

APPENDIX B - MEMORANDUM OF UNDERSTANDING
AN URBAN GROWTH MANAGEMENT AGREEMENT

MEMORANDUM OF UNDERSTANDING:
AN URBAN GROWTH MANAGEMENT AGREEMENT

CITY OF LACEY
CITY OF OLYMPIA
CITY OF TUMWATER
THURSTON COUNTY

June, 1988

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Figure 1--Map

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MEMORANDUM OF UNDERSTANDING
AN URBAN GROWTH MANAGEMENT AGREEMENT

I. PREFACE

This document sets forth agreement among Lacey, Olympia, Tumwater, and Thurston County on Urban Growth Management. The jurisdictions recognize the need for cooperation on land use planning and public service provision, because of the significant relationship between the two. The goals, policies, and implementation recommendations of this memorandum are to guide the actions of each jurisdiction. This memorandum does not, however, substitute for the land use planning of individual jurisdictions.

This memorandum sets forth a broad framework for phasing urban growth, public facilities, and services. The goals and policies in this Memorandum will be further accomplished by the implementation of LOTT Phase II, coordinated water system plans, surface water management plans, transportation plans, comprehensive plans, zoning, capital improvement plans, and other actions by the jurisdictions, either individually or jointly. Within the overall framework, as growth occurs there would continue to be open spaces, environmentally sensitive areas and variety in housing types, densities, and land use. The memorandum supports diversity and choice, rather than uniformity.

II. PURPOSE OF MEMORANDUM OF UNDERSTANDING

- A. To establish general guidelines for orderly growth of the urban area.
- B. To promote interjurisdictional communications and participation in planning for the urban area.
- C. To provide certainty about the types of land uses for the short-term and certainty and timely response in the decision-making process to change those uses as areas urbanize.
- D. To provide a framework for the more detailed land use and public service plans and studies of the jurisdictions.
- E. To make jurisdictional planning more comprehensive.
- F. To coordinate land use regulations and utility standards to minimize public and private costs.

III. GOALS

The following goals are what the jurisdictions intend to accomplish through this document:

- To concentrate urban development within planned urban areas and have it occur on municipal utilities.
- To provide high quality public services at the least cost.
- To encourage urban growth within a city's limits and gradually phasing outward from its urban core.
- To balance change with recognition of the distinct identities of neighborhoods and to support variety and choice in living and working environments.
- To maintain and protect significant natural resource, agriculture and environmentally sensitive areas of the cities and county.
- To maintain and protect rural, agriculture, and other natural resources outside of the long-term urban growth area.
- To protect ground water quality.

IV. POLICIES

A. POLICIES ON UTILITY PROVISION

1. Cities should be the primary utility providers in the UGM area. The county may provide utility service in that area on an interim basis, provided the developer agrees to annex to the city when contiguous. It is preferable for the county to contract with a city for interim utility provision; however, there may be situations in which the county would need to provide the service itself or through a private contractor, subject to agreement with the appropriate city.
2. Municipal utilities shall not extend beyond the short-term UGM area, except to correct existing sewage treatment problems in already developed areas, to address significant public health and safety problems outside the short-term UGM boundary, or because of purposes mutually agreed upon by the city in question and Thurston County.

B. POLICIES ON DEVELOPMENT STANDARDS

Development standards for water, sewer facilities, and roads within the short-term UGM area should be compatible and as uniform as possible. Innovative design concepts should be given consideration as a means of achieving these development standards.

C. POLICIES ON ANNEXATION

1. The county and cities shall actively support annexation of urban areas to cities. Annexation of unincorporated islands shall be actively encouraged and creation of new unincorporated islands shall be discouraged.
2. Cities should require an annexation commitment as a condition of utility service within the short-term UGM area.
3. Cities are encouraged to mutually adjust irregular or illogical shared boundaries.

D. POLICIES ON JOINT PLANNING

1. The jurisdictions within the Urban Growth Management Area commit to the joint land use planning process as described in Section VII.
2. Jurisdictional land use differences should be worked out at the earliest possible stage in the joint planning process.
3. The cities and county shall honor "Joint Plans" for three years after adoption or one year after annexation, whichever is longer.
4. The joint planning process, as described in Section VII, shall be followed for comprehensive plan amendments or rezones affecting an area covered by a Joint Plan for up to one year after annexation.
5. In the interim, prior to adoption of an area's first "Joint Plan," the cities shall honor county land use plan designations for at least eighteen months after annexation.
6. Where, prior to the date of this Agreement, two jurisdictions have separately adopted comprehensive plans for the same area, and where those plans are generally consistent, they shall be considered the Joint Plan for the area until future joint planning under the terms of this agreement is completed.
7. The joint land use and review process shall apply to proposed zoning changes in an area which is located both outside of city limits and outside a five-year sewer service zone established by the LOTT Wastewater Management Board, when such proposed changes would allow greater density.

V. FRAMEWORK FOR PHASING OF URBAN DEVELOPMENT

A. TWO-TIERED URBAN GROWTH AREA AND SURROUNDING RURAL AREA

To help achieve the goals of this Agreement, the jurisdictions shall establish a two-tiered urban growth area and a surrounding rural area based on the following three phases:

1. Short term urban growth area--an area within which urban growth will occur over the next 10 years. Policies and actions will emphasize provision of urban land uses and services and gradual phasing outward from the urban core rather than adopt a leapfrog pattern.

2. Long-term urban growth area--an area within which urban growth will occur over the 11 to 25 year time horizon as the short-term urban growth boundary moves out. Policies and actions will emphasize planning for longer term utility provision and preserving long-term urban development options.
3. Rural area--an area outside of the Urban Growth Management boundary in which very low intensity land uses will prevail over the next 25 years. Policies and actions will emphasize rural residential and natural resource protection.

B. POSSIBLE IMPLEMENTATION METHODS (OPTIONS)

The following is a list of optional implementation methods that might be used alone or in combination by the jurisdictions.

1. Within short-term urban growth area:
 - a. Establish high density zoning, reduce minimum lot sizes.
 - b. Use "planned unit development" and other provisions to promote higher densities and clustering.
 - c. Set minimum density levels for some zoning districts.
 - d. Establish compatible public service and development standards among jurisdictions.
 - e. Cities provide or assist in providing water and sewer service to urban development.
 - f. Require hook-up to municipal water and sewer when feasible.
 - g. Encourage annexations.
 - h. Cities require an annexation commitment as a condition of utility service.
2. Within long-term urban growth area.
 - a. Discourage subdivision into less than five-acre lots except when using subdivision phasing or development clustering to plan and allow for future increased density.
 - b. Establish low density zoning.
 - c. Establish split density zoning (e.g., one unit per five acres without municipal utilities and four units per acre or above with those utilities).
 - d. Prohibit utility extensions except to correct existing sewage treatment problems in already developed areas, to address emergency public health and safety problems, or because of purposes mutually agreed upon by the city in question and Thurston County.

- e. Undertake long-term utility planning.
 - f. Require community septic systems or dual plumbing to facilitate eventual sewer hook-up.
 - g. Adopt public service and development standards appropriate for short-term low-density development that preserves the ability for long-term urban development.
3. Within rural area (outside both boundaries but not including south county growth areas)
- a. Keep densities low enough to discourage leapfrogging of development.
 - b. Prohibit extension of municipal utilities (except to correct existing sewage treatment problems in already developed areas or to address emergency public health and safety problems).
 - c. Adopt rural public service and development standards.

C. IMPLEMENTATION PROCESSES

1. The Joint Land Use Planning Process will provide the mechanism for determining land uses, densities and zoning for the short-term and long-term urban area.
2. Joint utility planning processes (e.g., LOTT Phase II) will determine the utility standards and policies for the short-term and long-term urban area.
3. Joint land use and utility planning processes should be coordinated so that the resulting plans will be compatible.
4. The Urban Growth Management Subcommittee of the Regional Council should meet approximately quarterly to monitor progress and address concerns from the public.

VI. URBAN GROWTH MANAGEMENT BOUNDARIES

A. ESTABLISHMENT OF SHORT-TERM AND LONG-TERM URBAN GROWTH MANAGEMENT BOUNDARIES AND JOINT PLANNING AREAS

The short-term and long-term Urban Growth Management Boundaries and Joint Planning Areas are hereby adopted as shown in Figure I. Amendments to Figure I are processed in accord with subsection B of this section, or by agreement of all parties to this memorandum.

- B. PROCESSES FOR REVIEWING AND EXPANDING THE SHORT-TERM BOUNDARY
1. Triggering Mechanism for Expanding the Short-Term Boundary
 - a. The triggering mechanism for boundary expansion will:
 - (1) Be based on development that occurs within cities;
 - (2) Be based on the percentage of developable land that exists within the cities as of the effective date of this Agreement.
 - b. As development (actual construction) occurs within the city, it triggers the need to expand the short-term boundary by the number of acres that will maintain the percentage of developable land.
 - (1) Annexation of undeveloped property does not trigger a boundary expansion.
 - (2) Development in the short-term boundary that occurs after the effective date of this Agreement triggers a boundary expansion only when it annexes.
 - c. The short-term boundary may be expanded through the joint planning process at the city's option when the city reaches a threshold of 100 developed acres.
 2. In addition to the triggering mechanism, any city or the county may propose an expansion of the short-term urban growth boundary for any reason consistent with the principles embodied in the Memorandum of Understanding.
 3. Short-Term Boundary Expansion Process
 - a. The short-term urban growth boundary is moved through the joint planning process either in response to the triggering mechanism or a proposed change by one of the jurisdictions.
 - b. Joint plans should identify in advance the priority areas of future boundary expansion.
 - c. Regional growth capacity issues shall be a part of the consideration of the boundary expansion by the city and county.
 - d. When the county and city reach agreement on the boundary change, they shall notify the TRPC Urban Growth Management Subcommittee so that the map accompanying the Memorandum of Understanding can be revised to reflect the change.

C. RELATIONSHIP OF URBAN GROWTH, WATER AND SEWER BOUNDARIES

1. The 25 year Wastewater Management Area Boundary and the Urban Water Supply Service Area Boundary should be the same as the long term Urban Growth Management Boundary with the following exceptions:
 - a. Where there is existing municipal water or sewer service outside the long-term UGM boundary.
 - b. Where engineering studies require water or sewer lines to go outside the long-term UGM boundary in order to provide effective, reliable service to areas inside that boundary in the future.
2. The water service areas and sewer service areas for individual cities should be the same as the Joint Planning Areas designated in this Memorandum.

Note: Water service boundaries are shown in the Coordinated Water System Plan Areawide Supplement and sewer service boundaries are shown in the LOTT Phase II study.

VII. JOINT LAND USE PLANNING AND REVIEW PROCESS

A. JOINT PLANNING--PROCESS FOR DIRECT INTERJURISDICTIONAL PARTICIPATION IN PLANNING

The following are guidelines for developing a Joint Plan:

1. Develop a schedule or sequence of joint planning work.

INTENT: There must be agreement on the sequence of planning by joint planning area. In some instances, portions of a joint planning area, rather than the entire area, may be targeted for revision through joint planning.

2. Staff of city(ies) and county develop scope of work, timing and budget for joint planning work during budget process for jurisdictions.

INTENT: There must be agreement on the scope of work, and budget requests should reflect that agreement.

3. Jurisdictions approve scopes of work and budgets for projects in upcoming year.

INTENT: For unscheduled work, the affected jurisdictions would need to work out a schedule and scope of work on a case by case basis.

4. Background research, information gathering done by joint staff. Preparation of joint staff reports.
5. Citizen and Planning Commission (P.C.) review.

- a. Joint city/county P.C. meetings to review material, develop alternatives and recommendations.
- b. Individual P.C. meetings as needed.
- c. Joint city/county P.C. meetings to review recommendations and develop consensus.
- d. Joint city/county P.C. hearings
- e. Each P.C. would take separate action to approve the joint plan.

INTENT: Requires substantial time commitment by both P.C.'s. Subcommittees could be used. Provides for both joint and individual planning commission activities in preparing the plan. Intent is to resolve conflicts at P.C. stage of plan development.

- f. If there is conflict in P.C. recommendations, the city and county elected officials will meet to resolve.
- g. Adoption by City Council and County Commissioners.

INTENT: There may be two different plans reflecting differences in city/county designations. There may also be different development phases or transitional densities recognized for the same area within a joint plan. Any substantive conflicts would be resolved. Nothing alters the legal decision-making authority of the jurisdictions (i.e., city makes land use decisions inside city and county makes land use decisions in the unincorporated area).

6. The jointly adopted plan is the basis for county planning decisions and becomes the pre-annexation comprehensive plan for the city to use when annexations are proposed.

INTENT: The goal is to reach agreement at the planning stage in order to avoid conflicts at the annexation stage before the Boundary Review Board.

7. The cities and county shall honor the Joint Plan for three years after adoption or one year after annexation, whichever is longer.
8. There will continue to be direct joint involvement in any plan amendment or rezone processes affecting the area up to one year after annexation.

INTENT: There shall be a minimum period of time during which the jurisdictions will continue to jointly participate in planning decisions affecting the Joint Plan area. After that, the process in Section VII (C) shall be followed.

B. DECLARATION OF JOINT PLANS

The legislative body of each city and the county has the final authority to declare the adoption of joint plans. Both legislative bodies must accept the joint plan for it to be officially adopted.

C. INTERJURISDICTIONAL NOTICE REQUIREMENTS

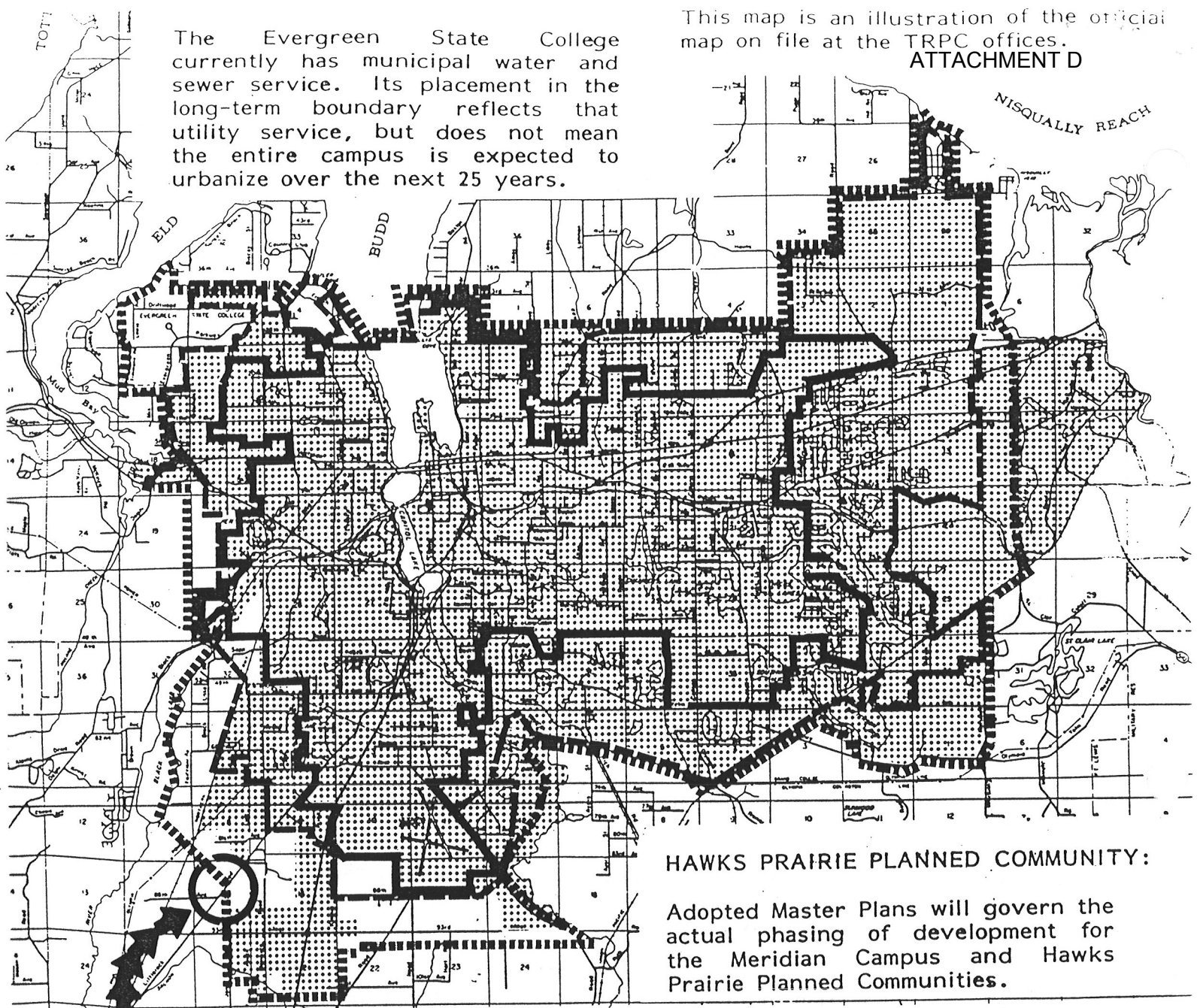
1. Each city shall notify the county of any comprehensive plan amendment, zoning amendment or any discretionary land use permit within 1000 feet of that city's corporate boundary. Such notification shall be adequate to provide county staff the opportunity to review and comment on any application prior to a planning commission or hearings examiner recommendation or final city action.
2. The county shall notify a city of any discretionary land use permit, zoning amendment, or comprehensive plan amendment within its joint planning area. Such notification shall be adequate to provide city staff the opportunity to review and comment on any application prior to a planning commission or hearings examiner recommendation or final county action.
3. A city processing any discretionary land use permit, zoning amendment, or comprehensive plan amendment within 1000 feet of another city's corporate boundary or joint planning area shall notify that city of said action. Such notification shall be adequate to provide city staff the opportunity to review and comment on any application prior to a planning commission or hearings examiner recommendation or final city action.
4. Any Determination of Significance (pursuant to the State Environmental Policy Act) shall be provided to all parties of this Memorandum.

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VIII. URBAN GROWTH MANAGEMENT
GLOSSARY

<u>compatible</u>	Capable of existing together in harmony (as distinguished from identical).
<u>comprehensive plan</u>	A long-range plan intended to guide the growth and development of a community as specified by RCW 36.70, 35.63, or 35A.63.
<u>development standards</u>	Minimum standards for new development required by local government for the provision of roadways, fire and building safety improvements, and utilities.
<u>joint plan</u>	A comprehensive plan prepared for a geographic area that is jointly prepared and adopted by the county and the city.
<u>joint planning</u>	The process described in Section VII of this Memorandum.
<u>joint planning area</u>	The portion of the unincorporated county which is the future growth and service area of a city and for which planning will occur jointly between the county and that city. (See Figure 1 for specification of Joint Planning Area boundaries).
<u>leapfrog development</u>	New development that is not contiguous with existing development and that leaves substantial vacant land in between.
<u>phasing of development</u>	The gradual progression of new development outward from existing developed areas, supported by necessary public facilities and services.
<u>public services</u>	The full range of services traditionally provided by local government including police and fire protection, roads, utilities, schools and parks.
<u>rural</u>	The area planned for low intensity residential and resource land uses.
<u>triggering</u>	The mechanism by which the short-term urban growth area expands in response to development that occurs within cities.
<u>urban</u>	Commercial, residential and industrial development that requires municipal utilities. Urban residential development is generally four or more units per acre.
<u>urban core</u>	The area within the three cities and the urbanized unincorporated area close to city limits.
<u>utility</u>	Refers to sewage service consistent with the LOTT Urban Area Wastewater Management Plan and to water service consistent with the Thurston County Coordinated Water System Plan.

The Evergreen State College currently has municipal water and sewer service. Its placement in the long-term boundary reflects that utility service, but does not mean the entire campus is expected to urbanize over the next 25 years.







HAWKS PRAIRIE PLANNED COMMUNITY:

Adopted Master Plans will govern the actual phasing of development for the Meridian Campus and Hawks Prairie Planned Communities.

The long-term UGM boundary and the location of the sewer interceptor in this area will be finalized through joint planning between Thurston County and the City of Tumwater, consistent with the principles of this agreement.

The boundary south of Yelm Highway is illustrative only. The intent is for those properties south of Yelm Highway and north of Deschutes River that access off of Henderson Boulevard to eventually annex to Tumwater.

- EXISTING UGM AREA** 
- SHORT-TERM UGM BOUNDARY** 
- LONG-TERM UGM BOUNDARY** 
- CITY LIMITS** 

October 1987