## STAFF REPORT

|  |  |  |  |
| --- | --- | --- | --- |
| **Agenda Item:** | 6, 7 | **Name:** | Christine Jensen |
| **Proposed No.:** | 2016-01552016-0159 | **Date:** | August 16, 2016 |

**SUBJECT**

A briefing on the proposed 2016 update to the King County Comprehensive Plan (KCCP).

**SUMMARY**

This year marks a four-year, “major” update to the KCCP, which allows for consideration of substantive policy changes to the Plan and potential revisions to the Urban Growth Area (UGA). The Executive transmitted the proposed 2016 KCCP to the Council on March 1. The Council is in the process of reviewing and deliberating on the Executive’s proposal. The Council’s review thus far has included eight briefings in the Transportation, Economy and Environment Committee (TrEE). Three more TrEE briefings are scheduled over the next month, which will lead up to possible action in TrEE on September 20 and possible final adoption at the full Council in late 2016.

Today’s briefing will be a follow-up on issues identified in:

* Previous TrEE briefings across all KCCP chapters,
* The development code ordinance (Proposed Ordinance 2016-0155), and
* The Real Property Asset Management Plan ordinance (Proposed Ordinance 2016-0159).

Follow-up on land use proposals will be discussed at the August 24 special TrEE meeting.

**BACKGROUND**

The KCCP is the guiding policy document for land use and development regulations in unincorporated King County, as well as for regional services throughout the County, including transit, sewers, parks, trails, and open space. The King County Code dictates the allowed frequency for updates to the KCCP.

**Annual cycle.** On an annual basis, only technical changes and other limited amendments to the KCCP are allowed to be adopted.[[1]](#footnote-1) This is known as the “annual cycle.” While the Code states that the KCCP “may be amended” annually,[[2]](#footnote-2) it is not required to be reviewed or amended on an annual basis.

**Four-year cycle.** Substantive changes to policy language and amendments to the UGA boundary[[3]](#footnote-3) are only allowed to be considered once every four years.[[4]](#footnote-4),[[5]](#footnote-5) This is known as the “four-year cycle.” The Code requires the County to complete a “comprehensive review” of the KCCP once every four years in order to “update it as appropriate” and ensure continued compliance with the Growth Management Act (GMA).[[6]](#footnote-6) The Code requires the Executive to transmit to the Council a proposed ordinance amending the KCCP once every four years.[[7]](#footnote-7) However, the Code does not require the Council to adopt a KCCP update during the four-year cycle.[[8]](#footnote-8) This year’s four-year review of the KCCP is the fifth major review since 2000.

**GMA update requirements.** It is worth highlighting how the County’s KCCP cycles fit into the GMA planning cycles. The GMA requires cities and counties to update their comprehensive plans once every eight years.[[9]](#footnote-9) The GMA authorizes, but does not require, cities and counties to amend their comprehensive plans annually.

For King County, the GMA-established plan update deadlines are in 2015 and 2023. For the purposes of the GMA, the 2012 update to the KCCP[[10]](#footnote-10) satisfied the State’s requirement to update the County’s comprehensive plan by 2015. The GMA does not require the County to complete another comprehensive update until 2023. Under the County's current policies and Code, the County will complete this update in the 2020 four-year cycle.

Under the County's policies and regulations, the 2016 review of the KCCP constitutes a “four-year amendment.” However, under GMA requirements, the County's 2016 review is subject to the rules applicable to an “annual amendment,” which is not a required action.

**Actions to date for the 2016 KCCP.** In May 2015, the Council adopted the Scoping Motion[[11]](#footnote-11) for the 2016 KCCP update, a link to which is provided at the end of the staff report. The Scoping Motion outlined the key issues the Council and Executive identified for specific consideration in the forthcoming KCCP update. While the scope of work approved through the Scoping Motion was intended to be as thorough as possible, it does not establish the absolute limit on the scope of issues that can be considered. Based on subsequent public testimony, new information, or Council initiatives, other issues may also be considered by the Executive or the Council – except for UGA expansion proposals, which must follow the limitations of KCCP policy RP-107[[12]](#footnote-12) as discussed in the Area Zoning Studies and Land Use Map Amendments section of the March 15 staff report.[[13]](#footnote-13)

King County Code (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 KCCP and any implementing development regulations. As part of that public engagement process, the Executive published a Public Review Draft (PRD) of the KCCP on November 6, 2015, which was open for public comment through January 2016.[[14]](#footnote-14) During that time, the Executive hosted six PRD community meetings: one each in Fairwood, Skyway, Fall City, Issaquah, and two in Vashon. A summary of the Executive’s outreach efforts can be found in Appendix R “Public Outreach for Development of KCCP.” A detailed listing of all of the public comments received during development of the Plan can be found in the Public Participation Report that is located on the Council’s KCCP website.[[15]](#footnote-15)

On March 1, the Executive transmitted the proposed 2016 update to the KCCP. Council review of the transmitted 2016 KCCP thus far has included eight briefings in the TrEE Committee, as well as numerous opportunities to submit written or verbal public comment. Three more TrEE briefings are scheduled over the next month, leading up to possible action in TrEE on September 20 and possible final adoption at the full Council in late 2016. As noted above, today’s briefing will be a follow-up on issues identified in previous TrEE briefings across all KCCP chapters, the development code ordinance (Proposed Ordinance 2016-0155), and the Real Property Asset Management Plan ordinance (Proposed Ordinance 2016-0159). Follow-up on land use proposals will be discussed at the August 24 special TrEE meeting.

**ANALYSIS**

**How the Analysis section is organized.** The analysis in this staff report includes updates on previous policy issues identified by Council staff in each of the chapters of the transmitted 2016 KCCP, including:

* Any issues or inconsistencies with adopted policies and plans,
* Inconsistencies with the Scoping Motion, and
* Highlights of any additional issues for Council consideration.[[16]](#footnote-16)

This staff report includes discussion of these issues in:

Chapter 1 Regional Growth Management Planning Page X

Chapter 2 Urban Communities Page X

Chapter 3 Rural Areas and Natural Resource Lands Page X

Chapter 4 Housing and Human Services Page X

Chapter 5 Environment Page X

Chapter 6 Shorelines Page X

Chapter 7 Parks, Open Space and Cultural Resources Page X

Chapter 8 Transportation Page X

Chapter 9 Services, Facilities and Utilities Page X

Chapter 10 Economic Development Page X

Chapter 11 Community Service Area Planning Page X

Chapter 12 Implementation, Amendments and Evaluation Page X

Proposed Ordinance 2016-0155 Development Code Page X

Proposed Ordinance 2016-0159 Real Property Asset Page X

Management Plan

**Chapter 1 Regional Growth Management Planning**

The policies in Chapter 1 address the King County planning framework,[[17]](#footnote-17) regional partnerships, and planning objectives.

Update on key issues in Chapter 1 of the transmitted 2016 KCCP:

**King County Strategic Plan.** In 2010, the King County Council adopted the “King County Strategic Plan, 2010‑2014: Working Together for One King County" through Ordinance 16897. In 2015, the King County Council passed Motion 14317, which adopted new goals and initiated an update of the Strategic Plan. The Council is evaluating the proposed updates to Chapter 1, and the rest of the KCCP, to ensure consistency with the most recent adopted goals of the Strategic Plan.

**Guiding Principles structure.** The transmitted 2016 KCCP proposes to relocate the 2012 Guiding Principles polices from the Introduction into the second half of Chapter 1 and to change the name of these policies from “Guiding Principles” to “Planning Objectives.” The Council has been evaluating the reference to these policies as “Planning Objectives” within the context of the KCCP and whether they should be returned to their former definition as “Guiding Principles.”

**Amendments to Guiding Principles.** The Council is evaluating the impacts of the changes to the former Guiding Principles policies in the transmitted 2016 KCCP, including:

* **Benefits of county activities.** RP-201 of the transmittal amends a 2012 Guiding Principle to state that the County shall seek to ensure that all County activities provide social, environmental and economic benefits. This proposed language is broad and it is unclear how this would be defined, measured, or enforced. The Council is evaluating language to clarify how the benefits and impacts of County activities could be addressed.
* **Existing UGA.** RP-203 of the transmittal amends a 2012 Guiding Principle, which now calls for focusing growth within the “existing” UGA consistent with adopted growth targets. It appears that this policy change is intended to be consistent with general growth management principles in the GMA, Multicounty Planning Policies (MPPs), Countywide Planning Policies (CPPs), and 2012 KCCP to focus growth within the UGA. However, changing the policy to the focus on the “existing UGA” could limit consideration of UGA expansions that are currently allowed under the current CPPs and KCCP. The Council is evaluating language that would be more consistent with the current policies.
* **Equity and Social Justice (ESJ) integration.** The transmitted 2016 KCCP includes text in the Planning Objectives section stating that countywide services, such as recreation, transit service, and public health, will be focused on cities in the contiguous UGA. Additionally, a new map has been proposed for this section that shows a composite of concentrations of three types of historically disadvantaged communities, which could imply that ESJ considerations may be less of a factor in planning in rural and natural resource areas. While the map and its accompanying text is not located in policy, it does imply intent for County operations and could indicate that some services, including recreation and public health, could be less available to:
	+ Residents of cities in eastern King County, such as Carnation, Duvall, Enumclaw, North Bend, Skykomish, and Snoqualmie.
	+ Urban unincorporated residents, such as those in Fairwood, Highline, Skyway-West Hill, and White Center.
	+ Residents in the rural area.

The Council is evaluating the inclusion of this map and associated text and whether it should it be replaced with text that focuses on indicators of disparities as defined by the Determinants of Equity, rather than focusing on certain populations.

**Chapter 2 Urban Communities**

The policies in Chapter 2 address development in urban unincorporated areas; creating healthy and sustainable communities; coordination with cities regarding urban unincorporated areas; and strategies with respect to annexations.

Update on key issues in Chapter 2 of the transmitted 2016 KCCP:

**Green Building.** The transmittal proposes a new reference to Green Building techniques in policy U-133. The County has not yet adopted Green Building code requirements and/or encouraged standards for private development. Instead, the transmitted 2016 KCCP proposes to reference the County’s “Green Building Handbook”[[18]](#footnote-18) in lead-in text, which the Executive has not transmitted for Council review or legislative action. In the meantime, due to staffing constraints in the Department of Permitting and Environmental Review, the timeline for adopting such Green Building requirements or standards in the code is currently unclear.[[19]](#footnote-19)

This issue also applies to:

* Policy R-336a in Chapter 3, which encourages the County to adopt and implement Green Building codes that are appropriate, ambitious and achievable, and that respect and support rural character;
* Policy F-215a in Chapter 9, which encourages the County to plan to achieve net-zero greenhouse gas emissions associated with new residential and commercial buildings built in King County by 2030; and
* Policy ED-501a in Chapter 10, which calls for to promoting green and smart building practices throughout private, public and residential uses.

The Council is evaluating approaches on how to address Green Building issues in the KCCP, including potentially requiring transmittal of the Green Building Handbook for Council review and approval.

**Urban facilities/School siting.**  In the transmittal, policy U-109 is amended to state that facilities serving urban development, such as new medical, governmental, educational, and institutional development, shall be located in the UGA. This proposed change would go further than the current school siting policies by requiring that any facilities serving any urban areas be sited in the UGA. This is more far-reaching because it would:

* Apply to facilities serving any portion of the urban areas, rather than those that “primarily” serve urban areas.
* Apply to any facilities serving urban areas, not just schools and institutions.
* Specifically require any medical and governmental development that serves any portion of the urban areas to be located in the UGA, which could imply future changes to the current code provisions that allow these uses to be sited in the rural area under certain conditions.

The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

**Approach to Rural Cities Potential Annexation Areas (PAAs).** The transmitted 2016 KCCP includes revisions to several maps that propose to make a distinction between potential annexation areas: some would still be designated “PAAs” and some would now be designated “City in the Rural Area UGAs.” No policy changes have been proposed in the transmitted 2016 KCCP to address this differentiation between the two designations in the maps. Absent further direction in the Plan, the changes in the maps could imply that the PAA policies in the KCCP do not apply to the City in the Rural Area UGAs. Additionally, there are split designations for Maple Valley’s unincorporated urban areas, which may cause confusion. The Council is evaluating these proposed changes to ensure consistency with existing policies and designations.

**Chapter 3 Rural Areas and Natural Resource Lands**

The policies in Chapter 3 address rural residential, rural commercial, forestry, agricultural, and mineral resource areas. Policies regarding the County’s approach to Cities in the Rural Area are also included in this chapter.

Update on key issues in Chapter 3 of the transmitted 2016 KCCP:

**“Rural Areas” definition and usage.** The definition in the glossary for “Rural Area” is proposed to be updated to clarify that it is a collective geography that includes Rural Towns, Rural Neighborhood Commercial Centers, and rural residential zoned properties. This change makes it clearer that Natural Resource lands are distinct from Rural Area lands. The terminology for “Rural Cities” is also proposed to be updated to “Cities in the Rural Area” to reflect that they are urban geographies that are located in the rural area and outside of the contiguous UGA. Where appropriate, the use of these terms is clarified throughout the transmitted 2016 KCCP; the majority of these changes can be found in Chapter 3**.** Staff is continuing to analyze these proposed changes to ensure consistency with existing policy intent.

**Local Food Initiative.** Several proposed policy changes relate to implementation of the Executive’s Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council may desire to evaluate the underlying goals of this program before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative. Staff analysis of these proposed changes is ongoing.

**ESJ integration.** New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address ESJ considerations in services for rural residents in Chapter 3.

**Nonresidential/urban uses in the Rural Area.** Proposed changes to two policies, R-324 and R-201, would limitnonresidential uses in the rural area. The proposed changes are more limiting than existing restrictions regarding schools, institutions, and community facilities listed in R-326, which could affect the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA. The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

**Farm, Fish, Flood.** The transmitted 2016 KCCP does not include specific references to the Farm, Fish, Flood watershed planning process for the Snoqualmie Valley Agricultural Production District (APD), as this process was not complete as of March 1, when the proposed KCCP was transmitted. Since transmittal, the initial Farm, Fish, Flood Advisory Committee has completed its work and the Council is now evaluating possible changes to lead-in text and to policies R-649 and R-650 that reflect the recommendations of the Advisory Committee.

**Mining.**The transmitted 2016 KCCP modifies policy R-689, relating to the conditions and mitigations for mining operations. Climate change is added to the list of issues which should require mitigation. Other descriptive text also includes discussion of climate change and mining resources. Executive staff have noted that the intent of these changes is to address the impact of the transport and burning of coal. However, the transmitted policy language in R-689 is not specific to coal and would apply to all mining activities, including mineral resource lands designated as having long-term commercial significance under the GMA.[[20]](#footnote-20) Executive staff also note that the required mitigation in the policy could apply to either associated individual or cumulative impacts to global warming. It is unclear how the cumulative impacts would either be assessed or then be addressed on an individual basis. To implement this proposed policy direction, Executive staff note that the County’s SEPA authority could be used to mitigate the effects of climate change by either conditioning or denying mining proposals; though, the standards for how such determinations would be made is not yet established. The Council is evaluating this proposed change as it relates to impacts to all mining activities.

**Chapter 4 Housing and Human Services**

Chapter 4 is a new chapter that addresses King County’s regional role in promoting housing choice and opportunity, as well as regional health and human services.

Section I of this chapter covers King County’s regional role in strengthening housing linkages with transportation; enforcing housing and land use regulations; coordinating regional affordable housing funding, resources, and programs; and supporting housing stability.

Section II focuses on King County’s regional role in providing health and human services, with a specific focus on the County’s efforts to define, build, sustain and coordinate regional service-delivery systems; to emphasize services and opportunities that are prevention-focused, strengthen resilience and may reduce needs for costlier, acute care or crisis interventions; to lead and support place-based initiatives; to address the social determinants of health and the built environment; to develop and implement mandated county-wide specialty systems; and to increase the participation in program development and delivery of residents living in communities with disproportionate outcomes.

Update on key issues in Chapter 4 of the transmitted 2016 KCCP:

**Timing of housing policies.** The transmitted 2016 KCCP includes policy language that is inconsistent with or in advance of currently adopted County housing policies. Staff anticipates that legislation may be transmitted during 2016 to address these inconsistencies related to:

* Supporting increased density, either as part of mandatory or incentive policies, particularly near high-capacity transit, or for higher-density housing styles, such as micro-housing.
* Increasing tenant protections beyond current adopted policy.
* Encouraging integration of healthy housing elements.

The Council is evaluating the timing and implementation implications of these proposed changes.

**Surplus property.** There are several proposed changes to how the County could handle surplus property sales within policy H-157 that may conflict with adopted policy, including:

* Expanding use of surplus property “at a discount” for affordable housing could conflict with policies dictating that funds generated from the sale of some properties must be wholly returned to the department or fund that purchased them. The Council is evaluating whether to add language such as “consistent with funding source limitations” to address this issue.
* The ability to sell property “at a discount” is also not currently clearly reflected in the King County Code. The Council is evaluating whether to clarify the relevant sections of the Code or make changes to the policy in the transmitted 2016 KCCP.
* Allowing for the discounted sale of property for “other community benefits,” which are currently undefined and would be determined through a community process. The Council is evaluating whether to clarify or define these benefits either in the 2016 KCCP or in the Code.

The Council is evaluating these proposed changes for consistency with existing surplus property funding and process requirements.

**Housing policies’ relevance to non-urban King County.** The housing policies of the KCCP were purposefully moved out of Chapter 2 Urban Communities and into a standalone chapter for application to both urban and rural areas. However, several policies as proposed only apply to the UGA. For example, Policy H-102 would require the County to encourage and reduce barriers to a wide range of housing, but retains 2012 language limiting this requirement to UGAs. In addition, policy H-103 proposes to remove a current reference to “Rural Towns,” leaving it to apply to UGAs only. The Council is evaluating how to approach these policies and whether to encourage a wide range of housing throughout the County in support of ESJ and other goals.

**Timing of health and human services policies.** In the case of health and human servicesinitiatives for which planning is underway, staff expects legislation to be transmitted during 2016 to align with the transmitted 2016 KCCP. Specifically:

* Best Starts for Kids Implementation.
* Mental Illness and Drug Dependency (MIDD) levy renewal.
* Behavioral health integration in accordance with Second Substitute Senate Bill (2SSB) 6312.[[21]](#footnote-21)

The Council is evaluating the timing and implementation implications of these proposed changes.

**Board of Health healthy communities planning.** Changes to two policies, H-153 and H-204, are consistent with recommendations the Board of Health has adopted to integrate health and equity into County planning and housing development. However, the Council has not yet adopted policy in these areas. Public Health and Board of Health staff note that the Board of Health materials need to be updated, but there is no plan as of yet about the mechanism for updating these materials nor for the substantive updates themselves. The Council is evaluating the timing and implementation implications of these proposed changes.

**Chapter 5 Environment**

The policies in Chapter 5 address the natural environment, including critical areas, endangered species, water quality, air quality, shorelines, fish and wildlife resources and habitat, non-native plant and animal species, climate change, surface water management, and monitoring and adaptive management.

Update on key issues in Chapter 5 of the transmitted 2016 KCCP:

**ESJ integration.** New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address environmental and climate justice in Chapter 5.

**SCAP and K4C lead-in text.** The transmitted 2015 KCCP has been updated to include the targets and strategies of the 2015 Strategic Climate Action Plan (SCAP). For example, the proposed changes include text that restates the commitments identified in the SCAP that are necessary to achieve King County’s operational Greenhouse Gas (GHG) reduction targets. These include listing the specific targets for growing transit service, alternative fuels in County fleets, and energy use. The most significant modification to the 2012 climate related goals is the inclusion in the text of the countywide climate commitments included in the SCAP that were developed by King County and the King County Cities Climate Collaboration (K4C). These include listing the specific targets for reducing vehicle miles traveled, energy reduction, green building, and recycling countywide. Achieving these targets will require significant efforts beyond the County’s control. The Council is evaluating how and whether to restate these specific goals and targets of implementation plans in the KCCP.

**Wetland and groundwater protections.** Policies E-425, F-475, E-481, E-483, E-497, and E-499c related to wetland and groundwater regulations, include substantive policy modifications. The Council is evaluating these changes for consistency with current federal, state, and King County Code requirements.

**Failing septic systems.** Policy E-499i related to strategies to address failing septic systems is proposed to be strengthened. The Council is evaluating this policy for consistency with similar policies in the Plan, such as in Chapter 9 Services, Facilities and Utilities.

**Chapter 6 Shorelines**

The policies in Chapter 6 comprise King County’s Shoreline Master Program (SMP), which addresses the management and conservation of the shoreline jurisdiction in the county as required by RCW 90.58.

Update on key issues in Chapter 6 of the transmitted 2016 KCCP:

No issues identified.

**Chapter 7 Parks, Open Space and Cultural Resources**

The policies in Chapter 7 address King County’s parks, recreation and open space system, as well as the County’s cultural resources.

Update on key issues in Chapter 7 of the transmitted 2016 KCCP:

**Open Space Plan.** The Council adopted the 2016 Open Space Plan on June 27, 2016 via Ordinance 18309. Staff analysis of that plan has indicated that the 2016 Open Space Plan is consistent with both the existing (2012) Comprehensive Plan, as well as with the proposed (2016) Comprehensive Plan.

**ESJ integration.** New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address the proposed removal of P-121, which required the consideration of equity in the open space system to help in the reduction of health disparities.

**Chapter 8 Transportation**

The policies in Chapter 8 address transportation, including unincorporated area roads, Metro Transit services, operation of Sound Transit light rail and some express buses, operation of Seattle streetcars, passenger ferries, and the King County International Airport (KCIA). For the unincorporated area, policies set Level of Service (LOS) standards and define components of the Transportation Concurrency Program and Mitigation Payment System, which are further defined in the King County Code.

Update on key issues in Chapter 8 of the transmitted 2016 KCCP:

**Regional Growth Strategy.**  Proposed new language in policy T-231 refers to the “regional growth strategy,” but does not clearly define the meaning of this term. Lead-in text in the transmittal states that with respect to transportation, the Puget Sound Regional Council’s (PSRC) Vision 2040, Transportation 2040, and transportation-related Countywide Planning Policies “outline and support a regional growth strategy.” The Council is evaluating additional lead-in text in the Plan, such as in Chapter 1 Regional Growth Management Planning, to further clarify this term.

**Air transportation.** The Scoping Motion called for updating policies to support the KCIA master plan. The transmitted 2016 KCCP does not propose updates to Air Transportation policies (T-317, T-318, T-319, and T-504). The Council is evaluating possible policy language to address this issue.

**Chapter 9 Services, Facilities and Utilities**

The policies in Chapter 9 address the County’s role as a regional service provider, the facilities and services necessary to carry out that regional service provider role, and also information about energy and telecommunications.

Update on key issues in Chapter 9 of the transmitted 2016 KCCP:

**Compliance with the Growth Management Act (GMA).** Chapter 9, as transmitted, contains a number of new references to either the GMA in general or to specific elements of the GMA, some of which may not be consistent with current regulations. Specifically, a transmitted change in F-102 indicates that the GMA contemplates cities as the coordinators for the provision of local government services. This policy is located in the regional services section of Chapter 9 and, therefore, doesn’t mention the role of the County as a local government service provider. Additionally, this language may not fully capture the potential role of special purpose districts as service providers. The Council is evaluating these GMA-related changes throughout Chapter 9.

**ESJ integration.**  The transmittal includes significant integration of ESJ principles throughout Chapter 9. The Council is evaluating these proposed changes for possible strengthening, consistent with ESJ principles.

**Utilization of existing facilities.** In F-206, the transmitted 2016 KCCP would make a change that would encourage public and private service providers to make their facilities available for meeting spaces that can be accessed by the community. The Council is evaluating this policy to ensure it adequately addresses risk levels given the County’s numerous specialized facilities.

**Net positive environmental benefits.** The transmitted 2016 KCCP includes a new policy F-215b for King County to guide practices that build and operate buildings and infrastructure that result in regenerative and net positive benefits related to energy, water, other resources and GHG emissions. It is not clear from the language whether this policy applies to County owned properties, privately owned properties, or both. A similar policy can be found in F-217c. The Council is evaluating clarifying language for these policies.

**Failure to consider cost.** Chapter 9, as transmitted, includes a number of policies related to environmental conservation and energy efficiency. However, policies F-217d and F-314 do not include a specific cost consideration. The Council is evaluating these policies for consideration of cost impacts.

**Green building requirements for County owned projects.** Consistent with the SCAP, the transmitted 2016 KCCP updates policy F-217 related to LEED certification and sustainable building requirements. The requirement for LEED Gold certification has been replaced with a requirement for LEED Platinum. Policy F-217 does not distinguish between new construction and major remodels and renovations. Currently, King County Code 18.17.020 requires new construction to plan to achieve LEED Platinum if certain cost limitations are met, whereas major remodels and renovations are to plan to achieve Gold. The Council is evaluating this proposed change for consistency with the Code.

**Wastewater systems.** The transmitted 2016 KCCP includes several proposed changes to wastewater policies that are unclear as currently drafted:

* In policy F-235, the transmittal requires homeowners and/or associations to ensure connection to the public water systems in a timely manner. It does not identify what duration of time is meant by “a timely manner,” nor does it identify who should determine or how that duration of time is to be determined.
* In F-261, the transmittal proposes that the policy on conversion from septic to sewer be used only as a last resort. However, the language does not indicate who would determine this or how that determination of last resort is made.
* In F-262, the proposed policy amendment would require lot consolidation as a precondition to getting approval to establish a collective on-site system. It does not define, nor does it identify an agency or standard to be used, in determining how it will be known whether the required consolidation has been completed.
* In F-264, the proposed policy amendment would limit rural area connection to the sewer system to areas where septic or other on-site methods has been determined not to be feasible. The policy does not indicate a process or agency in charge of making that determination.

The Council is evaluating these policies for potential clarification.

**Chapter 10 Economic Development**

The policies in Chapter 10 address economic development, including general policies, business development, workforce development, infrastructure, sustainable development in the private sector, and the rural economy.

Update on key issues in Chapter 10 of the transmitted 2016 KCCP:

**ESJ integration.** New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address equity in economic development programs and policies in Chapter 10.

**Local Food Initiative.** Several policy changes relate to implementation of the Executive’s Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council is evaluating ways to review the underlying goals of this program before adopting the proposed 2016 KCCP policy changes. Staff analysis of these proposed changes is ongoing.

**Nonresidential/urban uses in the Rural Area.** Proposed changes to infrastructure development policies, ED-401 and ED-404, more clearly state the County’s support for infrastructure and facilities related to economic development that are consistent[[22]](#footnote-22) with the locations in which they are sited. These changes appear to relate to other proposed changes elsewhere in the Plan,[[23]](#footnote-23) which further limit siting urban or largely urban serving uses or facilities in the rural area. The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

**Rural Economic Strategies (RES).** The existing and amended policies in the transmitted 2016 KCCP are not inconsistent with the 2013 RES Plan[[24]](#footnote-24) policies. However, the Scoping Motion called for advancing the RES strategies and policy direction in the 2016 KCCP. The transmitted 2016 KCCP includes new language in ED-603 about the importance of food and forest processing in the regional economy and a new policy ED-606 calling for economic analysis and development of the local food system. However, the other policy issues in the 2013 RES Plan are not addressed.[[25]](#footnote-25) The Council is evaluating Chapter 10, including policy ED-602, for potential refinement consistent with the 2013 RES Plan.

**Place-based workforce training.** The Scoping Motion called for considering inclusion of “policies for place-based workforce training strategies in communities with education and opportunity challenges.” None of the policies directly call for place-based workforce training. The Council is evaluating potential inclusion of policy language to address this in Chapter 10.

**Chapter 11 Community Service Area Planning**

The policies in Chapter 11 of the transmitted 2016 KCCP address unincorporated area community plans that have been incorporated into the KCCP.

Update on key issues in Chapter 11 of the transmitted 2016 KCCP:

**Community plans cleanup.** The transmittal proposes to update the existing community plans in the KCCP by amending or removing polices the Executive had originally identified as outdated. The Council is evaluating whether any substantive amendments to the Community Plans should wait for the subarea planning process for each of the geographies to be complete.

**Chapter 12 Implementation, Amendments and Evaluation**

The policies in Chapter 12 outline how the policies of the KCCP should be implemented and monitored; how and when to amend the KCCP; and the role of land use zoning in the planning process.

Update on key issues in Chapter 12 of the transmitted 2016 KCCP:

**ESJ integration.** New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address incentives for areas of the county with the most disparate outcomes in health and housing in Chapter 12.

**Mining site conversion demonstration project.** Policy I-203 is proposed to be amended to remove the option to consider policy or land use changes related to a mining site conversion demonstration project as part of the annual KCCP amendment cycle. Thisallowance was originally added to the KCCP by the Council in 2012. Since 2012, no ordinance for such a demonstration project has been transmitted by the Executive or introduced by the Council. However, since transmittal of the 2016 KCCP, a mining site property owner that is impacted by this proposed policy change has since come forward indicating that work on a demonstration project proposal is ongoing and requested that the annual cycle allowance in I-203 be maintained.[[26]](#footnote-26) Conversely, the Council has also received public comments from residents and community groups that have indicated support for the Executive’s proposed removal of the allowance. The Council is evaluating how to move forward with this policy in this context.

**Benchmark Program/Performance Measures Program.** The transmitted 2016 KCCP removes references to the County’s Benchmark Program, which implements the monitoring and evaluation of achieving the Regional Growth Strategy as required by KCCP policy I-203 and Countywide Planning Policy (CPP) G-2. This is proposed to be addressed in the Workplan through creation of a new Performance Measures Program in 2017 that will then be implemented in 2018. The Council is evaluating whether to clarify the benchmarking standards in the meantime.

**Workplan clarity.** The transmitted 2016 KCCP proposes a new format for the Workplan by including it in the Plan itself instead of in the underlying adopting ordinance. In previous KCCP updates, the Workplan items that were included in the adopting ordinance included very specific deadlines and reporting requirements for each item; for example:[[27]](#footnote-27)

“The report required by this subsection shall be transmitted to the council by June 1, 2013. The report must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the lead staff for the transportation, economy and environment committee, or its successor.”

The transmitted 2016 Work Program, as proposed, includes less specific language; for example:[[28]](#footnote-28)

* *Timeline:* 2018; one-year process
* *Outcomes:* County-led and consultant supported task force, feasibility report and final report.
* *Leads:* Office of Performance Strategy and Budget, Department of Natural Resources and Parks.

As currently written, it is unclear when, how, or if the Council would receive copies of the report in this example. This format is consistent across the majority of the Workplan items proposed in the transmitted 2016 KCCP. The Council is evaluating whether to add more direction on the timelines, outcomes, and reporting requirements for the 2016 Workplan items.

**Proposed Ordinance 2016-0155 and Development Code Proposals**

Proposed Ordinance 2016-0155 adopts the 2016 KCCP, as well as associated code amendments. This portion of the staff report reviews the code changes in the Proposed Ordinance, as well as the development code proposals called for in the Scoping Motion.

Update on key issues in Proposed Ordinance 2016-0155:

**Agricultural Uses.** The changes in the Proposed Ordinance include several policy considerations the Council has been reviewing, including:

* whether the inclusion of new, broad uses within the existing permitted use table structure is appropriate;
* whether these new uses should be allowed in the zoning districts shown, or whether they should be allowed in other zones (such as the Urban Reserve zone, as currently allowed in the Code);
* whether the proposed development conditions for the new uses are adequate;
* whether the requirement that 60 percent of products be grown or processed in Puget Sound counties, proposed to be retained and expanded in the Proposed Ordinance, is appropriate;
* whether the language for the new administrative review process proposed to allow increases to the square footage allowed for some "Agricultural Activities" and to approve "Agricultural Support Services" is clear enough; and
* whether the proposed changes have unintended impacts on other requirements of the County’s development regulations, such as the landscaping and parking standards.

The Council is evaluating these issues for possible refinement as part of the 2016 KCCP.

**Winery Study.** The Executive is currently conducting a study regarding the wineries in the Sammamish Valley APD area, and intends to make recommendations on policy and code changes later this summer for possible inclusion in the 2016 KCCP. When the study is complete, the Council will evaluate how to incorporate the recommended policy and code changes into the 2016 KCCP update.

**Development Code Proposals.** The Scoping Motion included direction for six development code proposals. In response to this direction, the Executive completed development code studies for these six items , which are summarized in Table 1. The Proposed Ordinance includes code changes for items 1 and 5, both related to the agricultural land policy and agricultural use permitted uses. Item 3, regarding micro-housing and similar uses, was recommended for approval by its development code study, but no code changes were included in the Proposed Ordinance, nor as part of a separate ordinance. The Council is evaluating whether to include any code changes related to the non-included and/or non-recommended code proposals from the Scoping Motion in this Ordinance.

**Table 1 – Summary of Development Code Study Items Identified by Scoping Motion**

| **Item #** | **Proposal in Scoping Motion** | **Executive Recommendation** | **Location in PO 2016-0155** |
| --- | --- | --- | --- |
| 1 | Code amendments for agricultural supportive and dependent uses to support viable and sustainable agricultural products. | Significant changes in Title 21A addressed above.Conduct a winery study in the Sammamish APD and surrounding area, to be completed in summer 2016. Incorporate recommendations in the 2016 KCCP at that time. | Throughout |
| 2 | Code flexibility for alternative temporary lodging, such as treehouses and structures associated with re-creations of historic communities. | Code amendments not recommended. Instead, use existing procedures in the Building Code for "alternative methods and materials." | N/A |
| 3 | Consider code flexibility for alternative housing models, such as micro-housing. | Add a definition, zoning allowance, and building code templates for micro-housing, as well as tiny houses, recreational vehicles, and apodments.These recommendations were not included in PO 2016-0155. Executive staff report that the recommendations in the development code study were not final, and that departments continue to review what appropriate regulations should be proposed to Council. | N/A |
| 4 | Code changes regarding ingress/egress for new plat proposals, including space needed for traffic queuing. | Do not change Title 21A or the King County Road Standards. | N/A |
| 5 | Consolidate code sections related to agricultural lands policy. | Repeal most of K.C.C. 20.54, repeal K.C.C. 26.08, amendment Title 21A to make agricultural use tables more consistent with agricultural lands policies. | Section 7 – 19,Section 37 |
| 6 | Code changes to allow extensions for preliminary plat approvals. | Do not change the code to allow for any extensions to preliminary plats.If the Council determines an amendment is necessary, limit to one-time for one year. | N/A |

**Proposed Ordinance 2016-0159**

**Real Property Asset Management Plan**

Consistency with the Scoping Motion

**Real Property Asset Management Plan (RAMP).** The RAMP is a policy guidance document for the management of King County real property assets for which the Facilities Management Division (FMD) is responsible. It addresses space standards, current and future space needs, a policy framework regarding County facility development, and the County facility planning work program.

The King County Code[[29]](#footnote-29) currently requires the RAMP to be included as a part of Technical Appendix A and as a component to the Comprehensive Plan. On March 1, the Executive transmitted the 2016 RAMP as a proposed ordinance (Proposed Ordinance 2016-0159) that is separate from the 2016 KCCP (Proposed Ordinance 2016-0155). The GMA and the County Code require Comprehensive Plan amendments to be considered and adopted through a consolidated process. With regard to the RAMP, the Council has been considering the separate RAMP ordinance as part of the same process as the 2016 KCCP ordinance.

Update on key issues in Proposed Ordinance 2016-0159:

**Connection to KCCP.** While the County Code currently requires that the 2016 RAMP must be adopted concurrently with the Comprehensive Plan, the RAMP is more of an internal, strategic and operational plan than a growth management related document. As such, there is an option to decouple future RAMPs from the Comprehensive Plan. Because the RAMP is itself an integrated document, the split should be made wholesale rather than piecemeal (i.e., it is not practical to pick-and-choose specific sections of the RAMP to be retained within the Comprehensive Plan), though some high-level policy language may need to be integrated into Chapter 9 Services, Facilities and Utilities to provide general policy direction to the RAMP. The Council is evaluating how this could most efficiently be accomplished should the Council pursue this option.

**Level of detail.** The 2016 RAMP (and previous RAMPs) includes point-in-time information on the County’s real property assets. The Council may wish to consider the long-term nature of the RAMP and how that may impact what Councilmembers wish to see in the RAMP, i.e., whether the inclusion of near-term projects is valuable in a document updated on a four-year cycle. In the 2016 RAMP, for example, detailed discussions of planned near-term moves in the Chinook Building and King Street Center are included; these projects are likely to be completed prior to 2020, when the next RAMP would be adopted. In order to better calibrate the timing of transmitted information to opportunities for feedback and re-direction, the Council may wish to require more frequent updates on near- and long-term space planning efforts (for example, in an annual report to Council, distinct from the RAMP). The Council is evaluating how this could most efficiently be accomplished should the Council pursue this option.

**Strategic facility planning.** The 2016 RAMP proposes seven “Policy Implementation Strategies” or initiatives to address issues and meet policy objectives presented in the RAMP’s Facility Management Policies. Per Executive staff, this list of strategic initiatives reflects the fact that strategic planning is now carried out on an *ad hoc* basis with the existing staff supporting FMD operations and related operational strategies. These efforts are different in nature and required skill sets and experience from long-term strategic facility planning such as the Civic Campus master plan concept, which are not addressed in any detail in the 2016 RAMP. The Council is evaluating whether to address long-term strategic facility planning in the RAMP ongoing, or to continue to direct such planning on a project-specific basis.

**ATTACHMENTS**

1. 2016 KCCP Schedule, updated as of August 10, 2016
2. Frequently Used Acronyms
3. Public comments, updated as of August 10, 2016

**LINKS**

Proposed Ordinance 2016-0155, the underlying ordinance for the proposed 2016 KCCP, can be found at:

[**http://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2594294&GUID=050D99B0-CE2F-4349-BD0D-46D46F673458&Options=ID%7cText%7c&Search=2016-0155**](http://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2594294&GUID=050D99B0-CE2F-4349-BD0D-46D46F673458&Options=ID%7cText%7c&Search=2016-0155)

The Council’s Scoping Motion, Motion 14351, can be found at:

**http://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2233471&GUID=8A16CDC8-8A9A-455D-A9E6-00CF10E055A9&Options=ID|Text|&Search=2015-0104**

All components of the proposed 2016 KCCP can be found at:

[**http://www.kingcounty.gov/council/2016compplan/transmittal.aspx**](http://www.kingcounty.gov/council/2016compplan/transmittal.aspx)

These components include:

* Proposed Ordinance 2016-0155
* 2016 KCCP
* Land Use and Zoning Changes
* Appendix A: Capital Facilities
* Appendix B: Housing
* Appendix C: Transportation
* Appendix C1: Transportation Needs Report
* Appendix C2: Regional Trails Needs Report
* Appendix D: Growth Targets and the Urban Growth Area
* Appendix R: Public Outreach for Development of KCCP
* Attachment: Skyway-West Hill Action Plan
* Attachment: Area Zoning Studies
* Attachment: Development Code Studies
* Attachment: Policy Amendment Analysis Matrix
* Attachment: Public Participation Report

**INVITED**

* Ivan Miller, KCCP Manager, Performance, Strategy and Budget
1. K.C.C. 20.18.030 [↑](#footnote-ref-1)
2. K.C.C. 20.18.030(B) [↑](#footnote-ref-2)
3. Note that Four-to-One UGA proposals may be considered during the annual cycle (see K.C.C. 20.18.030(B)(10), 20.18.040(B)(2), 20.18.170, and 20.18.180). [↑](#footnote-ref-3)
4. From year 2000 and forward. Substantive updates to the KCCP can be considered on a two-year cycle, but only if: “the county determines that the purposes of the KCCP are not being achieved as evidenced by official population growth forecasts, benchmarks, trends and other relevant data” (K.C.C. 20.18.030(C)). This determination must be authorized by a motion adopted by the Council. To date, this option has not been used by the County. [↑](#footnote-ref-4)
5. The annual Capital Improvement Plan (CIP), Transportation Needs Report (TNR), and school capital facilities plans are elements of the KCCP but are adopted in conjunction with the County budget, and thus follows separate timeline, process, and update requirements (see K.C.C. 20.18.060 and 20.18.070). [↑](#footnote-ref-5)
6. K.C.C. 20.18.030(C) [↑](#footnote-ref-6)
7. K.C.C. 20.18.060 [↑](#footnote-ref-7)
8. If the Council decides not to adopt a four-year update, the County may still need to formally announce that it has completed the required review; the mechanism to do that, whether legislatively or not, would need to be discussed with legal counsel. [↑](#footnote-ref-8)
9. Revised Code of Washington (RCW) 36.70A.130 [↑](#footnote-ref-9)
10. Ordinance 17485 [↑](#footnote-ref-10)
11. Motion 14351, which was required to be transmitted by the Executive by K.C.C. 20.18.060. The Council approved the 2016 KCCP scoping motion after the April 30 deadline for Council action. However, as noted in the adopted Motion, the Executive agreed to treat the scope as timely and would proceed with the work program as established in the Council-approved version of the motion.  [↑](#footnote-ref-11)
12. This policy is currently RP-203 in the adopted 2012 KCCP, and is proposed to be changed to RP-107 as part of the 2016 KCCP. Does not apply to Four-to-One proposals. [↑](#footnote-ref-12)
13. <http://www.kingcounty.gov/council/2016compplan/materials.aspx> [↑](#footnote-ref-13)
14. General public comment was open through January 6, 2016. Additional comments on the late addition of the East Cougar Mountain Potential Annexation Area to the Public Review Draft were allowed from January 27 to February 3. [↑](#footnote-ref-14)
15. <http://www.kingcounty.gov/council/2016compplan.aspx> [↑](#footnote-ref-15)
16. For information on the Executive’s proposed changes and associated rationale, please refer to the Policy Amendment Analysis Matrix that was included in the 2016 KCCP transmittal package as required by policy I-207, which can be found here: <http://www.kingcounty.gov/council/2016compplan/transmittal.aspx> [↑](#footnote-ref-16)
17. Including relationships to Growth Management Act (GMA); the Puget Sound Regional Council’s (PSRC) VISION 2040, Regional Growth Strategy, and Multicounty Planning Policies (MPPs); and the Growth Management Planning Council’s (GMPC) Countywide Planning Policies (CPPs); the KCCP; and County functional plans. [↑](#footnote-ref-17)
18. Page 2-7 [↑](#footnote-ref-18)
19. Ordinance 14449, which adopted the 2015 Strategic Climate Action Plan (SCAP), included a “Priority Action” for the Executive to prepare proposed green building code updates for private development in unincorporated areas by the end of 2017. Proposed Ordinance 2015-0417 would authorize a $68,000 transfer from the General Fund to DPER to provide 50 percent of the funding for a time-limited temporary staff person that would be focused on Green Building code development. The position was called for by the SCAP, which the Council adopted by motion on November 2, 2015. The Council’s Budget and Fiscal Management Committee has not taken action on Proposed Ordinance 2015-0417. Given this, it is currently unclear if the 2017 timeline for transmittal of green building regulations is still achievable. [↑](#footnote-ref-19)
20. A required designation by RCW 36.70A.170 as a means to protect lands for extraction of minerals. Minerals, as defined by the GMA includes “gravel, sand, and valuable metallic substances” (RCW 36.70a.030). Lands designated as having “long-term commercial significance" must include the “growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land” (ibid). [↑](#footnote-ref-20)
21. For more information on behavioral health integration and 2015 action towards integrating mental health and substance abuse disorder purchasing, see staff report on Proposed Ordinance 2015-0405 through 2015-0408 dated November 12, 2015. [↑](#footnote-ref-21)
22. Consistency is related to size, scale, adjacent land uses, and applicable policy restrictions regarding where the uses are allowed to be sited. [↑](#footnote-ref-22)
23. Such as noted in the Chapter 3 staff report related to policies R-324 and R-201. [↑](#footnote-ref-23)
24. Ordinance 17956, adopted by the Council in 2014. [↑](#footnote-ref-24)
25. Such as additional revenues and/or resources to support infrastructure (ranging from roads to data transmission technology), economic development in rural and resource areas, and emphasis on potential home based business development. [↑](#footnote-ref-25)
26. Representatives of the Reserve Silica mining site provided public testimony at the March 15, 2016 TrEE meeting and at the April 6 Committee of the Whole meeting. [↑](#footnote-ref-26)
27. From the 2012 KCCP (Ordinance 17485, Section 50, A) [↑](#footnote-ref-27)
28. From 2016 Workplan item for the Four-to-One Program [↑](#footnote-ref-28)
29. K.C.C. 20.12.100 [↑](#footnote-ref-29)