

September 9, 1988  
hdm/1109C

Introduced by: CYNTHIA SULLIVAN  
LAING/GRUGER  
Proposed No.: 88-172

ORDINANCE NO. 8657

AN ORDINANCE relating to planning, and adopting the King County Open Space Plan; and adding a new Section to K.C.C. 20.12.

PREAMBLE:

On April 8, 1985 the King County Council unanimously adopted Ordinance 7178 which was signed into law by the county executive on April 15, 1985, thereby enacting the 1985 King County Comprehensive Plan.

Goal 2 of the Comprehensive Plan states: Protect King County's natural beauty, open space, environmentally sensitive features, attractive man-made environment, and historic features by guiding the overall pattern of growth and the development of specific sites.

Policy E-102 in the Comprehensive Plan's Environment and Open Space chapter states: King County should preserve and enhance natural beauty by encouraging community development patterns and site planning that maintain and enhance natural landforms, and by identifying and preserving open space.

The balance of the chapter, particularly policies E-102 to E-212, sets forth detailed guidance for ways of protecting open space and provides a policy framework for the King County Open Space Plan.

Ordinance 7178 provides for amplification and augmentation of elements of the Comprehensive Plan through functional plans. The Open Space and Environment Chapter of the Comprehensive Plan specifically calls for a functional plan to protect and enhance open space.

On August 26, 1985 the King County council passed Ordinance 7336, approving a work program and funding preparation of the King County Open Space Plan.

During 1986 and 1987 the natural resources and parks division held public workshops to help set priorities and conducted extensive technical research and inventories of King County's open space resources. This work resulted in the executive proposed King County Open Space Plan, which was submitted to the King County Council in January 1988.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The goals, maps, guidelines and strategies of the King County open space plan, attached to Ordinance 8657 as amended by Addendum 1, and Addendum 2, are adopted as a functional plan implementing the King County comprehensive plan. As such, they constitute official county policy for the evaluation, protection, acquisition and management of open space lands in King County.

INTRODUCED AND READ for the first time this 14th day of March, 1988.

PASSED this 12th day of September, 1988.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Gary Grant  
Chairman

ATTEST:

Janeth M. Owens  
Clerk of the Council

APPROVED this 19th day of September, 1988.

[Signature]  
King County Executive

## ADDENDUM 1

## AMENDED POLICIES-----DRAFT OPEN SPACE PLAN

- OS-101 King County should designate as open space only those lands meeting the criteria of the site evaluation system adopted through this plan.
- OS-102 King County should acquire a fee simple estate in open space lands that provide multiple open space and other public benefits and that will support frequent public access for recreation or education.
- OS-103/OS-104 Merged Policy:  
King County should employ open space conservation techniques involving less than full ownership, including acquisition of less-than-fee interest, for lands on which continuation of the underlying private use is compatible with its open space designation and active county management is not required.
- OS-105 King County should pursue agreements for public use of utility rights-of-way when needed for public trails or as connectors between open space parcels.
- OS-108 In addition to fostering advantageous land exchanges between federal, state, and private landowners, King County should devise methods for efficient and equitable exchanges between land owning divisions of County government to achieve open space goals.
- OS-110 King County should retain expertise to actively seek donations of open space lands and to advise potential donors on the best strategies for maximizing tax benefits and any other available incentives. This expertise should be coordinated with acquisition programs of private agencies such as The Nature Conservancy and the Audubon Society.
- OS-111 King County's Current Use Taxation Ordinance should be amended to create a stronger incentive for its use by owners of open space lands. King County should adopt a public benefit rating system, as provided for in RCW 83.34.055, or employ some other means of facilitating the use of this technique while keeping it focused upon those types of lands that would provide the greatest open space benefits to the residents of King County.
- OS-112 King County Natural Resources and Parks Division should undertake an aggressive program to actively solicit donation of conservation easements. This effort should focus upon those types of lands, such as river and stream corridors, community separators and wildlife habitat, where full public ownership is not required to assure preservation of the open space attributes but where the high degree of protection, permanence and flexibility possible with easements is needed. The program should seek continuous easements across property boundaries within individual ownerships.
- OS-113 King County should develop a transfer of development rights program to be implemented through the community planning process. The program should provide for the protection of open space through the transfer of density from lands that provide specific, high-priority public benefits that are most suited to this means of protection.

OS-114 The residential density bonus system envisioned in Comprehensive Plan Policy R-303 should be extended to non-residential development proposals and expanded to include a bonus for exceptional open space protections. Development regulations should be amended to provide an incentive for exceeding the mandated regulatory protection of parcels certified as suitable for inclusion in the Open Space System.

To ensure the maximum realization of important public benefits, the density bonus system should also be amended to eliminate bonuses for features that are:

- o already required by regulation;
- o likely to be provided in response to market forces, or
- o of secondary benefit to the general public.

King County should also consider the creation and adoption of an additional program of development incentives for landowners who provide special open space public benefits that do not meet the criteria nor are part of the Open Space Plan.

OS-115 King County should adopt density calculation rules that include all on-site area to be utilized for streets for all residential development that will be served by public sewers.

OS-116 County zoning and subdivision ordinances should be amended to require dedication or reservation of open space land or payment of a reasonable fee-in-lieu-of dedication for all residential development except individual single-family building permits subject to the following conditions:

- o any open space to be dedicated or reserved must be certified as suitable for inclusion in the Open Space System by the Natural Resources and Parks Division in accord with the open space evaluation system contained in this plan; AND,
- o at the discretion of the Natural Resources and Parks Division:
  - the open space lands must be dedicated to King County Natural Resources and Parks Division or a certified public land trust; OR,
  - the open space lands must be held by a homeowners' association with a permanent deed restriction and with the parcel(s) divisible for tax purposes; OR,
  - the open space lands must be held by the developer or his legal successor with permanent deed restrictions to protect the open space values;
- o fees received in lieu of dedication shall be deposited in a LOCAL OPEN SPACE FUND to be established by ordinance subject to the following conditions:
  - funds can be spent only within the boundaries of the school district within which the property to be developed is located;

- funds may be spent only for acquisition and development of park or open space lands;
- adequate provision should be made for management and maintenance of such lands prior to their acquisition either by assigning such responsibility to the Natural Resources and Parks Division, or by executing a binding contract with a legally constituted body capable of funding the required management and maintenance.

OS-118 Sufficient funds should be appropriated by the King County Council to allow the Natural Resources and Parks Division to assume management, maintenance, and operational responsibility for all County-owned lands previously dedicated or reserved for open space purposes and not currently assigned to a custodial agency. Within two years of assuming such responsibility, and at least bi-annually thereafter, the Division should evaluate all such lands for permanent inclusion in the Open Space System in accordance with the Open Space evaluation System contained in this plan. Where legally permissible, all lands unsuitable for permanent inclusion shall be sold (or traded) and the funds placed in the local open space fund for the area in which the property is located.

OS-120 By 1990, the Natural Resources and Parks Division shall have an active program for recruiting, training and coordinating volunteers to assist in open space management and maintenance programs.

DELETED POLICY-----DRAFT OPEN SPACE PLAN:

OS-117 King County should seek an amendment to the Washington Open Space Taxation Act of 1971 which would enable fifty percent of any tax levied pursuant to section 84.34.230 to be used for the management, maintenance, and operation of the Open Space System to the exclusion of any sites which are developed for active recreation purposes.

NEW POLICIES - DRAFT OPEN SPACE PLAN

- A. King County should adopt clear administrative policies and guidelines relating to the procedures for soliciting and accepting donations of open space lands or conservation easements to ensure that:
- o the process will be clear and expeditious;
  - o only lands meeting the criteria of the site evaluation system are accepted, and
  - o the property owner is made aware that any request for the donation is not related to, and will not have a bearing upon, any future actions of the county that may affect his/her property.
- B. As authorized by the Washington Open Space Taxation Act of 1971, King County should continue to levy its Conservation Futures Tax and expend those funds solely for the acquisition of, or the service of debt to acquire, the development rights to, or fee-simple ownership of, lands meeting the criteria of the Site Evaluation System adopted by this plan as determined by action of the King County Council

- C. The county executive shall annually assess and report to the county council on progress toward the creation of an open space system. This yearly review should involve King County residents, land owners, cities and other government agencies and conservation and sports groups.

ADDITIONAL AMENDMENTS - DRAFT OPEN SPACE PLAN

- A. Revise Open Space Site Evaluation System and Resource Rating Criteria, (page 12), to read:

- I. To select open space lands for purchase by King County, individual parcels shall first be evaluated for the extent to which they serve the population centers of the county or address one of five special needs. Only lands meeting at least one of the following criteria shall receive further consideration for purchase as open space by the county:
- o parcels in urban or transitional areas of the county as designated by the King County Comprehensive Plan Map, or
  - o parcels in other areas of the the county that are likely to be adversely affected, within a reasonable period of time, by development or other action that would diminish their qualitative value as open space. Determination that a parcel is likely to be so affected shall be made on the basis of administrative guidelines to be prepared by the executive and adopted by the council, or
  - o parcels of at least 100 acres that would be acquired in order to create a natural resource park, or
  - o parcels that would expand an existing natural resource park, or
  - o parcels providing public access to shorelines, or
  - o trail corridors.
- II. Any site meeting at least one of these criteria shall then be further evaluated for the extent to which it provides multiple open space benefits or, alternatively, possesses to a high degree, any single open space attribute.

Multiple benefit sites shall be evaluated using a revised version of the proposed Resource Rating Criteria containing the following open space attributes:

Wildlife Habitat  
 Scenic Resources  
 Shoreline Access  
 Community Separators  
 Regional Trails/Natural Area Linkages  
 Recreation Areas  
 Agricultural Lands

With each criterion worth one point, any site receiving at least three points shall qualify for open space designation.

Single benefit sites shall qualify if any one of the above attributes is present to an extraordinary degree as determined by administrative guidelines prepared by the executive and adopted by the council. These guidelines shall also contain an adjusted set of criteria for application to substantially developed areas of the county where the need for open space is great and opportunities limited.

Properties under review for possible designation as open space for the following purposes shall be subject to Section II of the evaluation system:

- o acquisition by the county through donation, or
- o qualifying for a density bonus system, or
- o meeting the open space dedication or reservation requirements of the subdivision process, or
- o inclusion in a transfer of development rights program.

Properties under review for possible Open Space Current Use Assessment shall be subject to the criteria established as part of the public benefit rating system.

This Open Space Site Evaluation System and Resource Rating Criteria shall not be utilized until the Open Space Action Plan has been adopted by the Council.

B. Revise Appendix A Item 1 to read:

The following lands have been identified as potential acquisitions. Along with those lands listed for acquisition on the proposed "Public Open Space, Parks, Trails, Aquarium and Recreation Facility Bonds" issue, these parcels and trail corridors are appropriate additions to King County's Open Space System.

THREE FORKS PARK

The Three-Forks area acquisition would provide public access to one of the county's most unique and rare riparian areas at the confluence of the largest river system in the county--the Snoqualmie River. This is a unique natural area providing multiple open space benefits including wildlife habitat, scenic resources and easy access to the river's shorelines from the Snoqualmie Valley and Preston-Snoqualmie Trails. Acquisition of the proposed property will expand the boundaries of the current park holdings to create a park of countywide significance. Further, this acquisition would help protect water quality, complement surface water management programs and protect two county cultural landmarks-- the Avenue of the Sycamores and the Norman Bridge.

SQUAK MOUNTAIN ACQUISITION

The Squak Mountain acquisition would provide for a southern expansion to the State-owned Squak Mountain Natural Area. These lands are part of the Issaquah Alps which, by virtue of their size, central location, and open space and recreation values, are a focal point of the county landscape. The Alps form a major community separator between the north and south parts of the county and are an outstanding wildlife corridor from the Cascade Mountains, through the foothills and into the developed area of the county. An extensive system of formal and informal hiking trails currently exists in this area.

THREE FORKS TO MT. SI TRAIL

Acquisition of this trail corridor would provide a link between the State-owned Mt. Si Conservation Area and the Snoqualmie River Trail via Three Forks Park. It would create a river corridor trail along the South Fork of the Snoqualmie River.

WHITE RIVER TRAIL

This trail completes a loop system with the Green River Trail and the Enumclaw Plateau Trail in the southern part of the county. It offers a wide range of opportunities to experience the river environment and provides spectacular scenic views. This trail would provide a wildlife migration corridor and form a community separator between King and Pierce Counties.

KLAHANIE TO CARNATION TRAIL

This trail would link East Lake Sammamish, Tolt-McDonald Park, Carnation and the Snoqualmie Valley Trail. It would provide recreation opportunities in an area with few park and recreation facilities and large projected growth.

TOLT RIVER TRAIL

This trail would link Carnation to the Tolt Pipeline Trail and provide a river corridor trail along the Tolt River. This will provide potential for several loop trails with additional access to the Snoqualmie Valley Trail and proposed trails in Bear Creek and on the East Sammamish Plateau.

ISSAQUAH TO SR 18 TRAIL

This connection between Issaquah and the proposed SR 18 Trail will give access to trail systems in south King County. The trail traverses a wooded area between the scenic wooded slopes of Squak and Tiger Mountains.

The following parcels and corridors are portions of larger open space parcels or trail corridors the remainder of which are included as acquisitions on the proposed "Public Open Space, Parks, Trails, Aquarium and Recreation Facility Bonds" issue.

ENUMCLAW PLATEAU TRAIL

This trail would continue a linkage between King and Pierce Counties, providing access to the proposed Foothills Trail that will lead to Mt. Rainier National Park. It would link existing and proposed open space features as well as the White River and Green River Trails.



GREEN RIVER TO CEDAR RIVER TRAIL

This would be a major link between two trail systems: the Green River and Cedar River Trails. It would give access to both Flaming Geysers State Park and the Green River Gorge.

A WEST HYLEBOS WETLANDS PARK

This is a large, relatively undisturbed habitat area in a highly urbanized portion of the county. Acquisition will increase the size of an existing State Park and expand public access to the wetland. In addition, the area would provide a community separator and relief from the developed environment surrounding it.

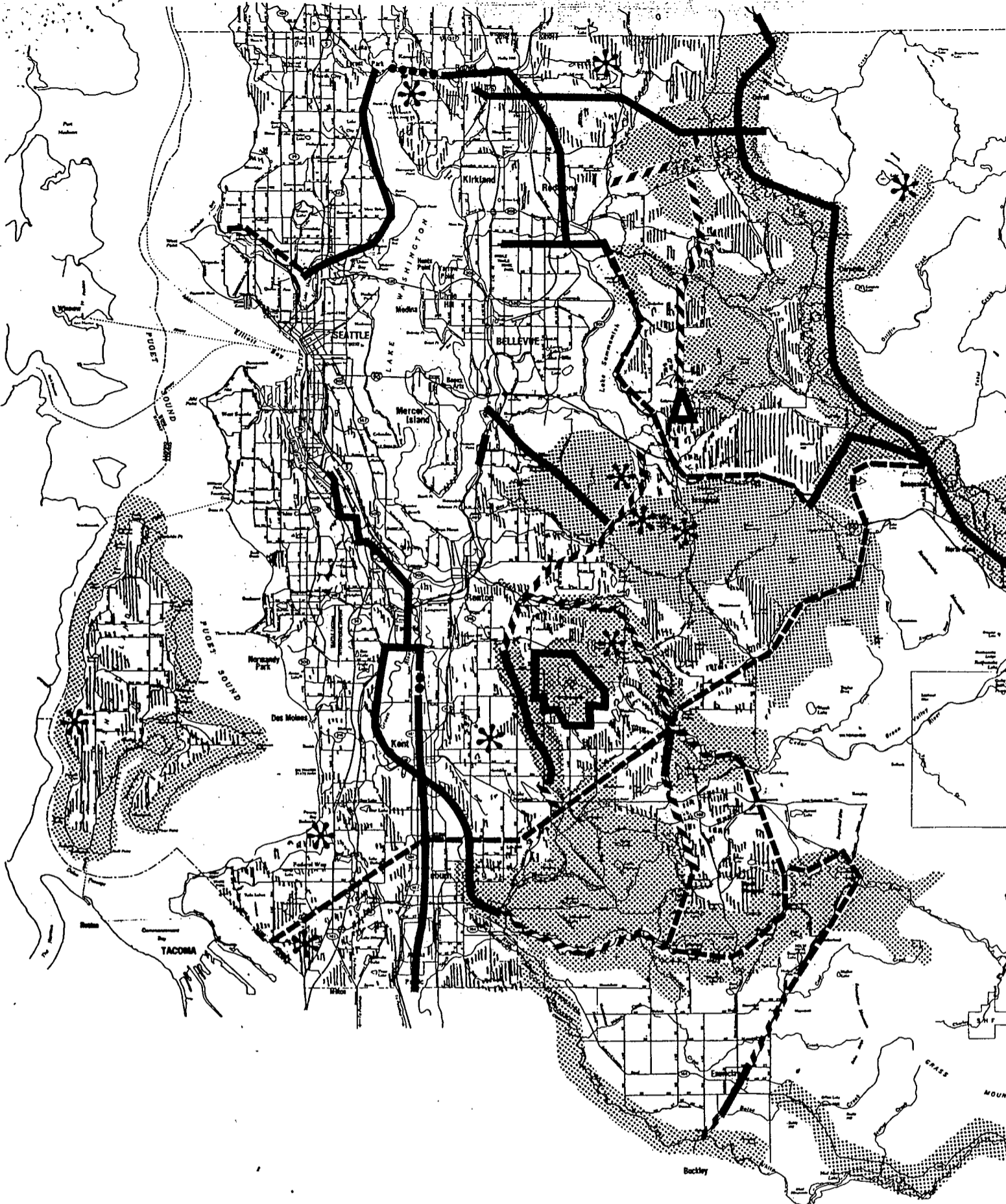
COUGAR MOUNTAIN COMPLETION

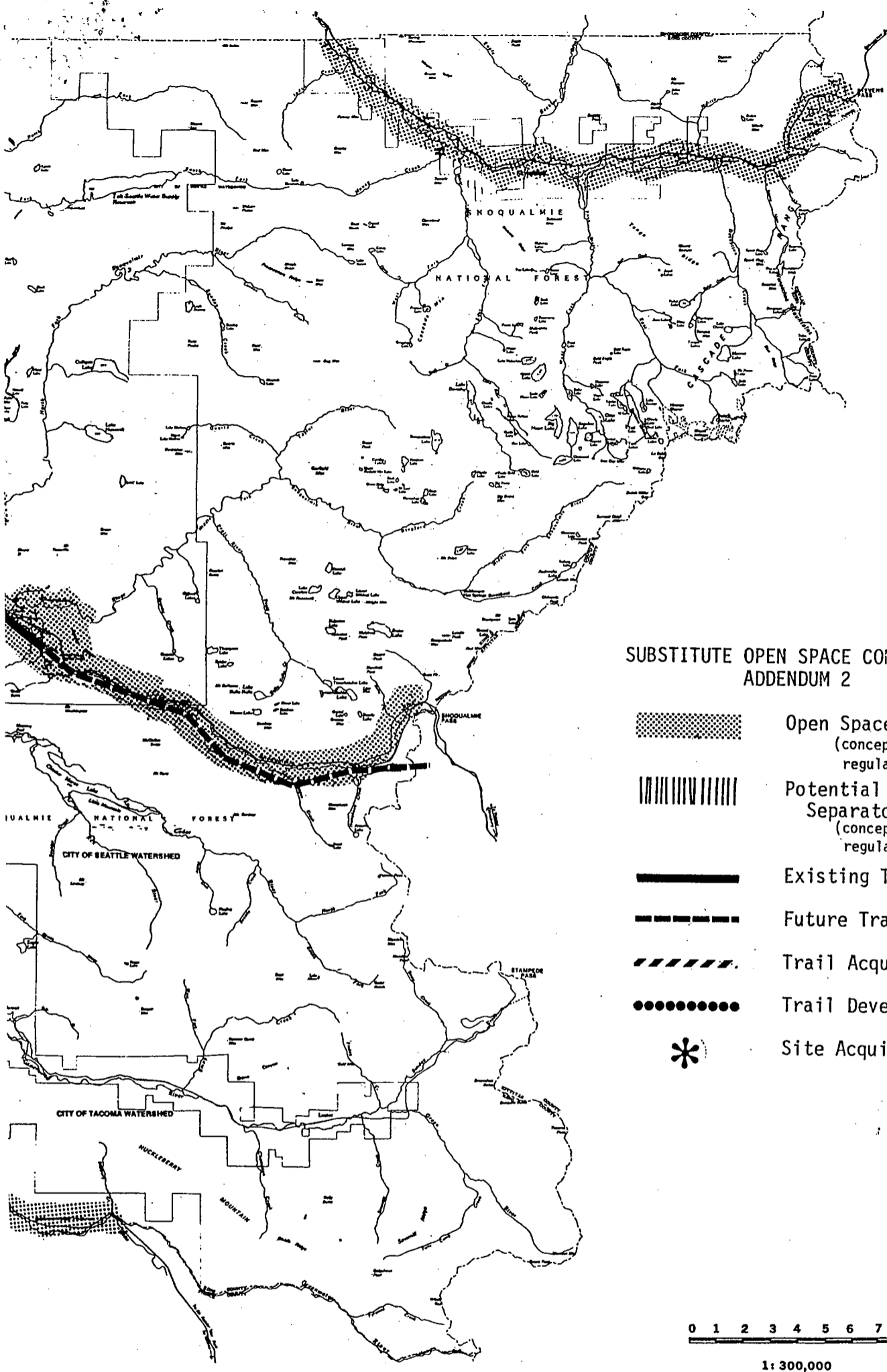
This acquisition would expand the existing Cougar Mountain County Park which is part of the Issaquah Alps. The Alps form a major community separator between the north and south parts of the county and are an outstanding wildlife corridor from the Cascade Mountains, through the foothills and into the developed area of the county. An extensive system of formal and informal hiking trails currently exists in this area.

SQUAK MT./TIGER MT. CORRIDOR








This acquisition would provide a connection between the State-owned Squak Mt. Natural Area and the Tiger Mt. State Forest.

- C. Delete Appendix A Item 2, Proposed Ordinance Amending KCC 20.36 Changing Eligibility Criteria for Current Use Taxation as Open Space.
- D. Replace Open Space Concept Map (follows page 10) with Substitute Open Space Concept Map attached as Addendum 2.





SUBSTITUTE OPEN SPACE CONCEPT MAP  
ADDENDUM 2

-  Open Space Systems  
(concept only--not for regulatory purposes)
-  Potential Community Separators  
(concept only--not for regulatory purposes)
-  Existing Trails
-  Future Trails
-  Trail Acquisitions
-  Trail Developments
-  Site Acquisitions

0 1 2 3 4 5 6 7 8 Miles

1: 300,000