

Legislation Text

File #: 2015-0432, **Version:** 2

AN ORDINANCE authorizing the executive to amend the 2007 interlocal agreement implementing a transfer of development rights program between King County and the city of Issaquah.

STATEMENT OF FACTS:

1. The Washington state Growth Management Act, codified at chapter 36.70A RCW, establishes a policy of directing growth and development into urban areas, protecting rural and resource land, and encouraging the use of innovative tools like transfer of development rights to accomplish these outcomes.
2. The Growth Management Act encourages the conservation of productive agricultural and forest lands and the retention of rural open space to conserve fish and wildlife habitat and enhance recreational opportunities.
3. King County adopted a transfer of development rights program in 2001 to permanently preserve rural and resource lands by transferring rural development potential into existing urban areas. Since 2001, the King County transfer of development rights program has helped to protect 142,586 acres of rural and resource lands in unincorporated King County.
4. In 2007, King County and the city of Issaquah entered into a transfer of development rights interlocal agreement to permanently protect salmon habitat and open space in the rural portions of the Issaquah creek watershed. This interlocal agreement was authorized through Ordinance 15693 and city of Issaquah Ordinance 2434. The interlocal agreement allows the transfer of seventy-five rural development rights from the rural portions of the Issaquah creek basin for

increased residential and commercial density within designated transfer of development right receiving areas within the Issaquah city limits. In exchange for the city accepting additional density via transfers of rural development rights, King County provided the city with two hundred thousand dollars of conservation futures tax funds to acquire 2.4 acres of in-city open space along Issaquah creek, as authorized by Ordinance 15083.

5. Since 2007, King County has protected three hundred eighty-seven acres of rural land in the Issaquah creek basin through purchase of seventy rural development rights, yet only one rural development right has been transferred to the city.

6. Since 2011, King County has worked with the city to include rural transfer of development rights into the city's eleven-hundred-acre Central Issaquah Plan Area and simultaneously strengthen the transfer of development rights interlocal agreement to increase the likelihood of in-city developers purchasing rural development rights from the rural portions of the Issaquah creek watershed.

7. In 2012, the city of Issaquah rezoned the Central Issaquah Plan Area in order to accommodate seven thousand new housing units and nineteen thousand new jobs by the year 2031. Rural transfer of development rights was included as density incentive in the development regulations in the Central Issaquah Plan Area.

8. In accordance with the provisions of the interlocal agreement, King County and the city of Issaquah extended the term of the interlocal agreement until July 1, 2019.

9. On June 25, 2015, the Puget Sound Regional Council officially designated the city's Central Issaquah Plan Area a Puget Sound Regional Council regional growth center.

10. On July 6, 2015, the Issaquah city council passed Ordinance 6904 authorizing the mayor of Issaquah to amend the transfer of development right interlocal agreement as provided in Attachment A to this ordinance.

11. King County and the city are authorized to enter into an interlocal agreement pursuant to chapter 39.34 RCW, the Interlocal Cooperation Act.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The executive is hereby authorized to amend the interlocal agreement with the city of Issaquah, containing language substantially similar to that provided in Attachment A to this ordinance, to thereby establish a more effective program to transfer development rights from lands in King County's designated rural areas into the city of Issaquah.