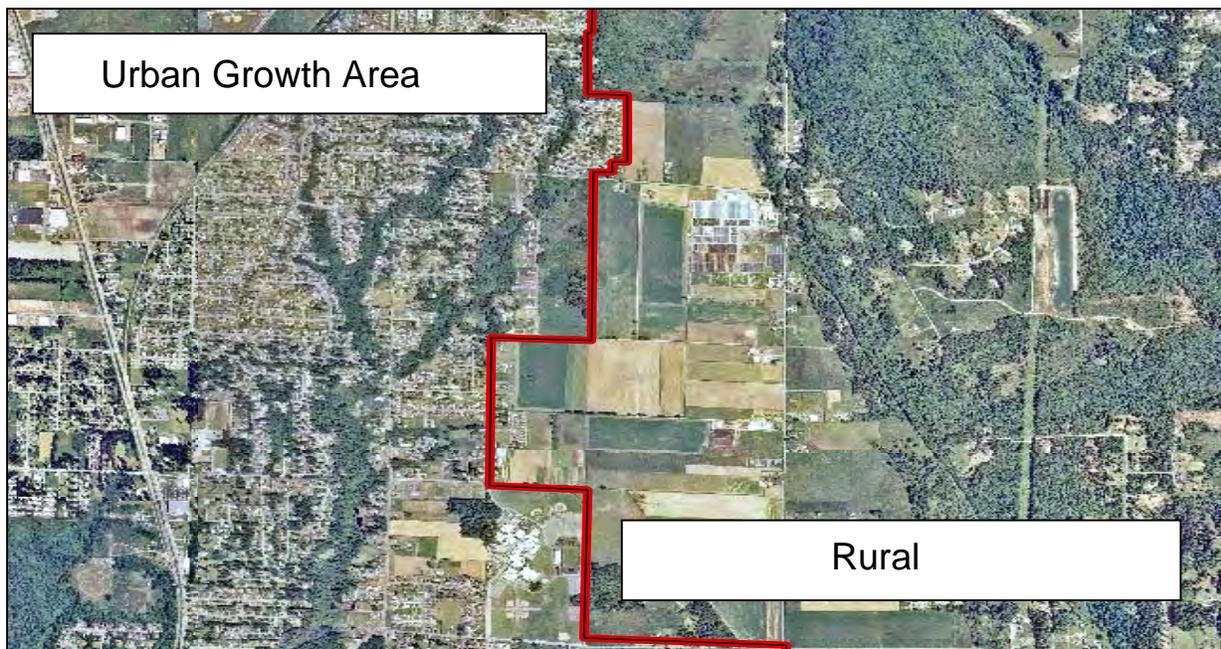


VISION 2020 + 20 Update
Issue Paper on Rural Areas

Puget Sound Regional Council

August 25, 2005

Growth Management Policy Board adopted *Action to Proceed* August 25, 2005



“Rural issues need to be addressed in a comprehensive manner, with clear criteria for identification, development, and use of these lands.”

(Livable Washington: APA’s Action Agenda for Growth Management, Washington Chapter of the American Planning Association, November 2002)

“Rural services, such as sanitary septic systems, wells and roads, have become over-used, contributing to environmental pollution, health, and safety problems. In some locations, traffic congestion has increased significantly due to growth in traffic volumes... If growth continues, rural lands will be threatened, and rural character... lost.”

(1995 VISION 2020 Update, page 33)

Preamble

As this paper was developed, a great deal of discussion and comment on rural issues was generated. The Growth Management Policy Board invested significant time during five meetings to review the paper and provide direction to Regional Council staff. In addition, the issues in the paper generated considerable discussion and written comments at the VISION 2020 + 20 workshop held on May 20, 2005 at the Seattle Center. Based on the issues raised, the Growth Management Policy Board instructed staff to add this preamble to the rural issue paper. The preamble addresses four subject areas: (1) role of the Puget Sound Regional Council, (2) the opportunity presented by the VISION update, (3) the importance of citizen involvement, and (4) the difficulty of balancing individual rights with the larger needs and values of society as a whole.

Role of the Puget Sound Regional Council. The Puget Sound Regional Council is the regional growth management, economic, and transportation planning agency for the central Puget Sound area (King, Kitsap, Pierce, and Snohomish counties). The Regional Council serves as a forum for cities, counties, ports, transit agencies, tribes, and the state to address important regional issues. The primary responsibilities of the Regional Council are to (1) adopt and maintain an overall vision for growth management, transportation, and the economic prosperity of the region, (2) adopt and maintain a long-range plan and improvement program for transportation, (3) Provide regional data and forecasts.

The Regional Council's authority and mandates are spelled out in an interlocal agreement with its members. The Council operates under provisions in numerous federal and state laws, including: the federal Transportation Equity Act of the 21st Century, federal and state Clean Air Acts, state Growth Management Act, and federal Public Works and Economic Development Act.

The Puget Sound Regional Council is governed by a General Assembly and an Executive Board. The General Assembly is composed of all local elected officials from member jurisdictions and representatives of other member agencies. It meets at least annually to review and vote on the annual budget, elect officers and adopt new or updated plans. The 30-member Executive Board is chaired by the Regional Council's president and meets monthly to govern the organization. The Transportation Policy Board and the Growth Management Policy Board (also comprised of locally-elected officials) make recommendations on key transportation and growth management issues to the Executive Board.

The Puget Sound Regional Council is a planning agency. It does not enact or enforce land use regulations. Locally elected governments at the county and city level develop individual comprehensive plans and appropriate zoning ordinances and developments to guide development and land use within their jurisdictions. The Regional Council has authority to adopt Multicounty Planning Policies that provide guidance to Countywide Planning Policies and local comprehensive plans.

Opportunity Presented By The VISION Update. The Growth Management Policy Board sees the VISION 2020 + 20 process as an opportunity. It is an opportunity to look ahead, beyond current local comprehensive plans, at how to accommodate the needs of an additional 1.6 million new people by 2040 while protecting the environment and improving the overall quality of life in the region. The project is an opportunity for the region to work together to accomplish tasks that are difficult to accomplish within a single jurisdiction. It is an opportunity that last presented itself more than 15 years ago when the original VISION was developed between 1987 and 1990.

Importance Of Citizen Involvement. Public participation is very important to all members of the Regional Council. We are in a large and diverse region and must seek the broadest range of public involvement possible. This, of course, does not mean that every interest group and individual can be totally successful in imposing their particular views on regional policies. But it does mean we have an opportunity to learn from each other and come together on how this region can best accomplish common objectives and shared values.

At every stage of the update we have and will continue to seek public participation and comment. The project started in the fall of 2003 with an eight-month period of listening to the public. Following that was a yearlong work agenda aimed at investigating issues was undertaken. The next steps include a rigorous evaluation and environmental review of alternatives, which will be detailed in a draft environmental impact statement (DEIS). The DEIS will include an appendix containing information and analysis of the impact of developing the rural designated lands in the region with a low density, sprawling development pattern.

Based on public comment and reaction to the draft, the Regional Council will develop a preferred growth alternative and a supplemental environmental impact statement in September 2006. That will be followed by another official public comment period. Final action on the updated VISION is scheduled to take place at the March 2007 General Assembly meeting of the Regional Council. The schedule is designed to allow time for thoughtful discussion and input from all interested parties. We welcome public comment at any time throughout this work.

Balancing Individual Right With The Larger Needs And Values Of Society. A primary purpose of the rural issue paper has been to stimulate discussion about how to address rural areas in VISION 2020 + 20. The discussion is taking place within the context of existing state and federal law, adopted public policy embodied in VISION 2020, countywide planning policies, and local comprehensive plans.

The public policy framework articulated in the regional growth strategy creates a large regional “tent” that accommodates a wide range of life styles—from urban to rural. The objective is to focus growth and investments in urban areas and to preserve the ecological, recreational, economic function, and character of rural areas.

Individual households within the region make decisions regarding where they live and how they move around to meet their employment, service, and recreational needs. These decisions often result in trade-offs—more or less living space, taxes, privacy, congestion and proximity to amenities, entertainment, schools, jobs, and shopping.

We all carry some of the benefits and burdens of balancing individual rights and the values and needs of the greater society. Both urban and rural property owners enjoy the benefits of increased property values when government actions increase access to their property or take other actions that increase its marketability. On the other hand, government actions define and limit the use of all private property to insure public health, safety and the common good. The appropriate balance between individual rights and the overarching needs of society is established by our laws and governing institutions.

Flexibility In Applying The Concepts In The Rural Paper. Currently notable differences in the character and approach to public policy that guide the use of rural lands exist among the four counties within the central Puget Sound region. One of the purposes of this paper is to seek overall regional agreement on a clearer vision and strategy for rural lands. However, given the differences, a “one size fits all” approach to all rural issues may not be possible or even desirable.

Flexibility has been built into the rural paper. For example, one of the recommendations is to recognize three types of rural areas based on area character like prevailing parcel size and ecological function. The idea is to treat different parts of the rural area differently – one size does not fit all.

The paper recognizes that additional flexibility may be needed as we move forward with these discussions. Some of the concepts in the rural paper may need to be addressed differently in the four counties. Some parts of the rural paper may not apply in all counties.

The discussion of the concepts outlined in this paper and the other papers in the issue paper series, will continue in the environmental review phase of work on the VISION 2020 + 20 project. Over the next year the Growth Management Policy Board will play a lead role in shaping the ideas in the paper (and new ones that will be introduced by participants in the VISION update process) into policies and strategies that will be offered for additional public review.

PURPOSE AND BACKGROUND

The purpose of this paper is to examine the status of rural designated lands within the central Puget Sound region and to begin to investigate ways that the VISION 2020 + 20 and the new Multicounty Planning Policies (MPPs) can be used to seek regional agreement on a clearer vision and strategy for rural lands.* This paper addresses lands designated as rural in county comprehensive plans developed under the Growth Management Act. Agricultural land and other resource lands are not addressed.

Decision-makers in the central Puget Sound region have determined that the most efficient, cost-effective, and environmentally-friendly way to accommodate population and employment growth is by implementing a centers-oriented regional growth strategy. While much attention is given to urban growth issues, the rural portion of that overall strategy also plays a critical role. The rural area provides an opportunity for a pastoral life style and makes a distinct contribution to the region's economy and ecology. At the same time, it helps to contain the urban area and keeps lands with rural character from being lost to future generations.

The MPPs provide guidance to countywide planning policies and local comprehensive plans. They offer an opportunity for the region to address selected issues in a consistent manner, while leaving others to local discretion. The MPPs guide broad decisions and are less prescriptive than local government development regulations that control specific land uses, such as setbacks, building intensity, and allowed uses.

The paper is organized into the following issue areas:

1. Clarification of the Character, Intended Function, and Use of Rural Lands.
2. Rural Population and Employment Growth.
3. Rural Exception Areas.

* Portions of this issue paper draw from a report presented to the Growth Management Policy Board in October 2003 titled *The Rural Policy Project*. That report examined current trends and patterns of development in rural areas of the four-county region, as well as the effectiveness of current rural policies—at the regional, countywide, and local levels. Among the findings in the report was the assessment that "VISION 2020 can be improved to more fully execute GMA objectives and address community needs in the region's rural areas." (see *The Rural Policy Project*, page 4.)

In its discussion of the report, the Growth Management Policy Board provided the following guidance for considering rural issues in the update of VISION 2020.

- *Identify and develop specific provisions and policy guidance for distinct subareas within rural designated areas.*
- *Address economic development in rural areas.*
- *Provide clear definitions for "rural character" and other terms often associated with rural development.*
- *Address development that proposes to "jump" urban growth boundaries—particularly due to vesting.*
- *Address service expectations for infrastructure in rural areas.*
- *Incorporate findings and recommendations from the Rural Town Centers & Corridors Project.*
- *Encourage collaboration and consistent planning with special purpose districts, tribes, and military facilities—for example, the siting of school facilities.*
- *Provide guidance for making regulations and rules—in both the urban growth areas and rural areas—clearer and more understandable for both citizens and developers.*
- *In the Update process, work with recommendations by the Washington Chapter of the American Planning Association, the "Livable Washington" agenda, and the Governor's Task Force on Sustainability.*

4. Rural Service and Infrastructure Provisions.
5. Special Purpose Districts (and Institutional Uses) in Rural Areas.
6. Rural Economic Development.
7. Rural Development Standards.

Each of the issue areas contains a brief expression of the **question** that is being addressed, a discussion of the issues associated with the question, a comment on what the Growth Management Act says, what VISION 2020 currently says, and recommended actions that could be taken to address the issue in the VISION 2020 update. Included among the recommendations are initial considerations for ways to monitor policy objectives and outcomes. (Note: Monitoring recommendations are general at this point. Any recommendations that go forward in the VISION 2020 + 20 update process will ultimately need to identify responsible agencies or parties for overseeing the monitoring, along with more specific details concerning information and resources.)

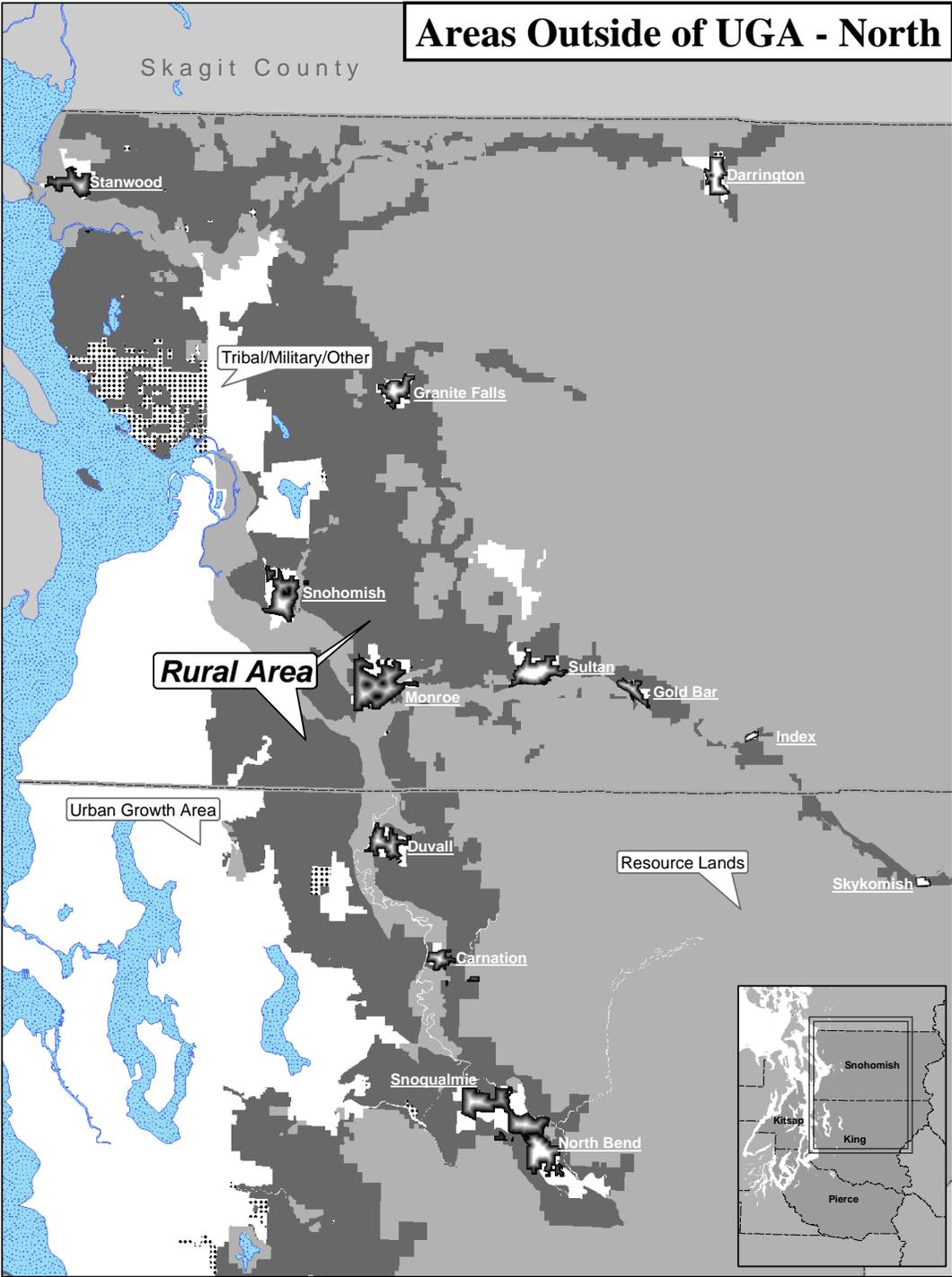
ISSUE AREA # 1: Clarification of the Character, Intended Function, and Use of Rural Lands

The rural lands discussed in this paper are defined by their *rural* designation under the Growth Management Act. The three maps below show rural-designated land within the four counties of the central Puget Sound region. Note the distinction between rural lands and other types of land outside of the Urban Growth Area—agricultural lands and resource lands. Also, note the freestanding urban cities creating urban islands within the rural area.

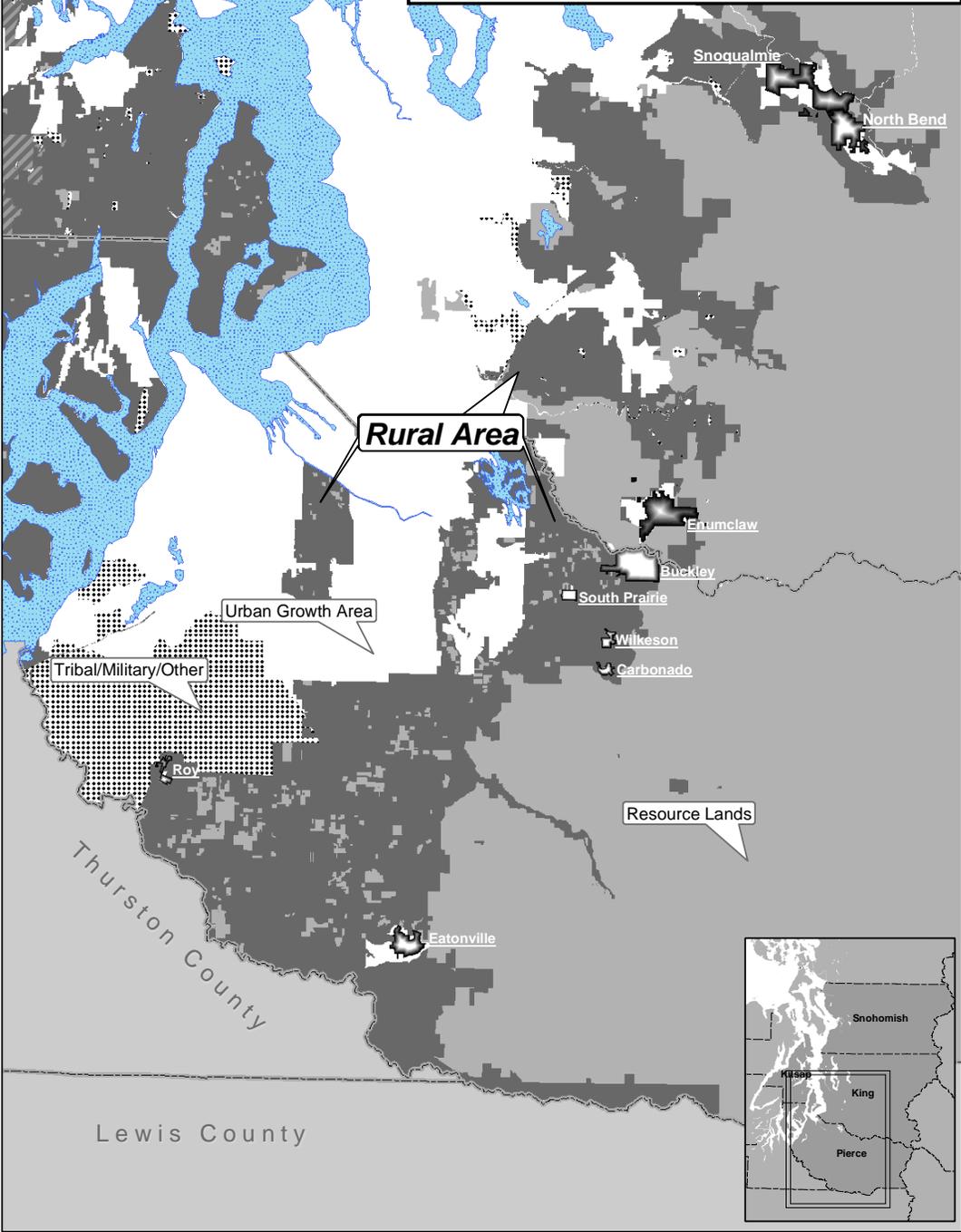
The purpose of this section of the paper is to discuss ways that the character, intended function, and use of rural lands could be clarified in VISION 2020 + 20.

Question: Should rural lands be defined as permanent (that is, not as a type of holding area that will urbanize)? In other words, is the rural function and character important enough to protect on a permanent basis? Should regional criteria be developed that will guide decisions regarding circumstances in which certain rural designated lands may be considered for converting to urban uses?

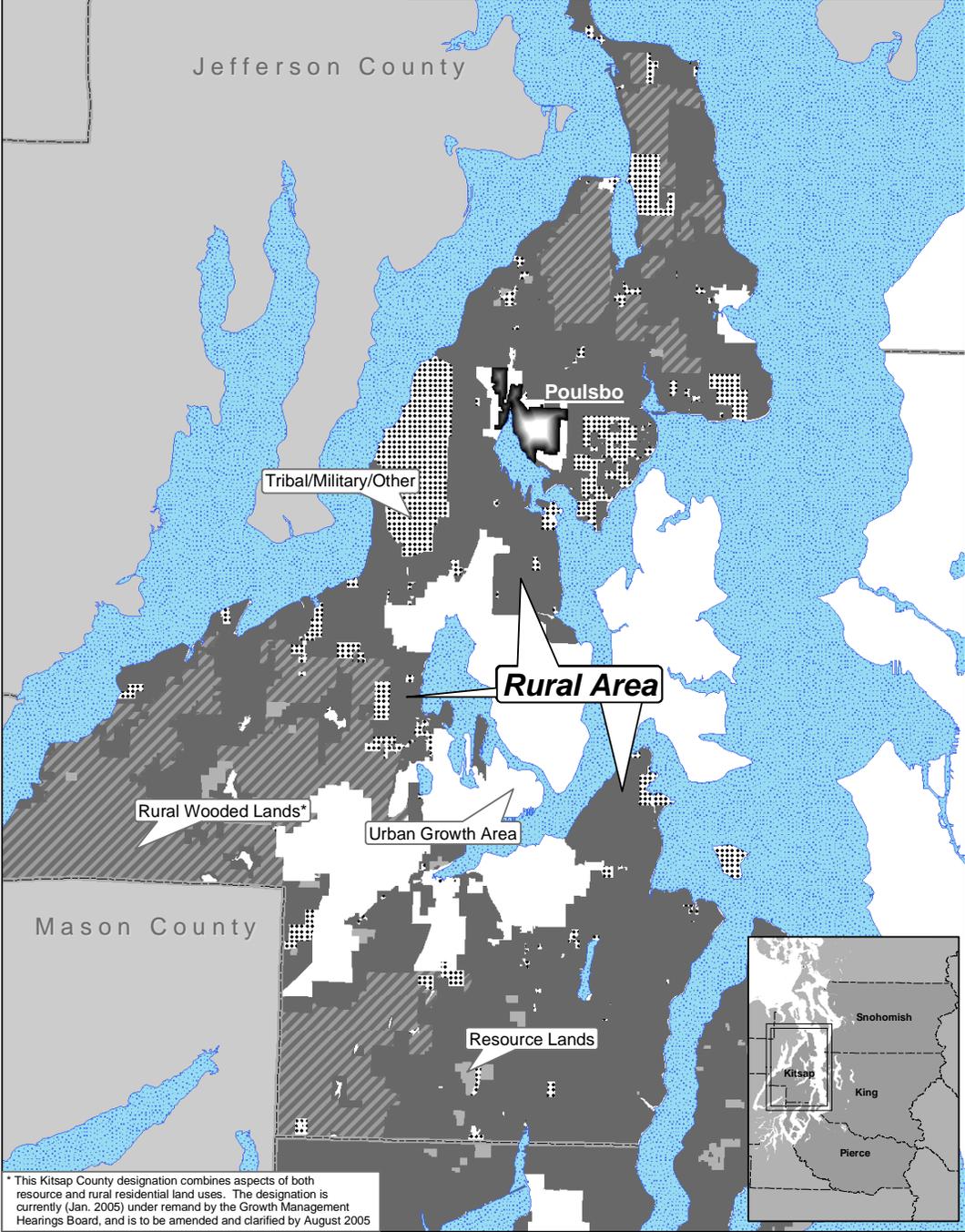
Areas Outside of UGA - North



Areas Outside of UGA - South



Areas Outside of UGA - West



* This Kitsap County designation combines aspects of both resource and rural residential land uses. The designation is currently (Jan. 2005) under remand by the Growth Management Hearings Board, and is to be amended and clarified by August 2005

Discussion

What the Growth Management Act Says

- Rural character is defined as patterns of land use that (RCW 36.70A.030):
 - Provide open space, with the natural landscape and vegetation predominating over the built environment.
 - Foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas.
 - Provide visual landscapes that are traditionally found in rural areas and communities.
 - Are compatible with the use of the land by wildlife and for the habitat they require.
 - Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
 - Do not require the extension of urban governmental services.
 - Are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.
- Rural land must exclude designated agricultural, forest and mineral resource lands (RCW 36.70A.070 (5) [Also see *Bremerton*, 5339c, FDO, at 73].
- An urban land use pattern of 1 or 2.5 acre parcels constitute sprawl; such a development pattern within the rural area would also constitute sprawl [*Bremerton*, 5339c, FDO, at 49].
- “A new land use pattern that consists of between 5 and 10 acre lots is an appropriate rural use... [*Sky Valley*, 5368c, FDO, at 46]

What VISION 2020 Currently Says

VISION 2020 calls for the preservation of rural character, open space, recreation, non-designated resource lands, scenic and historic areas, and small-scale farming, forestry, and cottage industries. The following definition is provided:

Rural lands primarily contain a mix of low-density residential development, agriculture, forests, open space and natural areas, as well as recreation uses. Counties, small towns, cities and activity areas provide limited public services to rural residents They buffer large resource areas and accommodate small-scale farming, forestry, and cottage industries as well as other natural-resource based activities. (1995 VISION 2020 Update, page 33)

In October 2003, the Growth Management Policy Board discussed the existing rural provisions in VISION 2020. The Board recognized that there are distinct subareas in rural designated areas that are currently not addressed in VISION 2020. The Board provided guidance to identify specific rural subareas and develop provisions and policies that address their unique situation.

Recommendation

The VISION 2020 + 20 should:

- 1-1. Clearly articulate a vision for the rural area and define “rural character.” The VISION 2020 update should articulate a clear vision for rural areas that includes a determination that the region expects to preserve these lands over the long term. It should include policies that discourage incremental long-term development that might erode the rural character of the lands with inappropriate residential growth.

Amendments to the Growth Management Act and decisions by the Hearings Boards have clarified the definition of rural character since VISION 2020 was updated in 1995. The VISION 2020 update should incorporate these revisions and include a discussion of the importance of recognizing and maintaining the historic character of the rural area.

- 1-2. Recognize Sub-Categories Within the Rural Area. The update to VISION 2020 should identify sub-categories within the rural area. This should be done to more fully recognize and provide flexibility in addressing differences that exist within and among land designated as rural in each county. These subareas should have specific provisions and policy guidance to address their unique situations. The subareas should be identified based on the parcel size, ecological value, and related factors that characterize the subarea.* The following breakdown of subareas by parcel size should be considered in the update:

- *Areas comprised of parcels 20 acres and larger.* Areas characterized by small farms, recreational uses, open space, and woodlots.
- *Areas comprised of parcels between 5 and 20 acres.* Areas of less intense uses, including large lot residential, agriculture, open space, and woodlots.
- *Areas comprised of parcels of less than 5 acres.* Areas where rural residential on relatively small lots predominates.
- *Rural unincorporated towns and activity centers.*

- 1-3. Establish Regional Criteria for UGA Expansion. Establish regional criteria and processes that allow the Regional Council to play a formal role in providing regional guidance in decisions of countywide planning organizations regarding movement of the urban growth area. (In a multicounty region, what one county does with its UGA expansion may affect other counties.)

* For the purposes of this paper, it is assumed that distinguishing various subareas by "size" also serves as a surrogate for considering "uses" of lands and/or "ecological value." The Regional Council will continue to work with the local agencies, conservation groups, and others to better understand the specific landscape and ecological functions of rural lands in the central Puget Sound region.

Initial Guidance for Monitoring

- 1-a. Monitor UGA adjustments throughout the four-county region.
- 1-b. Monitor growth in rural areas by sub-categories.

ISSUE AREA # 2: Rural Population And Employment Growth

Question: Is the region doing enough to address population and employment growth in the rural area?

Discussion

What the Growth Management Act Says

The Act requires that counties work with their cities to establish population growth targets that fit within a countywide control total range provided by the Washington State Office of Financial Management. The Department of Community, Trade and Economic Development is charged with providing guidance that outlines acceptable methodologies and best practices. The Growth Management Act does not address specific goals or benchmarks for growth in rural areas.

What VISION 2020 Currently Says

Growth allocations and targets are not addressed in the existing VISION 2020 strategy.

Recent Growth in Rural Areas

Between 1990 and 2000, rural areas in this region absorbed 16 percent of the area's population growth. Rural employment (1995-2001) grew by 3 percent region-wide. Employment growth was less than 8 percent in all counties except Kitsap, which grew by 32 percent.

| RURAL POPULATION AND EMPLOYMENT GROWTH BY COUNTY | | | | | |
|--|-------------|--------------|--------------|--------------|--------------|
| | King | Kitsap | Pierce | Snohomish | TOTAL |
| Employment (1995-2001) | 3,520 (2%) | 2,418 (32%) | 2,351 (8%) | 800 (3%) | 9,089 (3%) |
| Population (1990-2000) | 14,466 (6%) | 17,047 (40%) | 30,876 (27%) | 20,927 (15%) | 83,316 (16%) |

Rural Growth Allocations Established in Countywide Growth Target Process.* Overall, rural lands within the region are currently identified to absorb a slightly smaller percentage of population growth between 2000 and 2025 (14 percent) than they accommodated between 1990 and 2000 (16 percent). All counties except Snohomish

* In early 2005, the Regional Council completed a report titled *Growth Management By the Numbers: Population, Household, and Employment Growth Targets in the Central Puget Sound Region*. This report surveys the work performed in the four-county region to establish targets for population and employment growth. Among the findings in the report is the recognition of differences from county-to-county in methodologies used to establish targets, as well as variations in their treatment of growth in rural areas. A recommendation in the report is to consider regional guidance through updated multicounty planning policies to ensure greater compatibility and consistency in targets work throughout the four counties in the central Puget Sound region.

have targeted a lower percentage of growth to their rural area than the actual growth experienced between 1990 and 2000.*

Only Snohomish County developed employment allocations for its rural areas. The county is identifying a larger percentage of employment growth to rural areas between 2000 and 2025 (9 percent) than it experienced between 1995 and 2000 (3 percent).

| RURAL POPULATION, HOUSING, AND EMPLOYMENT ALLOCATIONS* (2022 OR 2025) | | | |
|---|--|------------|--|
| Jurisdiction | Population | Housing | Employment |
| King | 17,510 (6%) | 6,000 (4%) | (na) |
| Kitsap | 28,858 (30%) | (na) | (na) |
| Pierce | 15,318 (7%) | (na) | (na) |
| Snohomish** | 68,795 (24%) <i>includes 15,000 for fully contained communities (16%)</i> | (na) | 11,022 (9%) <i>(includes a large allocation to the Tulalip tribe)</i> |
| REGION | 130,481 (14%) | (na) | (na) |

Note: *The allocations presented in this table were developed in the countywide growth targets process in each county.

**If a fully contained community is approved, it would have to be designated urban and the county's urban growth area adjusted accordingly.

Note: Growth targets to Tulalip tribal lands are factored into Snohomish County's rural allocation.

Recommendation

- 2-1. Growth allocations for rural areas. The multicounty planning policies should identify regional population and employment goals for rural areas that represent regional population and employment ceilings for the year 2040.
- 2-2. Allocating rural growth. The multicounty planning policies should provide regional guidance regarding how growth should be allocated within the rural subareas. For example, The MPPs could establish a regional expectation that areas containing larger parcels not be subdivided and that rural growth be primarily absorbed in existing activity areas and unincorporated towns.
- 2-3. Review and comment on rural allocations established in their countywide growth target setting process. VISION 2020 should establish processes for regional review and comment on rural allocations for population and employment established by countywide planning organizations.

Initial Guidance for Monitoring

- 2-a. Monitor a sample of rural land subdivisions to determine the character of the developments.

* Snohomish County is exploring the formation of one or more fully contained communities. To accommodate such a development, land that has been rural would be re-designated urban.

ISSUE AREA # 3: Rural Exception Areas

Question: How should any of the types of *exception areas* (see below) that allow urban-type development in rural areas be addressed in VISION 2020 update?

Discussion

What the Growth Management Act Says

State law currently contains several provisions that (under specifically defined circumstances) allow urban-type development in rural areas. These exception areas have created a somewhat mixed message regarding the desired development pattern in rural areas.

- Exception areas identified in the Growth Management Act include:
 - Limited areas of more intense rural development (LAMIRDS)
 - Major industrial developments
 - Master planned resorts
 - Fully contained communities

- Additional types of exception areas
 - Vested lots

What VISION 2020 Currently Says:

The existing VISION does not address these types of development because the vision was adopted before the exceptions were amended into the Growth Management Act.



Discussion of Each Type of Exception Area

- ***Limited Areas of More Intense Rural Development***

Purpose/Description in the Law

The Central Puget Sound Hearings Board defined LAMIRDs as neither urban growth, nor are they to be the predominant pattern of future rural development. (That is, LAMIRDs are not quite urban, but not quite rural). LAMIRDs are settlements that ***existed on July 1, 1990*** (emphasis added) in some land use pattern or form more intensive than what might typically be found in a rural area. LAMIRDs are characterized as shoreline developments, villages, hamlets, rural activity centers, or crossroads developments. In essence, they are compact forms of rural development [Burrow, 9318, FDO, at 18]. The extent of existing infrastructure and services area can be used to set the logical outer boundary that minimizes and contains the LAMIRD [Burrow, 9318, FDO, at 23]. The Growth Management Act [RCW 36.70A.070(5)d)(vi)] requires LAMIRDs to ***be minimized and contained*** (emphasis added).

Current status: Kitsap County has designated the following four areas as LAMIRDs: Manchester, Suquamish, Port Gamble, and Georges Corner. Pierce County has designated Clearview as a LAMIRD.

Question: Should the update to VISION 2020 provide regional guidance regarding the use of LAMIRDs in the central Puget Sound region?

In parts of the state that are predominantly rural, the designation of LAMIRDs can be a positive tool for focusing limited resources and clustering development and facilities. However, in an urban area, like the central Puget Sound region, the LAMIRD concept has the potential to open up rural areas to inappropriate or unintended urban growth.

- ***Major Industrial Developments in Rural Areas***

Purpose/Description in the Law

The Growth Management Act [RCW 36.70A.365] defines major industrial development as a master planned location suitable for manufacturing or industrial businesses that, (1) requires a parcel of land so large that no suitable parcels are available within the urban growth area, and (2) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The major industrial development may not be for the purposes of retail, commercial development, or multi-tenant office parks. Also, major industrial developments may not be approved outside the urban growth area unless criteria are met regarding impact fees, transportation management, buffers,

environmental protection, development regulations, mitigation, and demonstration that a site is unavailable within the UGA.

Current status: No new major industrial developments are being proposed for rural areas in the central Puget Sound region.

Question: Should the update to VISION 2020 provide regional guidance regarding the use of Major Industrial Developments in rural areas in the central Puget Sound region?

- ***Master Planned Resorts***

Purpose/Description in the Law

RCW 36.70A.360 permits master planned resorts outside Urban Growth Areas. A master planned resort means a self-contained and fully integrated planned unit development, in a setting of significant natural amenities, with primary focus on destination resort facilities. These facilities allow short-term visitor accommodations to support a range of development, such as on-site indoor or outdoor recreational facilities. Capital facilities, utilities, and services, including those related to sewer, water, storm water, security, fire suppression, and emergency medical, provided on-site, shall be limited to meeting the needs of the master planned resort.

Current Status: Rainier Resort, in Pierce County, is a Master Planned Resort.

Question: Should the update of VISION 2020 provide regional guidance regarding the use of Master Planned Resorts in the central Puget Sound region?

- ***Fully Contained Communities***

Purpose/Description in the Law

The Growth Management Act [RCW 36.70A.350] allows for fully contained communities to be approved if they meet the following criteria:

- New infrastructure is provided for and impact fees are established.
- Transit-oriented site planning and traffic demand management programs are implemented.
- Buffers are provided between the new fully contained communities and adjacent urban development.
- A mix of uses is provided to offer jobs, housing, and services to the residents of the new community.
- Affordable housing is provided within the new community for a broad range of income levels.
- Environmental protection has been addressed and provided for.
- Development regulations are established to ensure urban growth will not occur in adjacent nonurban areas.

- Provision is made to mitigate impacts on designated agricultural lands, forest lands, and mineral resource lands.
- The plan for the new fully contained community is consistent with the development regulations established for the protection of critical areas.

Current status: Several master planned communities exist in the central Puget Sound region. However, no new fully contained community projects have been developed in the region under section 36.70A.350 of the Growth Management Act. King County Policy U-105 states, "*no new fully contained communities shall be approved in King County*" (2004 King County Comprehensive Plan, page 2-3). The Cascadia development in Pierce County is planned as a fully contained community. The potential for establishing new fully contained communities is being discussed in Snohomish County.

Question: Should the update to VISION 2020 provide regional guidance regarding the use of fully contained communities in the central Puget Sound region?

- ***Vested Lots***

Purpose/Description in the law

State law provided in RCW 19.27.095 and expanded by RCW 58.17.033, provides that developers of land are entitled to have their land development proposals processed under the regulations in effect at the time a fully completed building permit or land division application is submitted, regardless of subsequent changes in zoning or other land use regulations. Therefore, land development decisions that were based on planning and zoning documents in place prior to changes caused by the Growth Management Act are considered vested and are authorized to develop under the standards that were in place at the time of issuance of the permit. It is anecdotally understood in the planning community that these vested permits are often not developed in a manner consistent with Growth Management Act goals.

Current status: All four counties contain lots vested prior to the adoption of the Growth Management Act (or to local plans adopted under the Act)—vested to out-of-date regulations that are now 15 years old or older. The Regional Council is currently conducting a study to more fully understand the location and development potential on vested lots.

Question: Should the update to VISION 2020 provide regional guidance regarding the disposition of vested lots in the central Puget Sound region?

Recommendation

The VISION 2020 update project should establish regional guidelines on the use of the *exception areas* in the central Puget Sound region. Specifically, the update to VISION 2020 should address the following:

- 3-1. Develop guidelines for rural exception areas. During the VISION 2020 +20 update process, the Regional Council, counties, municipalities, and others should work to develop guidelines for the use of:

(1) Limited Areas of More Intense Rural Development. VISION 2020 + 20 includes language that makes it clear that: (a) Urban type growth should be absorbed by cities, (b) whether designed as a LAMIRD or not, existing activity areas are appropriate areas to accommodate planned growth in the rural area.

(2) Major Industrial Developments in Rural Areas. VISION 2020 + 20 should include language that recognizes that, although the provisions for major industrial development in rural areas may be useful in rural counties in the state they run counter to efforts in metropolitan areas to focus manufacturing and industrial development inside urban growth areas.

(3) Master Planned Resorts. VISION 2020 + 20 should include language that recognizes and supports existing recreational facilities in the region. If new Master Planned Resorts are proposed in the future, they need to be evaluated within the context of the existing resorts, the ability of cities to absorb resorts related growth, and the overall vision for the use of rural lands.

(4) Fully Contained Communities. VISION 2020 + 20 should contain language that supports the strict application of the GMA criteria for approving and permitting full contained communities. The language should recognize that a number of master planned communities were built in our region and elsewhere in the nation over the past several decades. On the one hand, these communities can have advantages over low density, single use, sprawling development patterns. On the other hand, if they are improperly sited or not needed to absorb growth, these developments can unnecessarily siphon development away from existing cities and exhibit many of the negative attributes of sprawl.

- 3-2. Develop information and policies for vested lots. Develop data and information on development that occurs on conforming lots verses the amount occurring on lots that were vested based on regulations adopted prior to the Growth Management Act. Develop policies to encourage jurisdictions to develop mechanisms to address these lots in a manner that supports the goals and intent of the Growth Management Act.

- 3-3. Consider innovative approaches to addressing development in the rural area.* VISION 2020 + 20 should contain language that explores the potential for vastly broadening the use of transfer of development rights programs in the region. The purpose of the program (and/or related activities) is to (1) preserve rural lands by compensating land owners for their development rights and (2) allow for increased development potential in cities.

Initial Guidance for Monitoring

- 3-a. Monitor a sample of development that is taking place under the “exception” provisions provided by the Growth Management Act.
- 3-b. Monitor building permits to determine the amount and character of development occurring on lots vested to regulations that were in place prior to the adoption of the Growth Management Act versus development occurring on lots governed by planning and zoning documents developed in response to the Growth Management Act.

* One such innovative program is King County's “4-to-1” program. King County developed its “4-to-1” program as part of the 1994 Comprehensive Plan. The program allows urban housing densities to cross into the rural area if the development occurs adjacent to the urban-rural line and provides four acres of permanent open space for every acre that is developed.

The Cascade Land Conservancy is also advancing innovative approaches, such as transfer of development rights (TDR), to permanently conserve key natural features in rural areas of the central Puget Sound region. The organization is working to conserve lands with unique ecological features, as well as to maintain connectivity of rural lands around human settlements.

ISSUE AREA # 4: Rural Service and Infrastructure Provisions

Question: What public service and infrastructure standards should apply to rural areas? Should the VISION 2020 update address this issue?

Discussion

What the Growth Management Act Says

The Growth Management Act [RCW 36.70A.030] defines *rural governmental services* as those public services and public facilities historically and typically delivered at an intensity usually found in rural areas. They may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4) (which states that extension of sewer into the rural area is inappropriate except when a sewer extension is necessary to protect the public health, safety or environment, and the sewer extension is financially supportable at rural densities and will not permit urban growth).

What VISION 2020 Currently Says

Three VISION 2020 policies address the provisions of services and infrastructure in the rural area.

Policy RF-3.4 states:

Regional capital facilities proposed to be located in rural areas must either demonstrate that a non-urban site is the only appropriate location for the facility or demonstrate that no urban sites are feasible as determined by a siting process. If rural siting is necessary, measures should be taken to mitigate adverse impacts and prohibit development incompatible with rural character. (1995 VISION 2020 Update, page 29)

Policy RR-5.4 states:

Rural level-of-service standards should address sewage disposal, water, transportation and other appropriate services, be consistent with rural development patterns and densities, and support long-term preservation of rural areas. (1995 VISION 2020 Update, page 36)

Transportation Policy RT–8.7 states:

*Where increased roadway capacity is warranted to support safe and efficient travel through rural areas, appropriate rural zoning and strong commitment to access management should be in place prior to authorizing such capacity expansions in order to prevent unplanned growth in rural areas (1995 VISION 2020 Update, page 57).**

Recommendation

The VISION 2020 update project should address standards for service and infrastructure in rural areas. The update should make it clear that rural services should address the basic needs of rural-type development patterns. The services should not be provided in a manner that attracts urban-type development. The update should reinforce the concept that a rural lifestyle choice must be accompanied by the recognition that urban levels of service will not be provided. The update should be used to communicate the differences between urban and rural levels of service.

The following considerations address topics that could be further addressed in multicounty policies, as well as possible actions or strategies to be further explored.

Overall

- 4-1. Facility design in rural areas. Major infrastructure facilities in rural areas should be designed according to rural standards that neither negatively impact rural character nor provide new opportunities for increased urban development.
- 4-2. Level-of-service standards for rural facilities. Expand the current multicounty policies addressing level-of-service standards for sewage disposal, water, and transportation in rural areas—to provide detail regarding consistency with rural development patterns and densities, as well as appropriate facility design.

* This issue is also addressed in *Destination 2030—the* long-range transportation plan based on VISION 2020. The implementation section of *Destination 2030* states that:

It is particularly important that capacity expansion projects on roadways outside of the urban growth area be both consistent with local comprehensive plan policies that address the protection of open space and rural areas, and consistent with Multicounty Framework Policy RR-5. (Destination 2030, adopted May 2001, page 42).

(Note: Policy RR-5 appears in its entirety in Appendix Three of this paper.)

- 4-3. Septic systems and wells. Encourage healthier, safer, and more environmentally beneficial septic systems and wells—including ameliorating existing systems. Protect wells and re-charge areas from pollutants.

*Rural Transportation**

- 4-4. Transit service. Provide safe, dependable transit service that primarily connects rural activity areas, unincorporated towns, and free-standing cities located in the rural area.
- 4-5. Provide non-motorized trails and paths. Promote safe bicycle and pedestrian pathways along or adjacent to rural roadways to support recreation and tourist activity.
- 4-6. Establish design guidelines and/or standards for transportation facilities in rural areas. Provide effective options for rural highway access management and design standards.
- 4-7. Gateways. Encourage town entry improvements along with speed transition zones, gateways, and medians.
- 4-8. Provide safety improvements. Examples are centerline rumble strips and improved shoulders for school buses, pedestrians, and bicycles.

Role of Unincorporated Rural Towns and Cities in the Rural Area in Providing Services

- 4-9. Existing unincorporated rural activity areas. Should serve as locations for service needs such as convenience shopping, community services, and small-scale cottage industries.
- 4-10. Cities (urban islands) within the rural area. Should play an important role in meeting the needs of shopping, services, and jobs in the rural area.

Initial Guidance on Monitoring

- 4-a. Monitor level-of-service standards for significant rural facilities.

* Make maximum use of the Regional Council's *Rural Town Centers and Corridors Program*. The objective of this program is to provide transportation funding and technical assistance to freestanding cities within the rural area (urban islands), unincorporated rural towns, and rural areas that roadways pass through. The program is designed to encourage and support innovative approaches to transportation planning and implementation.

ISSUE AREA # 5: Special Purpose Districts (and Institutional Uses) in Rural Areas

Question: Should VISION 2020 + 20 provide regional guidance and/or provisions regarding the use of rural land by special purpose districts, including schools and other institutions?

Discussion

Special Purpose District planning is disconnected from the Growth Management Act. In the past, certain types of special purpose districts (for example, schools) have expanded into rural areas, taking advantage of relatively low land values and large tracts of land. These facilities are often designed to serve a larger service area that extends well beyond the rural lands. Hence, the *look* and *feel* of these facilities and their function can be inconsistent with the rural character. Rural facilities can also experience strain when they end up having to support a larger service area that extends into the urban area. For example, siting a school building in a rural area serving both rural and urban students can create a strain on rural transportation facilities.

What the Growth Management Act Says

Special Purpose District planning is not directly addressed in the Growth Management Act.*

What VISION 2020 Currently Says

Special purpose districts are not addressed in the rural policies of VISION 2020 – nor are institutional uses, such as churches.

Recommendation

- 5-1. Siting facilities in rural areas. VISION 2020 + 20 should establish policies that provide regional guidance on siting special purpose districts facilities within rural areas. The policies should also provide guidance on facility design to ensure that the size of the facilities are appropriate to the scale and character of rural lands.
- 5-2. Legislative Change. VISION 2020 + 20 should discuss ways in which special districts could be included within the requirements of the Growth Management Act.

* Former Governor Booth Gardner signed the Growth Management Act into law, but he vetoed a section of the original 1990 Act that addressed special purpose districts (Section 18). Although that section of the law would have made special purpose districts accountable to GMA legislation and local plans, it also contained language that would have made ports exempt from the law. Under state law, to veto the exemption the governor had to veto the entire section. (Letter to the House of Representatives of the State of Washington, from Governor Booth Gardner, dated April 24, 1990.)

- 5-3. Siting schools and other institutions in the region. VISION 2020 + 20 should also establish policies that encourage jurisdictions to work with developers to ensure land is set aside for schools and other institutions. In *Hensley VI*, 03309c, FDO, at 22, the Central Puget Sound Hearings Board stated that:

The County has an obligation to work with school districts in the siting of schools, it also has an obligation to facilitate the siting of schools within urban areas while discouraging them outside of UGAs.



Initial Guidance for Monitoring

- 5-a. Monitor the siting of major special district and other institutional facilities developed in rural areas.

ISSUE AREA # 6: Rural Economic Development

Question: How can the rural economy be sustained while protecting and enhancing the rural character?

Discussion

One of the best ways to preserve rural lands and the rural lifestyle is to insure that these lands maintain their economic viability by taking advantage of less invasive rural-orientated economic activities. The Growth Management Policy Board (October 2003) recognized the value of appropriate rural economic activities, such as, small-scale commercial and resource based enterprises that are dependant on the long-term sustainability of the rural area for the products and services they provide.

What the Growth Management Act Says

The Growth Management Act [RCW 36.70A.070(7)] identifies economic development as one of the required elements of local comprehensive plans. However, this section does not include provisions for planning for the unique character of the rural economy. Also, sub-section (9) of this section makes it clear that the economic element is not required unless the state provides funding for local governments to include it in the planning process. Section (9) states:

Requirements to incorporate any such new or amended elements [such as the economic element] shall be null and void until funds sufficient to cover applicable local government cost are appropriated. . . .

What VISION 2020 Currently Says

The economy is not addressed in the rural section of VISION 2020. However, the economic section offers the following policy guidance:

Support viable economic growth and development opportunities in cities and towns in rural areas that recognize their distinct character and economic potential. (1995 VISION 2020 Update, Policy RE-7.10, page 49).

Recommendation

VISION 2020 + 20 should develop policies to address rural economic development that:

- 6-1. Rural employment. Help preserve rural-based economies and lifestyles and assist small-scale, rural-based employment, self-employment, and work from home activities.
- 6-2. Promote rural-based agriculture. Support long-term solutions for the sustainability of small scale, intensive agriculture within rural areas. Such

solutions could include agricultural processing, and value-added activities, such as you-pick farms, farm-to-cafeteria programs, greenhouse/nurseries, as well as introducing new crops and products.

- 6-3. Support recreation and tourist-based businesses. Attract enterprises that will not compromise the unique ecological function of rural areas.
- 6-4. Rural character and business promotion. Encourage efforts to maintain rural character while promoting locally-owned small businesses and their unique products.
- 6-5. Cities in the rural areas as employment locations. Recognize freestanding cities (urban islands) in the rural area as the primary locations for the provision of jobs and services in the rural area. As such, these communities should be the focal points of rural-based industries, commerce, and services. Schools and other institutions servicing rural populations should be sited in these communities.

Initial Guidance for Monitoring

- 6-a. Monitor number, types and locations of jobs in rural areas, as well as in cities located in the rural area.

ISSUE AREA # 7: Rural Development Standards

Question: Should the VISION 2020 update project provide regional guidance on development standards for rural areas?

Discussion

Fragmented land patterns are appearing in and beginning to characterize some portions of the rural landscape in the central Puget Sound region. Urban-type subdivisions, frequently with wide streets and fencing, are fragmenting rural land.

Each county has development regulations for the rural land within their jurisdiction. King County has a number of requirements, including the siting of development and minimum widths for wildlife corridors. Kitsap County has multiple rural designations with specific development standards and a greenway plan that addresses design issues. Pierce and Snohomish counties also have multiple designations with specified provisions for each. For example, Pierce County has seven different Rural Center zoning classifications and eight rural residential classifications.

What the Growth Management Act Says

The Growth Management Act does not address specific development standards for rural areas.

What VISION 2020 Currently Says

Development standards are not addressed in the rural policies of VISION 2020.

Recommendation

- 7.1. VISION 2020 + 20 should provide guidance on achieving low-impact development in the rural area. This guidance could be in the form of best practices, model standards, or other examples. The guidance should address:
- a. *Fencing issues* that limit wildlife migration. Development that is compatible with fish & wildlife habitat.
 - b. General guidance for *setback, lot coverage, building height, and lot dimension* considerations. Provisions that encourage “green development.”
 - c. *Open space preservation*. Conserve unique ecological lands and features, as well as maintain connectivity of lands serving important ecological and habitat functions.
 - d. *Stormwater practices*. Limitations and innovations for impervious surfaces.
 - e. Issues associated with *private covenants* that exclude, for example, livestock and horses from rural zones.

- e. *Signage*. Oversized signs and bright lighting can conflict with certain rural surroundings.
- 7.2. Pilot projects. The update process should encourage the use of pilot projects that are designed to advance innovative approaches to balancing conservation with low-impact development practices.

Initial Guidance for Monitoring

- 7-a. Monitor a sample of rural development projects to provide information regarding practices and outcomes as they relate to rural development standards.

Conclusion

The purpose of this paper is to continue the discussion of rural lands within the context of the Regional Council's work on VISION 2020 + 20. The paper examines a large number of issues associated with rural character and function, rural growth, rural exception areas, the provision of services and infrastructure, special purpose districts in rural areas, rural economic development, and rural development standards. Over the next year the Growth Management Policy Board will play a lead role in shaping the ideas in the paper (and new ones that will be introduced by participants in the VISION update process) into policies and strategies that will be offered for additional public review.

APPENDIX ONE – Rural Population, Housing, and Employment Data, by County

| JURISDICTION | POPULATION (1990-2000) | HOUSING (1991-2001) | EMPLOYMENT (1995-2001) |
|------------------|--|--|---|
| King County | <ul style="list-style-type: none"> • 14,466 rural residents • 6% of county's growth | <ul style="list-style-type: none"> • 9,355 units permitted • 8% of county's growth • Capacity of 10,000 lots (2009-14) | <ul style="list-style-type: none"> • 3,520 jobs • 2% of county's growth |
| Kitsap County | <ul style="list-style-type: none"> • 17,047 rural residents • 40% of county's growth • Capacity of 10,113 persons | <ul style="list-style-type: none"> • 10,648 units permitted • 49% of county's growth • Capacity of 4,044 units • 0.8 dwelling units/acre (1995-99) | <ul style="list-style-type: none"> • 2,418 jobs • 32% of county's growth |
| Pierce County | <ul style="list-style-type: none"> • 30,876 rural residents • 27% of county's growth | <ul style="list-style-type: none"> • 22,910 units permitted • 35% of county's growth | <ul style="list-style-type: none"> • 2,351 jobs • 8% of County's growth |
| Snohomish County | <ul style="list-style-type: none"> • 20,927 rural residents • 15% of county's growth | <ul style="list-style-type: none"> • 11,983 units permitted • 18% of county's growth | <ul style="list-style-type: none"> • 800 jobs • 3% of county's growth |
| REGION | <ul style="list-style-type: none"> • 83,316 rural residents • 16% of region's growth • 364,900 rural residents (2000) | <ul style="list-style-type: none"> • 54,899 units permitted • 21% of region's growth • 25% of SF homes • 58% of region's MH homes • 5% of region's MF homes | <ul style="list-style-type: none"> • 9,089 jobs, 3% of region's growth • 1,193 resource jobs, 40.4% of growth • 2,667 construction jobs, 10% of growth • 2,662 services jobs, 2% of growth • 1,100 G&E jobs, 4.7% of growth • 788 retail jobs, 1.9% of growth • 312 trade jobs, 5.8% of growth • 268 jobs in transport & utilities, 1.4% of growth • 109 manufacture jobs, 2.6% of growth • -10 FIRES jobs, <i>only decline</i> |

APPENDIX TWO - Growth Targets

Population Targets

| NEW RESIDENTIAL TARGET(S) | COUNTYWIDE <i>TOTAL</i> | CITIES | URBAN UNINCORPORATED <i>TOTAL</i> | MUGA / PAAS | UNAFFILIATED | RURAL |
|-----------------------------|-------------------------|---------|-----------------------------------|-------------|--------------|---------|
| King County (by household) | 157,932 | 138,526 | 13,406 | 7,045 | 6,361 | 6,000 |
| % | | 88% | 8% | 4% | 4% | 4% |
| King County (by population) | 310,320 | 267,460 | 25,350 | 11,990 | 13,360 | 17,510 |
| % | | 86% | 8% | 4% | 4% | 6% |
| Snohomish County | 286,239 | 89,983 | 127,461 | 123,756 | 3,715 | 68,795 |
| % | | 31% | 45% | 43% | 1% | 24% |
| Pierce County | 211,889 | 136,055 | 60,516 | 28,793 | 31,723 | 15,318 |
| % | | 64% | 29% | 14% | 15% | 7% |
| Kitsap County | 95,240 | 29,638 | 36,744 | 10,383 | 26,361 | 28,858 |
| % | | 31% | 39% | 11% | 28% | 30% |
| REGION (by population) | 903,698 | 523,136 | 250,081 | 174,922 | 75,159 | 130,481 |
| | | 58% | 28% | 19% | 8% | 14% |

KING COUNTY NOTES

Units: Households / Population

Source: King County Countywide Planning Policies, Table 1 / King County Household/Population Conversion Table

Time period: 2000-2022

Notes: - Rural cities are considered with their annexation areas.

SNOHOMISH COUNTY NOTES

Units: Population

Source:

Time period: 2002-2025

Notes: - Rural area target includes a 15,000-person target for *fully contained community reserve*, if approved on a case-by-case basis, this target would revert to the urban area

PIERCE COUNTY NOTES

Units: Population

Source: Pierce County Ordinance 2003-104s, Exhibit 'A'

Time period: 2000-2022 (2002 municipal boundaries)

Notes: - 'Unaffiliated' includes overlaps

KITSAP COUNTY NOTES

Units: Population

Source: Kitsap Regional Coordinating Council draft, distribution: 07-06-04

Time period: 2000-2025

Notes: - Rural area target includes a 6,000-person target for *Port Orchard UGA expansion study*, if UGA expansion goes forward, this target would revert to urban.

Employment Targets

| NEW EMPLOYMENT TARGET(S) | COUNTYWIDE <i>TOTAL</i> | CITIES | URBAN UNINCORPORATED <i>TOTAL</i> | MUGA / PAAS | UNAFFILIATED | RURAL |
|--------------------------|--------------------------------|---------|-----------------------------------|-------------|--------------|--------|
| King County * | 289,127 | 281,214 | 7,913 | 2,568 | 5,345 | 0 |
| % | | 97% | 3% | 1% | 2% | 0% |
| Snohomish County ** | 124,778 | 89,953 | 23,803 | 23,803 | | 11,022 |
| % | | 72% | 19% | 19% | | 9% |
| Pierce County | No targets set for employment. | | | | | |
| Kitsap County | | | | | | |

*

Units: Jobs

Source: King County Countywide Planning Policies

Time period: 2001-2022

Notes: Cities located in the rural area are counted along with their respective potential annexation areas

**

Units: Jobs

Source: Snohomish County Tomorrow

Time period: 2002-2025

APPENDIX THREE - Current Rural Policies in VISION 2020

The primary goal of the Rural Areas section in the existing VISION 2020 document is to conserve rural lands and protect their unique qualities by limiting growth in rural areas and conserving open space and resource lands. Four primary issues are addressed in the plan's rural strategy: (1) land uses in rural areas, (2) densities compatible with rural character, (3) appropriate level-of-service standards (for utilities and roads), and (4) interjurisdictional coordination.

The policies in the rural section are divided into three sections: (1) Preserve Rural Land Uses and Development Patterns, (2) Establish and Maintain Rural Levels of Service, and (3) Conserve Small Scale Natural Resource Uses in Rural Areas.

Framework

RR-5 Preserve the character of identified rural areas by protecting and enhancing the natural environment, open space and recreational opportunities, and scenic and historic areas; supporting small-scale farming and forestry uses; and permitting low-density residential living maintained by rural levels of service. Support cities and towns in rural areas as locations for a mix of housing types, urban services, cultural activities, and employment that serves the needs of rural areas.

Preserve Rural Land Uses and Development Patterns

RR-5.1 Rural lands should be identified on a long-term basis and should support rural uses such as farming, forestry, mining, recreation, and other rural activities. They should permit a variety of low-density residential uses which preserve rural character and can be sustained by rural service levels.

RR-5.2 Promote clustering residential development and other techniques which protect and enhance significant open spaces, natural resources, and critical areas, and contribute to more efficient use of land. Clustering should not increase residential housing units in the overall area designated as rural and should be consistent with desired rural densities. Development clusters should contain rural levels of service that meet health, safety, and environmental standards and should be designed, scaled and sited in a manner consistent with rural character.

RR-5.3 Support cities and towns in rural areas as locations of employment, urban services, a mix of housing types, and cultural activities for rural areas. Unincorporated rural activity areas should primarily function as locations for service needs such as grocery stores, shopping, and community services, and small-scale cottage industries for the surrounding rural area.

Establish and Maintain Rural Levels of Service

RR-5.4 Rural level-of-service standards should address sewage disposal, water, transportation and other appropriate services, be consistent with rural development patterns and densities, and support long-term preservation of rural areas. When services need to be extended to solve isolated health and sanitation problems, they should be designed for limited access so as not to increase the development potential of the surrounding rural area.

RR-5.5 When major infrastructure facilities that pass through rural areas are constructed or improved to increase their carrying capacity, they should be designed to neither negatively impact rural character, nor provide new opportunities for increased development in rural areas.

Conserve Small-Scale Natural Resource Uses in Rural Areas

RR-5.6 Promote the conservation of non-designated natural resource lands in rural areas and accommodate small-scale farming, forestry, and resource-based cottage industries.

RR-5.7 Rural areas should contain low-density buffers adjacent to designated natural resource lands.