## STAFF REPORT

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| **Agenda Item:** | 8 | **Name:** | Christine Jensen |
| **Proposed No**.: | 2015-0104 | **Date:** | March 31, 2015 |

**Subject**

A motion adopting the scope of work for the Executive’s proposed 2016 update to the King County Comprehensive Plan.

**Summary**

Proposed Motion 2015-0104 would adopt a scope of work that sets forth the broad categories of areas or policies the Executive is intending to review and possibly offer changes to in his proposed 2016 King County Comprehensive Plan (KCCP) update. This includes the Executive’s proposed themes for the 2016 update: equity, climate change, regional mobility, and best run government. The proposed motion would also adopt the Executive’s plan for public outreach for development of the proposed 2016 update.

The largest policy issue proposed in the Executive’s scope of work is the proposal to review the KCCP for consistency with functional plans and Executive initiatives. This would elevate plans that are intended to implement policy (such as the Health and Human Services Transformation Plan and Strategic Climate Action Plan), as well as initiatives that have not been adopted by Council (such as the Local Food Economy Initiative and the King County-Cities Climate Collaboration), to the level of guiding policy documents.

The scoping motion is the Council's formal opportunity to shape what the Executive will review in the crafting of the 2016 KCCP update proposal. If the Council does not act on the motion by April 30, the Executive may proceed to implement the work plan as currently written in the Topical Areas and Public Outreach Plan documents.

**Background**

The KCCP is the guiding policy document for land use and development regulations in unincorporated King County. The King County Code (K.C.C.) allows for updates to the plan on either an annual or a once-every-four-years basis, depending on the scope of the change.[[1]](#footnote-1) The four-year cycle is considered a “major” update to the plan and, unlike annual updates, allows for consideration of substantive policy changes and potential revisions to the Urban Growth Boundary. The next four-year update to the KCCP will be in 2016.

The provisions of K.C.C. 20.18.060 require the Executive to submit a motion to the Council that outlines the scope of work for a major KCCP update. This “scoping” motion includes the issues that the Executive proposes to consider in the development of the proposed KCCP update. Review of the scoping motion (Proposed Motion 2015-0104) is the Council's formal opportunity to shape what the Executive will review in the crafting of the proposed update. The scope of work is required to be transmitted to the Council by the first business day of March in the year preceding the four-year update (March 2, 2015, for the forthcoming 2016 update).

In addition to indicating the overarching issues for the KCCP update, the scoping motion is one of the methods to ensure consideration of any proposals to expand the Urban Growth Area (UGA) during the 2016 KCCP update. In 2012, the KCCP was amended to clarify the process for considering UGA changes. First, KCCP policy RP-202 requires that, except for Four-to-One proposals, UGA expansion proposals must be acted on at the Growth Management Planning Council (GMPC)[[2]](#footnote-2) prior to Council action. Furthermore, policy RP-203 states that the County may only forward proposals to the GMPC under the following instances:

1. The proposal is included in the scoping motion;
2. An area zoning study for the proposal is included in the Public Review Draft of the proposed KCCP update; or
3. The proposal goes through the Hearing Examiner site specific map amendment process.[[3]](#footnote-3)

This means that the scoping motion is the formal avenue for the Council to be able to identify possible UGA changes for consideration in the following year’s update. Otherwise, a UGA expansion proposal would need to be included unilaterally by the Executive in the Public Review Draft, or applied for by the property owner and have gone through the Hearing Examiner process, in order to be considered.

Following adoption of the scoping motion, the Executive will prepare the proposed KCCP update based on the scope of work. A public review draft of the proposal is then traditionally published in the fall preceding a four-year update, allowing for public feedback on the draft as required by K.C.C 20.18.160. Lastly, the Executive is then required to transmit the finalized proposed KCCP update to the Council by the first business day of March in the following year (March 1, 2016, for the forthcoming update).[[4]](#footnote-4)

**Analysis**

Proposed Motion 2015-0104 would adopt the scope of work for the 2016 update of the KCCP, as identified in Attachment A (Topical Areas) to the legislation. The motion would also adopt the Executive’s State Environmental Policy Act (SEPA) and public outreach work plan as outlined in Attachment B.

**Attachment A – Topical Areas**

The Topical Areas attachment sets forth the broad categories of areas or policies the Executive is intending to review and possibly offer changes to in the proposed 2016 KCCP update. It should be noted that while the Topical Areas document serves as a starting point for the development of the Executive's 2016 KCCP proposal, emerging issues that are identified after Council adoption of this motion may also be considered by the Executive during the development of the proposed 2016 update.

The following is a summary of the items outlined in the Topical Areas document and possible policy issues.

*Updates related to All Chapters:*

Issues addressed: primary 2016 KCCP update themes of equity, climate change, regional mobility, and best run government; further integration of land use and transportation; Low Impact Development (LID); and equity and social justice.

Possible policy issues:

1. **Consistency with planning hierarchy.** In the 2012 KCCP update, the attached hierarchy diagram (Attachment 4 to the staff report) was added to the KCCP[[5]](#footnote-5) to clarify the planning hierarchy of various policy documents. The adopted 2012 update was crafted consistent with that hierarchy. The proposed scope for the 2016 update calls for consistency with various planning documents regardless of placement within the hierarchy, which is a departure from the current KCCP.
* Regional plans (such as the Strategic Plan) – elevates King County policy documents to the same planning importance as state law and regional plans.
* Functional plans (such as the Health and Human Services Transformation Plan and Strategic Climate Action Plan) – elevates functional and implementation plans to the same planning importance as adopted policy documents, causing these operational plans to lead policy development.
* Executive initiatives (such as the Local Food Economy Initiative and the King County-Cities Climate Collaboration) – non-adopted planning and implementation initiatives would be made policy by incorporation into the KCCP.
1. **Consistency with adopted King County vision and goals.** Should the Executive’s four themes[[6]](#footnote-6) for the 2016 KCCP update be more aligned with the Council’s adopted 2015 King County Vision and Goals?[[7]](#footnote-7)
2. **Lack of clarity about Determinants of Equity.** The Topical Areas draft is not clear about how the 14 Determinants of Equity would be incorporated in the KCCP.

*Chapter One – Regional Planning*

Issues addressed: commitments to regional partnerships; public engagement; Eastside Rail Corridor (ERC); Growing Transit Communities (GTC); Regional Equity Network (REN); King County-Cities Climate Change Collaboration (K4C); and Regional Code Collaboration.

Possible policy issues:

1. **Consistency with planning hierarchy.** As noted above, the Topical Areas draft elevates some regional initiatives to be added to the KCCP but not others. Additionally, the proposed inclusion of some regional initiatives in the KCCP update may have the potential to trigger mandatory referral to regional committees.
2. **Scope of ERC effort.** The Topical Areas draft proposes that the ERC would only be incorporated into Chapter 1 as it relates to the ERC regional planning efforts. This could limit consideration for inclusion of other ERC policies related to the multi-use vision for the corridor in appropriate chapters (e.g. Chapter 6 Parks, Chapter 7 Transportation, and Chapter 8 Utilities).
3. **Consistency with GTC Strategies Plan.** Inclusion of the GTC Compact could imply the need for consistency with the GTC Strategies plan, which was intended to be non-binding.
4. **Consistency with GTC Strategies Plan/REN.** The REN is a subset of GTC, but is called out separately, which could cause confusion. Its inclusion could imply the need for consistency with the GTC Strategies plan, which was intended to be non-binding.

*Chapter Two – Urban Communities*

Issues addressed: Communities of Opportunity initiative; annexation policies; urban service delivery issues; Regional Code Collaboration and green building; innovative housing models and homeless housing; affordable housing; transit oriented development; and multi-family housing tax exemption.

Possible policy issues:

1. **Consistency with planning hierarchy.** The Topical Areas draft elevates the Communities of Opportunity implementation initiative to the same planning importance as adopted policy documents, causing this operational action to lead policy development.
2. **Consistency with Buildable Lands Report.** The Topical Areas draft does not address the shortfall in capacity to meet employment targets in unincorporated King County as identified in the 2014 Buildable Lands Report.
3. **Lack of clarity about public/community benefits.** The intent of the “public/community benefits” section is unclear.
4. **Lack of clarity about housing models.** It is unclear if the affordable and innovative housing models sections are intended for only unincorporated King County.
5. **Distinction between policy and code change.** Should a multi-family development tax exemption be considered as a policy as it’s currently written, or as a code change?

*Chapter Three – Rural Area and Natural Resource Lands*

Issues addressed: Local Food Economy Initiative; Fish, Farm, Flood watershed planning process; sustainability; Transfer of Development Rights (TDRs); farmland productivity; green building; landslide hazards; resource-based businesses; and streamlining home-based businesses.

Possible policy issues:

1. **Scope of Rural Economic Strategies (RES) plan.** Not including the RES plan in the scope of work could limit updating rural, agriculture and forestry policies to reflect the adopted 2014 RES plan (currently, the only Topical Areas reference is in Chapter 9 Economic Development).
2. **Watershed planning recommendations.** The Topical Areas draft incorporates the recommendations from the Fish, Farm, Flood watershed planning process. However, the process is not yet complete and it is not yet known what the actual recommendations, nor the county’s position on the recommendations, will be.
3. **Scope of green building policies.** Should green building policies apply to all rural areas (rural residential, agriculture, forestry, mining, business, and rural towns) as currently written in the Topical Areas draft?
4. **Up-to-date data for resource lands.** Not including updates in the Topical Areas draft for the Agriculture and Forest Lands map, Mineral Resources map, and Mineral Resources property information could cause the KCCP to not reflect accurate and up-to-date information.

*Chapter Four – Environment*

Issues addressed: climate change; Strategic Climate Action Plan (SCAP); K4C; creation of short-term greenhouse gas emissions reduction goals; equity and social justice; regional plans; beaver management; integrated approach for water quality, health, and habitat; Puget Sound Action Agenda; and stormwater discharge permit requirements.

Possible policy issues:

1. **Consistency with K4C strategies.** K4C is an Executive initiative that includes negotiating climate change strategies with other member jurisdictions. These strategies have not yet been evaluated by the Council. Additionally, the Executive did not transmit a K4C work plan to the Council as mandated in Ordinance 17285, which authorized the K4C Interlocal Agreement in 2012. Inclusion of the strategies in the KCCP would make them policy.

*Chapter Five – Shoreline Master Program*

Issues addressed: outreach and education to shoreline property owners.

*Chapter Six– Parks, Open Space, and Cultural Resources*

Issues addressed: climate change; forest stewardship; public engagement and partnerships; creation of Regional Trails System policies; and map updates.

Possible policy issues:

1. **Consistency with Parks Levy.** The Topical Areas draft only includes reference to regional parks, open space, and regional trails. This would be inconsistent with the 2014 King County Parks Levy, which also included local parks.

*Chapter Seven – Transportation*

Issues addressed: concurrency; mitigation payment system; regional transportation public/private partnerships; local and regional funding, pricing, and demand management; active transportation; greenhouse gas emissions reductions; HOV/HOT lane system; increased coordinated planning; environmental and stormwater policies; and affordable transit oriented development.

Possible policy issues:

1. **Lack of clarity about transportation and housing policies.** The scope of work is unclear about whether some items, such as HOV/HOT lanes and affordable housing, are intended for only unincorporated King County.

*Chapter Eight – Services, Facilities and Utilities*

Issues addressed: regional cooperation; innovative energy and environmental sustainability; Combined Sewer Outflow (CSO) Consent Decree; zero waste and 70% recycling; long-term disposal options; Health and Human Services Transformation Plan; and Communities of Opportunity initiative.

*Chapter Nine – Economic Development*

Issues addressed: RES; income inequality; Local Food Economy Initiative; and addressing fragmented economic development activities job/wage growth and economic diversity.

Possible policy issues:

1. **Scope of Rural Economic Strategies (RES) plan**. Should the Topical Areas reflect the updated 2014 RES plan?
2. **Lack of clarity about agreed-upon results.** The Topical Areas draft is unclear about what achieving “agreed-upon results in job and wage growth and economic diversity” includes.

*Chapter Ten – Community Plans*

Issues addressed: remove areas that have been annexed; and evaluate broader policy applicability.

Possible policy issues:

1. **Broader applicability of Community Plans.** Removing policies from site specific Community Plans and incorporating them into other KCCP chapters could be a large change.

*Chapter Eleven – Implementation*

Issues addressed: increased linkage to Strategic Plan; and Regional Growth Strategy metrics.

Possible policy issues:

1. **Strategic Plan metrics and goal statements.** Inclusion of Strategic Plan metrics in the KCCP and new goal statements for each chapter could be a large change.

*Area Zoning and Land Use Proposals*

Issues addressed: West Hill; Fairwood; and Federal Way.

Possible policy issues:

1. **Executive supported Docket Requests.** Not all of the Executive recommended/ supported Docket requests[[8]](#footnote-8) are included in the Topical Areas draft, which does not ensure of their consideration in the 2016 update.

*Other possible policy issues*

1. **Rural Areas definitions.** As identified during the 2012 update process, inconsistent usage and lack of clear definitions for the terms “rural area” and “Rural Area” in the KCCP could continue to cause confusion if not addressed.

**Attachment B – Public Outreach Plan and SEPA Analysis**

The Executive has included his proposed public outreach plan and State Environmental Policy Act (SEPA) timeline, as required by K.C.C. 20.18.060.

The outreach plan includes gathering public input on issues to be addressed in the update in the spring and summer, which will include providing information at the County’s annual Community Service Areas open houses. A more formal public comment period will also begin in the fall and winter following the release of the Executive’s public review draft of his proposed KCCP update. This is consistent with previous recent KCCP update processes.

A partial list of organizations that will be notified of the process is included in the outreach plan. This includes community councils and associations, King County commissions and advisory committees, and some stakeholder groups. While this list is not intended to be exhaustive, the Council may wish to include additional organizations in order to ensure their incorporation in the notification process.

The proposed SEPA process and timeline is consistent with previous recent KCCP update processes.

**Schedule for committee review and amendments**

The deadline for Council adoption of Proposed Motion 2015-0104, either as proposed or amended, is April 30, 2015. If the Council does not act on the motion by that date, the Executive may proceed to implement the work plan as currently written in the Topical Areas and Public Outreach Plan documents.[[9]](#footnote-9)

To meet that schedule, the Transportation, Economy and Environment Committee would need to take action no later than April 21. The legislation would then be expedited to the April 27 full Council meeting for possible final action.

**ATTACHMENTS**

1. Proposed Motion 2015-0104 with attachments
2. Transmittal Letter
3. Issue Summary Matrix
4. Growth Management Planning Hierarchy
5. Summary of 2012-2014 Docket Reports

**INVITED**

1. Ivan Miller, Comprehensive Planning Manager, Office of Performance, Strategy and Budget
2. Karen Wolf, Senior Policy Analyst, Office of Performance, Strategy and Budget

**LINKS**

Executive’s 2016 Comprehensive Plan Update website: <http://www.kingcounty.gov/exec/PSB/RegionalPlanning/KingCountyCompPlan.aspx>

King County Comprehensive Plan: <http://www.kingcounty.gov/property/permits/codes/growth/CompPlan/2012Adopted.aspx>

1. K.C.C. 20.18.030 [↑](#footnote-ref-1)
2. The required GMPC “action” could be either in support of or against the proposal, and is a non-binding recommendation for the County Council to consider in its deliberations. [↑](#footnote-ref-2)
3. The GMPC may also take action on UGA proposals that are not forwarded by King County (i.e. another GMPC member jurisdiction could put a proposal forward for consideration), which could then also be considered by the County Council as part of a four-year KCCP update. [↑](#footnote-ref-3)
4. K.C.C. 20.18.060 [↑](#footnote-ref-4)
5. 2012 King County Comprehensive Plan (as amended by Ordinance 17485), page I-5 [↑](#footnote-ref-5)
6. Equity, climate change, regional mobility, and best run government. [↑](#footnote-ref-6)
7. Motion 14317: mobility; health and human services; economic vitality; safety and justice; accessible, affordable housing; healthy environment; efficient, accountable regional and local government. [↑](#footnote-ref-7)
8. The Docket is a formal means for county residents to submit comments on or to propose consideration of changes to the KCCP and development regulations, and is regulated by K.C.C. 20.18.140. A summary of the Docket requests from 2012 to 2014 is included as Attachment 2 to the staff report. [↑](#footnote-ref-8)
9. K.C.C. 20.18.060 [↑](#footnote-ref-9)