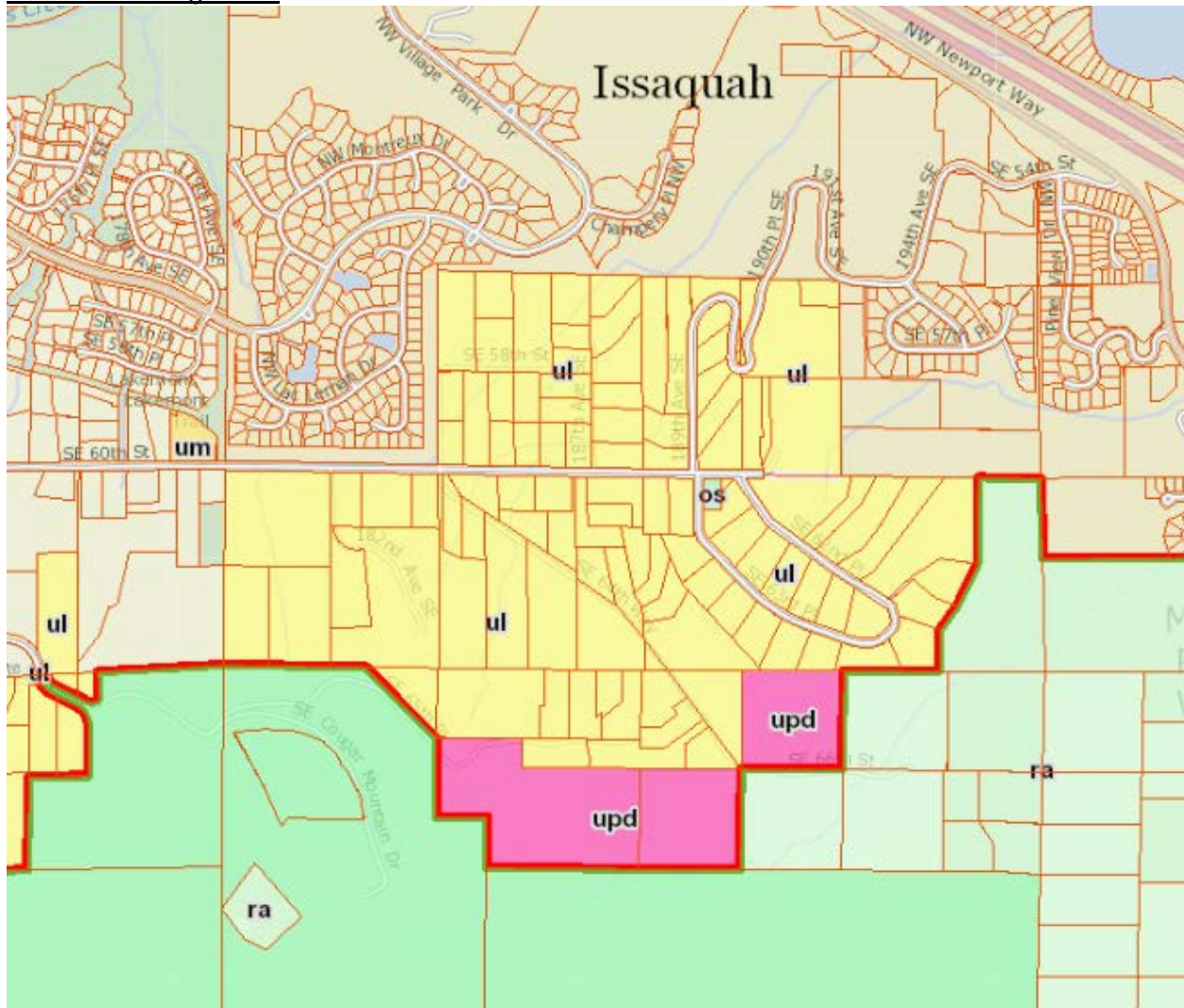
This Potential Annexation Area is south of I-90, and the Montreux neighborhood, and is adjacent to the Cougar Mountain Regional Wildlife Park. The Potential Annexation Area is predominantly residential and has approximately 200 residents. The area is served by Issaquah

public schools, King County Fire District 10 and has no designated water or sewer district. About ninety percent of the Potential Annexation Area is designated Urban Residential Low (1 du/acre), with the remaining lands designated Urban Planned Development.

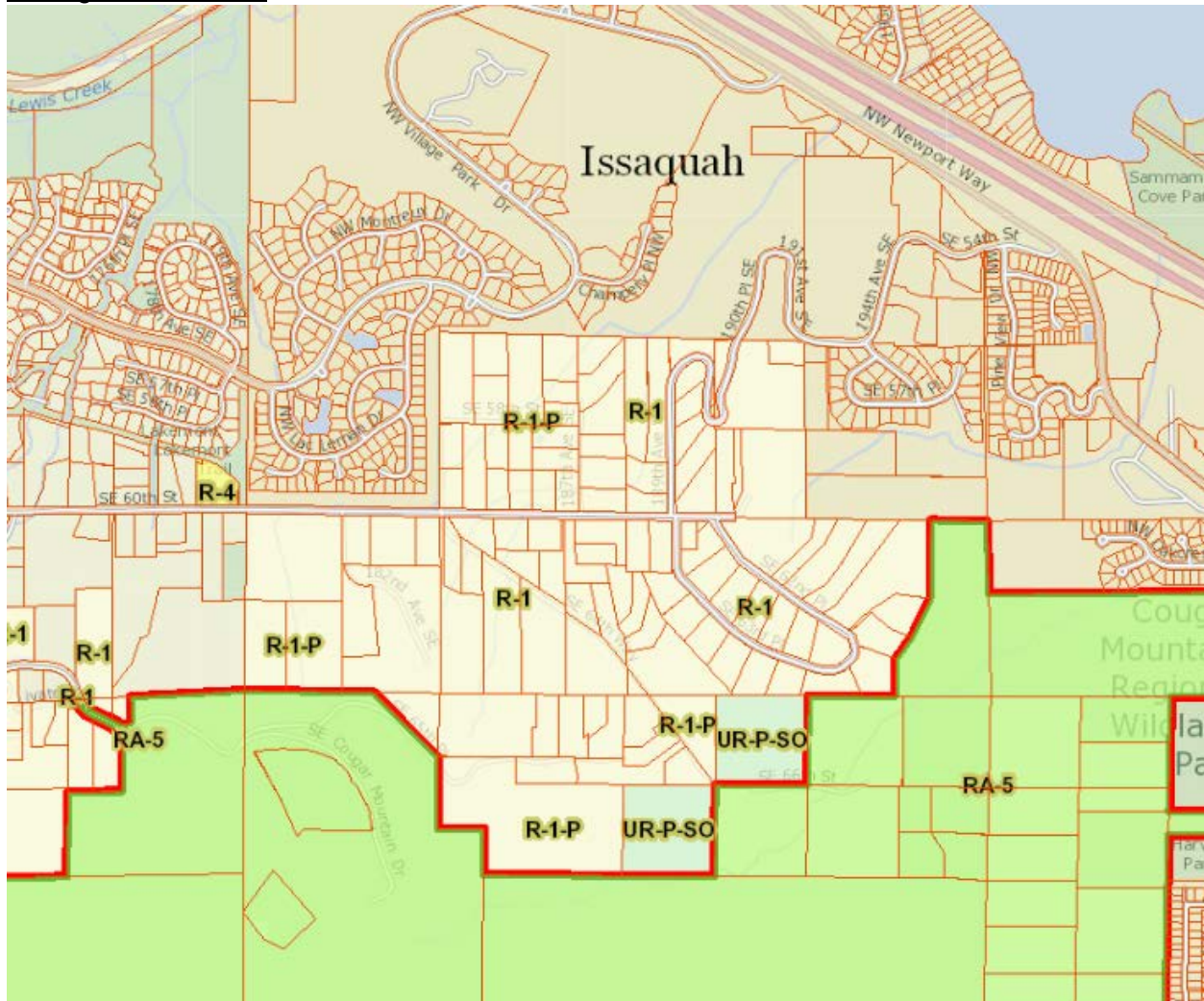
Similarly, the nearly all the parcels are zoned R-1 (Residential, 1 unit per acre), with two parcels zoned UR (Urban Reserve), which allows one unit per five acres. UR is essentially a rural “holding zone” until the properties are annexed and can be zoned by the city to urban densities.

## Maps

### Land Use Designation



### Zoning Classification



### Summary Information

There are 110 parcels in the East Cougar Mountain Potential Annexation Area:

**East Cougar Mountain Parcels**

226080UNKN	2260800090	1924069132	1924069069
3024069041	2260800080	1924069131	1924069065
3024069040	2260800070	1924069130	1924069063
3024069039	2260800060	1924069129	1924069062
3024069035	2260800050	1924069128	1924069060
3024069033	2260800040	1924069127	1924069058
3024069031	2260800030	1924069125	1924069057
3024069030	2260800021	1924069123	1924069056
3024069029	2260800020	1924069121	1924069055

3024069028	2260800011	1924069119	1924069054
3024069027	2260800010	1924069115	1924069053
3024069026	1924069153	1924069114	1924069051
3024069023	1924069152	1924069111	1924069049
3024069022	1924069151	1924069103	1924069046
3024069021	1924069148	1924069099	1924069045
3024069005	1924069147	1924069096	1924069044
2260800190	1924069146	1924069095	1924069043
2260800180	1924069145	1924069094	1924069042
2260800170	1924069144	1924069093	1924069041
2260800160	1924069143	1924069092	1924069039
2260800150	1924069142	1924069091	1924069029
2260800140	1924069141	1924069090	1924069028
2260800131	1924069139	1924069088	1924069027
2260800130	1924069136	1924069087	1924069026
2260800121	1924069135	1924069086	1924069025
2260800120	1924069134	1924069075	1924069019
2260800110	1924069133	1924069071	1924069012
2260800100			1924069010

#### IV. BACKGROUND INFORMATION

In 2015, the City of Issaquah submitted a letter to King County requesting that the East Cougar Mountain area be removed from the City's Potential Annexation Area. The letter stated that after review by the City in its comprehensive plan update, as well as discussions with the City of Bellevue dating back to 2007, the City of Issaquah was not interested in annexation and would like the area removed from the urban growth area boundary.

The letter noted that the area is not suitable for urban growth due environmental constraints and difficulty in the provision of urban services, that the area is no longer necessary to accommodate Issaquah's urban growth targets, and because the area is not characterized by urban development or served by public sewers. For these reasons, the City noted it has no intention of annexing the area.

Further, the letter noted that in 2007 several Potential Annexation Area property owners requested the City of Bellevue take over the Potential Annexation Area and service provision as part of Bellevue's Comprehensive Plan amendments. Issaquah did not object to this proposal, as Issaquah was not prepared to annex or serve the Potential Annexation Area. After its review, the City of Bellevue did not pursue this.

In 2016, County staff conducted an area land use zoning study that concluded:

Given the complexity of service provision and access, and long-term infrastructure maintenance King County was in agreement with the City of Issaquah on a portion of the Potential Annexation Area. The County stated its support for the City's request to remove some parcels from the Urban Growth Area boundary and Potential Annexation Area, including all the parcels with UR-P-SO zoning, except for those parcels already developed with roadway access. As a result, twenty-four (24) parcels were removed from the City of Issaquah's Potential Annexation Area and from the Urban Growth Area.

The 2016 study recommended the County continue to discuss the issue with the City of Issaquah, the City of Bellevue and local residents to determine whether other portions of the area could or should be annexed into these two cities or whether the remaining should be removed from Issaquah's Potential Annexation Area and the Urban Growth Area.

In 2017, two property owners requested an increase in zoning density on the parcels zoned Urban Reserve. The parcels are bounded on the north and west by Urban Residential Low parcels and on the south and east by Rural Area 5 parcels, including parcels that are in Cougar Mountain Park. The request would have represented a five-fold increase in potential densities from the current Urban Reserve (1 unit per 5 acres) to Urban Residential 1 (1 unit per 1 acre). The County declined this request and stated the following:

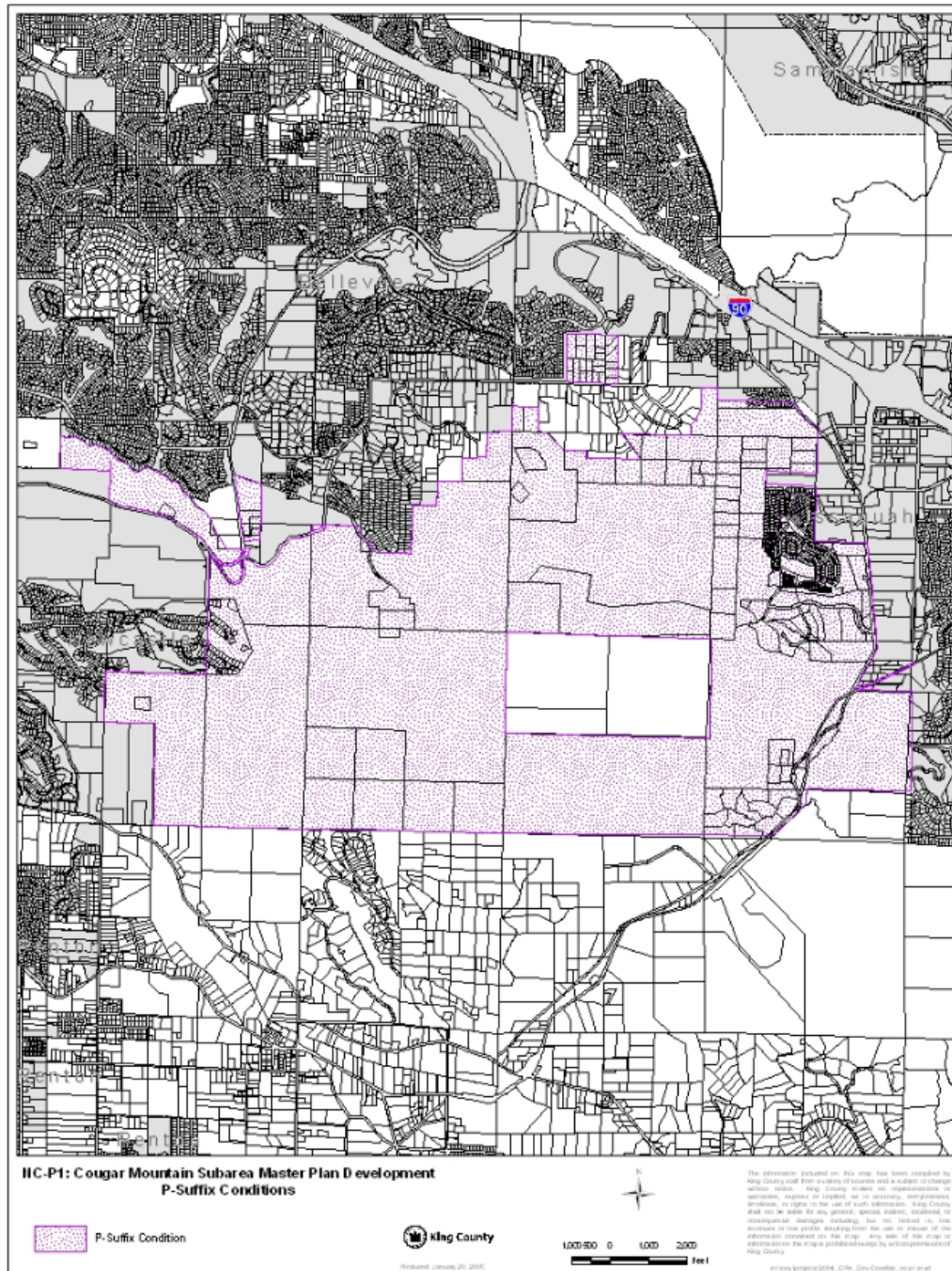
Given County goals to focus unincorporated urban growth into areas affiliated with Cities for annexation, the complexities of the service provision, limited infrastructure, and the City of Issaquah and City of Bellevue's stated positions in 2016, and City of Issaquah position in 2017, not to annex these areas, the request to increase the densities on these two parcels is not recommended. Not changing the zoning and land use on these parcels means that they will have zoning that is functionally equivalent to the adjacent properties in the Rural Area on the east. It may be appropriate to reconsider this issue in a future Four Year cycle update, at which time changes to the urban growth area boundary (expansions and contractions) are eligible for consideration.

In addition to the zoning and land use on these three parcels, there are two development conditions that affect the larger area. These are outcomes of the 1993 Newcastle Community Plan and relate to the underlying Urban Planned Development land use designation.

**Newcastle Property Condition 01 (NC-P01):** Cougar Mountain Subarea Master Plan Development (adopted August 1997, amended in March 2001 and October 2004). NC-P01 contains nineteen sections of suffix conditions for properties within the Master Plan Development Overlay District, including eligibility for village development, size and area requirements, land ownership requirements, review process, approved master plan development, development and housing criteria and more.



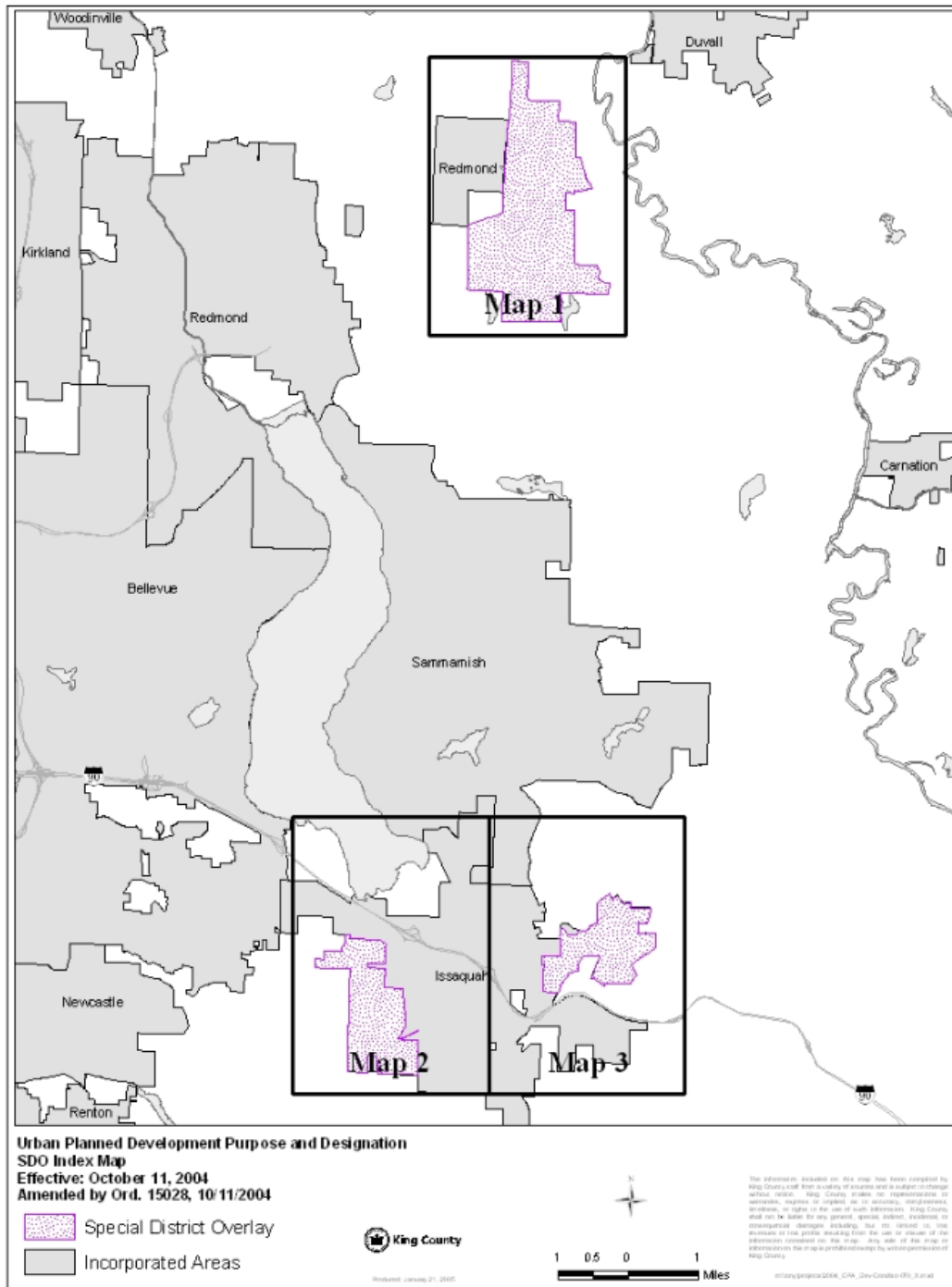
This condition applies to a larger set of parcels than just East Cougar Mountain, as shown on following map.



The second condition in the area is:

**Special District Overlay 070 (SO-070): Urban Planned Development Purpose and Designation SDO (adopted June 1993).** SO-070 allows designation of areas

which are appropriate for urban development on a large scale and adoption of urban residential zoning consistent with a subarea plan and the comprehensive plan.



As noted, these conditions are geared towards a large scale development and creation of a new Urban Planned Development. The minimum size of a new Urban Planned Development is defined at 21A.38.080 and states:

**21A.38.080 Special district overlay - UPD implementation.** Implementation of the UPD designation shall comply with the following:

A. The minimum site size for an UPD permit application shall be not less than one hundred acres. "Site size" for purposes of this subsection means contiguous land under one ownership or under the control of a single legal entity responsible for submitting an UPD permit application and for carrying out all provisions of the development agreement; and

B. The UPD shall comply with the standards and procedures set out in K.C.C. chapter 21A.39. (Ord. 16267 § 73, 2008: Ord. 10870 § 581, 1993).

Given the size, configuration and ownership of parcels in the East Cougar area, establishment of a new Urban Planned Development would not be feasible. Removing the development conditions would not affect the existing zoning or land use on the parcels (i.e., it would not affect rights such as Base Densities, Minimum Lot Areas, Minimum Lot Widths, Minimum Street and Interior Setbacks, Base Heights, Maximum Impervious Surfaces, etc.). Deleting the overlay and property condition, but retaining the Urban Planned Development section of code would retain the tool for the County in the King County Code, but it would no longer apply to these parcels. To assess the viability and impact of retaining or repealing Special District Overlay SO-070 and NC P-01, the following parcel and code analysis is included.

#### Parcel Analysis

**Special District Overlay SO-070:**<sup>1</sup> This overlay applies to 7,025 parcels. This includes the Bear Creek area with 3,806 parcels, the Grand Ridge area with 2,337 parcels, and the Cougar Mountain area with 882 parcels. Excluding the parcels in the Bear Creek Urban Planned Development that are analyzed in a separate 2020 Plan update Area Study, there are only nine parcels in the Grand Ridge area and East Cougar Mountain area that are unincorporated and therefore subject to this condition.

SO-070 applies to four unincorporated parcels in the Grand Ridge area. Two have a Rural Area-5-P zoning and Open Space land use (parcels 2324069122 and 2324069125). The other two have Residential-1-P-SO zoning and an Open Space land use (parcels 2424069143 and 2524069001). All four of these parcels are publicly owned open spaces and SO-070 would therefore be moot.

SO-070 applies to five unincorporated parcels in the East Cougar Mountain area. The parcel numbers are 2924069088, 2924069108, 2924069150, 3024069021, and 3024069022. Three of

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<sup>1</sup> <https://www.kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/SDO/SO-070.aspx>

these (parcels 2924069088, 2924069108, 2924069150) are publicly owned and therefore this condition would be moot. The other two (parcels 3024069021 and 3024069022) have an Urban Planned Development-SO zoning and UPD land use. These are the two parcels that were the subject of 2017 Docket analysis, and the analysis and recommendations in this Area Study. Both parcels are just under 10 acres in size, meaning they could theoretically be subdivided into two lots depending on their ability to meet other development regulation standards.

**NC-P01:**<sup>2</sup> This development condition only applies in the Cougar Mountain area and applies to 1,019 parcels. Of these, 73 parcels are unincorporated and subject to this condition, and the other 946 are already incorporated and therefore not subject to this condition. The unincorporated parcels include 42 parcels that are zoned RA-5-P, 28 parcels that are zoned R-1-P, 2 parcels that are zoned UR-P-SO, and 1 parcel that is zoned RA-5.

Of the 42 parcels with RA-5-P zoning, 22 have an Open Space land use and therefore this development condition would be moot. The other 20 have an RA designation. Of these, 17 are privately held and 3 are public. For the privately held parcels, 4 are substandard in lot size, with the remaining 13 above the minimum lot size for this zone. While some are theoretically subdividable, none come close to meeting the 100 minimum acre size for an Urban Planned Development.

There are 28 parcels with R-1-P zoning and, except for one, all have an Urban Low land use designation; these are the zoning classifications and land use designations that allowed the least amount of density. The one parcel with this zoning that has a UPD land use (3024069027) is the subject of this Area study. It is just under 20 acres in size, is vacant, and has theoretical development potential.

There are two parcels that have UR-P-SO zoning, and a UPD land use (parcels 3024069021 and -9022) are the subject of the 2017 Docket Request and this Area Study. As noted previously, those are just under 10 acres in size.

Finally, there is one parcel that has RA-5 zoning, and an Open Space land use (parcel 2524059001), is publicly owned and therefore this development condition would be moot.

***Parcel Analysis Conclusion:*** Nearly every property to which these conditions apply are incorporated, publicly owned, or (in the case of the Bear Creek Urban Planned Development), having zoning and land use applied to them for the first time under current County regulations with these conditions being removed. The three parcels that are the focus of this Area Study are unique from the remainder, and changes to the zoning and land use, as recommended elsewhere in the study, are independent from these two development conditions. Given this, the fact that these conditions apply at this point to only a handful or unincorporated properties, and given the

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<sup>2</sup> <https://www.kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/Newcastle/NC-P01.aspx>



relatively small size of the parcels that would prevent development of a new Urban Planned Development, the parcel analysis concludes that repeal of this development condition is warranted.

### Code Analysis

**SO-070:** this overlay allows designation of areas which are appropriate for urban development on a large scale and adoption of urban residential zoning consistent with a subarea plan and the comprehensive plan. SO-070, was established by Ordinance 10870 in 1993, and has been amended a few times, mostly to address map changes. The overlay is codified at Title 21A.38.070 *Special district overlay - Urban planned development (UPD) purpose and designation*, and provides a means for community, subarea or neighborhood plans to designate urban areas which are appropriate for development on a large-scale basis. SO-070 does not establish any criteria, and primarily addresses purpose and process.

Based on the results of the parcel analysis, there appear to be no parcels, absent very significant amounts of parcel aggregation and redevelopment (which is unlikely given the quality and cost of homes on these parcels), that could develop under this condition in the areas to which is still is applicable.

NC-P01: This development condition was established by Ordinance 12824 in 1997, and amended twice, this applies only in one area of the County, the area surrounding Cougar Mountain. It contains nineteen sections, and numerous subsections, of conditions for properties within the Master Plan Development Overlay District. The sections of criteria are as follows.

1. Eligibility for Village Development	11. Utilities, Energy and Public Services Criteria
2. Size and Area Requirements	12. Transportation Criteria
3. Land Ownership Requirements	13. Drainage Criteria
4. Application for Master Plan Development	14. Phased Development
5. Review Process	15. Financial Plan for Capital Facilities
6. Approved Master Plan Development	16. Combination with Other Applications
7. Development Criteria	17. Fee
8. Housing Criteria	18. Master Plan Development Amendments
9. Open Space and Recreational Criteria	19. Development Criteria not a Precedent
10. Commercial/Industrial Criteria	

In addition to the size and lot aggregation challenges noted previously, there are other criteria within these conditions that would be extremely challenging to meet. Examples are numerous, and few are shown below as illustrations.

- *Outdated Zoning:* The zoning discussed in this condition is Growth Reserve 2.5 Acre, a category that does not exist anymore. Its potentially closest parallel is RA-2.5 lots, which are only allowed in the Rural Area, and new RA-2.5 lots have not been created since the 1994 Comprehensive Plan. Determining the appropriate zoning would be a challenge.
- *Basis in Subarea Plan:* Application for a new UPD would require a subarea planning process. The subarea planning schedule in the Comprehensive Plan does not currently



include a subarea planning process for this area, which is part of the West King subarea. Potentially this area would be included during the Four Creeks/Tiger Mountain subarea planning process which will occur in 2026-2028. Developing an application would require subarea planning and this would create timing challenges.

- *Size and Area Requirements:* The size and area criteria are contained in the adopted Newcastle Community Plan. As codified today at *Title 21A.38.080 Special district overlay - UPD implementation*, the minimum site size for an UPD permit application shall be not less than one hundred acres. "Site size" for purposes of this subsection means contiguous land under one ownership or under the control of a single legal entity responsible for submitting an UPD permit application and for carrying out all provisions of the development agreement. Assembling a 100-acre site would be challenging.
- *Allowed number of Villages:* The Newcastle Community Plan allows two villages to be built. This condition has already been met (Talus, Montreux, Lakemont), and the condition (and subarea plan) would need to be modified to allow additional villages.

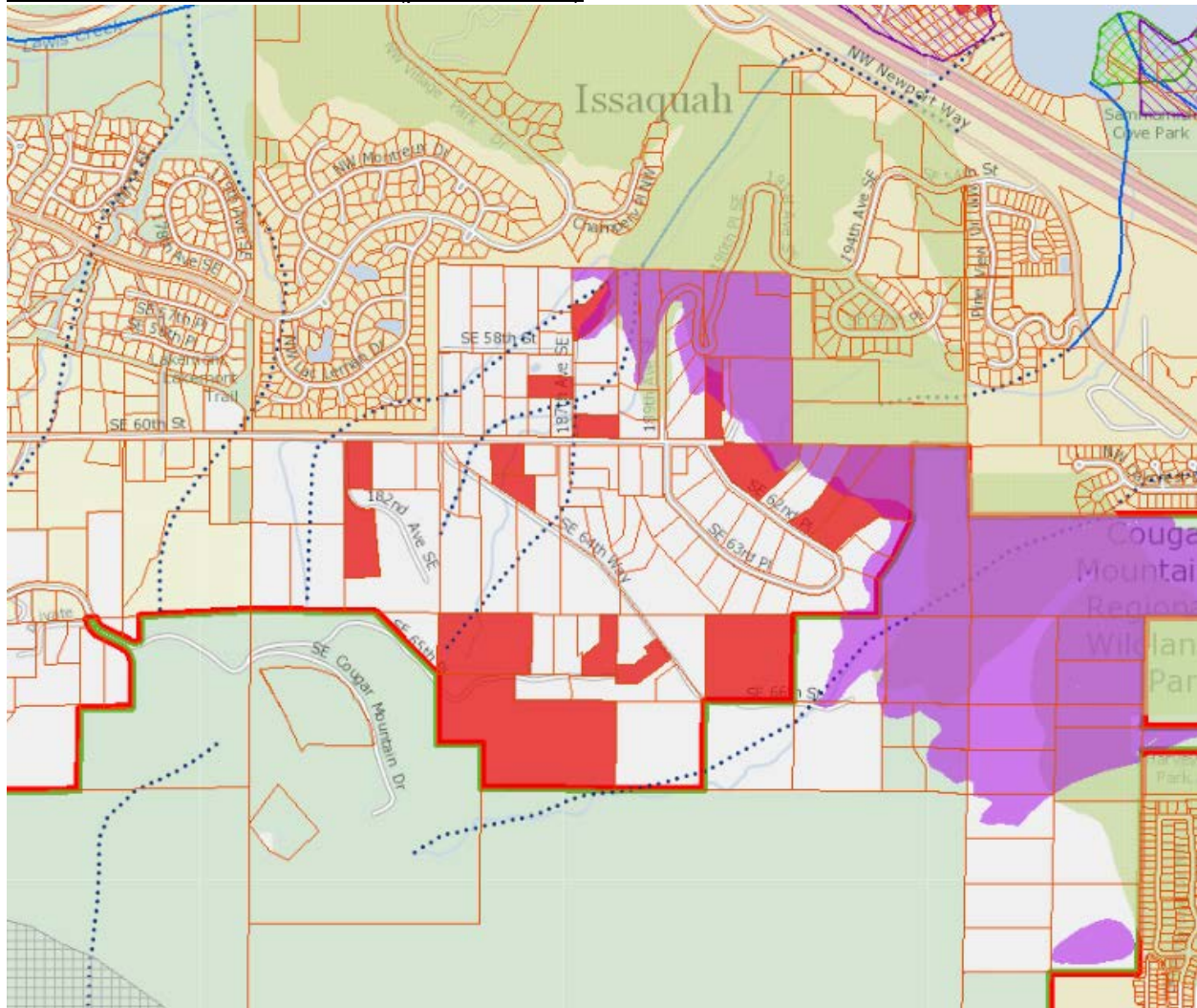
**Code Analysis Conclusion:** There are multiple substantive and procedural challenges to development of an Urban Planned Development in the East Cougar Mountain Area that make implementation of this development condition either impracticable or impossible to achieve. Given this, and the facts on the ground discussed in the parcel analysis, the code analysis concludes that repeal of this development condition is warranted.

## V. INFRASTRUCTURE

The area is served by septic systems, private wells, and one small public water system, the Edgehill Water System. There is no sewer service in the Potential Annexation Area. There are two county roads in the Potential Annexation Area – 189<sup>th</sup> Avenue SE and SE 60<sup>th</sup> Street. All other roads in the Potential Annexation Area are private. The eastern portion of the Potential Annexation Area, directly west of the City of Issaquah, contains no roads and has no access to services.

## VI. ENVIRONMENTAL

Environmentally sensitive areas are located along the east side of the Potential Annexation Area from the north to the south that include potential landslide hazard areas, potential steep slope hazard areas and erosion hazards. There are approximately 16 parcels located throughout the Potential Annexation Area with sensitive area notices on title. Additionally, there are a number of streams that traverse the area.

Sensitive Area Notices on Title (parcels in red)

## VII. COMMUNICATION

### Communication with the City Of Issaquah

The City of Issaquah stated its position in a 2015 letter to the County regarding the Cougar Mountain Potential Annexation Area, and affirmed that position in a meeting with County staff in February 2019. The City of Issaquah would like the East Cougar Mountain area removed from Issaquah's Potential Annexation Area as the city feels the area is not suitable for urban growth due to environmental constraints, the lack of urban development like public sewers, and anticipated difficulty in the provision of urban services. The City expressed again in 2019 that expansion into the East Cougar Mountain Potential Annexation Area is no longer necessary for the City to meet their designated growth targets.

### **Communication with the City Of Bellevue**

The City of Bellevue and the City of Issaquah have been talking about the potential of Bellevue claiming part or all of the Cougar Mountain Potential Annexation Area since 2007. Since that time, Bellevue staff have confirmed in several meetings and conversations that the City has no plans to pursue annexation of the Cougar Mountain Potential Annexation Area.

## **VIII. CONCLUSION & RECOMMENDATION**

### Norris and Leader Parcels

Given the complexities of service provision and limited infrastructure, additional growth in this area is not supported. Given the City of Issaquah and City of Bellevue's stated positions in 2016 and 2017 not to annex these areas, the request to increase the densities on the Norris and Leader parcels was not support in 2017. And, as noted in the study, the County interest is in limiting growth until such time as annexation is supported. Given this, and the need to delete the outdated UPD land use, the recommendation is to change the land use to RA and rezone the two parcels RA-5. This designation and zoning are consistent with the adjacent properties and consistent with the "UR" (Urban Reserve) densities they currently have. This change in zoning does not decrease the property's potential, but makes clear that the long-term intent is to not expand development potential in the area.

### Ascension Properties Parcel

The same rationale exists for this parcel. Further, the parcel would not be appropriate for R-1 zoning as public water and sewer does not exist to serve the parcel. This would make it more appropriate for RA-5 zoning and RA land use.

### Special District Overlays

Based on the parcel and code analysis discussed previously, establishment of a new Urban Planned Development in this area would not be feasible. Removing the development conditions would remove these outdated and inapplicable conditions for these areas, where they are essentially moot. It is recommended that Special District Overlay SO-070 and NC-P-01 be removed.

### Issaquah and Bellevue

Given that the County Comprehensive Plan seeks to minimize the number of urban unincorporated area islands unaffiliated for annexation to a city, the County will continue the discussion about the future of the Cougar Mountain potential annexation area designation with the cities of Issaquah and Bellevue.



## EXECUTIVE RECOMMENDED PLAN

### **Maple Valley Urban Growth Area Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes an analysis of potential urban growth area boundary changes near the City of Maple Valley. The Scope directs the following:

Work with the City of Maple Valley to consider amendments to the Urban Growth Area boundary for five parcels adjacent to Maple Ridge Highlands to facilitate transference of city-or water district owned parcels with storm water detention ponds or water tanks into the City's corporate boundary.

The subject properties consist of five parcels located in the rural area on the border of the City of Maple Valley. These five parcels are located adjacent to the Maple Woods section of the Maple Ridge subdivision...

#### **II. POLICY CONTEXT**

Maple Ridge Highlands is a neighborhood located at the south end of Maple Valley. The neighborhood became an official part of the city of Maple Valley with annexation in 2009. The community is surrounded by King County open space. This subdivision and open space was created as a condition of the development of Maple Ridge Highlands through the King County Four-to-One program. The Four-to-One program allows land owners to move 20 percent of their land (i.e. the "one") into the urban growth area in which urban housing densities like Maple Ridge Highlands are allowed, and the remaining 80 percent (i.e. the "four") is permanently added to the King County Open Space system (four acres of public open space is set aside for every one acre of developed land).

The subject properties total approximately three acres. Three of the parcels are owned by the city, and two are owned by water districts. Five of the parcels contain storm water detention ponds or water tanks used for utility purposes. One parcel is split by the Urban Growth Area boundary.

The Comprehensive Plan contemplates that rural uses do not include primarily urban serving facilities, see R 201(i):

**R 201** It is a fundamental objective of the King County Comprehensive Plan to maintain the character of its designated Rural Area. The Growth Management Act specifies the rural element of comprehensive plans include measures that apply to rural development and protect the rural character of the area (Revised Code of Washington 36.70A.070 (5)). The Growth Management Act defines rural character as it relates to land use and development patterns (Revised Code of Washington 36.70A.030 (15)). This definition can be found in the Glossary of this Plan. Rural development can consist of a variety of uses that are consistent with the preservation of rural character and the requirements of the rural element. In order to implement Growth Management Act, it is necessary to define the development patterns that are considered rural, historical or traditional and do not encourage urban growth or create pressure for urban facilities and service.

Therefore, King County's land use regulations and development standards shall protect and enhance the following attributes associated with rural character and the Rural Area:

- a. The natural environment, particularly as evidenced by the health of wildlife and fisheries (especially salmon and trout), aquifers used for potable water, surface water bodies including Puget Sound and natural drainage systems and their riparian corridors;
- b. Commercial and noncommercial farming, forestry, fisheries, mining, home-occupations and home industries;
- c. Historic resources, historical character and continuity important to local communities, as well as archaeological and cultural sites important to tribes;
- d. Community small town atmosphere, safety, and locally owned small businesses;
- e. Economically and fiscally healthy Rural Towns and Rural Neighborhood Commercial Centers with clearly defined identities compatible with adjacent rural, agricultural, forestry and mining uses;
- f. Regionally significant parks, trails and open space;
- g. A variety of low density housing choices compatible with adjacent farming, forestry and mining and not needing urban facilities and services;
- h. Traditional rural land uses of a size and scale that blend with historic rural development; and
- i. Rural uses that do not include primarily urban serving facilities.

A Comprehensive Plan policy related to parcels split by the Urban Growth boundary allows for redesignation to all urban area:

**U-103** Parcels that are split by the Urban Growth Area boundary line should be reviewed for possible redesignation to either all urban area or all Rural Area or Natural Resource Lands taking into consideration: a. Whether the parcel is split to recognize environmentally sensitive features; b. The parcel's geographic features; c. Whether the parcel will be added to an

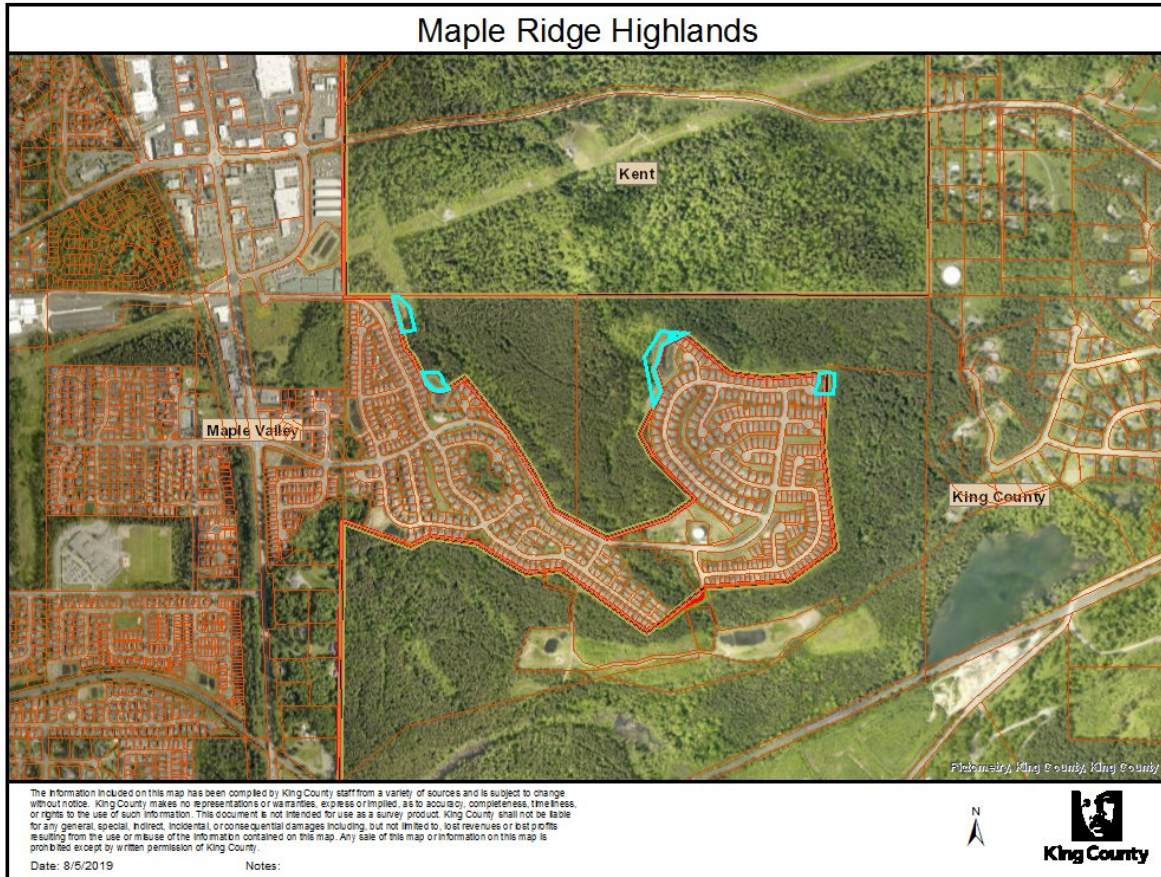


adjoining city's Potential Annexation Area; d. The requirements of interlocal agreements, or the requirements of King County plans.

### III. BACKGROUND INFORMATION

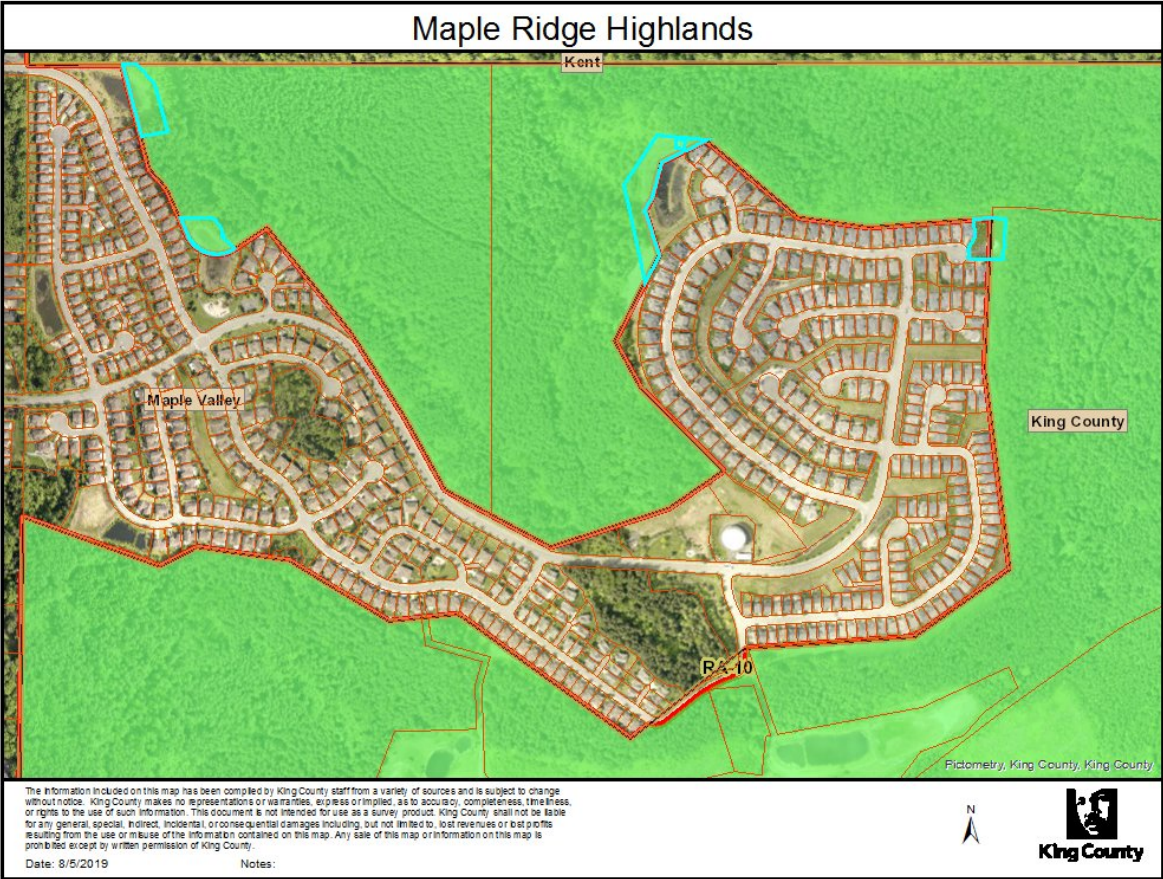
#### Maps

##### Vicinity

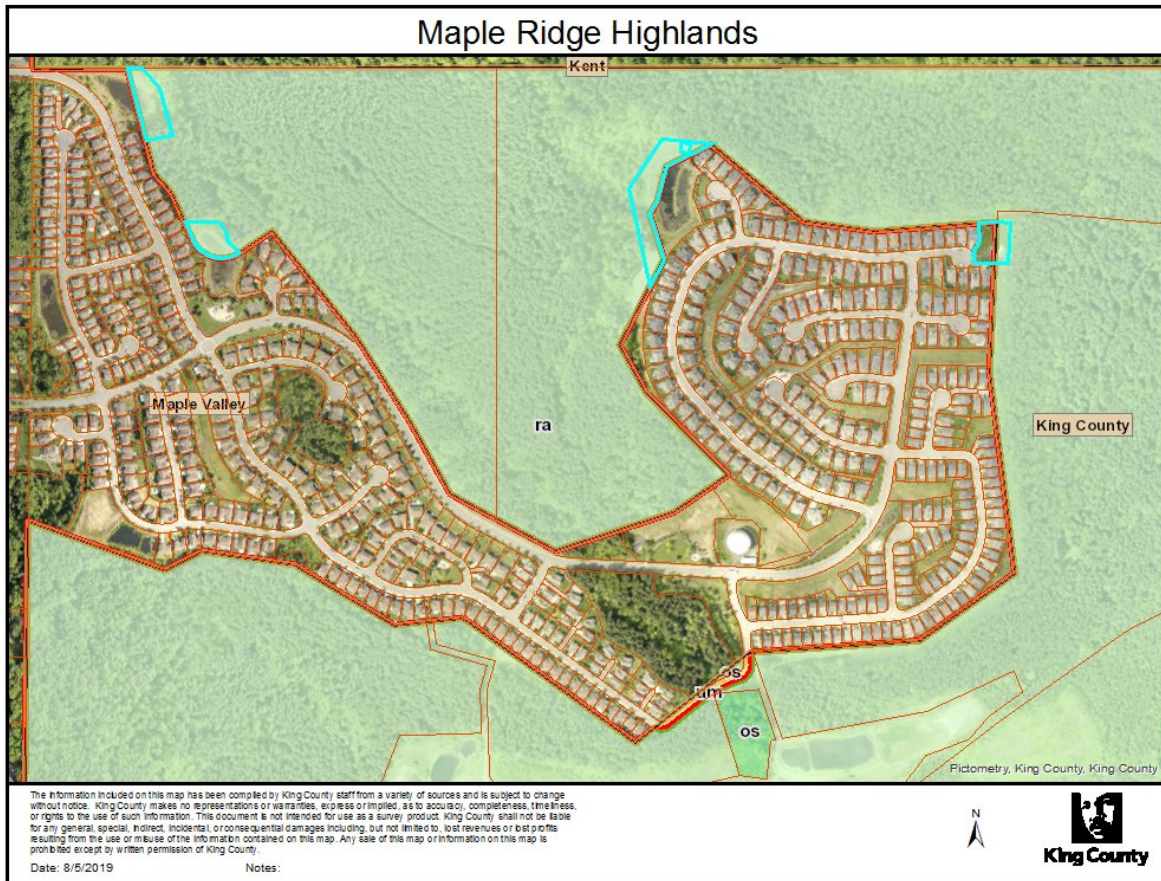




Zoning



## Land Use



## Parcel Information

The five utility-related parcels are as follows:

- 5104512280 (City of Maple Valley, Tract L1)
- 5104512290 (City of Maple Valley, Tract L2)
- 5104540740 (City of Maple Valley, Tract L3)
- 5104540760 (Soos Creek Water & Sewer District, Tract S1)
- 5104532070 (Covington Water District, Tract C2)

## Land Use Information

Three of the parcels are designated RA-10, rural area one dwelling unit per ten acres, and are owned by the City of Maple Valley. One parcel is designated RA-10 and is owned by the Soos Creek Water District. One parcel is owned by the Covington Water District. Each of these five

parcels contain storm water detention ponds or water tanks used for utility purposes. One parcel split by the Urban Growth Boundary.

#### **IV. INFRASTRUCTURE**

All of the stormwater detention ponds serve residents in the urban area. The storm water parcels are accessible either directly off city streets or nearly adjacent to city streets:

- Two of the parcels are accessible off Maple Ridge Way SE
- One parcel is accessible off of SE 281<sup>st</sup> Way
- One parcel is accessible off of 254<sup>th</sup> Ct SE
- One parcel is accessible off of SE 274<sup>th</sup> Place

#### **V. ENVIRONMENTAL**

There are limited environmental constraints on these parcels. And, per communication with the City, the uses on these parcels would continue and none would be proposed for development.

#### **VI. COMMUNICATION WITH STAKEHOLDERS**

##### Communication with the City of Maple Valley

The City of Maple Valley was contacted by King County staff as a part of the outreach for this study. The city supports adjustments to the Urban Growth Area boundary to bring the storm water detention facilities and utility parcels that serve the City into the city limits. The City expressed its intent to work with the County to annex the parcels after they are brought into the Urban Growth Area, and retain them in perpetuity as stormwater ponds and water district facilities serving the subdivision.

##### Communication with the Soos Creek Water and Sewer District

County staff contacted the Soos Creek Water and Sewer District as a part of the outreach for this study and invited their feedback. The water district responded that they do not have any concerns with the proposal at this time.

##### Communication with Covington Water District

County staff contacted the Covington Water District as a part of the outreach for this study and invited their feedback. The water district responded that they do not have any concerns with the proposal at this time.

## VII. CONCLUSION & RECOMMENDATION

### Conclusion

Staff analysis has determined that the impact of these Urban Growth Area boundary technical adjustments to align property boundaries for public-owned and public-serving facilities are de minimus and support the change.

### Recommendation

Adjust the Urban Growth Area boundary to bring the following five parcels with storm water detention facilities and facility parcels that are either outside the Urban Growth Area or split by it into the City of Maple Valley city limits to preserve continuity of facilities that serve the City of Maple Valley:

- 5104512280 (City of Maple Valley, Tract L1)
- 5104512290 (City of Maple Valley, Tract L2)
- 5104540740 (City of Maple Valley, Tract L3)
- 5104540760 (Soos Creek Water & Sewer District, Tract S1)
- 5104532070 (Covington Water District, TR C2)

When the parcels are brought into the Urban Growth Area, a land use designation and zoning classification will need to be established until the parcels are annexed into the City of Maple Valley, as discussed previously. The following is proposed.

- **Land Use:** The proposed land use is Other Parks/Wilderness.
- **Zoning:** The proposed zoning is UR (Urban Reserve).

These are intended as short-term placeholders that will exist with the parcels between the time of County Council amendment of the Urban Growth Area and the City of Maple Valley annexation of the parcels.

## VIII. NEXT STEPS

Given that these map amendments impact the Urban Growth Area boundary and City boundary, there are additional steps that would be connected to the map changes. These include the following:

- Establish an Interlocal Agreement to have the stormwater detention pond parcels annexed to the City. This should follow the interlocal annexation method.
- Following annexation, the City would amend its City boundary.

To the extent practicable, these steps should occur in a timeframe consistent with County Council adoption of the map amendments.

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## EXECUTIVE RECOMMENDED PLAN

### **Bear Creek Urban Planned Development (UPD) Area Zoning and Land Use Study**

#### **I. OVERVIEW**

The 2020 Comprehensive Plan Midpoint Update Scope of Work includes an analysis of land use and zoning changes in an urban planned development. The Scope directs the following:

“In advance of the expiration of development agreements for the Bear Creek Urban Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East), review and establish the comprehensive plan land use designation and zoning classifications in a manner consistent with the development patterns in said agreements and reflecting current conditions in the area.”

The goal of this Area Zoning and Land Use Study is to provide a seamless transition from the current land use designations, zoning, and development agreements to new land use designations and zoning classifications that are consistent with the now-developed conditions of the area and the overall development patterns that were originally envisioned in the development agreements. This study provides recommendations for the establishment of new land use designations and zoning classifications for the urban unincorporated areas referred to collectively as the Bear Creek UPD.

The development agreements for Trilogy and Redmond Ridge will expire in September 2020. Redmond Ridge East’s development agreement will expire in December 2023. While the development agreements are still in effect, any development within the Bear Creek UPD boundaries is vested to the terms of the agreements and the codes and standards that were in effect at the time of their approval. Upon expiration of the agreements, the projects are no longer vested and current land use regulations and development standards will apply. The establishment of updated land use designations and consistent zoning will provide certainty for current and future property owners about the rules and regulations that apply to their property.



## II. BACKGROUND INFORMATION

The Bear Creek UPD area is located within an urban unincorporated area of King County approximately two miles east of the City of Redmond, three miles north of the City of Sammamish, and three miles southwest of the City of Duvall.

The following table summarizes the current developed conditions of the 3 UPDs:

<b>Redmond Ridge 1,046 acres</b>	<b>Trilogy 1,050 acres</b>	<b>Redmond Ridge East 337 acres</b>
<ul style="list-style-type: none"> <li>• 924 detached single family residence (SFR)</li> <li>• 576 attached dwelling units</li> <li>• 65,554 square feet (SF) in Marketplace</li> <li>• 892,357 SF in Business Park</li> </ul>	<ul style="list-style-type: none"> <li>• 1000 detached SFR</li> <li>• 1143 attached and multifamily (MF) units</li> <li>• 120,643 SF in the Village</li> <li>• 11,368 SF Golf Clubhouse/Restaurant</li> <li>• 42,564 SF Home Owners Association (HOA) Clubhouse/Offices</li> </ul>	<ul style="list-style-type: none"> <li>• 665 detached SFR</li> <li>• 26 attached dwelling units</li> <li>• 108 MF apartment units</li> </ul>

The Bear Creek UPD area is designated in the King County Comprehensive Plan as “upd” (Urban Planned Development). The zoning classification of the entire area is UR-P-SO (Urban Reserve, with several P-suffix and Special District Overlay development conditions).

The applicable P-suffix conditions are BC-P21: Novelty Hill Master Plan Developments/Urban Planned Developments Area P-suffix Conditions (Northridge), which covers roughly the southern half of the UPD area of Redmond Ridge and Redmond Ridge East; and BC-P17: Novelty Hill Master Planned Developments/Urban Planned Developments (Blakely Ridge), which covers the Trilogy area of the UPD. The Special District Overlays are SO-070: Urban Planned Development Purpose and Designation SDO; and SO-110: Fully Contained Community SDO. Two other P-suffix conditions also apply to a portion of the UPD area; they are BC-P04: Road Corridor: NE Novelty Hill; and BC-P05: Road Corridor: NE 128<sup>th</sup> Way.

Development of the Bear Creek UPD began in the early 1990’s with Trilogy (originally referred to as Blakely Ridge) and the approval of the development agreement between King County and Port Blakely Tree Farms Limited Partnership in 1995 (KC Recording # 9601090553). The development agreement was the result of land use permit L94UP002, adopted by Ordinance 12090 on December 19, 1995. The Blakely Ridge development agreement applied to the northern half of the total UPD area.

The second major development, Redmond Ridge (originally referred to as Northridge), was authorized with the Northridge Urban Planned Development and Fully Contained Community (FCC) Development Agreement with The Quadrant Corporation in 1997 (KC Recording #

9702181008). This development agreement was the result of two separate land use permit approvals (L94UP001, Ordinance 12598 on January 10, 1997; and L96FC001, Ordinance 12617 on January 1997). The Northridge UPD/FCC permits and development agreements applied to the southwestern half of the UPD area.

The third and final phase, Redmond Ridge East, was under a development agreement with The Quadrant Corporation in 2006 (KC Recording # 20061011001157). The development agreement was a product of King County land use permit L02UPD01, adopted by Ordinance 15565 on August 21, 2006. Redmond Ridge East is located in the southeastern corner of the overall UPD area.

### **III. PARCEL INFORMATION**

There are 3,813 separate parcels and tracts within the boundaries of the Bear Creek UPD areas. These parcels were created through the initial master plats and multiple, subsequent phases that established the land use pattern in accordance with the preliminary plans approved under the land use permits.

A complete list of the parcels covered by this study is included in the Land Use Map Amendments. Individual lists of parcels are included within the recommendations for land use designations and zoning classification amendments.

## Maps and Photos

Figure 1: Aerial Photo of Bear Creek UPD Area with Zoning





Figure 2: Three Developments within the Bear Creek UPD

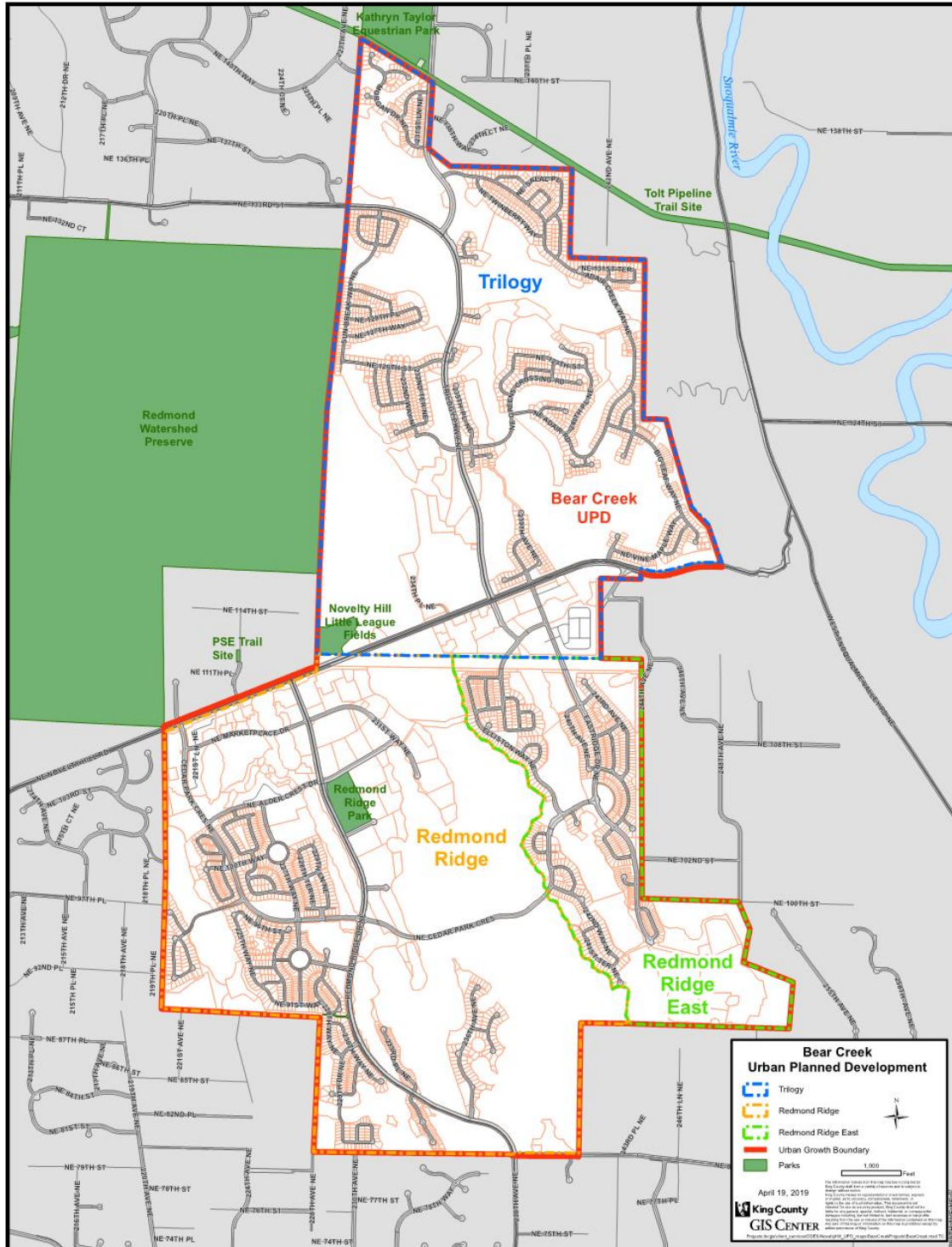
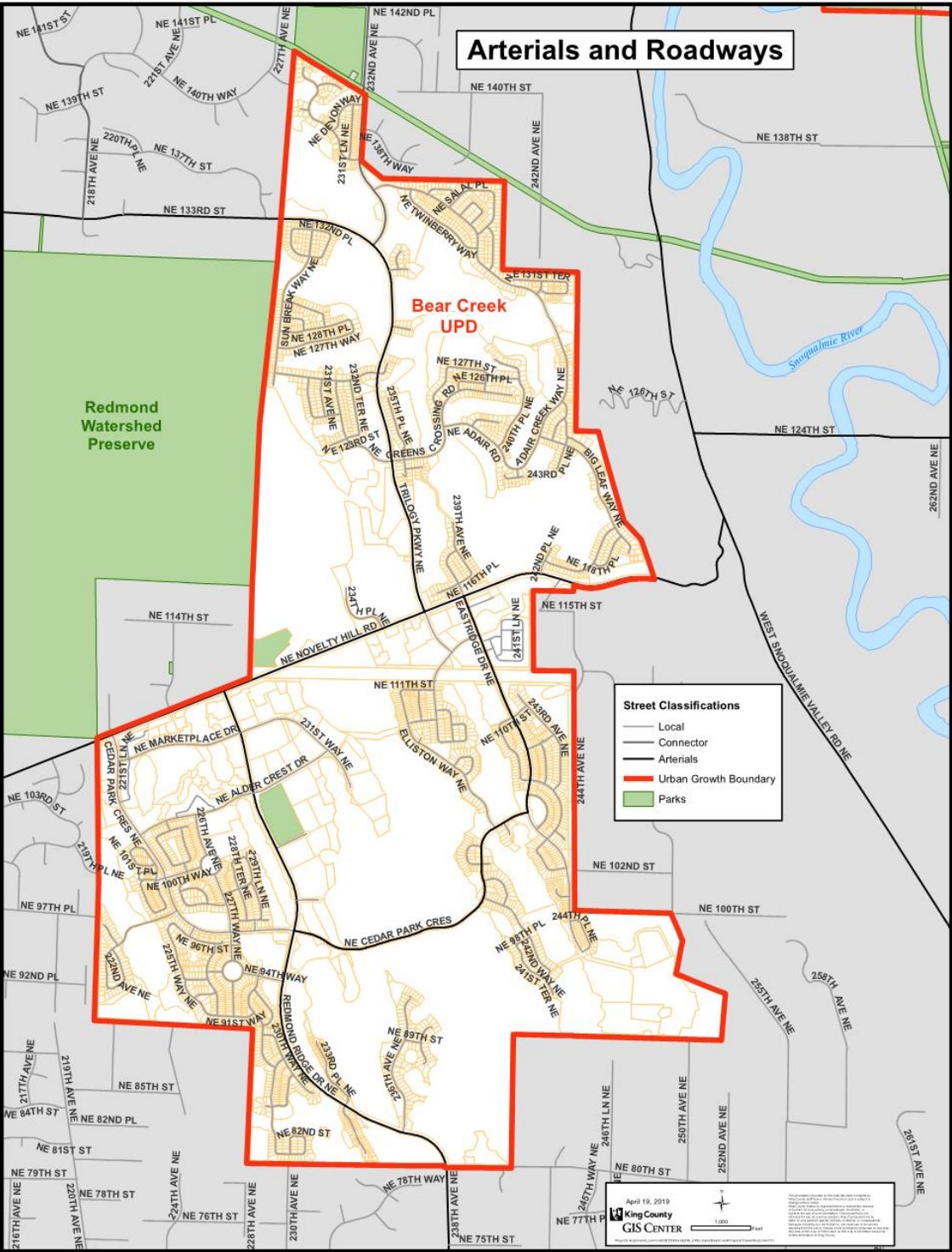


Figure 3: Road Network

















#### **IV. LAND USE INFORMATION**

The Bear Creek UPD covers 2,448 acres. The majority of the parcels within the Bear Creek UPD have been developed in accordance with the terms of the UPD development agreements. The largest land use in the UPD area, comprising approximately 1,447 acres (59 percent of the total acreage) is open space, a golf course, critical area tracts, and recreation areas. Residential land uses make up the next largest use of land in the area, covering approximately 20 percent of the area. There are 4,442 dwelling units in detached single-family residences, two-unit attached dwellings, and multi-family structures as both apartments and condominiums. The remaining land within the Bear Creek UPD area is used as roadways, stormwater facilities, and utility tracts.

There are three commercial areas. One, referred to as the Village at Redmond Ridge, is located on Novelty Hill Road southwest of the intersection of Trilogy Parkway. It covers approximately 13 acres and contains a grocery store, multiple retail establishments, general and professional services, and a daycare. The second commercial area is known as the Redmond Ridge Marketplace. It is located on NE Marketplace Drive between Cedar Park Crescent and Redmond Ridge Drive and covers approximately six acres. The Marketplace is home to a gas station, a bank, several restaurants and retail establishments, and a several general and personal service businesses. The third commercial area is referred to as the Redmond Ridge Business Park. It is located on Redmond Ridge Drive, just south of Novelty Hill Road. The Business Park covers approximately 110 acres and is developed with professional offices, research and development/manufacturing businesses, warehouses, a sports club, a self-service storage business, a daycare, and a middle school that is planned to be opened in September 2020.

All of the land that was planned for residential development in the three UPD development agreements has been developed within the granted allowances. The commercial areas are largely developed except for one parcel in the Village at Redmond Ridge complex and seven parcels within the Business Park.

#### **V. INFRASTRUCTURE AND SERVICES**

There are multiple public services providers serving to the residents and businesses within the Bear Creek UPD area.

##### Transportation

The public roadways in the Bear Creek UPD, being within unincorporated King County, are served by the King County Road Services Division of the Department of Local Services. There are several public roadways providing access to the Bear Creek UPD. The area is accessed from the east and west by Novelty Hill Road, which is classified as a principal arterial by King County's roadway classification system. From the north, the area is accessed by NE 133<sup>rd</sup> Street and 232<sup>nd</sup> Avenue NE, which both feed into Trilogy Parkway NE, the major north-south roadway within Trilogy. Both NE 133<sup>rd</sup> Street and 232<sup>nd</sup> Avenue NE are classified as minor arterials.

Access from the south is from 238<sup>th</sup> Avenue NE, which is a minor arterial that becomes Redmond Ridge Drive NE, the major north-south roadway within Redmond Ridge.

According to King County's Transportation Concurrency Management System, the area is primarily located within the Woodinville/Duvall travel-shed. The southern end of the UPD area where it connects into and becomes 238<sup>th</sup> Avenue NE, transitions into the Snoqualmie Valley travel-shed. In the most recent update of King County's transportation concurrency, both of these travel-sheds passed concurrency.

The Road Services Division provides maintenance services for the public roadways.

### Stormwater Services

The developments of Trilogy and Redmond Ridge were developed in accordance with the 1993 King County Surface Water Design Manual (KCSWDM) and a Drainage Master Plan. Redmond Ridge East was developed in accordance with the 2003 KCSWDM. The construction of the residential and commercial areas within the developments necessitated the construction of multiple stormwater management facilities. All of the facilities that serve multiple parcels under multiple ownerships were dedicated to the King County Surface Water Management (SWM) Division of the Department of Natural Resources and Parks (DNRP). Several stormwater facilities are located on and are for the sole use of that private property. Those facilities are monitored by SWM under a covenant that is recorded on the property.

### Police

The King County Sheriff's Office provides police services to the unincorporated areas of the Bear Creek UPD and the surrounding rural areas.

### Fire

The majority of the Bear Creek UPD area is located within King County Fire Protection District #34. There is a small area in the northern portion of Trilogy that is in Woodinville Fire and Rescue's service area. King County Fire Protection District #34 contracts with the City of Redmond to provide fire protection to the Bear Creek UPD. There is a six-year agreement between District #34 and the City of Redmond that began in January 2017 and expires in December 2022. The City of Redmond Fire Department owns and operates Redmond Fire Station #18 at 22710 NE Alder Crest Drive (Parcel 720225-0140) in Redmond Ridge.

Woodinville Fire and Rescue owns and operates Fire Station #33 at 19401 NE 133<sup>rd</sup> Street, Woodinville. Station #33 is approximately 3.5 miles west of the area of Trilogy that is within its service area.

Both Redmond and Woodinville Fire are within the NORCOM regional response system, which ensures response is provided by the nearest serving station to the call. The fire protection districts have mutual aid agreements that allow them to respond to service calls across service area boundaries.



### Water

The Bear Creek UPD area is within the City of Redmond's water service planning area.

### Sewer

The Bear Creek UPD area is within the City of Redmond's sewer service planning area.

### Schools

The majority of the Bear Creek UPD is located with the Lake Washington School District. There are two elementary schools located within the UPD. Rosa Parks Elementary School, constructed in 2006, is located at 22845 NE Cedar Park Crescent in Redmond Ridge. Ella Baker Elementary, constructed in 2018, is located at 9595 Eastridge Drive NE in Redmond Ridge East. Both of these schools were constructed on property dedicated by the developer as mitigation for the overall development.

Lake Washington School District is currently constructing a middle school, Timberline Middle School, at 9900 Redmond Ridge Drive NE in Redmond Ridge. The middle school and associated facilities are located on five parcels that were originally included within the boundaries of the Redmond Ridge Business Park.

### Parks & Trails

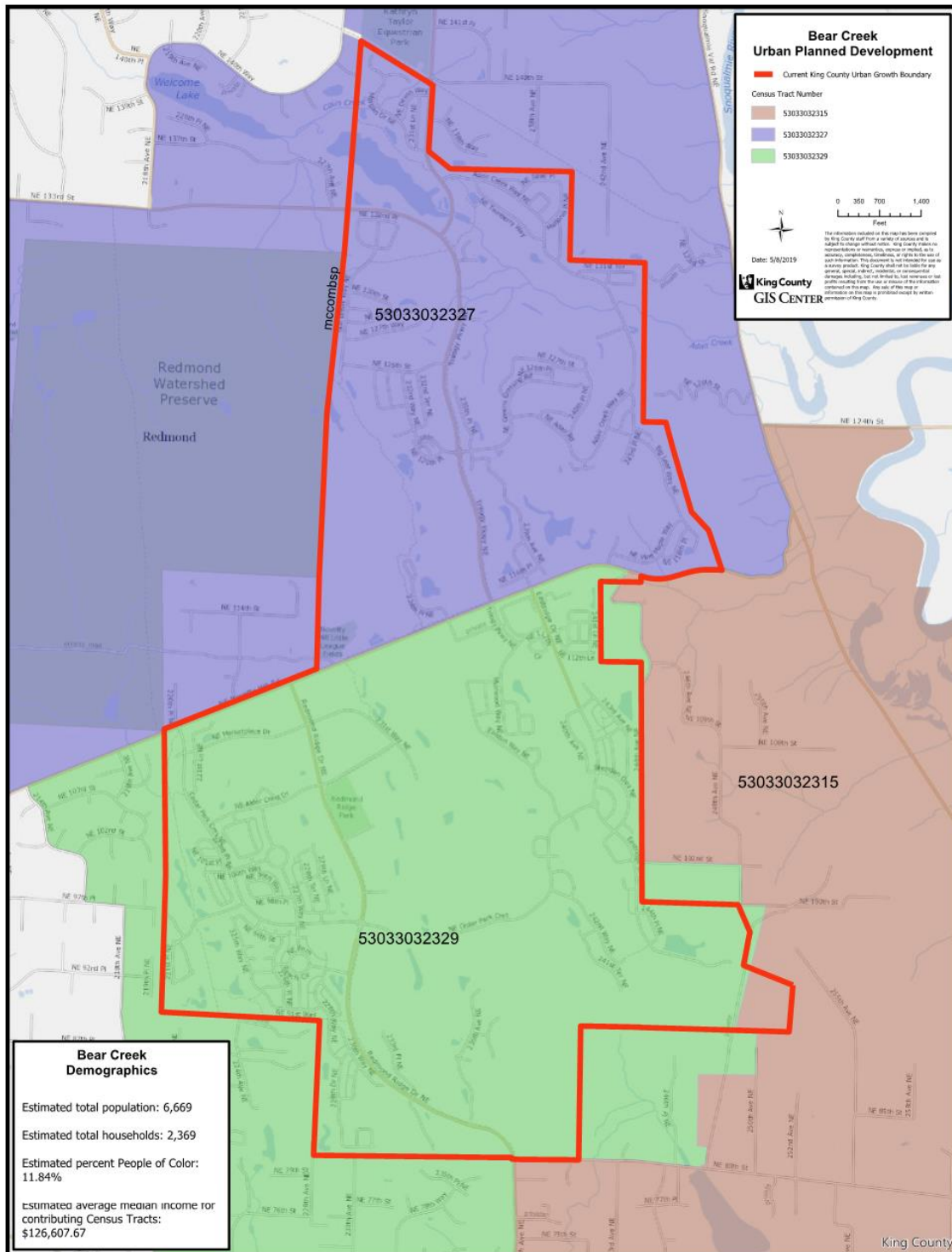
Trilogy, Redmond Ridge, and Redmond Ridge East were each developed with a number of community, neighborhood, and pocket parks included into the overall master plats. The plats also included an extensive network of trails managed and maintained by King County and neighborhood trails managed and maintained by the residential owners associations (ROA) within the respective area the UPD.

## **VI. ENVIRONMENTAL ISSUES**

The Bear Creek UPD contains a number of large, intact wetland systems. The preservation of these wetlands and their ecological functions was a significant feature of the development approvals that were granted. The wetlands and their protective buffers are contained within critical area tracts dedicated to the respective homeowners associated upon recording of the plats.

Directly adjacent and to the east of the Redmond Ridge East area of the UPD is a rural residential subdivision with a community well that draws water fed by an aquifer that extends into the UPD area. In the past, concerns have been raised over potential contamination of this groundwater resource from potential land uses within the UPD area. In particular the development of a gasoline service station in the Village at Redmond Ridge was ultimately disapproved due to the potential contamination concerns.

Figure 7: Bear Creek UPD Census Tract and Demographics



The Bear Creek UPD is located within a portion of three separate census tracts. The demographic data<sup>1</sup> indicates that Bear Creek is an area with a highly educated population with relative affluence, and a greater concentration of immigrants and foreign language speakers than the county as a whole (immigrants and refugees are priority populations in King County):

- The household median income is nearly \$127,000, which is significantly higher than the county median of approximately \$84,000.
- The Bear Creek area is highly educated. Over 76% of the population over 25 has at least a bachelor's degree. Countywide, this number is 50%.
- There is a similar share of people of color in the Bear Creek area as in the county overall: 40% in Bear Creek, 39% countywide.
- Greater share of people born in another country in the Bear Creek area than in the county overall: 32% in Bear Creek, 22% countywide.
- Greater share of people speaking a language other than English at home than in the County overall: 35% in Bear Creek, 27% countywide.
- The share of people with limited English proficiency in Bear Creek is lower than found countywide: 5% vs. 11%.

## VII. POLICY CONTEXT

The Bear Creek UPD area is an urban unincorporated area of King County and is located within the Bear Creek/Sammamish Community Service Area. The policy framework that supported the development and implementation of the urban planned development is contained largely within Chapter 2: Urban Communities and Chapter 11: Community Service Area Subareas Planning of the King County Comprehensive Plan. The following policies from the Comprehensive Plan are applicable in this area.

**U-101** Development within the Urban Growth Area should create and maintain safe, healthy and diverse communities. These communities should contain a range of affordable, healthy housing and employment opportunities, as well as school and recreational facilities, and should be designed to protect the natural environment and significant cultural resources.

The community is almost entirely built-out with a range of housing types. As a condition of approval, each of the three developments was required to provide at least of 30 percent of the dwelling units as “affordable.” These requirements have all been met and the covenants for affordability are now recorded against the individual properties. The covenants expire at different times depending on when the particular dwelling unit was created.

The development includes a range of employment opportunities from professional office and manufacturing jobs to retail and general personal services. There are several commercial parcels

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<sup>1</sup> Source: King County Demographer

remaining in the Redmond Ridge Business Park and one parcel in the Trilogy commercial area. These parcels are to be zoned to allow for development consistent with the development agreements.

There are three public schools within the Bear Creek UPD area. One middle school is expected to open in the fall of 2020 and two elementary schools (one in Redmond Ridge and one in Redmond Ridge East). All three schools are owned and operated by the Lake Washington School District. There are also several private daycare and tutoring businesses in the commercial areas.

The Bear Creek UPD contains several miles of trails and approximately 1,447 acres of public and private parks and open space. The open spaces also contain a number of significant wetland systems and their protective buffers. These features will be maintained into the future.

**U-111** Development standards for urban areas should emphasize ways to allow maximum permitted densities and uses of urban land while not compromising the function of critical environmental areas. Mitigating measures should serve multiple purposes, such as drainage control, groundwater recharge, stream protection, air quality improvement, open space preservation, cultural and historic resource protection and landscaping preservation. When technically feasible, standards should be simple and measurable, so they can be implemented without lengthy review processes.

Development within the UPD area was done in a way that granted urban-type densities and protected large critical area features. With the UPD development largely completed, future development would be consistent with the proposed land use designations and zoning. Any new development would be subject to the updated and revised critical area regulations, stormwater management guidelines, and road standards.

**U-125** King County should support proposed zoning changes to increase density within the unincorporated urban area when consistent with the King County Comprehensive Plan Land Use Map and when the following conditions are present:

- a. The development will be compatible with the character and scale of the surrounding neighborhood;
- b. Urban public facilities and services are adequate, consistent with adopted levels of service and meet Growth Management Act concurrency requirements, including King County transportation concurrency standards;
- c. The proposed density change will not increase unmitigated adverse impacts on environmentally critical areas, either on site or in the vicinity of the proposed development;
- d. The proposed density increase will be consistent with or contribute to achieving the goals and policies of this comprehensive plan, and subarea plan or subarea study, if applicable; or

e. The development is within walking distance of transit corridors or transit activity centers, retail and commercial activities, and is accessible to parks and other recreation opportunities.

The UPD development agreements granted development of the entire area at urban-type densities by clustering the residential and commercial uses in suitable development areas. The expiration of the UPD permits and adoption of new land use designations and implementing zoning, while technically an upzone from the existing UR zoning, is merely capturing and memorializing the now-developed conditions within the UPD area and ensuring consistency moving forward.

**U-148** New commercial and office development shall locate in designated unincorporated activity centers, community and neighborhood business centers, and in areas designated commercial outside of centers.

The commercial areas within the UPD area are almost completely developed. The three commercial areas are developed at different scales and have different potential service areas. The Village at Redmond Ridge is a larger commercial area and serves a wider audience that just the residents and business within the UPD area. The Redmond Ridge Marketplace is a smaller size and contains enterprises that largely serve the daily needs of the residents in the immediate area. The Business Park provides employment, professional services, and recreational opportunities for the region.

**U-172** Within the Urban Growth Area, but outside unincorporated activity centers, properties with existing industrial uses shall be protected. The county may use tools such as special district overlays to identify them for property owners and residents of surrounding neighborhoods.

The Redmond Ridge Business Park contains some uses that are ideally suited to an industrial zone. However, it is a unique area that also provides an ideal setting for professional and technical office spaces. The land use designation and zoning support the future development and redevelopment of this area in a way that is consistent with the concepts approved in the development agreements.

**U-173** Industrial development should have direct access from arterials or freeways. Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.

The Redmond Ridge Business Park is situated so that access is provided via Redmond Ridge Drive and Novelty Hill Road. Access is limited directly to Novelty Hill Road in order to maintain traffic safety and the perimeter buffer that was establish around the UPD area. Access should also be limited to preserve a more rural-character on Novelty Hill Road.

## VIII. PUBLIC OUTREACH AND COMMUNICATION

The outreach associated with this study began in early 2019 with a meeting of the Greater Novelty Hill Community Group. Approximately 50 members of the community were in attendance. A second meeting was held with the Trilogy Residential Community Association, with approximately 60 members of the community in attendance. A number of issues were raised by the community. Several of the issues related to service delivery, such as public safety concerns related to traffic control and Sheriff services, maintenance of the public stormwater facilities, and maintenance of the King County Regional Trails and the privately-maintained neighborhood trail system. These issues are outside of the scope of the study, but have been communicated to the appropriate King County departments for evaluation.

Related to the future land use in the area, the communications with the community highlighted several areas of concern. The first was a concern and opposition to the potential for establishment of marijuana-related businesses, either within the retail areas or the business park commercial area. While the proposed land use and zoning map amendments provide for a potential establishment of this type of use, the practical implication is that no marijuana-related licenses could be issued by the Washington State Liquor and Cannabis Board within the UPD because of the existence of restricted land uses, such as schools, parks, and daycares within 1,000 feet of the properties where the zoning would permit such uses. Placing limitations was not recommended at this time in light of the County's equity and social justice goals and a need to implement land use and zoning regulations fairly in areas of lower equity score when compared to areas with higher equity scores.

The second issue was a concern about additional residential development within the UPD area or a potential expansion of the Urban Growth Area for additional urban development. This study does not propose any expansion or modification of the Urban Growth Area boundary.

The third issue was a concern over the potential for redevelopment of the Trilogy Golf Course with additional residential development. The golf course within the Trilogy area of the Bear Creek UPD was developed as a component piece of the on-site recreational amenity package of the overall urban planned development and fully-contained community. Furthermore, the residential densities that were anticipated within the overall UPD area were met within the residential development areas. The study does not propose land use or zoning map amendments that would allow for increased residential development within the UPD area.

Additional feedback was gathered during the 2020 Comprehensive Plan public review draft public engagement phase. A significant number of comments were received from members of the Trilogy community expressing concern regarding the long-term protection of the golf course tracts and critical area tracts. These areas are proposed to have a land use designation of "op" (other parks and wilderness), which gives them a long-term designation that they are to be reserved for open space purposes. These tracts also will retain their tract labels granted on the plat maps that created them. It was also disclosed by the residential owners association that these tracts are further protected by the neighborhoods covenants and any effort to change the golf



course to anything other than golf course or open space would require a 90% approval by the residential owners association members.

Additional comments were received regarding the land uses that would be allowed within the business park from both the owner of the vacant parcels within the Redmond Ridge Business Park and the Redmond Ridge Residential Owners Association. The comments encouraged the proposal to be revised in order to better reflect the restrictions on the industrial land uses in the business park and recently granted authorization to allow a mixture of retail uses on the business park parcels on the north side of Marketplace Drive. For parcels proposed for industrial zoning, the land use and zoning map amendments were revised to include a development condition that includes the restrictions that were listed in the development agreement. For the parcels in the business park located north of Marketplace Drive, the land use and zoning map amendments were revised to reflect these parcels having an office zoning, and a special district overlay was proposed for the group of four parcels located north of Marketplace Drive and east of Redmond Ridge Drive NE. The special district overlay development condition includes an allowance for a listed set of retail uses that is similar to what was granted in a modification to the development agreement in 2018.

## **IX. CONCLUSION & RECOMMENDATION**

### **A. Conclusion**

The Bear Creek UPDs established a land use pattern that has come to fruition in a manner consistent with the original vision put forth in the mid-1990s. The area is nearly completely developed with homes, businesses, and a complete street network; adequate public facilities (sewer, water, schools, fire and police protection); and ample parks, trails, and open spaces. The recommended land use and zoning map amendments are intended be consistent with the original vision of the three master planned communities, and provide the community with future stability regarding the regulation of land use in the area.

All of the open space, critical areas, and recreation facilities will be preserved. Many of these resources are available to the general public in terms of the public parks, open space trails, and the golf course for paying customers. There are a number of private recreational facilities as well.

The area is developed in accordance with the residential densities and dwelling units that were initially conceived as part of the development agreements. The recommendations do not include provisions to increase densities within the developed areas. There is one undeveloped, residential parcel that would be permitted to develop with approximately 24 dwelling units. This number of dwelling units would be still consistent with the original development concept.

The commercial areas have some capacity for future development, specifically within the business park of Redmond Ridge and one parcel within the Village at Redmond Ridge within the Trilogy development area. The recommended land use and zoning for this area seeks to adopt

regulations that are consistent with the developed conditions, however some nonconforming uses will be created upon adoption. The zoning and allowed uses will be consistent with other urban unincorporated areas of a similar scale.

## **B. Recommendations**

The following are the recommended amendments to the land use designations and implementing zoning for the Bear Creek UPD areas. For the sake of organization, the land use amendments are categorized by the specific UPD area that they are in. The following is a summary of the recommended land use and zoning changes.

### **1. Trilogy Land Use Map Amendments**

#### **a. Trilogy Other Parks and Wilderness Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “op” (Other Parks and Wilderness) on all of the recreation tracts, perimeter buffers, golf course, and critical areas tracts.

#### **b. Village at Redmond Ridge Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “cb” (Community Business Center) on the commercial parcels located on Novelty Hill Road.

#### **c. Village at Redmond Ridge Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to CB-P (Community Business, with a P-suffix condition) on the commercial parcels within the Trilogy development area.
- The P-suffix conditions prohibit Gasoline Service Stations within the Village at Redmond Ridge and limit the use of the existing self-service storage facility in the Trilogy community to that use.

#### **d. Trilogy South of Novelty Hill Road Urban High Density Residential Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “uh” (Urban Residential, High) on the parcels developed as high density residential.

#### **e. Trilogy South of Novelty Hill Road High Density Residential Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-24 (Residential, 24 dwelling units per acre) on the multi-family parcels within Trilogy.

#### **f. Trilogy North of Novelty Hill Road Urban Medium Density Residential Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “um” (Urban Residential, Medium) on parcels 8093300000 and 1433850000 and all of the residential parcels north of Novelty Hill Road.

#### **g. Trilogy North of Novelty Hill Road Medium Density Residential Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-12 (Residential, 12 dwelling units per acre) on parcels 809330-0000 and 1433850000; and from “UR-P-SO” (Urban Reserve, with a P-suffix

condition and a Special District Overlay) to R-6 (Residential, six dwelling units per acre) on all the parcels north of the power lines within the Trilogy development areas.

## 2. Redmond Ridge Land Use Map Amendments

### **a. Redmond Ridge Other Parks and Wilderness Land Use**

- Change the land use designation on all of the parks, perimeter buffers, and critical areas tracts from “upd” (Urban Planned Development) to “op” (Other Parks and Wilderness).

### **b. Redmond Ridge Business Park Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “cb” (Community Business Center) and “I” (Industrial) on selected parcels within the Redmond Ridge Business Park.

### **c. Redmond Ridge Business Park Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to both O (Office) and I (Industrial) on selected parcels within the Redmond Ridge Business Park. This amendment also proposed two separate development conditions that would limit the uses on the Industrial-zoned parcels and permit additional retail uses on seven of the parcels proposed to be zoned Office.

### **d. Redmond Ridge Marketplace Land Use**

- Change the land use designation from “upd” (Urban Planned Development) to “nb” (Neighborhood Business Center) on parcels in the existing Redmond Ridge Marketplace.

### **e. Redmond Ridge Marketplace Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to NB (Neighborhood Business) on parcels in the existing Redmond Ridge Marketplace.

### **f. Redmond Ridge Urban High Density Residential Land Use**

- Change the land use from “upd” (Urban Planned Development) to “uh” (Urban Residential, High) on parcels all the residential parcels between Marketplace and Alder Crest that are not other parks/wilderness.

### **g. Redmond Ridge High Density Residential Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-24 (Residential, 24 dwelling units per acre) on parcels all the parcels between Marketplace and Alder Crest.

### **h. Redmond Ridge Urban Medium Density Residential Land Use**

- Change the zoning from “upd” (Urban Planned Development) to “um” (Urban Residential, Medium) on all the residential parcels in the Redmond Ridge development and the school parcels of Rosa Parks Elementary and Timberline Middle School.

### **i. Redmond Ridge Medium Density Residential Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-6 (Residential, six dwelling units per acre) on all the residential parcels critical area tracts, parks, perimeter buffers, and schools.

### 3. Redmond Ridge East Land Use Map Amendments

#### **a. Redmond Ridge East Other Parks and Wilderness Land Use**

- Change the land use designation on all of the parks, perimeter buffers, and critical areas tracts from “upd” (Urban Planned Development) to “op” (Other Parks and Wilderness).

#### **b. Redmond Ridge East Urban High Density Residential Land Use**

- Change the zoning from “upd” (Urban Planned Development) to “uh” (Urban Residential, High) on parcel 7203102290.

#### **c. Redmond Ridge East High Density Residential Zoning**

- Zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-24 (Residential, 24 dwelling units per acre) on parcel 7203102290.

#### **d. Redmond Ridge East Urban Medium Density Residential Land Use**

- Change the zoning from “upd” (Urban Planned Development) to “um” (Urban Residential, Medium) on all of the parcels within Redmond Ridge East, except for the one parcel developed with multifamily residential apartments.

#### **e. Redmond Ridge East Medium Density Residential Zoning**

- Change the zoning from “UR-P-SO” (Urban Reserve, with a P-suffix condition and a Special District Overlay) to R-6 (Residential, six dwelling units per acre) on all of the residentially developed parcels in Redmond Ridge East, except for the apartment complex on Eastridge Drive.

### 4. Repeal of Development Conditions Related to the Transportation Network and the Urban Planned Development

#### **a. Repeal P-suffix Development Condition BC-P04**

- Removes a development condition related to the development of Novelty Hill Road as a minor arterial and dedication of sufficient rights-of-way.

#### **b. Repeal P-suffix Development Condition BC-P05**

- Removes a development condition related to the development of Redmond Ridge Drive and Trilogy Parkway as a minor arterials and dedication of sufficient rights-of-way.

#### **c. Repeal P-suffix Development Condition BC-P17**

- Removes a development condition related to the establishment of review procedures for the urban planned development agreement within Trilogy.

#### **d. Repeal P-suffix Development Condition BC-P21**

- Removes a development condition related to the establishment of review procedures for the urban planned development agreement of Redmond Ridge and Redmond Ridge East.

#### **e. Remove application of Urban Planned Development Special District Overlay Development Condition SO-070**

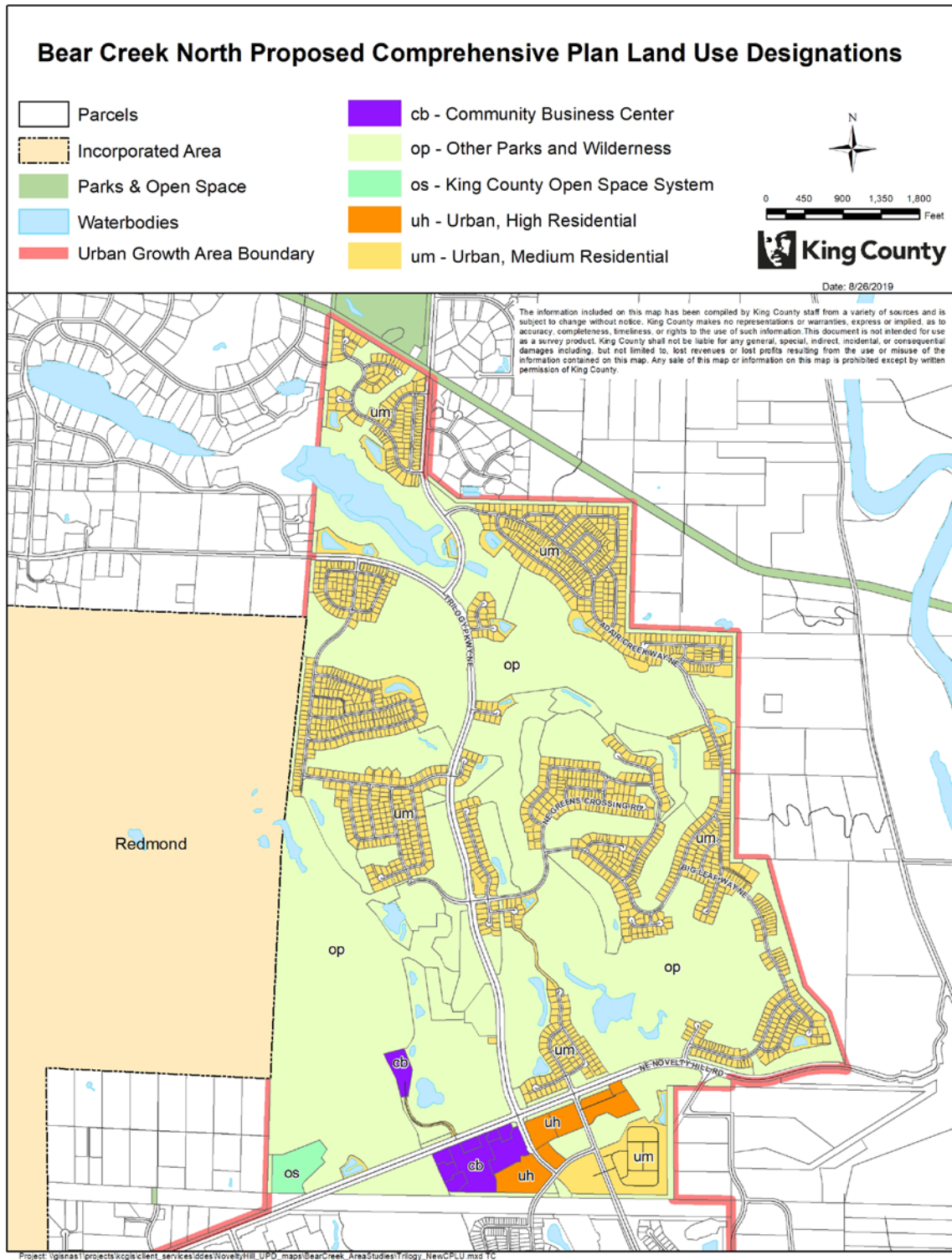
- Amends the zoning map by removing the application of a special district overlay development condition related to the purpose and application of the urban planned development designation on the Bear Creek UPD area.

**f. Remove application of Fully-Contained Community Special District Overlay Development Condition SO-110**

- Amends the zoning map by removing the application of a special district overlay development condition related to the purpose and application of the fully-contained community designation on the Bear Creek UPD area.

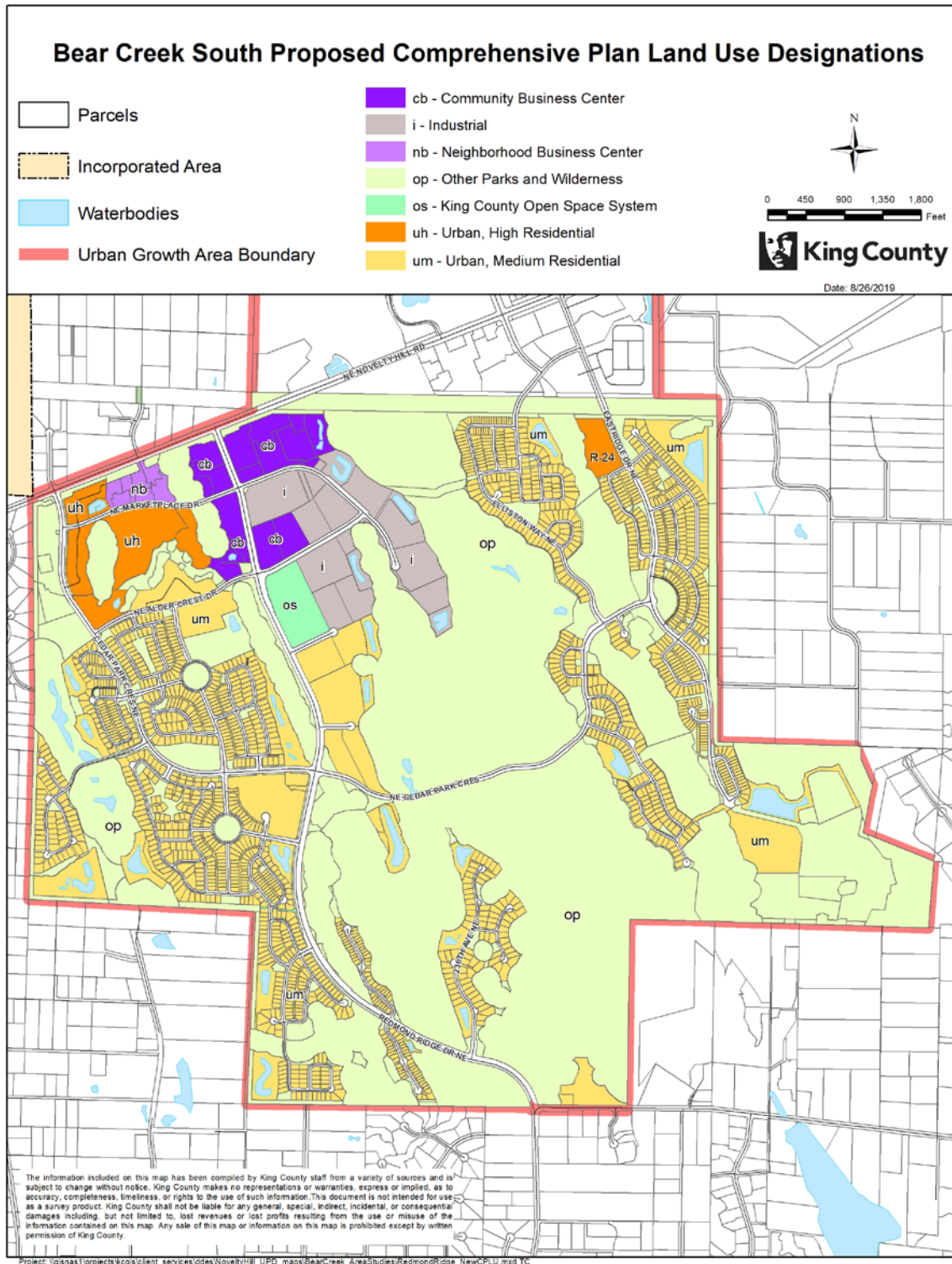
The following figures illustrate the final condition of the map changes for land use and zoning. Given the geographic size of the area, a "north" and a "south" map is shown for both land use and zoning.

**Figure 8: Proposed Comprehensive Plan Land Use Designation – North Section**

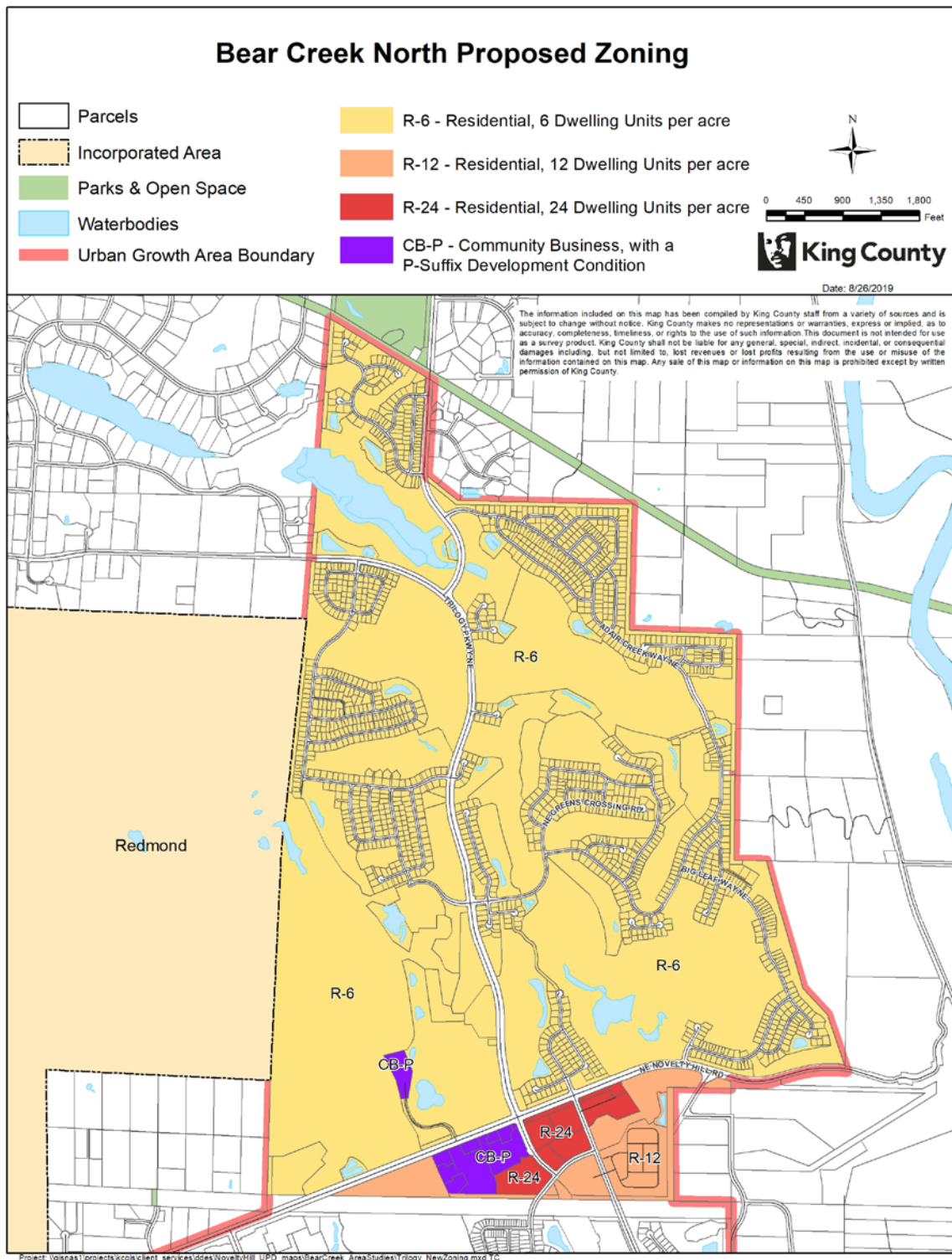




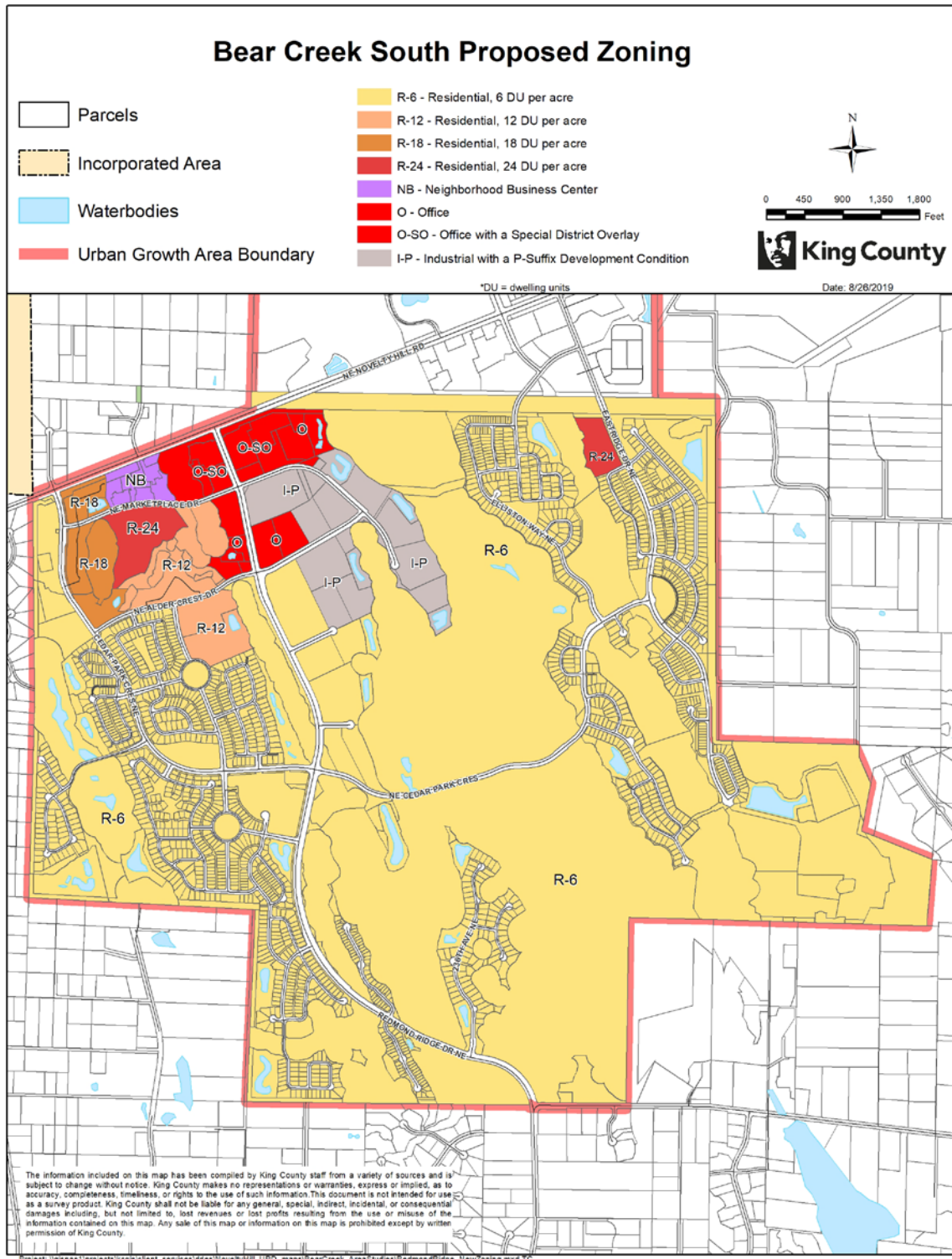
**Figure 9: Proposed Comprehensive Plan Land Use Designation – South Section**



**Figure 10: Proposed Zoning Classification – North Section**



**Figure 11: Proposed Zoning Classification – South Section**





## EXECUTIVE RECOMMENDED PLAN

### **Carnation Potential Annexation Area Area Zoning and Land Use Study**

#### **I. OVERVIEW**

On February 27, 2019, the King County Council adopted Motion 15329 directing the Executive to:

Work with the City of Carnation to identify options, processes and timelines for potential land use changes to facilitate annexation.

#### **II. BACKGROUND**

The City of Carnation is located northeast of the confluence of the Snoqualmie and Tolt Rivers. The incorporated area includes approximately 1.1 square miles, or 730 acres of land. The City is responsible for all municipal services within city limits, and either provides the services directly, or through agreements with other public agencies or private parties. Other agencies with limited jurisdiction in Carnation include: the Riverview School District #407, Eastside Fire & Rescue, King County Sheriff, the Seattle and King County Public Health Department, the King County Library System and all state and federal agencies.

The City has accomplished important milestones in creating a thoughtful Comprehensive Plan and accompanying zoning. The City's vision is a vibrant, active downtown with a central gathering are, thriving businesses, outdoor recreation and sustainable, attractive development. The City has been working to create the infrastructure, community amenities and services appropriate to serve the needs of residents and businesses while planning for future growth. The City's 2015 Comprehensive Plan states that it is expected that within the 20-year timeframe of the City's Comprehensive Plan that the City may annex portions of the City's PAA's, and provide municipal urban services to those areas including utilities, streets and other infrastructure.

Carnations Potential Annexation Areas (PAA) constitute the City's future growth area, and includes the lands to which Carnation may feasibly provide urban services and those surrounding areas which directly impact conditions within the City limits. The City's PAA's consist of

approximately 178 acres, or 0.31 square miles. The City's Comprehensive Plan states the City's PAA boundaries are based on 20 year population forecasts, environmental constraints, concentrations of existing development, locations of existing infrastructure and services, the location of existing and/or planned transportation corridors and where the City could logically and economically provide urban services.

The City of Carnation has four Potential Annexation Areas (PAA's):

- **Southwest at NR 40<sup>th</sup> PAA** – 25 acre area located on the southwestern edge of Carnation adjacent to Tolt River John McDonald Park and near the confluence of the Tolt and Snoqualmie Rivers.
- **331st Ave PAA** – 1 acre area located on the southeastern edge of Carnation, adjacent to the Tolt River.
- **East Carnation PAA** – 21 acre area located on the eastern edge of Carnation between the Tolt River and Tolt River Road NE.
- **Tolt Home Tracts (Garden Tracts) PAA** – 123 acre area located on the northern edge of Carnation near the Snoqualmie River and adjacent to agriculture lands between the Tolt River and Tolt River Road NE.

### III. POLICY CONTEXT

The following policies inform analysis of this area study:

**U-201** In order to meet the Growth Management Act and the regionally adopted Countywide Planning Policies goal of becoming a regional service provider for all county residents and a local service provider in the Rural Area and Natural Resource Lands, King County shall encourage annexation of the remaining urban unincorporated area. The county may also act as a contract service provider where mutually beneficial.

**U-203** The Potential Annexation Areas Map adopted by the Growth Management Planning Council illustrates city-designated potential annexation areas (PAAs), contested areas (where more than one city claims a PAA), and those few areas that are unclaimed by any city. For contested areas, the county should attempt to help resolve the matter, or to enter into an interlocal agreement with each city for the purpose of bringing the question of annexation before voters. For unclaimed areas, King County should work with adjacent cities and service providers to develop a mutually agreeable strategy and time frame for annexation. For areas affiliated with a city for annexation, King County should proactively support annexations.

**U-204** King County shall support annexation proposals that are consistent with the Countywide Planning Policies and the Washington State Growth Management Act, when the area proposed for annexation is wholly within the



annexing city's officially adopted PAA, and when the area is not part of a contested area.

**U-207** King County shall work with cities to develop pre-annexation or annexation interlocal agreements to address the transition of services from the county to the annexing cities. The development of such agreements should include a public outreach process to include but not be limited to residents and property owners in the Potential Annexation Areas, as well as residents and property owners in the surrounding areas. Such agreements may address a range of considerations, including but not limited to:

- a. Establishing a financing partnership between the county, city and other service providers to address needed infrastructure;
- b. Providing reciprocal notification of development proposals in Potential Annexation Areas, and opportunities to identify and/or provide mitigation associated with such development;
- c. Supporting the city's desire, to the extent possible, to be the designated sewer or water service provider within the Potential Annexation Area, where this can be done without harm to the integrity of existing systems and without significantly increasing rates;
- d. Assessing the feasibility and/or desirability of reverse contracting in order for the city to provide local services on the county's behalf prior to annexation, as well as the feasibility and/or desirability of the county continuing to provide some local services on a contract basis after annexation;
- e. Exploring the feasibility of modifying development, concurrency and infrastructure design standards prior to annexation, when a specific and aggressive annexation timeline is being pursued;
- f. Assessing which county-owned properties and facilities should be transferred to city control, and the conditions under which such transfers should take place;
- g. Transitioning county employees to city employment where appropriate;
- h. Ensuring that land use plans for the annexation area are consistent with the Countywide Planning Policies with respect to planning for urban densities and efficient land use patterns; provision of urban services, affordable housing, and transportation; the protection of critical areas; and the long-term protection of urban separators;
- i. Continuing equivalent protection of cultural resources, and county landmarks and historic resources listed on the King County Historic Resource Inventory;
- j. Maintaining existing equestrian facilities and establishing equestrian linkages; and
- k. Establishing a timeline for service transitions and for the annexation.

**U-208** King County should engage in joint planning processes for the urban unincorporated areas with the area's designated annexation city. Alternatively, upon a commitment from the city to annex through an interlocal agreement, King County will engage in joint planning processes for the urban unincorporated areas in tandem with the annexing city. Such planning may consider land use tools such as: a. traditional subarea plans, subarea studies or

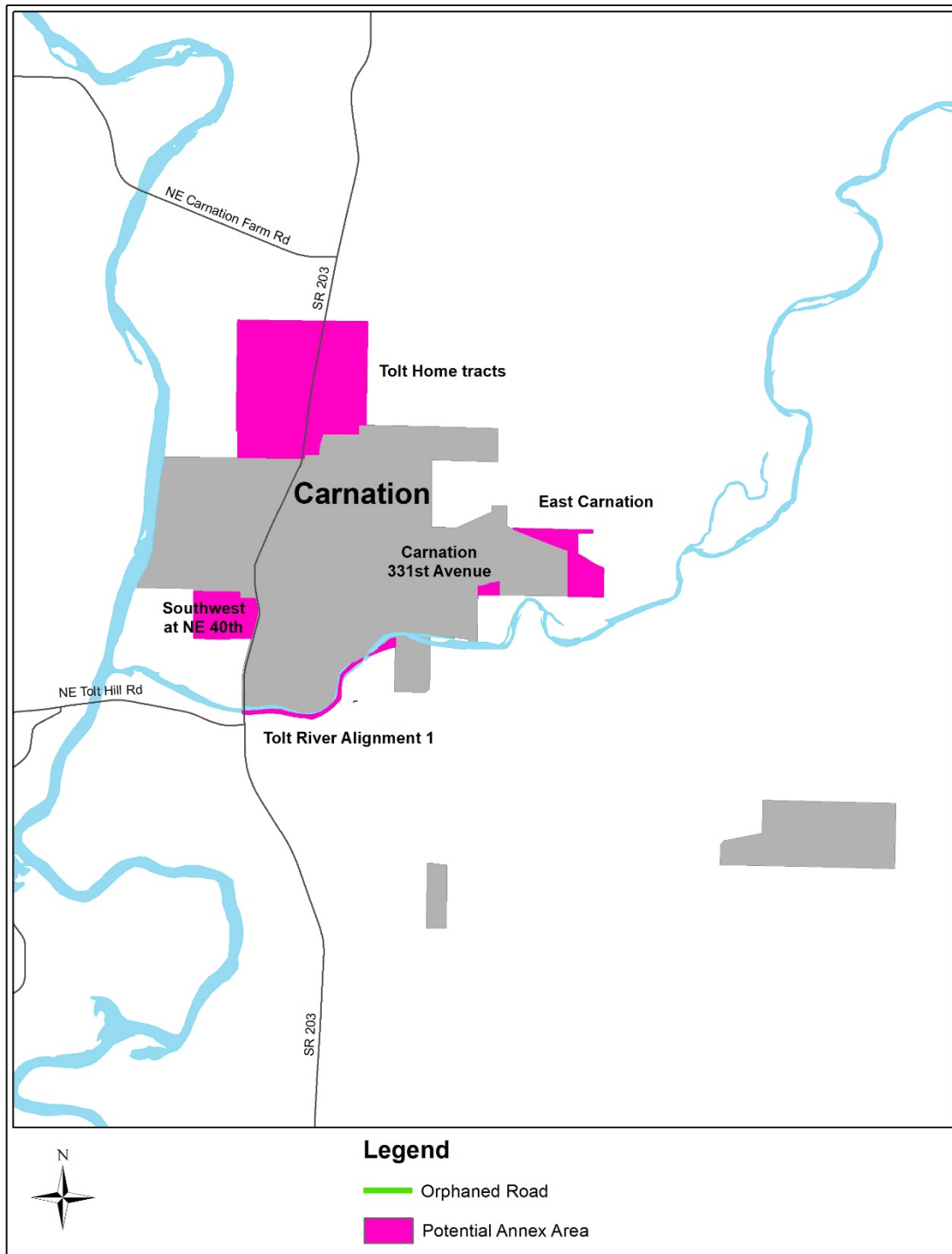
area rezoning; b. allowing additional commercial and high-density residential development through the application of new zoning; c. Transfers of Development Rights that add units to new development projects; and d. application of collaborative and innovative development approaches, such as design standards. King County will work through the Growth Management Planning Council to develop a plan to move the remaining unincorporated urban Potential Annexation Areas towards annexation.

**DP-24** Allow cities to annex territory only within their designated Potential Annexation Area as shown in the Potential Annexation Areas Map in Appendix 2. Phase annexations to coincide with the ability of cities to coordinate the provision of a full range of urban services to areas to be annexed.

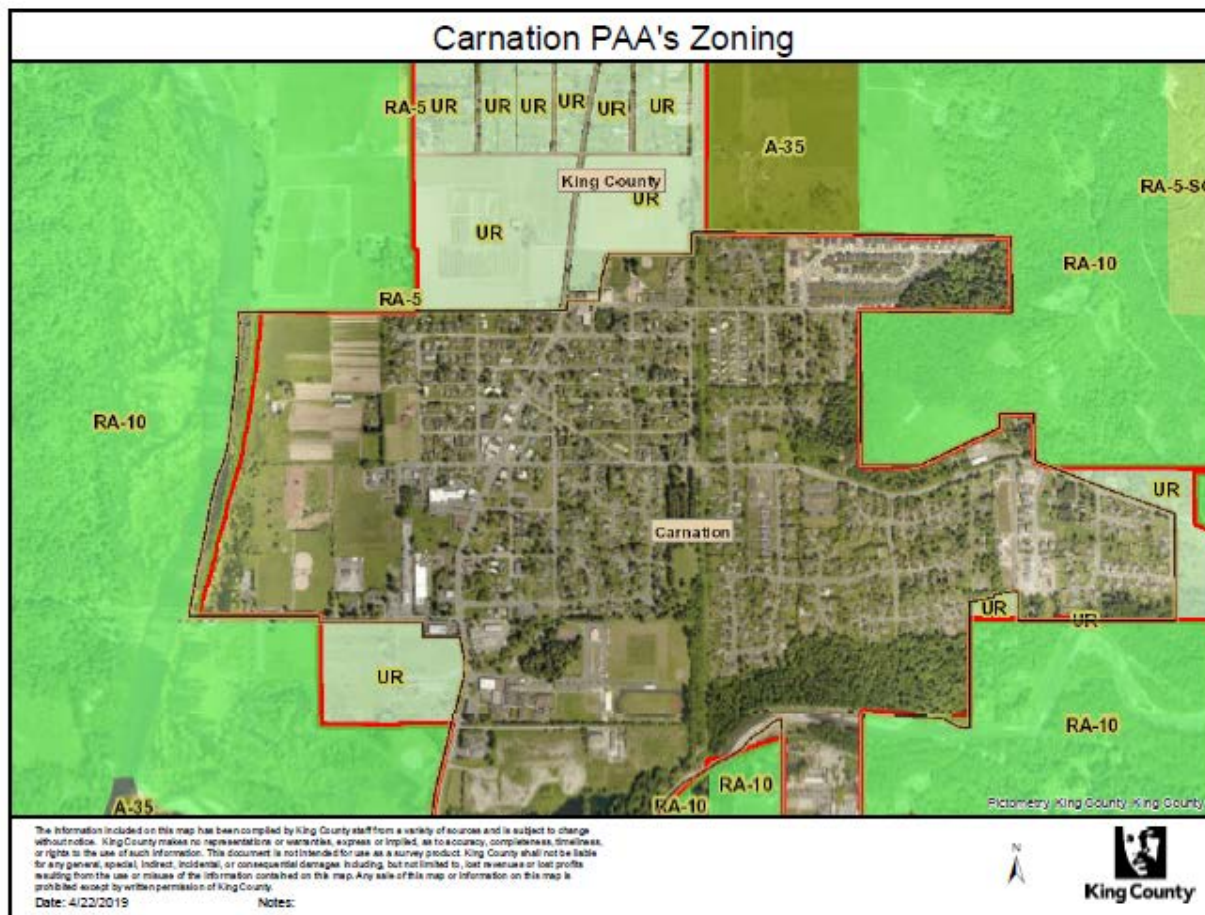
## IV. BACKGROUND INFORMATION

### A. Maps

#### Vicinity



## Zoning



### B. Parcel Information / Land Use Information

There are approximately 108 parcels in Carnations PAA's. All of the parcels are zoned RA-5, rural area, one unit per 5 acres, or Urban Reserve (UR) one unit per 5 acres.

The purpose of the rural zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural or forest production districts or mineral extraction sites. These purposes are accomplished by:

1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites and are able to be adequately supported by rural service levels;
2. Allowing small scale farming and forestry activities and tourism and recreation uses that can be supported by rural service levels and that are compatible with rural character;
3. Increasing required setbacks to minimize conflicts with adjacent agriculture, forest or mineral zones; and
4. Requiring tracts created through cluster development to be designated as permanent open space or as permanent resource use.

Use of the RA-5 zone is appropriate in rural areas designated by the Comprehensive Plan as follows: rural areas where the predominant lot pattern is five acres or greater but less than ten acres in size and the area is generally environmentally unconstrained.

The purpose of the urban reserve zone (UR) is to phase growth and demand for urban services, and to reserve large tracts of land for possible future urban growth and development when a city is ready, while allowing reasonable interim uses of property.

These purposes are accomplished by:

1. Allowing for rural, agricultural and other low-density uses;
2. Allowing for limited residential growth, either contiguous to existing urban public facilities, or at a density supportable by existing rural public service levels; and
3. Requiring clustered residential developments where feasible, to prevent establishment of uses and lot patterns which may foreclose future alternatives and impede efficient later development at urban densities.

Use of this zone is appropriate in urban areas, rural towns or in rural city expansion areas designated by the Comprehensive Plan, when such areas do not have adequate public facilities and services or are not yet needed to accommodate planned growth, do not yet have detailed land use plans for urban uses and densities, or are designated as sites for a potential urban planned development or new fully contained communities.

### **C. Environmental**

About 6 parcels located in the Tolt Home (Garden Tracts) PAA are designated as environmentally sensitive areas. The Southwest at NE 40<sup>th</sup> PAA and the Tolt Home PAA are impacted by flood water issues.

## **V. CONCLUSION & RECOMMENDATION**

County staff met with City of Carnation staff multiple times over the spring of 2019 and discussed the city's growth and development plans, as well as the goals for their Potential Annexation Areas and the timing of future annexations. The City has no current plans to annex their PAAs and did not request any changes to the development regulations, land use or zoning within those areas. Therefore, no changes are proposed in this Comprehensive Plan Update.

The City's immediate concerns relate to the siting of new development and redevelopment within the Tolt Home (Garden Tracts) PAA, for which the City has requested notification from the County. The Permitting Division of the Department of Local Services has agreed to send

monthly reports to the City informing them of all permit applications within this PAA. This will enable the City to better coordinate current and future planned infrastructure projects in the area.

Executive staff will continue discussions with Carnation and with all cities affiliated with annexation areas as work on the Annexation Plan continues.