

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:

2
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:

8
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:

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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.

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

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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 City of Milton
(Name of City/Town/County)

BY: [Signature]
(Mayor/Executive)

DATE: July 9, 2018

Approved:

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

Approved as to Form:

BY: David Kuny
(City Attorney/Prosecutor)

Approved:

BY: [Signature]
(Pierce County Executive)



June 1, 2018

TO: Pierce County City and Town Mayors and Councilmembers
Pierce County City and Town Clerks

SUBJECT: Interlocal Agreement - Amendments to the Pierce County Countywide Planning Policies:
Dry Sewer Lines and UGA Banking

On December 21, 2017, the Pierce County Regional Council (PCRC) recommended the attached amendments to the Pierce County Countywide Planning Policies (CPPs). As the first step in the ratification process, the Pierce County Council adopted Ordinance No. 2018-15s on May 15, 2018. This action signifies Pierce County's approval of the proposed amendments to set guidelines for dry sewer lines and UGA banking, and authorize the Pierce County Executive to execute interlocal agreements with the cities and towns of Pierce County to ratify the proposal. This correspondence is the official transmittal of the PCRC's recommendation to amend the CPPs and request for ratification of the proposal.

For this proposal to be amended into the CPPs, it must be ratified by Pierce County jurisdictions. Ratification is achieved once 60% of the jurisdictions in Pierce County representing 75% of the total population approve the proposal. Demonstration of approval may be executed through an interlocal agreement or the absence of a legislative action to disapprove the proposed amendment within 180 days (November 13, 2018) of the County Council giving the County Executive authorization to enter into interlocal agreements.

If your jurisdiction is in favor of this proposal, it may either

- Pass an ordinance/resolution within the interlocal agreement and amendment language; or
- Take no action addressing the proposed amendment.

If your jurisdiction is not in favor of the proposal, please submit your resolution showing the action taken in opposition to the amendments for receipt by November 13, 2018 to **Dan Cardwell, Supervisor, Long Range Planning, Pierce County Planning & Public Works, 2401 S. 35th St., Room 175, Tacoma, WA 98409**. If your information is not received by this date, it will not be considered. *Please note: jurisdictions do not have the ability to make line item modifications.*

If your jurisdiction takes action to ratify the proposal, send **two original signed copies** of the interlocal agreement, and your resolution, ordinance, or meeting minutes authorizing approval. One of the signed interlocal agreements will be returned after it is signed by the Pierce County Executive. Please submit your jurisdiction's action to **Dan Cardwell, Supervisor, Long Range Planning, Pierce County Planning & Public Works, 2401 S. 35th St., Room 175, Tacoma, WA 98409** for receipt by November 13, 2018 to be included in the ratification process.

If you have any questions, please contact Dan Cardwell at dan.cardwell@piercecounitywa.gov or (253) 798-7039.

Sincerely,

Cindy Anderson

Clerk, Pierce County Regional Council

Attachments: Pierce County Ordinance 2018-15s, interlocal agreement, Countywide Planning Policies amendments, explanatory sheet

c: Growth Management Coordinating Committee (without attachments) by email

PIERCE COUNTY REGIONAL COUNCIL

INTERLOCAL AGREEMENT AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES

ATTACHED TO THIS COVER SHEET ARE:

- A copy of the County's Ordinance authorizing execution of the interlocal agreement, and thereby ratifying the amendments to the Pierce County Countywide Planning Policies (CPPs).
- A copy of the interlocal agreement showing the amendments to the CPPs as approved by the PCRC.

What to Do If Your Jurisdiction is in Support of the Proposed Amendment:

Option #1

1. Develop a similar ordinance or resolution in whatever form is used by your jurisdiction. It is **not** necessary for everyone to adopt identical documents. The ordinance/resolution needs to include three attachments: 1) the interlocal agreement, 2) Dry Sewer Lines amendment, and 3) UGA Banking amendment. *Note: Jurisdictions cannot make line item modifications; this is a pass or fail policy choice.*
2. Have your Council vote on the ordinance/resolution.
3. If the ordinance/resolution passes, have the authorized agents for your jurisdiction sign the interlocal agreement.
4. **Two original copies** of your signed resolution/ordinance and interlocal agreement must be received by **Dan Cardwell, Long Range Planning, Pierce County Planning and Public Works, 2401 S. 35th St., Room 175, Tacoma, WA 98409, no later than November 13, 2018.**

Option #2

Take no action addressing the proposed amendment.

What to Do if Your Jurisdiction is NOT in Support of the Proposed Amendment:

1. Develop a resolution in whatever form is used by your jurisdiction that states opposition to the proposed amendment.
2. Have your Council vote on the resolution.
3. If the resolution not to support the proposed amendment passes, forward a signed copy to **Dan Cardwell, Long Range Planning, Pierce County Planning and Public Works, 2401 S. 35th St., Room 175, Tacoma, WA 98409.** The resolution must be received no later than **November 13, 2018.**

WHAT HAPPENS NEXT

Once ordinances/resolutions and interlocal agreements are approved by 60% of the jurisdictions representing 75% of the population in the County, the amendments will become effective. This threshold correlates to 14 cities and towns, and Pierce County, representing a minimum of 644,550 people (based on 2017 OFM estimate).

Per Pierce County Countywide Planning Policy AT 1.2.1, "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." Consequently, for a proposal to not be ratified, more than 40% of the jurisdictions representing more than 25% of the population has to take a legislative action stating opposition to a proposal for ratification to fail.

1 Sponsored by: Councilmembers Connie Ladenburg and Derek Young
2 Requested by: Executive/Planning and Public Works
3
4

5 **ORDINANCE NO. 2018-15s**

6
7
8 **An Ordinance of the Pierce County Council Acknowledging its Approval of**
9 **Proposed Policies in the Pierce County Countywide Planning**
10 **Policies as Recommended by the Pierce County Regional**
11 **Council; Authorizing the Pierce County Executive to Execute**
12 **Interlocal Agreements with the Cities and Towns of Pierce**
13 **County to Ratify the Proposed Amendments; Amending**
14 **Chapter 19D.240 of the Pierce County Code, "Pierce County**
15 **Countywide Planning Policies," Upon Ratification; and**
16 **Adopting Findings of Fact.**
17

18 **Whereas**, the Pierce County Regional Council (PCRC) was created in 1992 by
19 interlocal agreement among the cities and towns of Pierce County and Pierce County,
20 and charged with responsibilities, including: serving as a local link to the Puget Sound
21 Regional Council, promoting intergovernmental cooperation, facilitating compliance with
22 the coordination and consistency requirements of the Growth Management Act (GMA)
23 and the Regional Transportation Planning Organization (Chapter 47.80 Revised Code
24 of Washington [RCW]), and developing a consensus among jurisdictions regarding the
25 development and modification of the Countywide Planning Policies; and
26

27 **Whereas**, on January 31, 1995, the PCRC passed Resolution No. R95-17
28 affirming the commitment of the County to continue discussions with other local
29 jurisdictions to resolve implementation of the GMA; and
30

31 **Whereas**, the Pierce County Countywide Planning Policies (CPPs) are written
32 policy statements which are to be used solely for establishing a countywide framework
33 from which the County and municipal comprehensive plans are developed and adopted;
34 and
35

36 **Whereas**, the CPPs were originally adopted on June 30, 1992 and amended on
37 April 9, 1996, December 17, 1996, November 18, 2004, November 17, 2008, June 26,
38 2012, August 27, 2012, July 11, 2014, and July 27, 2014; and
39

40 **Whereas**, the PCRC considered various options to address issues associated
41 with the expansion of the Urban Growth Area in 2016; and
42

43 **Whereas**, the current CPPs contain a policy that requires dry sewer facilities to
44 be installed if sanitary sewer service is not available for a project within the designated
45 Urban Growth Area; and
46



1 **Whereas**, situations exist in which it is not practical or feasible to require dry
2 sewer facilities within the designated Urban Growth Area; and

3
4 **Whereas**, the Pierce County Growth Management Coordinating Committee
5 (GMCC) is a technical subcommittee to the PCRC, and the GMCC includes staff
6 representatives from the County and the cities and towns within Pierce County; and

7
8 **Whereas**, the GMCC forwarded its proposed recommendation to amend the
9 CPPs to the PCRC for consideration; and

10
11 **Whereas**, the PCRC, based upon the recommendation from the GMCC and its
12 own discussions, recommended approval of the proposal at its December 21, 2017
13 meeting; and

14
15 **Whereas**, amendments to the CPPs must be adopted through amendment of the
16 original interlocal agreement or by a new interlocal agreement ratified by 60 percent of
17 member jurisdictions in Pierce County representing 75 percent of the total population;
18 and

19
20 **Whereas**, demonstration of ratification shall be by execution of an interlocal
21 agreement or the absence of a legislative action to disapprove a proposed amendment;
22 and

23
24 **Whereas**, a jurisdiction shall be deemed as casting an affirmative vote if it has
25 not taken legislative action to disapprove a proposed amendment within 180 days from
26 the date the Pierce County Council formally authorizes the Pierce County Executive to
27 enter into an interlocal agreement; and

28
29 **Whereas**, when ratified by the necessary number of cities and towns, Section
30 19D.240 of the Pierce County Code (PCC), "Pierce County Countywide Planning
31 Policies", shall be amended, without a subsequent ordinance of the County Council, to
32 incorporate the recommended proposal; and

33
34 **Whereas**, the Pierce County Planning Commission, at its February 27, 2018,
35 regular public hearing, reviewed the proposed amendments to the CPPs; and

36
37 **Whereas**, the Pierce County Environmental official has determined the proposal
38 is exempt from SEPA, per WAC 197-11-800(19) procedural actions; and

39
40 **Whereas**, the Community Development Committee of the Pierce County Council
41 held a public hearing on April 2, 2018, where it considered oral and written testimony
42 and forwarded its recommendation to the full County Council; and

43
44 **Whereas**, the County Council held a public hearing on May 15, 2018, where oral
45 and written testimony was considered; and

1 **Whereas**, the County Council finds that it is in the public interest to authorize the
2 Pierce County Executive to execute the interlocal agreement; **Now Therefore**,

3
4 **BE IT ORDAINED by the Council of Pierce County:**

5
6 Section 1. The Pierce County Council acknowledges its approval of the
7 amendments to the CPPs recommended by the Pierce County Regional Council as set
8 forth in Exhibit A, which is attached hereto and incorporated herein by reference.

9
10 Section 2. The Pierce County Council authorizes the Pierce County Executive to
11 execute Interlocal Agreements as set forth in Exhibit B, which is attached hereto and
12 incorporated herein by reference, thereby ratifying the attached amendments to the
13 CPPs and amending Chapter 19D.240 of the Pierce County Code as recommended by
14 the Pierce County Regional Council.

15
16 Section 3. Findings of Fact are hereby adopted as shown in Exhibit C, which is
17 attached hereto and incorporated herein by reference.

18
19 **PASSED** this 15th day of May, 2018.

20
21 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

22
23
24 Denise D. Johnson
25
26 **Denise D. Johnson**
27 Clerk of the Council

Douglas G. Richardson
28
29 **Douglas G. Richardson**
30 Council Chair

Bruce F. Dammeier
31
32 **Bruce F. Dammeier**
33 Pierce County Executive

34 Approved Vetoed _____, this
35 21st day of May,
36 2018.

37 Date of Publication of
38 Notice of Public Hearing: April 25, 2018

39
40 Effective Date of Ordinance: May 31, 2018



1
2
3 Dry Sewer Lines CPPs

4
5 *Urban Public Services*

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

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

13
14 5.4.3 On-Site and Community Sewage Systems

- 15 a. In order to protect the public health and safety of the citizens of
16 Pierce County and of the municipalities in the County, to preserve
17 and protect environmental quality including, but not limited to, water
18 quality and to protect aquifer recharge areas, to work toward the goal
19 of eliminating the development of new residential and commercial
20 uses on on-site and community sewage systems within the urban
21 areas in the unincorporated County or within municipal boundaries
22 consistent with the Countywide Planning Policies, the County and
23 each municipality shall adopt policies on the use of on-site and
24 community sewage including:
- 25 (i) the most current Tacoma-Pierce County Board of Health Land
26 Use Regulations for On-Site and Community Sewerage
27 Systems;
 - 28 (ii) policies which require connection to sanitary sewers when they
29 are available in the following circumstances:
 - 30 (a) if a septic system fails,
 - 31 (b) for all new development except existing single-family
32 lots,
 - 33 (c) for development with dry sewer systems.
 - 34 (iii) if sewer service is not available, dry sewer facilities shall be
35 required unless the local jurisdiction has adopted criteria that
36 otherwise must be met.
- 37
38

1 UGA Banking CPPs

2
3 AT-2. Urban Growth Area boundaries designated by the County pursuant to the Growth
4 Management Act may be amended by Pierce County and accepted by the
5 municipalities in the County pursuant to the same process by which the Urban Growth
6 Areas were originally adopted and pursuant to subpolicies UGA-1 and UGA-2 of the
7 “Countywide Planning Policy on Urban Growth Areas, Promotion of Contiguous and
8 Orderly Development and Provision of Urban Services to Such 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 and/or
26 the experience with the existing Urban Growth Area boundaries that have
27 prompted the proposed amendment; and

28
29 2.2.4 documentation, if applicable, that an adequate number of capacity credits
30 have been authorized to be withdrawn from the Urban Growth Area
31 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 the
36 planned density assumptions as documented in the most recently
37 published Buildable Lands Report as required by RCW 36.70A.215, and

38
39 2.3.2 there is a demonstrated need for additional residential or employment
40 capacity within the Urban Growth Area affiliated with an individual
41 jurisdiction and a demonstrated need county-wide; or the expansion
42 results in a no net gain to the countywide UGA Urban Growth Area; or an
43 adequate number of capacity credits from the Urban Growth Area
44 Capacity Bank are available and have been authorized to be used, and

1 2.3.3 the consistency evaluation, as required through the Countywide Planning
2 Policies on Buildable Lands, policies BL-3. and BL-4., identifies an
3 inconsistency between the observed and planned densities, the jurisdiction
4 shall either:

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

11
12 2.4 To ensure the orderly development of urban lands, predictability in the provision
13 of urban services, and the eventual annexation of Urban Growth Areas,
14 Pierce County may incorporate criteria into its comprehensive plan policies for
15 evaluating amendments proposing to remove properties from the Urban
16 Growth Area. The criteria should, at a minimum, include the existing
17 development pattern and density, vested development applications, and
18 infrastructure and service needs to accommodate the existing and future
19 residents. In general, any lands proposed to be removed from the Urban
20 Growth Area shall be rural in character and not require any urban level
21 infrastructure or service needs.

22
23 2.5 Pierce County, in conjunction with its cities and towns, may establish and utilize
24 an Urban Growth Area Capacity Bank for unincorporated lands that are removed
25 from the Urban Growth Area.

26
27 2.5.1 Portions of the existing Urban Growth Area, which are rural in character
28 or where it has been determined that urban services will not be available,
29 may be removed from the Urban Growth Area.

30
31 2.5.2 The land capacity associated with undeveloped or underutilized properties
32 removed from the Urban Growth Area may be placed in the Urban
33 Growth Area Capacity Bank in the form of housing and/or employment
34 capacity credits.

35 2.5.2.1 The land capacity for underdeveloped and underutilized properties
36 shall be calculated using the methodology and assumptions
37 incorporated in the most recent Pierce County Buildable Lands
38 Report.

39
40 2.5.3 The Urban Growth Area may be expanded using capacity credits from the
41 Urban Growth Area Capacity Bank.

42 2.5.3.1 The banked capacity credits should only be utilized for the
43 expansion of the Urban Growth Area when the area is affiliated
44 with a city or town through the designation of a Potential
45 Annexation Area.

1 2.5.4 Pierce County Regional Council is the body for authorizing distribution of
2 capacity credits from the Urban Growth Area Capacity Bank.

3
4 2.5.5 The Pierce County Regional Council shall establish an application and
5 review process for authorizing use of capacity credits.

6
7 2.5.6 The Pierce County Regional Council shall consider the following
8 preference in the distribution of capacity credits:
9 a. cities and towns that have not had a Potential Annexation Area since
10 1996;
11 b. cities and towns that have had a reduction in their Potential
12 Annexation Area that has resulted in deposits into the Urban Growth
13 Area Capacity Bank;
14 c. cities and towns that have annexed all of their associated Potential
15 Annexation Area; and
16 d. the creation of logical city or town boundaries.

17
18 2.5.7 Cities and towns utilizing capacity credits to expand its Urban Growth
19 Area must demonstrate a commitment to annex the associated property.

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

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

28
29 2.5.10 A proposed amendment to the Urban Growth Area boundaries shall be referred
30 to the PCRC for its review and recommendation.

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

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

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

42
43 1.1.2 The PCRC may conduct public meetings to review the proposed
44 designation and, at such meetings, may accept oral or written comments
45 and communications from the public.
46
47



1 1.1.3 At the conclusion of its review and analysis, the PCRC shall make a
2 recommendation to the County and to the municipalities in the County.
3

4 1.2 Once adopted by the County, the Urban Growth Area and Potential
5 Annexation Area designations shall not be changed except in accordance with
6 the Countywide Policy on "Amendments and Transition."
7

8 1.2.1 A jurisdiction shall not be required to modify existing Urban Growth
9 Area boundaries or Potential Annexation Areas in order to reduce the
10 residential or employment capacity to conform to adopted growth targets
11 reflecting VISION 2040's Regional Growth Strategy. Jurisdictions shall,
12 however, consider the adopted growth targets when updating their local
13 comprehensive plans.
14

15 1.2.2 Growth targets are the minimum number of residents, housing units, or
16 jobs a given jurisdiction is planning to accommodate within the
17 appropriate planning horizon and are to be developed through a
18 collaborative countywide process that ensures all jurisdictions are
19 accommodating a fair share of growth. These targets are informational
20 tools integrated into local land use plans to assist in formulating future
21 residential and employment land needs.
22

23 UGA-2. The following specific factors and criteria shall dictate the size and boundaries of urban
24 growth areas:
25

26 2.7 The Urban Growth Areas in existence prior to the adoption of VISION 2040
27 may contain capacity beyond that needed to accommodate the growth target per
28 regional geography for the succeeding 20-year planning period based upon
29 existing zoning designations, allowed density, existing land division patterns,
30 and similar factors. It is permissible for such areas to continue to be designated
31 as Urban Growth Areas. Expansion of these Urban Growth Area
32 boundaries is acknowledged to be inconsistent with the CPPs and strongly
33 discouraged if the Urban Growth Area expansion is not in accordance with
34 policy AT-2.3.
35
36
37



INTERLOCAL AGREEMENT

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

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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.
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- 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:

2

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).

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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.

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15 | SEVERABILITY:

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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.

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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



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

1 2.3.3 the consistency evaluation, as required through the Countywide
2 Planning Policies on Buildable Lands, policies BL-3. and BL-4.,
3 identifies an inconsistency between the observed and planned densities,
4 the jurisdiction shall either:

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

11
12 2.4 To ensure the orderly development of urban lands, predictability in the
13 provision of urban services, and the eventual annexation of uUrban gGrowth
14 aAreas, Pierce County may incorporate criteria into its comprehensive plan
15 policies for evaluating amendments proposing to remove properties from the
16 uUrban gGrowth aArea. The criteria should, at a minimum, include the
17 existing development pattern and density, vested development applications,
18 and infrastructure and service needs to accommodate the existing and future
19 residents. In general, any lands proposed to be removed from the uUrban
20 gGrowth aArea shall be rural in character and not require any urban level
21 infrastructure or service needs.

22
23 2.5 Pierce County, in conjunction with its cities and towns, may establish and
24 utilize an Urban Growth Area Capacity Bank for unincorporated lands that are
25 removed from the Urban Growth Area.

26
27 2.5.1 Portions of the existing Urban Growth Area, which are rural in
28 character or where it has been determined that urban services will not
29 be available, may be removed from the Urban Growth Area.

30
31 2.5.2 The land capacity associated with undeveloped or underutilized
32 properties removed from the Urban Growth Area may be placed in the
33 Urban Growth Area Capacity Bank in the form of housing and/or
34 employment capacity credits.

35 2.5.2.1 The land capacity for underdeveloped and underutilized
36 properties shall be calculated using the methodology and
37 assumptions incorporated in the most recent Pierce County
38 Buildable Lands Report.

39 2.5.3 The Urban Growth Area may be expanded using capacity credits from
40 the Urban Growth Area Capacity Bank.

41 2.5.3.1 The banked capacity credits should only be utilized for the
42 expansion of the Urban Growth Area when the area is affiliated
43 with a city or town through the designation of a Potential
44 Annexation Area.

45
46 2.5.4 Pierce County Regional Council is the body for authorizing distribution
47 of capacity credits from the Urban Growth Area Capacity Bank.
48



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 2.5.6 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.
32
33

The Pierce County Council Finds:

1. The Pierce County Regional Council (PCRC) 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) and the Regional Transportation Planning Organization (Chapter 47.80 Revised Code of Washington [RCW]), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.
2. On January 31, 1995, the Pierce County Council passed Resolution No. R95-17 affirming the commitment of the County to continue discussions with other local jurisdictions to resolve implementation of the Growth Management Act.
3. The Growth Management Act required Pierce County to adopt a countywide planning policy in cooperation with the cities and towns located within the County.
4. The Pierce County Countywide Planning Policies (CPPs) are written policy statements which are to be used solely for establishing a countywide framework from which the County and municipal comprehensive plans are developed and adopted.
5. The CPPs were originally adopted on June 30, 1992 and amended on April 9, 1996, December 17, 1996, November 18, 2004, November 17, 2008, June 26, 2012, August 27, 2012, July 11, 2014, and July 27, 2014.
6. As a document adopted pursuant to requirements of the Growth Management Act, the CPPs should be incorporated by reference in Title 19D, Other Comprehensive Planning Documents, of the Pierce County Code.
7. The CPPs are adopted as 19D.240 of the Pierce County Code.
8. CPP UGA-2.7 states that "The urban growth areas in existence prior to the adoption of VISION 2040 may contain capacity beyond that needed...It is permissible for such areas to be designated...Expansion of these urban growth area boundaries is acknowledged to be inconsistent with the CPPs and strongly discouraged if...not in accordance with policy AT-2.3."
9. CPP AT-2.3 states, that "The urban growth area of a jurisdiction may be expanded only if:...2.3.2 there is a demonstrated need for additional...capacity...or the expansion results in a no net gain to the countywide UGA."



- 1 10. The PCRC has heard from various jurisdictions about the challenges associated
2 with proposing urban growth area expansions that adheres to the “no net gain”
3 criteria.
4
- 5 11. The PCRC considered various options to address issues associated with the
6 expansion of the Urban Growth Area in 2016.
7
- 8 12. CPP UGA-5.4.3 On-Site and Community Sewage System (iii) states, “if sewer
9 service is not available, dry-sewer facilities shall be required” within urban areas.
10
- 11 13. Various jurisdictions have identified situations where it is problematic to require
12 dry-sewer facilities.
13
- 14 14. The PCRC recommended its adoption of the proposed amendments to the CPPs
15 on December 21, 2017.
16
- 17 15. The Pierce County Planning Commission reviewed the proposed amendments and
18 held a public hearing at its February 27, 2018 meeting.
19
- 20 16. The Planning Commission recommended approval of the proposed amendment
21 that provides local flexibility in the requirement of dry-line facilities.
22
- 23 17. The Planning Commission recommended denial of the proposed amendment that
24 establishes an Urban Growth Area Capacity Bank (Capacity Bank).
25
- 26 18. The Planning Commission had various concerns with the establishment of the
27 Capacity Bank. These concerns ranged from lack of detail on how the process will
28 occur, to the perception that it would add another bureaucratic layer.
29
- 30 19. The Planning Commission recommended that the County Council request that the
31 PCRC amend the Capacity Bank proposal to include a sunset date for re-
32 evaluation after 10 years.
33
- 34 20. The Planning Commission recommended that the County Council request that
35 policy UGA-1.1.2 be amended by replacing “may” with “shall” as related to holding
36 a public hearing.
37
- 38 21. The Pierce County Environmental official has determined the proposal is exempt
39 from SEPA per WAC 197-11-800(19) procedural actions.
40
- 41 22. The CPPs include provisions addressing procedures for amending the CPPs.
42
- 43 23. The proposed amendments to the CPPs shall become effective when 60 percent
44 of the cities, towns, and the County, representing 75 percent of the total population
45 as designated by the State Office of Financial Management at the time of the
46 proposed ratification become signatories to the agreement.
47



- 1 24. A demonstration of ratification shall be by execution of an interlocal agreement or
2 the absence of a legislative action to disapprove the proposed amendment.
3
- 4 25. A jurisdiction shall be deemed as casting an affirmative vote if it has not taken
5 legislative action to disapprove a proposed amendment within 180 days from the
6 date the Pierce County Council formally authorizes the Pierce County Executive to
7 enter into an interlocal agreement.
8
- 9 26. Per Pierce County Countywide Planning Policy AT 1.2.1, the date that the Pierce
10 County Council formally authorizes the Pierce County Executive to enter into an
11 interlocal agreement shall begin the 180-day ratification period.
12
- 13 27. The 180-day ratification period shall begin on the effective date of Ordinance No.
14 2018-15.
15
- 16 28. A subsequent ordinance of the County Council shall not be necessary to
17 acknowledge the ratification process and amend Section 19D.240 PCC, "Pierce
18 County Countywide Planning Policies."
19
- 20 29. The Community Development Committee of the County Council, after a properly
21 noticed public hearing, considered oral and written testimony and forwarded its
22 recommendation to the full Council.
23
- 24 30. The County Council held a public hearing on May 15, 2018, where oral and written
25 testimony was considered.
26
- 27 31. It is in the public interest to authorize the Pierce County Executive to execute the
28 interlocal agreements.



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:

2
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:

8
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



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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 City of Milton
(Name of City/Town/County)

BY: [Signature]
(Mayor/Executive)

DATE: July 9, 2018

Approved:

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

Approved as to Form:

BY: [Signature]
(City Attorney/Prosecutor)

Approved:

BY: _____
(Pierce County Executive)

**CITY OF MILTON
RESOLUTION NO. 18-1908**

**A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MILTON, WASHINGTON;
RATIFYING AN INTERLOCAL AGREEMENT WITH THE PIERCE COUNTY REGIONAL
COUNCIL MODIFYING THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES
REGARDING DRY SEWER LINES AND URBAN GROWTH AREA BANKING**

Whereas, the City of Milton is a member of the Pierce County Regional Council(PCRC);
and

Whereas, the PCRC coordinates Countywide Planning Policies to implement the Growth
Management Act; and

Whereas, these Planning Policies must be modified from time to time; and

Whereas, the parties wish to execute an Interlocal Agreement modifying the
Countywide Planning Policies related to dry sewer lines and Urban Growth Area Banking.

**THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON DOES HEREBY RESOLVE AS
FOLLOWS:**

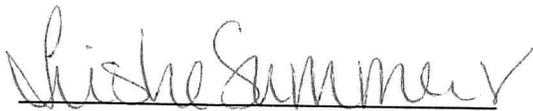
The City Council hereby authorizes the Mayor to execute an Interlocal Agreement with
the Pierce County Regional Council amending the Pierce County Countywide Planning Policies
regarding the installation of dry sewer lines and Urban Growth Area Banking.

PASSED AND APPROVED by the City Council of the City of Milton, Washington, at a
regularly scheduled meeting this 9th day of July 2018.



Shanna Styron Sherrell, Mayor

Attest:



Trisha Summers, City Clerk