RESOLUTION 2011-PP

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE APPROVING AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS, WHICH RATIFIES AND ADOPTS AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES.

WHEREAS, Pierce County Ordinance 2011-34s was passed on July 19th, 2011 by the Pierce County Council to amend the Countywide Planning Policies; and

WHEREAS, In order for the amendments to the Countywide Planning Policies to take effect, 60% of Pierce County jurisdictions representing 75% of the total Pierce County population must ratify adoption of the amendments; and

WHEREAS, The Town Council of Eatonville intends to ratify the adoption of the Pierce County Countywide Planning Policies, which are attached hereto as Exhibit A to Ordinance 2011-34s; and

WHEREAS, the Town of Eatonville has determined that the adoption of the County-wide Planning Policies through the Interlocal Agreement would be beneficial to the Town by creating consistency within the countywide planning policies;

NOW, THEREFORE,

THE TOWN COUNCIL OF THE TOWN OF EATONVILLE RESOLVES AS FOLLOWS:

Section 1. The Town Council hereby authorizes the Mayor to execute the Interlocal Agreement, which is attached hereto as Exhibit B to Ordinance 2011-34s, which adopts the "Amendments to the Pierce County Countywide Planning Policies," as marked exhibit A to Ordinance No. 2011-34s. The Interlocal Agreement constitutes a contract between the Town of Eatonville, Pierce County, and the Cities and Towns in Pierce County. The Interlocal Agreement will become effective upon execution.

Passed by the Council of the Town of Eatonville at a regular meeting this 24th day of October, 2011.

_____

Ray Harper, Mayor

ATTEST:

_____

Chrystal McGlone, Town Clerk

APPROVED AS TO FORM:

_____

Patricia Buchanan, Town Attorney

Pierce County Regional Council
2401 South 35th Street, Room 228
Tacoma, Washington 98409
(253) 798-7156

September 30, 2011

TO: Pierce County City and Town Mayors and Councilmembers
Pierce County Regional Council Members (PCRC)
Pierce County City and Town Clerks

SUBJECT: Interlocal Agreement - Amendments to the Pierce County Countywide Planning Policies – VISION 2040 Consistency

The Pierce County Regional Council (PCRC) recommended the attached amendments to the Pierce County Countywide Planning Policies (CPPs). As the first step in the ratification process the Pierce County Council adopted Ordinance No. 2011-34s on July 19, 2011. This action signifies Pierce County's approval of the proposed amendment to provide consistency between VISION 2040 and the PCCs and authorizes the Pierce County Executive to execute interlocal agreements with the Cities and Towns of Pierce County to ratify the proposal. This correspondence is the official transmittal of the PCRC's recommendation to amend the PCCs and request for ratification of the proposal.

The proposal is the incorporation of new and refinement of existing policies through an amendment to the Pierce County Countywide Planning Policies document. The proposal primarily stems from the adoption of VISION 2040, the Puget Sound region's multi-county planning policy document, and its requirement to update the Pierce County Countywide Planning Policies where necessary to ensure consistency between the two planning documents. The extent of the proposed policy change varies by topic. Either edits to existing policy language or new policy language is proposed associated with the following CPP sections: 1) Affordable Housing, 2) Agricultural Lands, 3) Economic Development 4) Education 5) Archaeological and Cultural Preservation, 6) Natural Resources, Open Space, Protection of Environmentally-Sensitive Lands, and the Environment 7) Transportation Facilities and Strategies, 8) Urban Growth Areas, Promotion of Contiguous and Orderly Development and Provision of Urban Services to Such Development, 9) Buildable Lands, and (10 Amendments and Transition. The proposed amendment also introduces three new policy sections to the document: 1) Community and Urban Design, 2) Health and Well-being, and 3) Rural.

The PCRC acknowledged that the proposed '09 Affordable Housing CPP amendment was still outstanding through its action to approve the proposed VISION 2040 Consistency amendment. A few additional jurisdictions were needed to ratify the '09 Housing policies. PCRC noted that if the '09 Housing policies are not ratified prior to forwarding the VISION 2040 amendment package to cities and towns, the '09 Housing policies that had previously been approved by the PCRC shall be incorporated in the VISION 2040 Consistency proposal. Since the PCRC's action, it was thought that the necessary number of jurisdictions had indicated approval to ratify the '09 Housing policies. Accordingly, the policy package approved by Pierce County Council does not identify the '09 Housing policies as proposed, rather the policies are reflected as existing language. Unfortunately, after the County Council's action, it was discovered that the '09 Housing policy package was actually one jurisdiction short for ratification. Subsequently, the

proposed Housing policies reflect changes recommended in a 2009 effort but have not yet been ratified.

The Pierce County Ordinance which includes the interlocal agreement and amendments to the Countywide Planning Policies and an explanatory sheet are included for your convenience. Please note that jurisdictions do not have the ability to make line item modifications. If your jurisdiction chooses to approve the proposal for ratification it needs to do so through an ordinance or resolution with the interlocal agreement and VISION 2040 Consistency amendment language. It would also be beneficial to notify Pierce County if your jurisdiction chooses to either not take action or take one in opposition to the proposal.

The Pierce County Countywide Planning Policies shall be ratified and become effective when 60 percent of the jurisdictions in Pierce County representing 75 percent of the total population adopt the amendments. This threshold correlates to 14 cities and towns and Pierce County representing a minimum of 601,612 people (based on 2011 OFM estimate).

Please expedite the passage of the interlocal agreement through your respective legislative bodies. After ratification by your jurisdiction, please send **two original signed copies** of the interlocal agreement and a copy of your resolution, ordinance, or meeting minutes authorizing approval to Pierce County Planning and Land Services, Attention: Toni Fairbanks, 2401 S. 35th Street, Room 228, Tacoma, WA 98409. One copy will be returned to your jurisdiction after it has been signed by the Pierce County Executive.

The Pierce County Ordinance which includes the interlocal agreement and amendments to the Countywide Planning Policies and an explanatory sheet are included for your convenience.

Thank you for your assistance. If you have any questions, please contact Dan Cardwell at 253-798-7039 (dan.cardwell@co.pierce.wa.us) or me at 253-798-7156 (toni.fairbanks@co.pierce.wa.us).

Sincerely,

Toni Fairbanks

Toni Fairbanks
Clerk, Pierce County Regional Council

Enclosures
c. Growth Management Coordinating Committee

PIERCE COUNTY REGIONAL COUNCIL

INTERLOCAL AGREEMENT
AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES

ATTACHED TO THIS COVER SHEET ARE:

- A copy of the County's Ordinance authorizing execution of the interlocal agreement and thereby ratifying the amendments to the Pierce County Countywide Planning Policies (CPP).

- A copy of the interlocal agreement showing the amendments to the CPP as approved by the PCRC in Attachment.

WHAT YOU HAVE TO DO:

1. Develop a similar ordinance or resolution in whatever form is used by your jurisdiction. It **is not** necessary for everyone to adopt identical documents.

2. Jurisdictions do not have the ability to make line item modifications; this is a pass or fail policy choice. The ordinance/resolution needs to include two attachments: 1) the interlocal agreement and 2) VISION 2040 Consistency amendments.

3. Have your Council vote on the ordinance/resolution.

4. Have the authorized agents for your jurisdiction sign the interlocal agreement.

5. Submit **two original copies** of your signed resolution/ordinance and interlocal agreement to Toni Fairbanks, Pierce County Planning and Land Services, 2401 S. 35th Street, Room 228, Tacoma, WA 98409.

WHAT HAPPENS NEXT:

Once ordinances/resolutions and interlocal agreements are approved by 60% of the jurisdictions representing 75% of the population in the County, the amendments will become effective. This threshold correlates to 14 cities and towns and Pierce County representing a minimum of 601,612 people (based on 2011 OFM estimate).

Sponsored by: Councilmember Rick Talbert
Requested by: Executive/Planning and Land Services

ORDINANCE NO. 2011-34s

An Ordinance of the Pierce County Council Acknowledging its Approval of a Proposed Amendment to the Pierce County Countywide Planning Policies for Consistency with VISION 2040 as Recommended by the Pierce County Regional Council; Authorizing the Pierce County Executive to Execute Interlocal Agreements with the Cities and Towns of Pierce County to Ratify the Proposed Amendments; Amending Chapter 19D.240 of the Pierce County Code, "Pierce County Countywide Planning Policies," upon Ratification; and Adopting Findings of Fact.

Whereas, the Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County Government (the County), and charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act [GMA] (Chapter 36.70A) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Pierce County Countywide Planning Policies; and

Whereas, the Pierce County Countywide Planning Policies are written policy statements which are to be used solely for establishing a countywide framework from which the County and municipal comprehensive plans are developed and adopted; and

Whereas, the framework is intended to ensure that the County and municipal comprehensive plans are consistent; and

Whereas, the County adopted its initial Countywide Planning Policies on June 30, 1992; and

Whereas, the GMA requires the adoption of multi-county planning policies for the Puget Sound Region; and

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Whereas, the Puget Sound Regional Council (PSRC) membership is comprised of central Puget Sound counties (King, Pierce, Snohomish and Kitsap), cities and towns, ports, tribes, and transit agencies; and

Whereas, the PSRC is the regional authority to adopt multi-county planning policies; and

Whereas, the PSRC adopted VISION 2040 at its May 2008 General Assembly meeting; and

Whereas, VISION 2040 is the central Puget Sound region's multi-county planning policies; and

Whereas, the Pierce County Countywide Planning Policies are required to be consistent with VISION 2040; and

Whereas, the Pierce County Growth Management Coordinating Committee (GMCC) is a technical subcommittee to the Pierce County Regional Council (PCRC), and the GMCC includes staff representatives from the County and the cities and towns within Pierce County; and

Whereas, the GMCC met in 2009, 2010, and 2011 to develop and refine policy language to reach consistency between the Pierce County Countywide Planning Policies and VISION 2040; and

Whereas, the GMCC completed its package of recommendations reflected in the proposed amendment language to the PCRC at its March 24, 2011 meeting; and

Whereas, the PCRC discussed the proposed amendment language over several meetings; and

Whereas, the PCRC, based upon the recommendation from the GMCC and its own discussions, recommended approval of the proposal at its April 21, 2011 meeting; and

Whereas, amendments to the Pierce County Countywide Planning Policies must be adopted through amendment of the original interlocal agreement or by a new interlocal agreement ratified by 60 percent of member jurisdictions in Pierce County representing 75 percent of the total population; and

Whereas, an Interlocal Agreement entitled "Amendments to the Pierce County Countywide Planning Policies" has been developed for this purpose, and is included as Exhibit B to this Ordinance; and

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Whereas, the Pierce County Planning Commission, at its May 24, 2011, regular public hearing, reviewed the proposed amendments to the Pierce County Countywide Planning Policies and recommended approval; and

Whereas, an environmental review of the proposed amendments to the Pierce County Countywide Planning Policies was conducted pursuant to Chapter 43.21C RCW and a Determination of Nonsignificance was issued on September 29, 2010; and

Whereas, after a properly noticed public hearing, the Community Development Committee of the County Council considered oral and written testimony and forwarded its recommendation to the full Council; and

Whereas, the County Council held a public hearing on July 19, 2011, where oral and written testimony was considered; and

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

BE IT ORDAINED by the Council of Pierce County:

Section 1. The Pierce County Council acknowledges its approval of the amendments to the Pierce County Countywide Planning Policies recommended by the Pierce County Regional Council, which are attached as Exhibit A and are incorporated herein by reference.

Section 2. The Pierce County Executive is hereby authorized to execute the Interlocal Agreement, attached as Exhibit B and incorporated herein by reference, thereby ratifying the attached amendments to the Pierce County Countywide Planning Policies, and amending Chapter 19D.240 of the Pierce County Code, as recommended by the Pierce County Regional Council.

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Section 3. The Pierce County Council adopts Findings of Fact as shown in attached Exhibit C which is incorporated herein by reference.

PASSED this 19th day of July, 2011.

ATTEST:

Denise D. Johnson

Denise D. Johnson
Clerk of the Council

PIERCE COUNTY COUNCIL
Pierce County, Washington

Roger Bush

Roger Bush
Council Chair

Pat McCarthy

Pat McCarthy
Pierce County Executive
Approved ✓ Vetoed _____, this 27 day of July, 2011.

Date of Publication of
Notice of Public Hearing: June 22, 2011

Effective Date of Ordinance: August 6, 2011

Pierce County Council
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Tacoma, WA 98402

INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

BACKGROUND:

A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.

B. The Pierce County Countywide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement or by a new interlocal agreement. The Pierce County Countywide Planning Policies may be amended upon the adoption of amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification.

C. The amendment provides for consistency between VISION 2040, the central Puget Sound region's multi-county planning policies, and the Pierce County Countywide Planning Policies.

D. The Pierce County Regional Council recommended adoption of the proposed amendment on April 21, 2011.

PURPOSE:

This agreement is entered into by the cities and towns of Pierce County and Pierce County for the purpose of ratifying and approving the attached amendment to the Pierce County Countywide Planning Policies (Attachment).

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DURATION:

This agreement shall become effective upon execution by 60 percent of the jurisdictions in Pierce County, representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification. This agreement will remain in effect until subsequently amended or repealed as provided by the Pierce County Countywide Planning Policies.

SEVERABILITY:

If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

FILING:

A copy of this agreement shall be filed with the Secretary of State, Washington Department of Commerce, the Pierce County Auditor, and each city and town clerk.

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

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INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County Countywide Planning Policies.

IN WITNESS WHEREOF

This agreement has been executed

_____
(Name of City/Town/County

BY:

_____
(Mayor/Executive)

DATE:

_____

Approved:

BY:

_____
(Director/Manager/Chair of the Council)

Approved as to Form:

BY:

_____
(City Attorney/Prosecutor)

Approved:

By: _____
(Pierce County Executive)

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