MEMORANDUM

TO:       Snohomish County Planning Commission
          Joshua Dugan, Planning Commission Secretary

FROM:     Alison Hodgkin, Senior Planner, Planning & Development Services

DATE:     April 11, 2016

SUBJECT:  Initial Staff Report: GPP14 – Rural/Urban Transition Area (RUTA)

Introduction

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. 15-229 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.

Background

What is the RUTA?

The RUTA is an overlay on 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 contains approximately 6,100 parcels that are adjacent to the Urban Growth Areas (UGAs) for: Stanwood, Marysville, Arlington, Granite Falls, Darrington, Lake Stevens, Snohomish, Monroe, Sultan, Southwest UGA (SW UGA) and Malaby. 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."

The RUTA policies and mapped overlay have evolved over time. For example, in 2005, adjustments to the RUTA overlay adjacent to the SW UGA were adopted to reflect a desire to protect the Little Bear Creek watershed from future development. Also, there were previous attempts to consider more substantial changes to the RUTA including involvement by cities.

What are the issues with the RUTA?

1. **RUTA Policies are Unclear.** 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 future UGA expansions. Unfortunately, UGA expansions are not guaranteed; it could be decades before a UGA is expanded to include RUTA areas. The RUTA policies were amended in 2014 but have not reduced this expectation.

2. **RUTA Outreach will be Substantial.** Potential changes to RUTA policies and the mapped overlay area have prompted PDS to engage landowners in a substantial communication strategy, including a series of community meetings and formal notice prior to the Planning Commission hearing. The communication strategy to date has focused on educating landowners of the original intent of the RUTA and clarifying misconceptions about RUTA areas being included in a UGA.

3. **RUTA Implementation is Minimal.** The only implication for the RUTA overlay and policies occurs in a provision within regulations for rural cluster subdivisions (RCS). The open space tract for those RCS' within the RUTA is required 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 this provision, 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 1998. In 2008, for example, the Puget Sound Regional Council adopted VISION 2040, establishing a preferred pattern for accommodating growth in the Regional Growth Strategy (RGS). The RGS is implemented regionally through Multicounty Planning Policies and 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 (Attachment 1). Since this guidance has been adopted locally, the purpose of and need for the RUTA has diminished.
Early Outreach

On March 25, 2016, PDS sent notice to approximately 7,892 parcels located within the RUTA notifying landowners of three community meetings set for April 5, 6 and 7. The purpose of the community meetings was primarily to educate landowners about the RUTA and learn about issues in individual communities. Attachment 2 to this memo summarizes general questions received from stakeholders at these community meetings.

PDS plans to facilitate a public open house in advance of the scheduled briefing to the Planning Commission on April 26, 2016. The purpose of the open house is to allow additional public input for those RUTA landowners who were unable to attend community meetings the week of April 4, 2016, and also to allow stakeholders to observe the staff briefing on this matter.

Adoption Process

Under Chapter 30.73 SCC, any text or map change to the Comprehensive Plan is considered a Type 3 proposal requiring a recommendation by the Planning Commission. The Commission’s recommendation will be transmitted to the County Council for final action after a public hearing is held.

In addition, the county is required to provide 60-day notice to the Washington State Department of Commerce when drafting development regulations. The county is also required to conduct environmental review under the State Environmental Policy Act (SEPA) pursuant to Washington Administrative Code (WAC) 197-11-875. A threshold determination will be issued prior to the Planning Commission public hearing.

Recommendation

PDS transmitted a memo to the County Council on January 26, 2016 (Attachment 3). In the memo, PDS attached a summary of options responsive to initiation of GPP 14 – RUTA. Please refer to the summary in the attached council memo for a detailed description of each option listed below, including an analysis of advantages and disadvantages for each:

1) Eliminate the RUTA
2) Eliminate the RUTA and Augment Rural Cluster Code
3) Maintain and Clarify the Purpose of the RUTA

Commissioners may consider any combination of options prior to providing feedback to the County Council on how to address the RUTA or commissioners may wish to develop a completely new option not yet listed.

PDS recommends eliminating the RUTA map overlay designation and associated policies and code provisions (Option #1) as discussed in Attachment 3. Our recommendation is based on the following:

- it best represents direction expressed in multiple, previous attempts to resolve this issue,
- it is the most cost-effective solution given resources available, and
- it can be accomplished within the given timeline.
Draft Schedule

Commissioners are encouraged to ask staff questions about this project in advance of the April 26, 2016 informational briefing. Questions can be routed through the Planning Commission Clerk; all questions and responses will be included in the public record. A public hearing is scheduled for May 24, 2016. A final staff report with findings and conclusions will be transmitted in advance of the public hearing.

Attachments:

Attachment 1 – Countywide Planning Policy DP-2
Attachment 2 – Stakeholder Questions/Comments
Attachment 3 – Council 1-26-16 Memo on RUTA with attachments

cc: Kendee Yamaguchi, Executive Director
Barb Mock, Interim PDS Director
Joshua Dugan, PDS Manager
Jacqueline Reid, AICP, PDS Supervisor
Geoffrey Thomas, Council Senior Legislative Analyst
COUNTYWIDE PLANNING POLICIES
FOR
SNOHOMISH COUNTY

ADOPTED JUNE 1, 2011
AMENDED ORDINANCE NO. 11-011; EFFECTIVE DATE: JUNE 24, 2011

AMENDMENTS:

JUNE 1, 2011 (AMENDED ORD. NO. 11-021) EFF. DATE JUNE 24, 2011

JUNE 8, 2011 (AMENDED ORD. NO. 11-015) EFF. DATE JUNE 24, 2011

OCTOBER 17, 2012 (ORD. NO. 12-070) EFF. DATE NOVEMBER 10, 2012
(APPENDIX A MAP CHANGE ONLY)

JUNE 12, 2013 (AMENDED ORD 13-032) EFF. DATE JUNE 30, 2013
(APPENDIX A AND APPENDIX B CHANGES ONLY)

APRIL 16, 2014 (ORD. NO. 14-006) EFF. DATE APRIL 27, 2014
(APPENDIX B CHANGES ONLY)

JUNE 4, 2014 (ORD. NO. 14-031) EFF. DATE JUNE 16, 2014

NOTE: This is an unofficial compilation of the Countywide Planning Policies (CPPs). The official text of
the CPPs can be found in the ordinances adopting and amending the CPPs and those ordinances will
control in the event of a disparity between the ordinance and this unofficial compilation.
DEVELOPMENT PATTERNS

The physical form, location, and servicing of development throughout Snohomish County are vitally important if we are to achieve livable places that are environmentally sustainable, economically viable, and socially responsible for the long-term future. The following countywide planning policies (CPPs) provide guidance for concentrating growth into existing Urban Growth Areas (UGAs), and ensuring that such growth occurs in a variety of healthy, accessible and well-designed communities that are connected with an efficient transportation network.

Development Patterns Goal

The cities, towns, and Snohomish County will promote and guide well-designed growth into designated urban areas to create more vibrant urban places while preserving our valued rural and resource lands.

Urban Growth Areas and Land Use

State Context

The Growth Management Act (GMA) establishes a framework for coordinated and comprehensive planning to help local communities manage their growth. The GMA calls for UGAs where growth will be encouraged and supported with adequate facilities and urban services (RCW 36.70A.110). Areas outside the UGAs are reserved for non-urban uses such as rural and resource lands (RCW 36.70A.070(5)).

Regional Context

VISION 2040 is a strategy for using the region’s land more efficiently and sustainably. It identifies existing urban lands as central to accommodating population and employment growth. In particular, VISION 2040 directs development to regional growth centers and, to a lesser extent, other centers and compact urban communities. It seeks to limit growth on rural lands. VISION 2040 recognizes that unincorporated urban lands are often similar in character to cities they are adjacent to, calling for them to be affiliated with adjacent cities for joint planning purposes and future annexation.

VISION 2040 recognizes that compact development creates vibrant, livable, and healthy urban communities. Such communities offer economic opportunities for all. They also provide housing and transportation choices. This reduces demand for inefficient forms of transportation that contribute to air pollution and greenhouse gas emissions. Further, VISION 2040 supports brownfield and contaminated site clean-up as well as the development of compact communities and centers with high levels of amenities.
Local Context

The County designates UGAs per RCW 36.70A.110. The designation of UGAs must be coordinated between the county and cities per RCW 36.70A.100. This document provides the process and criteria for considering expansion of UGAs to accommodate the projected growth. While a change to an established UGA is most often expected to result in an expansion, in some instances a change to a UGA may instead be an adjustment, correction, or even a constriction.

DP-1 The County shall maintain Urban Growth Areas (UGAs), as shown on the map in Appendix A, that:
   a. When aggregated at the time of 10-year updates, shall include additional capacity to accommodate at least 100%, but no more than 115%, of the County's adopted 20-year urban allocated population growth projection;
   b. Include all cities in Snohomish County;
   c. Can be supported by an urban level of service consistent with capital facilities plans for public facilities and utilities;
   d. Are based on the best available data and plans regarding future urban growth including new development, redevelopment, and infill;
   e. Have identifiable physical boundaries such as natural features, roads, or special purpose district boundaries when feasible;
   f. Do not include designated agricultural or forest land unless the city or County has enacted a program authorizing transfer or purchase of development rights;
   g. Have been evaluated for the presence of critical areas;
   h. Where possible, include designated greenbelts or open space within their boundaries and on the periphery of the UGA to provide separation from adjacent urban areas, rural areas, and resource lands;
   i. Should consider the vision of each jurisdiction regarding the future of their community during the next 20 years;
   j. Are large enough to ensure an adequate supply of land for an appropriate range of urban land uses to accommodate the planned growth; and
   k. Support pedestrian, bicycle and transit compatible design.

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:
   a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;
   b. The expansion otherwise complies with the Growth Management Act;
   c. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city’s position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and
d. One of the following conditions is met:

1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.

2. The expansion is a result of the review of UGAs at least every ten years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:
   
   (a) Population growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and

   (b) An updated residential land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent residential capacity estimates and assumptions, and any new information presented at public hearings that confirms or revises the conclusions is considered.

4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:

   (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and

   (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.

5. The expansion will correct a demonstrated mapping error. 10

6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the

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10 The type of errors that this policy intends to correct are cases where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently and incorrectly follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed by a city.
UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.

7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. “Large developable industrial sites” may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.

8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.

9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landsforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.

10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is inapplicable to a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.

11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MU GA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.
Attachment 2
General Questions from Stakeholders at 2016 RUTA Community Meetings*
April 5 (Brightwater), April 6 (Arlington HS) & April 7 (Snohomish)

- Traffic issues near 23rd & Expressway N of 28th
- What is happening with the roads near 172nd from I-5 to Highway 9?
- Transportation issues/concerns near Paradise Lake and 522
- Isn't infrastructure a precursor to development?
- Why are there so many commercial vehicles down residential roads? (Maltby)
- Desire to have county bring transportation planners out to Brightwater
- If RUTA is removed, will it impact city proposals?
- Is this an approach for city to expand?
- Interest in retaining open space in neighboring rural cluster subdivision.
- If the RUTA is removed, does it open up opportunity to expand UGA?
- How do I go about petitioning my property be included in the UGA?
- What if I don't want to be included in an expanding UGA?
- Will there still be rural clusters with open space if RUTA eliminated?
- Where will growth go? (Given that RUTA was an area for potential growth?)
- Is the Future Land Use Map available?
- Why can't the public propose Comp Plan amendments every year?
- What % of original RUTA has been included into a UGA?
- How do we currently accommodate growth without using the RUTA?
- Has overall RUTA boundary changed since 1996?
- What are the requirements to build a Rural Cluster Subdivision (RCS)?
- Should I continue to invest in my property?
- How did a rezone happen without us knowing about it?
- Will the rural cluster code be amended as part of this process?
- Realtors are misrepresenting “interim” O/S tract for RCS in the RUTA.
- How would it affect PDS if the existing RUTA is maintained?
- How does the RUTA affect my zoning?
- When was the county FLU Map last updated? When will it be updated again?
- Who decides how county FLU map gets updated?
- What can I do on 5-acre lot now vs. when/if it gets added to UGA?
- If county does nothing, what is cost of project?
- What is the confusion with the RUTA?
- What was the testimony about the RUTA & UGA in 2015 update?
• How many rural clusters are in the RUTA?
• If RUTA goes away, does RCS go away?
• What happens to land if RUTA removed?
• Why take action in August? Curious that decision will be right before election.
• Something doesn’t seem right; the County should be honest and transparent.
• Why wasn’t the RUTA addressed with the 2015 update?
• What were the other two options PDS considered? Costs for those options?
• Expressions of support for option #2
• Which option do developers like best? Support for the opposite.
• Expression of support for eliminating RUTA and keeping open space.
• Expression of support for Option 1 if UGA is not going to expand.
• Is the open space in rural clusters really practical for development anyway?
• Under what circumstance does O/S have to be provided?
• When is open space (O/S) required? How can O/S be used?
• All O/S in county should be permanent!
• Permanent O/S next to the UGA could preclude future growth!
• Seems unfair to remove interim O/S for RCS in RUTA now that market is back
• How is development of O/S in existing RCS’ prevented now?
• What will happen to the O/S on my property if RUTA is removed?
• Will code enforcement come out a complaint is filed?
## 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.

<table>
<thead>
<tr>
<th>Option #1 – Eliminate the RUTA</th>
<th>Option #2 – Eliminate the RUTA and Augment Code</th>
<th>Option #3 – Maintain and Clarify Purpose of the RUTA</th>
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<tbody>
<tr>
<td><strong>Description:</strong> Full repeal of the RUTA overlay on the FLU and all associated policies.</td>
<td><strong>Description:</strong> 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.</td>
<td><strong>Description:</strong> 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.</td>
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<td><strong>Project elements:</strong></td>
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<td>- Repeal RUTA overlay from the FLU map</td>
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<td>- Retain and possibly adjust RUTA overlay on the FLU map</td>
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<td>- Repeal existing RUTA policy language from the GPP</td>
<td>- Repeal existing RUTA policy language from the GPP</td>
<td>- Consider amendments to CPPs through SCT</td>
</tr>
<tr>
<td>- Repeal open space tract code provisions for RCS in the RUTA</td>
<td>- Amend references to the RUTA in code</td>
<td>- Amend existing RUTA policy language in GPP</td>
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<tr>
<td>- Repeal other code references to the RUTA and propose minor housekeeping amendments</td>
<td>- Develop and implement code amendments resulting in one unified rural cluster open space tract provision</td>
<td>- No change to RUTA references in code</td>
</tr>
<tr>
<td><strong>Project length:</strong> 6 months at .5 Full Time Employee (FTE)</td>
<td><strong>Project length:</strong> 12 months at .5 FTE</td>
<td><strong>Project length:</strong> 12 months at .5 FTE</td>
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<td><strong>Resource estimate:</strong></td>
<td><strong>Resource estimate:</strong></td>
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<tr>
<td>- Staff = $35,300 (salary &amp; benefits)</td>
<td>- Staff = $54,500 (salary &amp; benefits)</td>
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<td>- Notice = $3,583 (8,144 postcards)</td>
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<td><strong>Advantages:</strong></td>
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<td>- Removes confusing policies</td>
<td>- Same as Option #1 and ...</td>
<td>- Provides greater clarity and guidance on existing RUTA policies and regulations</td>
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<td>- UGA expansion criteria has evolved under framework established in the Regional Growth Strategy and CPPs</td>
<td>- Continues to be responsive to the Board’s 1996 concerns regarding rural development adjacent to the UGA</td>
<td>- Augments description of the purpose of the RUTA overlay</td>
</tr>
<tr>
<td>- Clarifies expectations for RUTA landowners</td>
<td>- Allows for consistency between existing and future RCS within former RUTA boundaries</td>
<td>- Reduces confusion for staff, cities, and citizens</td>
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<td>- Addresses previously identified and ongoing concerns raised with council</td>
<td><strong>Disadvantages:</strong></td>
<td><strong>Disadvantages:</strong></td>
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<td>- Requires significant communication and education strategy</td>
<td>- Requires significant communication strategy</td>
<td>- Potential for perceived impacts to property rights</td>
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<td>- Substantial resource commitment for PDS</td>
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<td>- Creates legal nonconforming elements in existing RCS developed under RUTA provisions</td>
<td>- 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</td>
<td>- CPP amendment process (coordination with Snohomish County Tomorrow (SCT) and outreach to cities) may lengthen legislative process</td>
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<td>- Potential for perception that county will no longer be responsive to Board’s concerns raised in 1996 regarding rural development adjacent to the UGA</td>
<td>- Project length exceeds 2016 GMAPC amendment deadline</td>
<td>- Amendments may not fully address concerns from cities and towns, as well as concerns raised with council members</td>
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</table>

- 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.
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: 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. 15-228 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 5,100 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
    Allison Hodgkin, PDS, Senior Planner
    Will Hall, Council, Legislative Analyst
<table>
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<tr>
<th>Date</th>
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<tr>
<td>1990</td>
<td>The Washington State Legislature adopts the Growth Management Act (GMA) requiring local governments to take measures to prevent uncoordinated and unplanned growth.</td>
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<td>1993</td>
<td>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).</td>
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<td>1994</td>
<td>To address public concerns, PDS focuses on the rural/urban interface and begins drafting policies for areas outside the IUGA.</td>
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<td>1995</td>
<td>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.</td>
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<td>1996</td>
<td>Several groups, collectively known as Sky Valley, file appeals to various provisions of the GMACP with the Central Puget Sound Growth Management Hearings Board (GMPHB). On Mar 12, 1996, the GMPHB issues a Final Decision and Order (FDO) in the Sky Valley 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.</td>
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<td>2005</td>
<td>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 GPM LU 1.B.</td>
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<td>2010</td>
<td>On July 14, 2010, in Amended Motion No. 10-186, council adds the RUTA as a placeholder to the list of 2011 GMACP amendments.</td>
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<td>2011</td>
<td>On February 9, 2011, in Motion No. 11-036, council removes the RUTA from the list of 2011 GMACP amendments.</td>
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<td>2013</td>
<td>SCT includes RUTA on 2011 work program but not on subsequent work programs. Council requests PDS include RUTA as an optional element in the Project Charter for the GMACP 2015 Update.</td>
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