



EXECUTIVE RECOMMENDED PLAN

Code Studies and Reports

King County Comprehensive Plan

September 2019

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EXECUTIVE RECOMMENDED PLAN

Residential Density Incentive Program Code Study

I. OVERVIEW

A. Introduction and Summary of Findings

The King County Comprehensive Plan 2020 Midpoint Update Scope of Work, adopted by King County on February 26, 2019, directed a code study on the County's Residential Density Incentive Program.

Review the County's Residential Density Incentive Program at King County Code 21A.34 to determine if any changes are needed to increase its use and improve its effectiveness.

Staff from the Department of Community and Human Services led this effort, with support and input from the Permitting Division of Department of Local Services, the Department of Natural Resources and Parks, and the Office of Performance, Strategy and Budget.

As described below, this study finds that changes to the Residential Density Incentive Program are necessary to improve its use and effectiveness. Due to insufficiently aligned incentives in the program and predominately low-density development patterns in urban unincorporated King County, the Residential Density Incentive Program is significantly underutilized. This study recommends recalibrating the incentive and income limits for affordable rental housing, refocusing the incentive on affordable housing production, and exploring new tools and models to achieve the goals of the Residential Density Incentive Program.

B. Study Overview and Context

This study includes the following sections.

- Overview of the current Residential Density Incentive Program.
- Literature and best practices review of density incentives and inclusionary housing policies.

- Analysis of the eligible parcels and the program's potential benefit.
- Recent large-scale housing developments in unincorporated King County.
- Input from interviews with housing developers.
- Recommended changes to the Residential Density Incentive Program.
- Conclusion and recommended next steps.

As this report was written, coordination was done with a number of King County efforts as outlined below.

Transfer of Development Rights (TDR) Program

The first is a program review of the Transfer of Development Rights (TDR) Program, performed under Workplan Action Item #4 of the 2016 King County Comprehensive Plan by staff from Department of Natural Resources and Parks. The two efforts are linked because the current Transfer of Development Rights and Residential Density Incentive programs both seek to preserve open space in King County, and the Transfer of Development Rights program review analyzes the potential of using the program to promote housing affordability, among other updates. Staff from the Department of Community and Human Services and the Department of Natural Resources and Parks met to consider the ways the two programs complement, duplicate, and/or compete with each other, and to develop recommendations to address the issues identified.

Regional Affordable Housing Task Force

This study is also written in the context of the Regional Affordable Housing Task Force's Five-Year Action Plan and Final Report and the Affordable Housing Committee of the Growth Management Planning Council. This study may inform efforts King County and the Affordable Housing Committee will take to develop model ordinances or provide technical assistance to partner jurisdictions.

The Regional Affordable Housing Task Force's overarching goal is to strive to ensure no households earning less than 80% of area median income (AMI) are housing cost burdened, with a priority for serving the needs of households earning less than 50% of AMI. The Five-Year Action Plan includes strategies that this study partially addresses:

- Goal 3, Strategy A: Implement comprehensive inclusionary/incentive housing policies in all existing and planned frequent transit service to achieve the deepest affordability possible through land use incentives to be identified by local jurisdictions, and
- Goal 6, Strategy A: Update zoning and land use regulations (including in single-family low-rise zones) to increase and diversify housing choices.

Land use policies such as the Residential Density Incentive Program are a tool best suited to serving the housing needs of households earning between 50% and 80% AMI, which is at the higher range of the focus of the Task Force’s recommendations.

Subarea Planning in Community Service Areas

The Department of Local Services is in the process of finalizing a Subarea Plan for Skyway-West Hill, and are next scheduled to develop a Subarea Plan for the North Highline Unincorporated Area next, with a scheduled for completing subarea plans for all Potential Annexation Areas and Community Service Areas by 2029. One of the major themes of the community input from Skyway residents was concerns regarding gentrification and displacement. The Residential Density Incentive Program, or an improved version of it, could be a critical component of an anti-displacement strategy for this and other communities in unincorporated King County. This study and future efforts to improve the Residential Density Incentive Program will incorporate the community input from the subarea planning processes.

Finally, this study’s recommendations have important implications for any zoning changes in urban unincorporated King County. Such changes may affect the assumptions made in this study about the current market for multifamily housing development. As these parallel efforts move forward, the teams developing and refining this study and the relevant subarea plans will coordinate to ensure that these impacts are considered in both documents.

C. Overview of the King County Residential Density Incentive Program

King County’s Residential Density Incentive Program was first written into law in 1993 and seeks to allow for greater residential density in the urban areas and rural towns in unincorporated King County in exchange for certain public benefits.

Parcels eligible for the Residential Density Incentive Program are residential lands in urban areas and rural towns (Snoqualmie Pass, Town of Vashon, and Fall City) served by public sewers in zones R-4 through R-48, Neighborhood Business (NB), Community Business (CB), Regional Business (RB) and Office (O) zones. The Residential Density Incentive Program offers increases above the base density in return for the provision of public benefits in one or more of the following categories:

- Affordable housing,
- Open space protection,
- Historic preservation,
- Energy conservation,
- Public art,
- Cottage housing,
- Compact housing, and

- Walkable communities.

Within these categories, a housing developer may choose to provide one or more of 22 public benefits in order to earn an increased allowable density for their development (i.e. density bonus or density incentive). Most density incentives are awarded in the form of bonus dwelling units above the base density for each benefit provided, while some are awarded as a percentage increase above the base density of the zone. The density bonus ranges from 0.5 to 2.5 bonus units per public benefit or an increase of 5% to 200% of the base density. While multiple public benefits may be combined to increase the allowable density, the maximum cumulative density allowed is 200% of the base density. A full list of public benefits and associated density bonuses is available King County Code 21A.34.040.

King County does not have a formal policy or procedure to track the utilization of the Residential Density Incentive Program. However, the Permitting Division has reported that the Residential Density Incentive Program has not been utilized more than a few times over the previous 25 years. The King County Parks Division, Historic Preservation Program, and 4Culture were all unaware of utilization of the public benefits relevant to their work.

II. ANALYSIS

A. Literature and Best Practices Review of Density Incentives and Inclusionary Housing Programs

Density incentives are one tool among a broader set of programs known as inclusionary zoning or inclusionary housing programs. Inclusionary housing programs may be used to further a number of policy goals, but are most frequently used by jurisdictions to increase the production and supply of affordable housing. As of 2016, inclusionary housing programs have been adopted in nearly 900 jurisdictions in 25 states.¹ In King County, the cities of Bellevue, Federal Way, Issaquah, Kenmore, Kirkland, Redmond, Renton, Seattle, and Shoreline are among those that have implemented inclusionary housing programs.²

Nationally, most jurisdictions' policies are mandatory, requiring new developments to either build income-restricted affordable units on-site or pay an in-lieu fee into a fund that constructs affordable housing.³ Most programs require between 10-30% of additional units to be affordable for households with incomes between 51-80% AMI.

¹ <http://inclusionaryhousing.org/inclusionary-housing-explained/what-is-inclusionary-housing/where-does-it-work-3/>

² <http://mrsc.org/Home/Explore-Topics/Planning/Specific-Planning-Subjects-Plan-Elements/Affordable-Housing-Ordinances-Flexible-Provisions.aspx>

³ <https://www.nhc.org/wp-content/uploads/2017/10/What-makes-inclusionary-zoning-happen.pdf>

National public policy research organizations are in consensus that inclusionary housing programs, particularly voluntary ones, are most effective in robust housing markets.⁴⁵ Developers must have an appetite to build beyond the base density zoning allowed before any public benefit from a voluntary program can be realized. In addition, there is some risk that a development project may not move forward due to the costs or burden of a mandatory program.

Inclusionary housing policies improve housing affordability in multiple respects. Allowing for a greater variety of housing types or increased density increases the overall supply of housing, which can reduce the cost of market-rate housing. Creating units that are income-restricted to households earning below a given income level ensures that households most at risk of becoming cost-burdened are matched with housing they can afford.

Inclusionary housing programs are a particularly critical tool to implement in conjunction with transit-oriented development and other frequent transit service planning and in mitigating displacement in the historically lower-income and more diverse unincorporated areas. Inclusionary housing policies should also be implemented before a housing market experiences robust growth to ensure that when growth does take place, it does so equitably. The critical component in designing an inclusionary housing program is striking a balance of public and private benefit to maximize the public benefit while creating an equally or more profitable project for developers.⁶

B. Analysis of Eligible Parcels and Potential Benefit

Staff conducted an analysis of the eligible parcels in unincorporated King County to provide an estimate of how many parcels could take advantage of the Residential Density Incentive Program and how many additional housing units could be constructed. The purpose of this analysis was to assess the capacity of the program to contribute to growth in unincorporated areas, not to assess the capacity for affordable housing development. The analysis assumed that all redeveloped parcels utilized the maximum density bonus of 200% base density, with varying rates of redevelopment among eligible parcels. Using these assumptions, the potential capacity of the Residential Density Incentive program ranges from a more conservative estimate of about 10,000 additional units to a theoretical capacity of 44,000 additional units. See Appendix A for a map of the eligible parcels and the methodology for the analysis of the potential benefit of the Residential Density Incentive program.

A number of trends in King County limit the scope and benefit of the Residential Density Incentive Program long term. A major component of the Washington State Growth Management Act is for all urban areas to eventually be served by a city government. Since the passage of the Growth Management Act in 1990, more than 60% of the urban unincorporated areas of King County have been annexed or incorporated. King County continues to facilitate annexations in

⁴ <https://uli.org/wp-content/uploads/ULI-Documents/Economics-of-Inclusionary-Zoning.pdf>

⁵ <https://www.nhc.org/policy-guide/zoning-and-affordable-housing/>

⁶ <https://www.sightline.org/2016/11/29/inclusionary-zoning-the-most-promising-or-counter-productive-of-all-housing-policies/>

unincorporated areas, further shrinking the area covered by the Residential Density Incentive program. In addition, 95% of the Residential Density Incentive Program-eligible acres are zoned at or below eight dwelling units per acre, offering fewer opportunities for housing production, particularly for large multifamily developments.

C. Recent Large-scale Housing Developments in Unincorporated King County

Four large multifamily developments have been permitted in urban unincorporated King County in recent years. Two projects did not maximize the unit count allowed by zoning. Both of these projects created affordable housing units using 4% Low-Income Housing Tax Credits, providing a total of 519 units affordable to households earning at or below 60% AMI.

Two projects did meet or exceed the base density limit, but not through the Residential Density Incentive Program. Redmond Ridge East was constructed under the Urban Planned Development designation, which has an affordability requirement, creating 108 units of housing affordable to households earning at or below 60% AMI. The developer would not have been able to move forward with the project if they had been required to provide affordability below the 60% threshold. Redmond Ridge East did not build above the base density. Wayne's Place in Fairwood received an increase in density as part of the 2016 Comprehensive Plan. The rezone included a requirement that 20% of the rental units be affordable to households earning between 50 and 80% AMI, creating 16 affordable units. Wayne's Place used the Transfer of Development Rights program to build above the base density.

D. Input from Housing Developer Interviews

Staff reached out to a number of housing development professionals to learn about their experience using incentive zoning programs, if they were aware of the Residential Density Incentive Program, and their perspective on why the Residential Density Incentive Program has not been utilized. See Appendix B for the list of interview subjects and the interviewee document.

Overarching themes shared by the interview subjects include:

Incentives are only desirable if the resulting project is more profitable

This was the most common comment and was identified as the most likely reason the Residential Density Incentive Program has not been utilized. Even if the cost of fulfilling the public benefit in exchange for more density is revenue neutral, developers stated they are unlikely to use a voluntary incentive zoning program. This is due to the increased cost and time to navigate the program and ongoing reporting requirements.

Interview subjects reiterated the finding that incentive zoning programs are most successful in growing, high demand markets. They also shared their impression that, in general, the urban unincorporated areas of King County have experienced less production of market-rate housing than other areas in the county.

Interviewees also saw the requirement for rental housing to be affordable to households earning at or below 50% AMI as too costly to be made up for by the revenue provided by the bonus units.

Existing base zoning is sufficient for large multifamily projects

None of the four interview subjects were aware of a large multifamily project in unincorporated King County that built to the base density limit in recent years. They noted that with a few exceptions, affordable multifamily construction is stick-built. Increasing the height of a building, typically beyond five or six stories, requires a poured-concrete and steel foundation, which increases the cost of construction substantially and limits the appetite for taller buildings in high density zones. Given the current demand for housing in these areas, developers stated that they cannot justify this construction type in the multifamily zones in unincorporated King County.

There is private market demand for increased density in lower density zones

New townhome construction has been a frequent building type in the private housing market in the urban unincorporated areas in recent years. An increased density bonus in lower density zones, such as from R-4 to R-8, could reduce the costs of construction per unit as townhomes and other low-rise developments are among the lowest cost projects per square foot to construct.

Density is only one tool for policy makers

Interview subjects identified a number of other factors King County has control over that could entice more affordable housing development, including parking requirements and impact and capacity fees. One interview subject also requested changing the unit of measure for the incentives from bonus dwelling units to increases in floor area ratio,⁷ which would provide developers with more flexibility.

E. Recommended changes to the Residential Density Incentive Program

The previous analysis and input from developers informed the recommendations outlined below. Implementing an inclusionary housing program requires balancing a number of factors to achieve the desired outcome. In implementing any of the recommendations below, King County should consider how best to achieve the following.

- Maximize the public benefit without creating an overly burdensome requirement that could lead to under-utilization of a voluntary program or chilling the housing market.
- Balance a desire for flexibility to adapt to various market conditions with the need to provide predictability for developers.
- Balance a desire to increase the overall utilization of the density incentive with prioritizing growth in certain areas to fulfill County Comprehensive Plan goals.

⁷ See a definition and how to calculate floor area ratio at:
<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/LAND-USE/How-to-Calculate-Floor-Area-Ratio.aspx>

- Weigh the benefit of providing fewer units affordable to the highest need households against providing more units for households at a higher income level.

Given the developer input that large multifamily projects in unincorporated areas have not built to the base density, King County will need to conduct additional analysis of the housing market in unincorporated areas in order to appropriately redesign the Residential Density Incentive Program. As noted above, this will be particularly important in areas where the County anticipates additional public investment or new land use regulations. With this caveat, this study recommends the following additional adjustments to the Residential Density Incentive program.

Recalibrate the affordable rental housing incentive to increase utilization and the realized public benefit

The 1.5 bonus units per rental housing unit affordable to households earning at or below 50% AMI is out of step with the majority of incentive zoning policies across the country, which typically offer a larger incentive in return for units affordable at or below 80% AMI. In addition, recent large-scale developments in King County have not been able to target 50% AMI. A combination of increasing the income limit for affordable rental housing and/or increasing the amount of bonus units may increase the likelihood the Residential Density Incentive Program would be used, provided the additional density does not trigger a new construction type. A scaling system that provides more density for each unit as the income level is lowered would preserve the opportunity to create units at deeper levels of affordability while increasing the chance of utilization in a wider variety of project types.

Focus the Residential Density Incentive Program on activities that promote affordable housing

The current Residential Density Incentive program provides density bonuses for a variety of public benefit activities, including energy conservation, open space, historic preservation, public art and walkable communities. The energy conservation section references the Northwest Energy Code, which no longer exists, and the walkable communities section activity is vaguely defined. Both activities could be achieved at a significantly lower cost than providing affordable housing, undercutting the effectiveness of a key goal of this study. Including the non-affordable housing activities in the effort to recalibrate the Residential Density Incentive Program would require significantly more staff capacity and expertise to ensure that all activities provide a similar balance of public and private benefit. Meanwhile, other existing King County policies and programs have had more success addressing the non-affordable housing goals of the Residential Density Incentive Program. In coordination with this study, the Department of Natural Resources and Parks expressed interest in exploring historic preservation as an eligible sending site criteria for Transfer of Development Rights Program qualification. By focusing the Residential Density Incentive Program on affordable housing, and relying on other tools and programs to address other county goals, there will be more capacity to monitor and adjust the program as it is implemented with a narrowed focus, increasing the likelihood of success.

Consider mandatory inclusionary housing

Mandatory inclusionary housing programs are more common and create a more reliable source of affordable housing, as compared to voluntary programs. The primary drawback to a mandatory program is that it carries a risk of creating too great a burden, preventing some housing developments from being constructed. However, where the County is considering changes to zoning, increasing public investment, or taking other actions that may spur additional housing development and increase the risk of displacement, considering mandatory inclusionary housing will be particularly important.

Consider a fee in-lieu of on-site mandatory affordable housing

If the County pursues mandatory inclusionary housing, including an in-lieu fee option would allow for more flexibility in leveraging other funds and developing housing in a different location, such as high-opportunity neighborhoods or areas with frequent transit service. This approach may fulfill other county goals related to growth management or equitable access to opportunity.

Develop and fund tracking, monitoring, and enforcement policies and programs

King County does not have a formal policy or procedure to track and monitor units created through the Residential Density Incentive Program. While 100% affordable housing developments are typically monitored for compliance by their funding source, an affordable unit created solely through the Residential Density Incentive Program could be built without oversight from another organization. The Permitting Division and the Department of Community and Human Services should coordinate to develop a protocol or program with appropriate resources to ensure affordable units continue to serve eligible households.

Consider strengthening incentives at lower densities

Capturing a public benefit from activity in the private housing market is the core strategy of an inclusionary housing policy. The Residential Density Incentive Program should therefore include incentives that are desirable for the most active segment of the housing market in unincorporated King County: construction of townhomes in lower density zones. Raising the income level served by the affordable homeownership incentive could increase utilization of the program by townhome developers. Additionally, as the vast majority of the urban unincorporated areas of King County are zoned R-4 to R-8, strengthening the incentives that are feasible in these zones would expand new affordable housing options into more areas than the relatively small areas zoned for higher density.

Consider developing resources and tools to target smaller developers

Smaller developers are less likely to have the capacity to navigate a complex policy or understanding the regulatory requirements that are associated with income-restricted units. Tools and resources to increase awareness and help smaller developers navigate the program could increase utilization.

Explore flexible or dynamic models to maximize public benefit and utilization

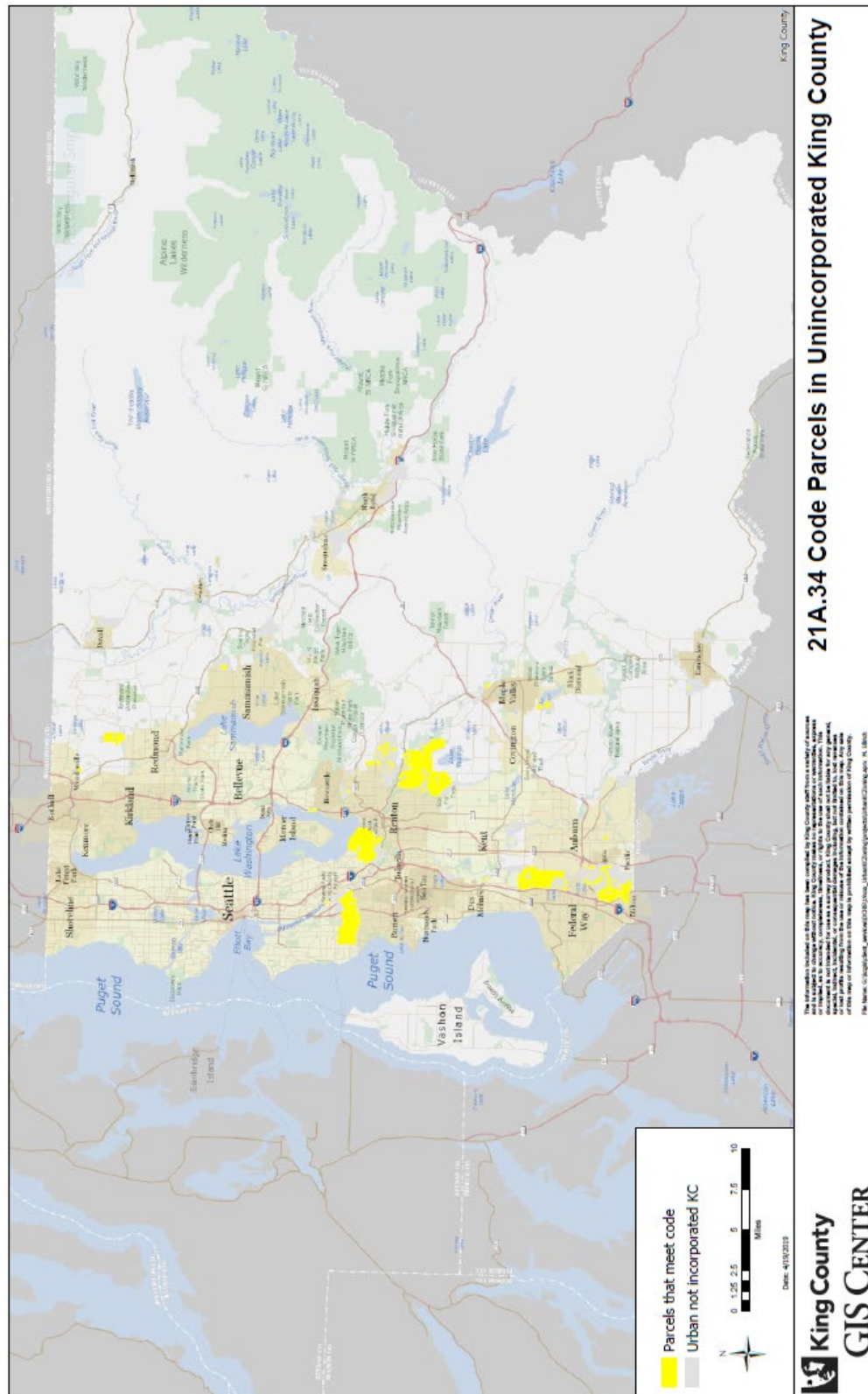
As previously discussed, the number of variables that determine if a project would benefit from an incentive program vary widely. A flexible program could adjust to regional market conditions, customize an incentive and public benefit for a given neighborhood, or even adjust for the context of a specific parcel. Although such a program may be complicated to develop and administer, it could create an opportunity to dramatically increase utilization and prioritize development that is aligned with a variety of County goals. Any such effort must also provide transparency and predictability for developers and be sufficiently resourced to account for increased costs of administration. The complexity and administrative burden of such a program could be justified if implemented across multiple jurisdictions through an interlocal agreement.

III. CONCLUSION AND NEXT STEPS

This study has found that changes are necessary to improve the Residential Density Incentive Program's effectiveness. King County is in a position to provide regional leadership by improving the Residential Density Incentive Program to increase utilization and the associated production of affordable units. Although the lack of demand in the private housing market may have been a factor in the Residential Density Incentive Program's limited success, market factors may change, and King County should be prepared with strategies to respond accordingly.

The key factors identified and recommendations should be considered as the Affordable Housing Committee seeks to develop model ordinances or provide technical assistance to other jurisdictions interested in implementing inclusionary housing policies. King County should also develop any changes in the context of the policies and goals of the jurisdictions that are designated to the Potential Annexation Areas and the policies and goals developed by the Community Service Area Land Use Subarea Plans. Further analysis is necessary to design the new proposed policies.

Appendix A: Map of Eligible Residential Density Incentive Locations and Potential Capacity Methodology



A total of about 21,000 parcels, equaling 5,600 acres, are eligible for the Residential Density Incentive Program. Staff calculated the base density and the maximum 200% base density for all eligible parcels and calculated a difference of about 44,000 additional dwelling units. This is the theoretical capacity of the Residential Density Incentive Program. Assuming only properties in which the assessed value of the land is greater than the assessed value of the improvement are likely to be redeveloped, a more conservative estimate of the potential theoretical benefit is about 14,000 additional dwelling units.

Many factors determine whether a given parcel will be redeveloped. Constraints such as height restrictions, unusual parcel dimensions, critical areas and steep slopes, reduce the potential density on many sites. Additionally, economic factors such as regional housing market conditions and the parcel's current use inform the likelihood of redevelopment. A more accurate estimate would incorporate these and other relevant factors into the context of each parcel.

Appendix B: Interview Subjects and Interviewee Document

Staff conducted interviews with the following individuals:

- *Hal Ferris, Founder, Spectrum Development*
- *John Graves, President of Acquisitions, Blue Fern Development*
- *Alison Lorig, Senior Vice President, BRIDGE Housing*
- *Dan Watson, Deputy Executive, King County Housing Authority (KCHA)*

The following information was shared with the interview subjects prior to the interview:

Interviews for King County Residential Density Incentive Code Study

Introduction

The Residential Density Incentive (RDI) Program was originally adopted in 1993 as a tool to receive public benefits in exchange for increased density for residential developers in the unincorporated areas of King County. With some exceptions, King County's Permitting Division has reported that the Residential Density Incentive program has not been used at a significant level since it became law.

Process

The King County 2020 Comprehensive Plan Midpoint update directs DCHS to:

Review the County's Residential Density Incentive Program at [King County Code 21A.34](#) to determine if any changes are needed to increase its use and improve its effectiveness.

The Housing, Homeless, and Community Development is interviewing experts in our region to understand what makes for a popular and effective incentive zoning policy or program. This will be a critical component of our study and will inform recommendations on how to improve the Residential Density Incentive program.

Questions

- Please share your background using incentive zoning policies or programs, either King County's or other jurisdictions. Which programs are you aware of or have you used?
- What do you think makes for an effective incentive zoning policy or program?
- Have you heard of or are you familiar with King County's Residential Density Incentive Program?

- If you are familiar with King County's Residential Density Incentive program, what are your impressions, both positive and negative?
- Have you used King County's Transfer of Development Rights (TDR) program? If so, what have your experiences been?
- How have you learned about other incentive zoning programs you may have used in the past?
- What is your decision-making process for determining if it would be worthwhile to use an incentive zoning program for a project? What factors do you consider (regional market trends, the context of the site, the cost of the public benefit required, and/or others)?
- What parts of a program or policy should be predictable? Which parts should be flexible?
- What other ideas do you have to improve King County's incentive zoning policies or programs?
- Is there anyone else you recommend we contact to discuss these issues?



EXECUTIVE RECOMMENDED PLAN

Cottage Housing Regulations

Code Study

I. OVERVIEW

This code study is prepared in response to the requirements of Workplan Action 8 of the 2016 King County Comprehensive Plan, and as a follow-up to the recommendations of the December 2018 Cottage Housing Report. The Comprehensive Plan workplan item included the following direction:

Review Comprehensive Plan policies and development code regulations for the potential for expanded allowances for cottage housing in unincorporated King County, including in Rural Areas, and recommend policy and code changes as appropriate. The review will include evaluation of encouraging: close proximity of garages to the associated housing unit; and development of units with a wide variety of square footages, so as to address various needs and a diversity of residents.

Tasks to implement this were identified in the initial draft Cottage Housing Report released in 2018, which recommended the following tasks, all of which were completed in the development of this code study:

- Revise the definition of cottage housing in the King County Code to improve clarity;
- Differentiate between design guidelines for cottage housing developments within the Urban Growth Area and Rural Towns;
- Reduce the parking requirement in urban areas where frequent transit service is available;
- To allow greater variety of housing unit size, consider whether the density bonus should be calculated on a sliding scale based on the maximum size of the units (as is allowed in Redmond);

- Review design standards related to garages and parking areas, including proximity to housing units;
- Consider allowing cottage housing developments on sites larger than one acre;
- Study whether Residential Density Incentives should continue to distinguish between cottage housing and compact housing;
- Interview housing developers to identify other potential code improvements; and
- Talk with unincorporated communities about cottage housing as part of subarea planning discussions.

II. ANALYSIS

The 2018 report identified some areas for further consideration and analysis, but since the time that the recommendations were placed in the report, further staff analysis has indicated a different approach toward resolving some of the identified issues. Recommendations were crafted by examining regulations in surrounding jurisdictions—Federal Way, Redmond, and Kirkland—and looking for best practices which could be easily integrated into the existing King County Title 21A Zoning Code without restructuring it.

A. Definition of Cottage Housing

King County Code 21A.06.358 defines “Dwelling unit, cottage housing” as “a detached single-family dwelling unit located on a commonly owned parcel with common open space.”

This definition references the similar “single detached home”: a detached building containing one dwelling unit. [K.C.C. 21A.06.365] The cottage housing definition doesn’t make reference to any other defining standards or criteria, specifically floor area, as the 2018 report clearly identified cottage housing as smaller, more affordable housing types. Further definition may not actually be required, however, as the dimensional standards are located within K.C.C. 21A.08.030.B.15, and such redefinition would be redundant.

Recommendation: No Change.

B. Design Differentiation between Urban and Rural Town Cottages

Cottage home developments are permitted in R1-R8 zoning districts in both Rural Towns and urban areas. Given the smaller massing and scale of the development, cottage homes would fit well within both Rural Towns and urban areas. There is no recommendation to change the standards for either urban or rural developments separately; however staff recommends an additional standard that will better integrate such developments within both urban and rural contexts.

Cottage developments should be oriented toward common areas and present an attractive façade toward public rights-of-way to better integrate with traditional façade orientation of the existing

neighborhoods. This principle is absent from King County’s regulations but is reflected in Kirkland’s code, which most clearly identifies preferred site design, and is suggested for inclusion within the special development conditions associated with residential permitted uses.

Recommendation: Create a new development conditions within 21A.14.025, “Each dwelling unit that abuts common open space shall have a primary entry, or covered porch, or both, oriented to the common open space. Each dwelling unit abutting or proximal to a public right-of-way (not including alleys) shall also have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way. If a dwelling unit abuts more than one public right-of way, the County shall determine to which right-of-way the inviting facade shall be oriented.”

C. Parking

According to a publication by the Municipal Research and Services Center, cottage homes typically have fewer drivers and cars due to their sizes—homes under 1000 square feet are often inhabited by singles or couples, while over that size may have additional teenage drivers; the same publication also states that parking requirements may be lowered where frequent transit service (15 minute or shorter headway) is available, which was a recommendation of the 2018 report to Council for further exploration.

King County requires two parking spaces per unit, which may be excessive amounts of parking for such small homes and thusly a barrier to the production of cottage units. Kirkland is more permissive with their parking requirement, which is graduated based on unit size and recommended for adoption. This approach may more appropriately scale parking provision with home size, as opposed to reductions from a higher standard.

Recommendation: Establish minimum number of off-street parking spaces within 21A.18.030 specifically for cottage housing units, “Dwelling units measuring less than 700 square feet in floor area must provide a minimum of 1 covered or uncovered parking space; between 700 and 1000 square feet, 1.5 spaces; greater than 1000 square feet, 2 spaces.”

D. Sliding Scale Density Bonus

The 2018 report directed staff to consider whether or not the maximum 200% density bonus, contained within the Residential Density Incentive program (KCC 21A.34.040.F.6), should be restructured to provide more incentive for the construction of smaller units. If King County were seeing only the construction of maximum sized units under the bonus program, it might be worth evaluating a restructure. The County is not seeing heavy utilization of the cottage housing program, however, and the maximum dwelling size of 1200 square feet is smaller than some of the county’s contemporary jurisdictions.

Recommendation: No change.

E. Garages

A few jurisdictions exempt the first 200-250 square feet of garage space from the maximum dwelling unit size limitations (or increase the unit sizes when garages are present), which makes smaller units possible—theoretically lowering the sales price of those new units. Attachment of the garage reduces the need for detached carports, detached garages, or surface parking—thereby reducing the visual impacts of the site, and supporting the purpose of the recommendation from the 2018 report.

Recommendation: Create a new development condition within 21A.14.025, “A cottage may include an attached garage, not to exceed an additional 250 square feet, which does not count toward the maximum unit size.”

F. Maximum Site Size

King County is the only jurisdiction to have a maximum site size, which limits the number of units on a site, but also has the net effect of limiting the availability and dispersal of sites throughout the county. To achieve economies of scale in parcel aggregation and construction, and to accommodate some hard-to-build sites encumbered by critical areas or access issues, the maximum site size should be eliminated.

Recommendation: Strike 21A.08.030.B.15.a and b.

G. Compact Housing vs. Cottage Housing

The Residential Density Incentives program (K.C.C. 21A.34.040.F.6 & F.7) contains separate criteria for cottage housing and compact housing, the latter of which is only defined in F.7 as “detached single family homes 1500 square feet or smaller.” Cottage housing is different from compact housing in that cottage homes are a condominium-style ownership—on sublots surrounded by common space—as opposed to smaller single-family homes on individual lots/parcels. This differentiation is important, unless the County simply wants to encourage smaller homes of all types, regardless of ownership patterns—condominium or freehold. Of note, King County is also reviewing the Residential Incentive Program and a separate code study is included as part of the 2020 Plan.

Recommendation: No change at this time.

H. Talk with Developers about Potential Improvements

The Director of the Permitting Division (Department of Local Services) spoke to developers at the Master Builders Association of King and Snohomish Counties. Representatives from Master Builders identified the recent changes to Section 113 of the Kirkland City Code and a 2018

document from MRSC titled “Encouraging Neighborhood-Compatible, Residential Infill Development” as best-practices for “missing middle”¹ cottage housing.

Recommendation: These aforementioned documents (and others) should inform changes recommended in this code study.

I. Cottage Housing Conversations during Subarea Planning

Subarea planning is underway in the Skyway-West Hill community, and will be starting in summer 2019 for the North Highline (White Center, Glendale, and South Park) Land Use Plan. Considerations for cottage housing were part of stakeholder discussions and the land use planning efforts. Most of the growth in these areas were focused on density increases to residential mid- and high-density housing, not small lot housing such as cottage housing.

Recommendation: Continue discussions.

III. CONCLUSION

In summary, staff recommends the following changes to the development standards for cottage housing in King County Code 21A.08.030, 21A.14.025, and 21A.18.030.

- Remove maximum site size.
- Create new development condition to address entry orientation and design.
- Create new development condition to address parking requirements.
- Create new development condition related to garage size and requirements.

¹ “Missing-middle housing” refers to smaller and mid-size dwelling units—such as compact housing, cottage housing, and townhomes—which are generally more affordable, but not being constructed in large numbers due to current economic and land use conditions.

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EXECUTIVE RECOMMENDED PLAN

Accessory Dwelling Unit and Accessory Living Quarters

Code Study

I. OVERVIEW

Expanding the use of Accessory Dwelling Units (ADUs) was a priority in the 2017 Vashon-Maury Island Community Service Area Subarea Plan. Residents engaged in the planning process identified this as an important strategy for meeting affordable housing needs on the island. The Subarea Plan includes the following policy promoting the use of ADUs:

H-6 To help increase the Island's inventory of affordable housing, accessory dwelling units should continue to be permitted per K.C.C. 21A.08.030 and should be allowed as either attached or detached units whenever minimum setbacks, water and wastewater standards can be met. King County should consider new options to streamline and simplify the ADU permitting process.

ADUs were categorized in the Subarea Plan as a Priority 1 Implementation Action, with the issue to be considered in a future Comprehensive Plan update. To that end, the Executive proposed, and the Council adopted, a Scope of Work item for the 2020 Comprehensive Plan Midpoint update directing the following:

Review the County's regulations related to accessory dwelling units to determine if changes can be made to make this housing option more widely used.

This Code Study review addresses the following topics: definitions, zoning allowances and conditions, peer jurisdiction comparisons, County experience with ADUs, potential opportunities to promote their use, and recommended amendments.

II. ANALYSIS

A. What is an Accessory Dwelling Unit?

An ADU is a secondary residential unit that is located on a lot with another principal structure, typically a single-family home. ADUs are often physically smaller than the primary unit, are self-contained, and may be located within the house or located in a separate structure on the lot. ADUs are complete housing units in that they have a sleeping quarter, bathroom, and kitchen. Other jurisdictions' zoning codes may refer to these as "mother-in-law apartments" or "granny flats" as they have traditionally been considered housing locations for family members, but that is not required.

The following illustration¹ shows examples the different types of ADUs.

Examples of Accessory Dwelling Units (ADUs)

ADUs in blue; main residence in white

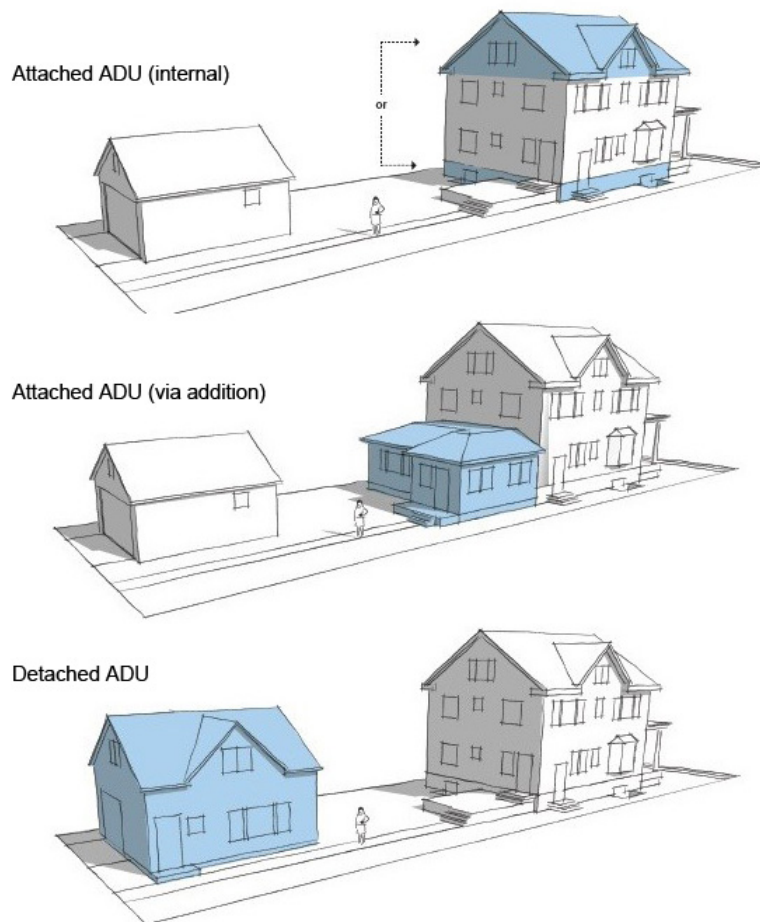


Image credit: City of Saint Paul, MN

¹ Illustration copied from Municipal Research Services Center ADUs page. Link: <http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Accessory-Dwelling-Units-in-Plain-English.aspx>. Page updated January 8, 2019. This Code Study references a significant amount of material from this website.

Proponents of ADUs identify a wide range of potential benefits from this housing type. These include the following:

- Allowing an owner to rent the unit and secure some income; this can help people not be displaced in areas that are gentrifying,
- Allowing extended or multigenerational families to stay together (e.g., granny flat allows a family member to live nearby),
- Allowing seniors to age in place or even to move into the ADUs and rent the original unit,
- Creating an independent living space for a family member, such as an adult child or a person with a disability,
- Creating a space for a caregiver, either caregiving for a family with young children, or an elderly homeowner,
- Creating housing with a smaller footprint, which may appeal to people unable or uninterested in a larger detached unit or an apartment in a multifamily building,
- Adding to the overall supply of housing which may help moderate housing cost increases, or
- Adding a relatively modest amount of density in single-family areas.

The King County Comprehensive Plan supports the provision of ADUs. In *Chapter 4: Housing*, and in *Chapter 3: Rural Areas and Natural Resources Lands*, the Plan includes the following policies:

H-126 King County shall provide opportunities for attached and detached accessory dwelling units in urban residential areas and shall encourage all jurisdictions within King County to adopt provisions to allow accessory dwelling units in their communities.

H-143 King County development standards should promote lower-cost infill development, such as accessory dwelling units, in a manner that allows existing housing to be retained through measures such as an innovative or flexible building envelope, access and infrastructure standards.

R-310 Accessory dwelling units in structures detached from the primary dwelling shall be counted as a separate dwelling unit for the purpose of lot calculations under the zoning in place at the time of a proposed subdivision.

The Comprehensive Plan states in the text that ADUs provide opportunities for affordable housing, on-site housing for workers and caretakers, and housing for extended family members, and rental income for landowners. The Plan notes that in the Rural Area, detached ADUs function similarly to separate homes on separate lots and should be treated as such. The Plan

states that when a subdivision is proposed for a property that already has a house and a detached accessory dwelling unit, the house and ADU shall count as two units.

Further, the Comprehensive Plan, in policy R-323, states how ADU unit sizes can be increased in Rural Areas, and how they can be permitted on certain lots that do not meet minimum lot sizes in the Rural Area.

R-323 The *Rural and Resource Land Preservation Transfer of Development Rights Program* shall include, but is not limited to, the following:

...

- d. King County may allow accessory dwelling units in the Rural Area that are greater than one thousand square feet, but less than 1,500 square feet, if the property owner purchases one Transferrable Development Right from the Rural Area, Agriculture or Forestry designations; and
- e. King County may allow a detached accessory dwelling unit on a RA-5 zoned lot that is two and one-half acres or greater and less than three and three-quarters acres if the property owner purchases one Transferrable Development Right from the Rural Area, Agriculture or Forestry designations.

B. How are they defined in King County Regulations?

The King County Code provides more definition, direction and regulations that guide development of ADUs.

1. ADUs

Neither the King County Comprehensive Plan nor the King County Code has a definition specific to ADUs. Rather, ADUs fall under a broader set of definitions.

K.C.C. 21A.06.020 Accessory use, residential: an accessory use to a residential use, including, but not limited to:

- A. Accessory living quarters and dwellings;
- B. Fallout or bomb shelters;
- C. Keeping household pets or operating a hobby cattery or hobby kennel;
- D. On-site rental office;
- E. Pools, private docks or piers;
- F. Antennae for private telecommunication services;
- G. Storage of yard maintenance equipment;
- H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;
- I. Greenhouses;
- J. Recreation space areas required under K.C.C. 21A.14.180 and play areas required under K.C.C. 21A.14.190; and
- K. Home occupations and home industries under K.C.C. chapter 21A.30.

This definition is further refined by others that explain related terms.

K.C.C. 21A.06.013 Accessory use: a use, structure or activity that is:

- A. Customarily associated with a principal use;
- B. Located on the same site as the principal use; and
- C. Subordinate and incidental to the principal use.

K.C.C. 21A.06.345 Dwelling unit: one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants; dwelling units include but are not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes.

K.C.C. 21A.06.350 Dwelling unit, accessory: a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

K.C.C. 21A.06.450 Family: an individual; two or more persons related by blood, marriage or state registered domestic partnership under chapter 26.60 RCW; a group of two or more disabled residents protected under the Federal Housing Act Amendments, who are not related by blood, marriage or state registered domestic partnership under chapter 26.60 RCW, living together as a single housekeeping unit; a group of eight or fewer residents, who are not related by blood, marriage or state registered domestic partnership under chapter 26.60 RCW, living together as a single housekeeping unit; or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or non-resident staff. For purposes of this definition, minors living with parent shall not be counted as part of the maximum number of residents.

The Seattle-King County Board of Health Code also governs development in King County and is directive to public health topics including sewer and water. The Board of Health defines a "Dwelling Unit" as a structure, or unit within a structure, with independent living facilities for one or more persons that includes permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit includes, but is not limited to, a single-family residence; or each unit of an apartment building or multifamily building. This guidance would also cover an ADU. This guidance is generally consistent with the King County Code (see section 5 on the following pages regarding ADU requirements for on-site sewage and water).

2. Accessory Living Quarters

As noted in K.C.C. 21A.06.020 (A), another type of accessory residential structure is known as an Accessory Living Quarter. Some other jurisdictions' zoning codes refer to these as an "artist studio," although they may be used as a sleeping quarter. Accessory Living Quarters are defined in the King County Code as follows.

K.C.C. 21A.06.010 Accessory living quarters: living quarters in an accessory building for the use of the occupant or persons employed on the premises, or for temporary use of guests of the occupant. Such quarters have no kitchen and are not otherwise used as a separate dwelling unit.

K.C.C. 21A.06.662 Kitchen or kitchen facility. Kitchen or kitchen facility: an area within a building intended for the preparation and storage of food and containing:

- A. An appliance for the refrigeration of food;
- B. An appliance for the cooking or heating of food; and
- C. A sink.

The Board of Health Code is different from the King County Code in how Accessory Living Quarters are defined and reads as follows:

B.O.H.C. 13.08.218 Kitchen or kitchen facility. "Kitchen" or "kitchen facility" means an area within a building intended for the preparation and storage of food and containing a sink.

The distinction is that the Board of Health Code focuses on the space within the unit, whereas the King County Code focuses on the space and components of the kitchen. By focusing on the space alone, the Board of Health Code creates more differentiation from ADUs, and avoids the situation where the removal of one component of the kitchen would allow a work-around to the ADU regulations.

3. Conclusion on Definitions

The distinctions between ADUs and Accessory Living Quarters are porous, which allows the ADU regulations to be avoided. This has created a pathway for people to build a residential accessory dwelling that is functionally equivalent to an ADU without the limitations imposed on ADUs.

Defining a framework around Accessory Living Quarters that is clear, distinct from ADUs, and consistent between the different types of Code would ensure that development occurs consistent with the policies in the Comprehensive Plan.

C. Where are ADUs allowed?

1. State Law

Washington State law requires that King County include ADUs in its zoning and planning.² State law provides local governments flexibility in how they include ADUs, but it must be done in a manner consistent with state guidance.³ The state's guidance defines ADUs as follows:

An Accessory Dwelling Unit (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, cooking, and sanitation.

Based on this, ADUs are allowed in jurisdictions throughout the state. The following table provides an overview of how they are regulated in different jurisdictions.

Examples of Local Accessory Dwelling Unit (ADU) Codes in Washington State

City	Attached or Detached?	Owner-Occupancy required?	Lot Size	Unit Size	Parking	ADU specific requirements	Code Provisions
Bellevue	Attached only	Yes	Not specified	Between 300 and 800 sf, not to exceed 40% of the combined area of the ADU and primary unit	1 space	Limited number of occupants	Sec. 20.20.120
Bellingham*	Both	Yes	Alley access, side street access, or greater than 5,000 sf	Limited to 800 sf or 66% of primary structure, and two bedrooms	1 space	Setback and minimum yard	Draft ADU Ordinance (2018) Webpage about ADU Ordinance Update Process
Blaine	Both	Yes	At least 6,000 sf	Varies based on lot size, 600-1000 sf or 50% of primary residence	1 space for each bedroom	Max height, design bonus	Ch. 17.102
Cheney	Both	Yes	Greater than 5,000 sf	Limited to 40% of area of primary units livable area, cannot be more than one bedroom	If on-street parking is available: None. If no on-street parking: 1 space	Max height	Ch. 21.67
Enumclaw	Both	Yes	No limit	Limited to 800 sf and two bedrooms, or 50% of livable area of primary unit	Not specified		Ch. 19.34
Everett	Both	Yes	None	Limited to 800 sf or 75% of the gross floor area of the primary unit	1 space, can be waived if there is sufficient on-street parking or public transit access	Max height, setbacks	Ch. 19.07.030
Seattle*	Both	Yes	For DADUs at least 4,000 sf	AADU: limited to 1,000 sf for single-family structure and 650 sf for townhome; DADU: limited to 800 sf for single-family structure and 650 sf for townhomes	1 space, can be waived in urban villages/centers	Max height, entrance location	Sec. 23.44.041 Webpage about ADU EIS Process
Vancouver	Both	No	At least 4,500 sf	Limited to 800 sf or up to 50% of the size of the primary unit, except for basement suites	None		Ch. 20.810

*Jurisdiction is in process of updating or evaluating its ADU ordinances



Last Updated:
June 2018

2. King County

In the King County Code, in Title 21A Zoning, at 21A.08.030, ADUs are a permitted use in almost every unincorporated zoning classification, subject to the conditions noted in the next

² Revised Code of Washington Titles 36.70A.400 and 43.63A.215.

³ Link: <http://mrsc.org/getmedia/3ccc6c5e-0cc9-43c1-8936-b0017c7c161e/ADUordrecommendations.pdf.aspx>

section. This includes Agriculture, Rural Area, Urban Reserve, Residential Low, Residential Medium, Residential High, Neighborhood Business, Community Business, Regional Business, and Office zones. The only classifications where they are not allowed are Mineral, Forest and Industrial.

D. What policies, conditions, and requirements are they subject to?

King County Code 21A.08.030 contains the ADU regulations; these are described below. The King County Code regulations fall into the categories of: A. General Provisions; B. Siting and Occupancy; C. Size and Design; and D. Infrastructure. Additional regulations from the Board of Health are shown given that they affect potable water and sewage; these are denoted with an asterisk (*).

1. General Provisions

- Applicants seeking to build an ADU must file a notice identifying the dwelling unit as accessory, and the notice shall run with the land (additional noticing requirements apply).

2. Siting and Occupancy

- Only one ADU is allowed per primary single detached dwelling unit.
- ADUs and Accessory Living Quarters are not allowed in the F zone.
- Either the primary dwelling unit or the ADU shall be owner occupied.
- If one of the dwelling units ceases to be owner-occupied, the ADU shall be converted to another permitted use or be removed. If the parcel is sold, and the new owner occupies one of the units, the second unit can continue as an ADU.
- If a detached ADU in the Rural Area is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached ADU constructed unless the lot is at least twice the minimum lot area required by the zoning.
- ADU must be attached or **within** the same building as the primary dwelling unit if:
 1. On urban lots (Urban Reserve & Residential-1 to Residential-48) less than five thousand square feet in area,
 2. On rural lots less than the minimum lot size in the zoning code, or
 3. On lots containing more than one primary dwelling.
- ADU may be **detached** from the primary dwelling unit if:
 1. On urban lots (Urban Reserve & Residential-1 to Residential-48) greater than five thousand square feet, and
 2. On rural lots (Agriculture & Rural Area) that meet the minimum lot size of the zone. The minimum lot size by zone is as follows: Rural Area-2.5 is 1.875 acres; Rural Area-5 is 3.75 acres; Rural Area-10 is 7.5 acres; Rural Area-20 is 15 acres.

- ADUs are only allowed as accessory to an established primary residential use or structure on the lot. If the lot is subdivided, the ADU is included in a density calculation related to dwelling units per acre per the zone.

3. Size and Design

- One of the dwelling units shall not exceed a heated floor area of 1000 square feet (this does not include porches and decks), EXCEPT when:
 1. One of the dwelling units is wholly contained within a basement or attic, or,
 2. On a site zoned Rural Area:
 - (a) If one transferable development right⁴ is purchased from the Rural Area, the smaller of the dwelling units is permitted to achieve a maximum floor area up to 1500 square feet; and
 - (b) If one transferable development right is purchased from the Rural Area, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is under the minimum lot size and between 2.5 and 3.75 acres.
- Buildings for residential accessory uses in the Rural Area and Agriculture zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.
- When the primary and ADUs are located in the same building, or in multiple buildings connected by a breezeway or other structure, only one entrance may be located on each street side of the building.
- ADUs must comply with same requirements as single-family home, including minimum street setbacks, minimum interior setbacks, heights limits, and maximum impervious surface percentages.

4. Infrastructure

- Parking: One additional off-street parking space shall be provided with the ADU. An off-street parking space can be created on any lot (including in the front or side yard), as long as the space has a dust-free, all-weather surfacing (per 21A.18.110 and 21A.18.120). This required parking space is not allowed in any of the required setbacks.
- *B.O.H: Water: During ADU permitting, requires a Certificate of Water Availability (unless the property is served by an individual well). Issues to be addressed may include water rights permits, water quantity and quality, and wellhead protection. These issues must be addressed and satisfied prior to the design of an onsite sewage (septic) system.*
- *B.O.H: Water: ADUs are required to connect to public water where it exists, consistent with the King County Comprehensive Plan.*
- *B.O.H: Water: ADUs that connect to a Group A water system require a current water availability letter from the purveyor.*

⁴ King County Transfer of Development Rights Program, per K.C.C. 21A.37.

- *B.O.H: Water: ADUs that connect to a Group B water system are considered a second connection to the property. Most existing Group Bs are not designed for ADUs, and therefore most systems will need to verify that the system is a candidate for expansion.*
- *B.O.H: Water: When ADUs are added to a lot without public water (and where connection to public water is not required, per the previous bullet), ADUs are allowed to be connected to existing private wells.*
- *B.O.H: Sewage: ADUs are required to connect to public sewers where they exist, per the Board of Health Code 13.04.050, as consistent with the King County Comprehensive Plan. ADUs follow the same requirements and processes for connection as other units in unincorporated King County.*
- *B.O.H: Sewage: When ADUs are added to a lot with an existing on-site sewage system (and where connection to sewer is not required, per the previous bullet), three options exist: adding a new and separate septic, designing a new septic for both units, or modifying the existing system to meet current requirements.*
- *B.O.H: Sewage: ADUs served by an on-site sewage system must be designed to handle a minimum of two bedrooms, meaning 300 gallons per day. If additional bedrooms are included, 150 gallons per day are added to the sizing of the septic system.*

E. How many have been built in the last five years?

The following summarizes information on ADUs and Accessory Living Quarters permitted between 2014 and 2018, based on the King County permit database system.

1. ADU and Accessory Living Quarters Data

Total Number of Units

Over the last five years, between 20 to 50 ADUs and Accessory Living Quarters were permitted each year. This is an average of about 32 a year, or six percent of the approximately 560 housing units permitted each year in unincorporated King County.

Permit Year	ADU	ALQ	Total	Total UKC Units	% of Total Units
2014	11	9	20	523	4%
2015	11	10	21	462	5%
2016	20	7	27	548	5%
2017	31	18	49	617	8%
2018	27	15	42	670	6%
Total	100	59	159	2,820	6%

Location – Urban and Rural

About two thirds of all of the ADUs, and nearly all of the Accessory Living Quarters, were built in rural areas (with rural areas in the database including a few in agricultural zones). For rural area units, it was evenly split (65 to 55) between ADUs and Accessory Living Quarters. In urban areas, nearly all of the units (36 of 39) were ADUs.

	Rural	Urban	Rural % of Total	Urban % of Total
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ADU	65	36
ALQ	55	3
Total	120	39

64%	36%
95%	5%
75%	25%

Zones

The primary zones where ADUs and Accessory Living Quarters are built are medium density Residential-6 (six units per acre) zones in the urban area, and then mainly Rural Area 5 parcels in rural zones.

Land Use	Zone	ADU	ALQ
Agricultural	A-10	0	1
	A-35	3	4
Urban Residential	R-1	2	0
	R-4	3	3
	R-6	29	1
Rural Area	RA-2.5	9	13
	RA-5	44	26
	RA-10	6	11
Urban Other	UR	4	0
Total	--	100	59

ADUs and ALQs on Substandard Lots in Rural Area

All of the units built in the urban area are on lots that met the minimum 5,000 square foot lot size. In the rural areas, many of these units are built on lots that do not meet the minimum lot size in the zone. About 20 percent of ADUs are built on substandard lots whereas about 65 percent of Accessory Living Quarters are built on substandard lots.

	Total	ADUs			ALQs		
	Units	#	# Substd.	% Substd.	#	# Substd.	% Substd.
Agriculture	8	3	3	100%	5	3	60%
R-4 (in Rural Towns)	2	1	0	0%	1	0	0%
RA-2.5	22	9	1	11%	13	9	69%
RA-5	70	44	7	63%	26	19	73%
R-10	17	7	2	29%	10	5	50%
Urban Reserve	1	1	0	0	-	-	-
Total	120	65	13	20%	55	36	65%

Average Project Costs

The average cost for both ADU's and Accessory Living Quarters is relatively consistent between the two housing types. Costs in the Rural Area are higher, likely reflecting infrastructure costs and unit sizes.

	Location	Avg. Cost
ADU	Rural	\$242,431
ALQ	Rural	\$267,738

	Location	Avg. Cost
ADU	Urban	\$180,504
ALQ	Urban	\$208,881

Attached versus Detached – ADUs Only

Nearly 80 percent of ADUs are detached, with detached ADUs built more frequently in both rural and urban areas. In the rural area, the vast majority (87%) of ADUs built are detached. In the urban area, about two-thirds (63%) are detached.

	Attached	Detached	Unclear	% Attached	% Detached
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Rural	8	55	1	13%	87%
Urban	13	22	1	37%	63%
Total	21	77	2		
% of Total	21%	79%			

2. Conclusions from Data

The number of ADUs and Accessory Living Quarters built each year is limited and changes to County regulations might make this housing option more widely used. The distribution between rural areas and urban areas reflects the larger number of lots in the rural area, suggesting that the regulations are not likely prohibitive in one of the areas compared to the other. This is also reflected in the relatively consistent project costs in these areas.

As expected, the units are primarily being built in medium density urban and rural area zones. And, as discussed in the section on King County regulations and definitions, the data supports the anecdotal evidence from the permit counter that when Rural Area properties do not meet minimum lot sizes in the zoning code, they build Accessory Living Quarters.

F. What changes are other entities considering?

Over the last few years, there has been a significant amount of discussion regarding changing ADU regulations to address affordable housing. Summarized below are some changes under consideration by jurisdictions.⁵ This discussion is not intended to be a comprehensive review of all of the proposals being considered, but rather is meant to identify some of the issues that are being considered or adopted. Along with the discussion of the each concept, a comment is included regarding how this might comport with the County's planning and regulations.

1. General Provisions

- Permitting After Built Construction ADUs: Jurisdictions have considered creating an “amnesty” period to bring nonconforming or unpermitted ADUs into compliance.
Comment: King County already allows this.
- Timing of ADU construction: Jurisdictions have considered changing regulations to allow an ADU to be built at the time of construction for the original unit, rather than specify a delay (e.g., three years) between the completion of a house and permitting an ADU.
Comment: King County already allows this.
- Technical assistance: Jurisdictions have considered creating or enhancing programs to support the development of ADUs. This may involve assistance in navigating permitting processes, creation of 'how-to' bulletins, or designating a point person with expertise.
Comment: King County already provides this information at the Permit Counter, although it does not have a stand-alone bulletin.

⁵ This section draws on the research in Sightline Institute's "Legalizing Inexpensive Housing" series. Link: <https://www.sightline.org/series/legalizing-inexpensive-housing/>.

- Building assistance: Jurisdictions have considered providing financial assistance (such as low-interest loans) and sometimes linking it to requirements for affordable rents. Other jurisdictions have considered creating 'pre-approved building' plans that residents can use to speed up the permitting process.

Comment: While developers can create "registered plans" that they use in their subdivisions, having a county-owned registered plan would be new for King County and would require resources to develop. Creating these plans would shorten timeframes for plan review, although site review would still need to occur.

2. Siting and Occupancy

- Zones where ADUs are allowed: Jurisdictions have considered amendments to the zones where ADUs allowed, including more residential and mixed-use zones.

Comment: King County already allows ADUs in every residential and mixed-use zone.

- Number of ADUs on a lot: Jurisdictions have considered allowing more than one ADU, potentially allowing both an attached and a detached ADU on one parcel, in addition to the original unit.

Comment: This would be a new option for King County and would be a significant change to existing policies and practices.

- Occupancy limits: Jurisdictions have considered how they define the number of people who can live in the ADU (e.g., a maximum of 4 people), and this will be in addition to the number of people living in the original unit. Jurisdictions have also considered waiving requirements that one of the units be occupied by the owner, or combined the occupancy requirement for the two units (e.g., a total of 8 related or unrelated people within the two units).

Comment: King County does not have the capacity to actively monitor occupancies on single-family lots, making this issue relatively moot. This is only an issue for higher-occupancy developments such as group homes or farmworker housing.

3. Size and Design

- ADU size: Jurisdictions have considered a variety of approaches to manage the size and scale of the ADU. Some approaches include establishing minimum and maximum sizes, or creating a sliding scale for different sizes in different zones. Others have defined percentages of the original building (e.g., no more than 85% of the original building size).

Comment: King County already allows for larger homes on Rural Area parcels, albeit with a requirement to purchase a transferable development right. Establishing regulations in the Urban Area so that ADUs are at a compatible size and scale could create more public acceptance. In the Rural Area, setbacks and parcel distances will effectively mitigate aesthetic impacts.

- Lot sizes: Jurisdictions have considered either changing the lot sizes or creating processes such as a Conditional Use Permit if a proposal comes in on a substandard lot.

Comment: This would be a new option for King County and would be a significant change to existing policies and practices. Reducing minimum lot sizes, while relying on public health regulations related to sewer and water, and permitting regulations related to design, setbacks, and heights, could increase the overall supply. Given long-standing County goals to focus growth in urban areas, this approach is recommended for urban areas.

- Lot coverage: Jurisdictions have considered increases in the percentage of the lot that can be covered; these are related to tree retention and minimum open space requirements on the site.
Comment: The County's lot coverage requirements are established in the critical areas regulations and Stormwater, and this type of change would not be consistent with the best available science that underlies these regulations.
- Heights and bulk: Jurisdictions have considered amending heights to allow a secondary story (e.g., changing the max from 16 feet to 24 feet), or imposed regulations requiring ADUs to be less tall than the original house, or establishing lower maximum heights. These have differential standards for attached versus detached, and for freestanding units versus units over a garage, and for different types of roof features (e.g., dormers, pitched roofs).
Comment: King County already allows ADUs to match single-family homes on a wide variety of issues including heights. As noted earlier, establishing regulations in the urban area so that ADUs are at a compatible size and scale could create more public acceptance. In the Rural Area, setbacks and parcel distances will effectively mitigate aesthetic impacts.
- Location of ADU on the lot: Jurisdictions have considered restricting ADUs to backyards, to be oriented with the original unit (e.g., located no closer to the street), or a consistent orientation (e.g., aligned with the front wall line of the main building on a lot).
Comment: King County already allows ADUs to match single-family homes on a wide variety of issues including location on the lot.
- Design and materials: Jurisdictions have considered establishing standards requiring a complementary design based on colors, materials, windows, roof design, and entrance orientation and location (or specifying that some but not all are to be met), and some have waived these requirements to avoid requiring ADUs to be custom built.
Comment: King County design and material standards for ADUs are already the same as for single-family homes.

4. Infrastructure

- Parking requirements: Jurisdictions have considered reducing requirements (e.g., going from 1 parking space per bedroom to 1 per unit), entirely waived the requirements for off-street parking, or waived the requirement in locations near to a frequent transit service line.
Comment: King County already allows on-site parking, with flexible regulations. It has not been the County's experience that siting of parking, even on urban ADUs, has been a barrier. However, if lot size minimums were reduced, siting the parking could be challenging.
- Minimum open spaces: Jurisdictions have considered establishing requirements for minimum outdoor or yard spaces for each ADU.
Comment: King County does not establish separate minimums for the ADU. These are covered through requirements on the existing house through requirements such as maximum impervious surface limits.
- Access: Jurisdictions have considered defining access requirements, or pathway requirements; sometimes these are a specific number of feet (e.g., 4 feet) and sometimes they relate to material types (e.g., permeable pavement that allows wheelchair access).
Comment: King County does not define access differently for ADUs in comparison to single-family homes.

In the 2019 session, the Washington State Legislature considered a bill with substantive changes to the state's ADU requirements. House Bill 1797 and Senate Bill 5812 propose a number of changes for ADU regulations inside of urban growth area boundaries. Along with the discussion of each concept, a comment is included regarding how this might comport with the County's planning and regulations.

5. General Provisions

- Precludes appeals: Jurisdiction's changes to ADU regulations are held harmless from Growth Management Act and State Environmental Policy Act appeals.
Comment: King County does not have the authority to effectuate this change.

6. Siting and Occupancy

- Occupancy limits: Encourages jurisdictions to not count ADU residents towards any limits on unrelated residents on one lot.
Comment: King County does not have the authority to effectuate this change.
- Owner-occupancy requirement: Encourages larger cities, not small cities nor counties, to not require owner-occupancy.
Comment: The geographic size of King County's unincorporated area creates challenges for enforcement. Requiring that the land owner live on the site means that the County and neighbors have someone to talk to if there are impacts. Removing the owner-occupancy requirement is not recommended for the unincorporated area.

7. Size and Design

- Allowed heights: Encourages regulations that do not limit roof heights to under 24 feet and wall heights to under 17 feet.
Comment: King County already allows ADUs to match single-family homes on a wide variety of issues including heights. Establishing regulations in the Urban Area so that ADUs are at a compatible size and scale could create more public acceptance. In the Rural Area, setbacks and parcel distances will effectively mitigate aesthetic impacts.
- Floor area maximums and minimums: Encourages regulations that floor area maximums not be less than 1000 feet, and minimums to not less than 140 feet.
Comment: King County already allows ADUs to be built to 1,000 square feet, and it can be increased to 1,500 in the rural area with the purchase of a transferable development right.
- Building setbacks: Encourages regulations to not be more stringent than the original single-family unit. Cities encouraged to allow rear-yard zero-lot siting for ADUs if there is an alley.
Comment: King County regulations on ADUs is consistent with those for single-family homes. Current regulations already allow a property to be built to the property line abutting an alley.

8. Infrastructure

- Parking: Encourages regulations to waive off-street parking requirement if ADU is within half mile of fixed guideway transit. May require parking if ADU is to be used as a short-

term rental. Defines short-term rental.

Comment: King County already has flexible on-site parking regulations. Creating more flexibility in urban areas might incentivize ADU development, especially if minimum lot sizes were reduced.

- Utility connections: Encourages jurisdictions to allow attached ADUs to be served by the existing utility connection. Does not apply to detached ADUs.

Comment: King County already allows attached ADUs to connect to existing utilities, if there is sufficient capacity in the existing to serve the ADUs.

The bill also directs the Building Code Council to adopt rules.

III. RECOMMENDATIONS

The central question in this Comprehensive Plan study is what changes can be made to make this housing option more widely used. Based on the analysis of existing regulations, and review of concepts under consideration by other jurisdictions and the Washington State Legislature, the following changes are proposed for consideration during the Public Comment Period on the 2020 Comprehensive Plan.

1. General Provisions

- Define requirements for Accessory Living Quarters: Accessory Living Quarters are intended, under current definitions, to be distinct from ADUs, and therefore ADU regulations are not imposed on them. However, given the County's experience that Accessory Living Quarters are proposed when residents cannot meet ADU regulations on minimum lot sizes in the zoning code, and given how easily these units can be retrofitted after the fact to function as ADUs, regulations should be established for these quarters. Proposed regulations include the following:
 - Limit the number of Accessory Living Quarters allowed on a parcel: Currently, there is no defined limit on the number of Accessory Living Quarters allowed on a parcel. These quarters have impacts on impervious surfaces, water and sewage, and can increase Rural Area densities beyond what is allowed in the zone. Given this, the ADU limit of one per lot should be codified for Accessory Living Quarters (see discussion below).
 - Establish a maximum square foot limit: These quarters have similar impacts on infrastructure and neighbors as ADUs, and often are used as ADUs. Given this, a maximum square foot limit should be established for Accessory Living Quarters. The ADU maximum of 1000 square feet is proposed as it provides ample space for uses such as an artist's studio or enclosed backyard gathering space. Given that these are not the same as ADUs, the ability to buy a transferable development right and increase the size in the Rural Area is not recommended. This size limit is not proposed to apply to a residential accessory structure, which could include a barn, or for farm worker housing on an agriculturally zoned parcel.
 - Kitchens and kitchen facilities: The regulation should use the Board of Health Code approach that focuses on the "area" devoted to the kitchen as opposed to the "components" of a kitchen. The Board of Health Code definition has been used by Public

Health staff since 2008 and has created more clarity on the distinction between ADUs and Accessory Living Quarters.

- Parking space requirement: The clarified definition of a kitchen and kitchen facility is intended to ensure the Accessory Living Quarter does not function as a separate dwelling unit, but rather a useable enclosed space such as an artist studio, for the existing residents. Given this, no amount of minimum parking spaces is proposed. However, given the decrease in minimum lots in the urban area, flexibility is recommended for siting of the parking space.
- Technical guidance for ADUs and Accessory Living Quarters: While King County provides expert assistance at the permit counter, it would be helpful to develop this into detailed stand-alone Bulletins for customers.
- Building assistance for ADUs: While resources would be needed to accomplish this, King County should consider developing County-owned "registered building plans" that the public can use. This would not necessarily speed up *site* review, but would assist with *plan* review and thereby potentially reduce permit times and costs. It would also save some property owners the cost of developing the building plan.

2. Siting and Occupancy

- No changes to regulations are proposed.

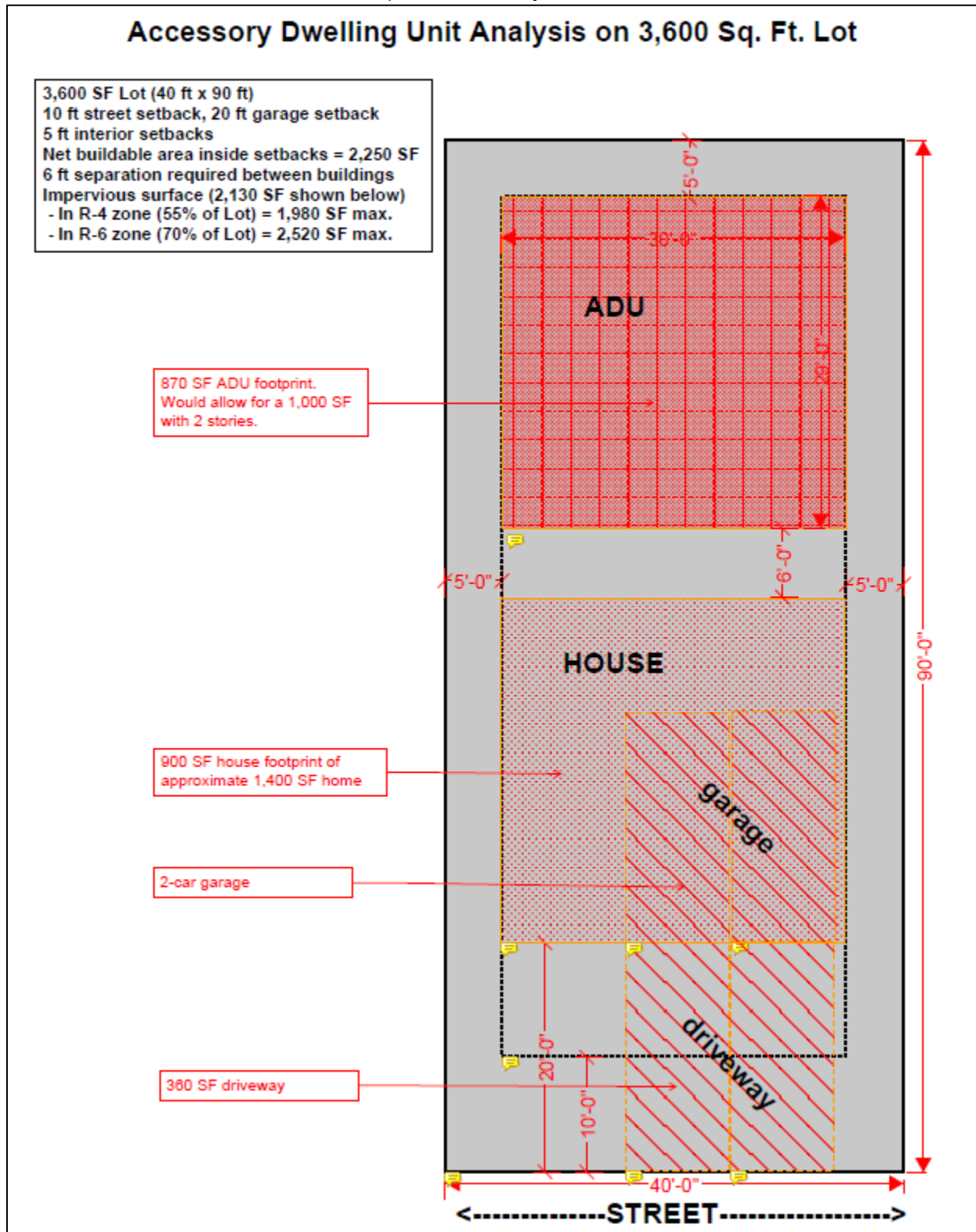
3. Size and Design

- Heights: The base height in the Zoning Code⁶ is 40 feet in Rural Area zones and generally 35 feet in low- to medium-residential urban areas. These limits can be increased up to 75 feet if setbacks are increased. While 75 feet is not likely given ADU square footage limits, it is theoretically possible. Having a 75-foot ADU would impact neighbors and lead to public opposition. Given this, the Code should be amended to not allow the base heights to be increased. This would also apply to Accessory Living Quarters.
- Lot sizes for Urban Area ADUs: To create a stronger market for ADUs, amend regulations to establish a smaller minimum lot size requirement in the zoning code in urban areas for detached ADUs. This would also apply to Accessory Living Quarters. Given County development regulations, such as lot line and street setbacks, building separation requirements, impervious surface coverage maximums, a 3600 square foot minimum lot size is proposed for urban areas. At this size, it would be feasible on many lots to build a 1000 square foot ADU and would require a second floor. This would also apply to Accessory Living Quarters.
- Lot sizes for Rural Town ADUs: Rural Towns have the same zoning categories as allowed in unincorporated urban areas. This recognizes their historical development patterns and uses, as well as the higher levels of services in these locations, such as a transit, retail uses, and more. Given this, ADUs would be an appropriate option on Rural Town lots, with the same lot size minimum as urban areas. ADUs on these lots may require sewers and potable water. This would also apply to Accessory Living Quarters.

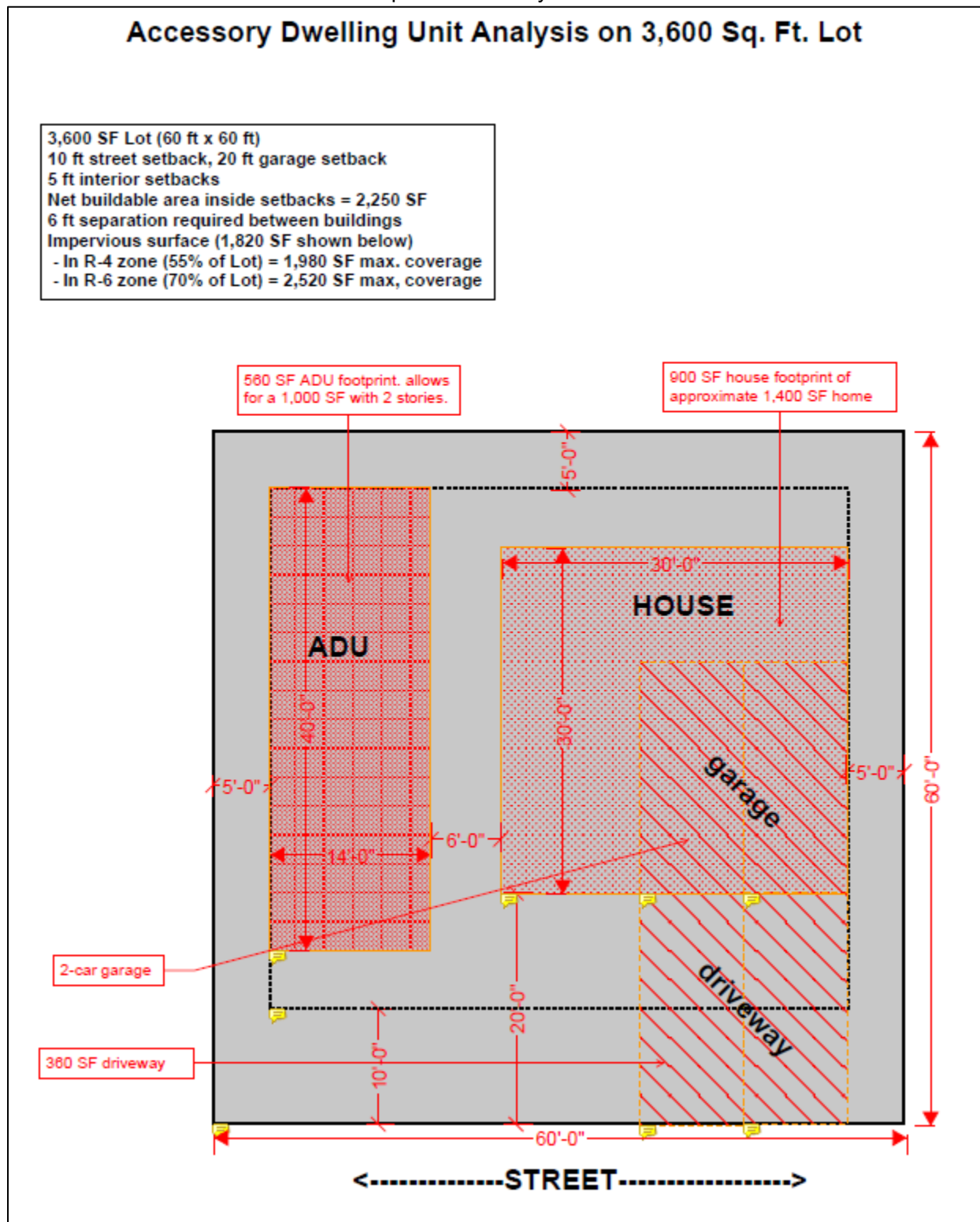
⁶ 21A.12.030 Densities and dimensions - residential and rural zones

On the following page, two diagrams are provided that illustrate how an ADU would fit on a 3600 square foot lot. Both examples include standard setbacks, include a typical home footprint, and other dimensional standards, but it is important to note that these are illustrations and actual site conditions on a lot would determine the feasibility of building an ADU on the lot.

Example 1: 90 foot by 40 foot Lot



Example 1: 60 foot by 60 foot Lot



4. Infrastructure

- Other than proposing that numerous ADU regulations would now apply to Accessory Living Quarters, no changes are proposed to infrastructure requirements related parking, water or sewage requirements.

IV. CONCLUSION

Efforts to address affordable housing suggest that ADUs are a private-market tool that can increase overall housing supply, and this can assist in providing potentially affordable units. Research on ADUs also identifies them as a tool that can help avoid displacement by allowing property owners to make a fuller use of their land to generate revenue.

King County has allowed ADUs for many years, and they exist throughout the unincorporated areas. However, recent permit data shows that only a modest number of them are built each year. The changes proposed for consideration during the Public Comment Period on the 2020 Comprehensive Plan have the potential to increase supply through a combination of reduced cost, greater consistency, technical and building assistance, and increasing available sites, while still protecting rural densities and urban compatibility.

Regulations to codify these recommendations are included in the 2020 Comprehensive Plan Public Review Draft.

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EXECUTIVE RECOMMENDED PLAN

Organics Composting Facility Regulations

Code Study

I. OVERVIEW

This code study was prepared in response to Motion 15329, which adopted the scope of work for the 2020 midpoint update to the 2016 King County Comprehensive Plan, as amended, and directed the following:

“Review the potential for siting organic composting facilities. Consider sites in the rural area, including those that currently have a Mineral use designation and implementing zoning, and consider whether to modify the land use and zoning to Rural Area, either outright or with property-specific conditions that would be appropriate for organic composting facilities as a primary use. Consider modifying associated policies or development regulations associated with organic composting facilities as a materials processing use at such locations.”

The term "organics composting facilities" is not defined in the King County Code. However, for the sake of consistency with Motion 15329, this code study uses the term “organics composting” and “organics composting facility” to mean industrial scale, commercial food- and yard-waste composting at an approved facility.

Staff from the Department of Local Services, Permitting Division, have undertaken this code study to gauge the permissibility of organics composting facilities under existing King County Code, and to identify areas for possible regulatory changes. Permitting staff consulted with Solid Waste, Public Health, Regional Planning, and the King County Prosecutor’s Office in preparing this study.

This study complements the King County Organics Market Development Plan (Plan) prepared in accordance with Ordinance 18835, Section 102, Proviso P2, which was transmitted to the Council in August 2019.

II. ORGANICS COMPOSTING REGULATIONS

Organics composting facilities in unincorporated King County are regulated by the following agencies. Given the direction for the Study in the Scope of Work, the code study focuses on those regulations administered by the Department of Local Services, Permitting Division.

King County

- Department of Local Services, Permitting Division (Permitting), issues permits and enforces codes and development regulations.
- Department of Natural Resources and Parks (DNRP) Water and Land Resources Division regulates stormwater; the Wastewater Treatment Division regulates wastewater.

Public Health – Seattle and King County (Public Health)

- Public Health reviews plans, monitors and inspects to ensure that state and local solid waste codes are being followed. Public Health also regulates the amount of material that may be processed.

Puget Sound Clean Air Agency (PSCAA)

- PSCAA regulates commercial composting operations through their permit application process and registration program. PSCAA issues an Order of Approval for operations, which may contain site-specific conditions. The registration program requires permitted operations to register annually to ensure compliance with all permit approval conditions.

III. ANALYSIS

This code study examines the potential for siting organics composting facilities by reviewing King County’s existing policy and regulatory framework and considering whether amendments would facilitate siting of additional facilities. It does not examine the feasibility of individual sites, which is something that occurs once a private operator selects a site and makes application for permits.

A. Existing Policy Framework

The King County Comprehensive Plan contains many policies related to organics composting; however, these policies are generally focused on the environmental benefits of composting, the use of compost in county projects, and the beneficial relationship between composting and the County’s solid waste management. There are general policies that guide siting in rural areas, but

none that directly relate to the siting, permitting, regulation, or enforcement of privately-owned composting facilities.¹

A sampling of Comprehensive Plan policies is included below:

R-324 Nonresidential uses in the Rural Area shall be limited to those that:

- a. Provide convenient local products and services for nearby residents;
- b. Require location in a Rural Area;
- c. Support natural resource-based industries;
- d. Provide adaptive reuse of significant historic resources; or
- e. Provide recreational and tourism opportunities that are compatible with the surrounding Rural Area.

These uses shall be sited, sized and landscaped to complement rural character as defined in policy R-101 and R-201, prevent impacts to the environment and function with rural services including on-site wastewater disposal.

R-677a King County should continue food waste programs for single family, multifamily, businesses and institutions, aimed at reducing generation, promoting donation and encouraging curbside collection for anaerobic digestion and composting.

E-455 King County shall work with regional stakeholders to ensure a viable and safe organics recycling infrastructure that allows for yard, food, wood, biosolids, manure and other organic wastes to be turned into resources benefiting climate change, soil health, water quality, and maximizing landfill diversion.

E-457 King County agencies shall use recycled organic products, such as compost, whenever feasible and promote the application of organic material to compensate for historic losses of organic content in soil caused by development, agricultural practices, and resource extraction.

F-269b In order to support achieving a 70% recycling goals, King County should work with partners and jurisdictions to encourage implementation of frequency and separation policies for curbside collection of garbage, recyclables, and organics throughout the county, including in unincorporated areas.

As a result of this review, no policy amendments are recommended as part of this code study.

¹ Specific land uses are regulated through the zoning code; most do not have associated policies.

B. Existing Regulatory Framework

The one organics composting facility currently operating in unincorporated King County is permitted as a Materials Processing Facility.² Materials processing facilities are defined in the zoning code (King County Code 21A.06.742) as follows:

“Materials processing facility:

A. A site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and

B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials.”

Materials processing facilities are allowed in the Forest, Mineral, Rural Area, and Industrial zones under certain conditions (see Table 1). They are allowed as accessory, not primary, uses in the Forest and Mineral zones due the Growth Management Act provisions that prioritize primary forestry and mining uses on designated Natural Resource Lands.

Table 1. Permissible Zoning Districts for Materials Processing Facilities³

P=Permitted Use C=Conditional Use S=Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P

Development Conditions:

“11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

13. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

² This code study assumes that the materials processing facility definition would apply to new organics composting facilities.

³ Table 1 illustrates the zoning districts and development conditions under which materials processing facilities may be allowed. It shows that they are allowed in four zones (F=Forest, M=Mineral, RA=Rural Area, I=Industrial). For each zone, the use is either permitted outright (P) or with conditions (C). The numbers listed within each zone correspond to specific development conditions below the table.

- a. as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or*
- b. as a continuation of a sawmill or lumber manufacturing use only for that period to complete delivery of products or projects under contract at the end of the sawmill or lumber manufacturing activity.*

14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

- a. as accessory to a primary mineral use; or*
- b. as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.*

15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

16. Only a site that is ten acres or greater and that does not use local access streets that abut lots developed for residential use.”

The following site development standards apply to most non-residential uses in Rural Area zones, including materials processing facilities (King County Code 21A.12.220):

- Impervious surface limits (40% of the site).
- Buildings and structures shall not be closer than 30 feet to any property line (very limited exceptions).
- Parking areas permitted within the required setback from property lines (provided they are outside the required landscape area).
- Access from at least one public street functioning at a level consistent with Road standards.
- Lighting and signs designed to project away from neighboring residences and rights-of-way.

Additionally, the following site design standards apply to materials processing facilities (King County Code 21A.22.060):

- Minimum site area of 10 acres.
- Fences, if necessary to address safety hazards.
- Warning / trespass signs, if adjacent to residential (RA, UR or R) zones.
- Structural setbacks between 50-100 feet.
- Perimeter landscaping.
- Certain clearing and grading restrictions within 50 feet of property lines.
- Lighting restrictions.

A Geographic Information System analysis showed hundreds of acres of Rural Area land potentially available for siting materials processing facilities. Additionally, there are thousands of acres of Forest and Mineral lands potentially available for siting materials processing facilities as an accessory use. A very small amount of Industrial land in unincorporated King County is potentially available for siting.

Lastly, Interim Recycling Facilities are defined in the King County Code and allow the collection, separation and shipment of materials to other sites for processing and/or final disposal. Interim Recycling Facilities are permitted outright in the Regional Business and Industrial zones, and with conditions in all other zones except resource-related zones (Agriculture, Forest, and Mineral).

C. Potential Code Amendments

As part of this code study, Permitting reviewed existing development regulations including Definitions (King County Code 21A.06), Permitted Uses (King County Code 21A.08.080) and Site Design Standards for materials processing facilities (King County Code 21A.22.060).

The following code amendments were considered:

- **Add organics composting to the definition of materials processing facilities.** Materials processing is a broad category that may include different types of materials. Adding more specificity to the definition by referencing organics composting might provide more clarity but is not likely to have a significant impact on siting. Additionally, it could result in creating non-conforming uses. Therefore, it is not recommended.
- **Create a new stand-alone specific land use in the permitted uses table for organics processing facilities.** Instead of regulating composting facilities as materials processing facilities, amend the code to create a new use covering the precise scope of composting facility operations. Like the previous bullet, this might lead to more clarity and could potentially aid siting. This would require additional stakeholder and public outreach.
- **Evaluate whether interim facilities would help phase the transfer and processing of organics.** Another option is to evaluate whether Interim Recycling Facilities would help with staging organics prior to being moved to larger composting facilities (similar to an indoor solid waste transfer station). Because of the limited amount of commercial and industrial zoned land in unincorporated King County, this approach would likely require regional partnerships, and additional would require stakeholder and public outreach.

IV. CONCLUSION

Motion 15329 directed a review of the potential for siting organics composting facilities in unincorporated King County. The King County Code currently provides for permitting (or conditionally-permitting) organics composting facilities as materials processing facilities.

The following conclusions resulted from this code study:

- There are hundreds of acres of Rural Area-zoned land potentially available for siting materials processing facilities, and thousands of acres of Forest- and Mineral-zoned land potentially available for siting materials processing facilities as an accessory use.
- Forest and Mineral zones are appropriate only for accessory use of materials processing facilities due to GMA provisions that prioritize primary forestry and mining uses on designated resource lands.
- No policy amendments are required or recommended at this time.
- No changes to existing development regulations for materials processing facilities are recommended at this time.

Areas for potential future study:

- Consider whether to create a new, stand-alone specific land use in the permitted uses table for organics composting.
- Consult with industry to evaluate whether Interim Recycling Facilities could be an effective means of staging organics prior to being moved to larger composting facilities. If so, consider whether changes to development regulations are warranted.

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EXECUTIVE RECOMMENDED PLAN

Sea Level Rise and Land Use Regulations Code Study

I. OVERVIEW

This code study reviews sea level rise science, projected timing, location, and amount of sea level rise, and current coastal shoreline development requirements in King County Code chapters 21A.24 and 21A.25. It recommends policy and code changes to help ensure the protection of public health and safety in the face of future sea level rise. The King County Comprehensive Plan 2020 Midpoint Update Scope of Work, adopted by the King County Council via Motion 15329, directed the following:

“In recognition of the growing risks of sea level rise to homes, businesses, and infrastructure in coastal areas, develop policy and regulatory changes to prepare for these impacts. This will include evaluation of regulations that address development in and adjacent to areas at risk to flooding and erosion damage.”

This study provides information that supports necessary changes to the Comprehensive Plan and King County Code on this topic.

As described in detail below, this study finds that current requirements in King County Code do not adequately protect public health and safety from projected sea level rise. Recommended changes include identifying areas at risk of future flooding due to sea level rise, establishing minimum construction requirements in areas where future flooding is projected to occur, establishing additional requirements to protect groundwater drinking water supplies, and protecting against increased erosion and landslide risks.

This study did not assess whether King County Code adequately protects environmental conditions from the impacts of projected sea level rise. Among other environmental impacts, sea level rise is projected to reduce beach widths, decrease eelgrass habitat, and decrease forage fish spawning habitat. This study did not assess whether King County Code or King County Board of Health Code requirements for on-site sewage systems adequately protect public health and safety

or environmental quality from projected sea level rise. On-site sewage systems along the coastal shoreline might be susceptible to increased frequency and depth of inundation due to increased coastal flooding driven by sea level rise.

This study builds on the 2018 results of an interdepartmental team’s evaluation of King County’s land use authorities and their protectiveness against sea level rise. The interdepartmental team met about monthly for six months to:

- Review sea level rise science and information.
- Review King County policies and codes.
- Conduct a literature review on potential strategies for updating codes and policies.
- Assess each strategy for ability to address risks and implementability.
- Develop recommendations for code and policy changes to implement within the next two to three years.

The interdepartmental team included staff from:

- Department of Local Services, Permitting Division.
- Seattle-King County Public Health, Environmental Health Section.
- Department of Natural Resources and Parks, Water and Land Resources Division.
- Department of Natural Resources and Parks, Wastewater Treatment Division.
- King County’s Climate Action Team.
- Office of Performance, Strategy, and Budget.

The interdepartmental team identified possible options for updating the King County Comprehensive Plan, King County Code, Seattle-King County Board of Health Code, and the Flood Hazard Management Plan to address sea level rise.

II. ANALYSIS

A. Sea Level Rise Science

Overwhelming evidence has been collected documenting global sea level rise over the past century. To date, sea level rise is largely driven by thermal expansion associated with ocean warming. Melting of ice sheets and glaciers also contributes to sea level rise. In Seattle, data from the tide gauge maintained by the National Oceanographic and Atmospheric Administration shows that sea level has increased by nine inches since 1899. A recent (2018) report on sea level rise in Washington State provides sea level rise projections for multiple locations through 2150.¹

¹ Miller, I.M., H. Morgan, G Mauger, T Newton, R. Weldon, D. Schmidt, M Welch, and E. Grossman. 2018. Projected Sea Level Rise in Washington State – A 2018 Assessment. Prepared by a collaboration of Washington Sea Grant, University of Washington Climate Impacts Group, Oregon State University,

This report represents the best available science on sea level rise in the Puget Sound region. The report projects that sea level in the Central Puget Sound is likely to increase beyond today's (1991-2009) levels by an additional one to two feet by the 2060s, and two to five feet by 2100. Higher and lower amounts of future sea level rise are possible depending on the global greenhouse gas emission rates and the rate of ice sheet melt in Greenland and Antarctica.

During development of the most recent coastal floodplain maps in 2011, King County assessed the potential impacts of 2-feet of sea level rise on the Vashon-Maury Island coastal floodplain.² This analysis showed that 2-feet of sea level rise would result in a median increase of flood elevation of 2.53 feet, meaning that for one-half of the shoreline, the flood elevation would increase greater than 2.53 feet and for one-half of the shoreline the flood elevation would increase less than 2.53 feet. The maximum increase in flood elevation was 6.04 feet and the minimum increase in flood elevation was 0.53 feet. This analysis demonstrated that for more sheltered areas, the change in flood elevation would largely reflect the change in sea levels. This analysis also showed that for areas more exposed to open water, the bathymetric and topographic features and land orientation would have a greater impact on flood elevation, resulting in greater or smaller increases.

B. Impacts of Sea Level Rise on Shoreline Development

Increasing sea levels are projected to result in a variety of impacts on coastal shoreline development.

1. Development in areas along the coastal shoreline will face more frequent flooding and higher flood elevations due to sea level rise.
 - a. Approximately 600 buildings are located within the Coastal High Hazard Area, the area that currently faces flooding in a one-percent annual chance event. Properties within this area will see more frequent flooding and higher flood heights.
 - b. Approximately 250 structures are located landward of the Coastal High Hazard Area within the Sea level Rise Risk Area. Properties within this area will experience flooding where they have not in the past.
2. Coastal bluffs and steep slope hazard areas will face increased rates of erosion and potential for landslides due to sea level rise, increasing risks to development on the tops of bluffs and of steep slopes. A sea level rise vulnerability assessment conducted for San Juan County, Washington, noted a doubling of erosion rates due to rising sea levels.³

University of Washington, and US Geological Survey. Prepared for the Washington Coastal Resilience Project. <https://cig.uw.edu/resources/special-reports/sea-level-rise-in-washington-state-a-2018-assessment/>.

² https://your.kingcounty.gov/dnrp/library/water-and-land/flooding/Mapping/Vashon/VMI_Public_Meeting.pdf

³ MacLennan, A.J., J.F. Waggoner, J.W. Johannessen, and S.A. Williams. 2013. Sea Level Rise Vulnerability in San Juan County, Washington. Healthy Beaches for People and Fish: Protecting Shorelines from the Impacts of Armoring Today and Rising Seas Tomorrow. Prepared by Coastal

3. Groundwater wells along the coastal shoreline will be at increased risk of being overtopped by high tides and coastal flood events, increasing the risk of salt water contamination of groundwater supplies via leaky surface seals and/or well caps at the top of the well.
4. Houses, roads, and other infrastructure, such as bulkheads, constructed along the coastal shoreline will be at increased risk of being overtopped and damaged by wave and currents as sea levels increase.

These impacts pose risks to the public health, safety, and welfare.

- Flooding and wave impacts cause significant damage to structures and infrastructure. Coastal flooding can seriously damage or destroy homes; damage roads that may be sole access roads to neighborhoods, isolating them in the event of flooding; and damage important infrastructure, such as water supply systems, septic systems, and other utility lines. All of these impacts threaten the safety of both property and the public.
- Debris from damaged structures also creates environmental and ecological impacts, such as negative effects on sea-life, including endangered species, and marine habitat, vegetation, and water quality – all of which the County has requirements to protect under the Endangered Species Act, Clean Water Act, Shoreline Management Act, Comprehensive Plan, and King County Code.
- Debris from damaged structures or landslides caused by erosion may block roadways or driveways, impairing emergency access to portions of Vashon-Maury Island. This would impact evacuations of the public, as well as access by first responders and County staff that provide services on the island. It would also delay ability to recover from and clean-up after flood events, which would have economic and environmental impacts.
- Groundwater contamination would reduce or eliminate people's access to safe and sanitary drinking water, particularly in areas where potable water comes from aquifers.
- Increased erosion may create unsafe property conditions. This includes impacts to County roadways or County-owned buildings, which would increase the frequency of maintenance, repair, or replacement needs and associated costs.

C. Existing King County Land Use Regulations Addressing Sea Level Rise

King County implements multiple land use requirements to protect public health and safety along the coastal nearshore. These requirements are articulated in King County Code Title 21A. King County Code 21A.24 describes requirements associated with critical areas, such as Coastal High Hazard Areas, steep slopes, and critical aquifer recharge areas. King County Code 21A.25 describes requirements associated with shoreline areas under the Washington State Shoreline Management Act.

Geologic Services for Friends of the San Juans. October.
https://sanjuans.org/documents/MacLennanetal_2014_SJC_Sea_Level_Rise_Vulnerability_final.pdf.

Development Requirements within the Coastal High Hazard Area

King County Code 21A.24.230 through 21A.24.275 describe development requirements for flood hazard areas, including the Coastal High Hazard Area (also known as the coastal 100-year floodplain). Among other requirements, these code sections prescribe that building shall be constructed three-feet above the 100-year flood elevation, that engineering standards are required to protect buildings, that no fill material be used in these areas, and that documentation regarding compliance with these requirements be provided.

Development Requirements Adjacent to the Coastal High Hazard Area

Currently, the standard building code requirements apply to the area adjacent to the Coastal High Hazard Area, without any of the additional requirements that apply in the Coastal High Hazard Area.

Development Requirements along the Tops of Steep Slopes

King County Code 21A.24.310 describes development requirements for areas near the tops of steep slope hazard areas. These requirements include setbacks of 15 feet from a 50-foot slope buffer, unless a geotechnical report is completed and approved. Geotechnical reports are not required to address sea level rise impacts on erosion or landslide rates, nor is a minimum time period specified for which safety from erosion or landslides is to be assessed.

Critical Aquifer Recharge Areas

King County Code 21A.24.311 through 21A.24.316 describe development requirements to protect groundwater quality from contamination. No special restrictions on groundwater well location or construction method, aside from testing for chloride for new wells within 200 feet of the ordinary high water mark, is provided for wells in the Coastal High Hazard Area or adjacent to the Coastal High Hazard Area. If the chloride testing shows that saltwater intrusion is likely to occur, the County is required to recommend appropriate measures to prevent intrusion.

Shoreline Stabilization

King County Code 21A.25.170 describes development requirements for the construction and maintenance of shoreline stabilization, such as bulkheads. Provisions are provided to encourage the use of certain types of stabilization that have less environmental impacts. Shoreline stabilization is to be sited as landward and with as little impact as feasible. Shoreline stabilization is intended to protect assets, such as buildings, roads, and utilities; stabilization is not intended to provide for the creation of new land. Shoreline stabilization is permitted to extend to a height elevation one-foot above the elevation of extreme high waters as measured by nearby tide gauges maintained by the National Oceanographic and Atmospheric Administration. Additionally, the County is required to provide notice to permit applicants for development located within the shoreline jurisdiction on Vashon and Maury Island that the development may be impacted by sea level rise and recommend applicants consider setting the development back further than required to allow for future sea level rise.

While these current regulations are important in aiding in the protection of public life, safety, and welfare, the regulations do not adequately address the aforementioned risks and impacts to Vashon-Maury Island that will be caused by future sea level rise.

D. Literature and Best Practices Review of Land Use Regulations Addressing Sea Level Rise

In 2017,⁴ the Washington State Department of Ecology conducted a review of how sea level rise is addressed in the Shoreline Master Programs of 58 local jurisdictions that have the potential to be directly impacted by rising sea levels. The majority of the requirements included policies to consider sea level rise in various decisions, and efforts to inform the public about sea level rise. Of particular note:

- The City of Olympia was identified as having the most comprehensive approach to addressing sea level rise. The City of Olympia requires detailed assessments of sea level rise impacts on various types of future development, shoreline stabilization, marine recreation, and use of fill during development. Specific requirements are detailed for consideration of sea level rise during the rebuild of Percival Landing.
- The City of Port Angeles was identified as requiring consideration of sea level rise when conducting geotechnical reports for assessing development within 65 feet of the top of a coastal bluff, and to require protection from the danger of erosion for at least 75 years.

Review of these regulations helped inform the evaluation of the County's current regulations. The result of that evaluation was that there is more the County needs to be doing to prepare for and address the risks and impacts of sea level rise on the public.

III. CONCLUSIONS AND NEXT STEPS

This study concludes that the Comprehensive Plan and King County Code currently only partially protect the public from some of the impacts of future sea level rise. While the current regulations in protecting the public, they do not adequately address the aforementioned risks and impacts that will be caused by future sea level rise. Several modifications to code are recommended to improve public health and safety. In developing these recommendations, the County was mindful of focusing on the changes that are necessary for protection of the life, safety, and welfare of the public. The County also took into account public comments received on the proposed regulations during the July 2019 comment period for the Public Review Draft of the 2020 midpoint update, and adjustments to the proposals were made accordingly.

⁴ Washington State Department of Ecology, 2017. How Local Shoreline Master Programs Currently Address Sea Level Rise. Prepared by Liliana Bastian, Shorelands and Environmental Assistance Program, Washington State Department of Ecology, Olympia, Washington. Publication Number 17-06-031. <https://fortress.wa.gov/ecy/publications/SummaryPages/1706031.html>.

A. Require Land Use Regulations that Increase Resiliency to Impacts of Climate Change and Sea Level Rise

The data discussed previously highlights that there are known risks about future sea level rise. These risks have the high probability of harming people in a multitude of ways, including through flood and wave damage to structures and infrastructure, reducing people's access to safe and sanitary drinking water due to groundwater contamination, and creating unsafe property conditions due to increased erosion. In the face of knowing these risks and associated impacts, King County has a responsibility to take actions that will protect public health, safety, and welfare. As such, it is recommended that King County adopt regulations that increase resiliency to the anticipated impacts of climate change, including sea level rise.

B. Require a Periodic Review of Sea Level Rise Projections

There are currently no requirements to review and adjust County regulations related to sea level rise. It is recommended that a periodic review of sea level rise projections, and any necessary proposed updates to regulations in response to those projections, be required as part of future statutory update of the Comprehensive Plan, meaning every eight years.

C. No Changes to Development Requirements within the Coastal High Hazard Area as Defined by King County Code 21A.24.230-21A.24.275

No changes are recommended to development requirements within the Coastal High Hazard Area as defined by current flood code in King County Code 21A.24.230 – 21A.24.275. Existing requirements account for several types of uncertainty in mapping and flood elevations. These requirements already provide protections for public health and safety against the impacts of sea level rise. It is anticipated that future efforts to update the Coastal High Hazard Area maps will include updated tide data that show higher tide levels than currently experienced. It is anticipated that inclusion of these new data would result in higher 100-year flood elevations, and thus higher building construction elevation requirements than currently required.

D. Strengthen Development Requirements Adjacent to the Coastal High Hazard Area

Current development requirements are not sufficiently protective of public health and safety in the area adjacent to the Coastal High Hazard Area in a manner that accounts for rising sea levels. This study recommends that a new "Sea Level Rise Risk Area" be established that extends landward of the Coastal High Hazard Area to an elevation that is three-feet higher than the adjacent 100-year flood elevation. The land within the Sea Level Rise Risk Area represents land that currently is not within the Coastal High Hazard Area, and thus currently has less than a one percent annual probability of flooding. However, it is anticipated that the Sea Level Rise Risk Area will in the future become part of the Coastal High Hazard Area due to future sea level rise. Three feet is recommended as a new building elevation requirement to address sea level rise because this is the elevation requirement King County already requires for the lowest horizontal structural member of new buildings to be above 100-year flood elevations in the Coastal High Hazard Area. It is also recommended that some of the development requirements in the Coastal

High Hazard Area be applied to the Sea Level Rise Risk Area, including engineering requirements, building elevation requirements, and fill restrictions.

Because land in the Sea Level Rise Risk Area is projected to become part of the Coastal High Hazard Area due to sea level rise, these development requirements are necessary to protect public safety for buildings that are intended to last for many decades.

E. Strengthen Protections of Critical Aquifer Recharge Areas

King County's regulations related to Critical Aquifer Recharge Areas include detailed requirements for protecting groundwater supplies in unincorporated King County. This study recommends that these requirements be enhanced by:

- Prohibiting new groundwater wells within the Coastal High Hazard Area.
- Requiring new groundwater wells within the proposed Sea Level Rise Risk Area to have a well casing surface seal that will prevent saltwater intrusion for fifty years.

Further, it is recommended that the testing for chloride for new wells be expanded from the current requirement of 200 feet from the ordinary high water mark to all of the Sea Level Rise Risk Area. It is also suggested to clarify that, when the County is required to recommend measures to prevent saltwater intrusion, the recommendations can include measures that go beyond the minimum requirements of the code. These changes are necessary to protect groundwater supplies from saltwater contamination entering via groundwater wells if they are inundated by coastal flooding.

F. Study Sea Level Rise Resilience Strategies for Groundwater Wells

Insufficient information was determined to be available to recommend code modifications to address existing groundwater wells within the Coastal High Hazard Area or the proposed Sea Level Rise Risk Area. This study recommends that the County conduct a study of existing wells within these areas. It is recommended that the groundwater well study:

- More fully map existing groundwater well locations along the shoreline.
- Assess associated risks of saltwater contamination of groundwater supplies due to coastal flood inundation.
- Assess the feasibility of possible actions to reduce saltwater contamination risks of groundwater due to the impacts of sea level rise on coastal flooding, including but not limited to possible code changes, incentives to retrofit groundwater wells, and opportunities to facilitate connections to group water systems.
- Recommend approaches for reducing the future risk of saltwater contamination of groundwater due to the impact of sea level rise on coastal flooding.

G. Strengthen Protections along Tops of Steep Slopes along the Coastal Shoreline

Current regulations for site alterations on properties with steep slope hazard areas require either 1) a 15-foot setback from a 50-foot buffer along the tops of steep slope hazard areas, or 2) a critical area study that evaluates the risks of slope instability, landside, or erosion and informs development of a site-specific buffer size. For new structures or substantial improvement to existing structures for steep slope hazard areas that extend into the Coastal High Hazard Area or the Sea Level Rise Risk Area, this study recommends that either: 1) the buffer be increased to 75-feet; or 2) a critical area report be required that evaluates the risk of slope instability, landslide, or erosion, including accounting for increased risk posed by rising sea levels, and informs development of a site-specific buffer size that demonstrates a minimum of 50 years of erosion and landslide protection. These changes are necessary to address life and safety protections, and minimize the risk of property damage or injury resulting from slope instability, landsliding or erosion.

H. Expand Sea Level Rise Noticing Requirements

Currently, the County is required to provide notice to permit applicants for development located within the shoreline jurisdiction on Vashon and Maury Island that the development may be impacted by sea level rise and recommend consider setting the development back further than required to allow for future sea level rise. While some of the Sea Level Rise Risk Area is also located within the County's shoreline jurisdiction, there are some portions of the Risk Area that extend beyond the shoreline jurisdiction. As noted above, these properties are at risk to future sea level rise. Therefore, it is recommended that the noticing and risk considerations requirement be expanded to include development that occurs in either the shoreline jurisdiction or the Sea Level Risk Area. These changes are necessary to ensure that applicants are aware of the risks of building in areas that will be impacted by sea level rise and to aid applicants in considering those risks in the context of their development proposal.

I. Study Possible Changes to Shoreline Stabilization Requirements

The King County Code contains provisions to allow the public to build, repair, and increase the height of shoreline stabilizations such as bulkheads. No changes to these requirements are recommended at this time. Because of the complexity of the requirements for repairing and constructing shoreline armoring, this study recommends that the County conduct a study of existing shoreline armoring along Vashon-Maury Islands. It is recommended that the shoreline armoring study:

- Map and assess existing coastal shoreline stabilization, assets protected by coastal shoreline stabilization, and ecological habitats along the shoreline that might be impacted by coastal shoreline stabilization.
- Assess County requirements for coastal shoreline stabilization construction and repair.
- Assess the feasibility of possible actions to modify approaches to shoreline stabilization to reduce public safety impacts from the risks posed by sea level rise, vessel wakes, and wind-driven waves.

- Assess the feasibility of possible actions to modify approaches to increase ecological habitat protection from current and future impacts of shoreline stabilization and shoreline development.
- Recommend approaches for increasing public safety and ecological habitat protection, including but not limited to possible code changes, incentives to retrofit assets, incentives to retrofit shoreline armoring, and buy-out programs.

J. Study Sea Level Rise Resilience Strategies On-Site Sewage Systems

King County Code Title 13 regulates on-site sewage systems within King County. It is recommended that the County conduct a study that:

- Maps the locations of existing on-site sewage systems within the Coastal High Hazard Area and the proposed Sea Level Rise Risk Area.
- Assess current requirements for on-site sewage systems within the Coastal High Hazard Area and the proposed Sea Level Rise Risk Area.
- Assess the feasibility of possible approaches to reduce public health and safety risks associated with sea level rise impacts on on-site sewage systems along the coastal shoreline, including but not limited to possible code changes and incentives to retrofit on-site sewage systems.
- Recommend approaches for reducing public health risks associated with sea level rise impacts on on-site sewage systems along the coastal shoreline.



EXECUTIVE RECOMMENDED PLAN

King County Comprehensive Plan

**Workplan Action 14
Review of the Transfer of Development Rights Program**

September 2019

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I. OVERVIEW

Since its inception in 1999, the TDR Program has been a powerful, voluntary, incentive-based conservation tool which has resulted in the permanent protection of more than 145,000 acres of forestland, farmland, and other rural open spaces that add to the quality of life for King County's residents. The program also facilitates more compact new growth in urban centers of King County – places where infrastructure exists to support a growing population – as well as inside potential annexation areas (PAAs) in the urban growth area where those amenities and infrastructure are more limited.

King County Code defines eligible TDR sending sites, which are generally rural areas and resource lands, as locations to permanently be protected by limiting development potential using conservation easements. Code also defines receiving sites, which are places where TDRs are used to add density to urban development projects, as multiple locations inside the urban growth area.

As the region continues to grow, it makes sense to consider updating the TDR program to incorporate approaches that may help address problems facing the region now that were less evident when the TDR program was developed roughly two decades ago, namely advancing delivery of affordable housing options and implementing policies that promote equity and strive toward “making King County a welcoming community where every person can thrive.”

On December 5, 2016, the King County Council adopted the 2016 Comprehensive Plan, via Ordinance 18427. The Comprehensive Plan included a series of workplan action items, and this report describes work performed under Workplan Action Item #4, which requires a review of the Transfer of Development Rights (TDR) Program. The adopted action item reads as follows:

Action 4: Transfer of Development Rights Program Review. The County's Transfer of Development Rights Program has been very successful in protecting Rural Area and Natural Resource Lands by transferring development potential into cities and unincorporated urban areas. Typically, the Transfer of Development Rights Program advances two primary policy objectives: conserving Rural Area and Natural Resource Lands, as well as focusing new growth in urban areas.

This Workplan item will do the following:

- A. Prepare a Transfer of Development Rights Program Review Study that addresses:
 - 1) Tax revenue impacts of the Transfer of Development Rights Program for both sending and receiving sites.
 - 2) Analysis of potential Transfer of Development Rights Program changes that build on existing program objectives while considering other policy objectives, such as making investments in economically disadvantaged areas, promoting housing affordability, incentivizing green building, and providing for Transit Oriented Development. The analysis should take into consideration the economic feasibility of and market interest in these

other policy objectives, as well as opportunities for providing amenities to communities that receive Transfer of Development Rights. This analysis will be achieved through implementation of a pilot project that utilizes such incentives and provides amenities to the community receiving increased density associated with the Transfer of Development Rights. If possible, the pilot project should be undertaken in Skyway-West Hill and help implement the Skyway-West Hill Action Plan.

3) Consider possible performance criteria.

B. Produce an annual report to the Council on the Transfer of Development Rights Program and associated bank activity.

- *Timeline* The annual report to the Council shall commence with a report due on December 1, 2017. The Transfer of Development Rights Program Review Study, and an ordinance making Comprehensive Plan and/or King County Code changes if applicable, shall be filed with the Council by December 1, 2018¹.
- *Outcomes:* The Executive shall file with the Council the Transfer of Development Rights Program Review Study and the annual report. The Study shall outline policy and implementation options, if applicable. If Comprehensive Plan and/or King County Code changes are recommended, an ordinance implementing those changes shall also be transmitted to the Council with the Study.
- *Leads:* Department of Natural Resources and Parks, Office of Performance Strategy and Budget. Executive staff shall update and coordinate with the Councilmember office(s) representing the pilot project community throughout the process.

This study analyzes the program experiences to date, assesses the tax revenue impacts from the transactions, explores the potential to expand the program to address new policy issues, and identifies recommended policy and code changes.

¹ The deadline for the report was extended to September 28, 2019 per ordinance 18810.

Part 1. Tax Revenue Impacts of the Transfer of Development Rights Program

II. BACKGROUND

The TDR Program conducted an analysis of tax revenue impacts of the Transfer of Development Rights Program for both sending and receiving sites. The analysis was designed based on current and historical data that was available from the King County Assessor's Office. Since some data was insufficient, conclusions were made using alternate methods for some TDR sending and receiving sites and some sites were omitted from the calculations.

III. KEY FINDINGS

Based on the data available, the TDR Program has an overwhelmingly net positive impact on tax revenues when TDR sending sites and TDR receiving sites are analyzed together, providing \$348.5 million in additional taxable value. Taxable land value for TDR sending sites is decreased, but the effect on tax revenues in those taxing districts is not a revenue reduction, but rather an effective tax rate shift within the taxing district. Like other tax reduction programs, such as Current Use Taxation, the reduction in taxable land value associated with TDR sending site enrollment does not reduce the revenue received in the taxing district. Instead, the revenue remains the same and other properties in the taxing district, that are not providing the public benefits of TDR-enrolled properties, share the tax burden through a negligible rate increase.

TDR sending site enrollments also reduce land values, which allowed public agencies, including King County, to purchase properties at a lower cost, reducing the use of public funding for conservation acquisitions.

IV. SENDING SITE RESULTS

Two-thirds of TDR sending site parcels experienced a decrease in taxable land value when they were enrolled in TDR, while one third experienced an increase or no change. For those TDR sending site parcels with sufficient data available, the cumulative total impact on 2018 taxable land value (across all sending site parcels) was estimated to be a \$1.9 million reduction in taxable land values.

In many cases, TDR easements did not cause a change in taxable land value. This lack of change in taxable land value could be due to existing difficult or costly development conditions and critical areas already factored into the taxable land value or incomplete information in the hands of the King County Assessor's Office during the appraisal process. In cases where the land would be difficult or expensive to develop, TDR enrollment did not eliminate a profitable land

use option and the taxable value associated with it. Many other factors influence taxable land value changes that are not well tracked by the King County Assessor's Office in their historical data. This results in an inability to attribute changes in assessed values solely to the recordation of a TDR easement.

Attachment A shows the sending site analysis data in tabular form.

V. RECEIVING SITE RESULTS

The total estimated value of taxable improvements attributed to the use of TDRs on TDR receiving sites (based on those with sufficient data) for calculation was \$350.4 million.

The value of taxable improvements on TDR receiving sites provides a snapshot in time. In many cases, multiple years pass from the time the TDRs are purchased until the time improvements on the TDR receiving site are constructed. The value of taxable improvements associated with TDR could not be included for all TDR receiving sites.

Attachment B shows the receiving site analysis data in tabular form.

VI. METHODS

A. TDR Sending Sites

Historic taxable land values were examined for all TDR sending sites. The taxable land value prior to TDR enrollment was compared to the taxable land value the year after TDR enrollment. In many cases, TDR easements did not cause a change in taxable land value. For sites that did experience a change in taxable land value, this impact was quantified by calculating the percentage change before and after TDR enrollment and using this change along with the 2018 taxable land value to estimate an "as if without TDR" 2018 taxable land value for comparison. Situations where 100% of taxable land value was lost (\$0 taxable land value after TDR enrollment), the impact was instead estimated by applying the ratio of taxable to appraised land value prior to TDR enrollment to the 2018 appraised land value to estimate the "as if without TDR" 2018 taxable land value. Cases where 2018 appraised land value was \$0, which is most likely associated with a government purchase after TDR enrollment, could not be assessed quantitatively.

A second comparative analysis was conducted using a sample of TDR sending sites and similar non-TDR-enrolled neighboring sites. This analysis examined taxable land value growth and taxable total value growth (land + improvements) for these pairs of sites, from the year of TDR sending site enrollment to 2018. The total value growth rate from the non-TDR-enrolled neighboring sites was used to extrapolate hypothetical 2018 taxable total values of the TDR sending sites and calculate the difference in 2018 taxable total value in the hypothetical scenario where TDR enrollment had not occurred.

B. TDR Receiving Sites

2018 taxable improvement values were examined for all TDR receiving sites. The improvements value attributed to TDR was estimated based on the total project size (in square feet or development units (Dwelling Units)) divided by the additional Dwelling Units or square footage provided through TDR. This percentage was applied to the 2018 taxable improvement values to calculate an estimated value of taxable improvements attributed to TDR.

Part 2. Analysis of Potential Transfer of Development Rights Program Changes that Build on Existing Program Objectives

I. BACKGROUND

The Transfer of Development Rights Program began as a tool to focus growth in urban areas while protecting rural area and natural resource lands. The program has found tremendous success with this model, protecting over 145,000 acres of land in King County. This workplan item was intended to analyze potential Transfer of Development Rights Program changes that build on existing program objectives while considering other policy objectives, such as making investments in economically disadvantaged areas, promoting housing affordability, incentivizing green building, or providing for transit-oriented development.

II. PURPOSE

The overarching goal of the analysis was to identify ways in which the TDR Program could be updated to incentivize developers to develop new projects in urban areas that are (1) consistent with the existing TDR model which follows Growth Management Act principles of limiting new growth on important conservation land, such as rural areas and natural resource lands, and focusing new development in urban areas, while (2) simultaneously incentivizing achievement of other policy goals, such as increasing the availability of affordable housing options, transit-oriented, and low impact development.

III. PARTNERS IN EXPLORING POTENTIAL TDR PROGRAM UPDATES

To analyze potential updates to the TDR program, staff coordinated with several other executive branch departments and offices. Partnering agencies and analyses included:

- Department of Community and Human Services, to assess opportunities for TDRs to increase affordable housing options and result in improvements in TDR receiving area communities;
- Department of Local Services – Permitting Division (formerly the Department of Permitting and Environmental Review), to ensure any proposed TDR updates are consistent with zoning and land use policies and subarea planning efforts; and
- Office of Performance, Strategy and Budget in the Executive Office, to ensure proposed updates to the TDR program are consistent with overall County policies.

In addition to working with King County colleagues, TDR Program staff also interviewed developers (i.e. those who have used or could use TDRs) to assess the viability of various potential approaches from a developer's standpoint, especially as related to simplicity, predictability, and profitability – all of which are essential for developers to use TDRs, since use

of the program in King County and partner cities is voluntary in all cases.

Although TDR program staff did not formally interview TDR owners (i.e. private landowners who have chosen to grant a conservation easement to King County and thereby created TDRs), based on years of regular contact with TDR owners, it is clear TDR owners support program changes that will result in continued demand by developers for TDRs.

IV. SUMMARY OF ANALYSES COMPLETED AND PROPOSED PROGRAM UPDATES

The table below provides a summary of analyses completed and changes being proposed to the TDR program to incentivize actions achieving additional policy goals using TDRs at development projects in urban areas.

Analysis Completed	Description	Next Steps
Increase ratios to award more development units when TDRs are used for affordable housing projects.	Authorize 4 units per rural TDR or 2 units per urban TDR when 25% of units in a project are restricted to 80% Area Median Income for at least 15 years.	Not recommended.
TDRs for mobile home parks.	Update code to allow unused development rights to be transferred from R12-R48 zoned properties with current use as a mobile home park.	Not recommended.
New category of urban to urban TDR sending sites.	Update code to establish additional category of urban sending sites: properties that meet the equity/opportunity areas criteria established under King County Code 26.12.003.E.	Propose code amendments; direct marketing to developers; coordinate with potential TDR partner cities and community organizations working to conserve new open space in equity/opportunity areas.

V. OVERVIEW OF ANALYSES

A. Promoting Housing Affordability

i. Discussions with Developers regarding TDR for affordable housing

Analysis: In coordination with DCHS, TDR program staff interviewed non-profit and for-profit developers to assess the economic and practical viability of incentivizing affordable housing using transfer of development rights. The interview questions drafted by the Department of Community and Human Services related to potential updates to Residential Density Incentives code, and given the similarity of the Residential Density Incentive and TDR, TDR Program staff participated in these developer interviews to gain insight about developers' approach to

evaluating Residential Density Incentive options and ask specific questions regarding TDR. The Department of Community and Human Services asked developers a series of questions about how adjustments to the Residential Density Incentive code could result in greater use of the program. The synopsis of the Residential Density Incentive interviews is included in the King County Residential Density Incentive Program Code Study. Interview questions about TDR focused on whether increasing ratios to yield more units per TDR would result in more developers providing affordable housing in their development projects. Although there was consensus among developers interviewed that increased density alone would not provide the best means for increasing availability of affordable housing, there was interest in the concept.

Particularly relevant feedback relates to the concept of measuring affordability by using Area Median Income as a metric (e.g. creating housing that is affordable to a person or family earning 80% of Area Median Income is a common requirement of affordable housing projects). The developer's main point was that building projects to a standard of 80% Area Median Income does not allow developers to predictably plan for future revenues to cover the full costs of development plus a reasonable margin of profit. This is due in part to costs of construction often being more variable and volatile than Area Median Income.

In other words, in the initial planning phases of a project, a developer may not be able to confidently predict the full costs of development of a project; if a "market rate" project is being built, the developer can adjust the rental or sale price of the finished housing product to cover costs and yield a margin of profit. If a project is planned and constructed as affordable at 80% Area Median Income and development costs are higher than expected, the developer may not be able to recoup full costs of development and/or may not accrue any profit from the rental or sale of the housing product. Although experienced affordable housing developers have the capacity to provide income-restricted units, for-profit developers who typically utilized the TDR Program do not show interest in adding the risk of an affordability covenant and do not have the capacity to perform ongoing income monitoring and compliance.

ii. Incentivize Affordable Housing through TDR

Analysis: Current King County Code (see King County Code 21A.37.040) enables a developer using TDRs to create two additional urban lots per "Rural" TDR, and one additional urban lot per "Urban" TDR. To the best knowledge of the TDR Program staff, no TDRs have been used to create affordable units, but rather all TDRs have been used for market rate units. The idea of TDRs for affordable housing is to increase the ratio of units per TDR when a certain percentage of additional units in a project are restricted (by covenant on title) to 80 percent Area Median Income for 15 years.

As housing prices continue to increase and the cost to construct housing increases too, TDRs for affordable housing could give developers an option that encourages market-rate units and affordable units in the same housing development. Unfortunately, developers that focus on construction of market-rate units are not likely to see the benefit of added density when the

administrative component of income restricted affordable housing is added to the equation. Developers have expressed interest in increased density if their bottom line also increases. King County code (see King County Code 21A.34), already provides density incentives for affordable housing without the need for a developer to purchase a TDR to access the incentive, so it is unlikely that a developer would choose to pay for TDRs to access a similar incentive.

Projects restricted by covenant on title would require yearly income qualification and staff would need to be available to provide technical assistance to developers and operators of the affordable housing units. The TDR Program does not have the capacity or expertise in affordable housing required to adequately perform these functions.

Conclusion of Analysis: TDR for affordable housing is not recommended. The Residential Density Incentive Program currently offers additional density for affordable housing projects at no charge and has not been utilized. This indicates that the TDR Program may not be the best mechanism to incentivize affordable housing because there is a cost associated with TDRs. Additionally, the TDR Program does not have the expertise to verify and monitor compliance associated with affordable housing.

iii. Incentivize Mobile Home Parks through TDR

Analysis: Mobile home parks offer an affordable housing solution in some urban unincorporated areas of King County. Through development of the Skyway-West Hill Land Use Plan, the Department of Local Services, Permitting Division learned that residents have concern about the potential for displacement due to development pressures. When developers purchase a property with a mobile home park to develop other types of housing, displacement may become a reality. Incentivizing the preservation of mobile home parks by allowing the voluntary removal of excess development potential through TDR is an idea that could encourage the owner of a mobile home park to retain mobile home park housing rather than developing at highest possible densities (or selling to a developer planning to do the same). If the owner of a mobile home park chose to retain mobile home park housing, TDRs could be granted to the landowner or purchased by KC TDR Bank at the fair market value difference between mobile home park use and highest density use.

Although incentivizing the preservation of mobile home parks through TDR initially appeared to provide a mechanism to encourage affordable housing and reduce the potential for displacement, concerns arise when the concept is analyzed in terms of the perpetual commitment of easements resulting from the transfer of development rights. Mobile home parks and their associated infrastructure have a lifespan. At some point in the future, the infrastructure will reach the end of its lifespan, at which time the landowner may wish to change the land use to something other than a mobile home park. If TDRs were removed from a property to incentivize retention of a mobile home park, the property would permanently have a lower maximum density than base density would otherwise allow. With less density potential, it is likely that new units constructed on the property in the future would be more expensive than a similar property that is able to fully

utilize the available density, negatively affecting the future affordability, which would be antithetical to the desired outcome of the policy. If landowners could purchase TDRs to add the density back to the property at a later date, this would have the potential to set an unfavorable precedent of reversing permanent protections on a property (and would also create an additional cost, likely increasing prices further).

Conclusion of Analysis: Incentivizing the preservation of mobile home parks through TDR is not recommended at this time. Incentivizing mobile home parks through TDR in the short term may have a negative effect on affordable housing in the future, locking a property into a mobile home park land use forever is not feasible due to the lifespan of mobile home parks, and returning the property back to base density could set unfavorable precedent. However, King County has established an Affordable Housing Committee (AHC) to implement the recommendations of the countywide Regional Affordable Housing Task Force. As part of its work, the AHC will explore opportunities to acquire and preserve manufactured housing communities to prevent displacement. As this work evolves, the County may reconsider the use of the TDR Program for preservation, if appropriate.

B. Making Investments in Economically Disadvantaged Areas

“Urban to Urban” TDRs to create open space in receiving communities

Analysis: King County is currently making investments in economically disadvantaged areas by providing open spaces amenities in communities with the greatest and most acute needs. In many cases, protecting land and providing open space in these communities eliminates development potential on the protected parcels. The TDR Program is proposing changes that could provide an opportunity for King County to achieve no net loss of development units in the urban area by removing development rights from new open space properties in the urban area prior to preservation. These development rights would be available for use in other urban areas, thus preserving development potential that would have otherwise been lost.

The review considered a new category of TDRs that would originate in the urban area and be used in the urban area: urban to urban TDRs from lands with a medium density land use designation. Urban to urban TDRs are intended to encourage equitable access to open space and provide a community amenity for economically disadvantaged areas, while still meeting Growth Management Act goals that seek to focus growth into the urban area. New urban TDRs created under this sending site category will be held by the TDR Bank and can only be used in urban areas, including unincorporated urban areas as well as incorporated cities through an interlocal agreement.

The criteria by which urban to urban TDR sending sites are enrolled would be tied to the criteria established under King County Code 26.12.003.E that identifies equity/opportunities areas based on census tract data on income, hospitalization rates for asthma, diabetes, and heart disease and areas within the Urban Growth Area that do not have a publicly owned and accessible park

within one-quarter mile of a residence.

Proposed Change: Development rights can be removed from urban properties that meet the criteria established under King County Code 26.12.003.E. for transfer to another part of the Urban Growth Area. These are recommended for funding by the conservation futures citizen committee, and are approved by King County Council for funding through a Conservation Futures Tax grant. TDRs established in equity/opportunity areas will be held by the TDR Bank. These TDRs can only be used in urban areas, including incorporated cities through an interlocal agreement.

Attachment C includes the full text of the existing King County Code 26.12.003.E.

(Note: Changes to King County Code 26.12.003 are proposed through ordinance PO 2019-0287 that is under review by King County Council, as of August 2019). Changes to King County Code 26.12.003 may affect the TDR related code edits proposed for King County Code 21A.37. If the changes to King County Code 26.12.003 are approved, King County Code 21A.37 should be updated accordingly during the Council's review and adoption of the 2020 midpoint update.)

C. Review of Residential Density Incentive Program

Analysis: A code study of the King County Residential Density Incentive Program was conducted by staff from the Department of Community and Human Services (DCHS), the Department of Local Services - Permitting Division, the Department of Natural Resources and Parks, and the Office of Performance, Strategy and Budget. The Residential Density Incentive Program allows for greater residential density in urban areas and rural towns in unincorporated King County in exchange for certain public benefits. There is currently overlap between the Residential Density Incentive Program and TDR Program because both programs provide a mechanism for developers to add density to projects in urban areas. Detailed recommendations for changes to the Residential Density Incentive Program can be found in the King County Residential Density Incentive Program Code Study. The recommendations in the King County Residential Density Incentive Program Code Study are intended to streamline the Residential Density Incentive code to focus on the promotion of affordable housing.

The Department of Community and Human Services staff worked closely with TDR Program staff to identify areas of overlap between TDR incentives and the Residential Density Incentive Program and opportunities to use TDR to meet other public benefit goals. The Residential Density Incentive code study recommends the removal of various density incentives that do not further the goals of affordable housing. TDR Program staff worked with the Department of Community and Human Services to explore potential public benefits that could be provided through the TDR Program instead of through the Residential Density Incentive Program. The Residential Density Incentive code study recommends removing density incentives related to open space protection because similar incentives are already provided through the TDR Program.

The Residential Density Incentive code study also recommends removing the historic preservation density incentives from the Residential Density Incentive code because the incentive has not been used and is not effective as written.

Conclusion of Analysis: Removal of open space incentives in the Residential Density Incentive code will not result in any changes to the TDR Program, but will simplify the King County Code by minimizing confusion around options to increase density in the urban area through open space preservation. Removing historic preservation incentives from the Residential Density Incentive code will provide the opportunity for TDR Program staff to work with King County Historic Preservation Program staff to explore opportunities to use TDR concepts to protect historic properties and buildings. Program staff anticipate ongoing conversations and potential code recommendations in the upcoming 2020 comprehensive plan.

VI. CASE STUDIES

A. Skyway (Brooks Village)

TDR Program staff participated in discussions with the Department of Local Services – Permitting Division (Permitting Division) during development of the Skyway-West Hill Land Use Plan. Work included coordination to determine potential for a parcel known as the Brooks Village property as an urban TDR sending site and potential for adjustments to TDR ratios to incentivize construction of affordable units in certain zones of Skyway where planning suggests higher density development would be appropriate.

TDR Program and Permitting Division staff discussed multiple options to use TDRs to help meet policy objectives of the Skyway-West Hill Land Use Plan. In most scenarios, using TDR to achieve these other policy objectives had the potential to add unnecessary cost and complexity when a simple code change could encourage the action.

Under the proposed changes to the TDR sending site code (i.e., to create a new equity area sending site category of urban to urban TDRs), the Brooks Village property in the Skyway-West Hill neighborhood may be eligible as an urban to urban TDR sending site. The Department of Community and Human Services is the custodial agency for Brooks Village. In most cases, King County-owned property would be ineligible as a sending site, but under proposed code updates, Brooks Village would be eligible (if it met the equity area criteria) since the longstanding plan for the property was for affordable residential development. The site has extensive critical areas including wetlands, wetland buffers and a fish-bearing stream, which limits the potential for development to only a portion of the site. If selected as an urban to urban TDR sending site under new code proposed in this report, the King County TDR Bank would bank the urban TDRs from Brooks Village. These TDRs would be available for use by developers at existing ratios for development in urban areas of King County.

If Brooks Village becomes an urban to urban sending site, rather than lose the density in the

urban area by just protecting the property as open space, urban to urban TDRs would allow that density to be moved to other areas more suitable for development while providing an amenity to the neighborhood with the added benefit of not reducing the number of development rights that could be built in the urban area.

B. White Center Hub

TDR Program staff participated in discussions with the Permitting Division and the Department of Community and Human Services on proposed land use and zoning changes to a property in White Center known as White Center Community Hub. Plans are underway to propose land use changes that would modify the designation of 2.8 acres from urban medium to urban high density and to change the zoning from R-6 to R-18. With R-18 zoning, base density would allow 50 units; however, the proposed project plans include 81 units.

TDRs for affordable housing were explored as a potential tool to provide the additional units above base density. Unfortunately, the cost associated with the purchase of TDRs is a deterrent. Instead, the project will be able to achieve the desired density by providing affordable housing in accordance with the Residential Density Incentive Program without additional costs.

Attachment D shows potential density increases and estimated costs associated with the current TDR model and with TDRs for affordable housing.

The White Center Hub case study shows that TDRs for affordable housing will not work in all situations, even when affordable housing is a central component of the project. In some cases, the current Residential Density Incentive Program provides the density incentives needed for affordable housing without the added cost of purchasing TDRs.

These case studies were conducted between March 2018 and April 2019.

VII. CONCLUSION

Based on the analysis described above, amendments to the King County Code and Comprehensive Plan are included in the draft 2020 Comprehensive Plan. Consistent with the aforementioned recommendations, the amendments expand the program to address open space equity issues in urban unincorporated areas. This change is consistent with the long-standing, and successful, focus of the program on open space issue.

Part 3. Attachments

ATTACHMENT A**TDR Sending Site Tax Analysis**

Sending Site Name	TDR Enrollment Year	Sum of Taxable Land Value year prior to TDR enrollment	Sum of Taxable land value year after TDR enrollment	Sum of 2018 Appraised (Assessed) Land Value	Sum of Concluded Est. Diff. in 2018 taxable value due to TDR
Estimated		\$15,426,518	\$12,920,515	\$15,467,525	(\$2,648,740)
Ames Lake Tree Farm 1 / Port Blakely	2002	\$1,034,296	\$49,087	\$46,686	(\$937,316)
Ames Lake Tree Farm 2 / Port Blakely	2002	\$12,320	\$11,520	\$10,960	(\$761)
Bonomi	2012	\$154,000	\$135,000	\$190,000	(\$26,741)
Horath Farm 1	2017	\$223,717	\$218,569	\$999,000	(\$5,148)
Jubilee Farms	2012	\$117,515	\$102,637	\$453,000	(\$16,531)
Mirro	2013	\$323,000	\$76,142	\$529,000	(\$352,939)
Moellendorf	2005	\$230,000	\$125,000	\$63,000	(\$52,920)
Norton	2010	\$247,484	\$237,560	\$330,528	(\$11,348)
Snoqualmie Tree Farm / Hancock Timber	2004	\$12,683,520	\$11,843,152	\$12,214,704	(\$856,681)
Strom	2014	\$198,000	\$71,590	\$318,000	(\$183,628)
Weber	2005	\$1,666	\$1,586	\$1,647	(\$83)
Woolfolk	2007	\$201,000	\$48,672	\$311,000	(\$204,644)
Estimated but appears positive		\$4,161,119	\$4,830,707	\$13,005,991	\$733,577
Baerwald	2014	\$27,164	\$30,892	\$165,000	\$3,656
Bonomi	2012	\$105,944	\$133,011	\$682,000	\$30,190
Casey Farm	2017	\$123,532	\$140,226	\$312,000	\$16,694
Costello	2006	\$45,591	\$51,692	\$413,000	\$20,489
Flick/Clark	2001	\$55,485	\$82,775	\$261,000	\$46,288
Foster Farm	2015	\$180,829	\$189,593	\$526,000	\$11,588
Hammond	2008	\$36,270	\$67,284	\$452,000	\$54,742
Horath Farm 1	2017	\$33,642	\$33,803	\$211,000	\$161
Horton Farm	2016	\$138,565	\$154,735	\$417,000	\$17,708
Huschle	2010	\$85,000	\$112,000	\$113,000	\$34,091
Jubilee Farms	2012	\$41,755	\$51,949	\$201,000	\$12,138
Kokta 1	2001	\$171,000	\$222,000	\$27,000	\$6,203
Kokta 3	2001	\$174,000	\$204,000	\$277,000	\$19,824
Magnochi Farm	2015	\$120,830	\$128,908	\$650,000	\$7,930
Matsuda Farm	2016	\$8,735	\$8,765	\$306,000	\$105
Oster	2008	\$14,382	\$14,922	\$15,012	\$543
Plum Creek	2008	\$1,529,884	\$1,587,998	\$1,592,979	\$58,370
Reynolds Farm	2015	\$63,508	\$65,889	\$573,000	\$2,329
Robins	2008	\$227,000	\$361,000	\$265,000	\$98,366
Rusch Farm	2015	\$23,002	\$24,511	\$314,000	\$1,456
Schmidt	2008	\$4,500	\$6,500	\$325,000	\$51,969
Sinnema Farm	2014	\$144,341	\$171,336	\$1,094,000	\$27,703
Snoqualmie Tree Farm / Hancock Timber	2004	\$115,000	\$115,000	\$182,000	\$0
Suhoversnik	2015	\$357,024	\$382,221	\$1,609,000	\$16,569
VanHoof	2014	\$334,136	\$489,697	\$2,023,000	\$194,465

Sending Site Name	TDR Enrollment Year	Sum of Taxable Land Value year prior to TDR enrollment	Sum of Taxable land value year after TDR enrollment	Sum of 2018 Appraised (Assessed) Land Value	Sum of Concluded Est. Diff. in 2018 taxable value due to TDR
Negative, but magnitude UNK - 2018 Appr Land Value = \$0		\$4,675,410	\$0	\$0	\$0
4A Development	1999	\$161,000	\$0	\$0	\$0
Dahlgren	2002	\$18,190	\$0	\$0	\$0
Echo Lake (TPL)	2013	\$42,427	\$0	\$0	\$0
Goldstar Properties	1999	\$482,000	\$0	\$0	\$0
Herbrand-Phase2	2013	\$22,923	\$0	\$0	\$0
Miles #1	2007	\$8,000	\$0	\$0	\$0
Miles #2	2007	\$32,160	\$0	\$0	\$0
Miles #3	2007	\$5,000	\$0	\$0	\$0
Moss Lake	2002	\$306,000	\$0	\$0	\$0
Mull	1998	\$80,000	\$0	\$0	\$0
Plum Creek	2008	\$1,727,710	\$0	\$0	\$0
Squak Mtn (TPL)-Phase1&2	2014	\$0	\$0	\$0	\$0
Sugarloaf (Cook)	2000	\$750,000	\$0	\$0	\$0
Trust for Public Lands	2001	\$1,040,000	\$0	\$0	\$0
Positive, but magnitude UNK - 2018 Appr Land Value = \$0		\$31,986	\$33,000	\$0	\$0
Plum Creek	2008	\$31,986	\$33,000	\$0	\$0
No measurable impact - \$0 value before TDR		\$0	\$544,000	\$8,568,200	\$0
Ames Lake Tree Farm 1 / Port Blakely	2002	\$0	\$0	\$0	\$0
Camp Sealth	2011	\$0	\$0	\$2,919,400	\$0
Fruitgrowers Supply Company	2009	\$0	\$0	\$0	\$0
Girl Scouts - Totem	2005	\$0	\$0	\$4,626,600	\$0
Herbrand-Phase1	2013	\$0	\$0	\$0	\$0
Hooker / McCormick	2000	\$0	\$0	\$0	\$0
McKinley LLC	2009	\$0	\$0	\$200	\$0
Moss Lake	2002	\$0	\$0	\$0	\$0
New Concept Homes	2000	\$0	\$0	\$0	\$0
Patterson Creek	2015	\$0	\$0	\$0	\$0
Petitt	2000	\$0	\$0	\$0	\$0
Rose Farm	2016	\$0	\$0	\$0	\$0
Soaring Eagle Addition - Phase 1	2017	\$0	\$0	\$379,000	\$0
Squak Mtn (TPL)-Phase1&2	2014	\$0	\$0	\$0	\$0
Swaya	2016	\$0	\$0	\$0	\$0
Tall Chief	2015	\$0	\$544,000	\$643,000	\$0
Ventis Capital	2001	\$0	\$0	\$0	\$0
Grand Total		\$24,295,033	\$18,328,222	\$37,041,716	(\$1,915,162)

ATTACHMENT B
TDR Receiving Site Tax Analysis

Based on best available TDR data										CONCLUDED TOTAL	
		If Dwelling Units				If Square Feet				\$350,480,845	
Site Name	Taxable Impr Value (2018)	Total Project DU	# of DUs via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Total Project SqFt	# of sqft via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Notes
1 Bond Tower	\$225,444,100	0	0	(N/A - SF)	N/A	361,958	21,166	6%	\$13183159	\$13,183,159	
1016 Republican	\$39,169,900	0	0	(N/A - SF)	N/A	58,000	4,087	7%	\$2760127	\$2,760,127	
16743 LLC	\$733,000	3	3	100%	\$733000	0	0	(N/A - DUs)	N/A	\$733,000	
2201 Westlake	\$0	0	0	INSUFFICIENT DATA	N/A	0	38000	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Condos, difficult to calculate sf and assessed value
2nd & Stewart	\$39,365,700	0	0	(N/A - SF)	N/A	174,938	6822	4%	\$1,535,131	\$1,535,131	
924 Howell	\$85,450,200	0	0	(N/A - SF)	N/A	179,528	10796	6%	\$5138588	\$5,138,588	
9th & Thomas	\$80,126,000	0	0	(N/A - SF)	N/A	165,297	13805	8%	\$6,691,830	\$6,691,830	
Adlers Cove	\$23,771,000	94	3	3%	\$758649	0	0	(N/A - DUs)	N/A	\$758,649	
Alicia Glenn	\$0	28	5	18%	0	0	0	(N/A - DUs)	N/A	\$0	
Andrea Clibborn ADU	\$542,000	0	0	(N/A - SF)	N/A	1,500	500	33%	\$180,667	\$180,667	
APAC Condominium Association	\$0	0	0	INSUFFICIENT DATA	N/A	0	0	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Used TDR to increase impervious surface area.
ARE-Seattle No. 16, LLC	\$172,926,600	0	0	(N/A - SF)	N/A	317,700	45000	14%	\$24,493,853	\$24,493,853	
Aspira	\$195,253,100	0	0	(N/A - SF)	N/A	294,449	32000	11%	\$2,121,9631	\$21,219,631	
Block 25W (Lakefront Investors 2)	\$0	0	0	INSUFFICIENT DATA	N/A	0	36407	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Invalid parcel #s

Based on best available TDR data										CONCLUDED TOTAL	
										\$350,480,845	
		If Dwelling Units				If Square Feet					
Site Name	Taxable Impr Value (2018)	Total Project DU	# of DUs via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Total Project SqFt	# of sqft via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Notes
Block 31 (Lakefront Investors 1)	\$0	0	0	INSUFFICIENT DATA	N/A	0	41422	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Invalid parcel #s
Canterberry Crossing	\$5,451,000	40	5	13%	\$68,1375	0	0	(N/A - DUs)	N/A	\$681,375	
Care Investors Condos	\$377,000	0	1	INSUFFICIENT DATA	N/A	0	0	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	It appears that a single-family home was built instead
Carey	\$0	1	1	100%	0	0	0	(N/A - DUs)	N/A	\$0	
Cedar Ridge Estate	\$4,710,000	30	6	20%	\$942,000	0	0	(N/A - DUs)	N/A	\$942,000	
Children's Hospital	\$43,878,500	0	0	(N/A - SF)	N/A	361,269	21,165	6%	\$2,570,629	\$2,570,629	
Chouinard ADU	\$671,000	0	0	(N/A - SF)	N/A	1,440	440	31%	\$205028	\$205,028	
CP V Sherwood, LLC	\$145,861,000	0	0	(N/A - SF)	N/A	259,194	100,000	39%	\$56,274,837	\$56,274,837	
Delsjoy Plat	\$16,342,000	20	1	5%	\$817,100	0	0	(N/A - DUs)	N/A	\$817,100	
Duong ADU	\$302,000	0	0	(N/A - SF)	N/A	1500	500	33%	\$100,667	\$100,667	
Evendell	\$23,616,000	140	40	29%	\$6,747,429	0	0	(N/A - DUs)	N/A	\$6,747,429	
Greystar 425 Fairview	\$188,729,910	0	0	(N/A - SF)	N/A	377,829	69,331	18%	\$34,631,628	\$34,631,628	
Hamilton Place	\$7,319,000	23	6	26%	\$1,909,304	0	0	(N/A - DUs)	N/A	\$1,909,304	
Hazel Park	\$5,769,000	30	6	20%	\$1,153,800	0	0	(N/A - DUs)	N/A	\$1,153,800	
Hazel Park East	\$3,418,000	9	1	11%	\$379,778	0	0	(N/A - DUs)	N/A	\$379,778	
Heilman Short Plat	\$1,667,000	2	1	50%	\$833,500	0	0	(N/A - DUs)	N/A	\$833,500	
Hibbford Glen	\$5,703,000	44	16	36%	\$2,073,818	0	0	(N/A - DUs)	N/A	\$2,073,818	
Highland Div III	\$14,570,000	63	15	24%	\$3,469,048	0	0	(N/A - DUs)	N/A	\$3,469,048	
Issaquah Highlands	\$0	0	0	INSUFFICIENT DATA	N/A	0	496,000	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Not yet constructed with TDR
Jessie Glen	\$17,884,000	49	3	6%	\$,1094,939	0	0	(N/A - DUs)	N/A	\$1,094,939	
Jones ADU	\$1,084,000	0	0	(N/A - SF)	N/A	1,500	500	33%	\$361,333	\$361,333	

Based on best available TDR data										CONCLUDED TOTAL	
		If Dwelling Units				If Square Feet				\$350,480,845	
Site Name	Taxable Impr Value (2018)	Total Project DU	# of DUs via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Total Project SqFt	# of sqft via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Notes
Kentlake Highlands 1-A	\$58,009,000	237	5	2%	\$1,223,819	0	0	(N/A - DUs)	N/A	\$1,223,819	
Kentlake Highlands Div. 2	\$2,308,000	10	3	30%	\$692,400	0	0	(N/A - DUs)	N/A	\$692,400	
Kingsgate 18	\$9,816,000	20	2	10%	\$981,600	0	0	(N/A - DUs)	N/A	\$981,600	
Knight ADU	\$1,852,000	0	0	(N/A - SF)	N/A	1499	499	33%	\$616510	\$616,510	
KR 333 Dexter LLC (Kilroy)	\$33,397,900	0	0	(N/A - SF)	N/A	607567	49,937	8%	\$2745032	\$2,745,032	
Lakefield Plat (Hunter's Place)	\$11,135,000	44	3	7%	\$759,205	0	0	(N/A - DUs)	N/A	\$759,205	
Larsen Short Plat	\$116,000	3	1	33%	\$38,667	0	0	(N/A - DUs)	N/A	\$38,667	
Liberty Grove	\$12,498,000	24	5	21%	\$2,603,750	0	0	(N/A - DUs)	N/A	\$2,603,750	
Liberty Grove Con	\$16,720,000	36	5	14%	\$2,322,222	0	0	(N/A - DUs)	N/A	\$2,322,222	
Madeline Meadows	\$3,513,000	24	8	33%	\$1,171,000	0	0	(N/A - DUs)	N/A	\$1,171,000	
MGCW, LLC (formerly Wilshire)	\$1,000	0	0	INSUFFICIENT DATA	N/A	0	49,680	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Not yet constructed with TDR
Monte ADU	\$862,000	0	0	(N/A - SF)	N/A	1500	500	33%	\$287333	\$287,333	
Nash-Holland	\$211,320,750	0	0	(N/A - SF)	N/A	533398	120,648	23%	\$47798128	\$47,798,128	
Nellis Short Plat	\$1,480,000	4	1	25%	\$370,000	0	0	(N/A - DUs)	N/A	\$370,000	
New Concept Homes SP	\$733,000	3	1	33%	\$244,333	0	0	(N/A - DUs)	N/A	\$244,333	
New Concept Homes/Carl Smith	\$859,000	3	1	33%	\$286333	0	0	(N/A - DUs)	N/A	\$286,333	
New Concept Homes/Olga Butcher	\$806,000	3	1	33%	\$268,667	0	0	(N/A - DUs)	N/A	\$268,667	
Nichols Place	\$7,470,000	46	16	35%	\$2,598,261	0	0	(N/A - DUs)	N/A	\$2,598,261	
North Lk Estate I	\$27,465,000	97	23	24%	\$6,512,320	0	0	(N/A - DUs)	N/A	\$6,512,320	
North Lk Estate II	\$12,935,200	53	7	13%	\$1,708,423	0	0	(N/A - DUs)	N/A	\$1,708,423	

Based on best available TDR data											CONCLUDED TOTAL
		If Dwelling Units				If Square Feet				\$350,480,845	
Site Name	Taxable Impr Value (2018)	Total Project DU	# of DUs via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Total Project SqFt	# of sqft via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Notes
Olive 8	\$0	0	0	INSUFFICIENT DATA	N/A	0	62,000	INSUFFICIENT DATA	N/A	INSUFFICIENT DATA	Mixed use, difficult to calculate sf and assessed value.
Onni Denny Fairview (Land) LLC	\$17,546,998	0	0	(N/A - SF)	N/A	1,168,080	236,000	20%	\$3,545,212	\$3,545,212	
Peasley Ridge Short Plat	\$1,302,000	4	1	25%	\$325,500	0	0	(N/A - DUs)	N/A	\$325,500	
Peasley Ridge Short Plat #2	\$1,186,000	4	1	25%	\$296,500	0	0	(N/A - DUs)	N/A	\$296,500	
Pitzer Homes	\$0	4	1	25%	0	0	0	(N/A - DUs)	N/A	\$0	Invalid parcel #
Plazola and Touma Eng SP	\$681,000	3	1	33%	\$227,000	0	0	(N/A - DUs)	N/A	\$227,000	
Potala Tower	\$173,886,600	0	0	(N/A - SF)	N/A	322,246	3,242	1%	\$1,749,410	\$1,749,410	
RC Hedreen	\$377,478,100	0	0	(N/A - SF)	N/A	1,062,251	69,023	6%	\$24,527,791	\$24,527,791	
Schneider Homes, INC (Otani)	\$14,649,000	68	14	21%	\$3,015,971	0	0	(N/A - DUs)	N/A	\$3,015,971	
Schnitzer West LLC	\$172,621,700	0	0	(N/A - SF)	N/A	278,000	15,680	6%	\$9,736,361	\$9,736,361	
Schultz Plat	\$6,047,000	19	6	32%	\$1,909,579	0	0	(N/A - DUs)	N/A	\$1,909,579	
Skanska	\$209,594,900	0	0	(N/A - SF)	N/A	346,905	27,810	8%	\$16,802,393	\$16,802,393	
Skanska 2+U	\$67,142,900	0	0	(N/A - SF)	N/A	701,000	32,000	5%	\$3065011	\$3,065,011	
The Highlands at Woodbrook 2	\$5,967,000	36	12	33%	\$1,989,000	0	0	(N/A - DUs)	N/A	\$1,989,000	
Thompson Short Plat	\$540,000	2	1	50%	\$270,000	0	0	(N/A - DUs)	N/A	\$270,000	
Tiekamp Short Plat	\$1,153,000	2	1	50%	\$576,500	0	0	(N/A - DUs)	N/A	\$576,500	
Totem Green	\$12,214,000	23	3	13%	\$1,593,130	0	0	(N/A - DUs)	N/A	\$1,593,130	

Based on best available TDR data										CONCLUDED TOTAL	
		If Dwelling Units				If Square Feet				\$350,480,845	
Site Name	Taxable Impr Value (2018)	Total Project DU	# of DUs via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Total Project SqFt	# of sqft via TDR	Estimated % of Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Estimated \$ of Taxable Improvements Value due to TDR	Notes
Touchstone Tilt 49	\$152,591,800	0	0	(N/A - SF)	N/A	309,325	10,591	3%	\$5,224,601	\$5,224,601	Invalid pin #s, Mixed use, difficult to calculate sf and assessed value.
Vintage Hills VI	\$16,162,000	61	2	3%	\$529,902	0	0	(N/A - DUs)	N/A	\$529,902	
Vintage Hills VII	\$6,525,000	23	4	17%	\$1,134,783	0	0	(N/A - DUs)	N/A	\$1,134,783	
Wembley Park I	\$30,063,000	146	39	27%	\$8,030,527	0	0	(N/A - DUs)	N/A	\$8,030,527	
Wembley Park II	\$9,428,000	483	42	9%	\$819,826	0	0	(N/A - DUs)	N/A	\$819,826	
Wembley Park III	\$0	26	2	8%	\$0	0	0	(N/A - DUs)	N/A	\$0	
Willow Ridge	\$2,052,000	4	1	25%	\$513,000	0	0	(N/A - DUs)	N/A	\$513,000	
Zebley Short Plat	\$860,000	2	1	50%	\$,	0	0	(N/A - DUs)	N/A	\$430,000	

ATTACHMENT C

King County Code 26.12.003.E.

King County Code 26.12.003.E establishes two ways by which a property may qualify as being in an equity/opportunity area.

1. The project meets all three of the following specified criteria:

- (a) “areas located in a census tract in which the median household income is in the lowest one-third for median household income for census tracts in King County;
- (b) “areas located in a census tract in which hospitalization rates for asthma, diabetes, and heart disease are in the highest one-third for census tracts in King County; and
- (c) “for areas within the Urban Growth Boundary, [that] do not have a publicly owned and accessible park within one-quarter mile of a residence, or for areas outside the Urban Growth Boundary[,] that do not have a publicly owned and accessible park within two miles of a residence.”

2. Alternatively, a project may qualify if “the project proponent or proponents can demonstrate, and the citizen oversight committee determines, that residents living in the area experience disproportionately limited access to public open spaces as well as demonstrated hardships such as, but not limited to, chronic low incomes, persistent poor health, or high rates of utilization of free and reduced price school meals.”

The CFT Committee will make a determination as to whether the project meets equity/opportunity area criteria and qualifies for match-free funding. The Committee will then determine whether to recommend to King County Council that the project receive a CFT funding award.

ATTACHMENT D**White Center Hub Project Potential Density through Standard TDR and TDR for Affordable Housing**

Standard TDR

Potential Zoning	Acreage	Potential Base Density	Max Density with TDR	Required TDRs to Achieve Max Density	Cost (Based on current market price)
R-18	2.81	51	76	25	\$ 250,000.00

TDR for Affordable Housing

Potential Zoning	Acreage	Potential Base Density	Max Density with TDR for Affordable Housing	Required TDRs to Achieve Max Density	Cost (Based on current market price)
R-18	2.81	51	76	12.5	\$ 125,000.00



EXECUTIVE RECOMMENDED PLAN

King County Comprehensive Plan
Review of the Four-to-One Program

September 2019

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I. OVERVIEW

Initially enacted in 1994, the Four-to-One Program is an award-winning discretionary land use process allowed under the Washington State Growth Management Act. The goals of the program are to assist in the creation of a contiguous band of open space alongside the original 1994 urban growth area boundary and to reduce sprawl by focusing growth into the urban growth area. The program allows eligible rural area zoned parcels to be added to the urban growth area, with four acres of the rural area land permanently preserved and dedicated to the King County Open Space System for each acre of new urban land. The program is guided by the Countywide Planning Policies, the King County Comprehensive Plan, and the King County Code – collectively referred to herein as the "provisions" guiding the program.¹

This voluntary program provides the County with a mechanism to address unique local circumstances and create a strong public benefit. Over the 25-year life of the program, some projects have adhered closely to the program criteria, and others have varied. Based on these experiences, the details of the program have been revised; however, the central goals have remained unchanged.

The 2016 King County Comprehensive Plan contains a workplan action item that calls for a review of the Program, and directs the County to work on this through the King County Growth Management Planning Council.

Actions Related to the Growth Management Planning Council

The Growth Management Planning Council (GMPC) is a separate formal body consisting of elected officials from King County, Seattle, Bellevue, other cities and towns in King County, special purpose districts, and the Port of Seattle. The GMPC developed the Countywide Planning Policies, providing a countywide vision and serving as a framework for each jurisdiction to develop its own comprehensive plan, which must be consistent with the overall vision for the future of King County. The GMPC is chaired by the King County Executive; five King County Councilmembers serve as members. Recommendations from the GMPC are transmitted to the full King County Council for review and consideration. The GMPC develops its own independent work program every year; this section of the 2016 Comprehensive Plan Workplan identifies issues the County will bring forward to the GMPC for review, consideration and recommendations. King County will submit these Workplan items to the GMPC for consideration at its first meeting of 2017, with a goal of completing the GMPC review and recommendations by December 31, 2018.

Action 18: Review the Four-to-One Program. The County's Four-to-One Program has been very effective in implementing Growth Management Act goals to reduce sprawl and encourage retention of open space. This is done through discretionary actions by the County Council, following a proposal being submitted

¹ Initial establishment of program by Ordinance 11446.

by a landowner(s) to the County. Over time, there have been proposals that vary from the existing parameters of the program; these have included possible conversion of urban zoning for lands not contiguous to the original 1994 Urban Growth Area, allowing the open space to be non-contiguous to the urban extension, use of transfer of development rights, providing increased open space credit for preserved lands with high ecological value (such as lands that could provide for high value floodplain restoration, riparian habitat, or working resource lands), and consideration of smaller parcels or parcels with multiple ownerships. Allowing these changes have the potential for increasing the use of the tool, with attendant risks and benefits. The Growth Management Planning Council would review the Four-to-One program and determine whether changes to the existing program should be implemented that will strengthen the program and improve implementation of the Comprehensive Plan, including evaluation of the proposals listed above.

The Growth Management Planning Council was briefed on this topic in 2017 and 2018. Action by the Growth Management Planning Council is anticipated in 2019, and action by King County is anticipated in 2020 as part of the Comprehensive Plan update.

II. REVIEW TOPICS

Based on the direction in the workplan, technical and policy review was conducted by County staff, and included outreach to city staff through the King County Interjurisdictional Team. County departments involved in the review include the Department of Natural Resources and Parks, Department of Local Services – Permitting Division, King County Geographic Information System Center, and the Office of Performance, Strategy and Budget. The review considered a variety of factors: overall program performance, site-specific implementation experience, review of the eligibility and evaluation criteria, as well as a review of the procedural aspects of the program. The following topics were included in the review.

Overall Program Review

Programmatic Issues

- Land types allowed in program
- Contiguity to the original 1994 urban growth area boundary
- Variable ratios for lands with high ecological value
- Smaller minimum parcel sizes and/or multiple ownerships
- Level of detail and specificity in the Countywide Planning Policies, Comprehensive Plan, and Code

Procedural Issues

- Role of Growth Management Planning Council
- Application and initiation process
- County review process and procedures
- City and Special Purpose District review and recommendation process

Urban Lands

- Allowed uses on the new urban land
- Relationship of program to County annexation goals

Open Space Lands

- Allowing the open space to be non-contiguous to the urban extension
- Allowing the use of transferable development rights
- Criteria for, and allowed uses on, new open space lands
- Open space evaluation criteria

Consistent with the workplan, the primary purpose of the review and driver of the recommendations is to determine whether changes to the existing program should be implemented to strengthen the program and improve implementation of the Comprehensive Plan.

III. SUMMARY OF PROGRAM

The Four-to-One Program seeks to create a contiguous band of open space along the original 1994 urban growth area boundary. For properties that meet the criteria, the program allows land owners to apply to have their land considered, with 20 percent of the land (i.e., the "one") potentially added to the urban growth area and the remaining 80 percent (i.e., the "four") permanently added to the King County Open Space System. Given that Four-to-One projects amend the urban growth area boundary, they are approved at the discretion of the County as part of an update to the Comprehensive Plan.

The following bullets summarize the provisions guiding the Four-to-One program, with additional detail provided in the Program Review section of the report.

- **Overall program acreage:** The program sets a cap of 4,000 new urban acres.
- **Ratio:** Typically four acres of conserved land for every one acre of new urban land (see the text following the list of bullets for more explanation).

- **Voluntary application:** A voluntary tool for property owners to request to add land to the urban growth area.
- **Discretionary land use amendment:** Four-to-One approvals are land use amendments, adopted by the King County Council, as part of an amendment to the Comprehensive Plan's land use map and urban growth area. The Growth Management Planning Council reviews and provides a recommendation prior to County action. The County is to consider both the quality of the open space and feasibility of urban development.
- **Expands urban growth area:** Allows urban growth area to expand even if there is already sufficient capacity to accommodate twenty-year growth projection.
- **Upheld by Hearings Board:** Program upheld by Growth Management Hearings Board as an innovative land use management technique, per 36.70A.090 Revised Code of Washington, due to "sufficient constraints in program to preclude its abuse."²
- **Eligible lands:** Parcels must be physically contiguous with the original 1994 urban growth area, with minor exceptions to address critical areas (note: the Countywide Planning Policies just refer to the urban growth area). Eligible lands include Rural Area zoned parcels. Agricultural lands are exempted in King County Code, and all Natural Resource lands are exempted in the Countywide Planning Policies. This difference has existed since the 2012 update to the Countywide Planning Policies.
- **Allowed uses of new urban lands:** New urban land is limited to residential development and must achieve a minimum density of four units per acre. The new urban land must be served by sewers and other urban services, and facilities must be provided directly from the existing urban area without crossing the open space or rural area. In cases where the Four-to-One is adjacent to a city, the jurisdiction must agree to add the new urban land to their Potential Annexation Area.
- **Evaluation criteria for new open space lands:** These include quality of open space for fish and wildlife habitat, protection of wetlands, stream corridors, ground water and water bodies; unique natural, biological, cultural, historical, or archeological features; and size of the open space dedication.
- **Use of new open space lands:** Four acres of new rural open space are required for each new acre of urban land, with the intent of creating a buffer between the new urban land and the surrounding Rural Area. New open spaces are intended to connect to other open space parcels, thereby creating and enhancing public benefits. Open space parcels are to retain their Rural Area land use designation; however, they can be used for agriculture and forestry. Also, a small portion of the open space land can be dedicated to other uses such as trails or active recreation.

² Vashon-Maury, et al v. King County case (Central Puget Sound Growth Management Hearings Board, Consolidated Case No. 95-3-0008, Final Decision and Order).

- **Annexation:** In cases where the Four-to-One is adjacent to a city, the jurisdiction must agree to add the new urban land to their Potential Annexation Area. No requirement or timeframe is established for the annexation to occur.
- **Implementation:** A term-limited conservation easement is placed on the parcel(s) when the County approves the proposal. Permanent open space dedication to the County occurs at final formal plat recording. Four-to-One proposals can be reversed if the applicant decides to not pursue urban development or fails to record the final plat.

The heart of the Four-to-One Program is the ratio of one acre of new urban land in exchange for dedication of four acres of new permanent open space buffer land, and *the resulting number of units* allowed. The following table demonstrates the impact of the ratio³ using two scenarios.

Scenarios Demonstrating Result of Four-to-One Ratio to Number of Units

	Before 4:1			After 4:1			Change
	Rural Zone	Developable Acreage	Units Allowed before 4:1	Conversion to Urban Zone	Developable Acreage (the "new urban land")	Units Allowed after 4:1	Factor of Increase
Scenario 1	RA-5	20	4	R-4	4	16	4
				R-6	4	24	6
				R-8	4	32	8
				R-12	4	48	12
Scenario 2	RA-10	20	2	R-4	4	16	8
				R-6	4	24	12
				R-8	4	32	16
				R-12	4	48	24

As shown in the first scenario, a 20-acre parcel that is zoned Rural Area 5 (1 unit per 5 acres) could *currently* subdivide and four units could be built under existing regulations. Under the Four-to-One Program, assuming all other criteria are met, and after the open space portion was dedicated to the County, the zoning on the new four acres of urban land would require a minimum of 16 units (with the minimum density R-4 zoning), the number of units would *quadruple*. Four units per acre results in lots sizes of 10,890 square feet, or one-quarter of an acre. Note that this density could increase to 48 units if the development was at 12 units per one acre (R-12 zoning), which are densities more consistent with townhouses. This is a *twelve-fold* increase the existing density even after the open space land is dedicated.

³ The unit count numbers in this section of the report and are generalized based on the zoning designation; it is important to recognize that they could increase (for example, from density incentives) or decrease (for example, to meet drainage or requirements).

In the second scenario, a 20-acre parcel zoned Rural Area 10 (1 unit per 10 acres) could *currently* subdivide and two units could be built. Under the Four-to-One program, the zoning on the new urban land would require the same minimum of 16 units (under R-4 zoning), resulting in a minimum *eight-fold* increase in units. If townhouse densities were built (such as under R-12 zoning), there could be 48 units, or a *twenty-four* fold increase in density.

Note: The scenarios use single family (R-4) to townhouse (R-12) densities for illustration of the program; however, the program does not prohibit a proposal for greater densities, and the County has density bonus programs that could increase yields. This means a proposal could be made for R-24 (twenty-four units per acre) or R-48 (48 units per acre).

In summary, under the Four-to-One Program, even after the open space land is removed, there is a minimum four-fold increase in the number of units allowed on the parcel as compared to the units allowed under existing rural zoning. And, the program currently allows the densities to increase even more significantly.

IV. PROFILES OF FOUR-TO-ONE PROPOSALS TO DATE

*Note: Brief summaries are provided for each project in this report. Additional detail on each Four-to-One project can be found in **Appendix A: Description of Four-to-One Projects**.*

Between when the program was initiated in 1994 and 2018, the County approved twelve Four-to-One projects, with three of these later reversed due to site-specific development constraints.

The Four-to-One approach to expanding the urban growth area was used most heavily in the mid-1990s after the initial urban growth area was established in 1994 under the Growth Management Act. The program was originally structured as a one-time application process. A second application process was implemented and, ultimately, it became an ongoing, although infrequently used, program. Nine projects were approved in the 1990s, including three that were reversed, and three approved in the 2000s-2010s.

Including projects that were approved and built, as well as proposals that have been approved but not yet built, the Four-to-One Program has created or will create about 360 acres of new urban land and conserved or will conserve about 1,400 acres of new open space. This is significantly below the 4,000 new urban acres program cap. These developments have included about 1,160 units with more anticipated from the approved but unbuilt projects.

Below is a summary of each of the Four-to-One projects.

- **Glacier Ridge/ McGarvey Park:** Approved in 1994, this development is located in the Fairwood/ Renton area. The project resulted in approximately 100 new urban acres that remains unincorporated, 400 new open space acres, and 475 units built. The open space is adjacent to the urban in one contiguous block that surrounds the new urban lands.

- **Ravenholt / Ravenhill Open Space:** Approved in 1995, this development is located in the Sammamish area. The project resulted in approximately 8 new urban acres that were annexed, 33 new open space acres, and 21 units built. The open space is adjacent to the urban in one contiguous block that surrounds the new urban lands.
- **GoldStar / Willows Road:** Approved in 1995, this development is located in the Kirkland area. The project resulted in approximately 9 new urban acres, 31 new open space acres, and 33 units built. Unique among the projects, this was amended in 2004 to annex the entire site, both the urban and open space, into the City of Kirkland. The open space is adjacent to the urban in one contiguous block, and partially buffers the new urban lands.
- **Emmerson / Patterson Creek Natural Area:** Approved in 1996, this development is located in the Sammamish area. The project resulted in over 6 new urban acres that were annexed, 25 new open space acres, and 26 units built. The open space is adjacent to the urban in one contiguous block and surrounds almost all of the new urban lands.
- **Polygon-Maple Ridge Highlands / Maple Ridge Highlands Open Space:** Approved in 1997, this development is located in the Maple Valley area. The project resulted in approximately 163 new urban acres that were annexed, 653 new open space acres, and 579 units built. The open space is two large contiguous blocks; one of the blocks fully surrounds the new urban land, and the other was conversed using Transfer of Development Rights.
- **Ruth / Soos Creek Park:** Approved in 1997, this development is located in Kent, near the Soos Creek Park area. The project resulted in approximately 4 new urban acres that remains unincorporated, 16 new open space acres, and 15 units built. The open space is adjacent to the urban in one contiguous block, and partially buffers the new urban lands.
- **Marshall / Evans Crest Natural Area:** Approved in 2001, this development is located in the Sammamish area. The project resulted in approximately 5 new urban acres that were annexed, 34 new open space acres, and 14 units built. The open space is adjacent to the urban in one contiguous block that surrounds the new urban lands.
- **Reserve at Covington Creek:** Approved in 2008 and modified in 2016, this development is located in the Black Diamond area. The project resulted in approximately 51 new urban acres (only 40 counted towards the ratio) that remain unincorporated, and with a future dedication of 160 new open space acres. The project allows off site transfer of development rights to meet the conservation requirement; up to 12 percent is allowed to be onsite. The project has not yet been built.
- **Rainier Ridge / Black Diamond Open Space:** Approved in 2014 and modified in 2016, this development is located in the Maple Valley area. The project resulted in

approximately 14 new urban acres that were annexed, and will require 56 new open space acres. The open space is adjacent to the urban in one contiguous block, and partially buffers the new urban lands. The project has not yet been built, meaning that the future open space lands are under term conservation easements now, but not yet dedicated in fee.

Three additional Four-to-One projects were adopted in 1995 that never moved to development and were reversed in 1998. At that time, the program did not require development review, meaning that the development concepts were adopted but they turned out not to be feasible to build. These three are referred to as **Spring Creek** (24 urban acres) in the Fairwood area, **Plum Creek** (48 urban acres) in the Black Diamond area, and **Marshall/Oatfield** (12 urban acres / later readopted as Marshall) in the Sammamish area.

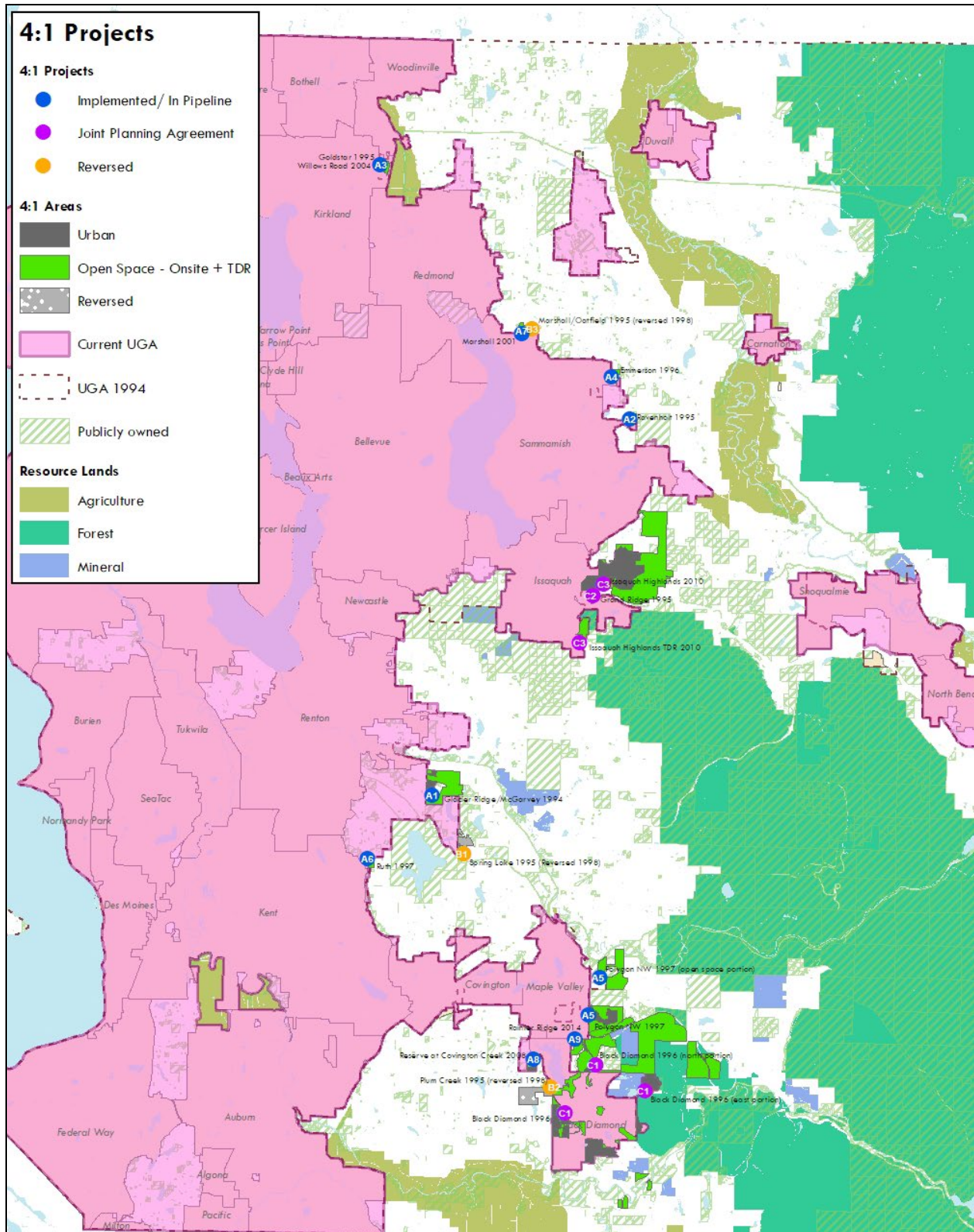
In addition, three large developments known as **Joint Planning Area Development Agreements** were permitted based on Four-to-One "principles" that required open space conservation. Joint Planning Areas were identified as the County began its planning under the Growth Management Act in the early 1990s. Work between the County and a number of the Cities in the Rural Area occurred with the intention of finalizing these cities' urban growth area boundaries.

The following summarizes the projects, using 2018 data.

- **Black Diamond Joint Planning Area / Black Diamond Open Space:** Approved in 1996, with over 400 urban acres (most of which was annexed) and 1600 open space acres. Some of the open space was dedicated to the County's open space system, and some was not. As of 2018, about 80 units were built, but many more will developed in the coming years.
- **Grand Ridge Issaquah Joint Planning Area / Grand Ridge Park:** Approved in 1996, with almost 490 urban acres that were annexed and 1400 open space acres. The development has almost 3,750 units.
- **Issaquah Highlands (Grand Ridge Expansion Area) / Park Pointe Open Space:** Approved in 2010, with 35 urban acres that were annexed and 144 open space acres. The development has almost 150 units.

With cities urban growth area boundaries finalized, these types of projects are not anticipated to occur again, and therefore they are not likely to be part of future Four-to-One proposals.

On the next page is map that shows all of the projects discussed – the nine Four-to-Ones, the three reversed projects, and the three JPA developments.



As shown on the map, along with other public lands, Four-to-One projects provided a modest but meaningful impact on permanently securing the urban growth area boundary.

Between 2015 and 2017, a number of additional Four-to-One projects were proposed, and others were amended. The following summarizes these proposals.

- **Snoqualmie Interchange:** This proposal was included in the Scope of Work for the 2016 Comprehensive Plan update. The proposal is located at the northwest corner of the Interstate 90-State Route 18 interchange. It was proposed at a time when the County was being challenged legally by the City of Snoqualmie regarding these properties. The city's desired outcome was for commercial development, which is not consistent with the program criteria. Dialogue with the city did occur; however, a number of the property owners choose not participate in the process. Given the inconsistency with the criteria, and lack of property owner involvement, this project did not move forward.
- **Carnation Fields:** This proposal was included in the Scope of Work for the 2016 Comprehensive Plan update, and later included as a property owner Docket request. While the property adhered to the procedural aspects of the Four-to-One Program, it was withdrawn and ultimately the County bought the property to conserve it for agricultural use.
- **North Bend:** This proposal was included in the Scope of Work for the 2016 Comprehensive Plan update. The proposal included a number of property owners, some of whom had not heard that the County included their land in a Comprehensive Plan process. Some of the property owners were not interested in having their land used in this manner. Given the lack of property owner interest, this project did not move forward.
- **Cedar Hills/Maple Valley:** This Four-to-One proposal was focused on land in and around the Cedar Hills landfill. Consideration of the proposal became moot when the license to operate the landfill was extended. This area will be considered as part of a future Community Service Area Subarea Planning Process.
- **Reserve at Covington Creek:** This Four-to-One proposal was approved in 2008. The project resulted in approximately 51 new urban acres (including 40 acres for development plus an 11-acre athletic field) being added to the urban growth area, and would require about 160 new acres of rural land to be conserved. The project has not yet been built. The proposal included a pre-annexation agreement and required that the development be consistent with the City of Black Diamond's regulations and guidelines. In 2016, both of these conditions were removed, with a "no-contest to annexation" provision added. Also, the requirement for conservation of rural area land was modified to include rural, agricultural or forestry lands (with up to 20 acres onsite open space allowed to count towards the open space requirement). In both the 2008 and 2016 adoption, transferable development rights were allowed, with the result being open space conservation that did not include the land being permanently dedicated to the County.

- **Rainier Ridge:** This Four-to-One proposal was approved in 2014. The project resulted in 14 new urban acres, and would require approximately 56 new open space acres. Initiating an annexation process was required prior to actual development. In 2016, this requirement was replaced with a requirement to annex to the City of Maple Valley before 2017. These two changes reflected ongoing work between the property owner and the City to move the area towards annexation. This area has been annexed to the city.

The experiences and knowledge gained during each of these Four-to-One projects and projects led to changes in the program over the years, resulting in the program that is in place today. These experiences informed the review of the topics noted at the beginning of this report.

V. REVIEW OF PROGRAM

This section addresses the review topics noted at the beginning of the report, and fall into the categories of overall program review, programmatic issues, procedural issues, urban lands, and open space lands.

A. Overall Program Review

The Four-to-One program was enacted almost 25 years ago and has been used infrequently. The majority of the proposals were processed in the late 1990s; however, the program has continued to this day and Four-to-One proposals were approved sporadically in the 2000s and 2010s.

The program goal was to create a contiguous band of open space next to the original 1994 urban growth area boundary and to address unresolved urban growth area issues. The program results, while limited, have helped to secure the urban growth area boundary in some areas. Nine Four-to-One projects have been approved, adding about 360 new urban acres and conserving over 1,300 open space acres.⁴ These open space lands currently comprise a meaningful part of the total land acreage of the County's Park System, and the acquisitions have complemented other land use and conservation tools. And, the new urban land acreage is well below the 4,000-acre maximum limit on the total urban acreage that can be added to the urban growth area because of the program.

The open space land dedications have resulted in multiple permanent benefits, including creation of functional buffers along the urban growth area boundary, serving as community separators, protecting critical natural resources, enhancing fish and wildlife habitat, preserving tree canopy and reduce fragmentation of forested lands as well as providing

⁴ These calculations do not include the Joint Planning Area Agreements that were not Four-to-One projects, but were based on Four-to-One "principles."

opportunities for various types of passive recreation, such as hiking, mountain biking and horseback riding.

Given that the program is well within the urban acreage limits, and given the open space benefits, it is recommended that the program be retained and no changes are recommended related to the overall goals of the program. Recommendations are provided, however to the provisions that guide the program to improve consistency, clarity and the effectiveness of the program.

B. Programmatic issues

- **Land types allowed in program:** Since inception, the program stated that rural area land could be considered in the program, and it specifically stated that agricultural lands were excluded. The provisions were silent on other types of natural resource lands – forestry and mining. The rationale for focusing on rural lands alone was that there fewer tools designed to protect rural lands, and there was countywide agreement that agricultural lands should be permanently protected. In the 2012 update of the Countywide Planning Policies, the language was expanded to exclude not only agricultural lands, but all natural resource lands. The rationale for excluding forest and mineral lands is the same as for agricultural lands, particularly land in the Forest Production District, with some portions Forest Production District being directly adjacent to four cities (Issaquah, Black Diamond, North Bend and Enumclaw), and therefore at risk. It is recommended that the Comprehensive Plan and King County Code be amended to be consistent with the Countywide Planning Policies and prohibit allowing natural resource lands from using the program.
- **Contiguity to the original 1994 Urban Growth Area boundary:** Since inception, the program stated that the County would actively pursue open space dedication to create a contiguous band north and south along the original 1994 urban growth area boundary. During the 2012 update of the Countywide Planning Policies, language was amended in a manner that simply referenced the urban growth area boundary rather than the 1994 original boundary. It is recommended that the Countywide Planning Policies be amended to be consistent with the original intent of the program and to align proposals with the 1994 boundary.
- **Variable ratios for lands with high ecological value:** Since inception, the ratio has been four acres of open space to one acre of new urban land (note: a separate ratio of three-and-a-half to one for proposals that include a specific percentage of affordable housing exists, however it has only been used once). A review of the program highlights its core goal of achieving multiple benefits, including those listed in the workplan. These include floodplain restoration, riparian habitat, or working resource lands, fish and wildlife habitat including wildlife habitat networks, habitat for endangered and threatened species, protection of wetlands, stream corridors, ground water and water bodies, and more. Given the multiple criteria and numerous program goals related to ecological value, a more

complex system with differential numerical ratios would add significant complexity and might lead to a less holistic approach. Also, not only are lands with high ecological value already included in the program criteria, often these lands have less development potential without public ownership. It is recommended that the ratio be retained for all projects.

- **Smaller minimum parcel sizes and/or multiple ownerships:** Since inception, the minimum size of projects has been 20 acres. The rationale was based on two factors: (a) ensuring that the scale of the new urban area was sufficient to make development feasible, and (b) ensuring that the size of the open space parcel was sufficient to allow for efficient management and public benefit. Also, the program has always allowed smaller parcels to be combined to meet the minimum acreage. A review of the theoretically available parcels indicates that there are approximately 1,800 parcels available to use the program and, while the vast majority are below the minimum size, they could be combined to meet the minimum required size. Of these parcels, about 90 are over 20 acres and an additional 100 are over ten acres.

Related to parcel size, and therefore the size of the open space dedications, the most significant benefits to the open space system have resulted from the larger connected acreage dedications. When lands are located adjacent and connect to existing open space the benefit increases in terms of habitat and recreational value. Conversely, the smaller and disconnected open space parcels have presented management challenges for the County. Some parcels have access challenges as private properties need to be crossed to access the County owned open space. Also, some of the smaller open spaces are not a high priority for public access or maintenance and restoration; in short, they are too small to easily manage. Last, while King County owns and monitors thousands of acres of natural area and forest conservation easements, due to the location of these open spaces (i.e., closer to more densely developed areas with higher populations), these lands have experienced more prohibited uses, activities and encroachments. Given these factors – an allowance to combine smaller parcels and the complexity of managing small, disconnected open space parcels – retaining the existing minimum parcel size is recommended.

- **Level of detail and specificity in the Countywide Planning Policies, Comprehensive Plan, and Code:** Provisions related to the Four-to-One Program are found in the Countywide Planning Policies, King County Comprehensive Plan text and policies, and the King County Code. Each of these documents plays a role in the hierarchy of planning under the Growth Management Act. Countywide Planning Policies are focused on intergovernmental issues and often contains the broadest policy statements. Comprehensive Plans are more specific and include policies that guide jurisdictions' decision-making. Last, development regulations such as the King County Code contain the most detailed provisions that are used during permit review and to implement the Comprehensive Plan policies. The review of the existing provisions revealed a number of ambiguities, varying levels of detail or omission of details, or location of provisions in one set that would be more appropriate in others (i.e., narrow details in the Countywide Planning Policies that would be more appropriate for the King County Code). A number

of changes are recommended to move and align the provisions to create greater clarity, consistency, and to ensure an appropriate level of detail among the provisions.

C. Procedural issues

- **Role of Growth Management Planning Council:** The Growth Management Planning Council reviews expansions of the urban growth area, but their role in reviewing contractions is unclear. As the urban growth area boundary is a countywide construct, it is recommended that the Growth Management Planning Council review all amendments.
- **Application and initiation process:** The policies and code are silent on how proposals are initiated; however, they typically start through submittal of a Docket Request by the property owner. In 2016, a number of proposals were included in the Scope of Work for the Comprehensive Plan update. Having the County include a site specific land use change without property owner consent, might create an appearance of support for the proposal even before it is reviewed, and creates complexity for the property owner (and the surrounding community) if they do not support the concept. It is recommended that future Four-to-One proposals initiated by property owners come through the Docket Process. This links the review to the Comprehensive Plan process.
- **County review process and procedures:** The existing King County Code requires that site suitability and development conditions of Four-to-One proposals be established through the Preliminary Formal Plat process. This is a complex and costly process and is typically used in the development phase of a project, not the review phase of a concept. Given that Four-to-One proposals usually start as a concept rather than a formal proposal, and the discretionary nature of the program, it may be more appropriate to use a simpler process for the initial review prior to Council adoption, while retaining the Preliminary Formal Plat process for review during the development process. One well-established process is the Mandatory Pre-Application Review process. For a Four-to-One, the typical review would consist of 5 to 6 staff, including land use, engineering, transportation, geo-technical, aquatic, and natural resources and parks staff. The Permitting department determines the necessary disciplines based on the complexity of the proposal. For a Four-to-One review, this level of review is recommended to support the Executive in making a recommendation to the County Council in the Docket Report.

For projects that are in areas that are not ready for annexation (i.e., such as a project at the far edge of a large unincorporated area and not adjacent to a city), standard land subdivision and development processes would still be required after Council adoption if the project develops under County regulations. For projects that are in areas adjacent to cities, it is proposed that these projects develop under City standards only after annexation of the land occurs (see below). Depending upon the proximity to a city, and therefore the potential requirement for annexation prior to development, this would also impact the number of staff needed, and the issues raised, in the Pre-Application Review Process.

- **City and Special Purpose District review and recommendation process:** The Countywide Planning Policies require that the city agree to add the new urban area of a Four-to-One proposal into their Potential Annexation Area, given that services are to be provided directly to the new urban land, and these would be provided by a city or the local special service districts. Currently it is unclear as to how the City makes a recommendation. And, given the proposed new requirement that annexation occur prior to development for sites adjacent to an incorporated area, it is recommended that the City adopt legislation (i.e., a resolution or motion) rather than relying on correspondence from staff.

Related, the County Code requires that proposals be referred to the affected special purpose districts for recommendations. While this outreach is appropriate and useful, it is important to recognize that jurisdictions have the primary responsibility for service provision not special purpose districts. Given this, it is recommended that the aforementioned city legislation be recognized as the commitment to serve the proposal, and the special purpose district recommendation be afforded due consideration, but not be determinative.

D. Urban Lands

- **Allowed uses on the new urban land:** Since inception, the new urban land has been required to be residential and achieve a minimum of four dwelling units per acre. This has allowed for housing but not for commercial development at the edge of the urban growth area. Other factors include direction on where the urban infrastructure is to be located on the urban portion of the site, direction that the infrastructure not count towards the open space calculation, and direction regarding establishing the boundaries of the urban land to avoid critical areas. Other than technical changes for consistency among the three sets of provisions, no changes are recommended.
- **Relationship of program to County annexation goals:** Annexation of unincorporated urban land is a central theme in the Comprehensive Plan; however, the Four-to-One program results in new unincorporated urban lands, with one third of the past Four-to-One projects still not annexed. In cases where the Four-to-One is adjacent to a city, under existing code they must agree to add the new urban land into their potential annexation areas but they are not required to annex. It is recommended that the program be amended so that when projects are adjacent to a city, annexation is required prior to project development. That way, the new development occurs under city standards and processes. To ensure that the County's interests (such as ratios, densities, protected areas, and allowed uses) are represented in the post-annexation outcomes, it is recommended that County approval include an interlocal agreement that ensure the conditions are binding on the title. While city standards will guide development of the urban portions of the projects, identification of the open space will occur when the Council acts to approve the Four-to-One.

E. Open Space Lands

- **Allowing the open space to be non-contiguous to the urban extension:** The majority of past projects have located all of the required open space on the same site as the new open land. This helped to ensure that the new urban lands are buffered from the surrounding rural area; however, this is not required. It is recommended that the provisions state that the open space is to primarily be on the parcel. The provisions should also state that the new urban area be buffered from the surrounding rural area. This, along with other provisions such as generally configuring the open space in a way that connects with open space on adjacent properties, should provide ample protection while still retaining a level of discretion for the applicant and the County to adjust to site-specific conditions.
- **Allowing the use of transferable development rights:** The Transfer of Development Rights program provides a meaningfully different outcome than the Four-to-One Program. Under the Four-to-One program, "conserved" open space is dedicated to the County in fee simple ownership, meaning the land becomes public and provides a clear public benefit. Under the Transfer of Development Rights program, "conserved" land remains in private ownership and the rural land owner is compensated by a developer (or the county) who purchases the development rights for reuse in increased density in urban areas. Both result in conservation, but the public benefits are different. Also, the Four-to-One program is focused on securing the original 1994 urban growth area boundary, whereas the Transfer of Development Rights program looks at a much broader suite of lands. As discussed in the previous bullet, if the open space is primarily on the parcel, and the on-site open space buffers the new urban from the surrounding rural, the core purpose of the program is met, and any remaining open space requirement may potentially be met through off-site open space.

To understand the relationship of transferable development rights to the Four-to-One program, one project – the Reserve at Covington Creek – is analyzed given that the County allowed it to use transferable development rights to meet the conservation requirement. As discussed previously, and illustrated in Appendix A, nearly all of the past projects conserved land onsite or on nearby Rural Area parcels. This was based, in part, on the restriction that through the program only Rural Area land can be added to the urban area;⁵ given this, developers either used part of their sites or acquired nearby sites.

The Reserve at Covington Creek project added over 51 acres of new urban land (only the developable 40 acres counted toward the conservation ratio) and would have therefore required about 160 acres of fee simple conservation⁶ of rural area land if this project fully followed typical practices.

⁵ 20.18.180 "Rural area land may be added to the urban growth area..."

⁶ 20.18.170.C. "Upon final plat approval, the open space shall be permanently dedicated in fee simple to King County."

Note: it is unclear on whether the term "rural area land" as written in 2008 means land with Rural Area zoning, or whether it means any land that is not urban. This distinction was made clearer in the 2016 amendments to the Comprehensive Plan. For the sake of this analysis, the definitions as they exist in the 2016 Plan are used as this was the time period in which the 2008 conditions were amended.

If the developer had to buy 160 acres of Rural Area zoned land in 2018, or dedicate this amount of their own land, the cost to buy or value if dedicated would be approximately \$5.8 million (based on the average cost for 2014-18 Rural Area zoned land purchases). However, because the Reserve at Covington Creek allowed the use of transferable development rights rather than fee simple ownership, the cost parameters were changed. If the developer purchased 160 acres of Rural Area *easements*, at an average cost of \$11,500 per acre, the cost would have been reduced from \$5.2 million to \$1.8 million. If the developer purchased Agricultural easements, at an average cost of \$6,200 an acre, the cost would have been \$990,000. In 2018, the developer purchased 160 acres of forest easements, at a total actual cost of \$44,000 (an average of \$275 per acre). The decrease from high-end estimate for fee simple acquisition of Rural Area acreage (i.e., the standard outcome of a Four-to-One project) to the actual cost illustrates the significant impact of allowing transferable development rights.

Based on this experience, and the fact that the conservation benefit occurs on land that remains in private ownership rather than land that gets added to County's open space system, it is not recommended that conservation be achieved through the Transfer of Development Rights program.

- **Criteria for, and allowed uses on, new open space lands:** The provisions state that the open space land retain its rural area designation but other provisions allow it to be used as natural areas, passive recreation sites, resource lands for farming or forestry, and allow that a small portion of the open space can be used for trails, wetland mitigation, and limited areas for active recreation uses. To create consistency, it is recommended that the new open space lands be allowed to have a Rural Area, open space, or farm or forestry uses, consistent with its proposed use.
- **Open space evaluation criteria:** The provisions contain a number of evaluation criteria for proposals. Based on program experience, some projects created challenges to the County to *efficiently manage* the open space (i.e., access, connection to other open spaces, and more) and challenges for *public access*. It is recommended that evaluation criteria be added on both of these topics.

VI. RECOMMENDED REVISIONS TO PROGRAM

Based on the review, revisions to the program are recommended. The revisions are summarized below, and the text of the actual amendments is included Public Review Draft. Program revisions are both narrow and substantive, and are recommended to the Countywide Planning Policies, Comprehensive Plan, and County Code. The revisions fall into three categories:

(1) changes to clarify and increase consistency, (2) changes to the programmatic and procedural aspects of the program, and (3) changes to the eligibility and evaluation criteria.

A. Revisions to clarify and increase consistency

- Countywide Planning Policies should be revised to match Comprehensive Plan and Code to reference that Four-to-One proposals be adjacent to the 1994 original urban growth area.
- Countywide Planning Policies should be revised to match Comprehensive Plan and Code to reference that Four-to-One proposals are limited to residential development, consistent with the long-standing goals of the program.

B. Revisions to the programmatic and procedural aspects of the program

- All provisions should be revised to more accurately reflect the reactive rather than proactive nature of the program. Other minor text changes for clarity.
- All provisions should be revised to require that for projects adjacent to an incorporated area, development on Four-to-One parcels occur only after annexation. Comprehensive Plan and King County code should establish that annexation interlocal agreements are developed that ensure development is consistent with the conditions included in County's adopting ordinance.
- County Code should be revised to change level of review prior to adoption from a Preliminary Formal Plat Approval to a Pre-Application Review Process.
- All provisions should clarify that Growth Management Planning Council review all urban growth area amendments, not just expansions.
- Comprehensive Plan and County Code should be revised to require property owner initiated Four-to-One proposals to be initiated through the Docket process to link decision-making to the Comprehensive Plan update process.

C. Revisions to the eligibility and evaluation criteria

- Comprehensive Plan and County Code should be revised to match Countywide Planning Policies to exclude all forest resource lands.
- All provisions should be revised to require that the new open space land is to primarily be on-site and should provide an open space buffer between the new urban land and the surrounding adjacent Rural Area parcels.
- Comprehensive Plan and Code should be revised so that criteria for open space to include: (1) evaluation of the potential for public and/or county access to open space, and (2) evaluation of the County to efficiently manage the open space.

- Comprehensive Plan should be revised to allow the new open space land to be assigned a land use designation of agricultural, forest or open space, consistent with the intended use.

Amendments to code and policy are included in the Public Review Draft of the 2020 Comprehensive Plan. Consistent with the aforementioned recommendations, the amendments seek to clarify the procedural and substantive components of the program, make the provisions more consistent, and meet the goal of the workplan to strengthen the program and improve implementation of the Comprehensive Plan.

-End of Report-

APPENDIX A: DESCRIPTION OF FOUR-TO-ONE PROJECTS

This appendix supplements the discussion and analysis in the Four-to-One Program Review Report. It provides detail on nine adopted Four-to-Ones projects, three projects that were reversed, as well as three Joint Planning Agreement project that used Four-to-One "principles" to guide their development. The following projects are described:

A. Adopted Projects

Glacier Ridge / McGarvey Park

Ravenholt / Ravenhill Open Space

GoldStar / Willows Road

Emmerson / Patterson Creek Natural Area

Polygon-Maple Ridge Highlands / Maple Ridge Highlands Open Space

Ruth / Soos Creek Park

Marshall / Evans Crest Natural Area

Reserve at Covington Creek

Rainier Ridge / Black Diamond Open Space

B. Projects That Were Reversed

Spring Lake

Plum Creek

Marshall/Oatfield (replaced by Marshall)

C. Joint Planning Area Agreements Projects

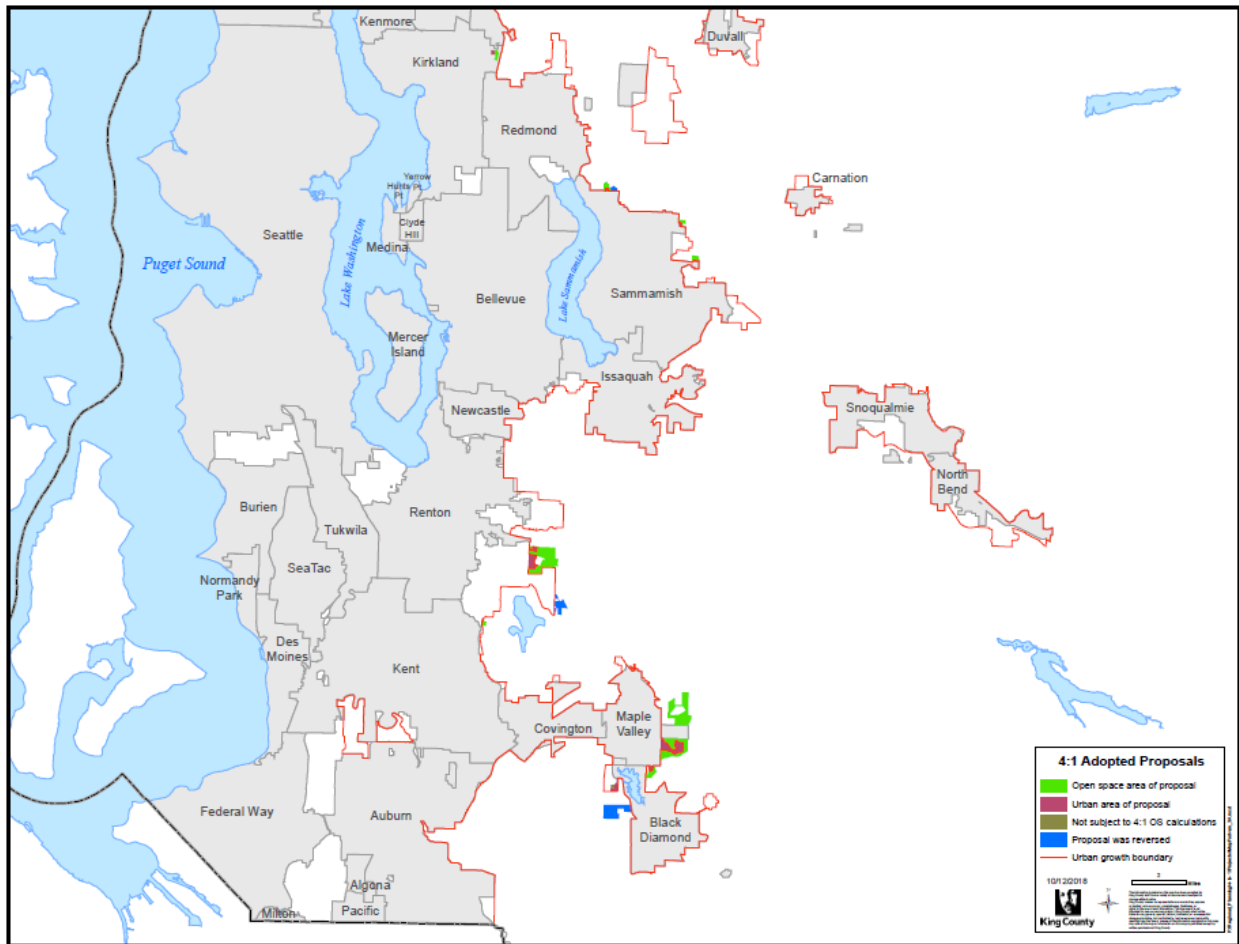
Black Diamond Joint Planning Area / Black Diamond Open Space

Grand Ridge Issaquah Joint Planning Area / Grand Ridge Park

Issaquah Highlands (Grand Ridge Expansion Area) / Park Pointe Open Space

A. Adopted Projects

This section focuses on the nine Four-to-One projects that were adopted and built or are still eligible to be built. These nine are shown on the map below. The map included in the main report, in section IV. Four-to-One Projects to Date, provides additional context-setting information for these projects.



Glacier Ridge / McGarvey Park

Adopted by Ordinance 11575, this was the first Four-to-One project. The site is located at the edge of the unincorporated area of Fairwood. All of the open space is contiguous and located on-site. All of the new urban area was surrounded by the new open space, except for a portion in the middle of the site. This non-open space portion is still rural – zoned RA-2.5, with a wetland management special district overlay designation – and owned by Rainier Christian School.

Urban Lands: The new urban land was approximately 99 acres. The development resulted in 475 units, included single-family detached and attached townhouses ranging from 4,000 to 7,500 square feet in size for the detached residences, and 2,500 to 3,500 square feet for attached dwellings. The overall density is approximately 5.7 dwelling units per acre. The area remains in unincorporated King County, and is zoned R-6-P.

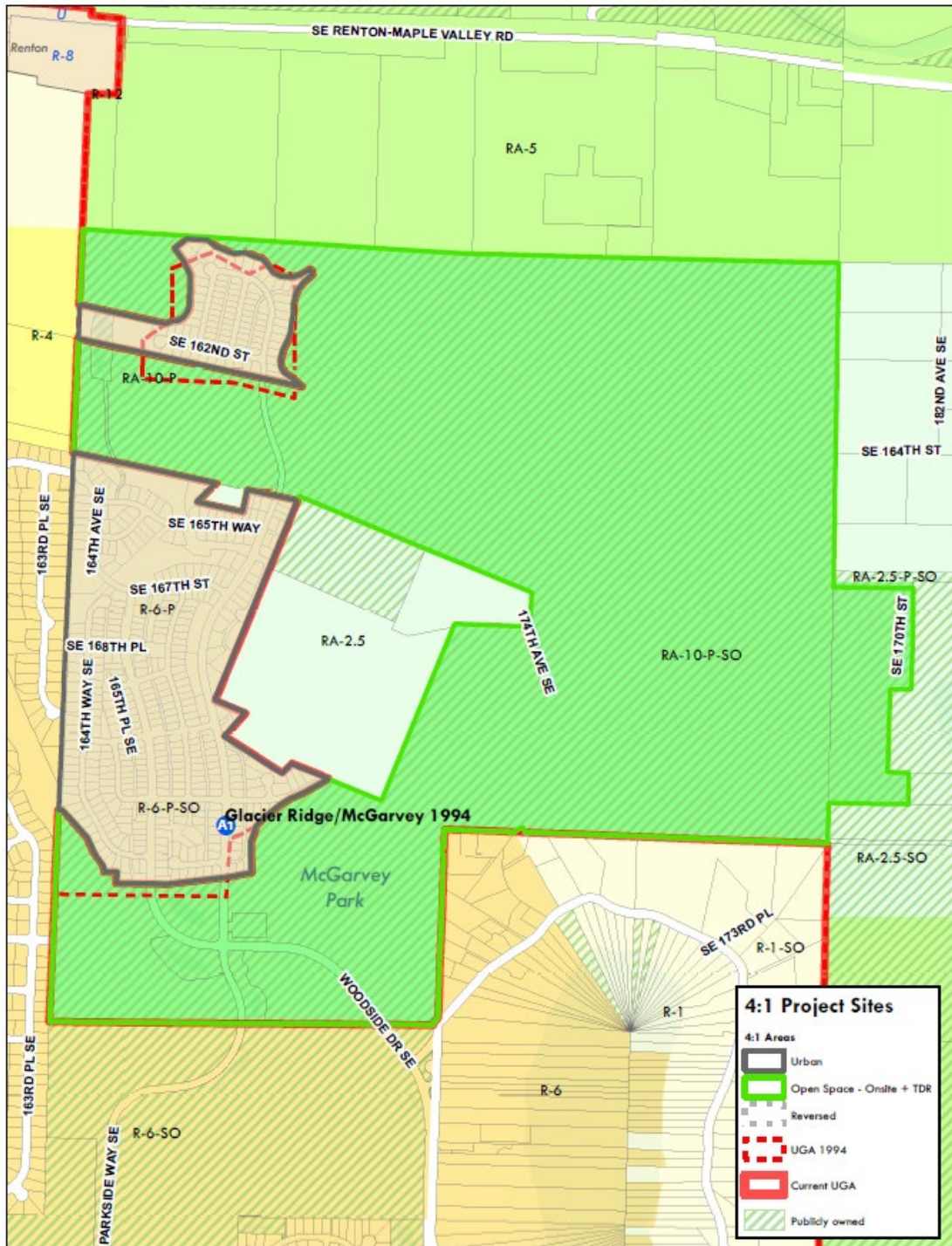
Open Space Lands: Acquired in 2000, McGarvey Park Open Space is a 400-acre forested park connecting King County’s 88-acre Petrovitsky Park (located to the south) and Wetland 14 Natural Area (66 acres) and Spring Lake/Lake Desire Park (393 acres) to the east. This large, contiguous open space provides a buffer to the urban unincorporated development in the Renton area to the west. A small private school and church are also located along the western boundary of the park and several stormwater tracts are located within it. Large rural parcels lie to the north of the park.

McGarvey Park also contains eight streams and four wetlands that provide critical habitat for many birds and amphibians as well as beaver and a variety of native wetland plants and fungi. Over five miles of trails well visited by hikers, mountain bikers and equestrians wind through McGarvey Park and connect with the 11-mile trail system at Spring Lake/Lake Desire Park.

Conclusions about Project: The urban land of the project is divided into two portions. The southern portion is well integrated with the adjoining unincorporated urban land to the west. The northern portion is separated and one road crosses the Rural Area to provide access. Following this project, the program was amended to no longer allow access to the new urban land through the Rural Area.

The new open space became McGarvey Park, and was a significant addition to the King County Park system. It comprises close to one half of a connected 950 acres (four sites) park open space system. Major management challenges are lack of public parking, private school “inholding” presence of significant archeological resources and some community concern about forest stewardship practices.

Glacier Ridge / McGarvey Park Map



Ravenholt / Ravenhill Open Space

Adopted by Ordinance 12061, this site is located near the northeast edge of Sammamish. This Four-to-One project included open space that is contiguous and located on-site, and it connected to other adjacent publically owned lands. The majority of the new urban area is surrounded by the new open space.

Urban Lands: This project included 8 new acres of urban land, although some of the urban land remained in open space tracts and recreation tracts. The project resulted in 21 new housing units. These are all detached single-family residences, ranging from approximately 5,500 to 6,500 square feet. Density is approximately 4 dwelling units per acre.

Open Space Lands: Acquired in 2001, Ravenhill Open Space is a 26-acre site composed of two nearly adjacent parcels, separated only by a portion of a five-acre King County stormwater tract, which also contributed to the required open space dedication. On Ravenhill's remaining south side is a very small residential development within the City of Sammamish. King County's 760-acre Soaring Eagle Park is east of Ravenhill. Since Patterson Creek Natural Area (339-acres) lies immediately north of Soaring Eagle, these three county park lands create 1125 acres of contiguous public open space. The site is zoned RA-5-P.

Open Space Benefits: Ravenhill Open Space sits above Patterson Creek on the edge of the Sammamish Plateau along the western flank of the Snoqualmie River Valley. It contains mostly mature forests, a small section of a significant Class 1 wetland complex (in the northeast section) and a Class 2 stream and a tributary of Patterson Creek, regionally significant as it supports high quality habitat for several fish species. This forested open space helps provides sanctuary for black bear, bobcat, black tail deer and more than 40 species of birds. A Wildlife Habitat Network (as designated in the King County Comprehensive Plan) transects the site east/west through the northern portion.

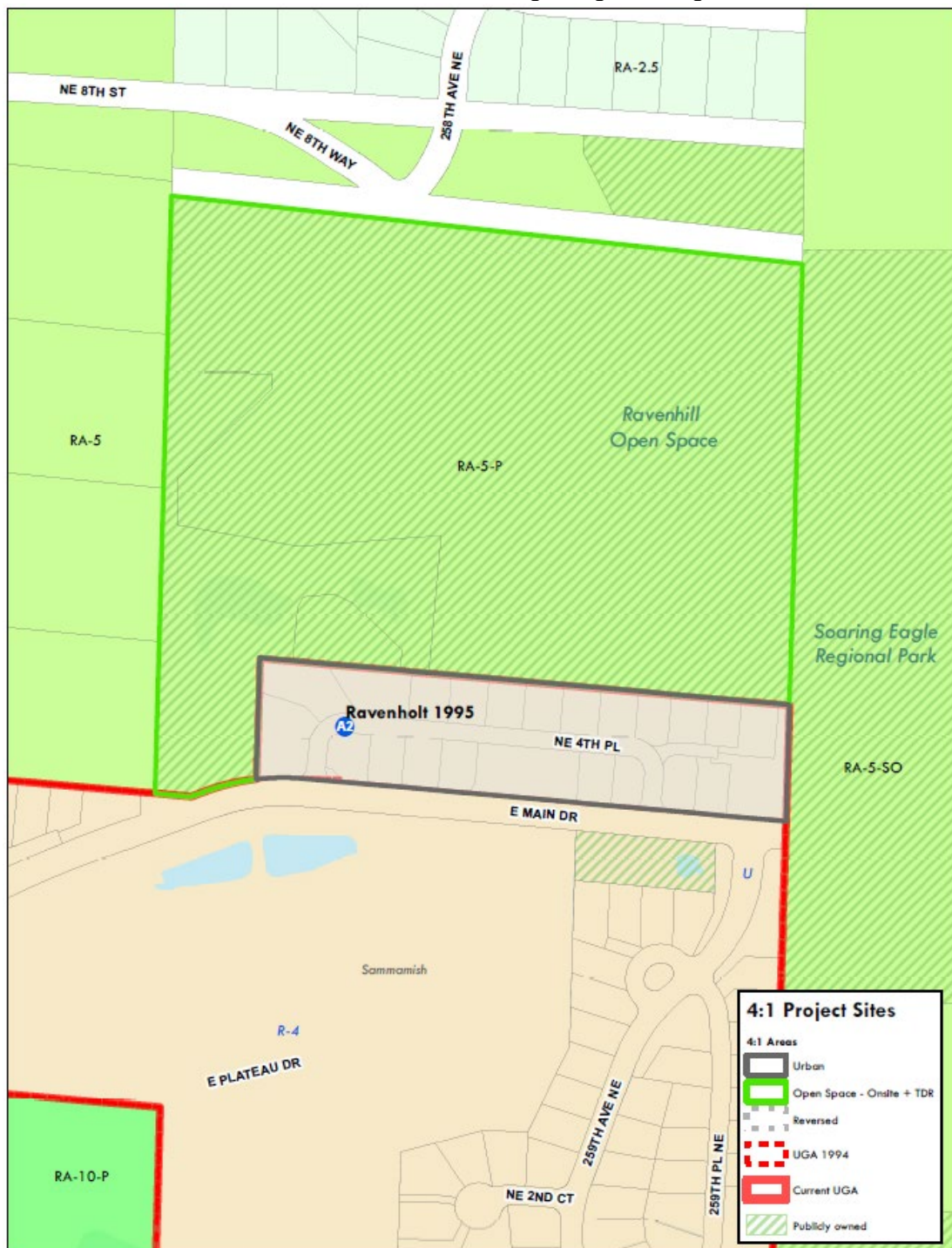
Small pathways within the residential neighborhood south of Ravenhill connect to 12 miles of backcountry trails within Soaring Eagle Park regularly used by hikers, mountain bikers, and equestrians and is popular for trail running competitions. The main trailhead parking facility for Soaring Eagle lies adjacent to the development. In addition, Soaring Eagle Regional Park is served by a bus route originating from the Issaquah Highlands Transit Center.

Open Space Management Vision: Ravenhill Open Space is being managed as a forested ecological conservation and passive recreation site; guided by the recommendations contained in the 2000 Soaring Eagle Master Plan and the 2018 Soaring Eagle Draft Forest Stewardship Plan.

Conclusions about Project: The urban lands are integrated with the surrounding area and have been annexed. The open space value is largely based on adjacency to the regionally significant Soaring Eagle Park Area. This open space provides an additional buffer for the park between a large residential community to the south and rural forested parcels to the north and west. Its

steep slopes limits recreational trail development opportunities and a stormwater pipe transects the site affecting small wildlife species passage.

Ravenholt / Ravenhill Open Space Map



GoldStar / Willows Road

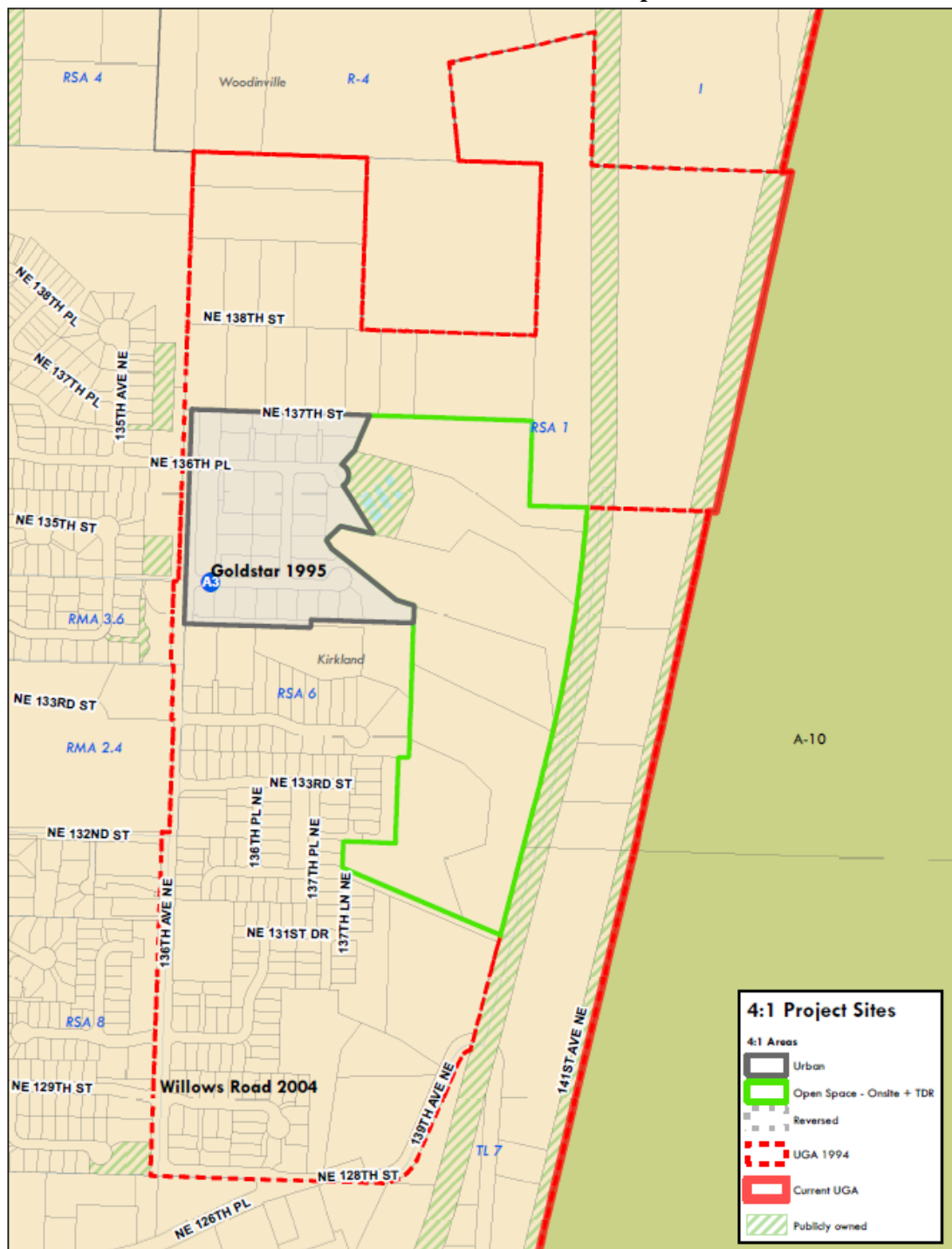
Adopted by Ordinance 12061, this site is located near the northern edge of Kirkland. This project was approved in 1995 when the entire site was rural. It was amended in 2004 to annex the entire site, both the urban and open space, into the City of Kirkland. The new city zoning for the open space area maintained the development restrictions on the site. The proposal utilized the 3.5:1 ratio that was allowed in the policies at the time for developments that provide affordable housing.

Urban Lands: The site is about 9 acres, and 33 housing units were built. The overall density is approximately 3.6 units per acre. There is no visual indication in the subdivision as to which units were designated as affordable at the time of development. The character of this urban development is very consistent with adjacent development.

Open Space Lands: The open space is within the City of Kirkland. It is contiguous to lands that are unbuilt as they include a significant change in elevation. To the west of this band of unbuilt parcels is the Sammamish River Agricultural Production District.

Conclusions about Project: The urban lands are integrated with the surrounding area and have been annexed. The benefit to the County of this project is different from others, as the open space has been annexed into the City.

GoldStar / Willows Road Map



Emmerson / Patterson Creek Natural Area

Adopted by Ordinance 12531, site is located near the northeastern edge of Sammamish. This project created a small pocket of new urban land that was annexed to a city, and the open space preserved lands that had development challenges due to significant changes in elevation. The open space is contiguous and located on-site, and connects to other adjacent publically owned lands. All of the new urban area is surrounded by the new open space.

Urban Lands: The project added over six acres of new urban land, resulting in 26 single-family housing units, ranging in size from 6,600 to 7,700 square feet. The density is approximately four units per acre. The area remains in unincorporated King County and is zoned R-4-P.

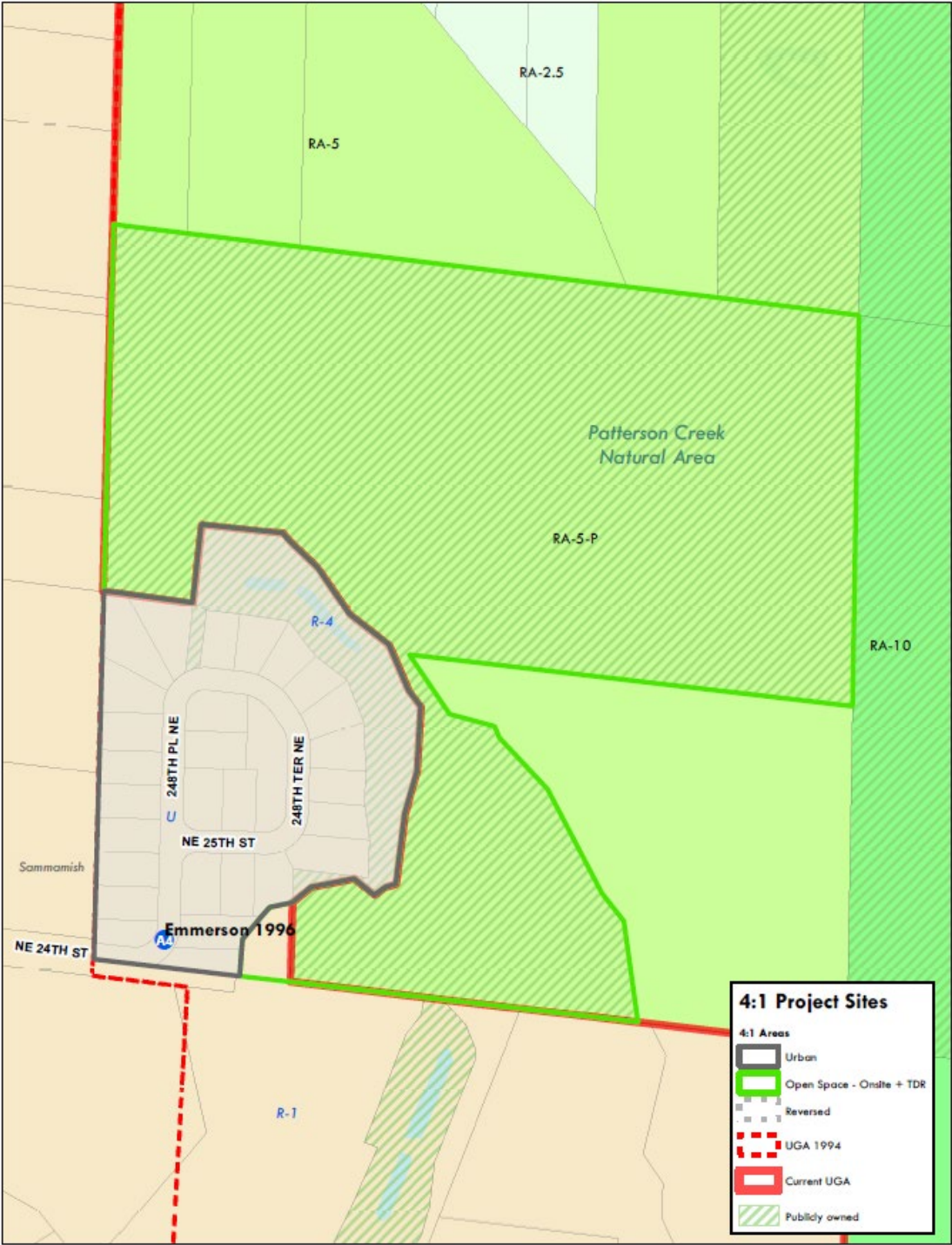
Open Space Lands: Acquired in 2001, this acquisition added 25 acres to Patterson Creek Natural Area directly south of an existing small isolated parcel within the natural area. This addition borders most of a small urban residential neighborhood within the city of Sammamish. Two stormwater tracts located immediately to the west and south of the natural area and a shared homeowner open space tract also located to the south add to this small contiguous open space. The remaining portion of the site is surrounded by rural residential parcels. Since the 4:1 parcel was dedicated to King County, DNRP has purchased an additional 25 acres directly adjacent (east). Patterson Creek Natural Area is now 339 acres. The site is zoned RA-5-P.

Open Space Benefits: The Patterson Creek Natural Area is located within the Patterson Creek Basin of the Lake Washington Cedar River Watershed. The Patterson Creek basin was identified as a conservation priority under the Waterways 2000 Program and is regionally significant because it is relatively undeveloped and supports high quality habitat for such fish species as Chinook, Coho, Steelhead/rainbow trout and Coastal cutthroat trout. The natural area it contains extensive floodplain, forested and emerging wetlands; patches of forested uplands and thousands of linear feet of Patterson Creek-- all which provide habitat for a variety of resident and migratory birds as well as aquatic and terrestrial mammals, amphibians, and reptiles.

Currently, there is little opportunity for even low-impact recreational use of much of the Patterson Creek Natural Area since it is largely comprised of critical areas such as wetland, streams, steep slopes and their associated buffers. Rather, the focus is on interpretation of on-site restoration on education regarding watershed processes and significance of conservation efforts. The 4:1 parcel does accommodate some limited local community passive recreation use such as hiking and nature observation.

Conclusions about Project: The urban lands are slightly separated from the surrounding area by a short spur road. They are similar in density although have a more modest scale than some of the surrounding higher-end developments. The open space is located within an area identified as top tier priority for conservation under the Waterways 2000 Program. Open space value is primarily ecological (protection of streams/wetlands) and based on adjacency to King County's Patterson Creek Natural Area, which is a key focus for salmon recovery efforts.

Emmerson / Patterson Creek Natural Area Map



Polygon-Maple Ridge Highlands / Maple Ridge Highlands Open Space

Adopted by Ordinance 12824, this site is located near the southeastern edge of Maple Valley. This was the largest Four-to-One project in terms of geographic size. There is one portion of the northern open space area that was excluded from the conservation area as it was intended for development as a school (now Tahoma Junior High School).

Urban Lands: The project added approximately 163 acres, resulting in 579 housing units. Units are single-family detached and range in size from approximately 4,000 to 10,000 square feet. The density is about 3.8 units per acre. The new urban residential area is surrounded by the new open space, and the urban land has been annexed.

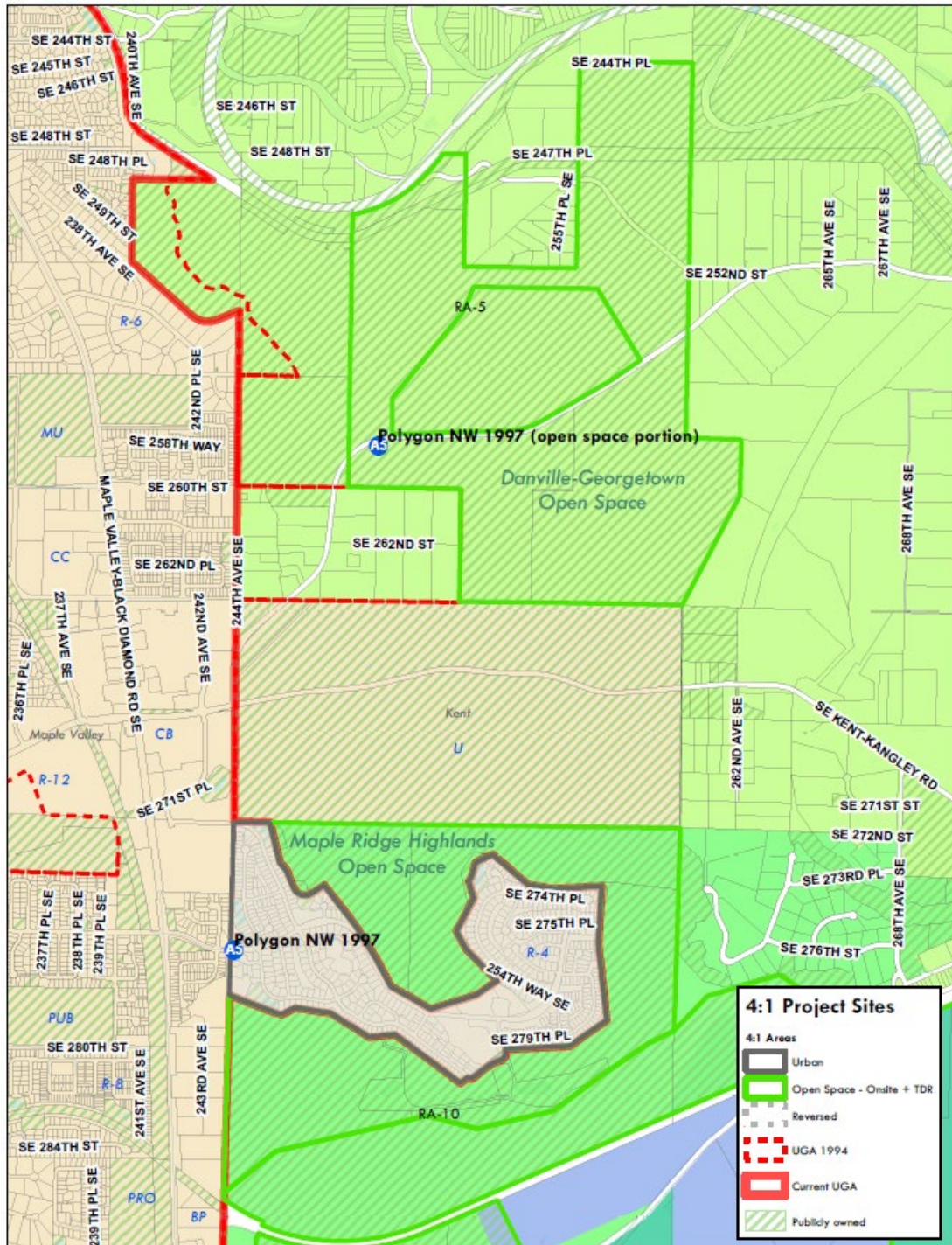
Open Space Lands: This is comprised primarily of the Danville-Georgetown Open Space and the Henry's Ridge Open Space.

The **Danville-Georgetown Open Space** is a 341-acre site and one of the larger blocks of forestland in the Rock Creek valley. It comprises a significant part of the buffer separating Maple Valley from Black Diamond. The site is bordered by King County's 145-acre Rock Creek Natural Area and the 315-acre Kent Watershed. The County's 101-acre Big Bend and 87-acre Landsburg Reach Natural Areas, as well as the Cedar River Regional Trail, are nearby. This open space provides fish and wildlife habitat for a diversity of species, and high-quality fish habitat that are important for salmonids found in the Cedar River Basin. The former log hauling roads provide an extensive system of backcountry trails on the site. Trailhead parking is available along the Summit-Landsburg Road. There is a current proposal through the King County Parks' Community Partnership Grant program for an equestrian facility.

The **Henry's Ridge Open Space** is a 247-acre passive park forested site, which forms a continuous band of green space that borders the north, east and south sides and half of the west side of a large residential development within the City of Maple Valley. Henry's Ridge is bordered on the south by King County's 1102-acre Black Diamond Open Space and is nearly contiguous with three county park lands to the east: Cemetery Reach Natural Area (46 acres), Ravensdale Park (42 acres) and Ravensdale Retreat Natural Area (146 acres), together forming a large regional open space. In addition, the Green to Cedar Regional Trail corridor is nearby. There are approximately 19 miles of trails that are used extensively by mountain bikers and hikers. Three trailheads within the Maple Ridge Highland's development as well as a number of informal access points from adjacent neighborhoods provide access to the open space.

Conclusions about Project: The new urban land is adjacent to the city and the character of development is not dissimilar to the city, and the land has been annexed. The open space lands contributed significantly to the King County Park system at a time when the southern part of the County was growing rapidly, and are popular for hiking, biking, and equestrian activities. Issues that remain some drainage pond parcels that are split by the urban growth area boundary and a small sliver of county-owned open space that is inside the city.

Polygon-Maple Ridge Highlands / Maple Ridge Highlands Open Space Map



Ruth / Soos Creek Park

Adopted by Ordinance 12824, this was one of the smallest Four-to-One projects in terms of geographic size. This site is located near the southwestern edge of the unincorporated Fairwood area.

Urban Lands: This project added 4 urban acres, resulting in 18 lots, with 15 total units. The development was in townhouse units, with lot sizes of approximately 2,000 to 4,000 square feet. The density was approximately 5 units per acre. The area is still in unincorporated King County and has R-6-P zoning.

Open Space Lands: Acquired in 2002, the site includes approximately 16 acres of land that was added to the Soos Creek Park and Regional Trail site through this 4:1 acquisition. This parcel is bordered entirely on its west side and on a majority of its south side by King County park land; lands to the northeast and east and partially on the south side are all small rural zoned parcels; a small urban residential neighborhood lies directly adjacent to the northwest buffered by a homeowner's tract. The land is zoned RA-5-SO.

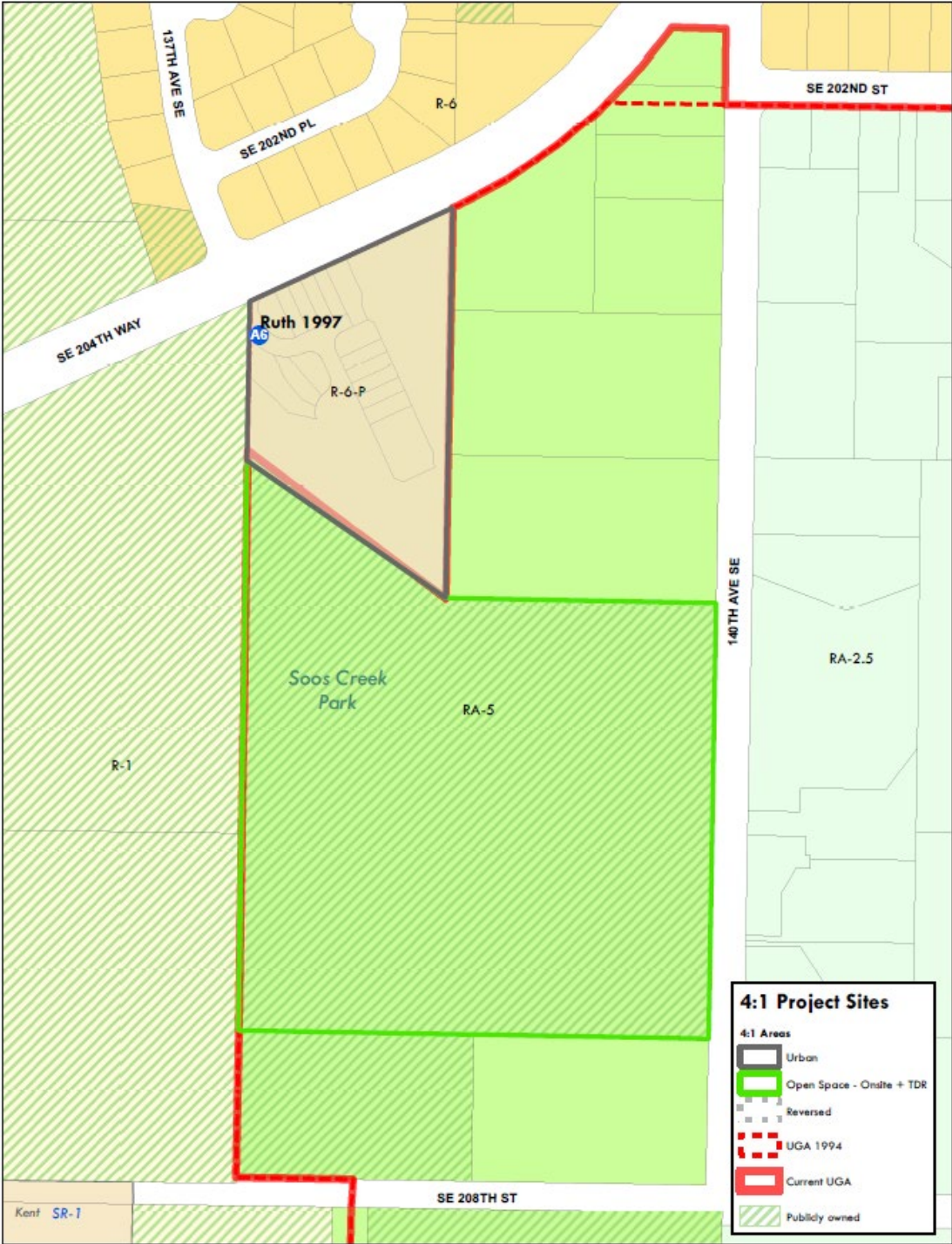
Open Space Benefits: Lloyd Creek, a tributary to Soos Creek, flows through this property in a wet meadow and alder forested area. This parcel lies within a King County Comprehensive Plan designated Wildlife Habitat Network. Since this property contains sensitive areas, and a dense forest canopy and a formal trailhead parking lot is located nearby to the west, there are no connecting trails or facilitated public use on this site. It functions as natural area and scenic buffer for regional trail users and adjoining residences.

The very popular paved eight mile King County Soos Creek Regional Trail runs north/south on county property to the west. The trail features a gentle grade in a natural setting suitable for leisurely strolls, bicycle rides and horse rides and provides a connection to the nine mile Lake Youngs Trail about a mile south.

Open Space Management Vision: This site is managed consistent with the overall management goals of Soos Creek Park, which are to: conserve and enhance the site's ecological value, facilitate appropriate passive and minimal active recreation use to minimize ecological impacts and expand and maintain the regional trail network for recreation and mobility and connectivity. King County is managing this site per the recommendations included in the 2013 Soos Creek Regional Trail and Park Site Management Guidelines.

Conclusions about Project: The urban portion of the project is denser than surrounding developments, but not out of character. Conservation value of this small open space is based on its adjacency to the regionally significant Soos Creek Regional Trail/Park. While it does not provide any additional public use opportunities, it provides an additional ecological and scenic buffer to the popular regional trail corridor and further protects a Wildlife Habitat Network.

Ruth / Soos Creek Park Map



Marshall / Evans Crest Natural Area

Adopted by Ordinance 14241, this site is located near the northern edge of Sammamish. This was a standard Four-to-One Project, with the new open space contiguous to the urban development and all on on-site.

Urban Lands: The project added approximately five acres, resulting in 14 new single-family detached dwellings. The density is just above three dwelling units per acre. The development has been annexed into the City of Sammamish. The new urban area is surrounded by the new open space.

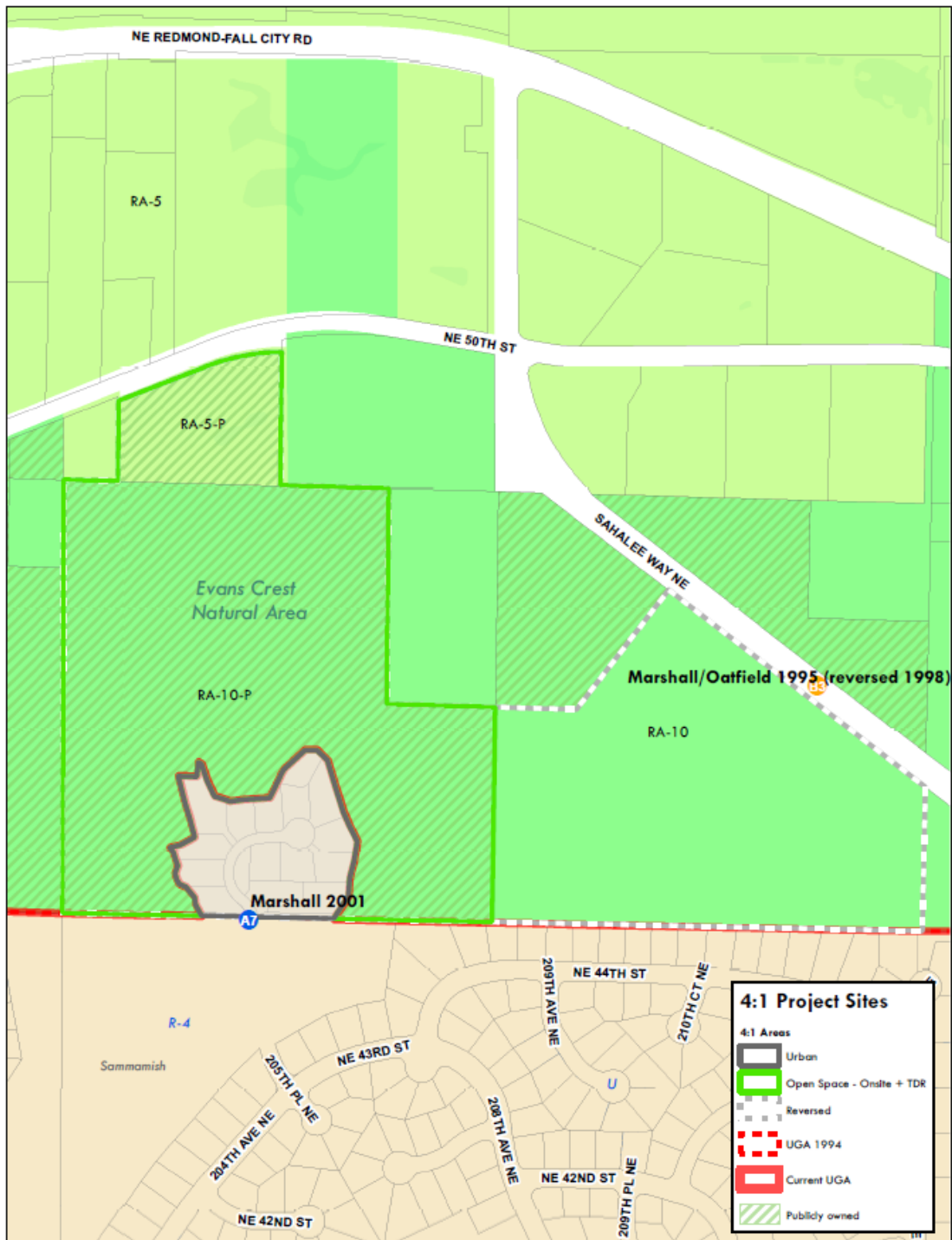
Open Space Lands: Acquired in 2006, the Evans Crest Natural Area is a 30-acre forested hillside providing a green belt buffer that surrounds three sides of a small urban residential neighborhood within the city of Sammamish. A small stormwater tract located immediately to the north of the natural area and a homeowner shared open space tract to the south, add to this small contiguous open space buffer. The remaining portion of the site is surrounded by rural residential parcels. The site is zoned RA-10-P.

Open Space Benefits: The natural area lies within the Evans Creek, a subbasin of the Bear Creek Basin, within the Lake Washington Cedar Basin. Evans Creek is home to chinook as well as substantial populations of Coho and sockeye salmon. This forested canopy of the natural area helps mitigate stormwater flows, provides refuge and foraging habitat for a variety of wildlife species and a visual buffer between the urban residential area and the rural character of the valley below. Although there are some informal backcountry trails on some areas of the site, due to limited site access and the steep topography of the area, only a minimal portion of the natural area is used for passive recreation purposes, primarily providing a benefit to just the local residents in this development.

Open Space Management Vision: Due to the limited size, natural condition and limited public use of this natural area, a site-specific stewardship plan has not been developed for this natural area. Its management is guided by the King County DNRP Ecological Programmatic Plan and the 4:1 Program policies and code provisions.

Conclusions about Project: The urban portion is isolated from the surrounding area and is accessed by a short spur road. The open space tract is surrounded by private parcels, and can only be accessed through a heavily vegetated landscape tract with unmaintained social trails. The open space provides minimal “regional” benefits due to its location, size, topography, and lack of easy public access. It contains a high percentage of critical areas, which would affect its development, and protection under the Four-to-One Program resulted in minimal benefit. This site functions like a homeowner association sensitive area tract.

Marshall / Evans Crest Natural Area Map



Reserve at Covington Creek

Note: This project was adopted in 2008, amended in 2016, and has yet to be implemented.

Adopted by Ordinance 16263, and amended by Ordinance 18427, this site is located near the northwestern edge of Black Diamond. First adopted in 2008, this proposal varied from the program criteria with the open space proposed to be off-site.

Urban Lands: The new urban land is about 51 acres, however, 11 acres for the Kentlake Athletic Fields were excluded from the calculation because they would not be developed, and therefore reduced the open space requirement. The remaining 40 acres of new urban land had a property specific development condition that required a pre-annexation agreement with the City of Black Diamond prior to development, along with other conditions.

In 2016, the conditions were amended in relation to the urban lands. The pre-annexation agreement requirement, and requirement for consistency with the City of Black Diamond's regulations, were removed. The amendment did impose a requirement that the property titles include a notice that the site shall not contest annexation after the site had been rezoned and platted. In addition, the amendment allows the project to occur under county regulations, and could thereby affect the likelihood of annexation as part of development of the project.

Open Space Lands: The project is located in an area that would not be contiguous to other County open space or park lands. The required 160 acres of Rural Area, Agriculture, or Forest land were secured in 2017-18. The approved project allows the open space requirement to be met through the use of Transfer of Development Rights (TDRs). The requirement was not specific on whether they would be contiguous and/or surround the new urban area, or be off-site. TDRs were used, meaning the open space will not be owned by King County. That is counter to the language of the Four-to-One program states that upon final plat approval, the open space shall be permanently dedicated in fee simple to King County (20.18.170.C).

In 2016, the conditions were amended in relation to the open space lands. The requirement for permanent conservation of 160.63 acres of rural land through transferable development rights (TDRs) was changed to direct that 20 acres could be conserved onsite, and that the remaining acres could be rural, agricultural and/or forestry lands to meet the remaining acreage requirement. It is unclear as to whether required set-asides per the County's development regulations will be allowed to count towards the open space requirement.

Conclusions about Project: The proposal as a whole was innovative in that it went beyond the program parameters and required that the move towards annexation as part of development of the project. For the open space, by allowing onsite land but not providing any parameters, the amendment might allow land that is already be required to be undeveloped on the site to be counted towards the open space requirement. Also, the amendment to allow the open space to natural resource lands rather than Rural Area may create a new precedent.

Reserve at Covington Creek Map



Rainier Ridge / Black Diamond Open Space

Note: This project was adopted in 2014, amended in 2016, and has yet to be implemented.

Adopted by Ordinance 17842, and amended by Ordinance 18427, this site is located near the northeastern edge of Black Diamond. As part of the review of the proposal, the City of Maple Valley stated its intent in writing to annex the newly created urban area, and stated that the area would be annexed prior to actual development.

Conditions on the project stated that within one year of approving the proposal, the City of Maple Valley must commence annexation proceedings and an interlocal agreement be established. If this condition was not met, the project would be re-designated in the next Comprehensive Plan update to its pre-application land use and zoning designations.

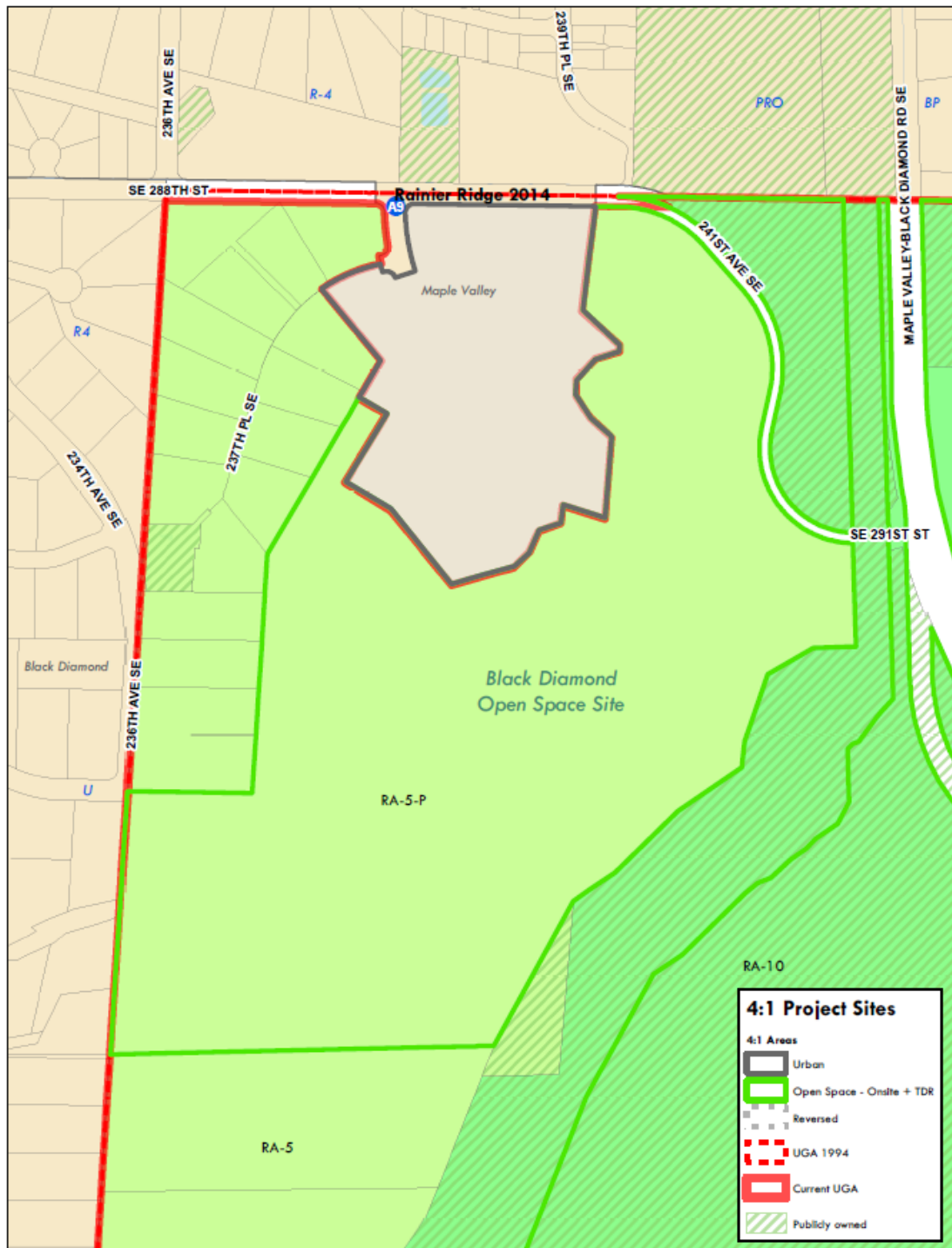
In 2016, the conditions were amended. First, the requirement to initiate annexation proceedings and adopt an Interlocal Agreement was removed, and replaced by a requirement to complete the annexation by 2017. These two changes reflected ongoing work between the property owner and the City to move the area towards annexation, and agreement on the parameters of the development under city regulations, thereby obviating the need for an interlocal agreement.

Urban Lands: This proposal added 14 acres to the Urban Growth Area adjacent to the City of Maple Valley. It is proposed to result in about 72 lots, with a density of about 5 units per acre.

Open Space Lands: This open space site is approximately 56 acres and is conserved via a term conservation easement only at this time, as it is proposed to be dedicated in fee in the future and become an addition to the Black Diamond Open Space site. It is located south of an urban residential development within the City of Maple Valley and east of a rural development; The County's Green to Cedar River Regional Trail corridor and Black Diamond Open Space lie to the west.

Conclusions about Project: The requirement for annexation, and development under City standards, goes beyond the requirements of the Four-to-One program. This requirement aligns with the County's annexation goals, and avoids the creation of a new urban unincorporated area. The urban land would develop at densities and in a pattern not dissimilar from adjacent developments. The new open space lands are directly contiguous parcels and add to the County's open space system.

Rainier Ridge / Black Diamond Open Space Map



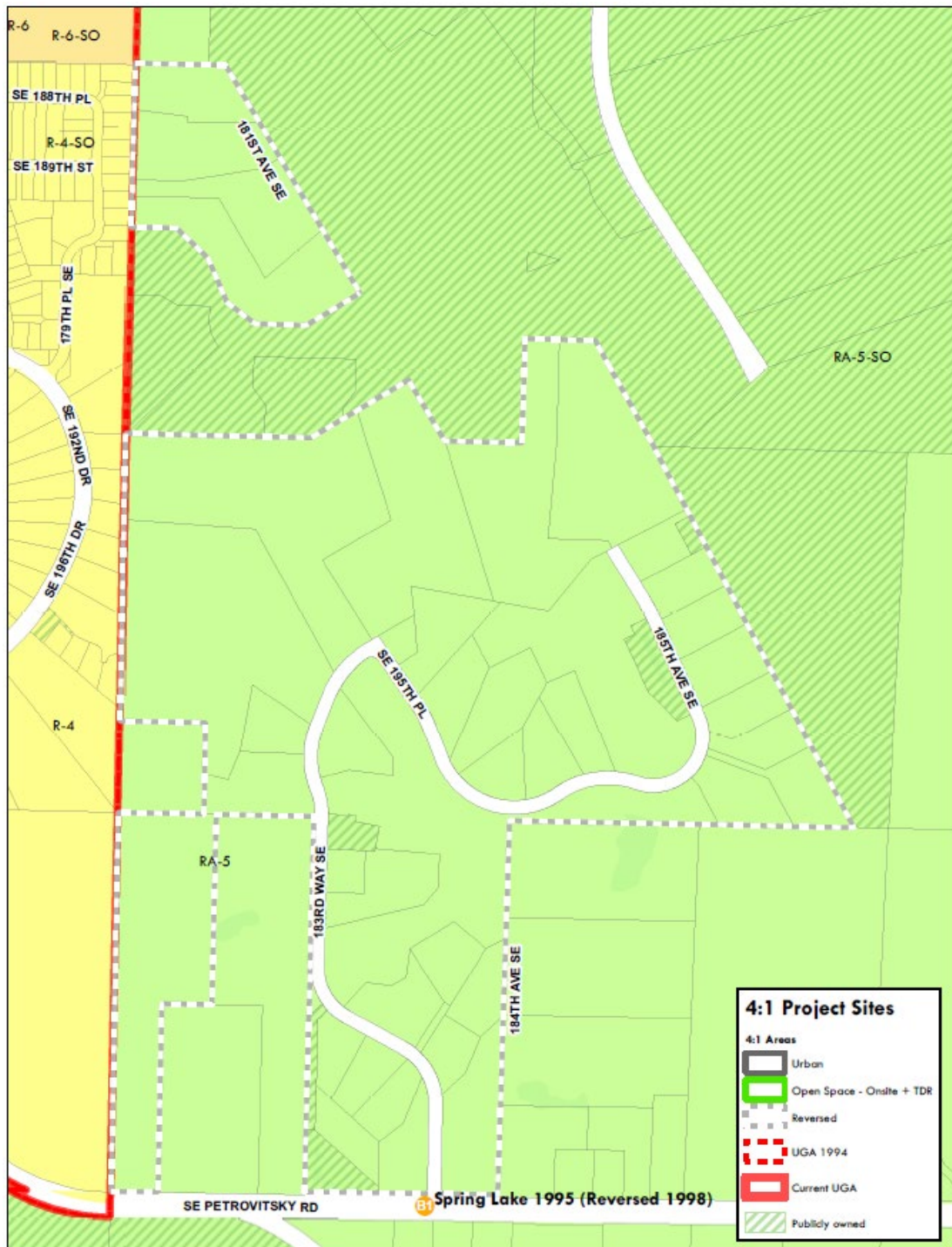
B. Projects That Were Reversed

This section focuses on the three Four-to-One proposals that were adopted but then reversed. The map included in the main report, in section IV. Four-to-One Proposals to Date, provides additional context-setting information for these projects.

Spring Lake

Adopted by Ordinance 12061, and reversed by Ordinance 13273, site is located near the southeastern edge of the unincorporated area of Fairwood. This project was proposed to add 24 urban acres and 83 open space acres. This proposal varied somewhat from the program criteria with the open space proposed to not be located entirely on the site; however, the open space would have connected to and infill other surrounding publically owned land. In addition, the proposed urban area was only partially buffered by the proposed open space. This site utilized the 3.5:1 ratio that was allowed as it proposed to provide affordable housing. The proposal was adopted in 1995, but then reversed in 1998 due to challenges with creating access to the site from the nearby city lands.

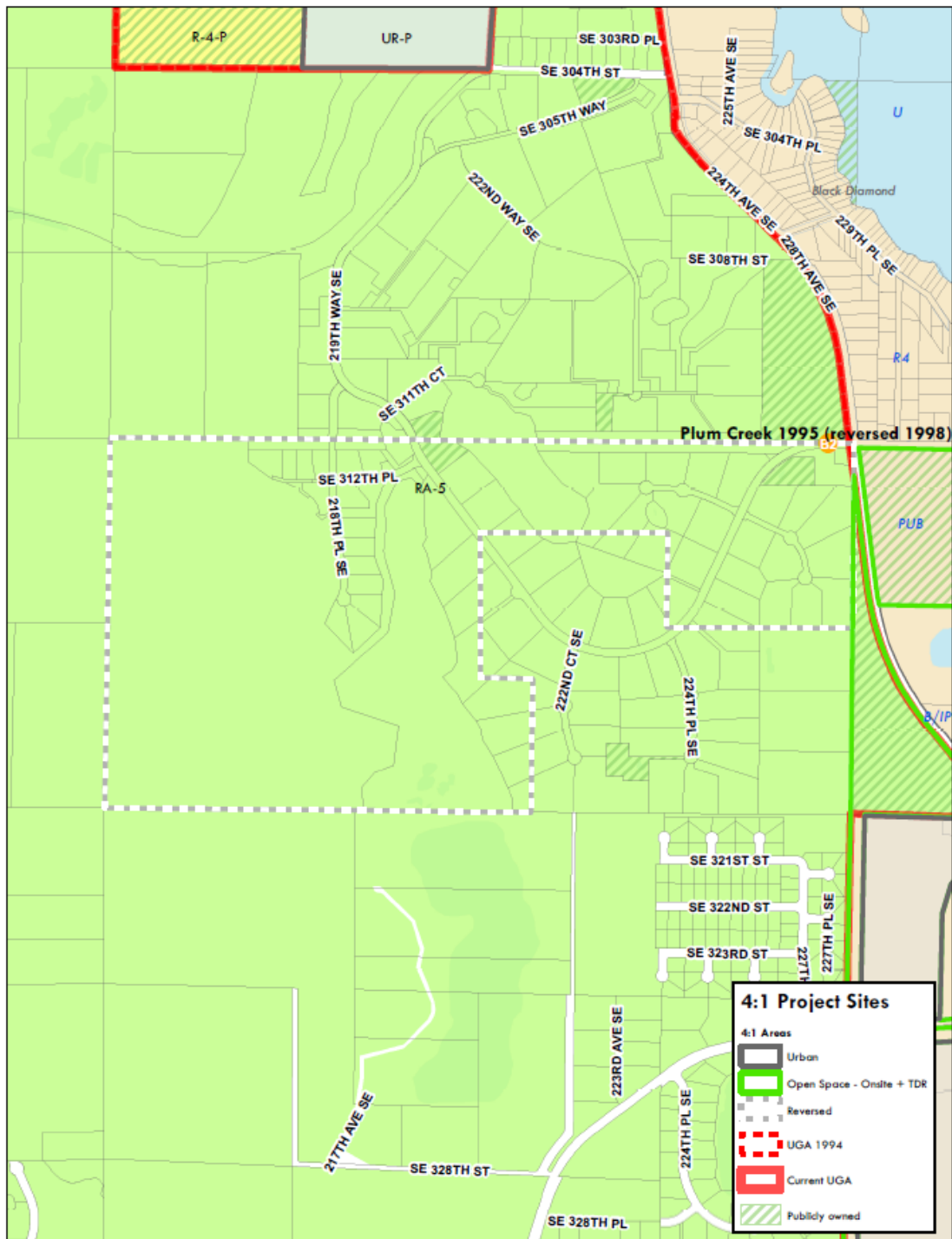
Spring Lake Map



Plum Creek

Adopted by Ordinance 12061, and reversed by Ordinance 13273, site is located near the western center of Black Diamond. This project was proposed to add 48 urban acres and 192 open space acres. This was a traditional 4:1 proposal and adhered to the program criteria, with open space that is contiguous and located on-site. The proposed urban area was only partially buffered by the proposed open space. The proposal was adopted in 1995, but then reversed in 1998.

Plum Creek Map

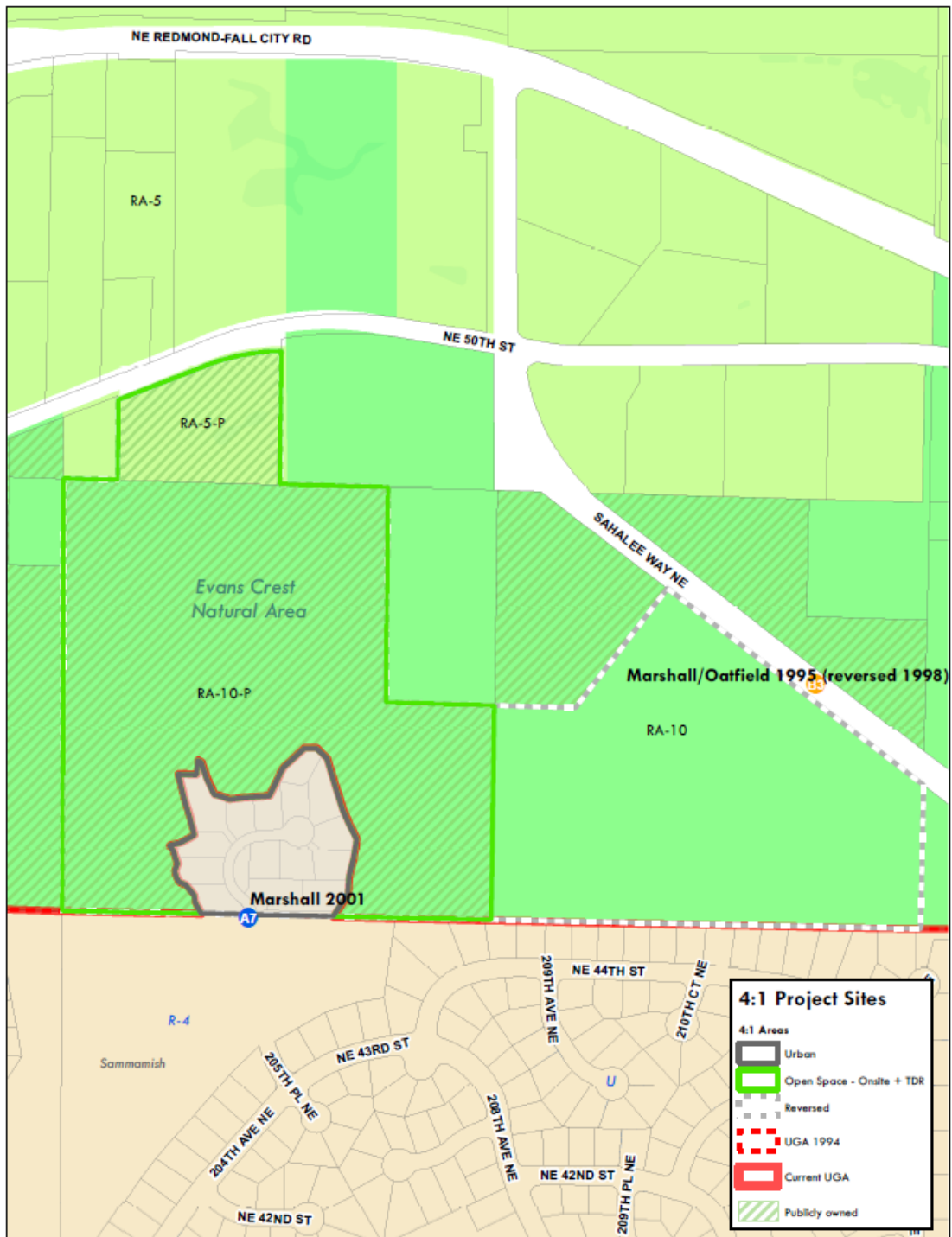


Marshall/ Oatfield (replaced by Marshall)

Adopted by Ordinance 12061, and reversed by Ordinance 13672, site is located near the northern edge of Sammamish. This project was proposed to over 12 urban acres and 50 open space acres. This was a traditional 4:1 proposal and adhered to the program criteria, with open space that is contiguous and located on-site. The project spanned two parcels with different owners. The proposal was adopted in 1995, but then later reversed in 1998 at the request of the property owners. A subsequent 4:1 proposal was adopted in 2001. Issues precluding development included access to the Oatfield parcel would have required bridging a ravine. The experience on this project led to the requirement for a Formal Plat Review.

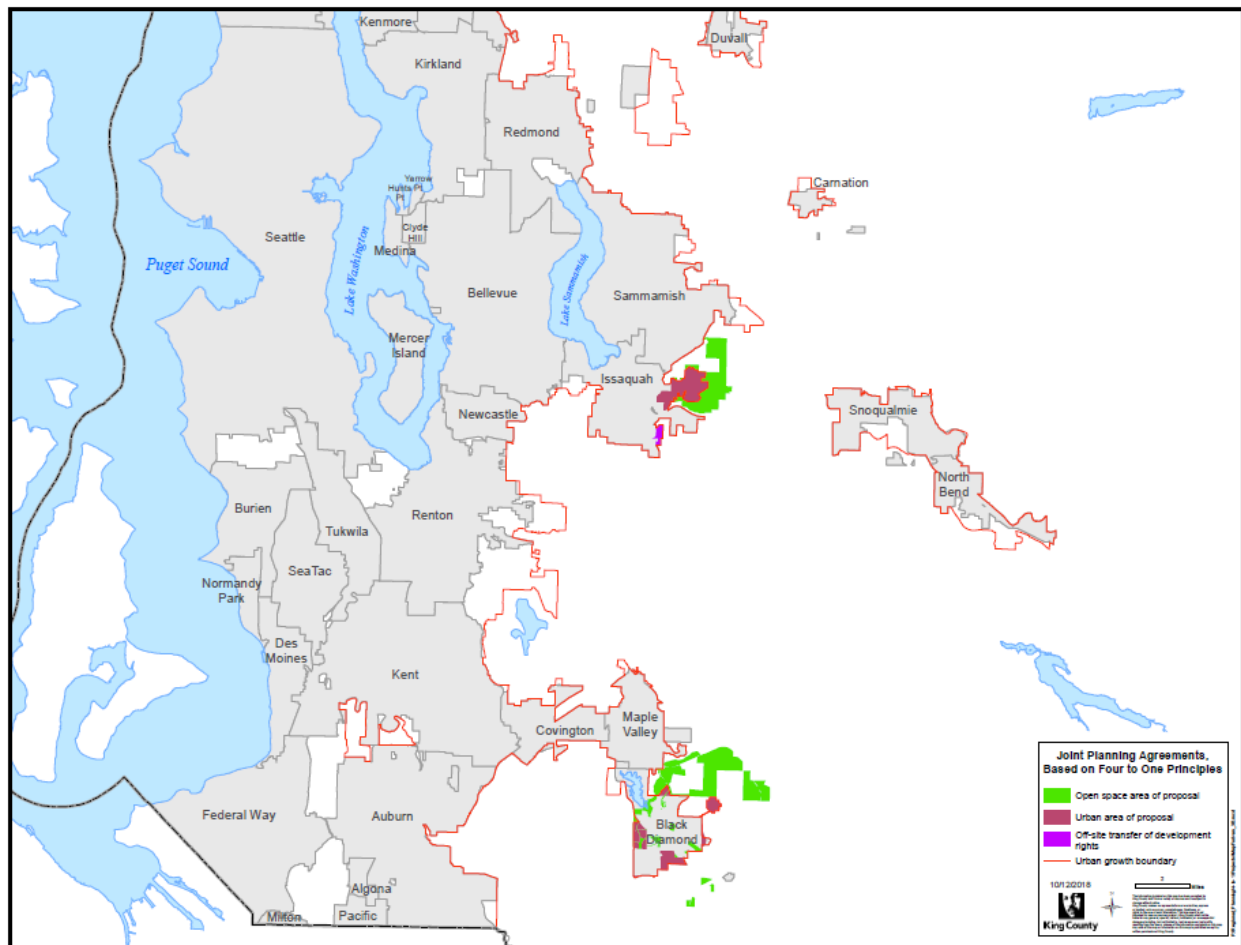
(Note: See the Marshall Project description and map; the Oatfield property)

Oatfield Property Map (see parcel denoted with B3)



C. Joint Planning Area Agreements Projects

This section focuses on the three Joint Planning Area Agreement projects. The map included in the main report, in section IV. Four-to-One Proposals to Date, provides additional context-setting information for these projects.



Joint Planning Areas

When the urban growth area was first adopted in 1994, a number of cities had a Joint Planning Area identified. This was a designation for areas where agreement on the boundaries of the City's urban growth area boundary had not been reached. The designation required the City and County to complete a joint planning process to determine the final urban growth area boundary for each city. As a result of the planning process, an Interlocal Agreement was adopted with these cities that utilized Four-to-One principles to provide for increased urban growth while also achieving open space conservation.

Black Diamond Joint Planning Area / Black Diamond Open Space

As established in Ordinances 12065 and 12533, the Joint Planning Area Agreement adopted new urban areas wherein development could occur.

Ratio and Configuration: The parameters of this project are significantly different from a typical Four-to-One. The open space calculation for this project included both rural land and open space land that would be located within the City of Black Diamond. The amount of open space required was based on developable land within the urban growth area rather than all land moved into the urban growth area. The open space areas are not contiguous and are not all adjacent to the urban growth area boundary. Many of the new urban areas are not surrounded by new open space.

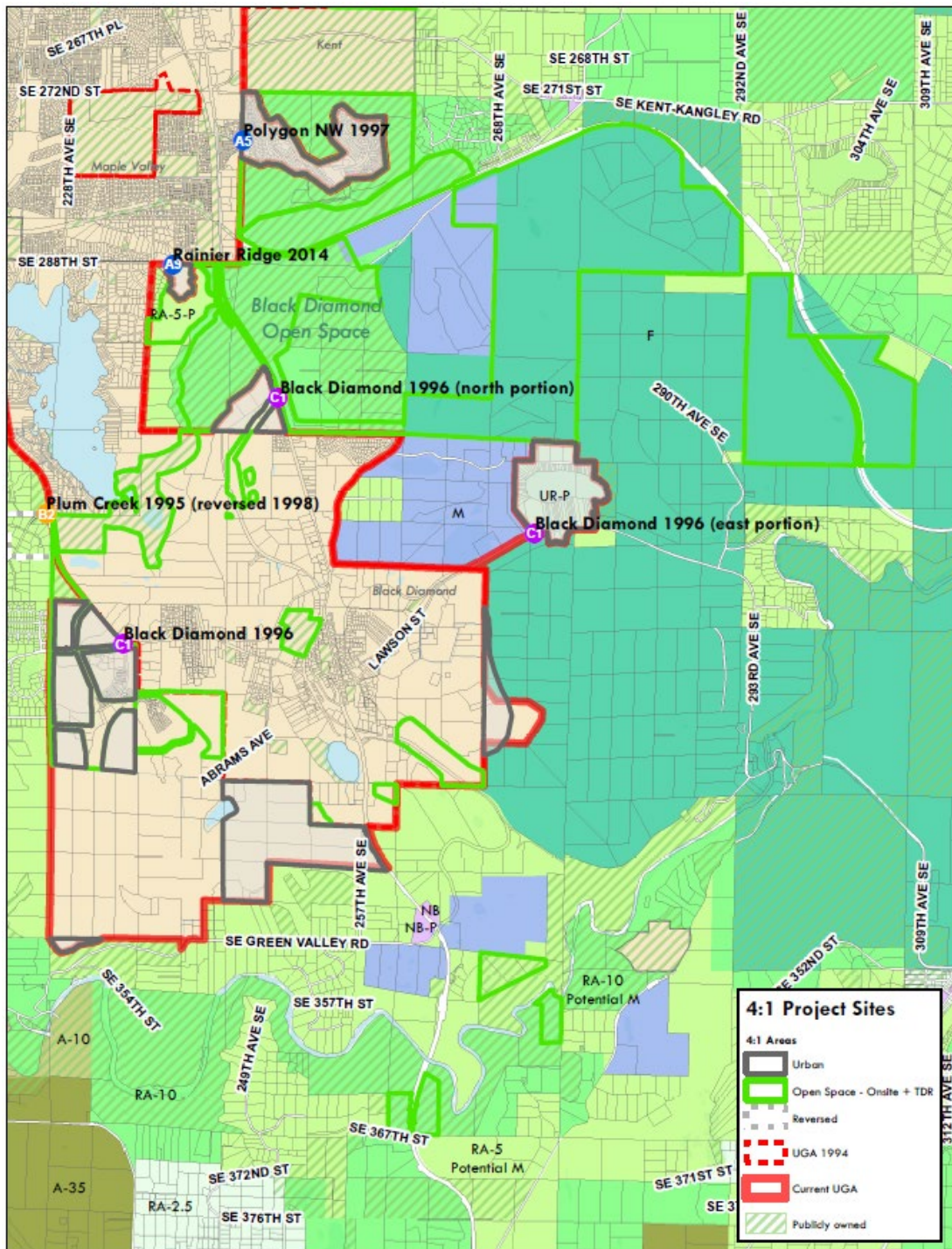
Urban Lands: The Joint Planning Agreement brought about 417 acres into the urban growth area boundary. Since that time, due to a variety of legal and political factors, limited development has occurred, resulting in 78 units. Note that many units are currently under construction at the time this report was developed. The final agreement will allow thousands of units to be built.

Open Space Lands: Acquired in 2006, the Black Diamond Open Space is located south of the city of Maple Valley, and portions surround the city of Black Diamond. The open space site was originally established in 2006 through a project using 4:1 principles that dedicated 942 acres to the county. It is managed in three geographic units.

- The northern unit is the largest and is located adjacent to the 247-acre Henry's Ridge Open Space, and within the Cedar River Basin and Green River Basin. This unit the fish-bearing Ravensdale Creek, and along a tributary with good habitat for fish. This unit has numerous trails that can be accessed from nearby trailhead parking lots.
- The southwest unit is mostly steep forested slopes in the vicinity of Crisp Creek which enters into the Green River, and provides spawning and rearing habitat and serves as the water supply for the Muckleshoot's Keta Creek Hatchery. This unit also provides forest, wetland, and riparian area habitat for a variety of wildlife species.
- The southeast unit is located near Icy Creek and the Green River and supports young and mature forest, and adjacent to public lands managed by Washington State Parks (Black Diamond Bridge and Hanging Gardens sites). King County's 471-acre Bass Lake Complex Natural Area abuts this unit.

Additional open space preserved as a part of this project included nearly 700 acres of forestland and dedicated open space within the UGA.

Black Diamond Joint Planning Area / Black Diamond Open Space Map



Grand Ridge Issaquah Joint Planning Area / Grand Ridge Park

As established in Ordinance 12302, the Joint Planning Area Agreement adopted new urban areas wherein development could occur.

Urban Lands: The Joint Planning Agreement brought about 490 acres into the urban growth area boundary. This has resulted in building about 3,748 units. Some of the new urban acreage (136 acres) was excluded from the Four-to-One requirements because it was to be used for a city park. The majority of the new urban area is surrounded by the new open space. The site has been annexed by the City of Issaquah.

Open Space Lands: Acquired in 1997 through 2007, Grand Ridge is a 1,300-acre forested park rising to 1,100 feet in elevation east of the City of Issaquah and Lake Sammamish. The park serves as a buffer between suburban and rural landscapes and contributes to a large contiguous open space buffer due to its location between three other King County park sites—the 70-acre Canyon Creek Headwaters Natural Area and the 490-acre Mitchell Hill Forest to the east and the 135-acre Duthie Hill Park to the north. The Issaquah Highlands residential development and Central Park are adjacent to the park's western border.

Grand Ridge's northern edge contains an extensive forested wetland complex within the headwaters of salmon-bearing Canyon Creek of the Snoqualmie Watershed. Its forest is characterized by second-growth hardwood and conifers. A very popular 12 mile trail system used by hikers, equestrians and mountain bikers traverses the long and linear park, wandering through a variety of forested landscape settings. Grand Ridge has a number of different trailhead access points, parking facilities, and is served by a Park and Ride. The remainder of approximately 100 acres of preserved open space is owned by the City of Issaquah.

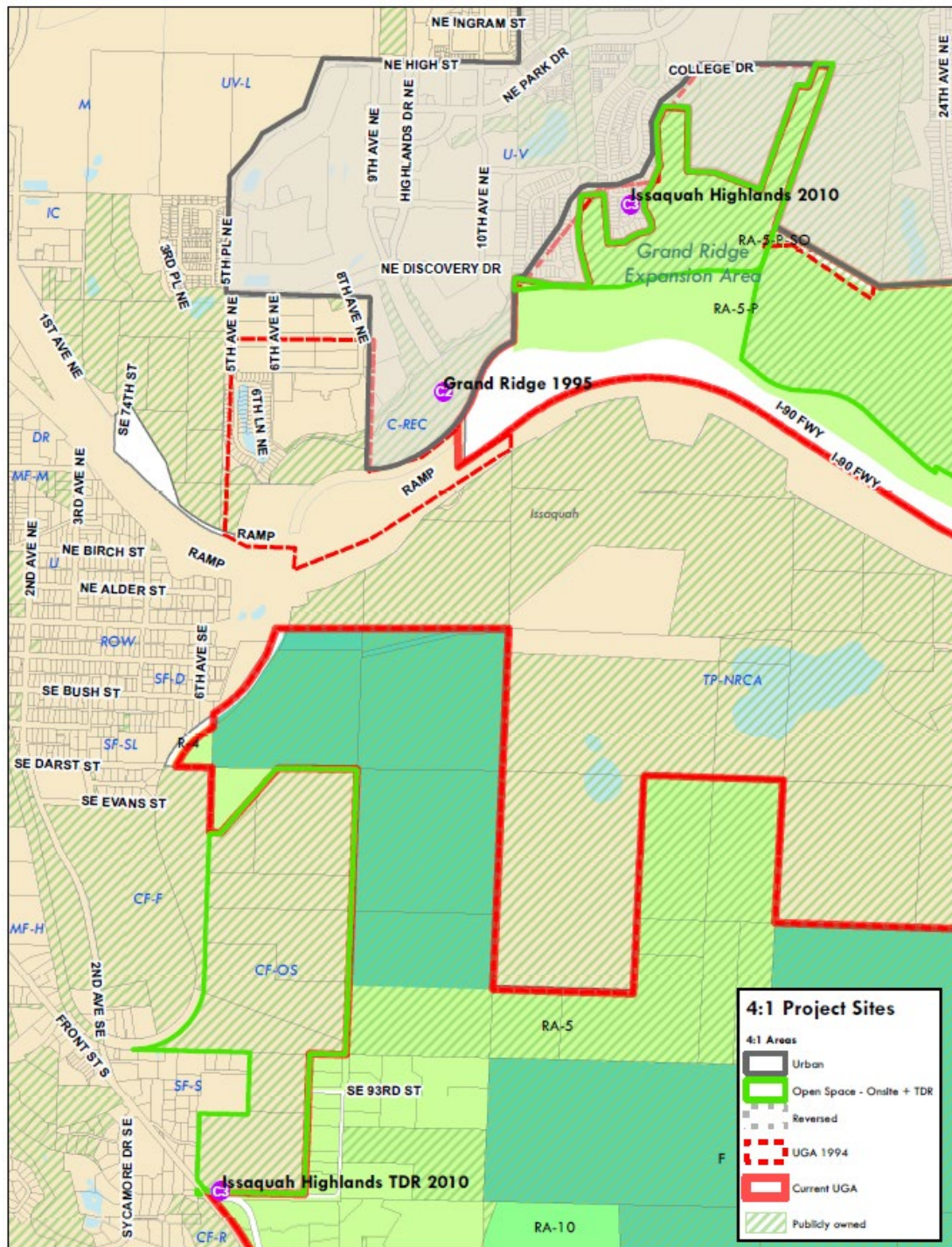
Issaquah Highlands (Grand Ridge Expansion Area) / Park Pointe Open Space

Adopted by Ordinance 16919, as amended by Ordinance 16949, this project is adjacent to the Grand Ridge Issaquah Highlands development discussed above. This site was identified as a potential expansion area in the 1996 Grand Ridge Joint Planning Area Interlocal Agreement with the City of Issaquah (this area was also referred to as the “WSDOT expansion area” in the agreement).

Urban Lands: The project added about 35 urban acres. The new urban lands are contiguous to the existing urban development. This development resulted in 64 new housing units. The scale and character of the development is consistent with other developments in the area.

Open Space Lands: The project added 144 acres of open space, with 43 on-site and 101 conserved off-site through off-site Transferable Development Rights. The off-site open space was secured on the "Park Pointe" property within the City of Issaquah, given that that this site was adjacent to the urban growth area boundary.

Issaquah Highlands (Grand Ridge Expansion Area) Map



-End of Appendix-



EXECUTIVE RECOMMENDED PLAN

Report on Vashon-Maury Island Community Service Area Subarea Plan Implementing Actions

I. OVERVIEW

The scoping motion for the 2020 King County Comprehensive Plan (KCCP), adopted in Attachment A to Motion 15329, includes the following directive to which this report responds:

Review the Priority 1 and Priority 2 implementing actions from the Vashon-Maury Island CSA Subarea Plan and provide either a report or recommended policy or code changes to: 1) determine the implementing actions current status, 2) determine whether existing Comprehensive Plan policies or development regulations (or any other adopted plan) requires changes in order to proceed with implementation, 3) whether those changes are recommended for inclusion in the 2020 KCCP Update, and 4) for those items that are not currently on schedule, an explanation why and an evaluation of when they could be completed.

II. BACKGROUND

In 2017, the King County Council adopted the Vashon-Maury Island Community Service Area Subarea Plan (Attachment A to Ordinance 18623, as amended by Ordinance 18810). Chapter 11 of the Subarea Plan establishes a framework to translate the policies outlined in the adopted Plan into specific implementing actions. The actions are outlined in a set of Implementation Tables that are organized by priority level:¹

- Short-term (Priority 1) actions, which were targeted to begin within two years of plan adoption (2018-19).
- Mid-term (Priority 2) actions, targeted to begin no sooner than three to five years after plan adoption (2020-2022).

¹ Priority levels were identified by the lead King County agency based on considerations such as existing work programs, staff resources, budget considerations, etc.

- Long-term (Priority 3) actions, targeted to begin not sooner than six or later than eight years after plan adoption (2023-2025).
- Ongoing actions, which link to existing King County departments, plans, or programs, and typically guide how or when to support activities that may occur or may be proposed at an undefined time.

A lead King County agency was assigned to each action, although the majority of actions require support from other County agencies or outside organizations. Some actions may be able to be achieved through current funding. Actions that are not able to be addressed with existing resources are subject to the availability of additional funds, either through approval of appropriations in future King County budgets and/or from outside funding sources.

Priority 1 Implementation Actions (Short-Term, 2018-2019)

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
Chapter 5: Rural Area and Natural Resource Lands							
R-2	King County should seek grant funding to develop enhanced methods of public outreach and education to better assist Vashon-Maury Island’s PBRs ² participants with forestry, agricultural, and other land stewardship improvements, including topics, tools and property owner forums.	DNRP/WLRD	--	DNRP/WLRD submitted a funding proposal to the Puget Sound Partnership to focus outreach to encourage owners of lands identified as Land Conservation Initiative priorities to enroll in the PBRs or Current Use Taxation programs. That would have included reaching out to Vashon-Maury Island landowners. Although the proposal made it through the initial review process, it was not ultimately selected for funding. In 2019, DNRP/WLRD plans to increase general outreach to PBRs landowners with a newsletter sent to all	No	n/a	n/a

² Public Benefit Rating System

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
				participating landowners and increasing our focus on monitoring.			
Chapter 6: Housing and Human Services							
H-5	King County shall implement, evaluate, and report on the affordable housing incentive Special District Overlay (SDO) in K.C.C. 21A.38. King County should revise the SDO as indicated by the County's evaluation of the SDO's use, benefits, and impacts.	DPER ³	DCHS	The first annual report with evaluation and reporting on the SDO was transmitted to the Council on December 31, 2019 via Proposed Motion 2019-0016, consistent with the deadline in Ordinance 18623.	No	n/a	n/a
H-6	King County shall research and consider drafting amendments to the Accessory Dwelling Unit (ADU) section of the King County Code.	DPER	--	A code study has been completed and will be included in the 2020 KCCP transmittal.	No	n/a	n/a
Chapter 7: Environment							
E-5	1. King County shall coordinate with island property owners, hazard mitigation specialists, engineers, and other key	#1 – DPER #2 – DNRP/ WLRD		1. The public outreach began in 2018 as part of development of the 2019 update to the Shoreline Management Program	1. No 2. No	1. n/a 2. n/a	1. n/a 2. n/a

³ After adoption of the Subarea Plan, the Department of Permitting and Environmental Review (DPER) was restructured and is now the Permitting Division of the Department of Local Services.

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	<p>stakeholders to develop policy and public education tools targeted for use on Vashon-Maury Island, considering such topics as:</p> <ul style="list-style-type: none"> a. Creating disincentives for new construction that is located in projected sea-level rise zones; b. In coordination with other King County departments and agencies, DPER shall research regulatory approaches for reducing flood hazards in marine zones; and c. Other Vashon-specific items derived from the sea level rise strategy being developed by DNRP/WLRD staff. <p>2. King County shall pursue a permanent funding source for</p>			<p>and continued during development of the 2020 KCCP.</p> <p>2. DNRP/WLRD has initiated work on this action item, is currently evaluating a permanent funding approach through the Water Resource Inventory Areas, and is also seeking additional grant funding.</p>			

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	routine monitoring of marine shoreline changes. Data collected from said monitoring shall be used to support future climate change mitigation and adaptation interventions.						
Chapter 8: Parks, Open Space & Cultural Resources							
P-3	<p>a. King County should analyze its publicly-held property and road right-of-way to identify any potential opportunities for increasing public shoreline access or transferring to other agencies.</p> <p>b. DOT/Roads and DNRP/Parks staff shall develop a set of criteria to identify opportunities for appropriate shoreline access.</p> <p>c. King County shall cooperate with Vashon</p>	DOT/Road Services ⁴ DNRP/Parks	VMILT VPD	<p>a. This task is scheduled to be collaboratively initiated, by Roads and Parks, in Q3 2019.</p> <p>b. This task is scheduled to be collaboratively initiated, by Roads and Parks, in Q3 2019.</p> <p>c. Upon initiation of P-3(a) and (b), Parks will reach out to Vashon Park District to facilitate this action.</p>	<p>a. No</p> <p>b. No</p> <p>c. No</p>	<p>a. n/a</p> <p>b. n/a</p> <p>c. n/a</p>	<p>a. n/a</p> <p>b. n/a</p> <p>c. n/a</p>

⁴ After adoption of the Subarea Plan, the Road Services Division of the Department of Transportation (DOT) was restructured and is now the Road Services Division of the Department of Local Services.

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	Park District to include any District-owned parcels or surplus land in a future shoreline access analysis.						
Chapter 9: Transportation							
T-1	King County should provide additional alternative services for Island residents, such as: a. Implement the Community Van program which provides Metro vans for local prescheduled group trips that are arranged by a Community Transportation Coordinator and driven by volunteer drivers to meet community-identified transportation needs. b. Promote mobile carpool matching services that help people find one-time carpools in real time.	DOT/Metro ⁵	--	a. The Community Van program has been implemented in partnership with the Vashon-Murray Island Chamber of Commerce. The service had its first revenue trip on January 13, 2018. As of February 2019, the Community Van pilot has recruited 23 volunteer drivers, who have driven 246 trips with a total of 906 boardings. b. The project partner, the Vashon-Maury Island Chamber of Commerce, and Metro agreed not to pursue Real-Time Ride	No	n/a	n/a

⁵ After adoption of the Subarea Plan, the Metro Transit Division of the Department of Transportation (DOT) was restructured and is now the Department of Metro Transit.

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
				Rideshare at this time. Together with the Chamber, Metro is for the moment focused on building on the success of the Community Van pilot, which came from that same outreach. As part of the same planning process, Metro was also able to plan for and restore Sunday service on Vashon Island, which had been a longstanding request and was identified as a high priority at the time.			
Chapter 10: Services, Facilities and Utilities							
F-8	The VMIGPC should implement educational programs that monitor water quality and reduce potential pollution sources. Programs may include volunteer stream invertebrate monitoring, pesticide reduction education, septic pollution, well head	VMIGPC	DNRP/WLRD DPER KCD	The VMIGPC is funding numerous pesticide reduction programs, including working with island retailers to remove roundup from their shelves, holding gardening workshops, and tabling at the farmers market. VMIGPC is also	No	n/a	n/a

Policy No.	Priority 1 Implementing Action – 2018-2019	Responsible Party		1. Current Status, as of 4/19/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	protection and reducing stormwater runoff.			funding volunteer water quality monitoring programs through the Vashon Nature Center, with whom the VMIGPC is also implementing the WLRD-sponsored rain gardens at the Vashon IGA to reduce stormwater impacts into Shinglemill Creek.			
F-15	King County shall analyze results of the Impact Bioenergy assessment and feasibility study in late 2018/early 2019 and determine next steps that will have the greatest impact on reducing the Island's solid waste stream.	DNPR/SWD	CBO	The kick-off of a one-year anaerobic digestion pilot project for Impact Bioenergy occurred on April 16, 2019. SWD plans to issue a Request For Proposals in June 2019 for processing of organic waste at the Vashon Transfer Station. Data from Impact Bioenergy study and pilot will inform SWD feasibility study.	No	n/a	n/a

Priority 2 Implementation Actions (Mid-Term, 2020-2022)

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
Chapter 5: Rural Area and Natural Resource Lands							
R-9	King County's Farmland Protection Program shall work with local partners to explore opportunities for additional farmland protection on Vashon-Maury Island. Given the island's limited groundwater supply, such a strategy should examine water rights and ensure that lands preserved for agriculture contain adequate water supply.	DNRP/WLRD	DPER KCD	This action item is ahead of schedule. Beginning in 2018, DNPR/WLRD has increased Farmland Preservation Program (FPP) attention on rural farmland in the County, including Vashon-Maury Island. These efforts included recently a recent acquisition of a FPP easement on Vashon, with several more in the pipeline. Vashon-Maury Island	No	n/a	n/a

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
				will be included in a countywide study that will establish a predicted range of agricultural water needs and sub-basin and agricultural zone-specific opportunities for solutions.			
R-10	<p>a. King County shall review King County Code 21A and other pertinent policies for opportunities to streamline and create positive incentives for agritourism activities.</p> <p>b. King County shall support on-farm events that feature agricultural values and landscapes but do not detract from long-term commercial viability of agricultural businesses.</p>	DPER	DNRP/WLRD DPH	<p>a. Per the adopted Subarea Plan, this work will begin in 2020-2022.</p> <p>b. Per the adopted Subarea Plan, this work will begin in 2020-2022.</p>	<p>a. No</p> <p>b. No</p>	<p>a. n/a</p> <p>b. n/a</p>	<p>a. n/a</p> <p>b. n/a</p>
Chapter 6: Housing and Human Services							
H-7	King County shall research universal design educational tools and partnerships and	DPER	Homebuilders	Per the adopted Subarea Plan,	No	n/a	n/a

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	examine potential code or policy incentives to improve the accessibility of owner-occupied and rental dwellings (e.g. residential designer/contractor workshops, expedite building permits that contain universal design features, etc.).			this work will begin in 2020-2022.			
Chapter 8: Parks, Open Space & Cultural Resources							
P-2	To consolidate ownership, improve maintenance, and provide for improved land management schemes, King County shall develop a mid-to-long-term strategy that supports mutually beneficial exchanges between Vashon Park District, the Vashon-Maury Island Land Trust and King County Parks including consideration of special lease agreements, underutilized parcels, and related issues.	DNRP/Parks	VPD VMILT	Per the adopted Subarea Plan, this work will begin in 2020-2022.	No	n/a	n/a
P-7	King County should form an interdepartmental and interagency working committee to seek funding to conduct a feasibility study that would assess the physical, environmental,	DNRP/Parks	DOT/Road Services VMILT	Per the adopted Subarea Plan, this work will begin in 2020-2022.	No	n/a	n/a

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	financial and design feasibility for a new Regional Trail or other active transportation facility.						
P-8	King County should form a working committee to seek funding to: a. Scope, identify funding for, and conduct a feasibility study to expand the existing backcountry trail network, including reviewing whether trails are appropriate on state and County-owned land that is subject to forest management plans in areas that are logged; and b. Pursue voluntary public easements across private lands in order to connect public trails, potentially by exploring changes to existing King County conservation easement programs.	DNRP/Parks	DOT/Road Services VMILT CBO	Per the adopted Subarea Plan, this work will begin in 2020-2022. There are ongoing discussions and actions with VMILT to expand the trail network and promote easements. DNPR has discussed forming the committee.	No	n/a	n/a
P-12	King County shall evaluate opportunities to install permanent and temporary public art in County buildings and facilities, such as: • Use creative design elements such as paint,	Any affected department		Per the adopted Subarea Plan, this work will begin in 2020-2022.	No	n/a	n/a

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	tile and texture at public crosswalks and squares <ul style="list-style-type: none"> • Purchase and display local art inside and/or outside government facilities • Solicit local artist involvement in the design and/or review of new or expanded government buildings • Install island art on bicycle racks and benches at select/visible locations. 						
Chapter 9: Transportation							
T-8	King County should review the standards for roads in the Vashon Rural Town for compatibility with nonmotorized uses and potential nonmotorized infrastructure improvement needs as part of future countywide policy and needs analyses.	DOT/Road Services	--	Per the adopted Subarea Plan, this work will begin in 2020-2022.	No	n/a	n/a
T-10	In collaboration with the King County Airport District #1, King County shall perform a standard airport/land use compatibility appraisal to ensure minimum FAA guidelines and other safety precautions are in place for	DPER	KCAD VIF&R	Per the adopted Subarea Plan, this work will begin in 2020-2022.	No	n/a	n/a

Policy No.	Priority 2 Implementing Action – 2020-2022	Responsible Party		1. Current Status, as of 4/25/19	2. Are policy, code, or plan changes needed to proceed with implementation?	3. Are those changes included in 2020 KCCP?	4. If not on schedule, a) why and b) updated timeline
		Lead	Support				
	future development within a 1-mile radius of the runway.						

Responsible Party Acronyms

CBO = Community-Based Organizations (i.e., Neighborhood and Business Associations, Faith-Based Organizations, Philanthropic Organizations)

DCHS = King County Department of Community and Human Services

DNR = Washington State Department of Natural Resources

DNRP = King County Department of Natural Resources and Parks (Parks and Recreation Division (Parks), Solid Waste Division (SWD), Water and Land Resources Division (WLRD))

DOT = King County Department of Transportation (now named the Department of Local Services – Road Services Division, or METRO)

DPER = King County Department of Permitting and Environmental Review (now named the Department of Local Services – Permitting Division)

DPH = Public Health – Seattle and King County (Environmental Health Division)

KCAD = King County Airport District 1 (Vashon)

KCD = King Conservation District

VIF&R = Vashon Island Fire and Rescue

VMIGPC = Vashon-Maury Island Groundwater Protection Committee

VMILT = Vashon-Maury Island Land Trust

VPD = Vashon Park District



EXECUTIVE RECOMMENDED PLAN

Affordable Housing Report: Current Efforts, Plan for Inventory and Feasibility Analysis of Affordable Housing on County-Owned Properties

I. INTRODUCTION

This report fulfills the requirement in Motion 15329 for the Executive to transmit an affordable housing report as part of the transmittal package for the 2020 update to the Comprehensive Plan. This report includes 1) an update on all current efforts to create affordable housing on County-owned property, and 2) a plan for developing an inventory of all County-owned properties and their feasibility for development as affordable housing.

King County can support regional efforts to increase access to affordable housing by donating or selling County-owned property for affordable housing use and developing a pipeline for projects on County-owned property. Identification and use of transit-proximate County-owned locations can further amplify community benefit through co-location of affordable housing with other County services.

II. OVERVIEW OF EXISTING PROCESS AND PAST PROJECTS AND UPDATES ON CURRENT EFFORTS

Adopted in 1995, King County Code 4.56 establishes King County's surplus property process. The code directs the Facilities Management Division (FMD) of the Department of Executive Services to maintain a current inventory of all County-owned property with detailed information on each property's current use, economic value and potential uses. If the Facilities Management Division determines a property is not needed for essential government services, the Facilities Management Division is directed to assess the property's suitability for affordable housing. According to the code, if the property is suitable, the County shall first attempt to make it available for affordable housing before disposing of the property through other means.

The following sections describe:

- King County's recent experience supporting affordable housing on County-owned property.

- Enterprise Community Partners' Home and Hope Initiative.
- Current efforts to construct affordable housing on County-owned properties.

A. Past Affordable Housing Projects on County-Owned Property

Over the last ten years, King County supported the development of affordable housing and shelter projects on County-owned property. The following table provides a high-level overview of completed projects.

Project	Location	Description
Greenbrier Heights	Woodinville	A mixed income development including 100 affordable rental units for households earning 30 percent to 60 percent area median income (AMI), 10 affordable homeowner cottages, and 70 middle-income homes.
Hirabayashi Place Apartments	Seattle	Ninety-six rental units affordable to households earning 30 percent to 60 percent AMI. Constructed using funds collected from the sale of the North Lot property.
Nolo Apartments	Seattle	Thirty units at 70 percent AMI in the market rate Nolo Apartments.
Public Records Building	Seattle	Property sold to Seattle Housing Authority for construction of affordable rental housing.
Public Health Building	White Center	Former public health clinic repurposed for Mary's Place family shelter.
Kenmore Sheriff Building	Kenmore	Former Kenmore Sheriff Precinct office repurposed for Mary's Place Northshore family shelter.
Fourth and Jefferson Building	Seattle	Day Center and overnight shelter in downtown Seattle.
Harborview Hall	Seattle	Overnight shelter on the first floor of the historic building on the Harborview Medical Center campus.
West Wing	Seattle	Twenty-four hour enhanced shelter in the west wing of the King County Correctional Facility.

B. Enterprise Community Partners' Home & Hope Initiative and Mapping Tool

In 2017, King County, Enterprise Community Partners, City of Seattle and the Bill and Melinda Gates Foundation launched the "Home & Hope Initiative". This initiative identifies under-utilized property owned by public agencies and nonprofits across King County and catalyzes development of affordable housing and early education centers on those parcels. This effort produced a mapping tool¹ to identify and prioritize properties. Enterprise Community Partners anticipates finalizing the tool this fall.

In 2018, Enterprise Community Partners assisted the Department of Community and Human Services (DCHS) in site exploration and feasibility analysis for affordable housing and education

¹ <https://www.enterprisecommunity.org/where-we-work/pacific-northwest/home-and-hope-mapping-tool> for such development

centers on publicly owned properties in different parts of the county. The 2019-2020 King County Biennial Budget designated \$390,000 for a contract with Enterprise to continue this work.

C. Current Efforts for Affordable Housing Projects on County-Owned Property

The Department of Community and Human Services, in collaboration with King County Metro and the Facilities Management Division, is currently facilitating the planning and construction of affordable housing on multiple County-owned properties. The following table provides an overview of projects on County-owned property that are underway or in the planning stages.

Project	Location	Description
SODO Interim Housing	Seattle	DCHS and FMD are implementing a bridge housing project in partnership with Chief Seattle Club. The property is a Metro Transit parking lot in the SODO neighborhood.
Elliot Avenue	Seattle	DCHS and FMD are developing an enhanced shelter using modular construction in partnership with Catholic Community Services. The property is currently a parking lot in the Interbay neighborhood.
White Center HUB	White Center	DCHS is facilitating predevelopment for a mixed-use community hub in partnership with White Center Community Development Association, Southwest Youth and Family Services, Capitol Hill Housing and Public Health-Seattle & King County's Communities of Opportunity initiative. The property is a former public health clinic and when developed will include affordable housing.
Meridian	Seattle	DCHS and Public Health – Seattle & King County are conducting a feasibility analysis for affordable housing.
Eastgate	Bellevue	DCHS, FMD, and the Solid Waste Division are in predevelopment planning for a mixed-use site that will include affordable housing.
Burien Transit Center	Burien	Metro is in predevelopment planning for affordable housing in coordination with DCCHS. Property is currently a parking lot.
Kenmore Park-and-Ride	Kenmore	Metro is in predevelopment planning for affordable housing in coordination with DCCHS.
Kingsgate Park-and-Ride	Kirkland	Metro is in predevelopment planning for affordable housing in coordination with DCCHS.
Northgate Park-and-Ride	Seattle	Metro is in predevelopment planning for affordable housing in coordination with DCCHS.

III. PROPOSED PLAN FOR INVENTORY AND FEASIBILITY ANALYSIS

In a previous analysis, the King County Geographic Information Center (within the King County Department of Information Technology) found that King County owned a total of 180,733 acres across 4,829 properties. This encompasses all County-owned properties, including roads, parks and open space. However, the majority of these properties are not feasible for affordable housing.

To further the County's understanding of County-owned property that could be developed for affordable housing in the future, the Executive will create an inventory of all County-owned property that is:

- Developable;
- In urban areas or rural towns in King County; and
- Either in high opportunity communities, such as those where households have access to good schools, transportation and economic opportunities to promote upward mobility; or
- In areas with close-proximity to transit stations, as defined in Revised Code of Washington 9.91.025.

In order to focus the inventory on developable property, the inventory will exclude after initial analysis any County-owned properties that meet one or more of the following criteria:

- Open and unopen road right-of-way.
- Park, trail, natural area, or open space.
- Storm water, detention, retention or drainage facility.
- High percentage of floodplain, critical areas, steep slope or other hazards
- Lack of supporting infrastructure, such as roads, water, or sewer service.
- A combination of physical characteristics that would make a site undevelopable or raise development costs past the point of feasibility.

By June 1, 2020, the Executive will analyze all County-owned properties using standards contained in this report and then transmit to Council an inventory of potentially developable properties, assessing the potential for each to support affordable housing based on the following qualitative factors:

- Zoning regulations.
- Current use.
- Long-term operational needs and planning efforts.
- Financial feasibility for affordable housing.
- Potential for shared use.
- Potential to integrate affordable housing into future redevelopment planning.

The analysis will further define these factors and their preferred characteristics for the development of affordable housing. The final inventory and analysis will detail the exact methodology.

IV. NEXT STEPS

The Executive will complete the inventory and analysis outlined above and deliver it to the King County Council by June 1, 2020.



EXECUTIVE RECOMMENDED PLAN

Equity and Social Justice Impact Analysis of the 2020 Amendments to the King County Comprehensive Plan

I. OVERVIEW

The 2020 midpoint update to the 2016 King County Comprehensive Plan directs an equity and social justice analysis of the 2020 amendments, as outlined in the following:

“For the 2020 Midpoint Update, the Executive shall complete an equity impact analysis using the tool developed by the county office of equity and social justice, to identify, evaluate and describe both the positive and negative potential equity impacts of the policy, land use, zoning and development regulations proposed in the Plan. This impact analysis shall be transmitted with the 2020 Midpoint update, and included within the Comprehensive Plan if appropriate.”

This Equity and Social Justice Impact Analysis was transmitted to the King County Council on September 30, 2019 as part of the 2020 Comprehensive Plan Update.

II. APPROACH

The approach to this Equity and Social Justice Impact Analysis is to use the Council-adopted Scope of Work¹ as an organizing framework. The Scope of Work identified topical areas to be addressed as part of the 2020 Comprehensive Plan update. For each topical area, the first three phases of the Equity Impact Review Process are applied:

- Phase 1: Scope. Identify who will be affected;
- Phase 2: Assess equity and community context; and
- Phase 3: Analysis and decision process.

¹ Motion 15329

Phase 4 (Implementation) and Phase 5 (Ongoing Learning) of the Equity Impact Review Process direct work that will occur *after* adoption of the 2020 Comprehensive Plan. Completing this part of the Equity Impact Review Process will require ongoing communication with communities and stakeholders, and measurement and evaluation as part of the Comprehensive Plan Performance Measures Program².

III. PLANNING FOR EQUITY

Addressing how land is used is at the core of planning under the Washington State Growth Management Act. The Act focuses on numerous aspects of land use, such as where housing is located, where parks are located, how farms and forests are protected and conserved, where industry and commercial centers are located, and where public facilities are located. These land use decisions can have significant impacts on local and regional communities, and decisions about land use are informed by many factors. Factors include historical patterns of development and land divisions, proximity to public facilities such as sewer and water, access to transportation, and more. Each of these issues and factors present opportunities to address equity, whether through small-scale adjustments to land use and zoning in a small area, or larger-scale adjustments like adoption of a subarea plan.

It is important to recognize the past and present role that planning has played in creating and perpetuating discriminatory practices against many communities. For example, zoning, which is intended to separate incompatible land uses, has also been used to exclude certain population groups from single-family neighborhoods and to exclude multifamily rental housing from neighborhoods with better access to jobs, transit, and amenities. Similar practices in the form of covenants (privately enforced restrictions associated with individual developments) followed and exacerbated the discrimination. Though such openly discriminatory practices are illegal today, limitations on multifamily dwellings, affordable homes, group homes for persons with disabilities, and similar housing opportunities for underserved people, including the formerly incarcerated, continue to perpetuate exclusionary practices.³

Application of an equity lens with which to view, frame, and consider the direct impacts and indirect impacts of policies and plans to underserved and marginalized communities is necessary for actions under consideration. As noted in subsequent sections of this report, planning under the Growth Management Act addresses many of the same topics as the Determinants of Equity (see next section of report). These include:

- Encouraging development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;

² Motion 15014

³ This section of the report quotes from the American Planning Association's **Planning for Equity Policy Guide**. This was approved by the APA Delegate Assembly on April 14, 2019, and ratified by APA Board of Directors on May 14, 2019.

- Encouraging an efficient multimodal transportation system, based on regional priorities, and coordinated among counties and cities to provide access between jobs, housing, and services;
- Encouraging the availability of affordable housing to all economic segments of the population;
- Encouraging economic development that promotes economic opportunity for all residents of this state, especially for unemployed and for disadvantaged persons;
- Retaining open space, enhancing recreational opportunities, conserving fish and wildlife habitat, increasing access to natural resource lands and water, and developing parks and recreation facilities;
- Encouraging the involvement of the public in the planning process and ensuring coordination between communities and jurisdictions to reconcile conflicts; and,
- Identifying and encouraging the preservation of lands, sites, and structures that have historical or archaeological significance.

These Planning Goals in the Growth Management Act guide the development and adoption of comprehensive plans and development regulations of counties and cities in Washington State.

IV. SUMMARY OF COUNTY EQUITY TOOLS

A. Equity Impact Review Tool

King County has tools and resources⁴ to help its departments and agencies analyze equity and social justice impacts and outcomes for King County residents, in the community and within the services King County provides. One tool, developed by the King County Office of Equity and Social Justice, is the Equity Impact Review tool. It is an analytical process that identifies, evaluates, and enables potential impacts of a proposed policy or program to be identified.

Through use of the Equity Impact Review tool, equity impacts are rigorously and holistically considered in the design and implementation of a proposed action such as plan/policy/program development, operations modification, or capital programs/projects. The Equity Impact Review process merges empirical (quantitative) data and community engagement (qualitative) findings to inform planning, decision-making, and implementation of actions that affect equity in King County.

⁴ Link to the County's Equity and Social Justice Tools and Resources:
<https://kingcounty.gov/elected/executive/equity-social-justice/tools-resources.aspx>

B. Determinants of Equity Framework

King County Code 2.10.210 defines the Determinants of Equity⁵ as the social, economic, geographic, political, and physical environment conditions in which people are born, grow, live, work, and age that lead to the creation of a fair and just society. These Determinants include healthy built and natural environments, strong neighborhoods, safe, healthy and affordable housing, transportation, community economic development, parks and natural resources, food access, health and human services, public safety, education and early childhood development, law and justice, and jobs and job training.

Access to the determinants of equity creates a baseline of equitable outcomes for people regardless of race, class, gender, or language spoken. Inequities are created when barriers exist that prevent individuals and communities from accessing these conditions and reaching their full potential. These factors, while invisible to some, have profound and tangible impacts on all.

The Determinants of Equity that are most directly impacted by planning topics under the Growth Management Act and within the Comprehensive Plan include: Built and Natural Environment, Neighborhoods, Housing, Transportation, Community Economic Development, Parks and Natural Resources, and Food Systems. Determinants with a less direct or partial relationship to planning topics under the Growth Management Act and within the Comprehensive Plan include Health and Human Services, and Community and Public Safety.

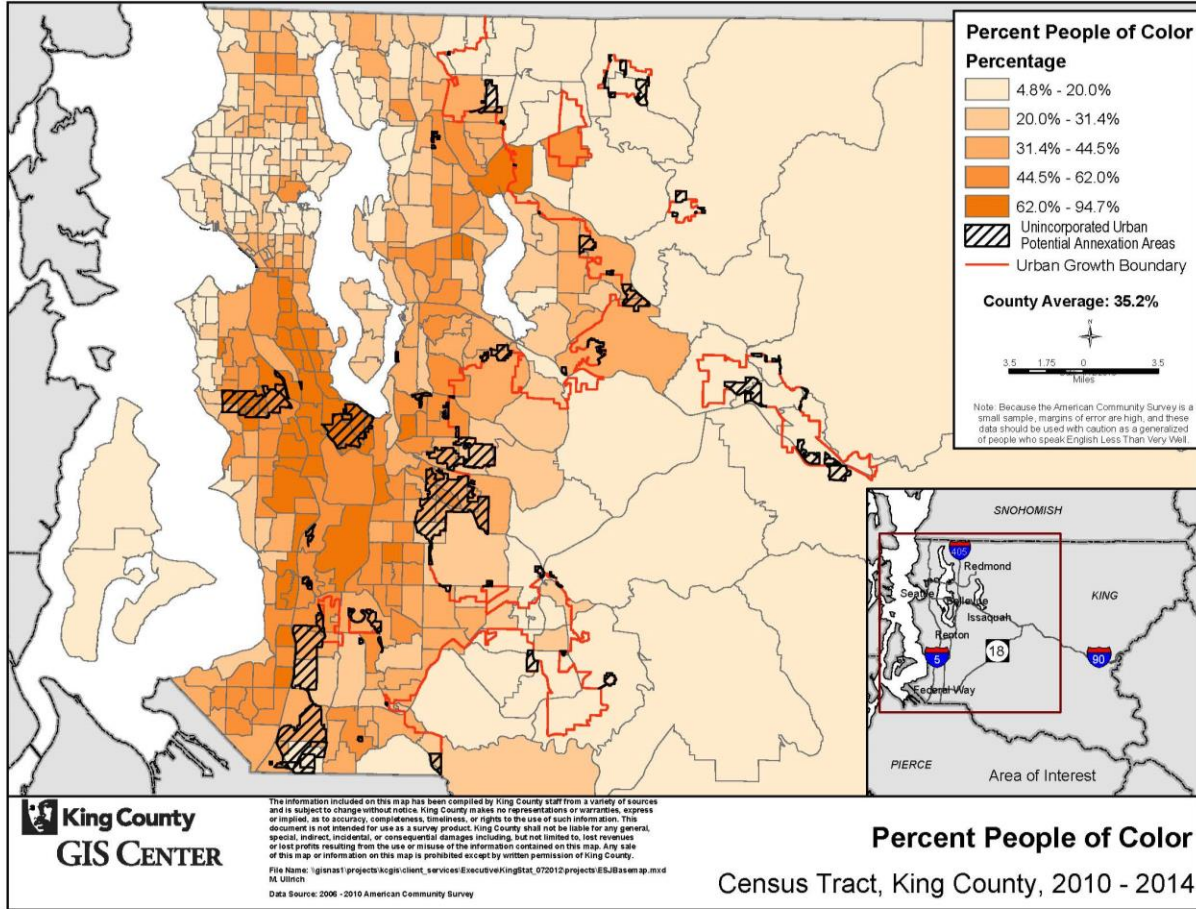
V. GEOGRAPHY OF COMMUNITIES IN EQUITY AND SOCIAL JUSTICE ORDINANCE

In 2010, King County adopted Ordinance 16948, which defined and established the "Fair and Just" principle in the County's Strategic Plan. This was intended to transform the work on equity and social justice from an initiative and into an integrated effort that intentionally applies this principle to all of the County's work in order to achieve equitable opportunities for all people and communities. The Ordinance identified three demographic groups – people of color, lower-income households, and households lacking English speaking proficiency – as the focus of this work.

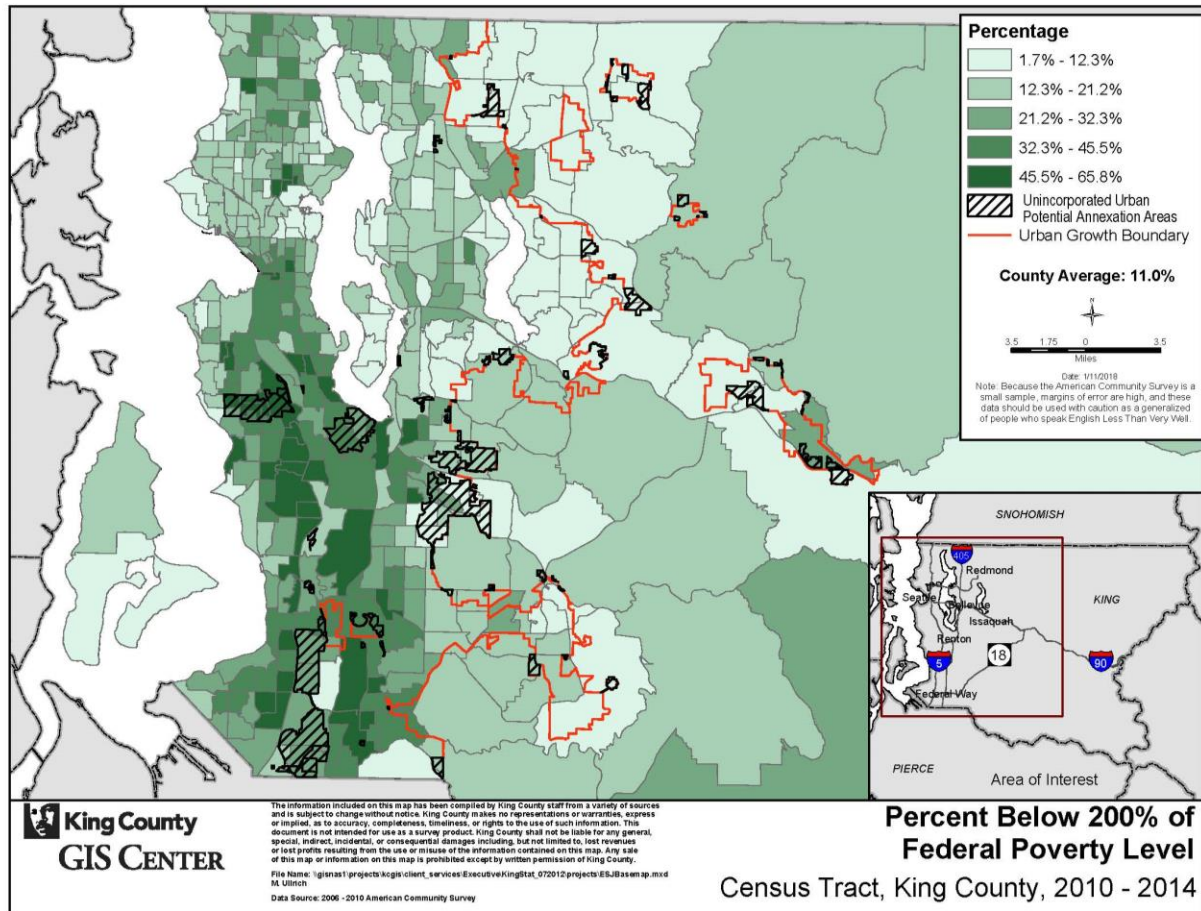
The following two maps illustrate Comprehensive Plan geographies (the Urban Growth Area boundary, which separates urban and rural areas, and Potential Annexation Areas). This is overlaid over census tract that show the percent of people of color and the percent of people below 200 percent of federal poverty level.

⁵King County's Determinants of Equity Report (2016): https://kingcounty.gov/~media/elected/executive/equity-social-justice/2015/The_Determinants_of_Equity_Report.ashx?la=en

Comprehensive Plan Geographies and Census Tracts by Percent People of Color



**Comprehensive Plan Geographies and
Census Tracts by Percent of Population Below 200 percent of Federal Poverty Level**



The maps⁶ illustrate that while the demographic groups identified in the County's Equity and Social Justice ordinance are found throughout the County, the highest concentrations are in incorporated cities in South King County and within unincorporated urban Potential Annexation Areas such as North Highline and Skyway-West Hill, and secondarily in Potential Annexation Areas such as Fairwood and the North and East Federal Way Potential Annexation Areas.

⁶ Link to Office of Equity and Social Justice web page with Maps of King County Demographics: <http://www.kingcounty.gov/elected/executive/equity-social-justice/tools-resources/maps.aspx>. Maps are by census tract and are based on the 2010–2014 American Community Survey 5 Year Average that is provided by the Census Bureau.

VI. 2020 COMPREHENSIVE PLAN UPDATE PROCESS

This section of the Equity and Social Justice Impact Analysis describes the 2020 Comprehensive Plan update process. It focuses retrospectively on the process to develop the Executive Recommended Plan.

The 2020 Plan update is unique in that it is the first "four-year midpoint" update and it has a one-time and condensed schedule, reflecting the restructuring of the Comprehensive Plan update process that occurred in late 2018. Described below are the phases in the 2020 Plan update process.

Scoping

Ordinance 18810 adopted in 2018 established a deadline of January 2, 2019 for the Executive to transmit the proposed Scope of Work for the 2020 Comprehensive Plan Update.

The process for developing the Scope of Work was guided by Comprehensive Plan Workplan Action 14. The initial and primary focus was to work with internal County agencies⁷ to identify topics, as well as other issues that should be addressed prior to the 2023 statutory update.

A variety of stakeholders were consulted during this limited timeframe before the scoping process began. Engagement included discussion with the following:

- Community groups regarding non-industrial uses in the Rural Area;
- Environmental stakeholders regarding fossil fuel infrastructure;
- State agencies regarding the shoreline management plan and the critical areas section of the zoning code;
- Agencies such as the Seattle-King County Board of Health regarding vapor products and opportunity zones;
- Community members and multiple non-profit stakeholders regarding subarea planning, with a focus on the Skyway-West Hill Land Use Plan;
- Developers regarding the Transfer of Development Rights Program review, and other housing related topics;
- Developers and the County Agricultural and Rural Forest Commissions regarding the review of the Four-to-One program;
- Staff at multiple cities regarding area zoning and land use studies including the Cities of Issaquah, Bellevue, Carnation, Maple Valley, Redmond, Renton, and Woodinville;
- Residents regarding land use and zoning in the Bear Creek Urban Planned Development;

⁷ The Departments of Local Services, Natural Resources and Parks, Community and Human Services, Metro Transit, and Public Health – Seattle and King County.

- Farmers, property owners, County Commissions and cities regarding Agricultural Product District area studies;
- Residents and non-profit stakeholders regarding a County-owned property in White Center; and
- Comprehensive Plan Docket proponents regarding past requests on multiple issues and in multiple geographies.

County staff attended, hosted, or presented at multiple meetings over many months prior to and during scoping related to the topics that were proposed in the Executive's proposed Scope. This was feasible within this timeframe in large part because of long-standing relationships with stakeholders engaged in County planning processes that had familiarity with the complex topics that are addressed in Comprehensive Plan reviews and updates.

Following the January 2, 2019 transmittal of the Executive's proposed Scope of Work, the King County Council reviewed, amended, and then adopted the amended Scope of Work on February 27, 2019 via Motion 15329.

Motion 15329 established the Scope of Work topical areas that are included in the 2020 Plan update. The Scope of Work included over 40 items to be considered, including policy reviews, code reviews, program reviews, area zoning and land use studies, Potential Annexation Area zoning and land use studies, technical updates to terminology and appendices, and reports.

Public Review Draft

The research, analysis, and drafting phases of potential amendments to address the adopted Scope items occurred in a three-month timeframe between March and May 2019. The month of June 2019 included final decision-making on the proposed amendments, prior to release for public comment. The components of the Public Review Draft package included the following documents.

- *Comprehensive Plan Amendments.* Line-by-line edits to Comprehensive Plan policies, text, and appendices.
- *Transportation Appendix Amendment Change Report and Maps.* Draft changes to transportation elements of the Plan, including the Transportation Needs Report and Arterial Classifications.
- *Land Use and Zoning Map Amendments.* Draft map amendments related to land use, zoning, property-specific development conditions, and special district overlays.
- *Shoreline Master Program Map Amendments.* Draft map amendments related to shoreline property designations.

- *Skyway-West Hill Community Service Area Land Use Subarea Plan.* Draft plan replacing the 1994 West Hill Community Plan, with a primary focus on land use in one subarea of unincorporated King County. This is an element of the Comprehensive Plan.
- *Skyway-West Hill Land Use and Zoning Map Amendments.* Draft map amendments related to land use, zoning, property-specific development conditions, and special district overlays, in Skyway-West Hill.
- *Area Land Use and Zoning Studies.* Eight studies related to land use and zoning in various parts of the County. Issues include changes to land use, zoning, Urban Growth Area boundaries, agricultural production district boundaries, and more.
- *Code Studies and Reports.* Two code studies, three reviews of long-standing County programs, as well as a status update for one subarea plan. Issues include incentive zoning programs, open space conservation tools, and smaller unit housing.
- *King County Code Amendments.* Edits to the King County Code that are necessary to ensure consistency with amendments to the Comprehensive Plan.
- *Code Amendments Plain Language Summary.* Plain language summary of the proposed amendments to the King County Code.

Public Comment Period

Following finalization and publication of the Public Review Draft including the aforementioned documents, King County held a 30-day public review comment period. Information describing the public comment period, including meetings, advertising, outreach, comments and responses, can be found in attachments to the Executive Recommended Plan and Ordinance describing the public comment period. King County Executive staff hosted six community meetings during July, as follows.

- 7/02/2019 Vashon / Maury Island - Special Topic Meeting on Sea Level Rise
- 7/09/2019 Bear Creek / Sammamish / Snoqualmie Valley
- 7/11/2019 Skyway-West Hill
- 7/16/2019 Four Creeks / Maple Valley / Southeast King
- 7/18/2019 Vashon-Maury Island
- 7/25/2019 North Highline

Approximately 350 people attended these meetings.

Executive Recommended Plan

During the month of August 2019, following the close of the public comment period at the end of July 2019, Executive staff compiled, transcribed, and considered the comments and feedback received. The month of September was primarily taken up by decision making and the

legislative review and transmittal process. The Executive Recommended Plan was transmitted to the County Council on September 30, 2019.

To summarize the 2020 Plan update process for the Executive Recommended Plan, the calendar below illustrates the process to develop the Scope (including Council adoption of the Scope), the Public Review Draft, and the Executive Recommended Plan. The calendar shows the steps as sequential; however, some steps in the process were at times concurrent. The schedule and parameters for the 2020 Plan update were adopted at the end of October 2018.

Exec. Scoping		Council Scoping		Exec. Public Review Draft				Exec. Recommended Plan		
2018		2019								
Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.
Executive department Scoping	Legislative review and transmittal of Scope to Council	Council review of Scope	Council adoption of Scope	Executive department research, analysis, and drafting; interdepartmental collaboration; outreach on some Scope items			Review and finalize draft Plan for release	Public comment period	Refine and update based on public comment	Legislative review and transmittal of Plan to Council

Council Review and Plan Adoption

The County Council review and adoption process has multiple steps, including review and analysis by Council Central Policy Staff, Council Committee review, and development of a Committee Draft Plan (known as the Striking Amendment or Striker), public outreach and public hearing, full Council review, amendments, and possible adoption. The calendar below illustrates the Council process and, while the calendar shows the steps as sequential, some steps are at times concurrent. Importantly, this is a general description and the Council has full discretion to direct its own process.

Staff Review		Council Committee Review				Full Council Review		
2019			2020					
Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June
Central Staff review and analysis, develop Committee materials		Committee Review, potential amendments, development of draft Committee striking amendment (Committee draft)			Action on Committee draft	Public Outreach on Committee draft Council Review		Council action

VII. EQUITY AND SOCIAL JUSTICE ANALYSIS OF COMPREHENSIVE PLAN

The framework for this impact analysis is guided by the Equity Impact Review process and checklist, including consideration of Process Equity, Distributional Equity, and Cross-Generational Equity, for each item in the adopted Scope of Work. Assessment of Distributional Equity and Cross-Generational Equity are related to the relevant Determinants of Equity for each Scope of Work item.

A. Process Equity

As described in the previous section, development of the 2020 Executive Recommended Plan occurred in three phases – scoping, Public Review Draft, and Executive Recommended Plan. The analysis in this section discusses the ways in which equity was considered in the process.

Importantly, some parts of the process – such as the Skyway-West Hill Land Use Plan and Bear Creek Urban Planned Development Area Study – had their own public processes that were more extensive, included targeted outreach to communities, and complemented the overall Comprehensive Plan process. These are described in the next section wherein each Scope item is assessed individually.

Scoping

Because the 2020 Comprehensive Plan Update is a one-time midpoint update, departments did not use a public engagement process to develop the scope of work. Instead, staff identified issues that fit within the criteria established in Work Plan Action Item 14, or that needed to be addressed prior to the 2023 update. Some outreach to existing stakeholders such as community and non-profit groups occurred, but no formal engagement process occurred. Pursuant to the Equity and Social Justice Community Engagement Guide, this level of engagement can be described as “informing” or “consulting”.

Public Review Draft

Equity and Social Justice work in this phase was focused on supporting the interdepartmental team and increasing staff capacity to consider equity issues within their work. Staff from the Office of Equity and Social Justice provided technical assistance on how to apply the Equity Impact Review tool.

An outreach process was held during the public comment period. Information describing the public comment period, including meeting dates, advertising, comments and responses, can be found in the *Public Comment and Response Report*, which is attached to the Executive Recommended Plan and Ordinance. For completeness of this section, however, a few things are noted in relation to outreach related to equity and social justice.

Meeting notifications were sent to approximately 11,000 property owners and groups. This included outreach to people and organizations identified by staff from the Office of Equity and Social Justice. The flyer that announced the update process and meetings offered translation and interpretation services, as shown below. The meeting announcements were also distributed through electronic media methods available to the County, such as Facebook, Instagram, NextDoor, and other means. Meeting announcements were also included in presentations made at the community meetings.

Interpretation and Translation Can Be Requested

- ✓ **Spanish:** Para solicitar esta información en Español, sírvase llamar al 206-263-9988 o envíe un mensaje de correo electrónico a community.relations@kingcounty.gov.
- ✓ **Somali:** Si aad u weyddiisato inaad ku hesho macluumaadkan Af-Soomaali, fadlan wac 206-296-0850 ama iimayl u dir community.relations@kingcounty.gov.
- ✓ **Vietnamese:** Để có các thông tin này bằng tiếng Việt, xin gọi số 206-263-9785 hoặc gửi điện thư đến community.relations@kingcounty.gov.
- ✓ **Chinese:** 如果要索取本資訊的中文版, 請致電206-263-9784 或發電郵給 community.relations@kingcounty.gov.
- ✓ **Korean:** 206-477-6232번으로 전화하거나 community.relations@kingcounty.gov 로 이메일을 보내시면 이 정보를 한국어로 받으실 수 있습니다.

Executive Recommended Plan

Following the public comment period, staff considered public comments and refined the Plan, and then finalized the Plan for transmittal to the County Council. Importantly, this phase included a complete review of public comments, and the development of responses that reflected any changes made to the 2020 plan based on the comments.

B. Distributional and Cross-Generational Equity in Executive Recommended Plan

Motion 15329 that established the Scope of Work for the 2020 Plan update included over 40 specific topics to be addressed. Analyses recognized that some of the items are broad and have a relationship to multiple Determinants of Equity for communities, while others are narrow and have a relationship to a smaller number of Determinants. Still others are technical and do not have an obvious relationship, or impact on, the Determinants for communities. The following table lists the Scope of Work items and identifies the associated primary Determinant(s) that are relevant to each item.

Scope of Work Items	Relevant Determinants
A. Text and Policy Proposals	
Update existing demographic and economic data, maps, and references	N/A. Technical changes that do not affect any policies. ⁸
Update Plan Update Terminology	N/A. Technical changes for internal consistency.

⁸ The terms "N/A" or "Technical changes" indicates that the substance of the work is narrow: it references existing work, corrects errors or omissions, standardizes terminology throughout the Plan, does not propose changes, or change the policy focus in the Plan.

Scope of Work Items	Relevant Determinants
Update Technical Appendix C: Transportation - Arterial Classifications, Transportation Inventory, and Transportation Needs Report	Transportation.
Update Technical Appendix A: Capital Facilities	N/A. No changes proposed.
Reflect Cessation of the County Mitigation Payment System	N/A. Technical changes for consistency with past King County Code amendments.
Clarify Non-Resource Industrial Uses and Development Standards Policies	N/A. Technical changes to clarify existing policy intent.
Reflect Approval of Regional Affordable Housing Plan and Action Strategy	Housing.
Update Description of the County's Regional Human Services Roles and Activities	N/A. Technical changes to reference existing work.
Address Fossil Fuel Facilities in Policies, Regulations, and Permitting Processes	Built and Natural Environment.
Develop Policy and Regulations to Prepare for Sea Level Rise	Built and Natural Environment.
Update Shoreline Master Program Regulations Consistent with State Law	N/A. No changes proposed.
Update Shoreline Environment Designations and Maps	N/A. Technical changes to match designations to existing criteria.
Reflect State and Federal Decisions Related to Regulation of Vapor Products	Parks and Natural Resources and Built and Natural Environment.
Reflect Federal Designation of "Opportunity Zones" in Unincorporated King County	N/A. No changes proposed given the lack of authority jurisdictions have to regulate.
Address Provision of Sidewalks/Pathways in Rural and Urban Unincorporated King County	N/A. Technical changes to better explain existing approach.
Recognize County Local Government Roles and Responsibilities	N/A. No changes proposed.
Update Plan to Reflect Skyway-West Hill Land Use Plan	Built and Natural Environment, Neighborhoods, Housing, Transportation, and Community Economic Development.
Update Plan to Reflect Outcomes of Transfer of Development Rights Program Review	Built and Natural Environment, and Parks and Natural Resources.
Update Cottage Housing Regulations	Housing.
Update Plan to Reflect Changes in Water Law Related to Permit Exempt Wells	N/A. No policy changes proposed given changes to state law following state Supreme Court ruling.
Update Plan to Reflect Outcomes of Four-to-One Program Review	Built and Natural Environment, Housing, and Parks and Natural Resources.
Status Report on Priority 1 and Priority 2 Implementing Actions from Vashon-Maury Island Community Service Area Subarea Plan	N/A. No changes proposed.
Address Agricultural Production District Offsite Mitigation Strategies	Food Systems.

Scope of Work Items	Relevant Determinants
B. Area Zoning and Land Use Studies	
Bear Creek Urban Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) Land Use and Zoning	Built and Natural Environment, Housing, Community Economic Development, Parks and Natural Resources, and Transportation.
Snoqualmie Valley Agricultural Production District Expansion	Food Systems.
Sammamish Agricultural Production District Boundary, and Associated Urban Growth Area Boundary Changes	Food Systems.
Mixed Use Development and Social Services Colocation on Parcels Adjacent to Dick Thurnau Memorial Park in North Highline	Housing, Neighborhoods, and Health and Human Services.
Repeal of Special District Overlay SO-230: Flood Plain Densities	Parks and Natural Resources.
Carnation Potential Annexation Area Land Use Changes to Facilitate Annexation	N/A. No changes proposed.
East Cougar Mountain Potential Annexation Area Urban Growth Area Changes	Housing, and Built and Natural Environment.
City of Maple Valley Urban Growth Area Changes	N/A. Technical changes to improve efficient provision of services.
Siting of Organic Composting Facilities	Built and Natural Environment.
C. Code Studies and Reports	
Review Accessory Dwelling Unit Regulations to Expand their Use	Housing.
Review Residential Density Incentive Program to Increase Use and Effectiveness	Housing.
Recognize the State's 2014 Washington State Wetland Rating System	N/A. No changes proposed
Update Existing Subarea Plans for Consistency with Adult Beverages Ordinance	N/A. No changes proposed.
Affordable Housing and County-Owned Properties Report and Plan for Inventory	Housing.

Discussed below is how equity and social justice elements were considered for each Scope item, within the framework of the relevant Determinants of Equity. Consistent with the Scope, which focuses on discrete areas of change within the Plan and implementing regulations, the focus of the analysis is the proposed changes. Some of these changes are anticipated to have benefits in the short-term, and some set the stage for benefits that will accrue over time as policies, regulations, programs and, ultimately, projects are developed under the new regulations.

Text and Policy Proposals

Update demographic and economic data, maps, and references

Proposed Action: Update the Plan to fix outdated information such as dates, numbers, and references to County departments.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are indirect and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments are limited and focus on updating information that is out of date. The amendments are found throughout the Plan and broadly affect all Determinants. The amendments help support awareness of existing conditions, but do not directly change those conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating data in the Comprehensive Plan were not considered. This was a County-led priority, not a local priority. The benefits (e.g., using demographics) may highlight inequities and help illustrate benefits and burdens⁹. The amendments do not address root causes (though they may highlight root causes). Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of this proposed action is to provide up-to-date demographic, economic, and other data and information in the Comprehensive Plan. This may help to highlight inequities and support making investments where needs are greatest. No negative potential impacts were identified.

Update Plan Update Terminology

Proposed Action: Update the Plan to increase consistency in terminology related to plan "updates," plan "amendments," plan "processes," plan "schedules," and plan "cycles." This was

⁹ The Scope of Work directed the Executive to identify, evaluate and describe both the "positive and negative potential equity impacts" of the proposed amendments. It also directed use of the Equity Impact Review tool. In the Equity Impact Review tool, the terminology "benefits and burdens" is used. Given the similarities in the terminology, and the fact that impacts are reviewed in the holistic context of the Equity Impact Review tool, the terminology "benefits and burdens" is assumed to have a synonymous meaning as "positive and negative potential equity impacts."

an outcome from the 2018 update to the Comprehensive Plan, wherein the update schedule and process was amended.

- *Phase 1: Scope. Identify who will be affected: Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are indirect and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments describe the process for amending the Comprehensive Plan and keeping it up to date, which should support people’s understanding of how the process works. The amendments are found throughout the Plan and therefore are broadly related to all Determinants. The amendments do not change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating plan terminology were not considered. This was a County-led priority, not a local priority. The indirect benefits (e.g., increased clarity) and burdens are area-wide and not localized and are distributed equitably. The amendments do not address root causes. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of this proposed action is to be transparent and clear about the process for amending the Comprehensive Plan. No negative potential equity impacts were identified.

Update Technical Appendix C: Transportation - Arterial Functional Classifications, Transportation Inventory, and Transportation Needs Report

Proposed Action: Update technical appendices that describe the overall transportation system in unincorporated King County (i.e., inventory, levels of service, traffic forecasts, planned improvements, and system needs, funding capabilities, and financing). The Arterial Functional Classification is the designation of highways, roads, and streets into groups according to the function they provide. The Transportation Inventory is required by the Washington State Growth Management Act and serves as a basis for future planning. The Transportation Needs Report is a long-term, comprehensive list of improvement needs for roads, bridges, and related county infrastructure.

- *Phase 1: Scope – Identify who will be affected:* This item broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide.¹⁰ The affected Determinant is transportation; related determinants include Housing and Community Economic Development, both of which affect a person’s mobility. Given the substantive nature of the information included in this appendix, the Department of Local Services - Roads Division (DLS Roads) uses the Comprehensive Plan process, which

¹⁰ The term countywide typically refers only to unincorporated urban and rural areas, and unincorporated natural resource lands.

is one of the County's broadest planning and outreach processes, to solicit public feedback. The outreach process for the Comprehensive Plan is described in two documents, entitled *Technical Appendix S: Public Participation Summary for the 2020 Update* and *Public Comment and Response Report for the 2020 Update*. As noted therein, there was broad outreach as part of the update, and this included outreach to stakeholders and organizations engaged in equity and social justice work. For some Scope of Work items, such as the Skyway-West Land Use Subarea Plan and the Bear Creek Area Study, significant additional outreach and engagement occurred. Input from these processes informed the updates of Appendix C1. As noted above, these changes do not immediately affect existing conditions, but set the stage for future investments that will have localized impacts.

- *Phase 3: Analysis and Decision-Process:* The information included in these appendices is required by the Growth Management Act, therefore alternatives to doing this work were not considered. Input from broad public outreach informed the updates to the appendix, as did public comments received by DLS Roads as part of their ongoing public engagement (e.g., annual Community Service Area meetings). This input came from both oral comments at the six community meetings, as well as written comments that can be found in the *Public Comment and Response Report for the 2020 Update*. The benefits and burdens are not immediate, as discussed previously. Because of the chronic underfunding of County roads,¹¹ the Transportation Needs Report focuses on operational safety, regulatory compliance, and the maintenance and preservation of infrastructure. When selecting specific projects within that context, Roads uses the Equity Impact Review Tool and the Sustainable Infrastructure Scorecard to prioritize transportation improvements. When transportation projects move towards implementation, additional localized notification and community engagement occurs.

In addition to the Comprehensive Plan process, all DLS Roads capital projects and programs are reviewed, as mandated by the King County Green Building Ordinance reporting process, using nine detailed Equity and Social Justice criteria. To ensure consistency across projects and programs, DLS Roads has trained over 40 staff to a standardized approach that advances Equity and Social Justice outcomes at the project and program level, whenever possible. Green Building reporting requirements, per the Green Building Ordinance, result in completion of the Sustainable Infrastructure Scorecard at 30% and 100% completion of each capital project.

Equity and Social Justice outcomes from this standardized approach include: (1) preparation of an Equity and Social Justice work plan for each capital project, early in the pre-design phase to guide project design and delivery in a manner that advances Equity and Social Justice outcomes when/if feasible; (2) enhanced and expanded Communication and Engagement Plans to reflect opportunities to more deeply engage communities that may be positively or negatively impacted by a capital project or program; (3) equity impact review of

¹¹ For background information, see the Roads and Bridges Task Force final report.
<https://kingcounty.gov/depts/local-services/roads/roads-task-force.aspx#finalreport>

the project; enhanced diversity in project teams; and (4) pro-equity materials sourcing and contracting.

The positive potential equity impact of this proposed action is to be transparent and clear about the state of the County's transportation system. The negative potential equity impact is related to the chronic underfunding of the County road system, which has tremendous implications for all County residents, who rely on a functioning transportation system for many aspects of modern life. The County continues to seek long-term solutions to this problem.

Update Technical Appendix A: Capital Facilities

Proposed Action: Do not update Technical Appendix A related to Capital Facilities. Capital facilities are foundational to livable communities and quality of life. The quality, breadth, and availability of capital facilities are relevant to all residents. The intent in the Scope of Work was to add a list of all County plans that implement the Comprehensive Plan. However, given the range of plan types, and the number of ways in which they are developed, reviewed, and potentially adopted or not adopted, it was determined that more work would be needed to categorize plans and create a single list. Based on this, no changes are proposed at this time.

- *Phase 1: Scope – Identify who will be affected:* This action would broadly affect all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts would be long-term if changes were made to the appendix, but none are proposed.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments would have been focused on clarifying how the Comprehensive Plan is implemented by other County plans. The amendments would have only been in the appendix, but the listing of other County plans would have made the amendments related to numerous Determinants. The amendments would not have directly changed existing conditions (although capital projects might).
- *Phase 3: Analysis and Decision-Process:* An alternative (not doing this work) was ultimately decided upon. This was a County-led priority, not a local priority. The benefits and burdens would have been areawide and not localized and are distributed equitably. There are no amendments and therefore they do not address root causes. Given this, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The potential negative equity impact of this proposed action (no action) is that the Comprehensive Plan could be more transparent in identifying the other County plans that implement County policy, and how the public might influence them. The Executive may reconsider this proposal in a future update. No potential positive equity impacts were identified.

Reflect Cessation of the County Mitigation Payment System

Proposed Action: Update the Comprehensive Plan to reflect the County's cessation of the mitigation payment system, and removal of King County Code Chapter 14.75, in 2016 via

ordinance 18420. The Mitigation Payment System required new development in the unincorporated area of the County to pay fees for traffic impacts to the King County road network. Due to annexations and incorporations, however, Mitigation Payment System fee revenues declined to the point where they no longer sustained a viable capital program and no longer justified the expenditure of resources to administer the program.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments are focused on internal consistency between past King County Code amendments and the Comprehensive Plan. The amendments affect the Transportation Determinant. The amendments do not significantly change existing conditions. Of note, impacts of new development on the transportation system can still be mitigated through the State Environmental Policy Act process and the County’s intersection standards requirements.
- *Phase 3: Analysis and Decision-Process:* Alternatives to removing references were not considered. This was a County-led priority, not a local priority. The benefits and burdens are areawide and not localized and are distributed equitably. Transportation needs in unincorporated areas are significant, and exceed available funding, creating mobility challenges, particularly for members of the public without a car or those residing in areas without transportation alternatives. This lack of funding and access issue, however, is not addressed by this proposed action, and the amendments do not address root causes. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. Although the policy decision to end the Mitigation Payment System was made in 2016 and this action simply updates the Plan to that effect, as previously mentioned there is a negative potential equity impact associated with the chronic underfunding of County roads. The benefits of ending this impact fee goes to developers and those with the capacity to propose development projects. The burdens are shouldered by unincorporated area residents and are worse for those with low incomes and fewer transportation choices. No positive potential equity impacts were identified.

Clarify Non-Resource Industrial Uses and Development Standards Policies

Proposed Action: Update policies and text related to non-resource industrial uses and development standards in the Rural Area to clarify uses compared to sites and clarify the parcels to which the policies apply. In 2018, as part of work of the Cedar River Sites Industrial Moratorium Study (Report 2018-RPT0027, in response to Ordinance 18611), it became apparent through public testimony and engagement that policies on this topic in *Chapter 3 Rural Areas and Natural Resource Lands* were not clear and would benefit from clarification. The

amendments include clarifications to the text and policies and are not intended to change the existing intent.

- *Phase 1: Scope – Identify who will be affected:* This action predominantly affects members of the public that live in Rural Areas of the County. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is limited to industrial parcels in the Rural Area. The amendments are focused on clarifying the intent of Comprehensive Plan policies. There are local concerns regarding the industrial sites and uses that are in the Rural Area, and some members of the public believe they should be removed, or the zoning changed once the existing uses ends. Others support them for local employment reasons. The Growth Management Act allows these existing uses to continue, consistent with the proposed amendments. The amendments are related to the Built and Natural Environment Determinant and the Community Economic Development Determinant. The amendments, by clarifying the intent and not changing it, do not significantly change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to clarifying the policies were not considered. This was a County-led priority, not a local priority. There was local interest and public comments were submitted and, based on public feedback, some of the proposed amendments in the Public Review Draft were revised. The benefits and burdens are areawide and not localized and are distributed equitably. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of this proposed action is clarifying County policies that were previously unclear. No negative potential equity impacts were identified.

Reflect Approval of Regional Affordable Housing Plan and Action Strategy

Proposed Action: Update the Plan to reflect the approval of the Regional Affordable Housing Plan and Action Strategy. The Regional Affordable Housing Task Force concluded its work in December 2018 with a final report and Five-Year Action Plan. The amendments in the 2020 Comprehensive Plan simply describe the Regional Affordable Housing work and list the goal areas, but do not establish new policies or change commitments or timeframes.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments do not significantly change existing conditions. The amendments are focused on describing a new facet in the County's planning for housing. The amendments are related to the Housing Determinant. Engagement for this work preceded the Comprehensive Plan and was robust. The Regional Affordable Housing Task Force was created in 2017 via Motion 14873 to bring together representatives from King

County, the City of Seattle, and other cities with the goal of developing a regional plan to address the affordable housing crisis in King County. The Task Force was supported by a Standing Advisory Panel that included stakeholders from organizations focused on building, housing, affordable housing, equity, public health, and more. Members of the Standing Advisory Panel included staff from organizations such as: African Community Housing and Development, the Master Builders Association, the Chief Seattle Club, Columbia Legal Services, the Housing Development Consortium, Enterprise Community Partners, and more. In addition, the process included community meetings, online public comment tools, and outreach to stakeholders.

This process was consistent with the intent of the Equity Impact Review tool to engage early, understanding the context (at the countywide scale, given the nature of the work), and devise solutions in partnership with affected stakeholders. Further, one of the seven goals in the Action Strategy is to continue to engage with local communities as this work is implemented. In addition, to make this possible, a countywide Regional Affordable Housing committee, with its own staff group called the Housing Interjurisdictional Team, was formed. These actions required intensive staffing, leadership engagement, and then commitment within the King County budget process to dedicate the resources to support this work.

- *Phase 3: Analysis and Decision-Process:* Alternatives to the proposed action were not considered. This was a County-led priority, not a local priority. The benefits and burdens are areawide and not localized and distributed equitably. The amendments do not address root causes; however, implementation work of the Regional Affordable Housing Task Force likely will. Given the nature of the amendments, it is anticipated that, over time, there would be a positive potential impact on distributional equity as more affordable housing is created and maintained. The positive potential equity impacts of the proposed action are to highlight the work of the Regional Affordable Housing Task Force. Implementation of Task Force recommendations is ongoing and intended to result in increased distributional equity as more affordable housing is created and maintained. No negative potential equity impacts were identified.

Update Description of the County's Regional Human Services Roles and Activities

Proposed Action: Update the Plan to reflect the roles and activities King County plays in the human services arena, and the populations being served.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments are focused on describing new roles the County plays in human services. The amendments are related to the Housing Determinant. The amendments themselves do not significantly change existing conditions.

- *Phase 3: Analysis and Decision-Process:* Alternatives to updating the description of roles were not included. This was a County-led priority, not a local priority. The benefits and burdens are areawide and not localized and are distributed equitably. The amendments do not address root causes. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action are to clarify King County's role in providing human services, and the populations that are served. No negative potential equity impacts were identified.

Address Fossil Fuel Facilities in Policies, Regulations, and Permitting Processes

Proposed Action: Update Comprehensive Plan policies, and associated development regulations and permitting processes, to ensure that the range of impacts from the extraction, processing, production, transport, storage, and use of fossil fuels, including the impacts from construction and operation of fossil fuel infrastructure, are identified, avoided, and mitigated in order to protect public health and safety, air and water quality, habitats, natural resource lands, and other resources and functions. Based on this review, several changes to the Comprehensive Plan and development regulations are proposed to address the risks and potential impacts associated with fossil fuel facilities.

- *Phase 1: Scope – Identify who will be affected:* This proposed action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term. Fossil fuel facilities have health and safety impacts. These impacts are widespread, but the most direct impacts are in localized areas where they are sited.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The work focuses on regulating new facilities, which therefore makes the assessment of localized impacts challenging as there are no active proposals to permit new facilities. The amendments affect the Built and Natural Environment Determinant. The amendments alone do not significantly change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating the regulations were not considered. This was both a County-led priority and a local priority, with environmental stakeholders requesting the County to consider these changes. The amendments do not address root causes, nor do they apply to existing facilities. The benefits and burdens are areawide and not localized and are distributed equitably though regulations in the King County zoning code. Historically, these types of facilities have been more frequently sited in lower-income areas, which creates disproportionate impacts. Meaning, while the benefits of the proposed action are widespread and there would likely be positive potential equity impact given the history of past siting decisions. Additionally, the amendments, if adopted, direct an Equity Impact Review process as part of the siting process for new fossil fuel facilities. The positive potential equity impacts of the proposed action are to protect public health and safety, both in localized areas where facilities are proposed and across all geographies because of complementary efforts to transition to clean energy economy. The potential

negative equity impacts could be associated with less employment in the fossil fuel industry in the short-term, if fossil fuel companies made business decisions not to site facilities in unincorporated King County. This could be mitigated by the County's (and other entities') broader economic development efforts and growth in clean energy sectors.

Develop Policy and Regulations to Prepare for Sea Level Rise

Proposed Action: Update policies and regulations to prepare for sea level rise impacts. This work included an evaluation of regulations that address development in and adjacent to coastal areas at risk of flooding and erosion damage. Based on this, the proposed regulations call for King County to establish a risk area adjacent to the existing coastal high hazard flood areas along the marine shoreline of Vashon-Maury Island. Regulations intersect with other critical areas, and address elevation standards, setbacks on bluffs, and wells for potable water. Policies require a review of sea level rise information every eight years.

- *Phase 1: Scope – Identify who will be affected:* This action affects people who own and inhabit some waterfront properties on Vashon-Maury Island. Benefits may accrue to the larger public by regulating to have less development in areas forecasted to be impacted by sea level rise, and by protecting the Vashon's drinking water supply from saltwater intrusion. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is as noted in the previous bullet and paragraph. The amendments are focused on long-term effects of climate change. The amendments affect the Built and Natural Environment Determinant. The amendments could significantly change existing conditions, by limiting or requiring mitigation for development in certain areas.
- *Phase 3: Analysis and Decision-Process:* Alternatives to developing these regulations were not considered, but a variety of approaches were considered and, based on public feedback, some of the proposed amendments in the Public Review Draft were revised, such as bulkhead standards. This was a County-led priority not a local priority but does relate to issues the County is working on in related planning processes. The benefits and burdens are mostly localized, but also have areawide benefits. By regulating these issues proactively, and for the long-term, the amendments begin to address root causes and existing conditions. Given that these changes affect localized areas, including those that are not predominantly low-income nor populated by communities of color, it is not anticipated that there would be a distributional impact on communities identified in the Equity and Social Justice ordinance. The positive potential equity impacts of the proposed action include protecting residential areas and people from the health and safety impacts of sea level rise. The potential negative equity impacts include financial burdens associated with increased development costs of the proposed regulations, which would have greater short-term impacts on those with lower incomes. The proposed action is also intended to prevent greater cost burden in the future by requiring early preventative actions now.

Update Shoreline Master Program Regulations Consistent with State Law

This Scope of Work item directed updating the Plan, including the associated Shoreline Master Program regulations in the King County Code, to ensure consistency with state requirements. This item would have affected a variety of geographies; however, the work was shifted to the Shoreline Master Program update, and no changes are proposed as part of the 2020 Comprehensive Plan.

Update Shoreline Environment Designations and Maps

Proposed Action: Update the shoreline environment designations and maps. There are amendments related to three sets of properties: parks and open space properties that have been acquired by the County since the last major Plan update, those that had been previously inadvertently unclassified, and those that were incorrectly classified.

- *Phase 1: Scope – Identify who will be affected:* This action affects a narrow set of properties that have had their shoreline designation updated. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is limited, as described in the preceding paragraph. The amendments are focused on creating consistency between land uses and shoreline designations. These changes have limited impacts on the Determinants. The amendments do not significantly change existing conditions, but create greater consistency moving forward, which should help protect shorelines.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating the designations were not considered. This was a County-led priority, not a local priority. The benefits and burdens are localized and distributed equitably. The amendments do not address root causes but create internal consistency that is required under state law. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of the proposed action is to create greater consistency among shoreline designations, which should help protect shorelines in King County, something that broadly benefits all residents. The negative potential equity impacts could include the burden on individual homeowners to understand changed or new designations and any subsequent impacts on developability or shoreline management. These impacts would be greater for those with lower incomes.

Reflect State and Federal Decisions Related to Regulation of Vapor Products

Proposed Action: Update the Plan to reflect state and federal decisions related to regulation of vapor products¹². The intent of this work was to review the ability of the County to protect public health and safety in relation to vapor products, also sometimes known as e-cigarettes.

- *Phase 1: Scope – Identify who will be affected:* This action affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments are focused on protecting public health and safety, consistent with past practices related to tobacco products. The amendments affect the Parks and Natural Resources and Built and Natural Environment Determinants. The amendments do not significantly change existing conditions but establish a longer-term framework that better protects public health.
- *Phase 3: Analysis and Decision-Process:* Alternatives to developing these regulations were not considered. Engagement for this work preceded the Comprehensive Plan and was robust. This was a County-led priority and a priority of the Seattle-King County Board of Health. Outreach and engagement with stakeholders, including during Board meetings, is a regular part of the Board of Health's work. The impact is areawide and by regulating these products throughout unincorporated areas, public health benefits may accrue to the general population. The positive potential equity impacts of the proposed action are to protect public health and safety. Communities identified in the Equity and Social Justice ordinance are disproportionately represented on several health indicators. Lessening the potential public health impact of vapor products on unincorporated areas will be particularly beneficial to communities that are already impacted by other health issues. By regulating these products, the amendments are related to root causes of other health issues. No negative potential equity impacts were identified.

Reflect Federal Designation of "Opportunity Zones" in Unincorporated King County

This Scope of Work item directed updating the Plan to reflect federal designation of "Opportunity Zones" (low-income areas eligible for development-related tax incentives) in unincorporated King County. Following adoption of the Scope and through the process to develop the Public Review Draft, County staff analyzed this new provision in the federal tax code. Although it is a helpful program that could result in positive equity impacts in unincorporated areas, the review concluded that language not be included in the 2020 Plan update. There are numerous state and federal economic development initiatives and programs, and they change over time: tracking these programs is more appropriate for the County's operational and programmatic efforts, rather than including them in long-range (20-year) planning documents. Given that no changes proposed, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.

¹² As defined at 70.345 Revised Code of Washington.

Address Provision of Sidewalks/Pathways in Rural and Urban Unincorporated King County

Proposed Action: Update policies and development regulations (including road standards), and related provision of sidewalks/pathways in rural and urban unincorporated King County, with a focus on improving public safety and improving physical fitness. The Scope directed an evaluation of providing sidewalks/pathways in conjunction with other planned improvements, to create greater awareness and understanding of the conditions under which sidewalks and pathways are allowed in rural and urban unincorporated King County.

- *Phase 1: Scope – Identify who will be affected:* This action predominantly affects members of the public that live in Rural Areas of the County. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is primarily limited to Rural Area. The edits to the Comprehensive Plan describe existing County processes and regulations. The amendments affect the Transportation Determinant. The amendments do not change existing conditions but clarify when sidewalks and pathways may be considered.
- *Phase 3: Analysis and Decision-Process:* Alternatives to clarifying the processes and regulations were not considered. This was a County-led priority, not a local priority. The benefits and burdens are areawide and not localized and are distributed equitably. These changes would have a net-positive substantive impact by creating more public understanding and clarity of the Plan and how and where sidewalks are provided. Given the nature of these changes, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action are to create greater clarity and transparency about when sidewalks and pathways may be considered. This may result in greater walkability in unincorporated areas, with the associated public health and mobility benefits. No negative potential equity impacts were identified.

Recognize County Local Government Roles and Responsibilities

This Scope of Work item directed updating the Plan if necessary to improve coordination, accountability, and service delivery in unincorporated areas at rural or urban service levels. Following adoption of the Scope, and through the process to develop the Executive Recommended Plan, no issues were identified, and no changes proposed related to this item. Given that there were no changes, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.

Update Plan to Reflect Skyway-West Hill Land Use Subarea Plan

Proposed Action: Update the Plan to reflect the Skyway-West Hill Land Use Subarea Plan. The Skyway-West Hill Land Use Subarea Plan is an element of the Comprehensive Plan under state law. While an element of the Comprehensive Plan, the Subarea Plan includes a *separate equity*

and social justice analysis, as well as an analysis of service delivery in this, and four other, urban unincorporated areas.

Update Plan to Reflect Outcomes of Transfer of Development Rights Program Review

Proposed Action: Update the Plan to reflect the review of the Transfer of Development Rights (TDR) Program. This work started in 2017 following adoption of the 2016 Comprehensive Plan and required analysis that addressed tax revenue impacts of the TDR Program for both sending and receiving sites. It also includes an analysis of potential TDR Program changes that build on existing program objectives while considering other policy objectives, such as making investments in economically disadvantaged areas, promoting housing affordability, incentivizing green building, and providing for transit-oriented development.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies, however most of the focus is on identified sending and receiving sites (i.e., the areas where density is transferred from and transferred to). The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments create a new category of sending site, which is medium density urban residential areas located in parts of the County that have high concentrations of communities identified in the Equity and Social Justice Ordinance. The amendments do not change existing conditions but set the stage for creating more open space in these areas while at the same time not losing the capacity for growth in the urban growth area. This relates to the Built and Natural Environment, and Parks and Natural Resources Determinants.
- *Phase 3: Analysis and Decision-Process:* Alternatives to developing these regulations were not considered. The benefits and burdens are more localized in the areas where open spaces would be created through the amendments, and these are focused in areas with higher concentrations of communities identified in the Equity and Social Justice ordinance. The intent of the amendments is to address root causes by addressing long-standing inequities in the provision of open space and to positively impact distributional equity as more open spaces are created in urban areas.

This was a County-led priority, not a local priority; however, the concept is in part based on ideas gathered through engagement with community and other stakeholders. In addition to the process used to develop the Public Review Draft, program staff interviewed developers to assess the viability of various potential approaches with the intent of supporting continued demand for transfers of development rights. In developing the proposal, program staff applied principles from the work of an "Open Space Equity Cabinet", a group of stakeholders convened to ensure the County's Land Conservation Initiative would serve all communities across King County equitably. One of the key recommendations from the Cabinet was to create new open space in underserved areas, which the proposed changes to the TDR Program would support.

The positive potential equity impacts of the proposed action are a stronger TDR Program that produces results that are more equitable. By incentivizing transactions in areas with higher concentrations of communities identified in the Equity and Social Justice Ordinance, the program would help preserve more open space and create more vibrant and equitable communities across King County. This would have local positive potential equity impacts, as well as broad benefits for all county residents. No negative potential equity impacts were identified.

Update Cottage Housing Regulations

Proposed Action: Update the Plan to reflect outcomes from work done on the 2016 Comprehensive Plan Workplan Action Items, specifically the review of the County's cottage housing regulations. This work started in 2017 following adoption of the 2016 Comprehensive Plan, and involved reviewing definitions, and reviewing parking and design regulations, site size limits and more.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The amendments affect the Housing Determinant. The changes are intended to increase the use of this development type, increasing overall housing supply and the supply of smaller units. The amendments do not change existing conditions but create the possibility for more cottage housing to be developed in unincorporated areas.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating these regulations were not considered. This was a County-led priority, not a local priority. The benefits are to developers and those looking for smaller housing units, likely at higher percentages of median income. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The amendments do not address root causes. There are both positive and negative potential equity impacts of the proposed action. While cottage housing is more typically used as an infill strategy (as opposed to an affordability strategy), it could have a positive impact on affordability at higher percentages of median income, depending on the project location. There is also a broad benefit to the public by changing regulations that may result in increased housing supply overall. The burdens of increasing housing supply in low-income areas can include higher risk of gentrification and displacement. As part of the Skyway-West Hill Subarea Plan, the Executive also proposes an equitable development analysis that would identify strategies to address these risks in areas of the County with high concentrations of disadvantaged populations.

Update Plan to Reflect Changes in Water Law Related to Permit Exempt Wells

Proposed Action: Update the Plan to reflect changes in state law related to permit-exempt wells in the Rural Area. This work started in 2017 following adoption of the 2016 Comprehensive Plan and related to a 2016 State Supreme Court ruling known as the Hirst decision. While County work on this topic was underway, the state legislature adopted a bill that *reversed* the Hirst decision.

- *Phase 1: Scope – Identify who will be affected:* This action affects members of the public that live in the Rural Area. The impacts are minimal, as described above and below.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is the Rural Area. Given this reversion back to requirements that existed prior to the court decision, no changes are being made to County regulations, and the amendments simply reference the new state water law requirements. The amendments do not change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating the references to new state water law were not considered. This was a County-led priority, not a local priority, but there was significant public interest during the project, at least until the state law change reversed the court decision. The amendments do not address root causes, and do not address existing issues related to instream flows that were part of the basis of the court decision. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action are minimal, chiefly clarifying County rules for development in rural areas, and to keep County policies and codes up-to-date with current case law. No negative potential equity impacts were identified.

Update Plan to Reflect Outcomes of Four-to-One Program Review

Proposed Action: Update the Plan to reflect the review of the Four-to-One Program, which is an innovative growth management technique that results in the creation of open space adjacent to the Urban Growth Area boundary. Review of the program started in 2017 following adoption of the 2016 Comprehensive Plan. It evaluated past use of the program to identify improvements in processes and criteria.

- *Phase 1: Scope – Identify who will be affected:* This action primarily affects Rural Area properties that are adjacent to the 1994 original urban growth area boundary. The impacts could be immediate if changes were made to the program and a project were to be submitted under the new regulations. The impacts are also likely to be long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is focused on a specific set of properties (those adjacent to the 1994 urban growth area boundary). The proposed amendments clarify several provisions, add more evaluation criteria intended to result in better projects, and strengthen requirements related to annexation to ensure that any new urban areas created through the program are annexed into cities. The amendments do not change existing conditions but set the stage for better aligning the use of

the program with other County goals for open space protection and annexation. This program affects densities and open spaces, and therefore relates to the Built and Natural Environment, Housing, and Parks and Natural Resources Determinants.

- *Phase 3: Analysis and Decision-Process:* Alternatives to developing these program updates were not considered. This was a County-led priority, not a local priority. In addition to the process used for the Comprehensive Plan, outreach was done to stakeholders involved in real estate development, as well as County commissions focused on natural resource lands. The amendments do not address root causes. Given the nature of the amendments, it is anticipated that there would be a positive potential impact on distributional equity as new urban areas would be incorporated into cities that have the tools and resources to provide urban levels of service. There are positive potential equity impacts to the proposed action. Strengthening the Four-to-One Program helps to support the County's growth management efforts. All County residents benefit from the preservation of open space and the prevention of sprawl. Benefits accrue to those with the capacity and resources to propose Four-to-One projects, including property owners and developers; to those who would benefit from additional open space in localized areas, and to those able to purchase or rent new housing created through the program. The burdens are more localized in the areas where development (and development impacts) would occur. No negative potential equity impacts were identified.

Provide a Status Report on Priority 1 and Priority 2 Implementing Actions from Vashon-Maury Island Community Service Subarea Plan

Proposed Action: Report on the status of Priority 1 and Priority 2 implementing actions from the Vashon-Maury Island Community Service Area Subarea Plan. This item is a status report only, and there are no proposed changes to the Plan.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects residents of Vashon-Maury Island. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is Vashon-Maury Island. There are no amendments; rather, this is a status report. The amendments do not change existing conditions, although a status report could lead to additional proposed changes to the plan. It is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.
- *Phase 3: Analysis and Decision-Process:* Alternatives to developing a status report were not considered. This was a County-led priority, not a local priority. The benefits and burdens, if any, of the status report are localized, and distributed equitably. There are no amendments, and therefore no effect on root causes. Given the nature of the report, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action are to

inform the public about the implementation of the Vashon-Maury Island Community Service Area Subarea Plan. No negative potential equity impacts were identified.

Address Agricultural Production District Offsite Mitigation Strategies

Proposed Action: Update the Plan policies and associated development regulations related to the design and siting of public infrastructure and/or facilities within and adjacent to Agricultural Production Districts in order to identify potential offsite mitigation strategies. Examples of such strategies include in-lieu fee programs, transfer of development rights, or restoration of existing Agricultural Production Districts lands to return them to agriculture production capable land.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public, but the geographic focus is on Agricultural Production District. The impacts are long-term but could be immediate if the amendments are adopted and a project is proposed.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is lands in the Agricultural Production District. The amendments affect the Food Systems Determinant. The amendments include a proposed sequence to avoid impacts, replace the loss of land in the same place, replace the loss near another Agricultural Production District, or allowing for funding to restore other agricultural lands. The amendments do not change existing conditions.

Phase 3: Analysis and Decision-Process: Alternatives to updating the policies were not included. This was a County-led priority, not a local priority, but was based on a transportation project that impacted the Sammamish Valley Agricultural Production District. In addition to the process used for the Comprehensive Plan, outreach was done to County commissions focused on natural resource lands, given their knowledge and experience with these issues. The benefits are areawide by protecting agricultural lands and localized by mitigating any losses of land. The burdens would accrue to those responsible for mitigating disturbances to designated agricultural lands. The impacts are distributed equitably. The amendments do not address root causes but are designed to mitigate incentives that could affect agricultural lands. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action are to clarify requirements for mitigating loss of designated agricultural lands caused by public works projects. Although the loss of agricultural lands has negative potential equity impacts, it is extremely rare and when it does happen, the public interest must be protected. These changes will help ensure that appropriate mitigations are identified.

Area Land Use and Zoning Studies

Bear Creek Urban Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) Land Use and Zoning

Proposed Action: Review and establish, in advance of the expiration of development agreements for the Bear Creek Urban Planned Developments (UPDs: Redmond Ridge, Trilogy, and

Redmond Ridge East), land use designations and zoning classifications consistent with the Comprehensive Plan. Do this in a manner consistent with the development patterns in said agreements and reflecting current conditions in the area.

- *Phase 1: Scope – Identify who will be affected:* This item affects residents of the Bear Creek UPDs, and surrounding residents in the Rural Area. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local but affects a relatively large area. Given the broad nature of the work, this affects numerous Determinants related to Housing, the Built and Natural Environment, and others. The amendments are intended to provide a seamless transition from the current (expiring) development agreement to standard County land use and zoning. In addition to the process used to develop the Public Review Draft of the Comprehensive Plan, outreach associated with this study began in early 2019 by meeting with residents and community groups. Issues related to the future land use in the area highlighted several areas of concern, including zoning that allowed marijuana-related businesses, the potential for increased densities or changes to the Urban Growth Area boundary, and the future of open spaces such as the golf course.
- *Phase 3: Analysis and Decision-Process:* Alternatives to establishing land use and zoning were not included. This was a County-led priority and a local priority. The benefits and burdens are localized although the affected area is relatively large. The amendments as defined in the Scope do not address root causes. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of the proposed action is the consistent application of the County’s land use regulations to the Bear Creek UPDs. No negative potential equity impacts were identified.

Snoqualmie Valley Agricultural Production District Expansion

This Scope of Work item directed considering expansion of the Agricultural Production District boundary to increase opportunities for farming, including areas near the Snoqualmie Valley Agricultural Production District (Fall City area and Carnation area), and the Enumclaw Agricultural Production District.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects members of the public that live near the Snoqualmie Valley Agricultural Production District. By expanding agricultural land, the benefits are areawide.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local. The amendments affect the Food Systems Determinant. The amendments are consistent with long-standing Comprehensive Plan policies to protect agricultural lands. The amendment adds a few parcels into the Agricultural Production District, both at the request of the property owners. The amendments do not immediately change existing conditions by could have long-term effects.

- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing these parcel requests were not included. This was a local priority, consistent with County priorities. The benefits are localized in the areas where the Agricultural Production District will grow and, because it expands agricultural land, the benefits are more widespread. Additionally, the parcels are both owned by Hmong farmers, giving this a positive potential impact on equity. The positive potential equity impact of the proposed action is to increase the amount of designated agricultural lands, which benefits all county residents. No negative potential equity impacts were identified.

Sammamish River Agricultural Production District Boundary, and Associated Urban Growth Area Boundary Changes

Proposed Action: As mitigation for the encroachment of the NE 171st Street roadway and roundabout into the Sammamish Agricultural Production District (APD), consider changes to the Sammamish 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 consider changes to the Urban Growth Area boundary to incorporate the additional right-of-way on NE 171st Street. As noted in the related study, one parcel in the APD was impacted by a roundabout and portions of two nearby parcels were added to the same APD.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects residents near the northern border of the Sammamish Valley APD and the City of Woodinville. By mitigating for the loss of agricultural land, the benefits are areawide.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local but as noted above there are areawide benefits. The amendments affect the Food Systems Determinant. The amendments add land back into the APD. The amendments do not significantly change existing conditions because the land that is being added to the APD already had a development condition that limited allowed uses.
- *Phase 3: Analysis and Decision-Process:* Alternatives to mitigating the APD boundary were not considered. This was a County-led priority, not a local priority, and based on requirements in the Comprehensive Plan policies. The benefits are both local and areawide. The amendments do not address root causes. Given the nature of the amendments, it is anticipated that there would be a positive potential impact on distributional equity as the new farmland parcels are available to tenant farmers, some of which are from communities identified in the Equity and Social Justice ordinance. The positive potential equity impact of the proposed action is to mitigate loss of agricultural lands by adding new lands to the Sammamish Valley APD. The protection of agricultural lands benefits all County residents. No negative potential equity impacts were identified.

Mixed Use Development and Social Services Co-location on Parcels Adjacent to Dick Thurnau Memorial Park in North Highline Land Use and Zoning

Proposed Action: Review the 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 supportive social services, co-working spaces, and other potential non-residential uses. In the local community, this is known as the White Center Hub project.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects residents of the North Highline area but, by providing a location for social services, affects a broader set of stakeholders in the area and has general benefits countywide. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local. The amendments change the use of the land to allow for the development of the White Center Hub project. The amendments relate to the Housing, Neighborhoods, and Health and Human Services Determinants. The amendments do change existing conditions. In addition to the outreach done through the Comprehensive Plan process, the County engaged with stakeholders involved in this proposal for a two-year period leading up to the Comprehensive Plan process. This included the White Center Community Development Association, Southwest Youth & Family Services, Capitol Hill Housing, and King County, who worked together to develop a site with permanent affordable housing and social services buildings.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing the land use and zoning were not considered. This was a community-led priority although the County has been involved for several years. The benefits include low-income housing with supportive services; these accrue to people who need the housing and services. Indirect benefits also accrue countywide. The burdens would be localized in the areas where the development would occur. By providing social services onsite, the proposed action begins to address root causes. Given the nature of the amendments, it is anticipated that there would be a positive potential impact on distributional equity as the County allows for greater density, collocated with social services, in an urban area. The positive potential equity impact of the proposed action is the provision of much-needed low-income housing and social services in the North Highline area. Negative potential equity impacts are associated with the direct impacts of actual redevelopment of the site, for the surrounding neighbors and properties.

Special District Overlay SO-230: Flood Plain Densities

Proposed Action: Analyze the removal of Special District Overlay SO-230: Flood Plain Densities on all parcels to which it applies. The study assessed whether parcels subject to this

overlay were already being adequately being protected by other regulations that had been adopted subsequent to the adoption of the overlay.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects members of the public that are impacted by this overlay, as well as surrounding properties in Rural Areas of the County. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local but does affect parcels in several locations in the Rural Area. The amendments affect the Housing and the Built and Natural Environment Determinants. By removing one layer of duplication, the amendments support an efficient provision of services and, based on the analysis, will not have material impacts on floodplain densities. The amendments change existing conditions in that several properties would be allowed to subdivide that cannot be subdivided now.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing the overlay were not considered. This was a County-led priority, not a local priority, but based on a request from a property owner through the County's Comprehensive Plan Docket process. The benefits (removing a layer of duplication in the County's land use framework) are more localized in the areas where the development would occur. No burdens were identified. The amendments do not address root causes but do give relief from somewhat redundant regulations. Given the nature of the amendments, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impact of the proposed action is to reduce duplicative regulations. By doing so, the proposed action supports an efficient provision of services and, based on the analysis, will not have material or negative impacts on floodplain densities. No negative potential equity impacts were identified.

Carnation Potential Annexation Area Land Use Changes to Facilitate Annexation

This Scope of Work item directed working with the City of Carnation to identify options, processes, and timelines for potential land use changes to facilitate annexation. Based on the study, no land use and zoning changes are proposed. Given that there are no changes, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.

East Cougar Mountain Potential Annexation Area Urban Growth Area Changes

Proposed Action: Change land use designations in the East Cougar Mountain Potential Annexation Area based on a follow-up to previous analysis done as part of the 2016 Comprehensive Plan, which changed the Urban Growth Area boundary in this area. A key focus was on three properties that still have land uses that would allow for a master planned

development, even though the size of the parcels fall well below minimum lot size eligibility levels.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects members of the public that live in the East Cougar Mountain area in urban unincorporated King County. The impacts would be immediate.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local. The amendments support an efficient provision of services and will not change development capacity from what is allowed today on the subject parcels. The cities of Bellevue and Issaquah do not wish to annex the area, and the County has limited ability to serve and make infrastructure improvements. The amendments relate to the Housing Determinant. The amendments do not change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing these urban growth area changes were not considered. This was a City-led priority that arose during the 2016 Comprehensive Plan process wherein some of the adjoining parcels were changed to Rural Area. The benefits are a more appropriate land use designation for the affected parcels, given the service delivery limitations in the area. The amendments do not address root causes. Given the nature of the amendments, it is not anticipated that there would be impacts on distributional equity. The positive equity impacts of the proposed action are more appropriate land use designations for three parcels, which help clarify service delivery expectations for the future. No negative potential equity impacts were identified.

City of Maple Valley Urban Growth Area Changes

Proposed Action: This Scope of Work item directed working with the City of Maple Valley to consider amendments to the Urban Growth Area boundary for five parcels adjacent to the Maple Woods Subdivision to facilitate transference of city- or water-district owned parcels with stormwater detention ponds or water tanks into the City's corporate boundary.

- *Phase 1: Scope – Identify who will be affected:* This item predominantly affects members of the public that live in the Maple Ridge Highlands subdivision of the City of Maple Valley. The impacts would be immediate.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is local. The amendments support an efficient provision of services and will not lead to additional development. The amendments relate to the Housing Determinant. The amendments change existing conditions as the land would become part of the City and no longer be part of County responsibility.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing these urban growth area changes were not considered. This was a City-led priority that arose in discussions between the County and City related to other topics. The benefits are localized to the City, but the broader benefits of a more efficient provision of services are areawide. The amendments do not address root causes but do address a long-standing condition. Given the nature of the amendments, it is anticipated that there would be a positive potential impact on distributional

equity as both the County and City will be able to more efficiently deliver services. No negative potential equity impacts were identified.

Code Studies and Reports

Review Accessory Dwelling Unit Regulations to Expand their Use

Proposed Action: Review of the County's regulations related to accessory dwelling units to determine if changes can be made to make this housing option more widely used.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are immediate and long-term.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. This relates to the Housing Determinant. The amendments address the following topics: definitions, zoning allowances and conditions, peer jurisdiction comparisons, County experience with Accessory Dwelling Units, potential opportunities to promote their use, and recommended regulatory amendments. The amendments do not change existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to updating the regulations were not considered. This local priority arose from the Vashon-Maury Island Community Service Area Subarea Plan. The benefits and burdens are areawide and not localized and are distributed equitably. The amendments do not address root causes, however, efforts to address affordable housing suggest that Accessory Dwelling Units are a private-market tool that can increase overall housing supply, and this can assist in providing (although, not guarantee) potentially affordable units. Research on Accessory Dwelling Units also identifies them as a tool that can help avoid displacement by allowing property owners to make a fuller use of their land to generate revenue. Given the nature of the amendments, it is anticipated that there would be a positive potential impact on distributional equity as more of these types of developments are built and increase the supply of potentially more affordable housing. The positive equity impacts of the proposed action are associated with the potential increased use of accessory dwelling units, which increase housing supply, and which may in some cases provide more affordable housing options. No negative potential equity impacts were identified.

Review Residential Density Incentive Program to Increase Use and Effectiveness

Proposed Action: This Scope of Work item directed a review of the County's Residential Density Incentive Program in King County Code Chapter 21A.34 to determine if any changes are needed to increase its use and improve its effectiveness.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. There are no amendments at this time, just recommendations to be considered in future updates to the program. Given this, there are no immediate or long-term impacts.

- *Phase 2: Assess Equity and Community Context:* The geographic context for this work is countywide. This relates to the Housing Determinant. There are no amendments, just recommendations for future work. In addition to the process to develop the Comprehensive Plan, staff interviewed developers who could have potentially used the program.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing the program were not included. This was a County-led priority, not a local priority. The benefits and burdens could be areawide, but no amendments are proposed at this time. The work does address the fact that this long-standing program has rarely been used. The recommendations seek to focus the program more narrowly on affordable housing, which could have positive potential equity impacts on housing at a future point if amendments are adopted and more affordable housing is developed. However, since no amendments are included at this time, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts of the proposed action is to create a pathway for updating these regulations (through implementation work of the Regional Affordable Housing Task Force) with an increased focus on affordable housing. No negative potential equity impacts were identified.

Recognize the State's 2014 Washington State Wetland Rating System

This Scope of Work item directed updates to critical areas and shoreline regulations to recognize the 2014 Washington State Wetland Rating System for Western Washington, and to consider other proposed amendments deemed necessary for consistency with state guidance. These changes are not proposed for inclusion in the 2020 Comprehensive Plan process, as they were included in the 2019 update to the Shoreline Master Program in Proposed Ordinance 2019-0149.

Update Existing Subarea Plans for Consistency with Adult Beverages Ordinance

This Scope of Work item directed updating any property specific development (P-suffix) conditions or special district overlays adopted as part of existing subarea plans to be consistent with the changes ultimately made by the winery, brewery, and distillery ordinance. That ordinance has not adopted as of the time of writing this report, and so no changes are included in the Executive Recommended Plan. Given that there are no changes, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants

Siting of Organics Composting Facilities

This Scope of Work item directed reviewing the potential for siting organics composting facilities. The study directs consideration of sites in the rural area, including those that currently have a Mineral land use designation and implementing zoning, and whether to modify the land use and zoning to Rural Area, either outright or with property-specific conditions that would be appropriate for organic composting facilities as a primary use. In addition, it directs

consideration of modifying associated policies or development regulations associated with organic composting facilities as a materials processing use at such locations.

- *Phase 1: Scope – Identify who will be affected:* This action is focused on a review of the King County Code, not specific sites, and therefore broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. The impacts are more likely to be long-term but could be shorter-term if regulations are updated and a facility is proposed.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is mostly countywide, and dependent upon industry practices and approach. This relates to the Built and Natural Environment Determinant. There are no proposed amendments and therefore no effect on existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to reviewing the code were not included, and a review of sites was not conducted. This was a County-led priority given its interest in organics processing, and a local priority that has generated significant community interest and comment. The benefits would be areawide and the impacts would be localized, however, no amendments are proposed at this time. Given that no amendments are included at this time, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.

Develop an Affordable Housing and County-Owned Properties Report and Plan for an Inventory

This Scope of Work item directed development of an affordable housing report that includes an update on all current efforts to create affordable housing on County-owned property, and a plan for developing an inventory of all County-owned properties and their feasibility for development of affordable housing, to be completed by June 1, 2020.

- *Phase 1: Scope – Identify who will be affected:* This action broadly affects all members of the public and all geographic areas to which the Comprehensive Plan applies. No amendments are proposed and therefore there are no impacts.
- *Phase 2: Assess Equity and Community Context:* The geographic context for the amendments is countywide. The focus of this work is on the Housing Determinant. There are no amendments at this time; however, there is a plan to develop an inventory of sites that could be feasible for affordable housing, and that could lead to actions in the future. There are no proposed amendments and therefore no effect on existing conditions.
- *Phase 3: Analysis and Decision-Process:* Alternatives to developing a plan for an inventory were not included. This was a County-led priority, not a local priority, although use of County-owned properties has been of interest in the community. The benefits and burdens could be areawide, but no amendments are proposed at this time. Given that no amendments are included at this time, it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants. The positive potential equity impacts associated with this item are the development of a plan to analyze

the feasibility of County-owned properties for use as affordable housing. No negative potential equity impacts are identified.

Summary of Distributional and Cross-Generational Equity in Executive Recommended Plan

Numerous equity and social justice aspects to the 2020 Plan update package were identified in the analyses, chiefly related to housing, transportation, parks and open space, and the built and natural environment. Some of the proposed changes are intended to have positive potential equity benefits in the short-term, and some set the stage for benefits that will accrue over time as policies, regulations, programs and, ultimately, projects are developed under the new regulations.

- *Numerous Topics with No Impacts.* Approximately half of the Scope items were technical changes, or items where no changes were recommended, and for these it is not anticipated that there would be a distributional or cross-generational impact that is disproportionate for any of the Determinants.
- *Analyzing Area-wide vs. Localized Impacts.* Several Scope items addressed broad unincorporated area-wide issues – such as the fossil fuel facility regulations and the Transfer of Development Rights program review. These have a generalized public benefit, and are not specific to one area, which challenges the framework of the Equity Impact Review tool analysis. That said, while the impacts of specific projects that will occur under these policy, code, and program amendments will have specific impacts that can only be known when a project comes forward, the collateral benefits of these regulatory changes may be equally or more important for communities identified in the Equity and Social Justice ordinance. Reiterating some of the previous discussion, uses such as fossil fuel facilities have historically been sited near communities identified in the Equity and Social Justice ordinance. Hence, the proposed amendments that are intended to protect public health and safety are likely to have an increased benefit for some communities. Another example is the open space equity component in the Transfer of Development Rights program. While the exact impacts cannot be known until a project comes forward, the likely public benefits will accrue in the communities that are the focus of these amendments. Other examples, such as vapor product regulations, farmland loss off-site mitigation tools, strengthening and committing to annexation goals in the Four-to-One program review and the East Cougar Study, also have indirect but positive benefits.
- *Significant Focus on Housing and Affordable Housing Determinant.* Several Scope items are focused on Housing which a Determinant that, if missing, can have a profound impact on the other Determinants. These have benefits for equity. Reiterating some of the previous discussion, elevating the work of the Regional Affordable Housing Task Force by discussing it in the Plan will have downstream benefits. Changing the minimum lot sizes in urban areas for Accessory Dwelling Units may help with displacement and increase overall housing supply of smaller units, which can help with affordability.

Removing the maximum lot size for cottage housing may incentivize more of these developments to be built which, because they include smaller unit sizes, may be more affordable. Tightening the focus of the Residential Density Incentive Program to affordable housing may increase the use of the program, with an explicit benefit for affordable housing. And, assessing the feasibility of using County-owned properties and facilities for affordable housing also has explicit benefits for affordable housing.

- *Equity and Social Justice Informed Decisions.* Several Scope items included direct and explicit consideration of equity and social justice. Examples include equitable marijuana regulations in Skyway-West Hill and Bear Creek, increased allowance for accessory dwelling units given their potential positive impacts related to displacement, supporting the tenant farming program through the Woodinville Roundabout mitigation and expansion of the Snoqualmie Valley Agricultural Production District, supporting mixed-use development that is co-located with social services in the North Highline area, plus others. While Equity and Social Justice was not the only driver, it was an important consideration when developing these proposed amendments.
- *Equity and Social Justice Analysis is required in Future.* Several Scope items also call for use of tools related to Equity and Social Justice as future projects or permit applications are considered. Reiterating some of the previous discussion, the fossil fuel facility regulations calls on the County to use the Equity Impact Review tool, under its State Environmental Policy Act authority, in the review of new proposed facilities. Another example is the Skyway-West Hill Land Use Subarea Plan that includes an implementation action item to develop an Equitable Housing Development Report that would evaluate and address the impacts of large developments on affordable housing, including redevelopment of existing manufactured home communities. The action states that this work will be informed by engagement with the community to identify key assets impacted by proposed developments, as well as community-supported mitigations. Another action in the Land Use Plan calls on King County to create incentives within the Skyway Business District to support opportunities for smaller-scale commercial development and support locally-owned and culturally significant businesses. These incentives may include flexible application of development regulations or expedited permit review. These are substantial commitments towards equity.

VIII. CONCLUSION

King County is recognized as a leader in integrating equity and social justice into every aspect of its work, from program delivery to policy development. At the same time, equity analyses are an evolving field for governments, including King County.

This is the first major King County land use policy planning endeavor where an equity assessment tool was applied. Developing an Equity and Social Justice Impact Analysis for this Update has highlighted issues and challenges with such work. Moving forward, ensuring equity assessments are intentionally incorporated into all aspects of countywide planning, including

such a large multi-faceted planning process as the King County Comprehensive Plan Update, will require additional resources, including time and staffing for thorough community engagement activities. Further, it will be necessary to utilize an appropriate tool that can assess land use equity impacts.