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October 21, 2019

The Honorable Robert E. Koch  
The Honorable Brad Peck  
The Honorable Clint Didier  
Board of Commissioners for Franklin County  
1016 N. 4th Avenue  
Pasco, Washington 99301-3706

Subject: Comments on the Countywide Planning Policies.  
Sent via email to: [planninginquiry@co.franklin.wa.us](mailto:planninginquiry@co.franklin.wa.us) and [nstickney@ahbl.com](mailto:nstickney@ahbl.com).

Dear Commissioners Koch, Peck, and Didier:

Thank you for the opportunity to comment on the Countywide Planning Policies. Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests and water resources. We have members across Washington State including Franklin County. Futurewise commented on the Countywide Planning Policies in February of 2018 and August of 2019, below are a few additional comments for your consideration.

**I. We support including a complete streets policy and follow-up with complete streets ordinances.**

We strongly support Franklin County's plan to include Complete Streets design in Title 12 (Streets, Sidewalks and Public Places). As noted in the most recent Response Matrix the County will coordinate "infrastructure within individual UGAs and outside of corporate limits of cities" and the Cities of Pasco and Connell have adopted Complete Street resolutions. Complete Street design solutions offer flexibility and community specific solutions that can be customized for urban or rural locations.

Washington State legislation provides grants that counties can apply for that have complete streets standards in accordance with RCW47.04.320. In addition to access to additional grant funding, complete streets policies and ordinances have many community benefits. They promote health by encouraging exercise, they enable all street and road users to effectively use the facility including children, and they can reduce transportation costs by allowing residents and employees to use lower cost transportation modes such as walking, bicycling, and transit.

RCW 47.04.320(1) provides that complete street ordinances [are] designed to provide safe access to all users, including bicyclists, pedestrians, motorists, and public transportation users, with the goals of:



- (a) Promoting healthy communities by encouraging walking, bicycling, and using public transportation;
- (b) Improving safety by designing major arterials to include features such as wider sidewalks, dedicated bicycle facilities, medians, and pedestrian streetscape features, including trees where appropriate;
- (c) Protecting the environment and reducing congestion by providing safe alternatives to single-occupancy driving; and
- (d) Preserving community character by involving local citizens and stakeholders to participate in planning and design decisions.

Complete streets are sometimes thought of as a city policy, but counties can benefit from complete streets policies too. The National Complete Streets Coalition's *Complete Streets Local Policy Workbook* includes helpful guidance for developing complete streets policies and ordinance.<sup>1</sup> A copy was enclosed with our comment letter on February 27, 2018 and an additional copy will be provided upon request.

## **II. Include requirements for Low Impact Development (LID) for residential and commercial developments.**

Additionally, we support the inclusion of a policy to encourage Low Impact development (LID) in the Rural Lands Sub-element as recommended in *Eastern Washington Low Impact Development Guidance Manual*.<sup>2</sup> LID requirements can reduce the adverse storm water impacts of new development and redevelopment. The benefits of LID include reduced flooding, improved water quality, and increased ground water recharge replenishing drinking and irrigation water supplies.<sup>3</sup> Low impact techniques can reduce costs for developers by reducing storm water facilities sizes and the land needed for those facilities.

## **III. Include a reasonable market factor in sizing the urban growth areas (UGAs) on the Future Land Use Map**

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<sup>1</sup> See the National Complete Streets Coalition webpages accessed on February 26, 2017 at:

<https://smartgrowthamerica.org/program/national-complete-streets-coalition/>

<sup>2</sup> The *Eastern Washington Low Impact Development Guidance Manual* can be accessed on February 26, 2018 at:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1310036.html>

<sup>3</sup> U.S. Environmental Protection Agency, *Green Infrastructure in Arid and Semi-Arid Climates: Adapting innovative stormwater management techniques to the water-limited West* p. 2 (EPA-833-B-10-002 May 2010) accessed on February 26, 2018 at:

[https://www3.epa.gov/nepdes/pubs/arid\\_climates\\_casestudy.pdf](https://www3.epa.gov/nepdes/pubs/arid_climates_casestudy.pdf) and enclosed with the paper version of this letter. The State of Washington Department of Ecology Low Impact Development (LID) Resources webpage has helpful resources on LID, accessed on February 26, 2018 at: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Low-Impact-Development-guidance>

The Washington State Supreme Court has held that a “UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by [State of Washington Office of Financial Management] OFM, plus a reasonable land market supply factor.”<sup>4</sup> The courts and Growth Management Hearings Board have held that deductions beyond a market factor violate the GMA. As the Growth Management Hearings Board wrote “if the Legislature had wished for cities and counties to utilize such a variety of factors to adjust the available land supply ... it would have amended the GMA accordingly. ... This, the Legislature did not do and, therefore, by the GMA’s own terms, a UGA may be adjusted only to reflect a reasonable land market supply factor.”<sup>5</sup>

Market factors are not required, but the GMA allows the county to use a “reasonable” market factor.<sup>6</sup> **What a market factor does is allow a county to make an urban growth area larger than it needs to be.** A 25 percent market factor means the land in the urban growth area that can be developed for the new homes, businesses, and public and semi-public uses is 25 percent larger than necessary to build the needed homes, businesses, and public and semi-public uses over the next 20 years.

Market factors have been studied in other counties. To determine their market factor, Snohomish County hired The Gilmore Research Group to survey owners with developable land and asked them the relevant question when determining a market factor: if they would develop their land in the next twenty years. This survey found that “[a]bout 21% of all respondents indicated that they would be unlikely or very unlikely to have their parcels developed in the next 20 years.”<sup>7</sup> “A lower percentage of owners of vacant land (17%) compared to the owners of partially used or redevelopable properties (23%) percent indicated that it would be unlikely or very unlikely that their parcels would be available for development anytime within the next 20 years.”<sup>8</sup> “A lower percentage of owners of parcels designated for multi-family residences, mixed use, or commercial/industrial uses (17%) compared to owners of parcels designated for single family residences (24%) indicated their properties would be unlikely or very unlikely to be available for development over the next 20 years.”<sup>9</sup>

This data shows that a reasonable market factor based on real world data is from 17 to 24 percent depending on the mix of vacant and redevelopable land and the mix of commercial land, multi-family land, mixed-use land, and single-family residential land within the urban growth area. **We believe that a market factor of 20 to 25 percent is reasonable and defensible in Franklin County.**

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<sup>4</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008).

<sup>5</sup> *Petree v. Whatcom County*, WWGMHB Case No. 08-2-0021c, Final Decision and Order (Oct. 13, 2008), at 30 of 78, 2008 WL 4949257, at \*18.

<sup>6</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008).

<sup>7</sup> The Gilmore Research Group, *Urban Land Availability Survey of Snohomish County Landowners: Prepared for Jones & Stokes and Snohomish County Planning and Development Services* p. 3 (June 14, 2005) accessed on February 23, 2018 at: <https://snohomishcountywa.gov/DocumentCenter/View/8766> and enclosed in a separate email.

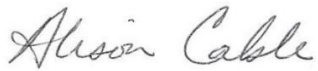
<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at p. AA 4.

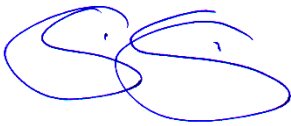
Board of Commissioners for Franklin County RE: Countywide Planning Policies  
October 18, 2019  
Page 4

Thank you for considering our comments. If you require additional information, please contact Alison Cable at telephone (206) 343-0681 Ext. 114 and email: [alison@futurewise.org](mailto:alison@futurewise.org) or Tim Trohimovich at telephone (206) 343-0681 Ext. 102 and email: [tim@futurewise.org](mailto:tim@futurewise.org).

Very Truly Yours,



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