

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

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

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

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

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

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

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

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

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

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

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

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

25

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

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

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

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

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

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

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

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

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

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

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

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

70

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

129 2. Provision of regional open space connections;

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

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

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

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

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

142 1. Trails;

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

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

153

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

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

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

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

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

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

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

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

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

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