

Joint Comprehensive Plan Amendment Process

According to the Growth Management Act (GMA), counties and the cities within them are required to designate urban growth areas (UGA's). Urban growth is to be encouraged within the UGA, and growth should occur outside of the UGA if it is not urban. Thurston County and the City of Olympia jointly plan for areas within Olympia's unincorporated urban growth area. County Wide Planning Policies establish a broad framework for this joint planning effort. A Memorandum of Understanding signed by the County and Olympia, Lacey, and Tumwater provides more specific direction on the process (see applicable section, attached.)

The jointly adopted plan or zoning will serve as the basis for County planning decisions and as the pre-annexation comprehensive plan for the city to use when annexations are proposed. Policy LU 5.1 in Olympia's Comprehensive Plan regarding the UGA states, "... Establish the same zones in both the county and city (pre-annexation zoning) to provide predictability for property owners and the public, and to facilitate utility and transportation planning." The purpose of this provision is to spare the larger community the expense of retrofitting the development to meet urban standards (water, sewer, stormwater, roadways) upon eventual annexation.

Planning Commissions Role:

Following the joint public hearing of the Thurston County Planning Commission and the Olympia Planning Commission, each Commission will deliberate on their own and forward their recommendation to their respective policy board. The role of the Olympia Planning Commission in this instance is the same as for all other matters – to serve as a recommending body to the Olympia City Council. The Olympia City Council will make a decision that will be forwarded to the Board of County Commissioners. The final decision will rest with the Board of County Commissioners, even if the City and County do not agree.

The issues before the Planning Commission regard Future Land Use designations for areas in the UGA, and zoning for these areas. The issues are not related to specific projects. Should the proposed designations/zoning be approved, a developer could then submit an application to develop to those standards. Specific impacts associated with projects (noise, traffic, environmental protection, design) would be assessed once a specific project has been submitted. As long as the land is within County jurisdiction, the project would be subject to the County's development standards. The City and County have adopted consistent (but not quite identical) regulations for areas in the unincorporated UGA. The City has an opportunity to provide comments on projects within the UGA.

Evaluation Criteria for Future Land Use Designation and Pre-Zoning:

Thurston County is the lead agency responsible for analysis of the current proposals. As part of the joint planning process, City staff provides a recommendation to the Olympia Planning Commission and City Council regarding the proposals. The City does not have formal criteria for evaluating proposed joint Plan amendments in the UGA. However, staff found the following

framework for analyzing Comprehensive Plan amendments and rezones within City limits to be a helpful framework, as well might the Commission:

Olympia Municipal Code 18.59.040 Final review and evaluation

A. The Department shall distribute the final docket of proposed amendments, including rezones, to any state or local agency which is required by law to receive notice of proposed amendments and revisions to the Comprehensive Plan and implementing development regulations within the time required. In addition, the Department shall distribute the final docket of proposed amendments to recognized neighborhood associations and other affected interests identified by the City Council. The Department shall include issues identified in amendment proposal analyses and conduct any review required by SEPA of the proposed amendments, including rezones, listed on the final docket.

B. The Department shall prepare a report including any recommendations on each proposed amendment, including rezones, on the final docket and forward the report to the Planning Commission. At a minimum the Planning Commission recommendation and the Council decision should address the following:

- 1. Does the proposed amendment or revision maintain consistency with other plan elements or development regulations? If not, are amendments or revisions to other plan elements or regulations necessary to maintain consistency with the current final docket that will be considered by the Planning Commission and the City Council?**
- 2. Is the proposed amendment or rezone consistent with the goals of the Comprehensive Plan?**
- 3. Is the proposed amendment or revision consistent with the county-wide planning policies?**
- 4. Does the proposed amendment or rezone comply with the requirements of the GMA?**

18.59.050 Decision criteria for rezone requests

The Department shall forward rezone requests to the Planning Commission for review and recommendation and to the City Council for consideration for review and action. The following criteria will be used to evaluate the rezone request.

- A. The rezone is consistent with an approved amendment to the future land use map.**
- B. The rezone is consistent with the Comprehensive Plan; and**
- C. The rezone will maintain the public health, safety, or welfare; and**
- D. The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and**
- E. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.**

18.59.060 Planning Commission and City Council review and adoption process

- A. Following one or more public hearings the Planning Commission shall forward its written recommendation regarding each amendment, including rezones, to the Council.**
- B. The Council shall review the recommendations of the Planning Commission, may hold a public hearing, and shall decide whether to adopt, modify and adopt, reject or defer to a later date, each proposed amendment, including rezones.**
- C. Each proponent shall be notified by mail of all public hearings and of the Council's final decision.**

1. County lead in review process to Hearing Examiner for public hearing.
2. County coordinates Presubmission Conference.
3. When needed, the County routes and reviews application with city staff for project compliance with appropriate development standards and SEPA.
4. County issues complete application letter and notice of application.
5. County completes SEPA review and issues determination with comment period and appeal process to Hearing Examiner.
6. City will provide timely comments on applications prior to setting a hearing date, consistent with County regulatory reform time lines.
7. City will defer to County staff on matters of interpretation and exercise of discretionary judgement.
8. County staff prepares report for Hearing Examiner which would include any city issues.
9. County Hearing Examiner issues decision which is appealable to the Board of County Commissioners.
10. County staff responsible for appeal process to Board.

Section 3: Joint Plan and Land Use Code Amendments (zoning, platting, shoreline, critical areas and comprehensive joint plans), for north county urban growth areas (Section 12 of MOU).

- A. County and Cities will coordinate docketing of all proposed amendments to joint plans and codes each year. County docket for development regulations will only include UGA zoning amendments that have been adopted by Cities.
- B. County and Cities will initiate early discussions prior to proposing any amendments to plans or codes, that effect their urban growth areas. Cities and County will determine whether a proposed change will affect the other jurisdiction prior to drafting amendments.
- C. County and City staff will attempt to reach agreement on amendments prior to presenting drafts to either Planning Commission. Additional time will be provided in the review schedules for this coordination to occur. If agreement cannot be reached, staffs will identify the differing actions that may be taken by the City and County.
- D. County and City staff will coordinate public hearings and notices, for Joint Plan Amendments.

- E. The jurisdiction initiating a code amendment will assist the other jurisdiction in processing the amendment through the other jurisdiction's Planning Commission and elected body. Assistance needs may include some or all of the following, depending on the scope and complexity of the proposal:
 1. Provide a bill format version of the proposed amendment;
 2. Provide briefings and supporting or background information;
 3. Assist in the preparation of SEPA review;
 4. Assist in the preparation of public involvement materials;
 5. Assist in responding to public inquires and public testimony; and
 6. Assist in working through issues in work sessions.

- F. City Staff will provide support to County Staff for all amendments to the joint plans and North County Urban Areas Land Use Codes. This support will include assisting County staff in responding to any concerns by the public, Planning Commission and Board of County Commissioners. City and County staffs will follow the procedures agreed too, through the discussion process hosted by the Thurston Regional Planning Council, and described in the "Administrative Changes, Comprehensive Plan Amendment Process" of March 1997, or as modified through mutual agreement.

- G. County and City staff will prepare and forward Planning Commission recommendations to their elected officials including SEPA review.

- H. City staffs will assist County staff in presenting joint plans and Urban Growth Area code amendments to the Board of County Commissioners.

- I. In recognition of County wide Planning Policy 3.4, cities will accept Board of County Commissioner's final joint plan actions, and will assist in the preparation of joint plan documents consistent with Board action for unincorporated urban growth areas.

Section 4: Process for resolving disagreements over the implementation of the MOU Agreement. (Section 12 of MOU)

- A. County and City staffs will work together in a trustful, responsive, professional and timely manner in all aspects of the joint review process and in the implementation of this MOU.

- B. County and City staffs will attempt to work toward mutual agreement in all areas of the MOU.