



2401 South 35th Street  
Tacoma, Washington 98409-7460

**Application No. 844244      COMPREHENSIVE PLAN TEXT AMENDMENT – Create Potential Incorporation Area (PIA) For Tehaleh.**

Applicant:      NASH Cascadia Verde, LLC

**GENERAL DESCRIPTION**

The proposal adds policy language to the Pierce County Comprehensive Plan to establishing a new approach to identify and affiliate Potential Incorporation Areas (PIAs). The proposal also identifies the Tehaleh area as a PIA.

**PROPOSED TEXT AMENDMENT**

Land Use Element, Pages 2-15 through 2-18

**URBAN GROWTH AREA**

An Urban Growth Area (UGA) is defined by a boundary which is intended to graphically show the separation of lands expected to be urban from those lands expected to be rural or devoted to mining, forestry, or agriculture. Each city and town within the County must fall within an Urban Growth Area. Additionally, urban lands in unincorporated portions of the County should be within an urban growth boundary. The Growth Management Act (GMA) bestows the responsibility for designating these UGAs upon the County; and further, GMA requires that the designations be contained in the County's Comprehensive Plan.

**ANNEXATION**

Although the County has the ultimate responsibility for defining the UGAs, the design of the Urban Growth Area scheme is the result of a collaborative process with the cities and towns of the County....

... The biannual plan amendment process, as authorized by RCW 36.70A.130(2) and PCC 19C.10, will be used to designate Urban Growth Areas, as necessary, for cities and towns as the County's growth management abilities evolve. Likewise, it is expected that the plan amendment process will be critical in allowing necessary adjustments to the PAAs of jurisdictions within the UGA and making necessary and reciprocal modifications to the UGA itself.

**INCORPORATION**

In addition, the County has identified a Potential Incorporation Area (PIA) for the Employment Based Planned Community (EBPC) of Tehaleh and expects to designate additional PIAs upon further review. The Tehaleh PIA designation was based upon a variety of factors including: its size and projected population, which are comparable to those of other cities in Pierce County; its EBPC designation and master plan, distinguishing it from other urban areas; its separate

geographical identity, removed from nearby cities through distance, land use and topography; its mixture of urban densities and other uses needed for a complete city, including employment, civic, commercial, park and other uses; uses that establish a viable potential tax base; a sense of unique identity and community that has already developed; the provision of urban services that are planned to serve the whole development, largely financed by the residents and not provided by nearby cities. These factors, as well as the expressed views of current residents make incorporation a strong potential. PIAs are identified as part of the County's Comprehensive Plan.

This PIA designation includes additional parcels that are owned by others within the general boundaries of Tehaleh. These additional parcels are part of the logical boundary of the future incorporation area. Although they are not part of the Tehaleh Master Plan, they are in the UGA, are in the Cascadia Sewer Service Area, are served by the same street network and are physically located so that they should be part of the same municipality.

#### ANNEXATION AND URBAN GROWTH AREA EXPANSION

GOAL LU-1 Promote the annexation of adjacent unincorporated urban areas by the neighboring city or town and the incorporation of suitable areas.

LU-1.1 Pierce County shall encourage annexation of adjacent unincorporated urban areas by neighboring cities and towns through outreach to residents, land owners, and other stakeholders.

GOAL LU-2 All unincorporated urban areas within the urban growth area shall be either be affiliated with neighboring cities and towns as Potential Annexation Areas (PAAs) or identified as Potential Incorporation Areas (PIAs) ~~areas to be incorporated~~.

LU-2.1 Overlapping PAAs are not encouraged but may exist where two or more jurisdictions have mutual interest in an area.

LU-2.2 Any modification to an established PAA shall not result in an unincorporated urban island that is not affiliated with any city or town.

LU-2.3 The general preference is for unincorporated urban areas to be affiliated with neighboring cities or towns rather than being identified as a PIA. ~~potential area for incorporation~~. However, a PIA designation can be established where incorporation of an area is appropriate based upon: logical geographic boundaries; size; population; a potential tax base to support a City; a variety of uses needed for a City, including residential, businesses, civic and recreational; urban services and facilities provided other than by adjacent cities; a community identity; and other appropriate factors.

#### STAFF RECOMMENDATION

Staff supports the proposal. Staff finds the proposal is consistent with provisions in Growth Management Act (GMA), Multicounty Planning Policies (Vision 2040), Countywide Planning Policies (CPPs), and the Comprehensive Plan in reference to demonstrating a need to affiliate areas of the County's unincorporated Urban Growth Area (UGA) for incorporation or

annexation. While annexation is encouraged over incorporation, some areas may make more sense to incorporate based on location, size, and economic characteristics, and this text amendment addresses those instances in further detail.

## IMPLEMENTATION REQUIREMENTS

N/A

## PUBLIC AND AGENCY COMMENTS

The City of Orting provided a letter outlining both support of the proposal, and concerns about the process and result of incorporation. The City is in support of the existing and proposed policies and would like to see them implemented. Orting wants to ensure communication and coordination between the County, City, and Tehaleh's PIA.

## IMPACT ANALYSIS

*Procedures for Amendments to the Comprehensive Plan*, PCC 19C.10, requires that the merits of all amendments to the Plan be evaluated based on the following (PCC 19C.10.060 A.):

1. The effect upon the rate of growth, development, and conversion of land as envisioned in the Plan

The proposal to establish policies for affiliating areas as Potential Incorporation Areas (PIAs), would not affect the rate of growth, development, and conversion of land. As the majority of the Tehaleh area is an Employment Based Planned Community (EBPC), and is planned for full buildout through a development agreement, identifying it as a PIA would not directly affect the rate of growth, development, or conversion of land.

2. The effect upon the County's capacity to provide adequate public facilities

The policies require PIAs to be supported by existing urban services and facilities provided by entities other than adjacent cities.

The proposed Tehaleh PIA is within Pierce County's current sanitary sewer service area and is partially served by sewer. The proposal is within the retail water service area for the City of Tacoma. The proposed amendment area is within both the Sumner and Orting School Districts, and within the East Pierce Fire District.

3. The effect upon the rate of population and employment growth

The proposal to establish policies for affiliating areas as Potential Incorporation Areas (PIAs), would not affect the rate of population and employment growth. As the majority of the Tehaleh area is an Employment Based Planned Community (EBPC), and is planned for full buildout through a development agreement, identifying it as a PIA would not directly affect the rate of population and employment growth.

4. Whether Plan objectives are being met as specified or remain valid and desirable

The proposal further supports and implements existing policies that promote affiliation of the unincorporated urban area for potential incorporation if not identified as a Potential

Annexation Area. The Tehaleh area is not currently adjacent to a city or town boundary that would enable annexation.

5. The effect upon general land values or housing costs

The proposed policies would not affect general land values or housing costs.

6. Whether capital improvements or expenditures, including transportation, are being made or completed as expected

The proposed policies would require urban services and facilities to be in place prior to affiliating an area as a PIA.

7. Whether the initiated amendment conforms to the requirements of the GMA, is internally consistent with the Plan and is consistent with the Countywide Planning Policies for Pierce County

The proposal is consistent with the Growth Management Act (GMA), Multicounty Planning Policies (Vision 2040), Pierce County Countywide Planning Policies (CPPs), and the Pierce County Comprehensive Plan. The provisions associated with each of these emphasize that the UGA should be designated as a Potential Annexation or Incorporation Area. Vision 2040 directs Counties to affiliate all of unincorporated urban areas to be annexed or incorporated.

This proposal would address an issue with Puget Sound Regional Council's conditional certification of the County's Comprehensive Plan. The proposal is consistent with the CPPs and Comprehensive Plan policies that emphasize that UGAs should be affiliated with an area to annex or incorporate. The proposal designates an area for future incorporation into a city or town.

8. The effect upon critical areas and natural resource lands

There would be no change to critical areas or natural resource lands based on the proposal.

9. Consistency with locational criteria in the Comprehensive Plan and application requirements established by this Chapter

N/A

10. The effect upon other considerations as deemed necessary by the Department

The proposal would support the proposed map change for the Tehaleh PIA. In order to incorporate an area affiliated as a PIA, a vote of the residents is required.

***Applicable RCWs/Policies***

**GROWTH MANAGEMENT ACT (GMA)**

**RCW 36.70A.110:** (1) Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located

in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350.

## MULTICOUNTY PLANNING POLICIES (VISION 2040)

### **Development Patterns Policies, Page 53**

**Goal:** All unincorporated lands within the urban growth area will either annex into existing cities or incorporate as new cities.

**MPP-DP-18:** Affiliate all urban unincorporated lands appropriate for annexation with an adjacent city or identify those that may be feasible for incorporation. To fulfill the regional growth strategy, annexation is preferred over incorporation.

**MPP-DP-19:** Support joint planning between cities and counties to work cooperatively in planning for urban unincorporated areas to ensure an orderly transition to city governance, including efforts such as: (a) establishing urban development standards, (b) addressing service and infrastructure financing, and (c) transferring permitting authority.

**MPP-DP-20:** Support the provision and coordination of urban services to unincorporated urban areas by the adjacent city or, where appropriate, by the county as an interim approach.

## PIERCE COUNTY COUNTYWIDE PLANNING POLICIES (CPPS)

### **Urban Growth Areas, Promotion of Contiguous and Orderly Development and Provision of Urban Services to Such Development Policies, Pages 83-84, 86-87**

**UGA-1.** The County shall designate the countywide urban growth area and Potential Annexation Areas within it, in consultations between the County and each municipality.

1.2 Once adopted by the County, the urban growth area and Potential Annexation Area designations shall not be changed except in accordance with the Countywide Policy on "Amendments and Transition."

**UGA-3.** Potential Annexation Areas shall be designated through the Pierce county Comprehensive Plan in consultation with cities and towns.

3.2 Potential Annexation Area boundaries shall be determined with consideration for the following additional factors;

3.2.1 the VISION 2040 document, including Multicounty Planning Policies;

3.2.2 the carrying capacity of the land considering natural resources, agricultural land and environmentally-sensitive lands;

3.2.3 population, housing, and employment projections;

3.2.4 financial capabilities and urban services capacities;

- 3.2.5 consistency and compatibility with neighborhood, local and regional plans;
- 3.2.6 the existing land use and subdivision pattern;
- 3.2.7 property access and ownership.
- 3.3 Potential Annexation Areas should not overlap or leave unincorporated urban islands between cities and towns.
  - 3.3.1 Future requests to establish a new Potential Annexation Area shall not result in an overlap with an existing Potential Annexation Area or create islands between cities and towns.
  - 3.3.2 Cities and towns with existing Potential Annexation Area overlaps should work toward resolving the existing overlaps.

## PIERCE COUNTY COMPREHENSIVE PLAN

### Land Use Element, Pages 2-18 through 2-19

GOAL LU-2 All unincorporated urban areas within the urban growth area shall be either be affiliated with neighboring cities and towns as Potential Annexation Areas (PAAs) or identified as potential areas to be incorporated.

LU-2.2 Any modification to an established PAA shall not result in an unincorporated urban island that is not affiliated with any city or town.

LU-2.3 The preference is for unincorporated urban areas to be affiliated with neighboring cities or towns rather than being identified as a potential area for incorporation.

GOAL LU-3 Pierce County should establish a program that explores the possibility of incorporation of identified areas.

LU-3.1 Pierce County should establish stakeholder groups of local residents, service providers, businesses, and other interested parties to identify opportunities and challenges associated with the incorporation of identified areas.

LU-3.2 Pierce County should explore the economic viability of incorporation through the completion of incorporation feasibility studies. An incorporation feasibility study should include at a minimum:

LU-3.2.1 The area proposed to be included;

LU-3.2.2 Current estimate and future projections of population;

LU-3.2.3 Existing land uses and housing;

LU-3.2.4 Per capita assessed valuation;

LU-3.2.5 Current services provided to the community by the County, special purpose districts, school districts, other countywide authorities, and the state;

LU-3.2.6 Analysis of tax and revenue options for the operations of a new city;

LU-3.2.7 Revenue estimates;

LU-3.2.8 Expenditures – proposed city budget including operating expenditures and capital facilities and equipment expenditures;

LU-3.2.9 Land use policy;

LU-3.2.10 Provision of services by new city and impacts upon current service providers;  
and

LU-3.2.11 Analysis of alternatives.