

March 8, 1993  
JAG:elm (ldt)ssj  
93-116clerk.sub

Pullen, Derdowski  
Sims, Nickels, Phillips,  
Introduced by: Sullivan, Laing  
Proposed No.: 93-116

ORDINANCE NO. **10750**

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AN ORDINANCE authorizing the Regional Conservation Futures 1993 Bond Acquisition Program, amending Ordinance 8867, 9430, 8657 and K.C.C. 26.12.010 and 26.12.020, adding a new section and declaring the Council's intent to issue bonds in the principal amount of \$60,000,000.

FINDINGS

For the purposes of meeting King County's adopted planning policies pursuant to the State of Washington Growth Management Act, the King County council makes the following findings:

1. There exists in King County a general and increasing need to provide a system of public open spaces necessary for the health, welfare, benefit and safety of the residents of King County and to maintain King County as a desirable place to live, visit and locate businesses.
2. King County's open space resources continue to diminish due to continued dramatic growth in this region, with an expected gain in new residents of 200,000 to 300,000 people by the year 2000. Unless necessary property interests in such open space resources are acquired and dedicated to preservation, these important resources are highly likely to be developed and lost forever.
3. An historic opportunity to acquire and protect King County's diminishing open space resources exists due to relative stability of land prices and highly favorable conditions for the issuance of bonds.
4. For the purposes of meeting the requirements of the State of Washington Growth Management Act, as specified under RCW 36.70A.210, King County has established a countywide framework to develop comprehensive plans under Ordinance 10450, including policies requiring incorporated jurisdictions to work together to identify, protect and acquire King County's diminishing open space resources and to establish a regional open space system.
5. Conservation futures tax levy collections, authorized under RCW 84.34.230 are an important means of retaining community character and accomplishing open space policies and objectives of Ordinance 10450.
6. The issuance of bonds funded through future year collections of conservation futures tax levy revenues will provide an immediate source of needed funds to enable the county to take advantage of the historic opportunity to acquire additional open spaces for the public benefit and to meet the provisions and requirements of the Growth Management Act.

1 7. King County is authorized by R.C.W. 84.34.210  
2 and 84.34.220 to acquire open space land (as  
3 hereinafter defined) in King County.

4 8. Public open spaces acquired pursuant to this  
5 ordinance located partially or wholly within the  
6 cities and towns of King County, as well as those  
7 located within unincorporated King County, will be  
8 available on the same conditions and for general  
9 benefit of all residents of the county.

10 9. A substantial amount of conservation futures tax  
11 levy funds will remain available in future years to  
12 take advantage of acquisition opportunities after  
13 King County pays the debt service on the bonds (as  
14 hereinafter defined) with the conservation future tax  
15 levy funds pledged under this ordinance.

16 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

17 NEW SECTION. SECTION 1. Definitions.

18 Unless the text clearly indicates otherwise, as used in  
19 this ordinance, the following words will have the meanings set  
20 forth in this section:

21 A. "Bond Proceeds" means the principal proceeds received  
22 from the sale of the bonds but shall not mean accrued interest  
23 on the bonds paid by the original purchaser of the bonds.

24 B. "Bonds" shall mean the limited tax general obligation  
25 bonds which the county declares its intent to issue pursuant to  
26 this ordinance.

27 C. "Citizen Oversight Committee" means the King County  
28 Open Space Citizen Oversight Committee, established under  
29 Ordinance 9071.

30 D. "Conservation Futures Tax Levy" means that King County  
31 tax levy upon all taxable property in King County authorized by  
32 R.C.W. 84.34.230.

33 E. "Governmental Agency" or "Agency" means King County,  
34 the City of Seattle, and any incorporated Suburban City  
35 jurisdiction within the county.

36 F. "Interlocal Agreement" shall mean the agreement  
37 provided for in this ordinance to be entered into between King  
38 County and each other governmental agency.

39 G. "King County Local Project" means a project located  
40 within unincorporated King County which is declared to be of  
41 extraordinary significance pursuant to the procedures

1 established under this ordinance and to which a portion of the  
2 bond proceeds designated for King County local projects is  
3 allocated.

4 H. "Open Space Land" means the fee simple or any lesser  
5 interest, development right (including conservation futures),  
6 easement, covenant, or other contractual right necessary to  
7 protect, preserve, maintain, improve, restore, limit the future  
8 use of, or otherwise conserve, selected open space land (as  
9 such are defined in chapter 84.34 RCW) for public use or  
10 enjoyment.

11 I. "Project" means any open space land to which any bond  
12 proceeds are allocated for acquisition pursuant to the  
13 processes set forth under this ordinance.

14 J. "Project Category" means the Regional Projects, King  
15 County Local Projects, Suburban City Local Projects or Seattle  
16 Local Projects.

17 K. "Regional Conservation Futures Acquisition Fund" means  
18 the fund or funds to be designated by the county into which the  
19 bond proceeds shall be deposited.

20 L. "Regional Project" means a project located anywhere in  
21 King County which is declared to be of extraordinary regional  
22 significance pursuant to the procedures established under this  
23 ordinance and to which a portion of the bond proceeds  
24 designated for Regional Projects is allocated.

25 M. "Seattle" means the City of Seattle, Washington.

26 N. "Seattle Local Project" means a project located within  
27 Seattle which is declared to be of extraordinary significance  
28 pursuant to the procedures established under this ordinance and  
29 to which a portion of the bond proceeds designated for Seattle  
30 Local Projects is allocated.

31 O. "Suburban City" means each incorporated suburban city  
32 jurisdiction in King County.

33 P. "Suburban City Local Project" means a project located  
34 within a suburban city which is declared to be of extraordinary  
35 significance pursuant to the procedures established under this

1 ordinance and to which some or that portion of the bond  
 2 proceeds designated for Suburban City Local Projects is  
 3 allocated.

4 SECTION 2. Allocation of Conservation Future Tax

5 Ordinance 8867 Section 1 as amended, and K.C.C. 26.12.010  
 6 are hereby amended to read as follows:

7 A process is hereby established for the biennial  
 8 allocation commencing January 1, 1994 of the Conservation  
 9 Futures fund (except as provided in Ordinance 10750  
 10 establishing the Regional Conservation Futures 1993 Bond  
 11 Acquisition Program) to acquire green spaces, greenbelts, and  
 12 trail rights-of-ways proposed for preservation for public use  
 13 by either the county or the cities within the county. King  
 14 County government, incorporated city governments within King  
 15 County, citizen groups and citizens may make application for  
 16 funds in this allocation process.

17 A. At least one month prior to a submission date  
 18 determined by the county council, all cities within the county  
 19 shall be provided notice of the opportunity to apply to the  
 20 county for a share of the biennial allocation of the  
 21 Conservation Futures funds. Notice also shall be provided in a  
 22 daily newspaper of general county circulation.

23 B. By a date certain established by the county council  
 24 during a biennial allocation, the executive shall report to the  
 25 council on the compliance of all applications submitted for  
 26 funding with the county open space selection criteria, Section  
 27 20.12.380, and any additional relevant criteria of the  
 28 jurisdiction in which the potential acquisition is located.  
 29 The report also shall be accompanied by a proposed  
 30 appropriation ordinance setting forth the applications  
 31 recommended for funding by the citizen oversight committee  
 32 identified in subsection C.

33 C. The citizen oversight committee shall include an  
 34 individual from each King County council district. It shall be  
 35 composed of nine members appointed by the executive and

1 confirmed by the council. The committee shall elect a chair  
2 from its members. The executive shall solicit nominations from  
3 the City of Seattle and nominations from the Suburban Cities  
4 Association. Once established the terms of the members and  
5 chair shall be rotated such that three of the seats become  
6 available for appointment every year.

7 D. Prior to the final council action on the biennial  
8 allocation of the Conservation Futures fund, a public hearing  
9 will be held on the applications submitted by the county and  
10 the cities.

11 E. Any application funded by this process shall be  
12 supported by the jurisdiction in which the project is located  
13 with a matching contribution no less than the amount of  
14 Conservation Futures funds awarded to the project. This  
15 contribution may consist of cash, land trades with a valuation  
16 verified by an appraisal by a MAI certified appraiser, or  
17 credits for other qualifying open space acquired on or after  
18 January 1, 1989. When a project nominated by a citizen or  
19 citizen group is located within a city jurisdiction and is  
20 recommended for acquisition by the citizen oversight committee,  
21 the subject city shall be required to demonstrate a commitment  
22 to contribute within two years of application the required  
23 share for the project prior to said application's final  
24 consideration by the King County council. Otherwise, the  
25 conservation funding will be available for reallocation to  
26 other current applications. In such instances, the subject  
27 city shall have 60 days to demonstrate its commitment to  
28 contribute to the project.

29 F. For the purpose of this chapter, all cities in excess  
30 of 20,000 population shall have promulgated an open space plan  
31 or its equivalent prior to submitting applications to this  
32 process.

33 G. A \$500,000 balance will be reserved at the beginning  
34 of each biennium of this process to be used at the discretion  
35 of the county to fund options on parcels sponsored by either

1 confirmed by the council. The committee shall elect a chair  
2 from its members. The executive shall solicit nominations from  
3 the City of Seattle and nominations from the Suburban Cities  
4 Association. Once established the terms of the members and  
5 chair shall be rotated such that three of the seats become  
6 available for appointment every year.

7 D. Prior to the final council action on the biennial  
8 allocation of the Conservation Futures fund, a public hearing  
9 will be held on the applications submitted by the county and  
10 the cities.

11 E. Any application funded by this process shall be  
12 supported by the jurisdiction in which the project is located  
13 with a matching contribution no less than the amount of  
14 Conservation Futures funds awarded to the project. This  
15 contribution may consist of cash, land trades with a valuation  
16 verified by an appraisal by a MAI certified appraiser, or  
17 credits for other qualifying open space acquired on or after  
18 January 1, 1989. When a project nominated by a citizen or  
19 citizen group is located within a city jurisdiction and is  
20 recommended for acquisition by the citizen oversight committee,  
21 the subject city shall be required to demonstrate a commitment  
22 to contribute within two years of application the required  
23 share for the project prior to said application's final  
24 consideration by the King County council. Otherwise, the  
25 conservation funding will be available for reallocation to  
26 other current applications. In such instances, the subject  
27 city shall have 60 days to demonstrate its commitment to  
28 contribute to the project.

29 F. For the purpose of this chapter, all cities in excess  
30 of 20,000 population shall have promulgated an open space plan  
31 or its equivalent prior to submitting applications to this  
32 process.

33 G. A \$500,000 balance will be reserved at the beginning  
34 of each biennium of this process to be used at the discretion  
35 of the county to fund options on parcels sponsored by either

1 the county or a city that would otherwise satisfy D through F  
2 of this section, but have become threatened prior to the next  
3 biennial allocation by conversion to uses incompatible with  
4 their open space characteristics. Prior to approving the  
5 purchase of an option, the council must find that the subject  
6 parcel satisfies both the county open space selection criteria  
7 and any additional relevant criteria promulgated by the  
8 jurisdiction in which the parcel is located.

9 NEW SECTION. SECTION 3. Intention to Issue Bonds.

10 A. For the purposes of providing funds to acquire open  
11 space lands, the county hereby declares its intent to issue  
12 bonds in the principal amount of \$60,000,000. The bonds shall  
13 be sold in such manner and issued upon such terms and  
14 conditions as subsequently determined by ordinance to be in the  
15 best interest of the county. The acquisition of projects shall  
16 include all costs of acquiring real property, including  
17 interests in real property, and the following administrative  
18 costs: cost of related relocation of eligible occupants, cost  
19 of appraisal, cost of appraisal review, cost of title  
20 insurance, closing costs, pro rata real estate taxes, recording  
21 fees, compensating tax, hazardous waste substances reports,  
22 directly related staff costs and related legal and  
23 administrative costs and shall include the administrative cost  
24 of evaluating project applications, adopting recommended  
25 allocations and other ongoing administrative costs of  
26 overseeing the program, but shall not include the cost of  
27 preparing applications. No proceeds from the sale of bonds  
28 issued for these purposes may be used to acquire any property  
29 or interest therein through the exercise of the power of  
30 eminent domain.

31 B. Both the principal and interest on the bonds shall be  
32 payable out of, among other sources as determined by the  
33 county, the annual conservation futures tax levy funds  
34 collected commencing January 1, 1994, to be made on all of the  
35 taxable property within the county.

1           NEW SECTION. SECTION 4. Allocation of Bond Proceeds.

2           A. The principal amount of the bond proceeds shall be  
3 deposited into the regional conservation futures acquisition  
4 fund and shall be allocated among the four project categories  
5 in the following proportions: regional projects, 25%; King  
6 County local projects, 25%; suburban city local projects, 25%;  
7 Seattle local projects, 25%. Earnings on the investment of  
8 bond proceeds shall be deposited into the bond redemption fund  
9 to be created at such time as the bonds are issued and shall be  
10 used to pay principal and interest on the bonds.

11           NEW SECTION. SECTION 5. Selection of Projects.

12           A. The County shall allocate bond proceeds within  
13 project categories among those projects for which applications  
14 are received pursuant to the process set forth in this  
15 ordinance. The county shall make such allocation decisions  
16 pursuant to the criteria attached hereto as Attachment A  
17 (Regional Projects); Attachment B (Unincorporated King County  
18 and Suburban Cities Projects); Attachment C (Seattle Local  
19 Projects) which are hereby adopted.

20           B. King County government and incorporated city  
21 governments within King County may make application for bond  
22 proceeds.

23           C. No later than March 30, 1993, all cities within the  
24 county and county government shall be provided notice by the  
25 office of open space of the opportunity to apply to the county  
26 for a share of the allocation of the Bond Funds. Notice also  
27 shall be provided in a daily newspaper of general county  
28 circulation.

29           D. The executive shall transmit, no later than June 1,  
30 1993 for regional projects and no later than August 15, 1993  
31 for all other projects, a report to the council on the  
32 compliance of all applications submitted for funding with the  
33 criteria set forth on Attachments A, B or C. Each report shall  
34 be accompanied by a motion approving the projects recommended  
35 for funding.



1 E. Prior to final council action on the allocation of  
2 Bond funds, a public hearing will be held on the applications  
3 submitted by the county and the cities.

4 F. For the purpose of this ordinance, all cities in  
5 excess of 20,000 population shall have promulgated an open  
6 space plan or its equivalent prior to submitting applications  
7 to this process.

8 G. The citizen oversight committee will review and report  
9 to the council on semi-annual public reports prepared by the  
10 jurisdictions administering projects included in the Bond  
11 ordinance which describe the status of the implementation of  
12 the projects. The citizen oversight committee also shall be  
13 responsible for recommending reallocations of bond funds when  
14 available to new projects.

15 NEW SECTION. SECTION 6. - Interlocal Agreement

16 The county shall negotiate an interlocal agreement to  
17 govern the use of bond proceeds. Before any bond proceeds are  
18 distributed by the county to a governmental agency, there must  
19 be executed between the county and that governmental agency an  
20 Interlocal Agreement necessary to satisfy applicable Federal  
21 tax laws and regulations. The Interlocal Agreement shall  
22 contain provisions where appropriate governing the distribution  
23 of the bond proceeds, including without limitation, provisions  
24 with respect to the determination of the amount, method and  
25 time of distribution of bond proceeds and the use of  
26 distributed bond proceeds (provided that bond proceeds shall be  
27 used only to reimburse costs incurred); project implementation  
28 schedules and reports; the reallocation of bond proceeds in the  
29 event of the abandonment of Projects, cost overruns or  
30 underruns on Projects, or for other reasons; provisions to  
31 assure the tax exemption of the interest on the bonds; use of  
32 unspent bond proceeds; investment of bond proceeds; and the  
33 method or methods of amending the interlocal agreement. The  
34 Interlocal Agreement also shall identify the programmatic and  
35 financial information to be provided by all governmental

1 agencies on each funded project and its individual project  
2 elements for inclusion in the semi-annual report of the citizen  
3 oversight committee. The interlocal agreements shall require  
4 each participating Agency to review its real property  
5 acquisition procedure and commit to all reasonable action  
6 necessary to ensure that all projects are expeditiously  
7 completed and that special priority is extended to those  
8 properties to which there is a particular threat of conversion  
9 or inflationary cost pressure. Unless otherwise provided  
10 herein, the interlocal agreements also shall set forth that  
11 Project administration, and any maintenance for a Project,  
12 after its completion shall be the responsibility of the  
13 governmental agency that sponsors a specific Project. Should a  
14 Project be within an area annexed or incorporated after May 15,  
15 1993, its administration and ownership may be transferred to  
16 the annexing or incorporating city should such transfer advance  
17 the interest of the citizens of King County as determined by  
18 the county through its normal legislative process. In the  
19 event that any governmental agency shall fail within a  
20 reasonable period of time to enter into an Interlocal  
21 Agreement, the county may reallocate those bond proceeds in  
22 agreement with one or more of the affected Agencies to new or  
23 existing projects within the same Project Category.

24 NEW SECTION. SECTION 7. - Allocation of Proceeds

25 In the event of unexpended project allocations, including  
26 but not limited to Project completion at less than estimated  
27 cost or abandonment of projects, the affected governmental  
28 agency shall notify the county and the citizen oversight  
29 committee. After requesting a recommendation from the citizen  
30 oversight committee and in agreement with one or more of the  
31 affected agencies, the council may reallocate the unexpended  
32 bond proceeds to another approved Project within the same  
33 Project Category. Reallocation to new projects not previously  
34 approved shall occur after the county requests a recommendation  
35 from the citizen oversight committee regarding the use of the

1 funds. Abandonment of a Project requires a determination and  
2 finding of fact by the affected Agency through its normal  
3 legislative process that changes in conditions or new  
4 information developed after approval of funding of projects  
5 prevent the practical accomplishment of the Project or clearly  
6 indicate that the project would no longer best serve its  
7 intended purpose.

8 NEW SECTION. SECTION 8. - Restrictions on Transfer

9 Projects carried out by a governmental agency in whole or  
10 part from the regional conservation futures acquisition fund  
11 shall not be transferred or conveyed except by agreement  
12 providing that such land or interest in land shall be continued  
13 to be used for the purposes of this ordinance and in strict  
14 conformance with the uses authorized under RCW 84.34.230; nor  
15 shall they be converted to a different use unless other  
16 equivalent lands within the geographic jurisdiction of the  
17 governmental agency shall be received in exchange therefore.  
18 Nothing in this ordinance shall prevent the grant of easements,  
19 franchises, or the making of joint use agreements or other  
20 operations compatible with the use of a Project as provided for  
21 in this ordinance and authorized under RCW 84.34.230.

22 NEW SECTION. SECTION 9. Intention to Reimburse  
23 Expenditures.

24 A. King County reasonably expects to be reimbursed from  
25 the bond proceeds for acquisition costs of projects including  
26 all costs of acquiring real property, interests in real  
27 property, title and appraisal services and related legal and  
28 administrative costs.

1 B. This declaration of official intention is made  
2 pursuant to Section 1.103-18 of the Income Tax Regulations  
3 promulgated by the United States Department of Treasury.

4 C. The maximum principal amount of reimbursement bonds  
5 expected to be issued is \$60,000,000.

6 INTRODUCED AND READ for the first time this 22<sup>nd</sup> day  
7 of February, 1993.  
8 PASSED this 8<sup>th</sup> day of March, 1993.

9 KING COUNTY  
10 KING COUNTY, WASHINGTON

11 Cynthia Sullivan  
12 VICE CHAIR  
13

ATTEST:

14 Gwendolyn Foster  
15 Clerk of the Council

16 APPROVED this 18<sup>th</sup> day of March, 1993.

17 Jim Hill  
18 King County Executive

19 Attachments:

- 20 A. Regional Projects Criteria
- 21 B. King County and Suburban City Local Projects Criteria
- 22 C. Seattle Local Projects Criteria

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ATTACHMENT A

## **Criteria for Current Funding of Properties of Extraordinary Regional Significance with Future-Year CFT Revenues.**

The purpose of these criteria is to identify regionally significant properties eligible for funding with future-year CFT funds. These projects will provide park, open space and recreational opportunities and serve environmental, aesthetic, community shaping functions. Properties eligible for funding under this program must meet the definitions for eligible lands under RCW 84.34.020 and must pass the following threshold criteria.

There are three thresholds that properties eligible for funding must meet. They include 1) the regional importance of the property, 2) the extraordinary open space features of the property and 3) the conditions for determining the need for future year CFT revenues. Also included in these criteria are additional considerations that could influence funding priorities.

These criteria were developed to conform with adopted open space policies of the King County Growth Management Planning Council ("GMPC"), which is composed of elected officials from jurisdictions throughout King County. As such, regional open space projects eligible for funding under this program should compliment, enhance and link with other regional open spaces, corridors and systems.

**Section I. Regional Importance.** The property must possess at least two of the following characteristics:

- A. The property will likely be a destination for people who come from beyond the geographic limits of individual communities or jurisdictions within which the property is located.
- B. The property is visually prominent from an interstate, state, or county highway, or major urban right-of-way, regional trail, or other highly-used public right of way, Puget Sound or Lake Washington.
- C. The property will create a park, passive-use recreation or open space opportunity that crosses jurisdictional boundaries or is beyond the funding capabilities of individual jurisdictions that provide parks and open spaces.
- D. The property meets the threshold established in Section II.
- E. If the property is primarily habitat that meets the definition of Criteria II B., such property may have low human visitation or visibility that does not meet the above criteria and may require use restrictions to adequately protect the resource.

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**Section II. Extraordinary/unique open space features.** The property will conserve valuable park and open space resources, including both natural and recreational elements. The property must possess at least three of the following characteristics that are important to the character and lifestyle enjoyed in King County. The property may also meet this threshold if the King County Council, after requesting a recommendation from the Open Space Citizen Oversight Committee, determines that the property possesses one of the features listed below to a degree of extraordinary importance to the people of King County:

**A. Scenic resource/landmark, viewpoint or view corridor.**

(1) A Viewpoint property will provide the opportunity to view a scenic resource, as defined in #3 below. The viewpoint must provide public access, be identified by a permanent sign readily visible from a road, regional trail or other highly used public space.

(2) A View Corridor is an area that maintains an open, unimpeded view of a scenic resource important to the character of King County as defined in #3 below. An example would include a property that needs to remain undeveloped or with added building setbacks to preserve the line of vision to the resource from a public space.

(3) Scenic Resources are natural or cultural features of at least 20 acres that are visually significant to the character of King County. Scenic resources located outside of King County, but important to the character of King County include Mt. Rainier, the Olympic Mountains and Cascade Mountains outside of the county such as Mt. Baker. Puget Sound, Lake Washington and Lake Sammamish are regionally important scenic resources located in King County.

Other scenic resources within King County are eligible for acquisition. Such scenic resources may include, but are not limited to, forested land within view of a major highway, a major river corridor or a unique geologic feature along Puget Sound. Eligible sites must be visible to significant number of the general public from public spaces, Lake Washington or Puget Sound. Scenic resources proposed for acquisition must be of sufficient size to substantially preserve the scenic resource value.

**B. Habitat areas or corridors.**

An area which is utilized by naturally occurring plant or animal species that are significant, rare or unique within King County. Examples include but are not limited to elk wintering range, salmonid spawning streams, migratory waterfowl habitat, black bear habitat, bald eagle nests, heron rookeries, endangered plant sites or rare amphibian sites. Possible sources for identification of significant habitat areas may include the criteria for priority habitats and species as defined by the State Department of Wildlife, or sites identified by local, county, state or private conservation agencies. In urban areas, habitat that can be demonstrated to be a linkage in a larger habitat system is also eligible.

A habitat area may be a component of a regional park that contains other passive-use

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activities. If public access is proposed within a habitat area, the application shall address how such access will be provided at an appropriate level that will protect the resources in the natural area.

**C. Addition to regional park or trail system.**

Property that is adjacent to a regional park or trail, or within the boundary of a greenbelt or greenway as adopted in a comprehensive park, open space or trail plan that will provide a critical linkage or significant expansion to the regional park or open space. To be considered, the property itself must meet two additional criteria of this section II, or the addition of the property to an existing park, open space or trail would create a regional resource that would contain at least three criteria of this section II.

**D. Waterfront on Puget Sound or Lake Washington/Union/Ship Canal.**

Property that will provide direct access to Puget Sound, Lake Washington, Lake Union and the ship canal that connects Puget Sound, Lake Washington and Lake Union. The property may include associated wetlands or tidelands.

**E. Other water system that could serve as regional facility for non-motorized, passive use access.**

Lake or riverine shoreline and associated wetland or upland buffer areas that could serve as a regional shoreline access facility or contribute to the establishment and protection of a riparian open space corridor. Properties must be exceptional, as demonstrated by an ability to provide multiple public benefits including, but not limited to passive-use recreation, education, interpretive activities, linkage of a trail or greenway, or habitat protection.

**F. Regional passive-use urban park.**

Property that would primarily be used as a regional passive-use urban park that will be a destination point for users traveling from beyond their own local community. Such property must be located in urban areas or in urban growth areas as defined in the King County Comprehensive Plan. A passive use park may also contain habitat or other features found in this Criteria II.

**G. Historic/archaeological resources.**

Eligible land must itself be an historic or archaeological resource or have situated upon it a structure that is such a resource. Structures are not eligible for funding. Historic or archaeological resources must be formally designated on either the King County Historic Register, the Washington state Historic or archaeological registers or the National Historic Register.

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Examples of Historic or archaeological resources include Native American settlements, historic trails, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites, or contributing properties within designated historic districts.

**H. City/community separator greenways.**

Undeveloped, natural land areas that serve to define edges of separate, distinct communities, including visual relief and the physical separation of incompatible land uses, to large numbers of citizens. City/community separators contribute to the regional form through definition of the boundaries of communities or incorporated cities, as identified in the King County Comprehensive Plan or local adopted comprehensive plans. Such separators may include stream systems, linear bluffs or other features that otherwise provide the function of city or community separator.

Sources for identifying city/community separators include adopted King County Community Plans, adopted local jurisdiction comprehensive or Growth Management plans.

**Section III. Conditions for determining the need for future year revenues. One of the following is required:**

**A. The property is formally identified as a high acquisition priority.**

The property must be identified in an adopted park, open space or comprehensive plan, in conformance with state Growth Management Act planning requirements as a high priority; or for jurisdictions that have not completed adoption of such plans, an accompanying motion or resolution from the jurisdiction under its normal legislative process indicating that the property is a high priority acquisition and that it will be included in appropriate GMA plans when adopted. Jurisdictions may identify as a high priority a multi-parcel open space such as a greenway or waterfront, from which individual properties may subsequently be acquired.

**B. Significant matching funds available.**

Significant matching funds or a partial property donation opportunity is available and is equal to or greater than one half of the amount of the conservation futures application and the deadline for expending of such available grant is within two years of the expected date of the conservation futures grant. Matching funds may include a pledge of future revenues from an existing local open space funding source, such as a real estate excise tax, local bond or other source.



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**C. The property is highly threatened with development or loss of an important resource.**

Factors that shall be considered in determining whether a property is highly threatened include:

- A highly publicized development proposal for which a permit application has not been applied for, but that has been discussed in the media or at public meetings.
- An application for a building or subdivision permit has been submitted.
- A building or subdivision permit has been approved.
- SEPA and other environmental review is completed.
- A logging permit has been issued.
- The property could be highly developed under existing zoning, and development patterns in the surrounding area suggest future development is probable.

**D. Other extraordinary timing opportunity identified.**

After requesting a recommendation from the King County Open Space Citizen Oversight Committee, the King County Council may determine that an extraordinary opportunity for acquisition of a property meeting Criteria I and II thresholds exists.

**IV. Additional considerations:**

**A. Unmet park or open space needs.**

The property is located in an area that has been identified as having a deficit in park or open space resources in an adopted park or comprehensive plan meeting Growth Management Act mandated requirements.

**B. Geographic equity in the distribution of CFT funds.**

Consideration shall be made for the equitable distribution of CFT funds throughout King County over time.

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**C. Large acreage.**

The property to be acquired is: greater than 20 acres in size in an urban area, as defined under the urban/rural boundary identified in the King County Growth Management Planning Council adopted policies; 300 acres in size, located in a rural area, as defined in the King County Growth Management Planning Council adopted policies; or contains more than 300 feet of waterfront.

**D. Property provides a final critical link in a regional open space system.**

The property provides the last or one of the last essential elements in a regional open space system, such as a regional trail, a critical habitat corridor or other greenway.

**E. Factors affecting likely success of project.**

i. Other matching funds or resources identified, such as volunteer management agreement, etc.

ii. Evidence of a willing seller. This may be demonstrated by a signed letter of intent or signed option, or a first right of refusal from the seller.

iii. Site restoration project funding identified. A restoration project will create or significantly improve a seriously degraded feature defined in Criteria II. A proposed native salmon spawning habitat restoration project (not a salmon hatchery) or a proposed passive use urban park in an area that is currently developed with structures or is paved are two examples of restoration projects.

**G. Growth Management Act - Accepting Density**

Consideration shall be given to areas identified under adopted growth management plans as targeted to receive greater density, such as urban villages and urban centers.

**H. 1989 Open Space Bond Project with funding shortfall**

The property is within the scope of a 1989 Open Space Bond acquisition Project that has an identified acquisition funding shortfall and has not been substantially completed.

**I. Likelihood of loss of open space values if property not acquired.**

Consideration will be given to the risk of loss of open space values identified in the Open Space Features Criteria. Such consideration will include an evaluation of the level of harm that would likely come to identified open space features by alterations of the property through likely changes in land use.

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Waterfront access categories (Criteria I C.): the maximum 15% impermeable surface condition may be waived if a determination is made that land for parking, other staging needs or water dependent uses is required.

6. Adopted park and open space comprehensive plans may be used as sources for identifying open space resources listed in Criteria I.
7. A budget should be included in all project funding requests. This budget should clearly delineate costs in the following expenditure categories:
  - \* general administration;
  - \* appraisal, appraisal review and title report costs;
  - \* relocation costs;
  - \* acquisition costs including closing costs;

In no case shall a jurisdiction be allowed to exceed the amount identified in the general administration category. The County Council can grant an exception to this requirement if, after requesting a recommendation from the Citizen Oversight Committee, it determines that exceptional administrative expenses are justified.

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ATTACHMENT B

**Criteria for Current Funding of Properties of Extraordinary  
Local Significance In Unincorporated King County  
and the Suburban Cities with Future-Year CFT Revenues.**

Introduction:

The purpose of these criteria is to identify properties of local community significance eligible for funding with future-year funds from conservation futures tax ("CFT") levy revenues. These properties will provide park, open space and low impact recreational opportunities and serve environmental, aesthetic, community shaping functions. Properties eligible for funding under this program must meet the definitions for eligible lands under RCW 84.34.020 and must pass the following threshold criteria.

There are two thresholds that properties eligible for funding for local projects must meet. They include I) the open space features of the property and II) conditions for determining the need for future year CFT revenues. Also included in these criteria are additional considerations that could influence funding priorities.

These criteria were developed to conform with adopted open space policies of the King County Growth Management Planning Council ("GMPC"), which is composed of elected officials from jurisdictions throughout King County. As such, local open space projects eligible for funding under this program should compliment, enhance and link with other local and regional open spaces, corridors and systems.

**I. Open space features.**

The property will conserve valuable park and open space resources, including both natural and low impact recreational elements. The property must possess at least two of the following characteristics that are important to the character and lifestyle enjoyed in communities in King County. The property may also meet this threshold if the King County Council, after requesting a recommendation from the Open Space Citizen Oversight Committee, determines that the property possesses one of the features listed below to a degree of extraordinary importance.

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**A. Scenic resource/landmark, viewpoint or view corridor.**

(1) A Viewpoint property will provide the opportunity to view a scenic resource, as defined in A.(3) below. The viewpoint must provide public access, be identified by a permanent sign readily visible from a road, regional trail or other highly used public space.

(2) A View Corridor is an area that maintains an open, unimpeded view of a scenic resource important to the character of King County as defined in A.(3) below. An example would include a property that needs to remain undeveloped or with added building setbacks to preserve the line of vision to the resource from a public space.

(3) Scenic Resources are natural or cultural features of at least 20 acres that are visually significant to the character of communities in King County. Scenic resources located outside of King County, but important to the character of King County include Mt. Rainier, the Olympic Mountains and Cascade Mountains outside of the county such as Mt. Baker, Puget Sound, Lake Washington and Lake Sammamish are regionally important scenic resources located in King County.

Other scenic resources of local significance are eligible for acquisition. Such scenic resources may include, but are not limited to, forested land within view of a major highway, creek or river corridors or unique geologic features. Eligible sites must be visible to a significant number of the general public from public spaces, Lake Washington or Puget Sound. Scenic resources proposed for acquisition must be of sufficient size to substantially preserve the scenic resource value.

**B. Habitat areas or corridors.**

An area which is utilized by naturally occurring plant or animal species that are significant, rare or unique within a community in King County. Examples include but are not limited to elk wintering range, salmonid spawning streams, migratory waterfowl habitat, black bear habitat, bald eagle nests, heron rookeries, endangered plant sites or rare amphibian sites. Possible sources for identification of significant habitat areas may include the criteria for priority habitats and species as defined by the State Department of Wildlife, or sites identified by local, county, state or private conservation agencies. In urban areas, habitat that can be demonstrated to be a linkage in a larger habitat system is also eligible.

A habitat area may be a component of a park that contains other park activities. If public access is proposed within a habitat area, the application shall address how such access will be provided at an appropriate level that will protect the resources in the natural area.

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**C. Passive-use community urban park or community trail.**

Property that would be used as a community passive-use urban park or community trail. Such property must be located in urban areas or in urban growth areas as defined in the King County Comprehensive Plan. A passive use park or community trail may also contain habitat or other features found in this Criteria I.

**D. Water access that could serve as a community facility for non-motorized, passive use access.**

Saltwater, lake or riverine shoreline and associated wetland or upland buffer areas that could serve as a community shoreline access facility. Properties must provide public benefits including, but not limited to low impact, passive-use recreation, education, interpretive activities, linkage of a trail or greenway, or habitat protection. The property may include wetlands or tidelands.

**E. Historic/archaeological resources.**

Eligible land must itself be an historic or archaeological resource or have situated upon it a structure that is such a resource. Structures are not eligible for funding. Historic or archaeological resources must be formally designated on either a local historic register, the King County Historic Register, the Washington state Historic or archaeological registers or the National Historic Register.

Examples of historic or archaeological resources include Native American settlements, historic trails, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites, or contributing properties within designated historic districts.

**F. City/community/neighborhood separator greenways.**

Undeveloped, natural land areas that are primarily linear in form and serve to define edges of separate, distinct communities or neighborhoods, including visual relief and the physical separation of incompatible land uses. City/community/neighborhood separators contribute to the regional form through definition of the boundaries of communities, neighborhoods and incorporated cities, as identified in the King County Comprehensive Plan or local adopted comprehensive plans. Such separators may include stream systems, linear bluffs or other features that otherwise provide the function of city or community separator.

Sources for identifying city/community/neighborhood separators include adopted King County Community Plans, adopted local jurisdiction comprehensive or Growth Management plans.

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**II. Conditions for determining the need for future year revenues.**

One of the following is required:

**A. The property is formally identified as a high local acquisition priority.**

The property or the greenspace system that contains it must be identified in an adopted park, open space or comprehensive plan, as high priority, or in an accompanying resolution indicating that the property will be included in appropriate GMA plans when adopted.

**B. Significant matching funds available.**

Significant matching funds or a partial property donation opportunity is available and pledged, and is equal to or greater than one half of the amount of the conservation futures application and the deadline for expending of such available grant is within two years of the expected date of the conservation futures grant. Matching funds may include a pledge of future revenues from an existing local open space funding source, such as a real estate excise tax, local bond or other source.

**C. The property is highly threatened with development or loss of an important resource.**

Factors that shall be considered in determining whether a property is highly threatened include:

- A highly publicized development proposal for which a permit application has not been applied for, but that has been discussed in the media or at public meetings.
- An application for a building or subdivision permit has been submitted.
- A building or subdivision permit has been approved.
- SEPA and other environmental review is completed.
- A logging permit has been issued.
- The property could be highly developed under existing zoning, and development patterns in the surrounding area suggest future development is probable.

**D. Other extraordinary timing opportunity identified.**

A determination is made that an extraordinary opportunity for acquisition of a property meeting the Criteria I threshold exists.

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**III. Additional considerations:**

**A. Unmet park or open space needs.**

The property is located in an area that has been identified an adopted park as having a deficit in park or open space resources.

**B. Geographic equity**

Consideration shall be given to providing equitable access to open space throughout Seattle over time.

**C. Property that provides a critical contribution to an open space system.**

The property provides a critical contribution to an open space system, such as providing important links in a habitat system or trail network, providing access to natural features such as shoreline that are otherwise not accessible, or protecting the last open space in a dense urban center or urban village.

**D. Factors affecting likely success of project.**

- i. Other matching funds or resources identified, such as volunteer management agreement, etc.
- ii. Evidence of a willing seller. This may be demonstrated by a signed letter of intent or signed option, or a first right of refusal from the seller.
- iii. Site restoration project funding identified.

A restoration project will create or significantly improve a seriously degraded feature defined in Criteria II. A proposed native salmon spawning habitat restoration project (not a salmon hatchery) or a proposed passive use urban park in an area that is currently developed with structures or is paved are two examples of restoration projects.

**E. Regional Importance.**

- i. The property will likely be a destination for people who come from beyond the geographic limits of individual communities or jurisdictions within which the property is located.
- ii. The property is visually prominent from an interstate, state, or county highway, or major urban right-of-way, regional trail, or other highly-used public right of way, Puget Sound or Lake Washington.



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**F. Growth Management Act - Accepting Density**

Consideration shall be given to providing open space and "breathing room" for areas identified as receiving greater density, such as urban villages and urban centers.

**G. Likelihood of loss of open space values if property not acquired.**

Consideration will be given to the risk of loss of open space values identified in the Open Space Features Criteria. Such consideration will include an evaluation of the level of harm that would likely come to identified open space features by alterations of the property through likely changes in land use.

**General Conditions:**

1. Properties eligible for funding from future year CFF collections for Seattle must meet the definitions of eligible lands under RCW 84.34.020 and must pass the threshold criteria I and II.
2. Applications to this funding source may include one or more parcels of land.
3. Proposed acquisitions may include fee simple or less than fee acquisitions such as conservation easements, however, the applicant must clearly disclose the type of ownership interest that is proposed.
4. Future use of the property is restricted to low impact, passive-use recreation. This is determined to mean that development of facilities to support organized/structured athletic activities such as ballfields, courts and gyms is not allowed. Future use is further limited to non-motorized use, except as is necessary for maintenance or staging areas, including entrance roads and parking to provide public access.
5. A maximum of 15% of the total surface area of a proposed acquisition project area may be developed with non-vegetative impervious surfaces. Trail surfaces are not included in the calculation of this restriction. This restriction may be waived in instances where the King County Council determines, after requesting a recommendation from the King County Open Space Citizen Oversight Committee, that parking or other staging areas necessary for the use of the site are required and will exceed the 15% limit.

**Exceptions:**

Addition to regional trail system (Criteria I G.): the maximum 15% impermeable surface condition may be waived for this category to accommodate necessary paved trail surfaces in narrow corridors.

Scenic viewpoint (Criteria I A.): the maximum 15% impermeable surface condition may be waived if the site is primarily a roadside turnout viewpoint.

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## General Conditions:

1. Properties eligible for funding from future year CFF collections under the "Extraordinary Regional Significance" category must meet the definitions of eligible lands under RCW 84.34.020 and must pass the threshold criteria I, II, and III.
2. Applications to this funding source may include one or more parcels of land.
3. Proposed acquisitions may include fee simple or less than fee acquisitions such as conservation easements, however, the applicant must clearly disclose the type of ownership interest that is proposed.
4. Future use of the property is restricted passive-use recreation. This is determined to mean that development of facilities to support organized/structured athletic activities such as ballfields, courts and gyms is not allowed. Future use is further limited to non-motorized use, except as is necessary for maintenance or staging areas, including entrance roads and parking to provide public access.
5. A maximum of 15% of the total surface area of a proposed acquisition project area may be developed with non-vegetative impervious surfaces. Trail surfaces are not included in the calculation of this restriction. This restriction may be waived in instances where the King County Council determines, after requesting a recommendation from the King County Open Space Citizen Oversight Committee, that parking or other staging areas necessary for the use of the site are required and will exceed the 15% limit.

### Exceptions:

- \* Addition to regional trail system (Criteria II C.): the maximum 15% impermeable surface condition may be waived for this category to accommodate necessary paved trail surfaces in narrow corridors.
  - \* Scenic viewpoint (Criteria II A.): the maximum 15% impermeable surface condition may be waived if the site is primarily a roadside turnout viewpoint.
  - \* Waterfront access categories Criteria II D and II E.): the maximum 15% impermeable surface condition may be waived if a determination is made that land for parking, other staging needs or water dependent uses is required.
6. Adopted park and open space comprehensive plans are encouraged to be used as sources for identifying open space resources listed in Criteria II.

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7. A budget should be included in all project funding requests. This budget should clearly delineate costs in the following expenditure categories:
- \* general administration;
  - \* appraisal, appraisal review and title report costs;
  - \* relocation costs;
  - \* acquisition costs including closing costs;

In no case shall a jurisdiction be allowed to exceed the amount identified in the general administration category. The County Council can grant an exception to this requirement if, after requesting a recommendation from the Citizen Oversight Committee, it determines that exceptional administrative expenses are justified.

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ATTACHMENT C

**King County Open Space Citizen Oversight Committee  
Conservation Futures Fund (CFF) Subcommittee**

**Criteria and Process for Current Funding of Properties of Open Space  
Significance with Future-Year CFF Revenues within the City of Seattle**

Introduction:

Seattle will develop an acquisition program to expend the CFF Bond proceeds, using the criteria established by the King County Open Space Citizens Oversight Committee and adopted by the King County Council. Seattle will conduct a planning process whereby projects will be identified and reviewed, and a final acquisition program selected for submission. Citizen involvement in the development of the program will include review and approval by the Seattle Open Space Citizens Oversight Committee with ex-officio participation by the Seattle representatives to the King County Open Space Citizens Oversight Committee, and a public meeting conducted jointly by the Seattle Open Space Citizens Oversight Committee and the Board of Seattle Park Commissioners. The resulting plan will be submitted to the Seattle City Council for approval, and transmitted to King County for adoption as the acquisition program.

The purpose of this criteria is to identify properties of local community significance eligible for funding with future-year funds from conservation futures tax ("CFT") levy revenues. These properties will provide park, open space and low impact recreational opportunities and serve environmental, aesthetic, and community design functions. Properties eligible for funding under this program must meet the definitions for eligible lands under RCW 84.34.020 and must pass the following threshold criteria.

There are two thresholds that properties eligible for funding for local projects must meet. They include I) the open space features of the property and II) conditions for determining the need for future year CFT revenues. Also included in these criteria are additional considerations that could influence funding priorities.

These criteria were developed to conform with adopted open space policies of the King County Growth Management Planning Council ("GMPC"), which is composed of elected officials from jurisdictions throughout King County. As such, local open space projects eligible for funding under this program should complement, enhance and link with other local and regional open spaces, corridors and systems.

**I. Open space features.**

The property will conserve valuable park and open space resources, including natural and low impact recreational elements. The property must possess at least one of the following characteristics that are important to the character and lifestyle enjoyed in Seattle.

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**A. Scenic resource/landmark, viewpoint or view corridor.**

- (1) A Viewpoint property will provide the opportunity to view a scenic resource, as defined in A.(3) below. The viewpoint must provide public access, be identified by a permanent sign readily visible from a road, regional trail or other accessible public space.
- (2) A View Corridor is an area that maintains an open, unimpeded view of a scenic resource important to the character of Seattle and/or King County as defined in A.(3) below. An example would include a property that needs to remain undeveloped or with added building setbacks to preserve the line of vision to the resource from a public space.
- (3) Scenic Resources are natural or cultural features of at least 5 acres that are visually significant to the character of communities in Seattle. Scenic resources located outside of King County, but important to the character of Seattle and King County include Mt. Rainier, the Olympic Mountains and Cascade Mountains outside of the county such as Mt. Baker, Puget Sound, and Lake Washington are regionally important scenic resources located in King County.

Other scenic resources of local significance are eligible for acquisition. Such scenic resources may include, but are not limited to, naturally vegetated land within view of a major highway, creek or river corridors or unique geologic features. Eligible sites must be visible to a significant number of the general public from public spaces, Lake Washington or Puget Sound. Scenic resources proposed for acquisition must be of sufficient size to substantially preserve the scenic resource value.

**B. Habitat areas or corridors.**

An area which is utilized by naturally occurring plant or animal species that are significant, rare or unique within a community in Seattle or King County. Examples include but are not limited to migratory corridors, salmonid spawning streams, waterfowl habitat, bald eagle nests and resting snags, heron rookeries, rare or endangered plant sites or rare amphibian sites. Possible sources for identification of significant habitat areas may include the criteria for priority habitats and species as defined by the State Department of Wildlife, or sites identified by city, county, state or private conservation agencies. Habitat that can be demonstrated to be a linkage in a larger habitat system is also eligible.

A habitat area may be a component of a park that contains other park activities. If public access is proposed within a habitat area, the application shall address how such access will be provided at an appropriate level that will protect the resources in the natural area.

**C. Passive-use community urban park or community trail.**

Property that would be used as a community passive-use urban park or community trail and supports the objectives of the Growth Management Policies. A passive use park or community trail may also contain habitat or other features found in this Criteria I.

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**D. Water access that could serve as a community facility for non-motorized, passive use access.**

Saltwater, lake or riverine shoreline and associated wetland or upland buffer areas that could serve as a community shoreline access facility or contribute to the establishment and protection of a riparian open space corridor. Properties must provide public benefits including, but not limited to low impact, passive-use recreation, education, interpretive activities, linkage of a trail or greenway, or habitat protection. The property may include wetlands or tidelands.

**E. Historic/archaeological resources.**

Eligible land must itself be an historic or archaeological resource or have situated upon it a structure that is such a resource. Structures are not eligible for funding. Historic or archaeological resources must be formally designated on either a local historic register, the King County Historic Register, the Washington state Historic or archaeological registers or the National Historic Register or be designated as a Seattle Landmark.

Examples of historic or archaeological resources include Native American settlements, historic trails, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites, or contributing properties within designated historic districts.

**F. City/community/neighborhood separator greenways.**

Undeveloped, natural land areas that are primarily linear in form and serve to define edges of separate, distinct communities or neighborhoods, including visual relief and the physical separation of incompatible land uses. City/community/neighborhood separators contribute to the regional form through definition of the boundaries of communities, neighborhoods and incorporated cities, as identified in the King County Comprehensive Plan or Seattle Comprehensive Plan, Land Use Policies, or Park Complan. Such separators may include stream systems, linear bluffs or other features that otherwise provide the function of city or community separator.

City/community/neighborhood separators are identified within or adopted Seattle comprehensive or Growth Management plans or the King County Comprehensive Plan.

**G. Addition to park or trail system.**

Property that is adjacent to a regional park or trail, or within the boundary of a greenbelt or greenway as adopted in a comprehensive park, open space or trail plan that will provide a critical linkage or significant expansion to the regional park or open space.

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**G. Addition to regional park or trail system.**

Property that is adjacent to a regional park or trail, or within the boundary of a greenbelt or greenway as adopted in a comprehensive park, open space or trail plan that will provide a critical linkage or significant expansion to the regional park or open space.

**II. Conditions for determining the need for future year revenues.**

One of the following is required:

**A. The property is formally identified as a high local acquisition priority.**

The property must be identified in an adopted park, open space or comprehensive plan, in conformance with state Growth Management Act planning requirements as a high priority; or for jurisdictions that have not completed adoption of such plans, an accompanying motion or resolution from the jurisdiction under its normal legislative process indicating that the property is a high priority acquisition and that it will be included in appropriate GMA plans when adopted. Jurisdictions may identify as a high priority a multi-parcel open space such as a greenway or waterfront, from which individual properties may subsequently be acquired.

**B. Significant matching funds available.**

Significant matching funds or a partial property donation opportunity is available and is equal to or greater than one half of the amount of the conservation futures application and the deadline for expending of such available grant is within two years of the expected date of the conservation futures grant. Matching funds may include a pledge of future revenues from an existing local open space funding source, such as a real estate excise tax, local bond or other source.

**C. Other extraordinary timing opportunity identified.**

The King County Council, after requesting a recommendation from the King County Open Space Citizen Oversight Committee may determine that an extraordinary opportunity for acquisition of a property meeting the Criteria I threshold exists.

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**D. The property is highly threatened with development or loss of an important resource.**

Factors that shall be considered in determining whether a property is highly threatened include:

- A highly publicized development proposal for which a permit application has not been applied for, but that has been discussed in the media or at public meetings.
- An application for a building or subdivision permit has been submitted.
- A building or subdivision permit has been approved.
- SEPA and other environmental review is completed.
- A logging permit has been issued.
- The property could be highly developed under existing zoning, and development patterns in the surrounding area suggest future development is probable.

**III. Additional considerations:**

**A. Unmet park or open space needs.**

The property is located in an area that has been identified as having a deficit in park or open space resources in an adopted park or comprehensive plan meeting Growth Management Act mandated requirements.

**B. Geographic equity in the distribution of CFT funds.**

Consideration shall be made for the equitable distribution of CFT funds among eligible applicants to this CFT funding category over time.

**C. Large acreage.**

The property to be acquired is greater than 10 acres in size in an urban or transitional area, as defined under the urban/rural boundary identified in the King County Comprehensive Plan. The property to be acquired is greater than 100 acres in the rural area of the county.



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**D. Property provides a final critical link in an open space system.**

The property provides an essential final element in a local or regional open space system, such as completion of a community trail, urban wildlife habitat corridor or other greenway.

**E. Factors affecting likely success of project.**

- i. Other matching funds or resources identified, such as volunteer management agreement, etc.
- ii. Evidence of a willing seller. This may be demonstrated by a signed letter of intent or signed option, or a first right of refusal from the seller.
- iii. Site restoration project funding identified.

A restoration project will create or significantly improve a seriously degraded feature defined in Criteria II. A proposed native salmon spawning habitat restoration project (not a salmon hatchery) or a proposed passive use urban park in an area that is currently developed with structures or is paved are two examples of restoration projects.

**F. Regional Importance.**

- i. The property will likely be a destination for people who come from beyond the geographic limits of individual communities or jurisdictions within which the property is located.
- ii. The property is visually prominent from an interstate, state, or county highway, or major urban right-of-way, regional trail, or other highly-used public right of way, Puget Sound or Lake Washington.
- iii. The property will create a park, passive-use recreation or open space opportunity that crosses jurisdictional boundaries.

**G. Growth Management Act - Accepting Density**

Consideration shall be given to areas identified under adopted growth management plans as targeted to receive greater density, such as urban villages and urban centers.

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**H. 1989 Open Space Bond Project with funding shortfall**

The property is within the scope of a 1989 Open Space Bond acquisition Project that has an identified acquisition funding shortfall and has not been substantially completed.

**I. Likelihood of loss of open space values if property not acquired.**

Consideration will be given to the risk of loss of open space values identified in the Open Space Features Criteria. Such consideration will include an evaluation of the level of harm that would likely come to identified open space features by alterations of the property through likely changes in land use.

**General Conditions:**

1. Properties eligible for funding from future year CFT collections under this "Extraordinary Local Significance" category must meet the definitions of eligible lands under RCW 84.34.020 and must pass the threshold criteria I and II.
2. Applications to this funding source may include one or more parcels of land.
3. Proposed acquisitions may include fee simple or less than fee acquisitions such as conservation easements, however, the applicant must clearly disclose the type of ownership interest that is proposed.
4. Future use of the property is restricted to low impact, passive-use recreation. This is determined to mean that development of facilities to support organized/structured athletic activities such as ballfields, courts and gyms is not allowed. Future use is further limited to non-motorized use, except as is necessary for maintenance or staging areas, including entrance roads and parking to provide public access.
5. A maximum of 15% of the total surface area of a proposed acquisition project area may be developed with non-vegetative impervious surfaces. Trail surfaces are not included in the calculation of this restriction. This restriction may be waived by the King County Council, after requesting a recommendation from the King County Open Space Citizen Oversight Committee if the Council determines that parking or other staging areas necessary for the use of the site are required and will exceed the 15% limit.

**Exceptions:**

Addition to regional trail system (Criteria I G.): the maximum 15% impermeable surface condition may be waived for this category to accommodate necessary paved trail surfaces in narrow corridors.

Scenic viewpoint (Criteria I A.): the maximum 15% impermeable surface condition may be waived if the site is primarily a roadside turnout viewpoint.

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Waterfront access categories (Criteria I C.): the maximum 15% impermeable surface condition may be waived if a determination is made that land for parking, other staging needs or water dependent uses is required.

6. Adopted park and open space comprehensive plans may be used as sources for identifying open space resources listed in Criteria I.
7. A budget should be included in all project funding requests. This budget should clearly delineate costs in the following expenditure categories:
  - \* general administration;
  - \* appraisal, appraisal review and title report costs;
  - \* relocation costs;
  - \* acquisition costs including closing costs;

In no case shall a jurisdiction be allowed to exceed the amount identified in the general administration category.