



**King County**

**Transportation, Economy and Environment Committee**

**STAFF REPORT**

<b>Agenda Item:</b>	8	<b>Name:</b>	Rick Bautista Kendall Moore
<b>Proposed No.:</b>	2012-B0045	<b>Date:</b>	July 31, 2012

Revised - **bolded and underlined** are changes made to this staff report post 6/6/12

**SUBJECT**

Briefing on outstanding issues, related to the Executive’s 2012 proposed amendments to King County Comprehensive Plan (“KCCP”) policies and Land Use/Zoning map amendments continuing to be considered by the KCCP Leadership Team.

**COMMITTEE AND LEADERSHIP TEAM REVIEW**

With this meeting, since the March 2012 transmittal of the Executive-proposed revisions to the KCCP, the Transportation, Economy and Environment (“TREE”) Committee will have conducted nine committee briefings, as well as, three special night meetings in Fall City, Woodinville and Maple Valley. The committee briefings included overviews of proposed text and policy revisions for each chapter of the KCCP, as well as, proposed revisions to land use or zoning map designations.

In addition, the Executive proposal has been subject to more rigorous, detailed review by the KCCP Leadership Team, which is composed of TREE Committee chair and committee members Hague, Lambert and Gossett. It is the goal of the Leadership Team to present to the KCCP Review Committee in September a striking amendment to which all four members of the Leadership Team can sponsor.

The purpose of this overview is to:

- Discuss the topical areas where the Leadership Team has approved substantive revisions to the Executive proposal,
- Identify the most significant issues raised by the Executive-proposed revisions, and
- Identify the remaining policies or issues on which the Leadership Team will continue to focus upon through its next series of meetings over the next month.

## OVERVIEW OF KEY ISSUES

### Introduction

- **General clean-up** - As proposed, the Executive's revisions to the Introduction were not always readily apparent. In addition, additional transitory information was included in the Introduction that did not help define the role of the KCCP to growth management. Working with Executive staff, Council staff revised the Introduction to provide a better flow of information and overall description of the role the KCCP plays in the development of King County. The Leadership Team continues to review these changes.
- **King County Strategic Plan** - One of the changes suggested by staff is to move the text and policy regarding the interface of the King County Strategic Plan ("KCSP") to the KCCP from Chapter 1 - Regional Planning to the Introduction. The KCSP is not a regional planning document - it is how the County plans to run itself; managing growth is part of that operation. Therefore, a new section in the Introduction is dedicated to explaining the interrelationship of the KCSP to the KCCP.
- **Framework policies** - In 2008, three framework policies were added to the introduction. As intended, those policies were to be the lenses through which the rest of the KCCP issue-specific policies were to be viewed. The Leadership Team continues to review these policies and the contextual role they play in effectuating the rest of the KCCP policies.

### Chapter 2 – Urban Communities

- **Healthy Communities** - A major focus of the Executive's proposed changes to this Chapter is greater emphasis on the benefits of healthy communities can bring to the residents of urban, unincorporated King County. However, as proposed the added text was scattered and undefined. The Leadership Team has edited text to bring cohesion to the concepts of healthy communities so that the reader can better understand the policies that are intended to foster such communities.
- **Annexations** – In prior versions of the KCCP, the role of annexations in achieving and ensuring the efficient provision of urban services was clearly spelled out and financially supported in the form of the "Annexation Initiative" program. While the Annexation Initiative is no longer funded to provide financial incentives to annexing cities, the County is still highly supportive of city efforts to annex lands and engages in efforts to make annexations still attractive to its cities. The Executive's proposed deletions to text in this section of Chapter 2 leaves the reader with the impression that the County's support for annexations has waned. Therefore, the Leadership Team has approved revisions that reinstate substantive textual context detailing the County's support of future annexation efforts.

- **Sustainable Development** – Similar, if not sometimes identical, sustainable development policies are present in three different locations of the KCCP. In order to eliminate confusion or inconsistencies, the Leadership Team chose to consolidate text and policies into Chapter 8 – Facilities as they relate to county operations and Chapter 9 - Economic Development as the policies relate to private development.
- **Affordable Housing** - The affordable housing section of this Chapter was significantly rewritten in the Executive's proposal. Working with Executive staff, further clarifications were made and accepted by the Leadership Team, including moving policies to Chapter 8's service section that have implications to a broader constituency than just those interested in affordable housing.

### **Chapter 3 – Rural Legacy and Natural Resource Lands**

- **Salmon habitat projects in APDs** – The issue of salmon habitat projects within APDs has been subject to on-going discussions since 2008 between proponents of such projects and the farming communities. The Executive's proposal contains a revision to existing policy on this issue (R-648) and a new policy calling for further work on it by a broader group of interests to develop a list of actions that address within each watershed both the needs of habitat restoration and agriculture (R-648a).

The Leadership Team continues to consider these policies, as well as, possible revisions to lead-in text to better ensure a balancing of the needs for salmon-restoration and agriculture.

- **Rural schools** – The issue of sewer service to public schools located within the Rural Area has been subject to lengthy consideration over the past year as part of the Growth Management Planning Council ("GMPC") deliberations of revisions to the Countywide Planning Policies ("CPPs"). To further their deliberations on this issue, the GMPC convened the School Siting Task Force to develop recommendations for GMPC consideration. The Task Force recommendations were approved by the GMPC on June 6, 2012. The Leadership Team is still awaiting the Executive's transmittal of a policy consistent with the approved CPPs and County Code revisions necessary to implement the GMPC recommendations.
- **Transfer of Development Rights program** – Urban Separators are an important element of the urban landscape in that they (1) help to define and delineate between the various cities and (2) protect key open space corridors that provide opportunities for both recreation and wildlife habitat protection. The Executive proposal included a number of policy and code revisions, which would allowed a 50 percent reduction in the density transfer ratio from sending sites designated as an "Urban Separator" by the KCCP. The Executive proposal effectively reduces the incentives that have been necessary for the preservation of these open space corridors. The Leadership Team chose to preserve the current policy of providing significant incentives to preserve urban separator sending sites.

- **Equestrian uses** – The Executive proposal included a number of policy revisions in recognition of equestrian activities within the Agricultural and Forest Production Districts. The Leadership Team continues to evaluate the potential impacts of equestrian activities on agricultural uses and stream habitat.
- **Sustainable Development** – See earlier discussion in Chapter 2 – Urban Communities.

#### **Chapter 4 – Environment**

In 2008, Chapter 4 was significantly rewritten to reflect the myriad of pressing issues: climate change, adaptive management, water quality. This Executive's proposed revisions in this chapter are more technical in nature and do not represent major policy changes.

- **Critical animal/plant species/habitats** - The Leadership Team's proposed changes build on the Executive's proposed clarifications and streamlining of policies regarding designating species and habitat of local importance.
- **Climate change** – The Leadership Team is looking at including text to clarify the role of the Strategic Climate Action Plan has to the climate change policies in the KCCP. It included policy improvements to bolster the reporting the County will do related to climate change indicators. The Leadership Team revisions also better reflect the status of the County's efforts with its cities on jointly developing a regional approach greenhouse gas emissions reduction.
- **Water quality** - The Leadership Team continues to work on policy and text regarding protection of water quality.

#### **Chapter 5 – Shoreline Master Program**

- **State Department of Ecology Review** – A substantial re-write of the King County Shoreline Master Program ("SMP") was adopted in 2010 and with the intent that the SMP would be incorporated as a chapter of the KCCP. A provision of state law provides that a county-adopted SMP is subject to final approval by the state Department of Ecology ("DOE"). The necessary documentation was submitted to DOE in 2011 and Executive staff has been working with DOE staff on DOE's comments. Once issues from these comments are resolved, if any additional text or policy revisions are needed to address the DOE directive, these will be made to the Executive's proposal by amendment.

#### **Chapter 6 – Parks, Open Space and Cultural Resources**

- **King County Open Space Plan** – Revisions to the Executive's proposed text and policy regarding the County's Open Space lands relate primarily to lining up of language with the 2010 County Open Space Plan. The Leadership Team also retained some policy language proposed by the Executive for deletion related to local rural parks.

- **Cultural Resources** – The Executive proposed significant deletions from the section on Cultural Resources, relying more particularly on the relationship with 4Culture as the County's role in providing such services. While recognizing that the implementation of the County's cultural resources services may be delegated to 4Culture, it is still the County that has the role of ensuring policies are in place to address cultural resources. Therefore, the Leadership Team restored several policies.

## **Chapter 7 – Transportation**

- **Road and Transit Functional Plans** – The Leadership Team continues to work on this chapter and its alignment of the functional plans for roads and transit, which have been adopted since 2008, to the KCCP policies.

## **Chapter 8 – Services, Facilities and Utilities**

- **Sustainable Development** – See earlier discussion in Chapter 2 – Urban Communities.
- **Energy and GHG Reduction** – A predominate theme in the 2008 KCCP was the County's leadership role in promoting policies and actions to reduce its energy consumption and, as a by-product, reduce its greenhouse gas emissions. In the last four years, there have been tremendous changes in the energy field. The Leadership Team has taken a careful look at the Executive's proposed policies with the intent to hone them to address issues on the four year as well as long term horizon with regard to energy. The Leadership Team has made changes to proposed policies to better reflect both the current and anticipated roles the County expects to play and actions to take in this arena, including a reliance on the Strategic Climate Action Plan to set the County's functional approaches to reducing greenhouse gas emissions.
- **Water Service** – Over the past decade, water purveyors and King County have had often contentious discussions regarding the role King County has asserted in water supply planning. In the last three years, the County and the water utilities have worked to resolve misunderstandings and to bring clarity to text and policies, without changing the substance as to the responsibilities that King County: (a) has under the GMA; and (b) as a local government providing policy guidance for water supply issues in the unincorporated areas. The Leadership Team has focused upon the Executive-proposed text and policy revisions to ensure that the sought for clarity has in fact been achieved.
- **Floodplain Management** – The King County Flood Hazard Management Plan ("KCFHMP") contains a number of policies related to floodplain management. Revisions to the KCFHMP are currently being developed for consideration by the Council in early 2013. The Executive-proposed 2012 KCCP contains new policies relating to levee vegetation management. The Leadership Team reviewed the proposed policies to ensure that they address the need to comply with US Corp of

Engineers levee maintenance program requirements and US National Marine Fisheries aquatic habitat requirements.

## **Chapter 9 – Economic Development**

- **Rural Area Economy** – In prior versions of the KCCP, there was a clear understanding that a robust resource-based economy was a key to defining the Rural Area character and that the County wished to continue to foster economic growth in the Rural Areas. An example of this was text and policies that addressed the County's intent through the Rural Economic Strategy effort. The Executive-proposed revisions eliminated much of the text and policy framework that spoke to such support. The Leadership Team felt that policies and text language is still important to illustrate the County's support of Rural Area economic growth and therefore chose to reinstate many of the policies proposed for elimination.
- **Sustainable Development** – A new section has been added to this Chapter for policies relating to sustainable development in the private sector. See earlier discussion in Chapter 2 – Urban Communities.

## **Chapter 10 – Community Plans**

- **Fall City** – In the 2012 Fall City Area Zoning Study, the Executive recommended revisions to Fall City Subarea Plan policy L-4 and KCCP policy CP-937, relating to the development within the Fall City business district. The basic intent of the revisions was (1) to "decouple" the actualization of potential zoning on several parcels from the requirement for Health Department's approval of alternative sewage treatment systems and (2) state the conditions under which a sewer system could be developed to serve the business district.

In response to a number of issues raised by Fall City residents and to clarify the intent of recommendations of the Fall City Area Zoning Study, the Leadership Team determined that additional revisions were necessary to (1) clarify the role and responsibilities of commercial property owners and the county in the development and operation of a sewage treatment system, and (2) strengthen the intent that such system will be paid for by, and designed to serve only, commercial property owners.

## **Glossary**

The Glossary is an important tool that aids the reading and interpretation of the KCCP document. The Executive proposal failed to include this portion of the KCCP. The Leadership Team determined that the Glossary must be retained. In addition, The Leadership Team will be adding several definitions to make it easier for the reader to understand technical or term-of-art terms.

## **Area Zoning (AZ) Studies**

The Executive transmittal included 11 Area Zoning studies. These studies evaluated a variety of requests that raised a number of substantive and non-substantive issues.

The Leadership Team has reviewed all of the studies, and while it has concurred with several of the Executive's recommendations, its review of the following studies continues:

- **Woodinville UGA** – A request to change the land use and zoning on a number of parcels (one of which is partially located in the APD) adjacent to the Sammamish APD. This request is intended to allow for eventual annexation into the City of Woodinville and for development related to the local winery industry. The Executive recommended denial.
- **Snoqualmie UGA** – A request to change the land use and zoning on about 85 acres of land, near the junction of I-90 and SR-18, for eventual annexation into the City of Snoqualmie. The intent of the change is to allow for retail/commercial development on approximately 25 to 30 acres, with the remainder of the area to be preserved as open space.

The City provided information to support its proposal, based on the premise that (1) it needs to capture more of the retail dollars its residents currently spend in other cities; and (2) there was not enough land within the City's current boundary and potential annexation area available for redevelopment as commercial/retail uses. The Executive reviewed the information and recommended denial.

- **Reserve Silica** – A request to change the land use and zoning (to Rural and RA-10, respectively) on about 322 acres of a 402<sup>1</sup> acre site located east of Maple Valley and Black Diamond, that is currently designated and zoned for mining purposes. The proponent intends to reclaim the site and develop a cluster of residential lots on a portion of the site, with the remainder to be retained as open space.

The Executive has recommended denial of the request and has recommended the entire site be designated and zoned for forestry, consistent with the existing land use and zoning on the southern 80 acres of the site. The proponent has provided additional information to support their proposal, based on the premise that using the land for forestry purposes would not be economically feasible.

- **Taylor Mountain** – A request to include eight County-owned open space-designated parcels within the Forest Production District and rezone each from RA-10 (one house per ten acres) to the Forest (F) zone. The properties are part of Taylor Mountain Forest, which is owned and managed by King County Parks. After the County purchased the Taylor Mountain Forest, its land use designation was changed to Open Space, but the zoning was not changed. About one third of the property was zoned Forest (F), and the remaining two thirds, which is the subject of the request, was zoned Rural Area (RA).

The Leadership Team is currently evaluating an access issue brought to its attention by a property owner surrounded by the County's Taylor Mountain Forest land.

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<sup>1</sup> This acreage figure is from the original submittal to the County. The proponent has since indicated that the owners of two adjacent parcels (totaling about 52 acres) now also want to be considered under this request.

- **Pacific Raceways** – A request to (1) identify and establish a conservation easement intended to protect the natural processes and features of the hillside, that ultimately contribute to protecting the water quality in Soosette Creek and (2) adopt changes to land use and zoning map designations, which reflect the boundaries of the conservation easement.

The Leadership Team is considering amendment to the Executive proposal intended to clarify, rather than change, the sequencing of events that will result in a zoning change to portions of the property.

### **Other Potential Land Use/Zoning Map amendments**

In addition to the Area Zoning studies identified above, the Leadership Team has been requested to consider the following request for map amendments.

- **Duthie Hill Notch** – An amendment of the Sammamish UGA for 16 parcels located north of the Duthie Hill Road. The amendment would change the land use and zoning map designations, respectively, from Rural Area (RA) to Urban Low Density (UL) and from Rural, 5 acres per lot (RA-5) to Residential, 1 lot per acre (R-1), with a P-suffix condition that requires future development only as allowed by the Urban Reserve (UR) zone.<sup>2</sup>

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<sup>2</sup> The UR zone is considered a "holding" zone that that is very similar to the RA-5 zone in terms of development density and the range of uses allowed.