



**Snohomish County
Planning and Development Services**

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MEMORANDUM

TO: Terry Ryan, Chair, Snohomish County Council
Brian Sullivan, Vice-Chair, Snohomish County Council
Stephanie Wright, Council Member, Snohomish County Council
Ken Klein, Council Member, Snohomish County Council

FROM: *bjm* Barb Mock, Interim Director, Planning and Development Services

DATE: January 26, 2016

SUBJECT: GPP14 – Rural/Urban Transition Area

Summary

The purpose of this memo is to provide background information and an early analysis of options in response to a request by the Snohomish County Council (council) to develop amendments addressing issues with the Rural/Urban Transition Area (RUTA) as part of the 2016 County-Initiated Growth Management Act Comprehensive Plan (GMACP) Amendment cycle.

Council provided this direction to the Department of Planning and Development Services (PDS) in Motion No. 15-226 on July 15, 2015. In the motion, under the item identified as GPP14, council specifically requested that the county executive, through PDS, develop amendments to either: (1) Eliminate the RUTA or (2) Amend RUTA policies to resolve identified issues.

PDS is writing this memo to notify council of our intent to move forward and begin developing amendments to eliminate the RUTA as described in this transmittal. PDS selected this option based on our preliminary analysis and considering the short timeframe provided for adoption of amendments with the 2016 County-Initiated GMACP Amendment cycle.

Background

What is the RUTA?

The RUTA is an overlay of the county's Future Land Use (FLU) map, comprised of approximately 17,500 acres of land designated for rural residential use. The RUTA was adopted, along with other amendments, by Amended Ordinance No. 96-074 in 1996 to comply with the Central Puget Sound Growth Management Hearings Board (Board) decision and remand of the county's 1995 GMACP.

Where is the RUTA located?

The RUTA currently spans approximately 6,100 parcels that are adjacent to the following Urban Growth Areas (UGAs): Stanwood, Marysville, Arlington, Granite Falls, Darrington, Lake Stevens, Snohomish, Monroe, Sultan, Southwest UGA (SWUGA) and Maltby. No policies or procedures exist for adjusting the RUTA when UGA boundaries are expanded (or retracted). The RUTA does not overlay designated farm or forest lands, nor is it reflected on the county's zoning map.

Where did the RUTA policy come from?

In its 1996 remand of the county's GMACP, the Board required the county to: (1) reduce rural residential densities, (2) retain flexibility in rural areas adjacent to the UGA to permit the potential future expansion of the UGA, and (3) assure that any future residential clustered development in rural areas adjacent to the UGA constitute compact rural development rather than "a pattern of urban growth."

Attachment 1 to this memo includes a timeline summarizing the history of actions affecting the RUTA leading up to present-day policy conversations.

What are the issues with the RUTA?

- 1. RUTA Policies are Confusing.** The purpose of the RUTA, according to language in the county's General Policy Plan (GPP), is to "reserve a potential supply of land for future incorporation into the UGA." This language has created expectations among landowners that areas within the RUTA are likely to be included in UGA expansions in the near future when in fact, it may be decades or never before the UGA is expanded to include RUTA areas. GPP amendments to the RUTA policies in 2014 did not reduce this expectation.
- 2. RUTA Outreach will be Substantial.** Any change to RUTA policies, no matter the option council chooses, will require engaging RUTA landowners in a substantial communication strategy, including formal notice and public meetings. Council staff expressed concerns in 2010 that this notification process will require an education effort to inform landowners of the original intent of the RUTA and clarify misconceptions about inclusion in a UGA.
- 3. RUTA Implementation is Minimal.** Implementation of the RUTA overlay and policies occurs only through unique provisions for the open space tracts of rural cluster subdivisions (RCS) within the RUTA. Regulations in Chapter 30.41C SCC require the open space tract for those RCS' within the RUTA to be designed in a way that allows for future use as urban development, should the RCS ever be included in the UGA. Other than these provisions, the RUTA has no regulatory effect.
- 4. UGA Expansion Criteria has Evolved.** Local and regional growth policies related to UGA expansions have evolved since the time that the RUTA was first adopted in 1996. For example, the Puget Sound Regional Council adopted VISION 2040 in 2008, establishing a preferred pattern for accommodating growth in the Regional Growth Strategy (RGS). The RGS is implemented regionally through Multicounty Planning Policies and implemented locally through Countywide Planning Policies (CPPs). Snohomish County's current CPP framework clarifies that any area, whether or not inside the RUTA boundary, can be used for a future UGA expansion if it meets the criteria in CPP DP-2. Since this guidance has been adopted locally, the purpose of and need for the RUTA has diminished.

Evaluation of Options

Attachment 2 to this memo includes a summary of options responsive to GPP14 – RUTA for your review, along with an analysis of the advantages and disadvantages for each option.

Recommendation


PDS recommends eliminating the RUTA map overlay designation and associated policies and code provisions as discussed in Option #1. PDS believes this option: (1) best represents direction expressed in multiple, previous attempts to resolve this issue, (2) is the most cost-effective solution given resources available, and (3) can be accomplished within the timeframe of the 2016 County-Initiated GMACP Amendment cycle.

To meet the 2016 County-Initiated GMACP deadlines for adoption, PDS will need to initiate public outreach this month. The Planning Commission is scheduled to review any proposed changes in March, with a hearing in April 2016. If council has any questions on this approach for moving forward, we are happy to provide a briefing at an upcoming council Planning Committee meeting, or given the timeline, respond to questions in writing.

Attachments:

Attachment 1 – RUTA History

Attachment 2 – RUTA Scoping Options

cc: Joshua Dugan, PDS, Manager 
Jacqueline Reid, AICP, PDS, Supervisor
Alison Hodgkin, PDS, Senior Planner
Will Hall, Council, Legislative Analyst

Timeline of Actions Affecting the RUTA	
Date	Action
1990	The Washington State Legislature adopts the Growth Management Act (GMA) requiring local governments to take measures to prevent uncoordinated and unplanned growth.
1993	Snohomish County Planning and Development Services (PDS) staff develops preliminary Interim Urban Growth Area (IUGA) boundaries adjacent to its cities and towns and draft its first GMA Comprehensive Plan (GMACP).
1994	To address public concerns, PDS focuses on the rural/urban interface and begins drafting policies for areas outside the IUGA.
1995	On June 28, 1995, in Ordinance No. 94-125, the Snohomish County Council adopts the county's first GMACP, replacing IUGAs with formal UGAs on the Future Land Use (FLU) map.
	Several groups, collectively known as <i>Sky Valley</i> , file appeals to various provisions of the GMACP with the Central Puget Sound Growth Management Hearings Board (GMHB).
1996	On Mar 12, 1996, the GMHB issues a Final Decision and Order (FDO) in the <i>Sky Valley</i> case remanding certain portions of the county's GMACP.
	On November 27, 1996, the county adopts Amended Ordinance No. 96-074, establishing the Rural Urban Transition Area (RUTA) to comply with one of five issues in the FDO.
2005	On December 21, 2005, in Ordinance No. 05-069 (10-year Update), the county adds new UGA narrative language about the RUTA and establishes RUTA policy in GPP LU 1.B.
2010	On July 14, 2010, in Amended Motion No. 10-186, council adds the RUTA as a placeholder to the list of 2011 GMACP amendments.
2011	On February 9, 2011, in Motion No. 11-036, council removes the RUTA from the list of 2011 GMACP amendments.
	SCT includes RUTA on 2011 work program but not on subsequent work programs.
2013	Council requests PDS include RUTA as an optional element in the Project Charter for the GMACP 2015 Update.
2015	On June 10, 2015, in Ordinance No. 14-129, council adopts amendments to the purpose of the RUTA by removing UGA expansion language from GPP LU 1.B and 1.B.1.

Evaluation of Options for GPP14 – RUTA (Rural/Urban Transition Area)

Council provided direction to the Department of Planning and Development Services (PDS) in Motion No. 15-226 on July 15, 2015, to develop amendments to (1) Eliminate the RUTA or (2) Amend RUTA policies to resolve previously identified issues. PDS has scoped the following options in advance of processing a preferred option for final action by the county council in 2016.

Option #1 – Eliminate the RUTA	Option #2 – Eliminate the RUTA and Augment Code	Option #3 – Maintain and Clarify Purpose of the RUTA
<p>Description: Full repeal of the RUTA overlay on the FLU and all associated policies.</p> <p>Project elements:</p> <ul style="list-style-type: none"> • Repeal RUTA overlay from the FLU map • Repeal existing RUTA policy language from the GPP • Repeal open space tract code provisions for RCS' in the RUTA • Repeal other code references to the RUTA and propose minor housekeeping amendments <p>Project length: 8 months at .5 Full Time Employee (FTE)</p> <p>Resource estimate:</p> <ul style="list-style-type: none"> • Staff ~ \$36,300 (salary & benefits) • Notice ~ \$3,583 (8,144 postcards) <p>Advantages:</p> <ul style="list-style-type: none"> • Removes confusing policies • UGA expansion criteria has evolved under framework established in the Regional Growth Strategy and CPPs • Clarifies expectations for RUTA landowners • Addresses previously identified and ongoing concerns raised with council <p>Disadvantages:</p> <ul style="list-style-type: none"> • Requires significant communication and education strategy • Potential for perceived property rights and/or environmental implications • Creates legal nonconforming elements in existing RCS' developed under RUTA provisions • Potential for perception that county will no longer be responsive to Board's concerns raised in 1996* regarding rural development adjacent to the UGA 	<p>Description: Same as Option #1 (full repeal of the RUTA overlay on the FLU and associated policies), but extends rural cluster open space tract provisions to all rural clusters throughout unincorporated county, not just those within the RUTA.</p> <p>Project elements:</p> <ul style="list-style-type: none"> • Repeal RUTA overlay from the FLU map • Repeal existing RUTA policy language from the GPP • Amend references to the RUTA in code • Develop and implement code amendments resulting in one unified rural cluster open space tract provision <p>Project length: 12 months at .5 FTE</p> <p>Resource estimate:</p> <ul style="list-style-type: none"> • Staff ~ \$54,500 (salary & benefits) • Notice ~ \$3,583 (8,144 postcards) <p>Advantages:</p> <ul style="list-style-type: none"> • Same as Option #1 and ... • Continues to be responsive to the Board's 1996 concerns* regarding rural development adjacent to the UGA • Allows for consistency between existing and future RCS' within former RUTA boundaries <p>Disadvantages:</p> <ul style="list-style-type: none"> • Requires significant communication strategy • Potential for perceived property rights and/or environmental implications • Requires reconciliation of RCS code provisions for RUTA and non-RUTA areas, e.g., min/max lot size, % of open space, setbacks, health district concerns re: water and sewage • Project length exceeds 2016 GMACP amendment deadline 	<p>Description: Amend RUTA policies in an effort to educate and clarify the purpose of the RUTA, adding Countywide Planning Policies (CPPs) as needed. This option may also include updates to the RUTA boundary removing it in places where urban growth is unlikely due to changes in use and/or topography.</p> <p>Project elements:</p> <ul style="list-style-type: none"> • Retain and possibly adjust RUTA overlay on the FLU map • Consider amendments to CPPs through SCT • Amend existing RUTA policy language in GPP • No change to RUTA references in code <p>Project length: 12 months at .5 FTE</p> <p>Resource estimate:</p> <ul style="list-style-type: none"> • Staff ~ \$54,500 (salary & benefits) • Notice ~ \$3,583 (8,144 postcards) <p>Advantages:</p> <ul style="list-style-type: none"> • Provides greater clarity and guidance on existing RUTA policies and regulations • Augments description of the purpose of the RUTA overlay • Reduces confusion for staff, cities, and citizens <p>Disadvantages:</p> <ul style="list-style-type: none"> • Potential for perceived impact to property rights • Substantial resource commitment for PDS • CPP amendment process (coordination with Snohomish County Tomorrow (SCT) and outreach to cities) may lengthen legislative process • Amendments may not fully address concerns from cities and towns, as well as concerns raised with council members • Project length exceeds 2016 GMACP amendment deadline

*The Central Puget Sound Growth Management Hearings Board (Board) instructed the county to show that wherever a 5-acre lot pattern is placed next to a UGA, measures would be taken to assure that: (1) rural development would be designed in a way that permits the potential future expansion of the UGA, and (2) residential clustered development would constitute compact rural development rather than urban growth. – Final Decision and Order (FDO), at pages 134-35, as modified by the Corrected Order, at 14-15. In response, the county created the Rural/Urban Transition Area (RUTA) as a FLU map overlay with the stated purpose of reserving a potential supply of land for future incorporation into the UGA and amended its policies and regulations specific to rural cluster subdivisions within the RUTA.