

**U-6 CITY OF BONNEY LAKE – 214TH**

Initiated by: City of Bonney Lake

Applicant: City of Bonney Lake

**General Description**

The proposal is to expand the City of Bonney Lake’s Satellite urban growth area by a total of approximately 29.7 acres (10 parcels) and apply a Comprehensive Plan Employment Service land use designation. The current designation for the area includes 12.52 acres of Agricultural Resource Lands and 17.18 acres of Rural 10. The area is west of 214th Avenue East bounded on three sides by existing city limits. The proposal is not within a community plan area.

Note: The Pierce County Comprehensive Plan does not recognize an Employment Service land use designation. The Employment Service label is associated with a zoning district that is within the Employment Center land use designation.

**Impact Analysis**

*Procedures for Amendments to the Comprehensive Plan*, PCC 19C.10, requires all amendments to the Plan to be reviewed against the following ten (10) criteria (PCC 19C.10.060 B.) for all proposed plan amendments and two (2) additional criteria (PCC 19C.10.060 C.) for proposed urban growth area amendments:

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

The proposal is not consistent with the rate of growth, development, and conversion of land as envisioned in the Pierce County Comprehensive Plan. The primary inconsistency stems from the de-designation 12.52 acres of Agricultural Resource Lands. While Comprehensive Plan policies do allow the redesignation of Rural 10 properties directly into a UGA when an Employment Center designation is proposed, the expansion into this designation should be supported by a land capacity needs analysis. As detailed under other sections of this report, the current land capacity analysis does not document a need to expand the City’s urban growth area to accommodate future employment needs.

The proposal is also inconsistent with the implementation of an Employment Services zoning district. As indicated in 18A.33.100 G. 1., only the Employment Center (EC) zoning district is applicable for properties not within an adopted community plan area.

Effect on the County’s capacity to provide adequate public facilities

This amendment would not impact the County's capacity to provide capital facilities in the area. Pierce County does not provide water or sanitary sewer service within the Bonney Lake Satellite urban growth area. The amendment to an Employment Center designation would allow for a variety of uses. The amendment would likely increase the need for water, sanitary sewer, surface water / stormwater drainage, fire, and police to support new development activities that are permitted in the urban designation. These services would need to be provided by the City of Bonney Lake.

The proposal is within the City's water service area. The current Comprehensive Water System Plan (WSP) was approved by the Department of Health in 2009 with an expiration date in early 2014. DOH approved the City of Bonney Lake water system for an "unspecified" designation which means there is adequate capacity for future growth through the six year planning period. Bonney Lake has also proposed a WSP amendment to document a new booster pump station and a new Tacoma Water intertie, which should provide additional capacity to the system.

The proposal is within the City's sanitary sewer service area. It is assumed the City has the capacity and capability to provide the area with sanitary sewer service.

While the City does identify the proposal as a future urban growth area, the City's adopted comprehensive plan does not identify the future land use designation that would be associated with the urban growth area. Without first identifying the future land use, it is unknown how the City can evaluate whether or not it has adequately planned or can provide urban services within the proposal area.

#### Effect on the rate of population and employment growth

The proposed amendment may increase the opportunity for creating new jobs. While the City's application does not estimate the number of new jobs that may be associated with the proposal, applying a gross employment assumption of between 5 to 11 manufacturing/warehouse jobs per acre to the 29.7 acres, would result in between approximately 149 and 327 new jobs. (Note: the 5 to 11 jobs per acre are derived from an employment survey associated with report published by Pierce County Economic Development Division.)

#### Whether Plan objectives are being met as specified or remain valid and desirable

The Pierce County Comprehensive Plan contains various objectives addressing the expansion of the urban growth area, public participation/coordination of planning, economic development, and the preservation of designated agricultural lands.

#### **Urban Growth Area**

Providing sufficient land capacity to accommodate future population growth is an overarching objective (19A.30.010 B. LU-UGA 1.) While "population" is specifically spelled out, the County and its cities and towns should not redesignate rural to urban land use designations if there is not a countywide need based on adopted population or employment targets. As documented through the 2007 Pierce County Buildable Lands Report, the City of Bonney Lake has sufficient land within its existing municipal boundaries to accommodate its adopted employment target. Collectively, the areas within all the Pierce County cities and towns and unincorporated urban areas of the County have more than double the land capacity to accommodate the adopted countywide employment target. Absent a need, the objective related to urban growth area expansion is not being met with the approval of this proposal.

#### **Public Participation/Coordination of Planning**

Public participation and coordination of planning are other objectives in which it is questionable as to whether they are being met (Objective 19A.30.010 F. 4A. and G. 5). While the City did go through the local process to identify the area as a future urban growth area in its comprehensive plan, the comprehensive plan did not identify specific land use designations for the area.

Furthermore, on pages 3-8 in the Land Use Element of the City's Comprehensive Plan, it states that "The proposed additional UGAs will accommodate 5,074 persons." This statement does not appear to be consistent with the City's request for the application of an Employment Center designation, which prohibits residential use. If the City has intention of applying a zoning classification that allows for additional residential development, additional policies would be relevant.

It is also difficult for the City to determine if the area can be provided with adequate public facilities and services if a future land use designation has yet to be identified.

### **Agricultural Resource Lands**

There are a significant number of relevant objectives that must be addressed due to the inclusion of designated Agricultural Resource Lands (ARL) within the proposal. The emphasis of the objectives strives to preserve agricultural lands in recognition of its contribution to economic development and production of agricultural products through effective stewardship of the environment (19A.30.70 A. LU-Ag 15, and G.LU-Ag Objective 21). To accomplish this preservation, additional objectives (19A.30.70 F. LU-Ag Objective 20 and H. LU-Ag Objective 22) address methods/incentives that the County could encourage to support continued agricultural production and activities. Objective 3 in the Rural Element, simply states "Conserve rural resources." While it is recognized that it is a balancing act between converting agricultural lands for economic development purposes, this direct verbiage alone puts this proposal in conflict with the adopted objectives.

### **Capital Facilities**

The availability of or the planning for capital facilities and services are reflected through two objectives (Objective 19A.50.040 ECD 3. and Objective 19.30.030 LU-EC 9.) related to economic development. The proposal appears to be consistent with the objectives because the area is within the City's water and sewer service areas.

**Staff Conclusion:** The proposal is inconsistent with the Pierce County Comprehensive Plan Objectives because 1) there is not a documented need per the 2007 Buildable Lands Report; 2) the City's comprehensive plan does not specify a future land use for the identified potential urban growth areas; 3) text referencing the potential urban growth areas as accommodating roughly 5,000 additional population conflicts with the proposed Employment Center designation in the City's application; and 4) the proposal includes the de-designation of 12.52 acres of Agricultural Resource Lands.

### Effect on general land values or housing costs

The value of land within the amendment area is likely to increase as the development opportunities are expanded from Agricultural Resource Lands and rural density residential to commercial services/manufacturing activity.

### Whether capital improvements or expenditures are being made or completed as expected

The City of Bonney Lake would be responsible for ensuring capital improvements within the proposed urban growth area are planned for to meet future needs. As stated in their WSP, in 1996 it was stated that 72 projects would be started within the first ten years. To date 66 projects

have been completed or started. The remaining projects were postponed to allow for 19 new, higher priority projects to be completed.

A review of the City's Comprehensive Sewer System Plan indicates that the City has made multiple and significant improvements to its sewer system. The most dramatic improvement and upgrade is the expansion of the Wastewater Treatment Plant (WWTP) at Sumner. Improvements at the WWTP, which is jointly owned by the cities of Bonney Lake and Sumner, included increasing capacity to about 4.6 million gallons per day (MGD) for maximum month flow. Bonney Lake's share of the expanded plant is 50 percent of capacity, or about 2.3 MGD. This capacity, along with currently proposed improvements, will provide capacity for both Bonney Lake's existing and planned new customers in the core area through the year 2017.

#### Consistency with GMA, the Plan and Countywide Planning Policies

##### **Growth Management Act (GMA)**

The GMA directs counties to establish criteria into Comprehensive Plans to designate Agricultural Resource Lands (RCW 36.70A.160) and adopt policies for the long term preservation of these properties. The de-designation of 12.52 acres opposes GMA's provisions for the preservation of Agricultural Resource Lands.

The Growth Management Act requires local jurisdictions to include a capital facilities element within their comprehensive plans that provides pertinent information that demonstrates an ability to provide or its plan to provide adequate urban level infrastructure and services (RCW 36.70A.070(3)). As a Satellite UGA affiliated with Bonney Lake, Pierce County would rely upon information from the City to demonstrate its ability or plans to provide urban infrastructure and services. It is apparent that the City has the ability to provide water service; however, as noted in the City's Comprehensive Sewer System Plan, the City has the ability to provide capacity for both Bonney Lake's existing and planned new customers in the core area through the year 2017. However, the proposal is not shown on the Future Land Use map in City's Sewer System Plan. Furthermore, while this area is shown as a potential urban growth area on the City's comprehensive plan maps, it does not identify a future land use. It is unclear if the City has made any assumptions about the build-out of the area associated with the proposal. Consequently, it is unclear if the City has capability or capacity to serve the area.

The GMA also contains specific provisions as related to the expansion of urban growth areas (RCW 36.70A.215). The provisions require Pierce County and its cities and towns to evaluate the residential and employment capacity of the adopted urban growth area(s) as compared against adopted 20-year population and employment targets. If the analysis indicates additional land is needed to accommodate the future targets, local jurisdictions are required to first adopt and monitor the success of reasonable measures prior to expanding the urban growth area. As documented in the 2007 Buildable Lands Report, Bonney Lake has more than sufficient land capacity to accommodate its future employment target.

**Staff Conclusion:** The proposal is not consistent with GMA because: 1) the City has not provided documentation that it has updated its Capital Facilities Plan to include the proposal to demonstrate its capacity and capability of providing adequate urban infrastructure and services;

and 2) there is not a demonstrated need that the City has to expand its Satellite UGA to accommodate its 20-year employment targets, and 3) the proposal includes the de-designation of 12.52 acres of Agricultural Resource Lands.

**VISION 2040 – Multi-County Planning Policies (MPPs)**

VISION 2040 contains various goals and policies relevant to the proposed urban growth area expansion. The provisions emphasize the economic and food production value of agricultural lands and compact development within the existing urban growth areas. A sample of relevant policies is provided below.

- Encourage efficient use of urban land by maximizing the development potential of existing urban lands, such as advancing development that achieves zoned density. (MPP-DP-2)
- Accommodate the region’s growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision. (MPP-DP-4)
- Support the sustainability of designated resource lands. Do not convert these lands to other uses. (MPP-DP-31)

**Staff Conclusion:** The proposal is inconsistent with MPP-DP-4. The 2007 Pierce County Buildable Lands Report indicates there is sufficient land capacity within its existing municipal limits to accommodate its 20-year employment target. The proposal is also inconsistent with MPP-DP-31. The proposal de-designates 12.52 acres of Agricultural Resource Lands; this policy specifically states, “Do not convert these lands to other uses.”

**Pierce County Countywide Planning Policies (CPPs)**

The CPPs contain policies related to the expansion of the urban growth area. Policies addressing urban growth areas are located in two sections of the CPPs, the Urban Growth Areas, Promotion of Contiguous and Orderly Development and Provision of Urban Services to Such Development Section (UGA) and the Transition and Amendment Section. The UGA policies address the appropriate size and factors that should be taken into consideration in determining the location of urban growth area boundaries. A sampling of the policies include:

- “urban growth areas must be of sufficient size to accommodate only the urban growth projected to occur over the succeeding 20-year planning period...” (UGA policy 2.1.1)
- “Any of the following shall be considered in determining the location of urban growth boundaries...d.) location of designated natural resource lands and critical areas” in determining the location of urban growth areas. (UGA 2.2.1)
- municipal urban growth areas shall be determined with consideration of the “...multi-county planning policies”, “population and employment projections”, “financial capabilities and urban services capacities”, and “consistency and compatibility with neighborhood, local and regional plans”. (UGA policy 2.4)

Additional policies reiterate the GMA's Buildable Lands provisions and identifies actions that local jurisdictions must complete in order for a jurisdiction to expand its urban growth area (CPPs- Amendment and Transition Section 2.3).

**Staff Conclusion:** The proposal is inconsistent with the CPPs because 1) the City has sufficient land capacity within its existing municipal limits to accommodate its 20-year employment target; 2) there is more than sufficient capacity within the combined Satellite UGAs and CUGA to accommodate the unincorporated urban 20-year employment target; 3) the City has yet to provide documentation that it has the financial capabilities and urban service capacities to support future development in the proposal area; and 4) that the presence of designated agricultural lands in the proposal has to be a consideration.

### **County Comprehensive Plan Policies**

The Comprehensive Plan contains various goals and policies relevant to the proposed urban growth area expansion. The provisions touch on expansion of urban growth areas, the Rural Reserve 5 designation, and economic development.

#### Expansion of Urban Growth Area

The Land Use element contains specific provisions addressing the expansion of urban growth areas. Many of the policies reiterate GMA requirements associated with the Buildable Land Program as discussed under the GMA and CPPs section of this report. As a means to provide more timely information, policies do allow for supplemental information in evaluating UGA expansion proposals to augment the most recent Buildable Land Report. In evaluating the need for expanding the UGA, policy restricts the UGA to be sized to accommodate up to 25 percent more area than needed based on the 20-year population and employment targets. Furthermore, this "safety factor" is reflective of the combination of the Comprehensive Urban Growth Area (CUGA) and each of the satellite UGAs. The following are policy excerpts under 19A.30.010 B. LU-UGA Objective 1:

- Ensure that there is sufficient land within the Urban Growth Areas to accommodate the projected population growth for the 20 year planning period.
- For review of proposed new urban growth areas or expansion of existing urban growth areas, more timely information on population and development trends, such as census reports and updated projections from the Washington State Office of Financial Management (OFM), and regulatory changes may augment the most recent Buildable Lands Report.
- The 25 percent safety factor should be derived from the combined urban growth areas, not individual urban growth areas.

The 2007 Buildable Lands Report concluded that there is sufficient land capacity within the existing urban growth area to accommodate the adopted 20-year employment growth targets for both within the current boundaries of Bonney Lake as well as the County as a whole. The City of Bonney Lake has not provided any supplemental information to dispute this conclusion.

**Staff Conclusion:** The proposal is inconsistent with the UGA sizing policy because it exacerbates the existing oversupply of commercial/industrial lands to meet 20-year employment growth targets within the City as well as the countywide.

The Land Use element policies provide for specific criteria to be met for expanding the UGA. A fundamental requirement is that there needs to be a demonstrated need for additional commercial/industrial uses. Consistent with GMA's Buildable Lands provisions (RCW 36.70A.215), the commercial/ industrial use need is in the form of adopted employment targets. The gamut of criteria cited under 19A.30.010 H LU-UGA Objective 6 is relevant to this proposal. It includes:

- The supply of land needed for additional commercial/industrial uses outside urban growth areas is clearly demonstrated.
- Documentation that adequate public facilities and services can be provided within the 20-year planning horizon is provided.
- There is an analysis of how the proposal is consistent and reasonable with the jurisdiction's adopted comprehensive plan.
- It is demonstrated that the area has the capability and capacity to provide urban level services to the area while maintaining a healthy natural ecosystem.
- Adopted land use and design standards for proposed UGA expansion areas plan for design characteristics and infrastructure necessary to make transit a viable transportation alternative.

Based on a review of the City's development regulations, it is assumed development within the proposal area would contain design characteristics and infrastructure necessary to make transit a viable transportation alternative. However, neither the application nor the City's comprehensive plan includes documentation that demonstrates the proposal meets any of the other criteria. The 2007 Buildable Lands Report does not indicate additional need for commercial/industrial needs outside the UGA; either the City's existing Capital Facilities Element nor its Sanitary Sewer Plan incorporates future employment growth/commercial development associated with the potential UGA expansion area; and, there is not an analysis of how the proposal is consistent with the City's adopted comprehensive plan.

While the City does identify the proposal as a future urban growth area, the City's adopted comprehensive plan does not identify the future land use designation that would be associated with the urban growth area. However, the Land Use element of the City's comprehensive plan states "The proposed additional UGAs will accommodate 5,074 persons." This statement implies future residential growth which is inconsistent with a Employment Center designation as requested in the proposal.

**Staff Conclusion:** The proposal does not meet four of the identified relevant criteria.

An underlying requirement is that future expansion areas should be affiliated with a city or town. If this requirement is met the following priorities come into play as related to Employment Center designations and designated agricultural lands (19A.30.010 H LU-UGA Objective 6):

- All Reserve lands adjoining the UGA boundary should be amended into the UGA prior to consideration of Rural Residential lands except when the amended area is being redesignated to Employment Center.

**Staff Conclusion:** The proposal is consistent with this policy because it is proposed to redesignate the area to Employment Center/Employment Services.

#### Designated Agricultural Lands

The Land Use element contains the criteria for de-designating properties as Agricultural Resource Lands. The only situation where a property may be removed from the agricultural resource designation is if either the property no longer meets the criteria for designating this type of resource lands (as provided for in 19A.30.070 B) or the property was originally designated as a resource land in error. Furthermore, designated agricultural lands may be amended directly into the UGA only if the property is within an adopted community plan that permits it. If an ARL de-designation proposal is not within an adopted community plan area, the City and the County must first enter into a joint planning agreement, then only through the required GMA compliance review update can ARL properties be redesignated to Reserve 5. During the proceeding amendment cycle, the City may propose the inclusion of the Reserve 5 properties into the urban growth area. This process is directly by the following policies:

- The approval of a Map Amendment to correct technical errors under the timelines and procedures established for regular Comprehensive Plan Amendments.
- The adoption of a community plan that includes redesignation of parcels consistent with 19A.30.070 C.
- The approval of a Map Amendment to establish a Reserve-5 buffer for a city or town, following a recommendation of an approved joint planning agreement consistent with the provisions of 19A.30.070 C.1. and 3.
- De-designation of Agricultural Resource Lands for the purpose of expanding a Reserve-5 buffer for a city or town created pursuant to 19A.30.070 C. shall only be considered during the Compliance review required by RCW 36.70A.130.
- De-designation of Agricultural Resource Lands for the purposes of expanding the Urban Growth Area, provided that such de-designation is allowed for and consistent with the applicable community plan.
- Agricultural Resource Lands cannot be amended directly into the Urban Growth Area unless permitted by the applicable community plan. (19A.30.070 D.3.)

The City's application did not include any information that indicates the ARL properties no longer meet the ARL designation criteria or the property was originally designated as a resource land in error.

The proposal is not within an adopted community plan. Consequently, the City and County are required to enter into a joint planning agreement prior to the redesignation of ARL properties to Reserve 5 through the 2015 GMA compliance update process.

**Staff Conclusion:** The proposal is inconsistent with the County's ARL de-designation policies because information has not been submitted that demonstrates the ARL properties no longer meet the ARL criteria or were originally designated in error and that the ARL properties are first required to be de-designated through a GMA compliance update, which next occurs in 2015.

#### Economic Development

The Economic Development element contains policies (19A.50.030) that address the County's strategy for business development and economic diversity. The primary objective is to create an environment that will retain existing businesses and attract new industry into the County. The policies call out for industries in which the County is targeting, including environmentally sound manufacturing. The policies also encourage programs that retain and strengthen the County's agricultural base. This includes the development of industries that add value to natural resources. Additional policies state that designations of land for industrial and commercial uses should follow the following guidelines:

- Provide sites of sufficient size as to permit development of planned Employment Centers or large industrial facilities.
- Locate industrial and commercial uses where infrastructure is planned, exists, or can be efficiently provided.

The desired parcel size for industrial development begins at 20 acres. While smaller sized parcels can be consolidated to form 20+ acre developments, multiple parcel ownership makes the coordination of such an effort much more difficult. The existing lot sizes are relatively small, with one parcel at 10 acres, two parcels between roughly 5 and 6 acres, three parcels between 1 and 2 acres, and four parcels less than an acre in size.

It is apparent that the City has the ability to provide water service, however, as noted in the City's Comprehensive Sewer System Plan, the City has the ability to provide capacity for both Bonney Lake's existing and planned new customers in the core area through the year 2017. However, the proposal is not shown on the Future Land Use map in City's Sewer System Plan. Furthermore, while this area is shown as a potential urban growth area on the City's Comprehensive Plan maps, it does not identify a future land use. It is unclear if the City has made any assumptions about the build-out of the area associated with the proposal.

**Staff Conclusion:** The proposal is not consistent with the policy that strives for sufficiently sized parcels for economic development and the policy that requires Employment Centers to be located where necessary infrastructure currently exists or is planned to be provided. The parcels incorporated in the proposal area are relatively small for commercial/industrial development and

coordination of such development will probably be difficult because of multiple ownership. It is also not clear in its sanitary sewer plans, if this area was assumed to be built-out for commercial/industrial purposes.

Effect on critical areas and natural resource lands

The proposal area includes 6 acres of wetland, 8.21 acres of floodplain, and 4.92 acres of wildlife habitat. It is assumed these critical areas would not be impacted due to the rural characteristics of the proposal and the requirements associated with City's critical area regulations.

The proposal would de-designate approximately 12.5 acres of designated Agricultural Resource Lands. This property is not currently being used for agricultural purposes.

Consistency with locational criteria in the Comprehensive Plan and application requirements established in 19C.10.

Fifteen specific locational criteria addressing new employment centers are provided in 19A.30.150. The applicable policies related to this proposal include:

- Employment Centers of significant size or density should be located where transportation capacity is present or can be made available, and where public transportation exists or can be provided. (Criteria 1)
- Employment Centers should be in convenient proximity to living areas where transit and thoroughfare routes exist or can be provided. (Criteria 2)
- Employment Centers should be located in consideration of existing and anticipated business patterns. (Criteria 3)
- Employment Centers should be located outside of floodplains, wetlands, riparian areas, or other critical areas, and constructed to protect major aquifers providing drinking water for the community. (Criteria 4)
- Employment Centers should be in locations accessible to heavy transportation facilities and large capacity utility lines where they are required. (Criteria 5)
- Employment Center locations should be adequate in size, economical to develop, and attractively situated for particular uses intended. (Criteria 6)
- Employment Centers should have direct access to commercial transportation, such as trucking, shipping or heavy rail. (Criteria 8)
- Employment Centers should be within an easy commute to living areas. (Criteria 9)
- Employment Centers should be located where adequate public facilities exist or can be provided. (Criteria 14)

The lack of documentation in the City's comprehensive plan and associated documents calls into question if adequate public facilities can be provided in an efficient manner. The proposal area includes a little more than 8 acres of critical areas. The combination of the smaller parcels and multiple ownership may not be economically attractive for investors looking for potential development opportunities.

**Staff Conclusion:** The proposal appears to meet six of the nine relevant locational criteria.

The submittal requirements for proposed urban growth area expansions (19C.10.050 E.) require five pertinent items of information as a component of its application packet. The items include:

- The proposal has been included in the city or town Comprehensive Plan;
- SEPA has been completed;
- The proposal is consistent with the city or town Capital Facilities Plan which demonstrates how public facilities and services will be provided;
- A public outreach program that includes affected residents has been conducted; and
- Documentation acknowledging the requirement to comply with the requirements of Pierce County's TDR/PDR program or community plan if applicable.

The application package currently includes three of the five items. The City has included information documenting:

- The proposal has been included in the City's comprehensive plan;
- A public workshop to reach out to property owners within the proposal; and
- An environmental review that addresses an urban growth area expansion.

However, it should be noted that while the City's comprehensive plan does identify the proposal as a future urban growth area, it does not apply a future land use designation to the area. Consequently, it is questionable if the environmental review adequately addresses all of the impacts associated with the proposal.

**Staff Conclusion:** The application packet does not contain all five pertinent items of information as required by 19C.10.050 E. The missing information includes 1) demonstration that the proposal is consistent with the City's adopted Capital Facilities Plan; and 2) acknowledgement that the proposal has to meet the County's TDR/PDR program requirements.

Applications are also required to submit additional information (19C.10.055F) if the most recent Buildable Lands Report indicates that no additional residential land capacity is needed. The additional information should include one of the following:

- Supplemental information updating population and development trends or documentation of regulatory changes implemented since the completion of the most recent Buildable Lands Report that justifies the need within the Countywide context to expand the Urban Growth Area.

- A companion application for reducing the urban growth area in another location to ensure that the amount of residential land capacity is not increased. The properties proposed for removal from the urban growth area must be contiguous with the urban growth boundary and be rural in character with existing rural densities.
- Documentation that the proposed UGA application does not increase the residential or commercial/industrial capacity.

While the 2007 Pierce County Buildable Lands Report indicated an insignificant land capacity short-fall for population, this information may still be appropriate because it also indicated that there is not additional land capacity needed for commercial/industrial development. The City of Bonney Lake did not provide any additional information that would supplement the 2007 Pierce County Buildable Lands Report.

**Staff Conclusion:** The policy does not specifically require the submittal of supplemental information as related to the employment capacity needs/capacity.

Applications are also required to provide documentation indicating that taxpayers or property owners included within the proposed amendment area have been notified of the application (19C.10.055 G). The application packet does include an affidavit documenting this requirement has been met.

**Staff Conclusion:** The notification requirements have been met.

Demonstration put forth by the jurisdiction affiliated with the proposed UGA that it has the capability and capacity to provide urban level services to the area while maintaining a healthy natural ecosystem.

The proposal is within the City's water service area. The current Comprehensive Water System Plan (WSP) was approved by the Department of Health in 2009 with an expiration date in early 2014. DOH approved the City of Bonney Lake water system for an "unspecified" designation which means there is adequate capacity for future growth through the six year planning period. Bonney Lake has also proposed a WSP amendment to document a new booster pump station and a new Tacoma Water intertie, which should provide additional capacity to the system.

The proposal is within the City's sanitary sewer service area. It is assumed the City has the capacity and capability to provide the area with sanitary sewer service.

While the City does identify the proposal as a future urban growth area, the City's adopted comprehensive plan does not identify the future land use designation that would be associated with the urban growth area. Without first identifying the future land use, it is unknown how the City can evaluate whether or not it has adequately planned or can provide urban services within the proposal area.

Demonstration put forth by the jurisdiction affiliated with the proposed UGA that the adopted land use and design standards for the area shall plan for design characteristics and infrastructure necessary to make transit a viable transportation alternative.

The City's comprehensive plan currently does not identify a land use designation for the area in which the proposal is located. Consequently, it is unclear if the City shall be applying a land use designation and design standards that would make transit a more viable transportation alternative.

Effect on other considerations

**Other UGA proposals in 2011 Amendment Cycle**

The 2011 Comprehensive Plan amendment cycle includes a total of eight urban growth area applications. Five of the applications propose to expand the land area of the UGA by approximately 930 acres. Two of the applications propose to decrease the land area of the UGA by roughly 577 acres. The net increase in the area of the UGA totals approximately 350 acres for all six proposals.

Five of the UGA amendment applications propose to de-designate 450 acres of Agricultural Resource Lands (ARL). Two applications propose to designate 244 acres of new ARL. If all proposals are approved the net loss of ARL would total 206 acres. (Note: these acreages represent parcels only, road ROW is not included.)

**Central Puget Sound Growth Hearings Board Decision - *North Clover Creek/Collins Community Council, et al, 10-3-0003c.***

In 2009 Pierce County approved the modification of Eatonville's urban growth area. The proposal was premised on a no-net gain of urban area; MSF properties were redesignated to a rural designation, and rural properties were redesignated to an Employment Center designation. This amendment was included in an appeal to the Central Puget Sound Growth Management Hearings Board (CPSGMHB). In its final order, the CPSGMHB found that the Eatonville UGA amendment was inconsistent with the UGA sizing provisions of the GMA. In its discussion, the CPSGMHB emphasized that the County must show its work and demonstrate that additional land is needed within the UGA to accommodate the 20-year population or employment target. This need must be supported by a land use capacity analysis. Specific comments include:

- "Pierce County's UGA currently has substantial excess land capacity..." and "The County does not dispute this analysis, and the Board takes the BLR findings as undisputed facts."
- "Pierce County UGA's are significantly oversized. Any net expansion of the UGA will be difficult to justify..."
- In the absence of a new land capacity analysis or new population projections, there is no basis for an expansion of the Pierce County UGA. There is simply no evidence in the record indicating a need for more urban land in this area. With the UGA already substantially oversized, even marginal expansions violate the GMA requirement of RCW 36.70A.110(2) to size UGAs to accommodate forecasted growth and the GMA Goal to reduce sprawl.
- "By implication, accommodating additional non-residential uses is not a justification for incremental UGA expansion."

- “...the anti-sprawl/UGA sizing requirements of the GMA trump the economic development goals of the local jurisdiction.”

**Existing Lot Sizes within the Proposal**

Existing Land Use by Parcel Size				
Existing Land Use	< than 1 acre		=> than 1 acre	
	# of Parcels	Total Acres	# of Parcels	Total Acres
Single-Family Residential	2	1.63	5	21.25
Vacant	1	.39	1	5.63
Duplex	1	.8	--	--

**Puget Sound Regional Council Certification**

The City of Bonney Lake’s Comprehensive Plan is one of three comprehensive plans within the Puget Sound region which currently is not certified by the Puget Sound Regional Council.

**Perimeter Roads**

The City’s application excludes public roads on the perimeter of the proposal. If the proposal is approved the proposal should be modified to include 214th Avenue East, both for the adjacent portion of the proposal as well as that portion to the south to extend to 96th Street East.

**City of Bonney Lake Zoning Classification**

As previously stated the City has not yet identified the future land use designation for the area in which the proposal is located. However, the application indicates that once the area is annexed, the City would apply Commercial C-2 zoning. The application of this zoning classification is consistent with the zoning applied to the properties currently within the City, south of the proposal. A review of the City’s Zoning Code (18.26.010 and .020) indicates that while the intent of this zone is to provide areas for office uses, retail stores and service establishment, apartments and attached residential single-family housing is also allowed outright if the projects conform to the parking standards as provided for chapter 18.31. If the City’s intent is to apply a zone that allows residential development, additional policies should be considered. In addition, it should be acknowledged that future development on the property, commercial or residential, would be required to participate in the County’s Transfer/Purchase of Development Rights program.

**2003 Comprehensive Plan Amendment Cycle**

The City of Bonney Lake submitted an application for the 2003 Pierce County Comprehensive Plan amendment cycle for this same area. In the previous proposal (2003, U-5) the City requested the area to be redesignated from Rural Five (R-5) to Moderate Density Single Family. The staff recommended denial of the proposal as it did not appear additional residential capacity was needed at the time. The staff report encouraged the City to resubmit the request at a later date once the need for additional capacity is demonstrated. In the interim, it was suggested Pierce County should consider designating the property as Reserve 5.

The Pierce County Planning Commission recommended denial of the City’s application. The cited justification for its decision was similar to the staff report.

The Pierce County Council approved the application. However, this amendment was appealed to the Central Puget Sound Growth Management Hearings Board (CPSGMHB 04-3-0015). The Board dismissed the case with prejudice after Pierce County deleted the Bonney Lake urban growth area amendments through Pierce County Ordinance 2004-37. In this ordinance Pierce County stated through whereas clauses that:

- Recent decisions of the CPSGMHB indicate that approvals of expansions of urban growth areas must be accompanied by specific evidence of the need for land capacity; and
- The evidence required by the CPSGMHB was not available during the County's consideration of these amendments and is being developed through analysis conducted by the Planning and Land Services Department at this time; and
- Because the required land capacity analysis was not available at the time of adoption of Ordinance No. 2003-103s, it will not be allowed as evidence in the CPSGMHB's petition review process; and
- Without the required land capacity analysis it is unlikely that the County can withstand the challenge before the Board.

### **2007 Comprehensive Plan Amendment Cycle**

The City of Bonney Lake submitted an application for the 2007 Pierce County Comprehensive Plan amendment cycle for this same area. In the previous proposal (2007, U-1 Part A) the City requested the area to be redesignated from Rural Ten (R-10) and Agricultural Resource Lands (ARL) to an Employment Center designation. The staff recommended approval of the proposal as a means to create a more logical service area boundary for the city.

The Pierce County Planning Commission recommended denial of the City's application.

The Pierce County Council did not approve the application.

### **Staff Recommendation**

Staff recommends the denial of the 214th Street urban growth area expansion on five primary grounds: 1) adopted policies require that ARL properties only be de-designated if it is demonstrated that the ARL properties were originally made in error or they currently do not meet the designation criteria; 2) adopted policies only allow for these ARL properties to be de-designated only through a GMA compliance update; 3) the lack of demonstrated need for additional commercial lands; 4) the lack of documentation that urban infrastructure and services can be provided; and 5) apparent inconsistency of the proposal with statements in the City's comprehensive plan.

- 1) The proposal is inconsistent with the de-designation policies. The adopted policy states that the de-designation shall be based on the same criteria as was applied through the original Agricultural Resource Lands designation process. The City has not provided any information that concludes that the ARL properties no longer meet the designation criteria or the designation was originally made in error.

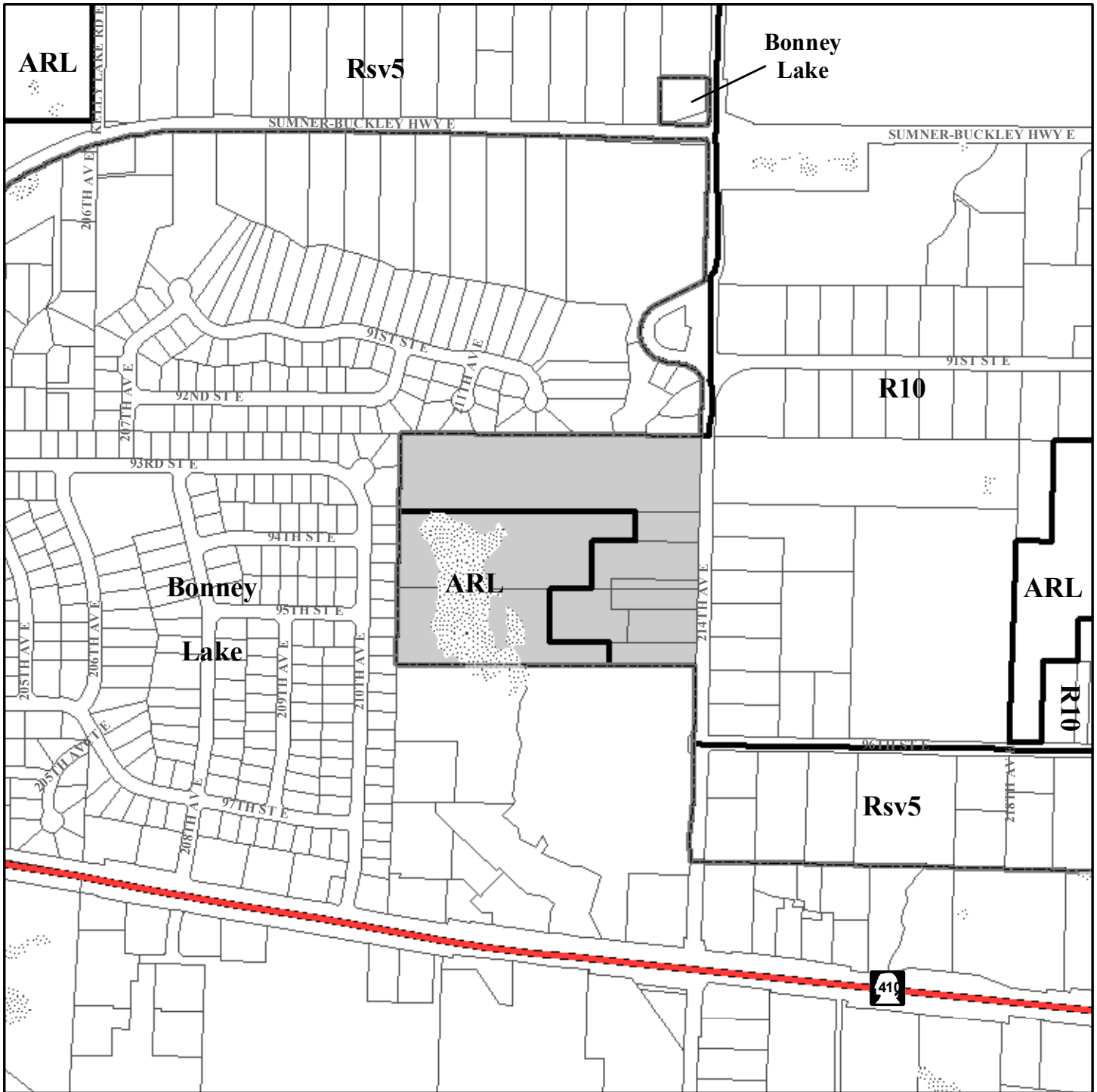
- 2) Designated agricultural lands may be amended directly into the UGA only if the property is within an adopted community plan that permits it. The proposal is not within an adopted community plan area. Consequently, policies require the City and the County to first enter into a joint planning agreement, then only through the required GMA compliance review update can ARL properties be redesignated to Reserve 5. During the proceeding amendment cycle, the City may propose the inclusion of the Reserve-5 properties into the urban growth area.
- 3) The 2007 Pierce County Buildable Lands Report concludes that there is existing capacity to accommodate future employment within the City's Satellite UGA and the CUGA. It is estimated that the proposal may increase the County's employment capacity by up to 814 additional jobs. The City has not provided any supplemental information to justify the inclusion of additional commercial/industrial areas into the urban growth area. The CPSGMHB has already stated that Pierce County's urban growth area is too large.
- 4) It is not clear that the City of Bonney Lake has amended the Capital Facilities element of its comprehensive plan to incorporate the proposal. While the area is within the City's sanitary sewer service area, the City's Comprehensive Sewer System Plan does not identify a future land use for the area associated with the proposal. Absent any additional information from the City, there is not documentation that the proposal area can be provided with adequate public infrastructure and services.
- 5) The City's comprehensive plan does not specify a future land use for the identified potential urban growth areas; however, the Land Use element contains text that states the potential urban growth areas can accommodate roughly 5,000 additional people. This statement conflicts with the proposed Employment Center designation in the City's application. The Land Use element does not contain any text that references any of its potential UGAs for commercial/industrial purposes.

### **Implementation Requirements**

If approved Pierce County would need to update the zoning atlas.

If approved the City of Bonney Lake and Pierce County would be required to enter into a joint planning agreement for the area within the proposal as well as all the existing areas within the City's Satellite urban growth area. The agreement should address, but is not limited to:



- How zoning, subdivision and other land use approvals in designated urban growth areas will be coordinated;
- How appropriate service level standards for determining adequacy and availability of public facilities and services will be coordinated;
- How the rate, timing, and sequencing of boundary changes will be coordinated;
- How the provision of capital improvements to an area will be coordinated; and
- To what extent a jurisdiction(s) may exercise extra-jurisdictional responsibility.



# 2011 PROPOSED URBAN GROWTH AREA AMENDMENT

## Amendment U-6, City of Bonney Lake

Initiated by City of Bonney Lake

-  Urban Growth Area Boundary
-  Expand UGA and redesignate from R10 and ARL to EC

Department of Planning and Land Services

Plot Date: March 15, 2011 Scale = 1:7,500

Map Document: H:\mxd\prop\_area\_wide\_amend\2011\amendment\_u\_6\_2011.mxd

