

# Urban Separators Consistency Review Report

August 14, 2017

## Introduction

In February, 2017 the city's Economic and Community Development Committee approved the scope of work for a project to consider increasing allowed development density on parcels designated "urban separator" on the city's land use plan map. Urban separator parcels in the City of Kent are all zoned SR-1, which primarily allows only single-family residential, at a density of one unit per acre.

The urban separator land use designation is a countywide designation, ratified by King County and its cities in King County's Countywide Planning Policies. Its purpose is to establish permanent low-density lands that connect wildlife corridors; protect resource lands and environmentally sensitive areas; create open space corridors within and between urban areas; and provide health, environmental, visual, and recreational benefits. Some of Kent's urban separator lands have been locally designated, separate from the countywide maps.

The Washington State Growth Management Act (RCW 36.70A), the state's regulatory framework for growth management, requires local jurisdictions to coordinate on planning activities. Topics of regional significance, like urban separators, are to be coordinated across jurisdictions. For this reason it is important to evaluate whether proposals to modify Kent's zoning or land use plan map designations pertaining to urban separators are consistent with Kent's plans as well as county-wide and regional plans and policies. This consistency review documents pertinent state, regional, countywide, and local policies and plans and implications of changes to Kent's urban separator lands.

The plans and policy documents reviewed include:

- Growth Management Act (RCW 36.70A)
- Vision 2040
  - Regional Growth Strategy
  - Multi-County Planning Policies
- Transportation 2040
- 2012 King County Countywide Planning Policies
- 2015 Kent Comprehensive Plan
- 2016 Kent Park & Open Space Plan
- 2009 Shoreline Master Program
- Kent City Code
- 2008 Kent Transportation Master Plan
- 2016 King County Comprehensive Plan
- 2016 King County Open Space Plan

## Growth Management Act

The Washington State Growth Management Act (GMA), RCW 36.70A, is a comprehensive regulatory framework for planning and growth management in

Washington State. It requires cities and counties of a certain size, or that meet a certain threshold for rate of growth, to plan for growth in a coordinated way within their communities, and with neighboring jurisdictions, as a county and as a region. Local governments must identify areas within their jurisdictions that can accommodate growth, and plan to protect open space networks, resource lands, and critical areas.

The GMA requires counties to establish Urban Growth Areas (UGAs), inside of which urban densities must be allowed, and outside of which development must be strictly limited. Delineated UGAs must be given priority for urban growth, particularly in areas already characterized by urban development and served by existing infrastructure. However, not all land within the UGA may be developed. Within the UGA, counties and cities must designate open space corridors and greenbelts, and use best available science to identify and protect the value and functions of critical areas.

The designation of urban separators as permanently low-density residential areas is one measure by which King County and the City of Kent meet this suite of requirements. Urban Separators serve to preserve and connect open space networks and greenbelts, and they act as buffers protecting critical areas and resource lands.

## **Vision 2040**

Vision 2040 is the regional planning document for the four-county Central Puget Sound region, which includes Pierce, King, Kitsap, and Snohomish Counties. It contains a Regional Growth Strategy to guide growth in a sustainable way, and Multicounty Planning Policies by which local jurisdictions should plan to achieve the growth targets outlined in the Regional Growth Strategy.

Vision 2040 policies and guidance are relevant to urban separators in two key ways. The plan establishes high-level policies for how local jurisdictions should plan to accommodate their share of the region's anticipated growth, including how they make land use decisions and infrastructure investments. Vision 2040 also speaks to the ways in which the region's environmental assets, including resource lands, open space, and ecologically sensitive areas, should be protected and preserved. Increasing allowed density in Kent's urban separator parcels would intersect both of these themes.

## **Regional Growth Strategy**

The Regional Growth Strategy, a component of Vision 2040, describes the overall strategy by which the Central Puget Sound region will plan for and accommodate growth through the year 2040.

The Regional Growth Strategy urges cities and counties in the region to channel infrastructure investment to already built-up areas, especially regionally- and locally-designated centers. Intensive growth should be directed to these areas in order to maximize the use of existing infrastructure, facilitate efficient and lower-cost investments in new infrastructure, and minimize the environmental impact of urban growth.

Kent has two regionally-designated centers: a Manufacturing and Industrial Center in its north-central valley and a Regional Growth Center in its downtown area. None of Kent's urban separator lands are within either of its designated centers, and therefore have not been identified as target locations for increased residential density or transportation investment. While this should not be taken to mean that no growth or transportation investments will be made in Kent's urban separator lands, these areas should not be considered priority locations to receive regional or local investment to accommodate significant growth.

While Kent's urban separator lands are not intended to accommodate a substantial portion of the city's projected population growth, the urban separator designation does support growth in Kent's regional centers in a very important way. The Regional Growth Strategy suggests that part of the appeal of regional centers for new residents and businesses is their proximity to a variety of housing types. Low-density residential areas, including urban separator lands, offer a unique urban housing alternative; it contributes to a broad menu of housing options Kent can offer existing and future residents.

### **Multicounty Planning Policies**

To provide a mechanism for achieving consistency across cities and counties on regional planning issues, consistent with requirements in the GMA, Vision 2040 contains a comprehensive set of Multicounty Planning Policies (MPPs). They address environmental stewardship, development patterns, housing, economy, transportation, and public services. These policies lay out a vision to achieve a high quality of life while protecting the environment and using the region's resources wisely. Intentionally broad, the policies provide high-level guidance to cities and counties when considering land use, transportation, and other local planning decisions.

A general policy in the MPPs is that local jurisdictions in the Central Puget Sound region are to coordinate planning efforts among other governments, agencies, and tribes to ensure a common vision for planning efforts across borders, and on issues of regional significance. Key partners invested in the topic of urban separators are Kent's neighboring cities to the north and south, Auburn and Renton, and King County. Changes to urban separator designations in Kent should be made in consultation with adjacent jurisdictions.

The MPPs recognize the ecological, aesthetic, and economic benefits of the natural environment, and encourage conserving and connecting open space. Multi-County

Planning Policies advocate for development to be compact and located to minimize impacts to natural features. Local governments are encouraged to identify, preserve, and enhance open space networks and linkages across jurisdictional boundaries. They should also identify and protect wildlife habitat corridors and native vegetation. The zoning and development regulations placed on Kent's urban separator lands, including low allowed density and mandatory clustering, are intended to meet these purposes by promoting compact development and the preservation and linkage of open space networks and wildlife habitat corridors.

The MPPs also speak to the importance of density; they cite the various challenges associated with low-density development, including the relative expense of extending infrastructure, fragmentation of environmental resources, and limitation of transportation choices. They also cite environmental impacts like air pollution and greenhouse gas production. High-density, compact development can be more efficient and cost-effective to serve with infrastructure and services. Urban separator lands in Kent are, by definition, characterized by low-density development; however, compact or clustered development is required whenever urban separator properties are subdivided. This is intended to achieve some of the benefits of high-density development, like cost savings on infrastructure, and reduce the impact of open space and habitat fragmentation.

As a region, Central Puget Sound cities and counties have committed to direct growth and development to a limited number of regional growth centers. Kent has both a regional Manufacturing and Industrial Center and a Regional Growth Center. Policies in the MPPs compel local governments to focus a significant share of population growth in designated regional centers. This concentration of development in centers encourages compact communities and supports the efficient use of land. Also important to effecting efficient land use is maximizing the development potential of existing urban lands. This includes encouraging development that achieves the density for which it is zoned. The 2017 Urban Separator Inventory and Characterization report indicates that many urban separator properties are not currently developed to the maximum density allowed, meaning that even with the existing SR-1 zoning, there is still capacity to increase density on these properties.

Housing policies in the Central Puget Sound region's MPPs call for a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region. They place particular emphasis on expanding the supply and range of housing, including affordable housing, within and in close proximity to the region's designated centers. Kent's urban separator lands are located outside of designated growth centers and thus are not specifically targeted for increased housing density. They do, however, contribute to the diversity of housing types and densities in the city and the region, and add to its desirability for new residents and employers. As the most costly type of housing, though, they rarely provide opportunities to achieve affordable housing goals.

## **Transportation 2040**

Similar to Vision 2040, the four-county Central Puget Sound region has developed a shared, long-term strategy for meeting regional transportation needs through strategic, sustainable, and environmentally conscious investment decisions. Transportation 2040 aims to promote mobility and accessibility throughout the region.

A fundamental link exists between land use and transportation; land use patterns are influenced by the presence of transportation infrastructure like roads, paths, trails, sidewalks, and railroads. Likewise, transportation investments are driven in part by existing and planned land use regimes. For this reason it is important to review policies and guidelines in Transportation 2040 and evaluate how they might guide land use decisions, including those pertaining to urban separator lands.

Transportation 2040 supports the policies advanced by Vision 2040; it calls for local governments to concentrate growth in regional and sub-regional (locally-designated) centers in order to maximize use of existing transportation infrastructure and make new transportation investments more efficient and less costly to complete. Concentration of growth in centers is intended to lessen the environmental impact of urban growth by reducing the length of vehicle trips and promoting the use of non-motorized transportation modes through compact, walkable development patterns.

A number of other goals to which the region aspires are reflected in Transportation 2040 policy guidance; these include increasing transit ridership and non-motorized transportation, and reducing public expenditures by focusing new transportation infrastructure investments in already urbanized areas. Transportation 2040 explicitly states that transportation investment will be prioritized for locations throughout the region that are expected to accommodate the most growth, especially centers and compact urban communities. These policies indicate a regional preference for concentrating population growth and accompanying transportation investment in a select number of centers, rather than promoting significant growth in low-density or peripheral locations, such as Kent's urban separator lands, which would lead to more diffuse investment and reduced efficiency.

### **King County Countywide Planning Policies (CPPs)**

The King County Countywide Planning Policies (CPPs), established in 2012 and most recently updated in 2016, are the guiding principles for planning and growth management in King County and its cities. The policy document sets a vision for the development and character of King County to be achieved by 2030. It establishes an Urban Growth Area (UGA), within which nearly all urban development should be contained, and sets population and employment growth targets for cities and the county.

Consistent with the Regional Growth Strategy, the CPPs strategically allocate anticipated population and employment growth. Under current zoning and

regulatory conditions, including recent increases in allowed density in Kent's downtown and Midway areas, Kent has sufficient capacity to accommodate its share of the region's future growth.

Also emphasized in the CPPs, alongside policies on how to accommodate growth, is how cities should designate and protect certain lands from dense development. The CPPs state that urban separators should be designated as permanent low-density areas within the UGA in order to protect resource lands, the rural area, and environmentally sensitive areas. They should also create open space and wildlife corridors within and between communities, and provide health, environmental, visual, and recreational benefits. The CPPs identify a network of urban separator lands, both within cities and in unincorporated King County, and institute a set of policies to guide their continued management.

Kent's urban separator lands are all located outside of either regionally-designated center; most are at the city's outer periphery. For this reason, none of these lands are targeted for high concentrations of employment or residential growth. They do, however, contribute to the goal of diversity in residential densities, serving as a low-density alternative to more concentrated urban development.

Kent's clustering requirements ensure development in urban separators is compact, which supports the countywide goal of efficient use of public transportation and other infrastructure. The CPPs also advocate for mixed-use development; a compatible mix of uses in urban separator lands might include churches, open space and parks, and agricultural or forest lands within or adjacent to residential uses.

The CPPs state that use of existing land capacity for housing and employment should be maximized. Many of Kent's urban separator parcels are shown as vacant or redevelopable in Kent's 2015 vacant and redevelopable land map, which indicates that these properties are not developed to the maximum density allowed, as encouraged by the CPPs. The residual development capacity analysis, part of the 2017 Urban Separators Inventory and Characterization Report, supports this conclusion.

All county and city comprehensive plans, including Kent's, must be consistent with the CPPs. In order to alter the zoning designations or allowed uses on urban separator properties in Kent, Kent's city council must approve amendments to the treatment of this land use designation in Kent's comprehensive plan. Many of the lands designated as urban separators in Kent's land use plan map are also included in urban separator maps adopted as part of the CPPs, so any changes to Kent's comprehensive plan regarding urban separators would also involve changes to the CPPs. This would require countywide approval and ratification.

### **Kent Comprehensive Plan**

The Kent Comprehensive Plan, last updated in 2015, is the city's overall vision for

how it should grow in the future. It outlines city policies for land use, parks and recreation, utilities, housing, human services, transportation, capital facilities management, shoreline management, and economic development. Its planning horizon is 2035.

Policies in the comprehensive plan outline a vision for urban separators to be established to protect ecologically sensitive areas and to create open space corridors that provide visual, recreational, and wildlife benefits within and between urban growth areas. Policy LU-19.1 in the plan clearly states that urban separators will be low-density areas with no greater than one dwelling unit per acre.

The comprehensive plan encourages land use patterns that protect and enhance urban separators. These land use patterns can include clustered development<sup>1</sup> and zero lot lines that concentrate development and preserve permanent open space. To further enhance open space corridor connectivity, plan policies call for the creation of open space corridors within urban separators or that connect to urban separators when new development occurs. These areas should link to urban separator and open space lands in adjacent cities and in unincorporated King County. Many of Kent's urban separators do connect to other jurisdictions' urban separators, although some of them, like the Chestnut Ridge-Cloverdale urban separator, do not. The Panther Lake urban separator, initially designated in the Soos Creek Community Plan and subsequently in the King County Countywide Planning Policies, created a linkage between Soos Creek and Springbrook Creek wetland areas to the west in Renton; however, current zoning and existing development conditions in the adjacent lands in Renton do not reflect this designation.

Kent's comprehensive plan calls for coordination with other agencies to create a regional approach to urban separators. This should include an inventory of local- and county-designated urban separators that will help manage development regulations. An inventory of urban separators in Kent was completed as the first phase of the 2017 urban separators project.

The development capacity analysis in Kent's 2015 comprehensive plan is instructive in the consideration of increasing allowed development density, because it provides an indication of Kent's capacity to accommodate growth given its present land inventory and existing zoning. The plan encourages the evaluation and modification of land uses and densities to accommodate growth targets. However, the King County buildable lands program and Kent's 2015 development capacity analysis indicate that Kent is expected to be able to accommodate its allocated growth targets under current conditions.

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<sup>1</sup> Clustered development is required when subdividing urban separator parcels in Kent. Individual lots must be "clustered" in groups of 8 or fewer, and 50% of the unrestricted (buildable) land in the subdivision must be preserved as open space, and where possible must be oriented in such a way that it connects to other urban separators or open space corridors. The open space area can be owned and managed collectively by the homeowners or by the city.

The plan calls for this anticipated growth and supporting infrastructure investment to be concentrated in the urban center and activity centers. None of the city's goals indicate high priority for investment in growth in low-density residential areas that are not within or adjacent to commercial centers.

Relevant housing policies in Kent's comprehensive plan speak to the diversity of housing options offered within the city to accommodate growth targets. Accommodating housing demand is described as Kent's greatest land use challenge; making efficient use of remaining land while providing desirable housing options is a necessary but difficult balance to achieve. The Land Use Element Background report in Kent's comprehensive plan states that housing on large lots, as encouraged by the urban separator land use designation, while desirable, is not affordable for most families in Kent.

Policies in the Utilities Element, specifically relating to water and sewer service, say that the city will ensure that public utilities service in the city and the service area is adequate to accommodate anticipated growth without significantly degrading service for existing customers. All of the urban separator lands are within water retail service areas at this time; those outside of the City of Kent water franchise service area are within one of several neighboring water or sewer districts, including Highline Water District, Renton Water & Sewer District, District 111, or Soos Creek Water & Sewer District. Most urban separators, with the exception of a small segment of the Soos Creek urban separator and the southern portion of the Meridian East urban separator, also have access to a public sewer system. Sufficient capacity exists to extend service to new development in urban separator lands; costs to install conveyance infrastructure would be borne by the developer.<sup>2</sup>

Relevant policies in other elements of Kent's comprehensive plan, including the Parks and Open Space Element, the Shoreline Element, and the Transportation Element, are described in greater detail in the Parks & Open Space Plan, the Shoreline Master Program, and the Transportation Master Plan, respectively; these policies are described below.

### **Kent Park & Open Space Plan**

Kent's Park & Open Space Plan was last updated in 2016. The plan establishes goals and policies for management of the city's parks and open space lands and facilities, and establishes priorities for city investment. Its relevance to urban separators is in the relationship between the city's existing open space and urban separator lands.

Kent's 2016 Park & Open Space Plan takes a new approach to parks planning. It emphasizes investment in existing parks and park assets rather than simply continuing to acquire additional properties as promoted by former performance

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<sup>2</sup> Per interview with City of Kent Water System Manager.

measures.

With this focus on improving existing infrastructure rather than on purchasing new park lands, privately stewarded open space will continue to play an important role in providing habitat for urban wildlife, cleaning the air, absorbing storm water, and providing other needed ecosystem services.<sup>3</sup>

Policies in the Park & Open Space plan emphasize the use of open space to improve habitat connectivity and create linkages between parks, trails, and open space for recreational use. They support connecting people to nature by promoting the extension of trails through natural area corridors to provide high-quality and diverse access to Kent's environmental resources.

Clustering requirements for urban separators require 50% of the developable land to be set aside as open space any time urban separator lands are subdivided. The set-asides can provide opportunities to create linkages to parks and public open space corridors. While some developers may choose to retain the open space for the exclusive use of residents of the development, they have the option to turn over ownership and management of the open space tract to the City of Kent. Development in urban separators can be less cost-effective than in areas zoned for greater density, so opportunities to make these open space connections may be limited

Urban separators, in their function as "buffers", also have the potential to limit direct access to Kent's natural areas to only a small number of individuals living in single-family homes with large lots. This is typically the most expensive form of housing, and is not affordable for many families in Kent. Low-density single-family residential zoning around open space corridors like Panther Lake, the Green River, and Soos Creek increases the travel distance to these corridors for most of Kent's residents, and prevents direct access for people in multi-family housing or other more affordable and concentrated types of development.

### **Shoreline Master Program**

Kent's Shoreline Master Program (SMP), a state-mandated planning document, contains a collection of policies that guide land use on Kent's shorelines; the policies ensure that important water-based uses are prioritized in shoreline environments and that ecologically sensitive resources are protected from damage resulting from development. The SMP designates shoreline types for lands surrounding all waters of the state within Kent's jurisdiction, and specifies priority and allowed land uses for each shoreline designation.

Kent's urban separator lands contain shorelines adjacent to waters of the state; these shorelines are those around the Green River, Panther Lake, Big Soos Creek,

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<sup>3</sup> Per interview with City of Kent Parks staff.

and Springbrook Creek. Shorelines along the Green River are also designated as shorelines of statewide significance, meaning that, among other provisions, statewide interests are prioritized over local interests in these areas. Within Kent's urban separator shorelines, there are two types of shoreline designations: "Urban Conservancy – Low Intensity" (UC-LI), and "Urban Conservancy – Open Space" (UC-OS). These designations serve to protect ecological functions while allowing low-impact uses, or allow for public access and recreation.

These shoreline designations constitute regulatory requirements for retaining established low-density lands, and must be considered when evaluating alternatives for increasing allowed density in urban separator lands.

### **Kent City Code**

Kent City Code (KCC) defines urban separators as "low-density lands that define community or municipal identities and boundaries; protect adjacent resource lands, rural areas, and environmentally sensitive areas; and create open space corridors within and between urban areas which provide environmental, visual, recreational, and wildlife benefits". Zoning and development regulations in KCC pertaining to urban separators apply to those lands designated as such in Kent's comprehensive land use plan map.

Per Kent's comprehensive plan, all lands designated urban separator in the land use plan map must be zoned for single-family residential uses at a density of one dwelling unit per acre (SR-1). This zoning district establishes, among other provisions, a minimum lot area of 34,700 square feet. Principally allowed uses in this zoning district are limited to single family homes, including modular or manufactured, or small group homes. Other uses can be allowed conditionally or as accessory uses.

Code requirements for urban separators include mandatory clustering (KCC 12.04.263) when property that is wholly or even partially within the urban separator land use designation is subdivided. This means that lots in a new subdivision must be concentrated, in one or more "clusters" of up to eight individual lots, on one half of the unconstrained portion of the property. At least fifty percent of the area unconstrained by critical areas must be set aside as permanent open space. In cluster subdivisions, lot area and dimensions may be smaller than would otherwise be allowed in SR-1 zoning; the minimum area for a lot in a cluster subdivision is 2,500 square feet.

The dedicated open space must be oriented and located to maximize connectivity for protective buffers around environmentally sensitive areas and wildlife habitat. It must also create connections with other open space tracts, parks, and trails; and maintain scenic corridors. Any open space tracts created through a clustered subdivision may not be developed in the future, nor can they be altered in any way that degrades environmentally sensitive areas, wildlife habitat, or resource lands; or impedes scenic corridors, recreational benefits, and open space connectivity.

These provisions help to achieve the stated objectives of the urban separator designation, including creation and preservation of open space corridors, and providing recreation, environmental, visual, and wildlife benefits.

Protection of environmentally sensitive areas is also achieved in other ways through KCC, supported by the urban separator land use designation. The City of Kent, as required by the GMA, maintains inventories of environmentally sensitive and critical areas, which include geological hazard areas like steep slopes, erodible soils, landslide hazards, and volcanic and seismic hazard areas; critical aquifer recharge areas; wetlands; frequently flooded areas; and fish and wildlife habitat conservation areas. Development or other activity that could impact these sensitive or critical areas is regulated by the city's Critical Areas Code in Kent City Code 11.06. In certain critical areas, development is prohibited and buffers must be established to protect these areas and maintain native vegetative conditions. The urban separator land use designation is used to maintain low-density development in and around critical areas in Kent, particularly those at the outer edges of the city, where natural features form municipal boundaries (ex. Soos Creek).

The majority of parcels in the urban separator land use designation contain at least one category of critical area, as defined in KCC 11.06, so much of these lands would be protected to some extent even without the urban separator land use designation. However, about one third of urban separator parcels do not contain inventoried critical areas; as a result, the urban separator designation extends protections to lands beyond those which would be protected under the Critical Areas Code.

### **Kent Transportation Master Plan**

The City of Kent adopted a Transportation Master Plan (TMP) in 2008, which serves as a blueprint for the city's long-term transportation planning and strategic investments. It contains an inventory of the existing transportation system, standards for level of service to be provided by the city's transportation infrastructure, strategies for managing transportation demand, and descriptions of locations where improvements are needed.

Land use and transportation planning are inexorably linked; they inform one another in complex and iterative ways. Kent's planned transportation infrastructure investments influence decisions about land use, and its land use patterns, as well as those of adjacent jurisdictions, drive transportation investments. The TMP strives for consistency between land use plans and long-range transportation planning; it emphasizes coordination between new development and transportation projects to maintain sufficient service capacity.

Modification to land use plans, in this case to urban separator lands currently designated for permanent low-density residential uses, could impact existing transportation improvement plans. Plans for future transportation improvements, including those captured in the Transportation Improvement Program and Capital

Improvement Plan were developed under the expectation that these lands would remain low-density. The TMP uses a “plan-based approach”, which means that programs, services, and capital investments are consistent with the vision advanced in the comprehensive plan. To amend the allowed density in urban separator lands would require an assessment of the capacity of adjacent transportation infrastructure to support increased development density; additional improvements not previously anticipated may be necessary in these locations to maintain the established level of service.

This concept of concurrency of transportation infrastructure with new development is an important theme woven throughout the TMP. New development must include provisions to maintain the level of service for potentially impacted routes by the time the new development is in place; these provisions frequently include developer-funded transportation improvements that accommodate or mitigate the impacts of the development. Strategic alignment of land use policies and transportation planning efforts, as supported by TMP policies, ensure transportation investments are coordinated and predictable over time. It can help to more effectively anticipate demand and manage growth while ensuring multi-modal mobility.

In order to begin to shift travel modes from primarily single-occupant vehicles to increased use of transit and non-motorized travel, the TMP supports Kent comprehensive plan policies that encourage mixed-use activity centers and high-density residential uses, especially downtown. In support of this land use approach, a stated policy in the TMP is to prioritize projects that improve transportation facilities and services within designated centers and along corridors that connect centers.

This preference for promoting density and transportation investment in the city’s centers is consistent with policies advanced throughout regional, countywide, and local plans. With limited funds available to increase transportation infrastructure capacity, the city, along with its regional partners, has established clear priorities for directing investments where they are most cost-effective and efficient, and support planned growth in its designated centers. This means that investments to increase capacity outside of designated centers, including those potentially needed to accommodate growth beyond what is currently planned in urban separator lands, would be assigned a lower priority.

### **King County Comprehensive Plan**

The King County Comprehensive Plan is the master planning document for unincorporated King County. It was updated in 2016 and has a growth planning horizon of 2006-2031. Policies in the King County Comprehensive Plan apply to all areas under King County jurisdiction, which are those outside of incorporated cities. Their applicability to Kent’s urban separators is comparative only; both jurisdictions must be consistent with the King County Countywide Planning Policies and Vision 2040. The tools and strategies in King County’s comprehensive plan serve as

examples for Kent. They provide insight into the ways in which Kent's local partners treat land use issues, and are demonstrative of alternative methods by which the urban separator designation can be incorporated into land use planning.

Urban separators are defined in the King County Comprehensive Plan as corridors of land that define community or municipal identities and boundaries, provide visual breaks in the urban landscape, and link parks and open space within and outside of the Urban Growth Area. They should include and link parks and other lands that contain significant environmentally sensitive features, or contain historic resources.

The county employs several strategies for preserving urban separator lands in unincorporated King County, which could serve as examples for Kent to consider. King County Policy U-184 states that urban separators should be preserved through park, trail, and open space acquisitions; incentive programs such as the Transfer of Development Rights (TDR) program; the Public Benefit Rating System program; and regulatory measures.

Through the TDR program, development rights for lands in the urban separator land use designation may be transferred to lands outside of urban separators, preferably to lands within city boundaries. Unincorporated commercial areas may also be receiving sites, as can short subdivisions (less than 5 individual lots), when they have been pre-determined as such. Formal subdivisions with 5 or more lots may only be receiving sites if a subarea study has been completed. Although the zoning designation for urban separators in unincorporated King County establishes a maximum allowed development density of one dwelling unit per acre, development rights can be transferred from these lands at a rate of four dwelling units per gross acre. These development rights may be sold by property owners to developers of other properties in order to obtain some financial benefit while preserving open space and retaining ownership of the land itself.

The Public Benefit Rating System is another tool used by King County to help preserve urban separator lands; it involves the reduction of assessed value of a property (used for calculating property taxes) to reflect its "current use" value rather than the "highest and best use" value that would otherwise apply. Points are awarded for certain types of open space resources that provide appreciable benefits to the public. These points translate into a percentage reduction of taxable value for the portion of the property preserved as open space.

Regulatory measures to protect urban separators primarily include zoning regulations, which establish the maximum density for all urban separator lands in unincorporated King County at one dwelling unit per acre. The plan states that the county should consider requests for increases in allowed density for lands zoned for one dwelling unit per acre, unless the properties are environmentally significant, or are urban separators. In other words, requests for increased density in urban separator lands should not be considered.

## **King County Open Space Plan**

The King County Open Space Plan was updated in 2016; its policies are applicable to all areas within unincorporated King County. Their applicability to Kent's urban separators is primarily comparative; both jurisdictions' plans must be consistent with the King County Countywide Planning Policies. Under certain conditions, however, lands within incorporated areas, including Kent, are owned and managed by King County and fall under the jurisdiction of the Open Space Plan.

King County's Open Space Plan briefly mentions urban separators, in reference to those forming a buffer along the Urban Growth Area boundary. The county's stated policy relative to these urban separators is for the county to acquire and retain ownership of them. King County Parks owns much of the land near the eastern boundary of Kent, along Soos Creek. If Kent were to employ a similar model, several of Kent's urban separators could be considered for public acquisition under these criteria. This would be the case, in particular for properties along the city's eastern boundary with unincorporated King County, along Soos Creek.

Beyond acquisition, creative techniques to improve service, such as partnerships and cost-sharing, are also encouraged. An alternative ownership model used widely by King County is conservation easements; the county holds nearly 145,000 acres of conservation easements. A conservation easement is a tool used by the county to dedicate high-conservation-value property to conservation without owning the land outright. Through conservation easements on privately owned property, King County maintains hundreds of miles of informal or backcountry trails that provide passive (unprogrammed) recreation opportunities and form connections with public open space. Some of Kent's urban separator parcels are adjacent to public open space lands, and depending on their size, recreational or ecological conservation value, and whether they provide continuity and expand public access, could be considered for acquisition or for conservation easements if a similar model were instituted in Kent.

## **Conclusions**

This report briefly reviews and synthesizes policies and guidelines advanced in major planning documents relevant to land use decisions in the City of Kent. It is intended to help guide decisions regarding potential amendments to the urban separator land use designation. Plans reviewed include regional, countywide, and local plans, ranging from high-level guidance to prescriptive policies and regulations. Although many of these planning documents do not specifically mention the urban separator land use designation, all have policies which are relevant to the subject.

A number of themes are repeated frequently throughout the plans and guidance documents reviewed in this report; one of these is the preservation and enhancement of connectivity for open space networks, critical areas, wildlife corridors, and other natural resources like shorelines and resource lands. Planning guidance consistently advocates for these areas to be protected from the negative

impacts of development to ensure they remain intact into the future and continue to serve their beneficial functions. The urban separator designation is one of many tools employed by the region, King County, and the City of Kent to this effect.

A second theme emerging from this review is that the substantial population and employment growth expected in the region over the next decade should be directed to already urbanized areas, particularly to designated activity centers. New development must be coupled with adequate infrastructure to support it, and compact urban development where supportive infrastructure already exists is the most efficient and cost-effective way to meet this target. It also helps to minimize the environmental impacts of growth. Buildable lands analyses indicate that Kent has more than sufficient capacity to accommodate the city's projected growth, particularly through dense infill development in Downtown and Midway. If additional capacity is needed, however, these policies suggest that priority should be given to designated activity centers rather than low-density areas which have lower concentrations of urban infrastructure and services. Kent's urban separators would fall under the latter category.

Concentrating growth and investment in activity centers also helps to achieve a third recurring policy direction, which is to encourage compact, walkable urban communities that promote the use of transit and non-motorized modes of transportation. Kent's designated centers have significant existing and planned transit investment, and are well suited to accommodate multi-modal transportation. Urban separator lands in Kent, most at the city's periphery or characterized by difficult topography, and situated among other lower-density land uses, have fewer opportunities for walking, bicycling, or transit use for daily activities.

Concurrence on the subject of variety in housing types can also be found throughout many of the plans reviewed for this report. A variety of housing types draws new businesses and residents, and helps to maintain the diversity that makes the region, and Kent in particular, a desirable place to live and work. Urban separator lands offer a low-density residential alternative to other more concentrated living arrangements in relatively close proximity to urban services. They ensure that current and future residents are offered a wide range of housing choices to fit the broad spectrum of needs and preferences.

Lastly, the importance of a regional approach to land use planning is emphasized again and again in Kent's guiding plans and policy documents. As a member of an economically, socially, and physically interconnected region, the city works with and learns from our regional partners, especially on issues of regional significance such as urban separators. The approaches of Kent's neighbors and partners, and the far-reaching impacts of Kent's land use decisions outside of its municipal boundaries, cannot be discounted when considering amendments to the urban separator land use designation.