



King County

Metropolitan King County Council Mobility and Environment Committee

STAFF REPORT

Agenda Item:	12	Name:	Erin Auzins Andy Micklow Jenny Ngo Jake Tracy
Proposed No.:	2019-0413	Date:	February 12, 2020

SUBJECT

Proposed Ordinance 2019-0413 would adopt the 2020 King County Comprehensive Plan update, which includes the Skyway-West Hill Community Service Area Subarea Plan.

SUMMARY

The 2020 King County Comprehensive Plan (KCCP) update is a midpoint update under the County's Comprehensive Planning structure. As transmitted by the Executive, changes to the KCCP are those identified in the adopted scope of work adopted by the Council in February 2019. At previous meetings, Executive staff briefed the Executive's proposed Skyway-West Hill Community Service Area (CSA) Subarea Plan, and the 2020 KCCP update; Council staff also provided a "key issues" briefing that covered the entirety of the Executive's transmitted Plan, and our identified key issues. At the January 22 Committee meeting, Council staff provided a written staff report on a number of Committee-identified topics.

At today's Committee meeting, Council staff will provide additional analysis for the changes related to Mineral Resources and Fossil Fuel Facilities. The changes related to **Mineral Resources** include modification of KCCP policy and lead-in text and Code changes to differentiate minerals from coal, and to ban new or expanded coal mines. The changes related to **Fossil Fuel Facilities** include new KCCP policy and lead-in text and Code changes to define fossil fuels and fossil fuel facilities, separate local use of fossil fuels from larger distribution-scale fossil fuel facilities, and establish new development regulations for fossil fuels and fossil fuel facilities. There are policy considerations for the Council for both of these topics, identified in the staff report under "Policy Issues for the Council to Consider."

BACKGROUND

Comprehensive Plan Midpoint Update

The King County Comprehensive Plan (KCCP) is the guiding policy document for land use and development regulations in unincorporated King County. In 2018, the Council approved a change to the County's Comprehensive Planning structure and schedule.¹ The restructure adopted and codified into the King County Code (K.C.C.) allows for three main types of updates to the plan: annual updates, midpoint updates, and 8-year updates.² The next 8-year update to the KCCP will be transmitted to the Council in 2022, with adoption in 2023.

Because of the length of time between the last major update in 2016 and the next 8-year update in 2023, as part of the restructure ordinance, the Council included a requirement for the 2020 KCCP update, both in the K.C.C. and as a Workplan Action Item in the KCCP. The 2020 KCCP update is considered a midpoint update under K.C.C. 20.18.030.D.4. Midpoint updates allow substantive changes to the Comprehensive Plan, including changes to the urban growth area, if they are identified in the scoping motion.

In February 2019, the Council adopted the scoping motion for the 2020 KCCP update. Motion 15329 outlined the key issues that the Council and the Executive identified for specific consideration in the KCCP update. The scoping motion set the work plan for the 2020 KCCP update and unlike the 8-year update, topical areas, including land use and zoning changes and urban growth area changes, are limited to what is included in this scoping motion.

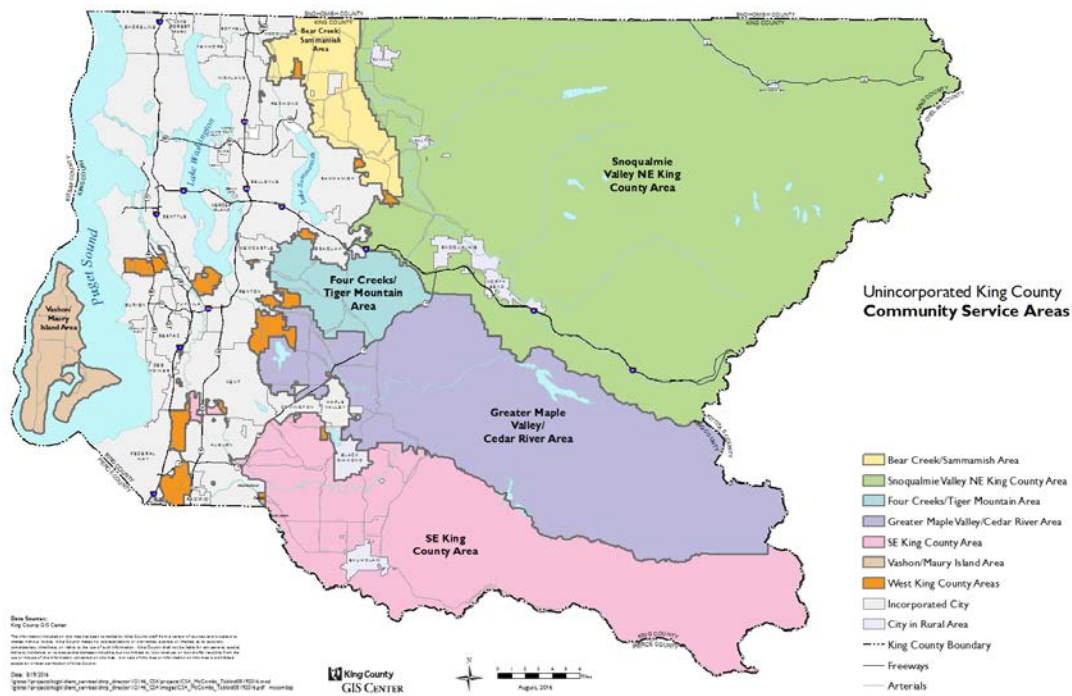
It is worth noting that while the 2020 KCCP update is considered a midpoint update, the Code and the KCCP would also allow changes allowed as part of an annual update. K.C.C. 20.18.030.B. states, in part: "Every year the Comprehensive Plan may be amended to address technical updates and corrections, to adopt community service area subarea plans and to consider amendments that do not require substantive changes to policy language or do not require changes to the urban growth area boundary...." K.C.C. 20.18.030.B. lists 16 categories that limit the kinds of changes that can be considered as part of what is referred to as the annual update in this section of code. Changes allowed as part of an annual update can be included as part of the ordinance that adopts the 2020 KCCP update.

Community Service Area Subarea Plan

As part of the 2016 KCCP, the Council included Workplan Action #1, Implementation of the Community Service Area (CSA) Subarea Planning Program. As part of this Workplan Action item, the County has started subarea planning using the geography of the six rural Community Service Areas, and for the five remaining large urban unincorporated potential annexation areas, as shown in the map in Chapter 11 and below.

¹ Ordinance 18810

² K.C.C. 20.18.030



The focus of the CSA subarea plans are on land use issues in these subarea geographies, including:

[A] regular assessment of the Community Service Area's goals, population changes, new development, employment targets and similar demographic and socioeconomic indicators. These assessments are called Community Service Area Subarea Plans. To address the unique issues in each geography, Community Service Area subarea plans may also have more refined, land uses focuses on rural town centers, urban neighborhoods, or corridor approaches.

The high level review along with more detailed land use planning will be guided by a series of criteria such as community interest, social equity, funding, and new development. Equity and social justice principles will play a particularly key role during subarea plan public engagement activities. People of color, low-income residents, and populations with limited English proficiency will be informed and offered equitable and culturally-appropriate opportunities to participate in its planning process.

The schedule for the CSA Subarea Plans is also found in Chapter 11. The Council review time frame is shown in the "Adoption Year" for each CSA Subarea Plan. CSA Subarea Plans are reviewed and approved as part of an annual update to the KCCP.

Schedule of Community Service Area Subarea Plans

Planning Year	Adoption Year	Geography	Other Planning
2018-19	2019-20	Skyway West Hill PAA	2020 Comprehensive Plan
2019-20	2020-21	North Highline PAA	
2020-21	2021-22	Snoqualmie Valley/NE King CSA	
2021-22	2022-23	<i>No Subarea Plan</i>	Eight-Year Comp. Plan Update
2022-23	2023-24	Greater Maple Valley/Cedar CSA	
2023-24	2024-25	Fairwood PAA	
2024-25	2025-26	Bear Creek/Sammamish CSA	
2025-26	2026-27	Southeast King County CSA	Potential Midpoint Update
2026-27	2027-28	Four Creeks/Tiger Mountain CSA	
2027-28	2028-29	East Renton PAA	
2028-29	2029-30	Federal Way PAA	
2029-30	2030-31	<i>No Subarea Plan</i>	Eight-Year Comp. Plan Update

Note: The planning year is a 12-month, July to June process. The adoption year is a 12-month, July to June process.

Vashon-Maury Island Subarea Plan. In 2017, the Council reviewed and adopted the first subarea plan created under the new CSA subarea planning program: the Vashon Maury-Island CSA Subarea Plan.³ The plan was a robust document that included adoption of many new policies across all policy areas of the KCCP: land use; rural area and natural resource lands; housing and human services; environment; parks, open space and cultural resources; transportation; and services, facilities and utilities. An implementation matrix was also included that outlined one or more “actions” for implementation of each policy in the subarea plan. The adopted plan also included a Workplan with three action items for implementation of the subarea plan.

Council review of the plan identified several areas of substantive policy issues in the transmittal, including inconsistency with the GMA, inconsistency with adopted KCCP policies, changes to current countywide and area-specific policy direction, potential for unanticipated County responsibilities, King County budget impacts, and service implications countywide and/or for other CSA geographies. It was also apparent that the required coordination and collaboration between DPER and PSB might not have occurred as required. Partly as a result of these issues, the Council adopted the budget provisos described below.

Skyway-West Hill SWAP and West Hill Community Plan Update. In 2014, the County adopted Motion 14221, which called for a comprehensive update to the 1994 West Hill

³ Attachment A to Ordinance 18623

Community Plan.⁴ Around this same time, Executive staff were also providing technical assistance to a community-led effort to update some elements of the Community Plan. This community-led effort resulted in the development of a series of proposed local implementation actions called the Skyway-West Hill Action Plan (SWAP). The SWAP was proposed to be adopted as an addendum to the existing 1994 Community Plan during the 2016 update of the KCCP.⁵ No policy changes to the Community Plan were included in the proposed SWAP.

The SWAP was a community-developed document, and was drafted prior to the adoption of the new subarea planning program framework in the 2016 KCCP. The SWAP process did not include comprehensive review and/or updates to the underlying Community Plan, as called for by Motion 14221 or the underlying subarea planning program goals. Additionally, a variety of policy issues, such as substantive budgetary impacts, were identified during Council review of the transmitted SWAP. As a result, the 2016 KCCP directed the Executive to work with the community to review the proposed SWAP and to comprehensively update the Community Plan within the context of the subarea planning program. The 2016 KCCP included a March 1, 2018 deadline for transmittal of the subarea plan. However, due to the adoption of the budget provisos discussed below, Executive work on development of the Skyway-West Hill subarea plan was put on hold while that work was completed.

2017-18 King County subarea planning budget provisos. Following Council review of the proposed 2016 SWAP and the transmitted 2017 Vashon-Maury Island CSA Subarea Plan, the Council identified the need for the Executive to reassess the subarea planning program, including the program's structure and schedule, the elements of subarea plans, and interdepartmental roles in the development of subarea plans. As a result, Proviso P2 of Section 5 and Proviso P3 of Section 47 of Ordinance 18602, a supplemental 2017-2018 King County Budget ordinance, were adopted in November 2017.

The two provisos restricted \$200,000 each from DPER's and PSB's budgets, and directed that no funds could be expended on subarea planning activities, unless and until the Council acts on the motion to approve the proviso response. The key elements of the subarea planning program restructure plan called for in the provisos are as follows.

- A. Consistency.** Methods to ensure subarea plans will be consistent with existing laws, policies, and adopted budget direction.
- B. DPER and PSB coordination.** Recommendations for coordination and collaboration between DPER and PSB's Regional Planning Unit in the development of subarea plans.
- C. Departmental consultation.** Methods to ensure subarea plans will be developed in consultation with and with concurrence by other County departments.
- D. Schedule.** Evaluation of potential changes to the subarea planning schedule to ensure sufficient time to complete plan development and adoption, including

⁴ Adopted in 1993 via Ordinance 11166. Only minor map and zoning amendments to the Community Plan have been adopted since 1993.

⁵ Included as Attachment J to the Executive's transmitted 2016 KCCP.

considering whether subarea plans should be developed and/or adopted at the same time as major KCCP updates are developed and/or adopted.

In May 2018, the Council adopted Motion 15142, which approved the Executive's plan to restructure the Community Service Area subarea planning program. The restructure was largely implemented through Ordinance 18810 in October 2018 as part of the 2018 KCCP update. The changes to the subarea planning structure in Ordinance 18810 include:

- Modifying the Comprehensive Plan from a 4-year update cycle to an 8-year cycle.
- Modifying the Council review time frame from a 9-month March to December review, to a 12-month July to June review. It also set a deadline for Council adoption of the KCCP at the end of each June.
- Modifying the CSA Subarea planning structure to make the approach for subarea plan development and adoption in a manner that is similar to the current KCCP process. Each subarea plan is proposed have a two-year process, where Executive development of a proposed plan would take one year, and Council review and adoption would take one year. Development of a subarea plan would be led by the Permitting Division, in coordination with PSB and other County departments through an interdepartmental team. Similar to the KCCP, the Plan proposes to include the following process for development of subarea plans.
 - Internal scoping with County departments, Councilmembers, and Council staff
 - External scoping with the community
 - Development of a Public Review Draft
 - A public comment period
 - Development of an Executive recommended plan
 - Transmittal to the Council for review and possible action
- Pausing the development of CSA subarea plans during the development of the 8-year KCCP updates.
- Narrowing the scope of the CSA subarea plans to focus on land use issues, such as review of land use designations, zoning classifications, Special District Overlays (SDOs), and property-specific (P-Suffix) development conditions. Other “built environment” topics are also proposed to be addressed, but would be done so in the context of existing functional plans, such as the Transportation Needs Report (TNR) and Regional Trail Needs Report (RTNR). Additionally, the plans are proposed to “generally rely” on the adopted policies of the KCCP; potential for new, subarea-specific policies would be limited.
- Including an implementation matrix to reflect community-identified priorities, similar to the matrix in the Vashon-Maury Island CSA Subarea Plan. Development of the “actions” in the matrix is proposed to be informed by the adopted County budget, including review of existing and planned programmatic work and funded, planned, and unfunded capital plans and projects for the subarea. The Plan states that this proposed process would have communities prioritize their interests, which would then be considered as part of future biennial budgets.

- Including monitoring the implementation of the subarea plans and using performance measures is proposed, which is expected to result in a reduction or elimination of “the need for workplan items” when adopting subarea plans.
- Modifying the schedule and geography (as described earlier in this staff report) to reflect these changes.
- Better coordination between the Permitting Division and the Regional Planning Unit in PSB, using an interdepartmental staff team, and “documenting leadership support” for proposed policies and actions within their respective departments. The Council also approved two additional FTEs as part of the 2019-2020 budget for subarea planning to implement the restructure.

Skyway-West Hill SWAP and West Hill Community Plan Update. The Skyway-West Hill CSA Subarea Plan is included in the Executive's transmittal of Proposed Ordinance 2019-0413, as Attachments F and G. The Executive's proposed plan includes a Subarea Plan, proposed Map Amendments, a community center feasibility analysis, an equity analysis of service delivery, and an equity impact review of the plan.

Public Participation

K.C.C. 20.18.160 and RCW 36.70A.140 call for “early and continuous” public engagement in the development and amendment of the comprehensive plan and any implementing development regulations. As part of that process, the Executive is required to publish a Public Review Draft (PRD) of the KCCP that allows for public input on the draft changes to the plan. For the 2020 KCCP update, the Executive issued the PRD on July 1, 2019, which was open for public comment through July 31, 2019. The Executive hosted five community meetings on the PRD, in Carnation, Skyway, Maple Valley, Vashon-Maury Island, and North Highline. An additional meeting focusing on sea level rise was held on Vashon-Maury Island on July 2, 2019. For the Skyway-West Hill CSA Subarea Plan, the Executive held four focus group meetings, three community meetings, and 22 stakeholder interviews.

Following closure of the PRD comment period, the Executive considered the public feedback and finalized the proposed 2020 KCCP update. The Executive transmitted a recommended KCCP update to the Council on September 30, 2019, as required by K.C.C. 20.18.030.D.4. The Council will review and deliberate on the Executive's proposal, with adoption expected by the end of June 2020.

ANALYSIS

Committee Review Process

At two briefings in 2019, Executive staff briefed the changes proposed by the 2020 KCCP update and the Skyway-West Hill CSA Subarea Plan. At the December 13, 2019 meeting, Council staff presented our initial analysis of the Executive's legislation. A staff report was provided at the January 22, 2020 Committee meeting, although the staff report was not briefed in Committee. The analysis for these items is Attachment 5 to this staff report.

At today's briefing, Council staff will present more in-depth analysis on the changes related to the Mineral Resource and Fossil Fuel Facility changes.

At one additional meetings in February, Council staff can brief any additional Committee identified topics where more in-depth analysis is desired. For those topics not briefed in Committee, Council staff has provided analysis offline to members as desired, consistent with past reviews of the KCCP.

Attachment 3 to this staff report includes the tentative Committee and Full Council review schedule for the 2020 Update.

Mineral Resources

What's new in the 2020 KCCP Update?

Mineral Resources. The changes proposed by the Executive would make a series of changes including removing coal from what is considered a mineral and modifying language in lead-in and policy text to replace "mining" with "mineral extraction." The changes would also prohibit coal mining.

Changes in KCCP. Changes in Chapter 3 of the KCCP related to mineral resources include:

- Lead-in text that differentiates minerals (gravel, sand, valuable metallic substances) from coal.
- Modifying language in lead-in text and policies to change "mining" to "mineral extraction."
- Removing one type of mineral resource sites from the designated mineral resources in King County: "Owner Identified Potential Coal Mining Sites."
- Removing coal from policies regarding mineral resources and mineral extraction.
- Removing one coal mine from the list of "Designated Mineral Resource Sites."

Several policies would be modified to replace "mining" with "mineral extraction."

R-620 The Forest Production District shall remain in large blocks of contiguous forest lands where the primary land use is commercial forestry. Other resource industry uses, such as ((mining)) mineral extraction and agriculture, should be permitted within the Forest Production District when managed to be compatible with forestry.

R-684 The preferred adjacent land uses to sites designated as Mining on the Land Use Map are mining, industrial, open space or forestry uses. Sites for newly proposed Mineral zones shall not be adjacent to or within Agricultural Production Districts. Agricultural lands and operations should be protected from significant impacts associated with nearby ((mine)) mineral extraction operations.

R-685 ((Mining)) Mineral extraction activities are permitted within the Forest Production District, consistent with policy R-620. However, a conditional use permit shall be required for ((mining)) mineral extraction activities in the Forest Production District located within one-quarter mile of established residences or for

proposals seeking to use local access streets where abutting lots are developed for residential use.

R-686 In order to comprehensively assess the environmental impacts associated with a zoning change, conditional use or operating approval for a ~~((mining))~~ mineral extraction proposal, the range of environmental impacts, including short-term and long-term effects arising or existing over the lifetime of the proposal, shall be assessed at the earliest possible stage. This should include the potential for future proposals for structures and operations related to ~~((mining))~~ mineral extraction, such as asphalt and concrete batch plants.

R-688 The periodic review process for mineral ~~((extractive))~~ extraction and processing operations shall include sufficient public notice and comment opportunities. The purpose of the periodic review process is to provide opportunities for public review and comment on the mineral resource facility's fulfillment of state and county regulations and implementation of industry-standard best management practices, and for King County to modify, add or remove conditions to address new circumstances and/or unanticipated project-generated impacts. The periodic review process is not intended to re-examine the appropriateness of the mineral resource use, or to consider expansion of operations beyond the scope of existing permitted operations since that review would be accomplished through the county's permitting process. The periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites, and not to be a part of the county's permitting process.

Policy R-679 would be modified to replace "mining" with "mineral extraction" and to update the types of mineral resource sites the County identifies in the Comprehensive Plan for GMA purposes. Owner-Identified Potential Sub-Surface Coal Sites are removed from the list consistent with the proposed prohibition on new or expanded coal mines.

R-679 King County shall identify existing and potential ~~((mining))~~ mineral extraction sites on the Mineral Resources Map in order to conserve mineral resources, promote compatibility with nearby land uses, protect environmental quality, maintain and enhance mineral resource industries and serve to notify property owners of the potential for ~~((mining))~~ mineral extraction activities. The county shall identify:

- a. Sites with existing Mineral zoning as Designated Mineral Resource Sites;
- b. Sites where the landowner or operator has indicated an interest in mining, sites that as of the date of adoption of the 1994 Comprehensive Plan had potential Quarrying/Mining zoning, or sites that the county determines might support future ~~((mining))~~ mineral extraction as Potential Surface Mineral Resource Sites; and
- c. Sites where mining operations predate zoning regulations but without zoning or other land use approvals as ~~((Non-Conforming))~~ Nonconforming Mineral Resource Sites~~((; and~~
- d. ~~Owner-Identified Potential Sub-Surface Coal Sites)).~~

Policy R-681 would be modified to remove a reference to coal in the discussion of proposed mineral extraction and processing sites. The policy currently provides guidance on site-specific rezones to Mineral zoning and applications for permits that would authorize mineral extraction and processing. Other proposed changes include updates to standardize plan terminology.

R-681 King County may designate additional sites on the Comprehensive Plan Land Use Map as Mining only following a site-specific rezone to Mineral zoning. Upon approval of a rezone to Mineral zoning, the Comprehensive Plan Land Use Map shall be amended to designate the site as ~~((mining))~~ Mining during the next Comprehensive Plan ~~((amendment cycle))~~ update. King County should approve applications for site-specific rezones to Mineral zoning and applications for permits that would authorize mineral extraction and processing only following site-specific environmental study, early and continuous public notice and comment opportunities, when:

- a. The proposed site contains rock, sand, gravel, ~~((coal,))~~ oil, gas or other mineral resources;
- b. The proposed site is large enough to confine or mitigate all operational impacts;
- c. The proposal will allow operation with limited conflicts with adjacent land uses when mitigating measures are applied;
- d. The proposal has been evaluated under the State Environmental Policy Act so that the county may approve, condition or deny applications consistent with the county's substantive State Environmental Policy Act authority, and in order to mitigate significant adverse environmental impacts.
- e. Roads or rail facilities serving or proposed to serve the site can safely and adequately handle transport of products and are in close proximity to the site.

Policy R-682 is proposed to be modified to provide the County the ability to evaluate whether a site should remain a Designated Mineral Resource Site if a grading or other permit necessary for mineral extraction is denied. The policy currently states that the site shall be redesignated to a Potential Surface Mineral Resource Site. Other proposed changes include updates to standardize plan terminology.

R-682 King County should remove the Mining land use designation on the Comprehensive Plan Land Use Map and associated Potential Mineral zone or Mineral zoning for any sites that have been denied a rezone to Mineral.

If a grading or other permit necessary for the extraction of mineral resources is denied on a Designated Mineral Resource Site, the county shall evaluate whether such mineral resource designation is appropriate. The re-evaluation process may occur during the annual Comprehensive Plan ~~((amendment cycle))~~ update and information produced during the permit review process shall be used to evaluate the appropriateness of changing the existing designation. If the county determines that the site should not be designated as mineral resource land of long-term commercial significance as defined in the Growth Management Act, the County shall evaluate whether the site shall ~~((be redesignated to a Potential Surface))~~ remain as a Mineral Resource Site on the Mineral Resources Map and to a land

use designation and zoning classification compatible with the surrounding properties.

Policy R-683 is proposed to be modified to clarify that Potential Mineral Resource Sites identified by the County are surface mine sites (compared to sub-surface/underground mines) and to standardize terminology throughout the plan update.

R-683 King County may ~~((update))~~ amend the Mineral Resources Map to identify additional Potential Surface Mineral Resource Sites only during the eight-year Comprehensive Plan ~~((amendment cycle))~~ update or as part of a four-year midpoint update.

Policy R-687 would be modified to replace "mining" with "mineral extraction" and to clarify that Potential Mineral Resource Sites are surface mine sites (compared to sub-surface/underground mines).

R-687 King County should prevent or minimize conflicts with ~~((mining))~~ mineral extraction when planning land uses adjacent to Designated and Potential Surface Mineral Resource Sites. Subarea studies may indicate areas where ~~((mining))~~ Mining is an inappropriate land use designation. Designated and Potential Surface Mineral Resource Sites and ~~((nonconforming sites))~~ Nonconforming Mineral Resource Sites should be shown on the Mineral Resources Map and subarea study maps in order to notify nearby property owners and residents of existing and prospective ~~((mining))~~ mineral extraction activities.

Policy R-689 would be modified to remove reference to coal mined for energy production in the list of climate change impacts associated with mining operations. It is replaced with more general language related to climate change impacts from mineral extracted for energy production.

R-689 Conditions and mitigations for significant adverse environmental impacts associated with mining operations and their associated structures or facilities should be required, especially in the following areas:

- a. Air quality;
- b. Environmentally sensitive and critical areas, such as surface and groundwater quality and quantity, wetlands, fisheries and wildlife habitats, and aquatic habitats;
- c. Noise levels;
- d. Vibration;
- e. Light and glare;
- f. Vehicular access and safety;
- g. Land and shoreline uses;
- h. Traffic impacts;
- i. Visual impacts;
- j. Cultural and historic features and resources;
- k. Site security;
- l. Climate change impacts from ~~((coal mined))~~ minerals extracted for energy production; and
- m. Others unique to specific sites and proposals.

Policy R-690 would be modified to remove reference oil, gas, and coal. This is consistent with the Executive's proposed definition of fossil fuels and proposed prohibition on new or expanded coal mines.

R-690 Where mineral extraction or mining are subject to state or federal regulations, King County should work with the state and federal governments to ensure that proposals ~~((for underground mining, oil and gas extraction, and surface coal mining))~~ are reviewed with consideration of local land use and environmental requirements, regional impacts from transport and assessment of climate change impacts from end-use of ~~((oil, gas and coal))~~ minerals and mined materials.

Changes in Title 21A. The changes in Title 21A related to mineral resources include:

- Modifications to existing definitions to distinguish coal from mineral resources in the Code.
- Modifications to the Resource Land Use table to prohibit coal mines.
- Modifies the requirements for mineral extraction to require existing metal, coal and nonmetallic minerals uses to comply with Chapter 21A.22, which has specific requirements for permits, community meetings, periodic review, site design standards, operating conditions, reclamation, mitigation and monitoring and financial guarantees.

Policy Issues for the Council to Consider

- The proposed changes replace "mining" with "mineral extraction" to the KCCP more closely to the GMA definition for mineral resources and sets up the later change to prohibit new coal mines. This is a policy choice for the Council. Council staff have identified some instances where the changes were not made consistently, and the Council may want to consider modifying the policy and code language for greater consistency.
- The prohibition on the establishment of new or expanded coal mines is proposed to be accomplished through removing SIC Code 12 (Bituminous Coal and Lignite Mining) from the Resource land use table. Council may want to consider adding clarity to make it more clear that coal mines are not prohibited, which could be done by listing SIC 12 in the table and showing that it is not allowed in any zoning classification. The change to prohibit this use is a policy choice.
- In the designations for different types of mineral resources, "Potential Mineral Resources Sites" is proposed to be changed to "Potential Surface Mineral Resource Sites." It is possible, but not likely, that some of the sites identified are not surface sites. Additionally, this designation does not include the type of material that is associated with the site, and so it is possible that some of these potential sites would be coal mines. Whether a site would be allowed to develop as a mineral extraction site would be determined through permitting. Council may want to add a note to the description of this designation that makes it clear that this is the case.
- With the removal of coal from mineral extraction, there is the possibility that additional non-conforming coal mining uses may exist. Council may want to consider whether

amendments should be made to 21A.22.040 with respect to coal mining operations. SIC 12 (Coal Mines) are prohibited in the permitted use tables, but that is not recognized in the new language added in Chapter 21A.22. Additional regulations for periodic review of existing non-conforming mines may be warranted.

Fossil Fuels and Fossil Fuel Facilities

What's new in the 2020 KCCP Update?

Fossil Fuel Facilities. The changes proposed by the Executive would make a series of changes, including defining fossil fuels and fossil fuel facilities, separating local use of fossil fuels from larger distribution-scale fossil fuel facilities, and establishing new development regulations for fossil fuels and fossil fuel facilities.

Changes in the KCCP. Changes in Chapter 9 of the KCCP related to fossil fuel facilities include:

- Modifications to existing lead-in text to further explain how the County will manage energy use.
- Adding a new section with lead-in text explaining the fossil fuel system and the impacts of the use of fossil fuels and fossil fuel facilities.
- Adding 6 new policies related to fossil fuels and fossil fuel facilities described below.
- Modifications to lead-in text and policies relating to hazardous liquid and gas transmission pipelines to further specify the type of regulations the County will adopt.
- Modifications to lead-in text and policies relating to crude oil transport to include transport by vessels, and to encourage the Office of Emergency Management to consider potential risks from fossil fuel facilities.

The changes would also propose six new policies related to the establishment of fossil fuel regulations in unincorporated King County.

F-330a would require that there be permitting and review processes appropriate for different scales of fossil fuel facilities.

F-330a King County land use policies, development regulations, and permitting and environmental review processes related to fossil fuel facilities shall be designed to: protect public health, safety, and welfare; mitigate and prepare for disasters; protect and preserve natural systems; manage impacts on public services and infrastructure; and reduce impacts on climate change. Permitting and review processes shall be tailored for different scales of fossil fuel facilities.

F-330b would define fossil fuel facilities and direct King County to conduct a thorough review of the full scope of potential impacts for new, modified, or expanded fossil fuel facilities.

F-330b King County shall thoroughly review the full scope of potential impacts on proposals for new, modified, or expanded fossil fuel facilities. Fossil fuel facilities, as defined in the King County Code, include commercial facilities used primarily to receive, store, transfer, wholesale trade, or transport fossil fuels, such as but not limited to bulk terminals, bulk storage facilities, bulk refining, and bulk handling facilities.

Policy F-330c would add review requirements for fossil fuel facilities, including comprehensive environmental assessment, early and continuous public notice, and comment opportunities. The proposed new policy would also outline criteria for approving new fossil fuel facilities.

F-330c When reviewing proposals for new, modified or expanded fossil fuel facilities, King County shall require comprehensive environmental assessment, and early and continuous public notice and comment opportunities. King County shall approve new facilities only when:

- a. The proposed facility can confine or mitigate all operational impacts;
- b. The facility can adequately mitigate conflicts with adjacent land uses;
- c. The full scope of environmental impacts, including life cycle greenhouse gas emissions and public health, have been evaluated and appropriately conditioned or mitigated as necessary, consistent with the County's substantive State Environmental Policy Act authority;
- d. The applicant must comply with applicable federal and state regulations, including the Clean Water Act, Clean Air Act, and Endangered Species Act;
- e. The applicant has demonstrated early, meaningful, and robust consultation with the public, surrounding property owners, and with Indian Tribes to assess impacts to Treaty-protected cultural and fisheries resources; and
- f. Risks to public health and public safety can be mitigated.

Policy F-330d would require that results from the County's Equity Impact Review Tool be used in the siting of new, modified, or expanded fossil fuel facilities.

F-330d Results from the King County Equity Impact Review Tool shall be used as an important consideration to identify and mitigate impacts in the siting of new, modified, or expanded fossil fuel facilities.

Policy F-330e would require King County to establish a periodic review process for fossil fuel facilities.

F-330e King County shall establish a periodic review process for fossil fuel facilities. The periodic review process should provide opportunities for public review and comment. The periodic review process should evaluate whether the facility is in compliance with current federal and state regulations and implementation of industry-standard best management practices. The process should ensure compliance with County regulations. The periodic review process should allow King County to modify, add or remove permit conditions to address new circumstances and/or unanticipated facility-generated impacts. The periodic review process shall not be used to re-examine the appropriateness of the use, or to consider expansion of operations beyond the scope of existing permitted

operations. The periodic review shall be a part of King County's ongoing enforcement and inspections of fossil fuel facilities, and to assure compliance with applicable conditions, mitigations, and the most up-to-date safety and public health standards.

Policy F-330f would direct King County to prohibit the exploration for, establishment of new, and expansion of existing coal mines.

F-330f King County shall prohibit the exploration for or establishment of new coal mines and the expansion of existing coal mines.

In addition to the new policies described above, there are proposed changes to existing policies in Chapter 9 related to hazardous liquid and gas transmission lines.

Policy F-331 is proposed to be modified to add language relating to King County's role in federal and state review processes. The proposed changes would also amend the focus of King County's land use and other regulations on increasing safety and reducing the environmental impacts of transmission pipelines.

F-331 King County recognizes that federal and state regulatory programs govern the design, construction, and operation of hazardous liquid and gas transmission pipelines. ~~((To preserve the safety and reliability of the hazardous liquid and gas transmission pipeline system,))~~ King County shall develop land use, zoning and regulations ((shall be consistent with state and federal requirements)) focused on increasing safety and reducing environmental impacts of transmission pipelines regulated by the federal and state government. King County shall actively engage in federal and state review processes to identify local impacts and risks and advocate for safety and environmental protections.

Policy F-332 is proposed to be modified to distinguish proposals for modifications and maintenance activities from expansions of hazardous liquid and gas transmission lines.

F-332 Any new, modified, or expanded hazardous liquid and gas transmission pipelines proposed for construction in King County shall meet the county's development regulations, including but not limited to, King County's zoning code, building code, grading code, and shoreline management code. Proposals for modifications, such as regular maintenance or changes required to address hazards or comply with federal or state safety requirements, shall be clearly distinguished from proposals to modify or expand facility capacity or uses.

Policy F-344a is proposed to be modified to add that the King County Office of Emergency Management should also consider potential risks from fossil fuel facilities.

F-344a King County Office of Emergency Management shall convene local emergency managers, first responders, railroads and others to prepare for and mitigate the increasing risk of oil spills, fire and explosions posed by oil ~~((by rail))~~ transport by rail and vessel. This work should consider potential risks from fossil fuel facilities.

Policy F-344b is proposed to be modified to add fossil fuel facilities to the types of facilities in which King County has an interest in the environmental review. The policy would also be expanded to replace "train traffic" with "transport by rail and vessels."

F-344b King County should advocate for environmental reviews of proposed oil terminals, and other fossil fuel facilities, in Washington State to assess and mitigate for area-wide, cumulative risks and impacts to public safety, infrastructure, traffic, health, water supplies and aquatic resources from increased oil (~~train traffic~~) transport by rail and vessels.

Changes in Title 21A. The changes in Title 21A related to fossil fuel facilities include:

- Modifications to existing definitions and the permitted use tables to separate local use of fossil fuels (such as gas tanks and utility facilities) to large fossil fuel facilities; to distinguish facilities that generate non-hydroelectric electricity from fossil fuel facilities; and to distinguish warehouse and wholesale trade uses for fossil fuel facilities from other uses.
- New definitions for fossil fuels, fossil fuel facilities, fossil fuel facilities Type I and Type II. Fossil fuel facilities are commercial facilities primarily used to receive, store, refine, transfer, and transport fossil fuels. The Executive is proposing two scales of fossil fuel facilities, Type I and Type II, with different review levels and development conditions. Fossil fuel facilities are proposed to be the use between extraction of fossil fuels from the earth and end use. Extraction of fossil fuels and end uses such as a Non-hydroelectric Generation Facility are regulated separately.
- Modifications to the Manufacturing Land Use table to add development conditions to Petroleum Refining and Related Industries to exclude fossil fuel facilities.
- Modifications to the Regional Land Use table to make the following changes:

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (15)
*	Non-hydroelectric Generation Facility	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))
13	Oil and Gas Extraction	S27	((C)) S27	((P)) S27	S27	((S))	((S))	((S))	((S))	S27	S27	S27	((C)) S27
* —	Fossil Fuel Facility Type I												C28
* —	Fossil Fuel Facility Type II												S28, 29

These changes would allow non-hydroelectric generation facilities as a permitted use with an existing development condition limiting it to cogeneration, and otherwise allow the use as a conditional use (under existing code, the use would require a special use permit if not a cogeneration facility).

Further, oil and gas extraction would have a development condition added that would limit it in several zones to an accessory to waste management process.

Two new uses would be added: fossil fuel facility I and II, which would only be permitted in the Industrial zone, either as a conditional use or special use with development conditions. The development conditions would add criteria for what sorts of improvements require a CUP or SUP. Periodic review, similar to what is required for mineral extraction use, would be an added requirement for fossil fuel facilities.

Policy Issues for the Council to Consider

- The proposed comprehensive plan policies, definitions, and land use regulations relating to fossil fuels and fossil fuel facilities are all new policy for the Council to consider.
- The proposed regulations do not appear to limit the use of fossil fuels, with the exception of the proposed prohibition on new or expanded coal mines. The proposed development conditions only establish setbacks and enclosure requirements for the larger fossil fuel facilities. Council may want to consider whether the proposed changes meet the Council's policy goals.
- There are six new policies proposed to be added to the KCCP by the Executive. Some of the policy language may be more appropriate for implementing regulations in the Code. Council may want to consider streamlining the policy and code language to avoid duplication.
- It is unclear when or how the Equity Impact Review (EIR) Tool would be used in implementing Policy F-330d. There is not an "alternatives analysis" when a permit application is submitted, unless an Environmental Impact Statement is required, which would occur after application submittal. Tying the use of the EIR tool to SEPA could mean that no analysis would occur prior to submittal. It's unclear how the EIR tool would be successfully used during the permit review process if no analysis is done prior to submittal.
- Policy F-330f would prohibit the exploration for or establishment of new coal mines and the expansion of existing coal mines. It is probable that exploration for new coal mines cannot be prohibited.
- The definition of Fossil Fuel Facilities does not include refining or processing, although they are included in the examples. Council may want to consider using a standard definition. Further the Council may want consider not providing such a specific definition in the KCCP, to avoid limitations on changing the Code outside the midpoint or eight-year updates. Additionally, the definitions create a size threshold between Type 1 and Type 2 of 378,000 gallons of liquid fossil fuel storage capacity 1,425 cubic yards of dry storage. It is not clear how these thresholds were determined, and the Council may want to consider whether to look at total throughput or some other capacity trigger that more accurately captures the impacts of these facilities.
- This proposed changes would exclude fossil fuel facilities being allowed under SIC 2911: Petroleum Refining. This category includes establishments that engage in producing gasoline, kerosene, and distillate fuel oils. This is in line with the exclusion of non-fuel petrochemicals from the definition of fossil fuels. Any of the uses under SIC 2911 that would refine a fossil fuel would be covered by the proposed fossil fuel facility regulations. There may be some ambiguity regarding which of the use types under 2911 would fall under the fossil fuel regulations (and therefore be regulated as a fossil fuel facility) and which would not – in which case they will be regulated under SIC 2911 which is allowed in Industrial zones, provided it is not a Fossil Fuel Facility.

Council may want to consider modifying the language to clarify that the regulations to allow some refining of petroleum for non-fuel products.

- The proposed changes to the Regional land uses table reduce the level of review for non-hydroelectric energy generation facilities in all zones, from a Special Use Permit to a Conditional Use Permit. This use includes fossil fuel burning, nuclear plants, solar and wind generation, and any other non-hydroelectric facility. While this proposed change would allow renewable projects with fewer regulatory steps, it also would allow fewer regulatory steps for facilities that burn fossil fuels and for nuclear plants. Council may want to consider whether these different types of non-hydroelectric energy generation facilities should be allowed with a conditional use permit, and/or whether they should be regulated as separate use.
- This periodic review proposed for fossil fuel facilities is very similar to that for materials processing in KCC 21A.22. The Council may want to consider the placement of this new periodic review in chapter 21A.42 as proposed by the Executive, which generally does not have these types of requirements. If changes are made to 21A.22 as noted above for nonconforming mines, this periodic review could be included in that chapter. The Council may also want to consider adding language to further link the environmental, public health and safety impacts to GHG emissions of fossil fuel facilities, as described in the periodic review requirements.

INVITED

- Ivan Miller, Comprehensive Plan Manager, Regional Planning Unit, PSB

ATTACHMENTS

Each Councilmember has been provided with a binder that includes the Proposed Ordinance and all attachments. The materials will not be included in each staff report. Other materials are available online at the link provided below.

1. Transmittal Letter
2. Fiscal Note
3. 2020 Comprehensive Plan Update Schedule, as of January 21, 2020
4. Motion 15329 – Scope of Work for 2020 Update
5. Staff analysis from January 22, 2020 Mobility and Environment Committee staff report

LINKS

All components of the transmitted 2020 update to the 2016 KCCP, as well as additional information about the Council's review of the proposal, can be found at:

<https://www.kingcounty.gov/council/CompPlan/2018compplan>

The components of the proposed legislation and their attachments include:

- Proposed Ordinance 2018-0153
 - Attachment A - 2020 Update to the 2016 King County Comprehensive Plan
 - Attachment B - Appendix C: Transportation
 - Attachment C - Appendix C1: Transportation Needs Report
 - Attachment D - Amendments to Land Use and Zoning Maps
 - Attachment E - Amendments to Shorelines of the State Map
 - Attachment F - Skyway-West Hill Land Use Subarea Plan
 - Attachment G - Skyway-West Hill Land Use Subarea Plan Amendments to Land Use and Zoning Maps
 - Attachment H - Attachment K to the Shoreline Master Program
 - Attachment I - Appendix S: Public Participation Summary for 2020 Update

Also included are supporting documents included in the transmittal package, which do not get adopted as part of the legislation, but provide useful information:

- Transmittal Letter
 - Regulatory Note
 - Fiscal Note
- Plain Language Summary
 - Policy I-207 Amendment Analysis Matrix
- Area Land Use and Zoning Studies
- Code Studies and Reports
- Public Comment and Response

There is related legislation, a motion acknowledging receipt of the community center feasibility and local services equity impact analysis report. The reports are included as Appendices C and D in Attachment F to Proposed Ordinance 2019-0415.

- Proposed Motion 2019-0417

[Blank Page]

September 30, 2019

The Honorable Rod Dembowski
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Dembowski:

This letter transmits an ordinance adopting the 2020 update to the 2016 King County Comprehensive Plan (2020 update). In 2018, the County restructured its comprehensive planning program, moving to an 8-year statutory update schedule and allowing a midpoint review every four years. Because of the timing of the next statutory update in 2023, the Council directed a midpoint review in 2020, via Workplan Action 14 in Ordinance 18810 and King County Code 20.18.030.

The process began on January 1, 2019 with submittal of the Scope of Work to the King County Council. King County Motion 15329 adopted the scope on February 27, 2019 and serves as the foundation for the 2020 update. The unique timing of the 2020 update meant that the typical scoping and public review processes were shorter than usual. Several land use and code studies were conducted, as directed; the outcomes of these studies are included with this transmittal.

The 2020 update would advance planning in King County through the following proposals.

- Establish regulations for fossil fuel facilities to protect public health and safety.
- Establish policy and regulatory changes to prepare for sea level rise impacts.
- Implement recommendations from the 2018 Marijuana Report in Proposed Motion 2019-0012.
- Establish new zoning for the Bear Creek Urban Planned Development.
- Make changes to reflect the Regional Affordable Housing Plan and Action Strategy.

The 2020 update also includes the Skyway-West Hill Community Service Area Land Use Subarea Plan, which replaces the existing 1994 West Hill Community Plan. This subarea plan, led by the Permitting Division of the Department of Local Services, will be the first conducted under the restructured subarea planning process adopted by the Council in Ordinance 18810.

While the 2020 update does not include any substantive expansions of the Urban Growth Area, there are minor technical changes in some areas, and the plan includes a proposed contraction of the Urban Growth Area for a portion of the area known as the East Cougar Mountain Potential Annexation Area (PAA).

This transmittal package includes the following documents.

- Ordinance adopting amendments to the King County Code.
- Comprehensive Plan and King County Code Amendments.
- Comprehensive Plan Policy I-207 Analysis.
- Plain Language Summary of Code Amendments.
- Forty-two Land Use and Zoning Map Amendments.
- Eight Area Land Use and Zoning Studies.
- Ten Code Studies and Reports.
- Public Participation Report.
- Other Miscellaneous Items.

As in past updates, a State Environmental Policy Act (SEPA) review and threshold determination will be completed in advance of final action by the King County Council.

The 2020 update is consistent with the King County Strategic Plan. By addressing public health and safety, housing, environmental, and other issues, it responds to the Strategic Plan's vision statement that the County is a diverse and dynamic community with a healthy economy and environment where all people, businesses, and organizations have the opportunity to thrive.

The County's Comprehensive Plan and development regulations are a core element of the County's climate action strategy. By focusing new development in urban areas served by high capacity transit, and protecting working farms and forests the sequester carbon, the county curbs growth in greenhouse gas emissions as the region grows. Consistent with the county's Strategic Climate Action Plan, this 2020 update hold the line on sprawl and strengthens protection of public health and safety from risk of fossil fuel facilities and mining. This 2020 update also proposes new development standards to reduce risks of sea level rise. The amendments in the 2020 update align with the goals related to Accessible and Affordable Housing, a Healthy Environment, and others.

It is estimated that this report required approximately 10,300 staff hours to produce, costing approximately \$770,000.

I urge your careful consideration of the proposed plan and implementing regulations. Together, they will help to ensure that our region continues to manage growth effectively while ensuring the County's compliance with the Growth Management Act.

The Honorable Rod Dembowski
September 30, 2019
Page 3

If you have any questions about this transmittal, please contact Lauren Smith, Director, Regional Planning, at 206-263-9606.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
 ATTN: Carolyn Busch, Chief of Staff
 Melani Pedroza, Clerk of the Council
Dwight Dively, Director, Office of Performance, Strategy and Budget (PSB)
Lauren Smith, Director, Regional Planning, PSB

[Blank Page]

2019-2020 FISCAL NOTE

Ordinance No. 2019-XXXX

Title: 2020 Update to the 2016 Comprehensive Plan

Affected Agency and/or Agencies: Executive Office

Note Prepared By: Ivan Miller

Date Prepared: 9/3/2019

Note Reviewed By: Chris McGowan

Date Reviewed: 9/5/2019

Description of request:

This legislation adopts the proposed changes to King County Comprehensive plan.

Revenue to:

Agency	Fund Code	Revenue Source	2019-2020	2021-2022	2023-2024
			0	0	0
TOTAL			0	0	0

Expenditures from:

Agency	Fund Code	Department	2019-2020	2021-2022	2023-2024
			0	0	0
			0	0	0
TOTAL			0	0	0

Expenditures by Categories

	2019-2020	2021-2022	2023-2024
	0	0	0
TOTAL	0	0	0

Notes and Assumptions:

Although adoption of the Comprehensive Plan does not itself have any effect on the fiscal affairs of King County, some of the policy changes within the plan may result in unpredictable future changes to revenues and expenditures.

[Blank Page]

**Proposed Ordinance 2019-0413
2020 King County Comprehensive Plan Update and Skyway-
West Hill CSA Subarea Plan**

**King County Council committee review and adoption schedule
As of January 21, 2020 – subject to change**

<i>Date</i>	<i>Event</i>
September 30, 2019	Executive's Transmittal of 2020 King County Comprehensive Plan Update
October 15 1:30 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Executive staff brief Skyway-West Hill CSA Subarea Plan
November 5 1:30 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Executive staff brief 2020 Update
November 19 1:30 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Deferred
December 3 1:00 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Key Issues Overview
January 22, 2020 1:00 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Review of Committee Identified Topics <i>Opportunity for public comment</i>
February 12 1:00 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Review of Committee Identified Topics <i>Opportunity for public comment</i>
February 26 1:00 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Review of Committee Identified Topics <i>Opportunity for public comment</i>
March 11 1:00 p.m.	Briefing in Mobility and Environment Committee <ul style="list-style-type: none"> Review of striking amendment <i>Opportunity for public comment</i>

<i>Date</i>	<i>Event</i>
March 25 1:00 p.m.	Possible vote in Mobility and Environment Committee <ul style="list-style-type: none"> • Review of line amendments • Consideration of all amendments • Vote on Committee recommendation on proposed 2020 King County Comprehensive Plan Update and Skyway-West Hill CSA Subarea Plan <i>Opportunity for public comment</i>
June 16 1:00 p.m.	Public Hearing at full Council <i>Public Hearing at full Council & opportunity for public comment</i>
June 23 1:00 p.m.	Possible vote at full Council <ul style="list-style-type: none"> • Consideration of amendments • Vote on final adoption of proposed 2020 King County Comprehensive Plan Update and Skyway-West Hill CSA Subarea Plan

All meetings will take place in the Council Chambers on the 10th Floor of the King County Courthouse, at 516 3rd Ave, Seattle WA.



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 15329

Proposed No. 2019-0015.3

Sponsors Upthegrove

1 A MOTION relating to comprehensive planning, specifying
2 the scope of work for the proposed amendment to the King
3 County Comprehensive Plan in 2020 in accordance with
4 K.C.C. 20.18 and 2018 King County Comprehensive Plan
5 Workplan Action 14.

6 WHEREAS, King County enacted the 1994 King County Comprehensive Plan
7 ("the plan") to meet the requirements of the Washington State Growth Management Act,
8 and

9 WHEREAS, K.C.C. chapter 20.18.060 establishes a process for amending the
10 plan and a program for public participation and states that every eight years, beginning in
11 2021, the county shall complete a comprehensive review of the plan and consider
12 substantive amendments to the plan, and

13 WHEREAS, K.C.C. chapter 20.18.030 allows, if adopted by motion, for a limited
14 update to the plan at the midpoint of the eight-year cycle, and

15 WHEREAS, the 2018 amendment to the plan included workplan Action 14,
16 directing a 2020 Comprehensive Plan Midpoint Update, and

17 WHEREAS, while K.C.C. chapter 20.18.030 allows the 2020 update to consider
18 substantive amendments, the update is a discretionary action by the county and does not
19 serve as the statutory update as required by RCW 36.70A.130;

20 NOW, THEREFORE, BE IT MOVED by the Council of King County:
21 The scope of work for the 2020 King County Comprehensive Plan Midpoint
22 Update in Attachment A shall proceed as established by this motion and be the basis for
23 developing amendments to the plan, and for performing the associated environmental
24 analysis.
25

Motion 15329 was introduced on 1/14/2019 and passed as amended by the
Metropolitan King County Council on 2/27/2019, by the following vote:

Yes: 8 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr.
McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and
Ms. Balducci
No: 1 - Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Rod Dembowski, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



Attachments: A. King County Comprehensive Plan 2020 Midpoint Update, dated February 27, 2019

**King County Comprehensive Plan
2020 Midpoint Update**

Scope of Work

*In accordance with King County Code 20.18.030 and 20.18.060,
and 2018 Comprehensive Plan Workplan Action 14*

A. Background

In 2018, King County restructured its long-range planning processes and shifted from a Four-Year "Major" Update cycle to an Eight-Year Statutory Update cycle. In moving to an Eight-Year Cycle, the County created the option for a limited scope "Four-Year Midpoint Update" Cycle wherein a smaller-range of substantive changes to policies and amendments to the urban growth area boundary may be considered only as established by motion.

The 2018 update to the King County Comprehensive Plan, in workplan action #14, directs that the scope of the 2020 update include: (a) changes as called for by applicable workplan action items in the Comprehensive Plan, (b) any policy changes or land use proposals that should be considered prior to the 2023 statutory update, (c) review and inclusion of changes related to docket proposals that were recommended to be reviewed as part of the next "major" update, (d) aligning the language in the Comprehensive Plan and Title 20 regarding what is allowed during annual, midpoint and eight-year updates, and (e) reviewing and updating the terminology to consistently describe the various updates. While the 2020 update may consider substantive amendments, the update is a discretionary action by the County and does not serve as the statutory update required by 36.70A.130 Revised Code of Washington.

B. Topical Areas

The following topics are to be considered in the 2020 Midpoint Update. 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.

I. Text and Policy Proposals

- As necessary to be addressed prior to the 2023 Statutory Update, update demographic and economic data, maps, and references (including references to plans, program, and departmental restructures such as the Department of Local Services, Metro, etc.).
- Updates to terminology to consistently describe what is allowed during annual, midpoint and eight-year updates.
- Update technical appendices to reflect new projects, changes in service providers, and other minor updates. This includes Appendix C: Transportation, Appendix C1: Transportation Needs Report, and Appendix A: Capital Facilities.
- Amend Transportation chapter to reflect the County's cessation of the Mitigation Payment System, consistent with adopted changes to the King County Code.
- Update Rural Area and Natural Resource Land chapter 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 (this is an outcome of the 2018 Cedar River Rural Industrial Study).
- Update Comprehensive Plan to reflect the approval of the Regional Affordable Housing Plan and Action Strategy.
- Update Housing and Human Services chapter policies that describe the County's regional human services roles and activities to include new work since 2016.
- Review 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.
- 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.

- Updates to the Shorelines chapter, including associated Shoreline Master Program regulations to ensure consistency with state requirements, and related updates to Shoreline Environment Designations and maps.
- As necessary, update Comprehensive Plan to reflect state and federal decisions related to regulation of vapor products, as defined at 70.345 Revised Code of Washington
- As necessary, update Comprehensive Plan to reflect federal designation of "Opportunity Zones" in unincorporated King County.
- Review and 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. Include evaluation of providing sidewalks/pathways in conjunction with other planned improvements.
- In recognition of the county's local government role and responsibilities, updates to improve coordination, accountability, and service delivery in unincorporated areas at rural or urban service levels.
- Update the Plan to reflect outcomes from work done on the 2018 Comprehensive Plan Workplan Action Items, as follows:
 - Action 1: Community Service Area Subarea Planning Program.
 - Action 4: Transfer of Development Rights (TDR) Program Review and Study.
 - Action 8: Cottage Housing Regulations Review.
 - Action 13: Water Availability and Exempt Wells.
 - Action 18: Review of the Four-to-One Program.
- 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.

- Review of existing policies and regulations related to the design and siting of public infrastructure and/or facilities within and adjacent to APDs to identify potential offsite mitigation strategies. Examples of such strategies could include in-lieu fee programs, transfer of development rights or restoration of existing APD lands to return them to agriculture production capable land.

II. Area Zoning and Land Use Proposals

- In advance of the expiration of development agreements for the Bear Creek Urban Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East), review and establish the comprehensive plan land use designation and zoning classifications in a manner consistent with the development patterns in said agreements and reflecting current conditions in the area.
- Consider expansion of the Agricultural Production District (APD) boundary to increase opportunities for farming, including areas near the Snoqualmie APD – Fall City area and Carnation area, and the Enumclaw APD.
- As mitigation for the encroachment of the NE 171st Street roadway and roundabout intrusion into the APD: (1) consider changes to the Sammamish Agricultural Production District (APD) boundary to include portions of parcels identified or agreed to by the County for potential acquisition or easement by the City of Woodinville; and (2) consider changes to the urban growth area boundary to incorporate the additional right-of-way on NE 171st Street.
- Review land use designations and implementing zoning on parcels adjacent to the northern edge of Dick Thurnau Memorial Park in North Highline to evaluate their potential as a mixed use site, allowing the co-location of affordable housing units, non-residential buildings with social services, co-working spaces, and other potential non-residential uses.
- Analyze deletion of Special District Overlay SO-230: Flood Plain Densities on all parcels to which it applies (this is an outcome of a 2018 Docket Request).
- Work with the City of Carnation to identify options, processes and timelines for potential land use changes to facilitate annexation.
- Work with the City of Issaquah, the City of Bellevue, and residents in the East Cougar Mountain Potential Annexation Area on potential land use changes and

urban growth area boundary changes (this is an outcome of the 2016 Comprehensive Plan and a 2017 Docket Request).

- Work 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.
- 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.

III. Code Studies

- 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 is an implementation action from the Vashon-Maury Island Community Service Area Subarea Plan).
- 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.
- Technical 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.
- Update any 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 (Proposed Ordinance 2018-0241).

IV. Reports

As part of the transmittal package for the 2020 Comprehensive Plan update, the Executive will include an affordable housing report that 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 of affordable housing, to be completed by June 1, 2020.

C. Public Outreach Plan

King County Regional Planning staff, along with staff from the Executive Departments, will conduct a multi-phased approach to public outreach for the 2020 King County Comprehensive Plan.

Scoping. The first phase will occur following transmittal of the scope to the County Council during the period of January and February. Stakeholders will have the opportunity to comment during the Council's review and adoption of the scope.

CSA Outreach. The second phase will occur through participation at the Community Service Area outreach activities that have typically occurred during the period of April through June. Comments will be solicited and accepted as part of these outreach activities.

Public Comment Period. The third phase will take place from approximately July 1 to July 31, 2019 as part of a public comment period on the Public Review Draft. A series of open houses specifically focused on the Comprehensive Plan will be held during this comment period.

Council Review and Adoption Period. An Executive Recommended Plan will be transmitted to the County Council on September 30, 2019. The Council will conduct additional public outreach as part of committee meetings, a public hearing, and other processes as managed by Council.

General Outreach. Throughout the entire process, the Comprehensive Plan website will be updated, stakeholders on the Comprehensive Plan mailing list will be notified at key milestones, and public comments will be accepted.

In addition to the Comprehensive Plan mailing list, outreach will occur through the Community Service Area Unincorporated Area Newsletter, other Department of Local Services engagement process, the Office of Equity and Social Justice's outreach mechanisms, and through County Commissions.

D. State Environmental Policy Act Analysis

SEPA analysis for the 2020 update will commence with the release of the public review draft in the summer 2019, and continue through the review of the draft by the assigned King County Council committee. SEPA will be concluded in advance of action by the full King County Council. This is scheduled to occur in summer 2020.

[Blank Page]

This is the staff analysis from the January 22, 2020 Mobility and Environment packet. If there is time at the February 12, 2020 Committee meeting, Council staff could provide an oral briefing on these items.

Agricultural Production Districts & Public Facilities
--

The Executive's proposed KCCP update would modify several policies in Chapter 3 to provide an allowance for public infrastructure intrusions into Agricultural Production Districts (APD) and establish parameters for mitigation surrounding the loss of land in APDs. Three existing policies are revised and expanded into four policies.

What's new in the 2020 KCCP Update?

Public Facilities in the APD. Policies R-652, R-655 and R-656 establish parameters for when land from an APD can be removed. Changes are proposed to these policies to allow for the locating of public facilities and infrastructure in APDs under limited circumstances.

A change to Policy R-652 is proposed to encourage King County to work with cities adjacent to APDs to minimize impacts of public infrastructure and facilities on farming and farmlands in addition to urban development.

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

Changes surrounding public facilities in Policy R-655 are proposed. As proposed, the policy would require the County to come to a determination that a public facility meeting regional needs could not be located outside of an APD. The modified policy would require the County to ensure that infrastructure would minimize the disruption of agricultural activities, to establish agreements with jurisdictions or agencies, and if reduction of the total APD acreage occurs, to require the agreements to follow criteria established in new Policy R-657.

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

- a. Whenever feasible, water lines, sewer lines and other public facilities should avoid crossing Agricultural Production Districts. Installation should be timed to minimize negative impacts on seasonal agricultural practices;

- b. Road projects planned for the Agricultural Production Districts, including additional roads or the widening of roads, should be limited to those that are needed for safety or infrastructure preservation and that benefit agricultural uses. Where possible, arterials should be routed around the Agricultural Production Districts. Roads that cross Agricultural Production Districts should be aligned, designed, signed and maintained to minimize negative impacts on agriculture, and to support farm traffic; and
- c. In cases when King County concludes that public (~~or privately owned~~) facilities meeting regional needs cannot be located outside of, and must intrude into, Agricultural Production Districts, the County shall ensure that the infrastructure (~~they should~~) be built and located to minimize disruption of agricultural activity, and will establish agreements with the relevant jurisdictions or agencies. If public infrastructure reduces total acreage in the Agricultural Production District, these agreements shall follow the criteria established in policy R-656.

Existing Policy R-656 is proposed split into two policies, with existing language under subsection C moved into a new Policy R-657. Modified Policy R-656 identifies the County's role in the removal of land from the APD and establishes a new criterion allowing lands needed for public infrastructure to be removed from the APD. It is the Executive's intent that removal of lands from the APD could occur in only two circumstances: 1) the removal of land would not diminish the productivity of prime agricultural land and the land is no longer suitable for agricultural purposes or 2) the land is needed for public facilities under Policy R-655.

R-656 (~~(Lands can)~~) King County may allow lands to be removed from the Agricultural Production Districts only when it can be demonstrated that:

- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local Agricultural Production District boundaries;
- b. The land is determined to be no longer suitable for agricultural purposes; (~~and~~) or
- c. The land is needed for public infrastructure or facilities as described in policy R-655.

APD Land Mitigation. New Policy R-657, includes part of existing Policy R-656, establishes criteria for off-site mitigation when land is removed from the APD, including addition of agricultural land abutting the affected APD, addition of comparable land in another APD at a rate of 1.5 times the amount removed, or mitigation through fees that restore unfarmed land into production at two times the value of the land removed if comparable land is not available in another APD.

R-657 Removal of ~~((the))~~ land from the Agricultural Production District ~~((may))~~ shall occur only if it is mitigated through the addition of agricultural land abutting the same Agricultural Production District that is, at a minimum, comparable in size, soil quality and agricultural value.

- a. The County may allow comparable land to be added to another Agricultural Production District if it determines that no comparable land is available adjacent to the impacted Agricultural Production District. To avoid the loss of farmland in any of the districts, a minimum of one and a half acres must be added for every acre removed.
- b. If the County determines that no land abutting an Agricultural Production District is comparable and available, the County may mitigate the loss of acreage by accepting funding for existing County programs that restore lands that are farmable but unfarmed within an existing Agricultural Production District in order to return them to active agricultural production. To help avoid the loss of total farm productivity, the funding shall be a minimum of double the financial value of the land removed by the infrastructure project.

Policy Issues for the Council to Consider

- This set of policy changes establish direction for when public infrastructure or facility projects can intrude into an APD. It is a policy choice whether to allow intrusions into an APD and to what extent they can occur.
- These policy changes are related to the Woodinville roundabout map amendment (Map Amendment 2). If changes are not adopted as part of this update, the map amendment may not be adopted as proposed.
- The proposed changes would prioritize addition of agricultural land in the same APD, followed by adding agricultural land in another APD or mitigation funding to restore unfarmed land into production. The proposed changes include mitigation ratios for this replacement, requiring a 1:1 replacement in the same APD, a 1.5:1 replacement ratio in a different APD, and 2:1 of the financial value of the land through mitigation funding. Establishing ratios is a policy decision for the Council to consider.

Non-Resource Industrial Uses

What's new in the 2020 KCCP Update?

Limiting Industrial Zoning. The proposed KCCP update would modify several policies to curtail expansion of non-resource related industrial uses in the Rural Area in order to reduce growth pressure, limit impacts on natural resources, and reduce the demand for infrastructure expansion.

Policy R-512 would be modified to prohibit the expansion of industrial zoning in the Rural Area. This policy in the current adopted KCCP limits the creation of industrial-zoned land

based on specific parameters, including direct access from SR 169, lack of potential conversion to residential use due to historic designation, and use as an industrial purpose.

R-512 The creation of new Industrial-zoned lands in the Rural Area shall be limited to ~~((those that have long been used for industrial purposes, do not have potential for conversion to residential use due to a historic designation and that may be accessed directly from State Route 169))~~ existing sites in order to reduce pressure for growth, limit impacts on nearby natural resources and functions, and avoid the need for infrastructure extensions.

Policy R-513 is proposed to be modified to remove an inaccurate statement that new non-public infrastructure maintenance facilities, non-agriculture and non-forestry product processing industrial uses are permitted only in the Rural Towns and the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston. The existing code allows non-agriculture and non-forestry product processing industrial uses in the Rural Area dependent on the zoning and this modification is intended to reflect existing code.

R-513 Rural Public Infrastructure Maintenance Facilities, and agriculture and forestry product processing should be allowed in the Rural Area. ~~((Other new industrial uses in the Rural Area shall be permitted only in Rural Towns and in the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston.))~~

Policy R-515 is modified to state that existing industrial uses in the Rural Area on sites not zoned Industrial cannot be later zoned to Industrial, however uses may continue as a permitted or nonconforming use if they meet the requirements. In the current adopted KCCP, the policy directed the zoning of certain areas (outside Rural Towns, the designated historic site on SR 169 or the designated industrial area in Preston) with existing industrial uses to be zoned rural residential.

R-515 Existing industrial uses in the Rural Area on sites that are not zoned Industrial ~~((outside of Rural Towns, the industrial area on the King County-designated historic site along State Route 169 or the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston shall be zoned rural residential))~~ shall not be zoned Industrial but may continue if they qualify as permitted uses or as legal, nonconforming uses.

Policy Issues for the Council to Consider

- The proposed changes would prevent the creation of industrial-zoned properties in the Rural Area. Sites that have an industrial use, do not have potential for conversion to a residential use and are accessed from SR 169 would no longer be able to be rezoned to Industrial. No changes are proposed to existing industrial-zoned properties.

- A change is proposed to Policy R-513 to remove an existing statement that limits new non-public infrastructure maintenance facilities, non-agriculture and non-forestry product processing industrial uses to only Rural Towns and the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston. According to the Executive, the changes are intended to correct this policy to reflect current code. However, removal of this sentence could effectuate a different policy direction.

Transfer of Development Rights

What's new in the 2020 KCCP Update?

The proposed KCCP update would change several KCCP policies and code sections related to the transfer of development rights (TDR) program, to allow more properties to be considered as potential TDR sending sites.

Changes in Chapter 3 of the KCCP related to the TDR program are all focused on allowing a new urban-to-urban TDR, which would be available when the sending site:

- is zoned R-4, R-6, R-8, or R12 and has a comprehensive plan designation of *urban residential, medium*;
- has been determined to be an "opportunity area" by the Conservation Futures Tax (CFT) Advisory Committee;¹ and
- has been awarded CFT funding by the King County Council, in accordance with county code.²

An opportunity area is defined in the existing Code as follows:³

1. Areas within King County that:

- a. are 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. are located in a ZIP code in which hospitalization rates for asthma, diabetes and heart disease are in the highest one-third for ZIP codes in King County; and
- c. are within the Urban Growth Boundary and do not have a publicly owned and accessible park or open space within one-quarter mile of a residence, or are outside the Urban Growth Boundary and do not have a publicly owned and accessible park or open space within two miles of a residence; or

2. Areas where the project proponent or proponents can demonstrate, and the advisory committee determines, that residents living in the area, or the populations the project is intended to serve, disproportionately experience limited access to public open spaces and experience demonstrated hardships including, but not limited to, low income, poor health and social and environmental factors that reflect a lack of one or more conditions for a

¹ The language proposed by the executive still uses the term "equity area" rather than "opportunity area." The name of these areas was changed in 2019 by Ordinance 18981.

² K.C.C. 26.12.

³ K.C.C. 26.12.003.J.

fair and just society as defined as "determinants of equity" in K.C.C. 2.10.210.

Changes to the KCCP include:

Changes to lead-in text on page 3-20 to state that one purpose of the TDR program is to preserve parks and open space in lower-income portions of the County:

In so doing, the Transfer of Development Rights Program: (1) benefits Rural Area and Natural Resource Land property owners by providing them financial compensation to not develop their land, (2) directs future Rural Area and Natural Resource Land development growth into urban areas, saving the County the cost of providing services to rural development and yielding climate change benefits through reduced household transportation-related greenhouse gas emissions, and (3) permanently preserves land through private market transactions. Transfer of Development Rights can also be used to permanently protect open space and parks in lower-income portions of the County while still focusing growth into other urban areas.

Changes to Policy R-316 to allow urban sites meeting the criteria described above to be used as TDR sending sites:

R-316 Eligible sending sites shall be lands designated on the King County Comprehensive Plan land use map as: Rural Area (with RA-2.5, RA-5, and RA-10 zoning), Agriculture (A), Forestry (F), ~~((and))~~ Urban Separator ~~((with))~~ R-1~~((zoning)))~~, and Urban Residential Medium (R-4, R-6, R-8, and R-12) in equity areas identified in King County Code Chapter 26.12 that are approved for Conservation Futures Tax funding. These sites shall provide permanent land protection to create a significant public benefit. Priority sending sites are:

- a. Lands in Rural Forest Focus Areas;
- b. Lands adjacent to the Urban Growth Area boundary;
- c. Lands contributing to the protection of endangered and threatened species;
- d. Lands that are suitable for inclusion in and provide important links to the regional open space system;
- e. Agricultural and Forest Production District lands;
- f. Intact shorelines of Puget Sound; ~~((or))~~
- g. Lands identified as important according to the Washington State Department of Ecology's Watershed Characterization analyses; or
- h. Lands contributing to equitable access to open space in urban unincorporated areas.

Changes to Policy R-317 to set TDR development right standards for *urban residential medium* sites at the zoned base density per one acre of gross land area:

R-317 For Transfer of Development Rights purposes only, qualified sending sites are allocated development rights as follows:

- a. Sending sites in the Rural Area zoned RA-2.5 shall be allocated one Transferrable Development Right for every two and one-half acres of gross land area((:));
- b. Sending sites in the Rural Area zoned RA-5 or RA-10 or Agricultural zoning shall be allocated one Transferrable Development Right for every five acres of gross land area;
- c. Sending sites with Forest zoning shall be allocated one Transferrable Development Right for every eighty acres of gross land area;
- d. Sending sites with Urban Separator land use designation shall be allocated four Transferrable Development Rights for every one acre of gross land area;
- e. Sending sites with an Urban Medium Residential land use designation that meet the equity area criteria in policy R-316 shall be allocated Transferrable Development Rights equivalent to their zoned base density for every one acre of gross land area;
- f. If a sending site has an existing dwelling or retains one or more development rights for future use, the gross acreage shall be reduced in accordance with the site's zoning base density for the purposes of Transferrable Development Right allocation; and
- ~~((f.))~~g. King County shall provide bonus Transferrable Development Rights to sending sites in the Rural Area as follows:
 1. The sending site is a vacant RA zoned property and is no larger than one-half the size requirement of the base density for the zone; and
 2. The sending site is a RA zoned property and is located on a shoreline of the state and has a shoreline designation of conservancy or natural.

Changes in Title 21A include:

- Implementing the changes to the KCCP outlined above, by allowing urban-to-urban TDRs for sending sites that have been determined to be an "opportunity area" by the CFT Advisory Committee and have been awarded a funding match waiver by the King County Council, if they are zoned R-4, R-6, R-8, or R-12 and have an *urban residential, medium* land use designation.
- Allowing property owned by the County for residential or commercial development to be used as sending sites. These properties would still need to meet all other criteria in code.

Policy Issues for the Council to Consider

- Allowing this new class of urban-to-urban TDRs is a policy choice for the Councilmembers to consider. Members could choose not to allow properties meeting the criteria above to be used as sending sites, or could choose to expand the scope of the criteria to allow more urban sites to qualify as a TDR sending site.
- The workplan item that called for the TDR Program Review and Study stated that the study must include "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 proposed changes regarding opportunity areas arose from an analysis of making investments in economically disadvantaged areas. The report also discussed the possibility of using TDRs to promote housing affordability by increasing ratios to award more development units when TDRs are used for affordable housing projects, or using TDRs to preserve mobile home parks. Neither of these strategies was recommended. For promotion of affordable housing, the report states that "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." For preservation of mobile home parks, the report states that "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."

The report contains no discussion of using TDRs to incentivize green building or provide for transit oriented development. Councilmembers could choose to pursue changes related to these topics or to require the Executive to do more study on these areas.

- The workplan item that called for the TDR Program Review and Study required the study to "consider possible performance criteria." This is not discussed in the report. Councilmembers may choose to adopt performance criteria or require the Executive to propose them.

Follow-up from Councilmember Questions

The TDR Program Review and Study Report includes a tax revenue impacts analysis for the TDR program. For the TDR properties for which the Executive had sufficient data to make a before-and-after comparison of tax value on TDR properties, the Executive states that there was a cumulative \$1.9 million reduction in 2018 taxable

land value from sending site parcels, and a cumulative \$350.4 million gain in 2018 taxable land value for receiving site parcels.

As of September 30, 2019, there were 597 TDRs in the County's TDR Bank. At that time, a total of 1,693 TDRs had been purchased by the Bank and 1,096 had been sold. An additional 237 TDRs had been sold through private transactions.

Cottage Housing

What's new in the 2020 KCCP Update?

The 2016 KCCP included Workplan Action 8, which directed the Executive to review Comprehensive Plan policies and development code regulations for potential expanded allowances for cottage housing in unincorporated King County and proposed any changes as appropriate. The proposed KCCP update would modify several zoning code provisions for cottage housing resulting from recommendations from a code study required by Workplan Action 8. The code study and a preceding Cottage Housing Report (transmitted in December 2018) analyzed existing zoning regulations around cottage housing and identified several recommendations.

As proposed, cottage housing developments would be subject to the following density and dimensional standards:

- No maximum lot size. Proposed changes would removing the maximum site size of 1 acre for standalone cottage housing developments or 1 acre combined when adjacent to an existing cottage housing development.
- No maximum number of units. Proposed changes would remove maximum number of units, 16 units, a cottage housing development is permitted to have. The maximum number of units would dependent on the zone.
- Maintain open space requirements. No changes are proposed to the minimum of 250 square feet of common area required per unit, and 50 percent of units required to be clustered around the open space.
- Total unit size. Units would be limited to existing standards of a 900 square foot footprint and 1,200 square foot floor area. The proposed changes would exempt attached garages less than 250 square feet from the floor area limit.
- Distance. Individual cottage housing units would continue to be located 10 feet apart and the development would be required to maintain existing setback requirements.
- Inviting façade requirement. Proposed changes would require cottage houses abutting the common area or public right-of-way to provide an primary entry or covered porch and inviting façade.
- Parking requirement. Proposed changes would require between 1 to 2 stalls per cottage housing unit dependent on the unit's size.

- Height limit. The existing base height of 18 feet or 25 feet for pitched roofs would be maintained.
- Other underlying dimensions and densities. All other standards, including impervious surface or setbacks, would remain unchanged.

Policy Issues for the Council to Consider

- The Workplan Action required that the Executive review existing policies and codes for the "potential for expanded allowances for cottage housing in unincorporated King County, including Rural Areas." The code study and subsequent code changes discussed above focuses on removing or clarifying requirements that may have prevented or burdensome to cottage housing developments, but did not consider expanding where this use could be permitted.
- Additionally, the code study reviewed some development standards, but does not appear to have reviewed the suite of standards that apply to all development (for instance, impervious surface limits, setbacks, or landscaping). Council may wish to consider additional review or changes.

Map Amendments

All map amendments to the KCCP are found in Attachment D to Proposed Ordinance 2019-0413.

1. Map Amendment 1: Snoqualmie Agricultural Production District

Existing KCCP Land Use Designation: Rural Area (*ra*)

Existing Zoning: RA-10, RA-10/RA-10-P (one dwelling unit per ten acres)

Proposal: Consistent with Motion 15329, which called on the Executive to propose changes based on a study to "consider expansion of the Agricultural Production District (APD) boundary to increase opportunities for farming, including areas near the Snoqualmie APD – Fall City areas and Carnation area, and the Enumclaw APD," the Executive has proposed adding five parcels to the Snoqualmie APD. Three of those parcels are northeast of the City of Carnation and the remaining two are north of Fall City.

The Executive proposes to retain a P-suffix condition on a portion of one of the parcels near Fall City, which prevents any fill from being added to the area covered by the P-suffix.

Executive recommendation:

- Change land use designation on all five Snoqualmie APD parcels from *ra* to *ag*.
- Amend zoning on the parcels from RA-10 or RA-10/RA-10-P to A-10 (density of one dwelling unit per ten acres is unchanged).
- Add all five parcels to the APD.

Council Staff Comments:

- The Enumclaw APD is not discussed in the study and no changes to it are proposed. Executive staff has stated that the landowner was not interested in joining the APD.
- The existing P-suffix condition prevents any fill from being added to the floodway. This includes fill used for farm pads, which are allowed in the floodway in the underlying Code. Executive staff has stated that the intent is to allow farm pads on this property. Councilmembers may want to consider removing the P-suffix from this parcel to allow a farm pad to be placed within the portion of the parcel to which the P-suffix applies.

2. Map Amendment 2: Woodinville Roundabout Mitigation

Existing KCCP Land Use Designation: Mitigation parcels: Rural Area (*ra*). Roundabout area: None, right-of-way, but formerly Agriculture (*ag*).

Existing Zoning: Mitigation parcels: RA-2.5-P (one dwelling unit per five acres). Roundabout area: none, right-of-way, but formerly A-10 (one dwelling unit per ten acres).

Proposal: Consistent with Motion 15329, this proposal results from a study to "consider changes to the Sammamish Agricultural Production District (APD) boundary to include portions of parcels identified or agreed to by the County for potential acquisition or easement by the City of Woodinville; and (2) consider changes to the urban growth area boundary to incorporate the additional right-of-way on NE 171st Street." This is a result of the incursion into the APD by the City of Woodinville in constructing a roundabout.

The Executive has proposed to add two parcels, currently owned by a church, to the APD as mitigation for this incursion.

The existing P-suffix on the parcels, which limits the parcels to uses permitted in the A zone or to on-site septic systems associated with development on adjacent parcel 1026059094 (not part of this proposal) is proposed to be retained.

Executive recommendation:

- Change the KCCP designation on both parcels from *ra* to *ag*.
- Amend the zoning on both parcels from RA-2.5-P (one dwelling unit per five acres) to A-10-P (one dwelling unit per ten acres).
- Remove the roundabout from the APD.
- Add the roundabout to the Urban Growth Area.

Council Staff Comments:

- Negotiations between the County, the City of Woodinville, and the church that owns the two properties are ongoing. As a result of these ongoing negotiations, the proposal may change before Council adoption of this Map Amendment.

3. Map Amendment 3: White Center North of Dick Thurnau Memorial Park

Existing KCCP Land Use Designation: Urban Residential Medium (*um*)

Existing Zoning: R-6 (six dwelling units per acre)

Proposal: Consistent with Motion 15329, the Executive conducted a study to evaluate the potential of parcels north of Dick Thurnau Park for "a mixed use site, allowing the co-location of affordable housing units, non-residential buildings with social services, co-working spaces, and other potential non-residential uses." The proposal is to upzone one property for this purpose.

Executive recommendation:

- Change the land use designation of the parcel from *um* to *uh* (urban residential, high).
- Amend the zoning of the parcel from R-6 to R-18 (18 dwelling units per acre).
- Adopt code changes to allowed mixed-use development on the property.

Council Staff Comments:

- The Executive intended to transmit changes to the code to allow mixed use development on the site. These changes were not included with the original transmittal package. Executive staff has since provided Council staff with the proposed changes to K.C.C. 21A.12.250.

4. Map Amendment 4: Floodplain Densities

Existing KCCP Land Use Designation: Rural Area (*ra*)

Existing Zoning: RA-5-SO (one dwelling unit per five acres), R-4-P-SO (Four dwelling units per acre)

Proposal: As the outcome of a 2018 docket request, Motion 15329 required the Executive to analyze deletion of Special District Overlay SO-230, which limits development of parcels within sensitive areas to no more than one unit per ten acres, and requires that development to be clustered away from the sensitive areas. The Executive states that existing critical area and floodplain regulations make the overlay no longer necessary.

Executive recommendation:

- Remove the SDO from the properties to which it applies. Maintain land use designations and underlying zoning densities.

Council Staff Comments:

- No policy issues identified.

5. Map Amendment 5a – East Cougar Mountain Potential Annexation Area (PAA)

Existing KCCP Land Use Designation: Urban Planned Development (*upd*).

Existing Zoning: UR-P-SO, R-1-P

Proposal: As an outcome of the 2016 KCCP and a 2017 Docket Request, Motion 15329 required the Executive to "work with the City of Issaquah, the City of Bellevue, and residents in the East Cougar Mountain Potential Annexation Area on potential land use changes and urban growth area boundary changes." The area study states that the Cities of Issaquah and Bellevue have stated that they do not currently intend to annex these three parcels, and the Executive wants to limit growth until such time as annexation is supported.

Executive recommendation:

- Change the land use designation on all three parcels from *upd* to *ra*.
- Change zoning from UR-P-SO (one dwelling unit per five acres) and R-1-P (one dwelling unit per acre) to RA-5 (one dwelling unit per five acres).
- Remove all three parcels from the urban growth area.

Council Staff Comments:

- No policy issues identified.

6. Map Amendment 5b – Special District Overlay SO-070

Existing KCCP Land Use Designation: Rural Area (*ra*), Open Space and Parks (*op*), Urban Planned Development (*upd*)

Existing Zoning: RA-5 (one dwelling unit per five acres), R-1-P-SO (one dwelling unit per acre), UR-SO (one dwelling unit per five acres)

Proposal: Resulting from the same study mentioned in the discussion of Map Amendment 5a above, the Executive proposes to remove the special district overlay that applies to two of the parcels in Amendment 5a, and an additional seven parcels. The overlay sets up the parcels to become part of an urban planned development, which the Executive states is no longer feasible.

Executive Recommendation:

- Remove the special district overlay from these nine parcels and repeal the associated code section.

Council Staff Comments:

- No policy issues identified.

7. Map Amendment 5c – Cougar Mountain Subarea Master Plan Development Condition

Existing KCCP Land Use Designation: Rural Area (*ra*), Urban Residential Low (*ul*), Open Space and Parks (*op*), Urban Planned Development (*upd*)

Existing Zoning: RA-5-P (one dwelling unit per five acres), R-1-P (one dwelling unit per acre), UR-P-SO (one dwelling unit per five acres)

Proposal: Resulting from the same study mentioned in the discussion of Map Amendments 5a and 5b above, the Executive proposes to remove P-suffix condition NC-P01 from the 73 parcels to which it applies. This development condition provides for the future development of a master planned development. The Executive states that the parcel size of the remaining parcels makes such a development infeasible, and the condition should be removed.

Executive Recommendation:

- Remove P-suffix NC-P01 from the 73 parcels to which it applies.

Council Staff Comments:

- No policy issues identified.

8. Map Amendment 6 – Maple Woods Subdivision Stormwater Parcels

Existing KCCP Land Use Designation: Rural Area (*ra*)

Existing Zoning: RA-10 (ten dwelling units per ten acres)

Proposal: Motion 15329 required the Executive to "work 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." The Executive conducted this study and recommended all five parcels for inclusion in the Urban Growth Area. All parcels contain stormwater infrastructure or public facilities.

Executive Recommendation:

- Change the land use on the five parcels, including one which is bisected by the urban growth boundary, from *ra* to *op*.
- Change the zoning on the same five parcels from RA-10 (one unit per ten acres) to UR (one unit per five acres).
- Add the five parcels to the Urban Growth Area.

Council Staff Comments:

- Council staff analysis and discussions with Executive staff and the PAO are ongoing.

Bear Creek UPD

The Bear Creek UPD is governed by three development agreements, which expire in 2020 and 2023. The Executive has proposed permanent land use designations and zoning classifications, in advance of the agreements expiring. There are KCCP and Code changes proposed which are associated with the map amendments.

Map Amendments. All map amendments to the KCCP are found in Attachment D to Proposed Ordinance 2019-0413.

1. **Map Amendment 7.a: Bear Creek UPD - Trilogy Other Parks and Wilderness Land Use**

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *op* (other parks and wilderness) on the critical area tracts, perimeter buffers, and golf course parcels in the Trilogy community.

Council staff comments:

- No policy issues identified.

2. **Map Amendment 7.b: Bear Creek UPD - Village at Redmond Ridge Commercial Land Use and Zoning**

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *cb* (community business center) on 9 parcels.
- Amend the zoning classification from UR-P-SO to CB (Community Business) on 10 parcels.

- Add a P-Suffix condition to one parcel limiting the use to that of self-service storage, as defined KCC 21A.06.1050.
- Add a P-Suffix condition to 9 parcels in the Village at Redmond Ridge prohibiting Gasoline Service Stations, and any associated underground fuel storage tanks.

Council staff comments:

- With the proposed change to CB zoning, there are several uses that are currently allowed by the development agreement that would be either more restrictively regulated or no longer permitted.
- There would also be additional uses allowed with the proposed zoning classification compared to the UPD permit.

3. Map Amendment 7.c: Bear Creek UPD - Trilogy South of Novelty Hill Road Urban Residential, High Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *uh* (urban residential, high) on 6 parcels in the Trilogy community.
- Amend the zoning classification from UR-P-SO to R-24 (Residential, 24 dwelling units per acre) on 11 parcels.

Council staff comments:

- No policy issues identified.

4. Map Amendment 7.d: Bear Creek UPD - Trilogy North of Novelty Hill Road Urban Residential, Medium Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *um* (urban residential, medium).
- Amend the zoning classification from UR-P-SO to R-6 (Urban Residential, 6 dwelling units per acre).
- Amend the zoning classification from UR-P-SO to R-12 (Residential, 12 dwelling units per acre) on 12 parcels.

Council staff comments:

- No policy issues identified.

5. Map Amendment 7.e: Bear Creek UPD - Redmond Ridge Other Parks and Wilderness Land Use

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *op* (other parks and wilderness) on the critical area tracts, perimeter buffers, and private parks within the Redmond Ridge Community.

Council staff comments:

- No policy issues identified.

6. Map Amendment 7.f: Bear Creek UPD - Redmond Ridge Business Park Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *i* (industrial) on 19 parcels in the Redmond Ridge Business Park.
- Change the land use designation from *upd* to *cb* (community business) on 17 parcels.
- Amend the zoning classification from UR-P-SO to I (Industrial) on 20 parcels.

- Add a P-Suffix development condition to 20 parcels prohibiting Meat and Packing Plants; Poultry Slaughtering and Processing; Petroleum Refining and Related Industries; and Primary Metal Industries.
- Amend the zoning classification from UR-P-SO to O (Office) on 21 parcels.
- Add a Special District Overlay to permit additional retail uses in the Business Park consistent with Ordinance 18860, approved in 2019 as an amendment to the UPD approval, after review by the Hearing Examiner to allow additional uses.

Council staff comments:

- With the proposed zoning changes, there are several uses that are currently permitted by the development agreement that would be either more restrictively regulated or no longer permitted.
- Several legally established uses within the business park would also be rendered non-conforming by this map amendment, such as the sports club, a daycare II, and any amusement and recreation business.
- There would also be additional uses allowed with the proposed zoning classification compared to the UPD permit.

7. Map Amendment 7.g: Bear Creek UPD - Redmond Ridge Marketplace Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *nb* (neighborhood business center) on 8 parcels in the Redmond Ridge Marketplace.
- Amend the zoning classification from UR-P-SO to NB (Neighborhood Business).

Council staff comments:

- With the proposed change to NB zoning, there are several uses that are currently permitted by the development agreement that would be either more restrictively regulated or no longer permitted.
- There would also be additional uses allowed with the proposed zoning classification compared to the UPD permit.

8. Map Amendment 7.h: Bear Creek UPD - Redmond Ridge Urban Residential, High Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *uh* (urban residential, high) on 6 parcels.
- Amend the zoning classification from UR-P-SO to R-18 (Residential, 18 dwelling units per acre) on 8 parcels.
- Amend the zoning classification from UR-P-SO to R-24 (Residential, 24 dwelling units per acre) on 1 parcel.

Council staff comments:

- No policy issues identified.

9. Map Amendment 7.i: Bear Creek UPD - Redmond Ridge Urban Residential, Medium Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *um* (urban residential, medium). Amend the zoning classification from UR-P-SO to R-12 (Residential, 12 dwelling units per acre) on 13 parcels.
- Amend the zoning classification from UR-P-SO to R-6 (Residential, 6 dwelling units per acre).

Council staff comments:

- No policy issues identified.

10. Map Amendment 7.j: Bear Creek UPD - Redmond Ridge East Other Parks and Wilderness Land Use

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a

manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from "upd" (urban planned development) to "op" (other parks and wilderness) on the critical area tracts, perimeter buffers, and recreation tracts within the Redmond Ridge East community.

Council staff comments:

- No policy issues identified.

11. Map Amendment 7.k: Bear Creek UPD - Redmond Ridge East Urban Residential, High Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *uh* (urban residential, high) on one parcel within Redmond Ridge East.
- Amend the zoning classification from UR-P-SO to R-24 (Residential, 24 dwelling units per acre).

Council staff comments:

- No policy issues identified.

12. Map Amendment 7.l: Bear Creek UPD - Redmond Ridge East Urban Residential, Medium Density Residential Land Use and Zoning

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Change the land use designation from *upd* to *um* (urban residential, medium).
- Amend the zoning classification from UR-P-SO to R-6 (Residential, 6 dwelling units per acre).

Council staff comments:

- No policy issues identified.

13. Map Amendment 7.m: Bear Creek UPD - Remove P-Suffix Development Condition BC-P04

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the P-Suffix development condition BC-P04 related to the dedication of rights-of-way along Novelty Hill Road, a minor arterial.

Council staff comments:

- No policy issues identified.

14. Map Amendment 7.n: Bear Creek UPD - Remove P-Suffix Development Condition BC-P05

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the P-Suffix development condition BC-P05 related to the dedication of rights-of-way to create what is now developed as Redmond Ridge Drive and Trilogy Parkway, both minor arterials.

Council staff comments:

- No policy issues identified.

15. Map Amendment 7.o: Bear Creek UPD - Remove P-Suffix Development Condition BC-P17

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the P-Suffix development conditions BC-P17 related to the establishment of a review process for the Blakely Ridge (a.k.a. Trilogy) Urban Planned Development.

Council staff comments:

- No policy issues identified.

16. Map Amendment 7.p: Bear Creek UPD - Remove P-Suffix Development Condition BC-P21

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the P-Suffix development condition BC-P21 related to the establishment of a review process for the Northridge (a.k.a. Redmond Ridge) Urban Planned Development.

Council staff comments:

- No policy issues identified.

17. Map Amendment 7.q: Bear Creek UPD - Remove Special District Overlay Development Condition SO-070

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)
Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the Special District Overlay development condition SO-070 related to the designation and purpose of an urban planned development on a specific geography within unincorporated King County.

Council staff comments:

- No policy issues identified.

18. Map Amendment 7.r: Bear Creek UPD - Remove Special District Overlay Development Condition SO-110

Existing KCCP Land Use Designation: Urban Planned Development (*upd*)

Existing Zoning: UR-P-SO

Proposal: Consistent with Motion 15329, this proposal calls for the review and establishment of land use designations and zoning classifications for the Bear Creek Planned Developments (Redmond Ridge, Trilogy, and Redmond Ridge East) in a manner consistent with development patterns in the development agreements and reflecting current conditions in the area.

Executive recommendation:

- Remove the Special District Overlay development condition SO-110 related to the designation and purpose of a fully contained community on a specific geography within unincorporated King County.

Council staff comments:

- This proposed amendment would remove the Special District Overlay development condition SO-110 from all of the parcels to which it is currently applied.

KCCP Changes and Code Additions. The Executive proposes changes to the KCCP and the Code that accompany these map amendments:

- In Chapter 11, lead-in text is proposed to be modified to reflect the changes in the map amendments, and the expiration of the development agreements.
- In Section 53 of the Proposed Ordinance, a new Special District Overlay is proposed that would permit additional retail uses in the office zone consistent with the UPD approval, as amended in 2019. This SDO is applied to Map Amendment 7.f.
- In Section 56 of the Proposed Ordinance, two existing SDOs associated with the Bear Creek UPD are proposed to be repealed.

Council staff comments:

- No policy issues identified