



**Office of the Mayor and Other Concerned Cities**

April 26, 2016

Puget Sound Regional Council Executive Board  
Mayor John Marchione, – *President*  
Executive Dave Somers, – *Vice President*  
Commissioner Glen Bachman, Port of Everett  
Mayor Nancy Backus, City of Auburn/Other Cities in King County  
Councilmember Claudia Balducci, King County  
Commissioner Shiv Batra, Washington State Transportation Commission  
Commissioner Cary Bozeman, Port of Bremerton  
Councilmember Tim Burgess, City of Seattle  
Executive Dow Constantine, King County  
Mayor Suzette Cooke, City of Kent  
Commissioner John Creighton, Port of Seattle  
Councilmember Dino Davis, City of Bremerton  
Mayor Becky Erickson, City of Poulsbo/Other Cities in Kitsap County  
Mayor Jim Ferrell, City of Federal Way  
Commissioner Charlotte Garrido, Kitsap County  
Mayor Dave Hill, City of Algona/Other Cities in King County  
Councilmember Rob Johnson, City of Seattle  
Mayor Denis Law, City of Renton  
Mayor Ron Lucas, Town of Steilacoom/Other Cities in Pierce County  
Commissioner Dick Marzano, Port of Tacoma  
Executive Pat McCarthy, Pierce County  
Acting Secretary Roger Millar, WSDOT  
Mayor Ed Murray, City of Seattle  
Councilmember Mike O'Brien, City of Seattle  
Councilmember Terry Ryan, Snohomish County  
Mayor Ray Stephanson, City of Everett  
Mayor John Stokes, City of Bellevue  
Mayor Marilyn Strickland, City of Tacoma  
Councilmember Rick Talbert, Pierce County  
Councilmember Mike Todd, City of Mill Creek/Other Cities in Snohomish County  
Mayor Barbara Tolbert, City of Arlington/Other Cities in Snohomish County  
Mayor Amy Walen, City of Kirkland  
1011 Western Avenue, Suite 500  
Seattle, WA 98104-1035

Re: Conditional Certification of Comprehensive Plans

Dear Boardmembers:

The undersigned small cities have all received a “Conditional Certification” of their respective Comprehensive Plans adopted under the Washington State Growth Management Act (GMA) generally as a result of meeting and/or exceeding their housing or employment growth targets adopted by King County. The purpose of this letter is to encourage the Puget Sound Regional Council Executive Board (Board) to either provide full certification of such Comprehensive Plans or alternatively approve such Conditional Certifications but direct Puget Sound Regional Council (PSRC) staff to address the issues raised by this letter. PSRC has stated the Conditional Certifications will not jeopardize the ability of our cities to be equally competitive for federal grants and accordingly, we are asking the Board to approve the Conditional Certification if the Board requires additional time to study the below issues so our cities are able to fully participate in the upcoming grant cycle.

- **Background – PSRC’s Role in Comprehensive Plan Certification**

PSRC was designated by the Governor, under federal and state laws as the Metropolitan Planning Organization (MPO) which authorizes it to manage federal funding for transportation projects for eligible agencies and as the Regional Transportation Planning Organization (RTPO) for central Puget Sound region, which encompasses King, Kitsap, Pierce and Snohomish Counties. As the MPO and RTPO for the four-county region, PSRC was given specific tasks to collaboratively work with the four-county partners on regional growth management and transportation planning issues that require regional cooperation and coordination as necessary to ensure compliance with both the GMA and Vision 2040 .

PSRC is authorized under state law to be a “regional *transportation* planning organization.”<sup>1</sup> Our four counties then entered into an Interlocal Agreement consistent with state law that requires a “regional *transportation* planning organization to certify the consistency of all *transportation* provisions of city and county comprehensive plans.”<sup>2</sup> Although the GMA does not require “certification” of Comprehensive Plans”, it is recommended in the Washington Administrative Code.<sup>3</sup> PSRC’s expanded role beyond transportation into full certification of Comprehensive Plans is set forth in PSRC’s own manual wherein PRSC indicates they will review local plans for “transportation certification” and also assess overall consistency with VISION 2040 as directed by their own Framework Plan.<sup>4</sup>

PSRC’s “Conditional Certification” of our Comprehensive Plans as a result of our housing and/or employment growth targets appears to be beyond the scope of PSRC’s “*transportation* certification” authority described in the foregoing enabling ordinances and rules.

- **Rural Cities Designation is Inappropriate.**

The legislative purpose of the GMA is to foster growth in urban growth areas (UGA) and preserve lands in unincorporated rural areas. Vision 2040 created the new term “rural cities” which is contradictory to the GMA. GMA defines “rural” to mean land located *outside the*

---

<sup>1</sup> RCW 47.80.020

<sup>2</sup> Interlocal Agreement; RCW 47.80.023(3),(8). See also PSRC Plan Review Manual at 1-1.

<sup>3</sup> WAC 365-196-430(2)(a)(iii).

<sup>4</sup> PSRC Plan Review Manual at 1-3, PSRC Framework Plan

*urban growth area* in unincorporated King County.<sup>5</sup> All of the undersigned cities are located within UGAs and accordingly are required to grow at an urban density and GMA requires such growth. Thus, any effort to place a cap on market housing or employment growth is inconsistent with the GMA.

Until this year, PSRC has provided guidance to our small cities consistent with state law and our obligation to grow at urban densities. Vision 2040 directed our cities to build to urban densities to support pedestrian mobility, transit, and an efficient use of land along with “helping channel investments in infrastructure within already built-up areas – especially cities – and to discourage growth in rural areas”<sup>6</sup> Vision 2040 further described certain types of free-standing cities as “*urban islands surrounded by rural and resource lands*”. The description of free-standing cities states that these cities “should serve as hubs for relatively *higher density housing choices and as job and service centers for surrounding rural areas.*”<sup>7</sup>

Vision 2040 does not contemplate free-standing cities having a cap on either job growth or housing growth but being able to meet the needs of a vibrant urban city.

GMA requires that “urban growth occur in urban growth areas and that cities are the units of local government most appropriate to provide urban governmental services such as water, sewer, streets and other public services.”<sup>8</sup> Any restriction on a small city’s ability to foster urban density will exacerbate the city’s ability to fund the necessary urban services that the state law mandates.

- **Equitable Treatment of Cities Regardless of Size.**

All cities should be treated in a similar fashion regardless of population size. Since Vision 2020 and Vision 2040, there are many medium and large cities who have been unable to achieve their housing and employment growth targets. However, we are not aware of these cities receiving “Conditional Certifications” of their Comprehensive Plans. If medium and large cities continue to receive full certification, we ask that the undersigned small cities also receive full certification of their respective Comprehensive Plans.

- **Growth Targets are a Floor, Not a Ceiling.**

Since the inception of the growth targets, the targets have been considered a “floor” not a “ceiling” and have been administered and articulated as such by PSRC until now. The GMA expressly states that cities are obligated to provide “sufficient land capacity for growth” to meet “allocated housing and employment growth” but are not restricted from providing excess land capacity for growth.<sup>9</sup>

---

<sup>5</sup> RCW 36.70a.030(16)

<sup>6</sup> Vision 2040 page 14 Urban Land.

<sup>7</sup> Vision 2040.

<sup>8</sup> RCW 36.70A.110(3) and (4).

<sup>9</sup> RCW 36.70A.115

- **Conclusion - Good Governance and Affordable Housing.**

In conclusion, the undersigned small cities who have proactively executed smart growth planning principles aligned with the Growth Management Act and Vision 2040 should receive full Certification. It is stated within Vision 2040 that "*people, prosperity and planet*" provides the central theme of Vision 2040. This is the core fabric of good governance. The Urban Growth Areas were established and cities planned accordingly for urban populations, and employment balance and the services and infrastructure necessary to sustainably serve their citizens.

**Placing an artificial cap on housing and employment targets within city limits will only result in increased growth pressures on the rural areas, underfunded cities that will not be able to provide urban services and skyrocketing home prices, virtually eliminating any affordable housing options within small cities.**

We desire the Board to move forward with Conditional Certifications or full Certification, however we prefer full Certification. If the Board elects to moves forward with the Conditional Certifications, we respectfully ask that you study the foregoing issues and work collaboratively with the below cities to develop a regional growth strategy that is sustainable for all. We wish this to happen by Fall 2016.

Lastly, please confirm that a Conditional Certification will not jeopardize any of our cities' ability to be competitive for federal grant funds.

Sincerely,

NORTH BEND

Ken Hearing  
Mayor of North Bend

SMALL CITIES & JURISDICTIONS CONCERNED

Kathy Lambert, District 3  
City of Algona  
City of Buckley  
City of Carnation  
City of Covington  
City of Duvall  
City of Gig Harbor  
City of Milton  
City of Newcastle  
City of Poulsbo  
City of Snoqualmie