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April 15, 2009

Planning Commissioner Chris Lane, Chair  
Thurston County Planning Commission  
Thurston County Development Services Department  
2000 Lakeridge Drive SW  
Olympia, WA 98502

RE: Commons on Proposed Comprehensive Plan Amendments  
City of Yelm Population Projection Urban Growth Area  
For April 15, 2009, Public Hearing

Dear Chair Lane and Members of the Planning Commission:

On behalf of the City of Yelm, I would like to respond generally to the comments submitted by Futurewise on April 14, 2009. Specifically, the concerns expressed by Futurewise need to be placed in proper context.

The Yelm Community Development Department has prepared a detailed response to the individual points raised in the letter from Futurewise (see attached).

The most recent comment letter from Futurewise is nearly identical to their letter to the Thurston County Board of Commissioners dated November 17, 2007, prior to the Board's adoption of Resolution 14034 and Ordinance 14035, both of which are already part of the record before the Planning Commission tonight. It was the County's adoption of Resolution 14034 and Ordinance 14035 that established population projections and adopted urban growth areas throughout the County, including Yelm's urban growth area. Specifically, Yelm's population allocation, the size of its urban growth area, and its market factor of 35 percent were established in the Thurston County Comprehensive Plan when Resolution 14034 and Ordinance 14035 were adopted in March 2008.

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This action by the County was subject to a compliance hearing before the Western Washington Growth Management Hearings Board, and the population projections, urban growth area sizes, and market factors were found to be compliant with the Growth Management Act by the Board's order dated May 29, 2008.

The action before the County Planning Commission tonight is not to establish new population projections for Yelm, nor to establish the size of the Yelm Urban Growth Area, and not to adopt a market factor. Rather, the proposal tonight is to update the Yelm/Thurston County Joint Plan to be consistent with the previously-adopted Thurston County Comprehensive Plan.

If you require any additional information, please feel free to contact me. I remain . . .

Very truly yours,

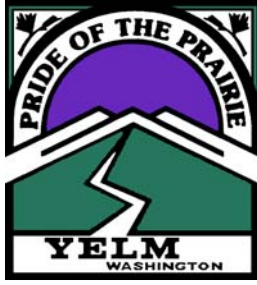
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Attachment

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# MEMORANDUM

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## *City of Yelm* *Community Development Department*

To: Planning Commissioner Chris Lane, Chair  
Thurston County Planning Commission

From: Tami Merriman, Associate Planner

Date: April 15, 2009

Subj: Response to comments submitted by Futurewise regarding the City of Yelm Comprehensive Plan Amendments

Futurewise states that the City of Yelm's market factor is clearly erroneous in light of the entire record that includes a recommendation within a report that was completed prior to the 2007 population forecast.

You will find in the Western Washington Growth Management Hearings Board (WWGMHB) Decision regarding Thurston County's Comprehensive Plan update on page 19 states that the Board did not conclude that the County or City were required to adopt the recommendations of its consulting team, there is nothing in the record to support the high percentage of excess lands that it did adopt. The City and the County failed to account for a 'reasonable land supply market factor' and explain why this market factor was used, and how it was reached. The Board found that the Yelm UGA as addressed in Resolution 13734 was not in compliance with RCW 36.70A.110 (1) and (2).

Thurston County Resolution 14034 and Ordinance 14035, which have been adopted and not appealed, explain the market factor used to determine Yelm's UGA. This is the one and only item within the WWGMHB Decision that required compliance. This action by the County was subject to a compliance hearing before the WWGMHB and the population projections, urban growth area sizes, and market factors were found to be complaint with the Growth Management Act by the Board on May 29, 2008.

Futurewise contends that the population target and UGA is not consistent with Thurston County's Comprehensive Plan. They quote a policy that states that UGAs should be served or planned to be served by municipal utilities, and Futurewise further states that the City, by not downsizing, is expanding its UGA.

The City of Yelm Comprehensive plan discusses municipal services to the UGA. The key words here are "plan to serve". The Growth Management Act is clear that Cities must plan for 20 year growth projections, not have in-place all roads, utilities, parks, and other required infrastructure for the upcoming 20 year population. The GMA states at

36.70A.070(3) RCW that the capital facilities plan must have an inventory of existing facilities, a forecast of the future needs for such facilities, the proposed locations of new or expanded facilities, a financing plan, and a requirement to reassess if funding falls short.

There is no requirement that a city must have water rights to serve the 20 year projected population. Water rights are discussed in Water System Plans. This is consistent throughout the state, where a municipality should (and Yelm does), discuss water rights, existing and planned. It is not a GMA requirement that water rights be discussed within a comprehensive plan or a capital facilities plan. By way of example the City of Olympia's Plan conveys this very clearly by saying: "This section defines goals and policies that govern how we manage Olympia's water supplies. This requires us to look into the future and define a road map to protect, deliver, and conserve water supplies.

Regarding the UGA, the City of Yelm is not asking the County to increase the population projection. The tables have simply been updated to include the population numbers that were estimated for the Master Planned Communities. As of July 2005 when the last update was completed, there was no application for development in the master planned communities in the City. The population projections were estimated, and population projections for the master planned communities were kept separate. Since 2005, 2 master planned communities have been applied for, Tahoma Terra and Thurston Highlands. Since there are active permit applications on both, there was no need to keep the numbers separate. Yelm is not expanding the UGA in any way.

Futurewise states that the low density zoning within the UGA will result in higher costs for services. The City of Yelm manages its UGA quite effectively. It is stated in the Joint Planning Policies at II.2.2(d) Development occurring within unincorporated urban growth areas shall conform to the development standards of the associated city or town;

*explanatory comment: This provision recognized that development short of this requirement may cause the larger society to bear the expense of retrofitting the development to meet urban standards (i.e. water, sewer, stormwater, and roadways) upon eventual annexation. This standard will further enable the larger community to structure how growth will occur to minimize the cost of providing the infrastructure for these service systems.*

The City of Yelm is active in reviewing all development within its UGA to assure that if development occurs within the County's rural zoning, that it will not adversely affect redevelopment at the time of annexation into the City.

The UGA is zoned at a lower density to prevent urban sprawl and to promote development in the urban area. Planning for the urban growth area for the City allows the urban development to occur in the urban core, the City, which then creates development in closer proximity for consumer needs. Increasing the density within the

urban growth area will spur growth within the UGA and not within the City where municipal services are available.

The issue of stormwater runoff and the impact to shellfish has been heard and determined by the WWGMHB to not be applicable. As found on Page 17 of the decision, at line 20 the WWGMHB states: Futurewise asserts the size of Yelm's UGA causes pollution of Puget Sound's waters. While RCW 36.70A.070(1) does, in fact require such guidance, that requirement does not arise in the context of sizing UGAs. In fact the applicable provision states (in pertinent part): A land use element designating the proposed general distribution and general location and extent of the uses of land... The land use element shall include population densities, building intensities, and estimates of future population growth.... Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound. RCW 36.70A.070(1) (emphasis added).

RCW 36.70A.070(1) requires information related to the sizing of the UGA to be included in the land use element and, where applicable, provisions for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound. Futurewise does not claim that the County has failed to provide this information or the necessary provisions in the land use element, but argues that it is the size of the UGA that causes pollution. Futurewise failed to demonstrate a violation of RCW 36.70A.070(1).

And lastly, the City of Yelm is fully aware that subsequent facilities plans must be updated as planning is an ongoing process. The City is currently reviewing the transportation plan at this time and it is proposed to be completed this year. The City is also updating its water and sewer system plans, and will be using that information to update the capital facilities plan in the near future.