## STAFF REPORT

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| **Agenda Item:** | 5 | **Name:** | Christine Jensen |
| **Proposed No.:** | 2016-0155 | **Date:** | September 6, 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.[[1]](#footnote-1) The Council is in the process of reviewing and deliberating on the Executive’s proposal. The Council’s review thus far has included ten briefings in the Transportation, Economy and Environment Committee (TrEE), as well as numerous opportunities to submit written or verbal public comment. Based on the discussions in committee, public comments received to-date, and deliberations with the Executive and Councilmembers, the TrEE Chair has issued a proposed Striking Amendment, S1, to the transmitted 2016 KCCP.

Today’s briefing will highlight some of the key changes in the Striking Amendment in preparation for the scheduled vote on the Striking Amendment, any individual amendments to the Striking Amendment, and the 2016 KCCP in TrEE on September 20.[[2]](#footnote-2)[[3]](#footnote-3)

**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.[[4]](#footnote-4) This is known as the “annual cycle.” While the Code states that the KCCP “may be amended” annually,[[5]](#footnote-5) 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[[6]](#footnote-6) are only allowed to be considered once every four years.[[7]](#footnote-7),[[8]](#footnote-8) 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).[[9]](#footnote-9) The Code requires the Executive to transmit to the Council a proposed ordinance amending the KCCP once every four years.[[10]](#footnote-10) However, the Code does not require the Council to adopt a KCCP update during the four-year cycle.[[11]](#footnote-11) 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.[[12]](#footnote-12) 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[[13]](#footnote-13) 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[[14]](#footnote-14) 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[[15]](#footnote-15) as discussed in the Area Zoning Studies and Land Use Map Amendments section of the March 15 staff report.[[16]](#footnote-16)

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.[[17]](#footnote-17) 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.[[18]](#footnote-18)

On March 1, the Executive transmitted the proposed 2016 update to the KCCP.[[19]](#footnote-19) The Council’s review thus far has included ten briefings in the Transportation, Economy and Environment Committee (TrEE), as well as numerous opportunities to submit written or verbal public comment. Based on the discussions in committee, public comments received to-date, and deliberations with the Executive and Councilmembers, the TrEE Chair has issued a proposed Striking Amendment, S1, to the transmitted 2016 KCCP. As noted above, today’s briefing will highlight some of the key changes in the Striking Amendment in preparation for the scheduled vote on the Striking Amendment, any individual amendments to the Striking Amendment, and the 2016 KCCP in TrEE on September 20.[[20]](#footnote-20)[[21]](#footnote-21)

**ANALYSIS**

Striking Amendment S1 consists of a number of components:

* **Changes to the proposed changes to the development code**. Striking Amendment S1 to Proposed Ordinance 2016-0155, which makes changes to the development code in the ordinance transmitted with the Comprehensive Plan, can be found in Attachment 2 of the staff report. A matrix that summarizes each of these changes can be found in Attachment 3 to the staff report, and a track changes version of the changes (for illustrative purposes only) can be found in Attachment 4 to the staff report.
* **Changes to the transmitted 2016 King County Comprehensive Plan.** The Striking Amendment replaces the transmitted 2016 KCCP[[22]](#footnote-22) with a new version of the 2016 KCCP, which can be found online at the link provided at the end of this staff report or in the binders provided to Councilmembers. The new version, dated September 1, 2016, accepts all of the transmitted strikethrough/underline changes from the Executive and then shows the Chair’s proposed changes to the transmitted version in strikethrough/underline format.

A matrix that summarizes each of the changes to policies, as well as major changes to text, can be found online at the link provided at the end of this staff report or in the binders provided to the Councilmembers. Policies that have substantive changes are shown in bold text for emphasis. Policies that were unchanged by the Striking Amendment are in normal font, as are policies that only had technical, grammar, or typographical changes.

* **Changes to the land use map amendments.** The Striking Amendment replaces the transmitted land use map amendments[[23]](#footnote-23) with a new version of the land use map amendments, which can be found in Attachment 6 of this staff report. A matrix that summarizes each of the changes can be found in Attachment 7.
* **Changes to Technical Appendixes A through D.** The Striking Amendment replaces the transmitted version of Technical Appendices A through D[[24]](#footnote-24) with a new version of Technical Appendices A through D, which can be found online at the link provided at the end of this staff report. No changes have been made to these appendices in the Striking Amendment; the only changes made were to accept the Executive’s transmitted changes in a “clean” format, updating the Appendices from their transmitted format in strikethrough/underline. Review for technical corrections will occur prior to final adoption at the full Council.
* **Changes to Technical Appendix R – Public Outreach.** The Striking Amendment replaces the transmitted version of Technical Appendix R – Public Outreach[[25]](#footnote-25) with a new version of Technical Appendix R – Public Outreach, which can be found in Attachment 8 of the staff report. The appendix has been updated to reflect Council’s public participation portion of the 2016 KCCP process and to make technical corrections.
* **Amendment to the Vashon Town Plan.** The Striking Amendment adds a new attachment to the Ordinance,[[26]](#footnote-26) an amendment to the Vashon Town Plan, which can be found in Attachment 9 of this staff report. This amendment implements the zoning change in one of the land use and zoning map changes in Attachment B.

There is also an associated Title Amendment, T1, which can be found in Attachment 3 to this staff report.

**ATTACHMENTS**

1. Proposed Ordinance 2016-0155
2. Striking Amendment S1
3. Title Amendment T1
4. Matrix of changes in Striking Amendment S1
5. Redline version of Striking Amendment S1
6. Land Use and Zoning Amendments (Attachment B) – Dated September 1, 2016
7. Matrix of Striker Land Use Map Amendments
8. Appendix R – Public Outreach (Attachment I) – Dated September 1, 2016
9. Addendum to Vashon Town Plan (Attachment K)
10. 2016 KCCP Schedule, updated as of August 10, 2016
11. Frequently Used Acronyms
12. Public comments, updated as of September 1, 2016

**INVITED**

* Ivan Miller, KCCP Manager, Performance, Strategy and Budget

**LINKS**

**All components of Striking Amendment S1 to the transmitted 2016 KCCP can be found at:**

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

These components include:

* Striking Amendment S1 to Proposed Ordinance 2016-0155
* Title Amendment T1 to Proposed Ordinance 2016-0155
* Matrix of changes in Striking Amendment S1
* Redline version of Striking Amendment S1
* 2016 KCCP (Attachment A)
* Matrix of changes made to 2016 KCCP (Attachment A)
* Land Use and Zoning Amendments (Attachment B)
* Appendix A: Capital Facilities (Attachment C) – no changes, just replaces with a clean version
* Appendix B: Housing (Attachment D) – no changes, just replaces with a clean version
* Appendix C: Transportation (Attachment E) – no changes, just replaces with a clean version
* Appendix C1: Transportation Needs Report (Attachment F) – no changes, just replaces with a clean version
* Appendix C2: Regional Trails Needs Report (Attachment G) – no changes, just replaces with a clean version
* Appendix D: Growth Targets and the Urban Growth Area (Attachment H) – no changes, just replaces with a clean version
* Appendix R: Public Outreach for Development of KCCP (Attachment I)
* Addendum to Vashon Town Plan (Attachment K)

**All components of the transmitted 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 (Attachment A)
* Land Use and Zoning Amendments (Attachment B)
* Appendix A: Capital Facilities (Attachment C)
* Appendix B: Housing (Attachment D)
* Appendix C: Transportation (Attachment E)
* Appendix C1: Transportation Needs Report (Attachment F)
* Appendix C2: Regional Trails Needs Report (Attachment G)
* Appendix D: Growth Targets and the Urban Growth Area (Attachment H)
* Appendix R: Public Outreach for Development of KCCP (Attachment I)
* Skyway-West Hill Action Plan (Attachment J)
* Area Zoning Studies (Attachment to transmittal package, does not get adopted)
* Development Code Studies (Attachment to transmittal package, does not get adopted)
* Policy Amendment Analysis Matrix (Attachment to transmittal package, does not get adopted)
* Public Participation Report (Attachment to transmittal package, does not get adopted)
1. Includes: the 2016 KCCP, updates to the development code, and land use map amendments in Proposed Ordinance 2016-0155; and the Real Property Asset Management Plan (RAMP) in Proposed Ordinance 2016-0159. The Striking Amendment to the 2016 RAMP will be addressed in a separate staff report at the September 6, 2016 TrEE meeting. [↑](#footnote-ref-1)
2. There will also be vote in TrEE on September 20, 2016 on the 2016 RAMP (PO 2016-0159) as part of the 2016 KCCP update. [↑](#footnote-ref-2)
3. Final adoption of the 2016 KCCP (PO 2016-0155) and the 2016 RAMP (PO 2016-0159) at the full Council is scheduled for late 2016. [↑](#footnote-ref-3)
4. K.C.C. 20.18.030 [↑](#footnote-ref-4)
5. K.C.C. 20.18.030(B) [↑](#footnote-ref-5)
6. 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-6)
7. 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-7)
8. 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-8)
9. K.C.C. 20.18.030(C) [↑](#footnote-ref-9)
10. K.C.C. 20.18.060 [↑](#footnote-ref-10)
11. 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-11)
12. Revised Code of Washington (RCW) 36.70A.130 [↑](#footnote-ref-12)
13. Ordinance 17485 [↑](#footnote-ref-13)
14. 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-14)
15. 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-15)
16. <http://www.kingcounty.gov/council/2016compplan/materials.aspx> [↑](#footnote-ref-16)
17. 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-17)
18. <http://www.kingcounty.gov/council/2016compplan.aspx> [↑](#footnote-ref-18)
19. Includes: the 2016 KCCP, updates to the development code, and land use map amendments in Proposed Ordinance 2016-0155; and the Real Property Asset Management Plan (RAMP) in Proposed Ordinance 2016-0159. The Striking Amendment to the 2016 RAMP will be addressed in a separate staff report at the September 6, 2016 TrEE meeting. [↑](#footnote-ref-19)
20. There will also be vote in TrEE on September 20, 2016 on the 2016 RAMP (PO 2016-0159) as part of the 2016 KCCP update. [↑](#footnote-ref-20)
21. Final adoption of the 2016 KCCP (PO 2016-0155) and the 2016 RAMP (PO 2016-0159) at the full Council is scheduled for late 2016. [↑](#footnote-ref-21)
22. Attachment A to PO 2016-0155 [↑](#footnote-ref-22)
23. Attachment B to PO 2016-0155 [↑](#footnote-ref-23)
24. Technical Appendix A: Capital Facilities Planning (Attachment C to PO 2016-0155); Technical Appendix B: Housing (Attachment D to PO 2016-0155); Technical Appendix C: Transportation (Attachment E to PO 2016-0155); Technical Appendix C1: Transportation Needs Report (Attachment F to PO 2016-0155); Technical Appendix C2: Regional Trail Needs Report (Attachment G to PO 2016-0155); Technical Appendix D: Growth Targets and the Urban Growth Area (Attachment H to PO 2016-0155). [↑](#footnote-ref-24)
25. Attachment I to PO 2016-0155 [↑](#footnote-ref-25)
26. Attachment K to PO 2016-0155 [↑](#footnote-ref-26)