

RESOLUTION NO. 874

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ACKNOWLEDGING ITS APPROVAL OF THE PROPOSED AMENDMENTS TO THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES TO ALLOW LOCAL JURISDICTIONS TO ADOPT CRITERIA FOR WHEN DRY SEWER LINES ARE NOT REQUIRED AND ESTABLISHING AN URBAN GROWTH AREA CAPACITY BANK AS RECOMMENDED BY THE PIERCE COUNTY REGIONAL COUNCIL AND APPROVED BY THE PIERCE COUNTY COUNCIL AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH PIERCE COUNTY AND ITS CITIES AND TOWNS THEREBY RATIFYING THE COUNTYWIDE PLANNING POLICIES AMENDMENTS

WHEREAS, the Pierce County Regional Council was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County, and charged with responsibilities, including: Serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (GMA) (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Pierce County Countywide Planning Policies; and

WHEREAS, the Pierce County County-Wide Planning Policies (CPPs) are written policy statements which are to be used solely for establishing a county-wide framework from which the County and municipal comprehensive plans are developed and adopted; and

WHEREAS, the framework is intended to ensure that the County and municipal comprehensive plans are consistent as required by the Growth Management Act; and

WHEREAS, on June 30, 1992, the Pierce County Council adopted the initial CPPs; and

WHEREAS, the Pierce County Growth Management Coordinating Committee (GMCC) is a technical subcommittee to the Pierce County Regional Council (PCRC) and the includes staff representatives from the County and the cities and towns within Pierce County; and

WHEREAS, the PCRC, based on the recommendations from the GMCC and its own discussions, recommended approval of the proposed amendments at its December 21, 2017 meeting; and

WHEREAS, amendments to the Pierce County County-wide Planning Policies must be adopted through amendment of the original interlocal agreement or by a new interlocal agreement ratified by sixty percent of the jurisdictions in Pierce County representing seventy-five percent of the total population; and

WHEREAS, demonstration of ratification shall be by execution of an interlocal agreement or the absence of a legislative action to disapprove a proposed amendment; and

WHEREAS, an Interlocal Agreement entitled "Amendments to the Pierce County Countywide Planning Policies" has been developed for this purpose, and is included as Exhibit B to Pierce County Ordinance No. 2018-15s; and

WHEREAS, a jurisdiction shall be deemed as casting an affirmative vote if it has not taken legislative action to disapprove a proposed amendment within 180 days from the date the Pierce County Council formally authorizes the Pierce County Executive to enter into an interlocal agreement; and

WHEREAS, when ratified by the necessary number of cities and towns, section 19D.240 of the Pierce County Code (PCC) "Pierce County Countywide Planning Policies" shall be amended without the need for a subsequent ordinance of the County Council; and

WHEREAS, the Pierce County Environmental Official has determined the proposal to be exempt from SEPA per WAC 197-11-800 (19) and;

WHEREAS, the City Council of the City of University Place held a study session on July 16, 2018 to consider the proposed county-wide planning policy amendments to incorporate annexation policies into the Pierce County Countywide Planning Policies; and

WHEREAS, the City Council finds that it is in the public interest to authorize the City Manager to execute the interlocal amendments with the County and its cities and towns thereby ratifying the proposed amendments to the Pierce County CPPs; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

Section 1. The University Place City Council acknowledges its approval of the amendments to the Pierce County County-wide Planning Policies recommended by the Pierce County Regional Council and approved by the County Council, which are attached as Exhibit A to Pierce County Ordinance 2018-15s and are incorporated herein by reference.

Section 2. Authorization. The City Manager is hereby authorized to execute the Interlocal Agreement attached hereto as Exhibit B to Pierce County Ordinance No. 2018-15s and by this reference incorporated herein, thereby ratifying the attached amendments to the Pierce County County-Wide Planning Policies as recommended by the Pierce County Regional Council and approved by the County Council.

Section 3. Effective Date. This resolution shall be effective immediately upon signing.

ADOPTED BY THE CITY COUNCIL ON OCTOBER 15, 2018.


Kent Keel, Mayor

ATTEST:


Emelita Genetia, City Clerk

APPROVED AS TO FORM:


Matthew S. Kaser, City Attorney

INTERLOCAL AGREEMENT

**AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES**

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

BACKGROUND:

- A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.
- B. The Pierce County Countywide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement, or by a new interlocal agreement. The Pierce County Countywide Planning Policies may be amended upon the adoption of amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification.
- C. A demonstration of ratification shall be by execution of an interlocal agreement or the absence of a legislative action to disapprove a proposed amendment.
- D. A jurisdiction shall be deemed as casting an affirmative vote if it has not taken legislative action to disapprove a proposed amendment within 180 days from the date the Pierce County Council formally authorizes the Pierce County Executive to enter into an interlocal agreement.
- E. The amendment incorporates new policies that set criteria and a process for the formal recognition of areas that serve as important centers within Pierce County communities. This formal recognition may be used in future countywide project evaluations.
- F. The Pierce County Regional Council recommended adoption of the proposed amendment on December 21, 2017.



1 PURPOSE:

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3 This agreement is entered into by the cities and towns of Pierce County and Pierce County for
4 the purpose of ratifying and approving the attached amendments to the Pierce County
5 Countywide Planning Policies (attachment).
6

7 DURATION:

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9 This agreement shall become effective upon execution by 60 percent of the jurisdictions in
10 Pierce County, representing 75 percent of the total Pierce County population as designated by the
11 State Office of Financial Management at the time of the proposed ratification. This agreement
12 will remain in effect until subsequently amended or repealed as provided by the Pierce County
13 Countywide Planning Policies.
14

15 SEVERABILITY:

16
17 If any of the provisions of this agreement are held illegal, invalid, or unenforceable, the
18 remaining provisions shall remain in full force and effect.
19

20 FILING:

21
22 A copy of this agreement shall be filed with the Secretary of State, Washington Department of
23 Commerce, the Pierce County Auditor, and each city and town clerk.
24

25 IN WITNESS WHEREOF, this agreement has been executed by each member
26 jurisdiction as evidenced by the signature page affixed to this agreement.
27



INTERLOCAL AGREEMENT

**AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES**

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County Countywide Planning Policies.

IN WITNESS WHEREOF

This agreement has been executed by _____
(Name of City/Town/County)

BY: _____
(Mayor/Executive)

DATE: _____

Approved: _____

BY: _____
(Director/Manager/Chair of County Council)

Approved as to Form:

BY: _____
(City Attorney/Prosecutor)

Approved: _____

BY: _____
(Pierce County Executive)



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Attachment to the
Interlocal Agreement

Proposed Amendments
to the
Pierce County Countywide Planning Policies
to
Amend Dry Sewer Lines and UGA Capacity Bank

UNOFFICIAL DOCUMENT



1 Dry Sewer Lines CPPs

2 *Urban Public Services*

3
4 UGA-5. Within the delineated urban growth areas, the County, and each municipality in the
5 County, shall adopt measures to ensure that growth and development are timed and
6 phased consistent with the provision of adequate public facilities and services.
7

8 5.4 Public Sanitary Sewer Service. The following policies shall be applicable to
9 the provision of public sanitary sewer service in the County and its
10 municipalities:
11

12 5.4.3 On-Site and Community Sewage Systems

- 13 a. In order to protect the public health and safety of the citizens of
14 Pierce County and of the municipalities in the County, to preserve
15 and protect environmental quality including, but not limited to,
16 water quality and to protect aquifer recharge areas, to work toward
17 the goal of eliminating the development of new residential and
18 commercial uses on on-site and community sewage systems within
19 the urban areas in the unincorporated County or within municipal
20 boundaries consistent with the Countywide Planning Policies, the
21 County and each municipality shall adopt policies on the use of on-
22 site and community sewage including:
23 (i) the most current Tacoma-Pierce County Board of Health
24 Land Use Regulations for On-Site and Community Sewerage
25 Systems
26 (ii) policies which require connection to sanitary sewers when
27 they are available in the following circumstances:
28 (a) if a septic system fails,
29 (b) for all new development except existing single-family
30 lots,
31 (c) for development with dry sewer systems.
32 (iii) if sewer service is not available, dry sewer facilities shall be
33 required- unless the local jurisdiction has adopted criteria that
34 otherwise must be met.
35
36



1 UGA Banking CPPs

2 AT-2. Urban Growth Area boundaries designated by the County pursuant to the Growth
3 Management Act may be amended by Pierce County and accepted by the
4 municipalities in the County pursuant to the same process by which the Urban
5 Growth Areas were originally adopted and pursuant to subpolicies UGA-1 and
6 UGA-2 of the "Countywide Planning Policy on Urban Growth Areas, Promotion of
7 Contiguous and Orderly Development and Provision of Urban Services to Such
8 Development."

9
10 2.1 An amendment to Urban Growth Area boundaries may be initiated by the
11 County or any municipality in the County.

12
13 2.2 A proposed amendment to Urban Growth Area boundaries shall include:

14
15 2.2.1 a map indicating the existing Urban Growth Area boundary and the
16 proposed boundary modification;

17
18 2.2.2 a statement indicating how, and the extent to which, the proposed
19 boundary modification complies with each of the factors listed in
20 subpolicies 2.2, 2.4, 2.5 and 2.6 of the Countywide Planning Policy on
21 Urban Growth Areas, Promotion of Contiguous and Orderly
22 Development and Provision of Urban Services to Such Development;

23
24 2.2.3 a statement indicating the factors, data or analyses that have changed
25 since the designation of the initial Urban Growth Area boundaries
26 and/or the experience with the existing Urban Growth Area boundaries
27 that have prompted the proposed amendment; and

28
29 2.2.4 documentation, if applicable, that an adequate number of capacity
30 credits have been authorized to be withdrawn from the Urban Growth
31 Area Capacity Bank as set forth in AT-2.5.

32
33 2.3 The Urban Growth Area of a jurisdiction may be expanded only if:

34
35 2.3.1 the jurisdiction's observed development densities are consistent with
36 the planned density assumptions as documented in the most recently
37 published Buildable Lands Report as required by RCW 36.70A.215,
38 and

39
40 2.3.2 there is a demonstrated need for additional residential or employment
41 capacity within the Urban Growth Area affiliated with an individual
42 jurisdiction and a demonstrated need county-wide; or the expansion
43 results in a no net gain to the countywide UGA Urban Growth Area; or
44 an adequate number of capacity credits from the Urban Growth Area
45 Capacity Bank are available and have been authorized to be used, and
46



2.3.3 the consistency evaluation, as required through the Countywide Planning Policies on Buildable Lands, policies BL-3. and BL-4., identifies an inconsistency between the observed and planned densities, the jurisdiction shall either:

- 1) demonstrate reasonable measures were adopted to rectify the inconsistencies. Documentation shall also be submitted that summarizes the monitoring results of the effectiveness of the measures in rectifying density inconsistencies, or
- 2) document updated development data that indicates consistency.

2.4 To ensure the orderly development of urban lands, predictability in the provision of urban services, and the eventual annexation of Urban Growth Areas, Pierce County may incorporate criteria into its comprehensive plan policies for evaluating amendments proposing to remove properties from the Urban Growth Area. The criteria should, at a minimum, include the existing development pattern and density, vested development applications, and infrastructure and service needs to accommodate the existing and future residents. In general, any lands proposed to be removed from the Urban Growth Area shall be rural in character and not require any urban level infrastructure or service needs.

2.5 Pierce County, in conjunction with its cities and towns, may establish and utilize an Urban Growth Area Capacity Bank for unincorporated lands that are removed from the Urban Growth Area.

2.5.1 Portions of the existing Urban Growth Area, which are rural in character or where it has been determined that urban services will not be available, may be removed from the Urban Growth Area.

2.5.2 The land capacity associated with undeveloped or underutilized properties removed from the Urban Growth Area may be placed in the Urban Growth Area Capacity Bank in the form of housing and/or employment capacity credits.

2.5.2.1 The land capacity for underdeveloped and underutilized properties shall be calculated using the methodology and assumptions incorporated in the most recent Pierce County Buildable Lands Report.

2.5.3 The Urban Growth Area may be expanded using capacity credits from the Urban Growth Area Capacity Bank.

2.5.3.1 The banked capacity credits should only be utilized for the expansion of the Urban Growth Area when the area is affiliated with a city or town through the designation of a Potential Annexation Area.

2.5.4 Pierce County Regional Council is the body for authorizing distribution of capacity credits from the Urban Growth Area Capacity Bank.



1 2.5.5 The Pierce County Regional Council shall establish an application and
2 review process for authorizing use of capacity credits.
3

4 2.5.6 The Pierce County Regional Council shall consider the following
5 preference in the distribution of capacity credits:

6 a. cities and towns that have not had a Potential Annexation Area
7 since 1996;

8 b. cities and towns that have had a reduction in their Potential
9 Annexation Area that has resulted in deposits into the Urban
10 Growth Area Capacity Bank;

11 c. cities and towns that have annexed all of their associated Potential
12 Annexation Area; and

13 d. the creation of logical city or town boundaries.
14

15 2.5.7 Cities and towns utilizing capacity credits to expand its Urban Growth
16 Area must demonstrate a commitment to annex the associated property.
17

18 2.5.8 Pierce County will provide an annual report to the PCRC identifying
19 the number of available capacity credits in the Urban Growth Area
20 Capacity Bank.
21

22 2.5.9 Participation in the Pierce County Transfer of Development Rights
23 (TDR) program is not required when the Urban Growth Area is
24 expanded using capacity credits from the Urban Growth Area Capacity
25 Bank.
26

27 2.56 A proposed amendment to the Urban Growth Area boundaries shall be
28 referred to the PCRC for its review and recommendation.
29

30 UGA-1. The County shall designate the countywide Urban Growth Area and Potential
31 Annexation Areas within it, in consultations between the County and each
32 municipality.
33

34 1.1 County referral of proposed Urban Growth Area and Potential Annexation
35 Area designations to the Pierce County Regional Council (PCRC).
36

37 1.1.1 The PCRC may refer the proposed designations to the Growth
38 Management Coordinating Committee (GMCC), or its successor entity
39 for technical advice and for a report.
40

41 1.1.2 The PCRC may conduct public meetings to review the proposed
42 designation and, at such meetings, may accept oral or written comments
43 and communications from the public.
44

45 1.1.3 At the conclusion of its review and analysis, the PCRC shall make a
46 recommendation to the County and to the municipalities in the County.
47



1 1.2 Once adopted by the County, the Urban Growth Area and Potential
2 Annexation Area designations shall not be changed except in accordance with
3 the Countywide Policy on "Amendments and Transition."
4

5 1.2.1 A jurisdiction shall not be required to modify existing Urban Growth
6 Area boundaries or Potential Annexation Areas in order to reduce the
7 residential or employment capacity to conform to adopted growth
8 targets reflecting VISION 2040's Regional Growth Strategy.
9 Jurisdictions shall, however, consider the adopted growth targets when
10 updating their local comprehensive plans.
11

12 1.2.2 Growth targets are the minimum number of residents, housing units, or
13 jobs a given jurisdiction is planning to accommodate within the
14 appropriate planning horizon and are to be developed through a
15 collaborative countywide process that ensures all jurisdictions are
16 accommodating a fair share of growth. These targets are informational
17 tools integrated into local land use plans to assist in formulating future
18 residential and employment land needs.
19

20 UGA-2. The following specific factors and criteria shall dictate the size and boundaries of
21 urban growth areas:
22

23 2.7 The Urban Growth Areas in existence prior to the adoption of VISION
24 2040 may contain capacity beyond that needed to accommodate the growth
25 target per regional geography for the succeeding 20-year planning period
26 based upon existing zoning designations, allowed density, existing land
27 division patterns, and similar factors. It is permissible for such areas to
28 continue to be designated as Urban Growth Areas. Expansion of these
29 Urban Growth Area boundaries is acknowledged to be inconsistent with
30 the CPPs and strongly discouraged if the Urban Growth Area expansion is
31 not in accordance with policy AT-2.3.
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33

