

July 26, 2022

To: **WA State Department of Commerce:** [gmarulemaking@commerce.wa.gov](mailto:gmarulemaking@commerce.wa.gov)

Re: **New Drafts Available - GMA Rulemaking - June 15, 2022**

Please accept the **COMMENTS**, shown in purple, herein from our Joint Team of King County Rural Area organizations. All quoted citations are shown in green.

Our Joint Team is comprised of nine organizations whose territories cover the majority of King County's Rural Area from the Snohomish to the Pierce County lines (listed alphabetically):

*Enumclaw Plateau Community Association (EPCA)*  
*Friends of Sammamish Valley (FoSV)*  
*Greater Maple Valley Unincorporated Area Council (GMVUAC)*  
*Green River Coalition (GRC)*  
*Green Valley/Lake Holm Association (GV/LHA)*  
*Hollywood Hill Association (HHA)*  
*Soos Creek Area Response (SCAR)*  
*Upper Bear Creek Unincorporated Area Council (UBCUAC)*  
*Vashon Maury Island Community Council (VMICC)*

Our Joint Team studies, reviews, and addresses key Rural Area issues facing King County residents and businesses through meeting and communicating with local, county, regional, and state officials and agencies.

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### **WAC 365-190**

#### **Minimum Guidelines to Classify Agricultural, Forest and Mineral Lands and Critical Areas**

**COMMENTS:** None.

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### **WAC 365-195**

#### **GMA—Best Available Science**

**COMMENTS:** None.

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### **WAC 365-196**

#### **GMA—Procedural Criteria for Adopting Comprehensive Plans and Development Regulations**

#### **NEW SECTION**

**WAC 365-196-350 Extension of public facilities and utilities to serve school sited in a rural area authorized.** (1) Requirements: The Growth Management Act does not prohibit a county planning under RCW 36.70A.040 from authorizing the extension of public facilities and utilities to

serve a school sited in a rural area that serves students from a rural area and an urban area so long as the following requirements are met: . . . .

**COMMENTS:**

The last phrase in (1) Requirements should be changed to read: “...that serves primarily rural area students from a rural area and an urban area...” Such a change would be consistent with the wording and policies in the *King County Comprehensive Plan (KCCP)*—our **highlighting** below:

**R-326 Except as provided in R-327:**

- a. New schools and institutions **primarily serving rural residents** shall be located in neighboring cities and rural towns;
- b. New schools, institutions, and other community facilities **primarily serving urban residents** shall be located within the Urban Growth Area; and
- c. New community facilities and services that primarily serve rural residents shall be located in neighboring cities and rural towns, with limited exceptions when their use is dependent on a rural location and their size and scale supports rural character.

**R-327 Consistent with the recommendations of the School Siting Task Force, included as Appendix Q, in the Rural Area:**

- a. Except as otherwise provided in subsections d. and e. of this policy, an existing elementary, middle, or junior high school may be modified or expanded but shall not be converted to a high school;
- b. An existing high school may be modified or expanded or converted to an elementary, middle, or junior high school;
- c. Snoqualmie Valley 1: parcel number 1823099046, as shown on the King County Department of Assessments map as of March 31, 2012, may develop as a new school;
- d. Lake Washington 4: parcel numbers 0825069008 and 0825069056, as shown on the King County Department of Assessments map as of March 31, 2012, may develop as a new school and convert an existing school on the site to a high school use;
- e. Tahoma 1: parcel number 2622069047, as shown on the King County Department of Assessments map as of March 31, 2012, may develop as a new school and convert an existing school on the site to a high school use only if no feasible alternative site can be located within the Urban Growth Area;
- f. Lake Washington 2: parcel numbers 3326069010 and 3326069009, as shown on the King County Department of Assessments map as of March 31, 2012, may develop as a new school only if no feasible alternative site can be located within the Urban Growth Area, in which case it may be incorporated into the Urban Growth Area; and
- g. Enumclaw A and D: the rural portions of parcel numbers 2321069064, 2321069063, and 2321069062, as shown on the King County Department of Assessments map as of March 31, 2012, may develop as ballfields or recreational playfields only, for a school located on the urban portions of the parcels.

In fact, the *2021 King County Countywide Planning Policies (CPPs)*, which are approved by and cover King County and every King County city, have the following policies:

(p. 34)

**DP-52** Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the Rural Area, **unless the use is dependent upon a rural location**. Such uses shall be of a size, scale, and nature that is consistent with rural character.

(p. 62)

**PF-13** **Prohibit sewer service in the Rural Area** and on Natural Resource Lands except:

- a) Where needed to address specific health and safety problems threatening existing structures; or
- b) As allowed by Countywide Planning Policy DP-49; or
- c) As provided in Appendix 5 (March 31, 2012 School Siting Task Force Report).

Sewer service authorized consistent with this policy shall be provided in a manner that does not increase development potential in the Rural Area.

(p. 63)

### Locating Facilities and Services

**VISION 2050** calls for a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy, and for **limiting the availability of services in the Rural Area**. In the long term, there is increased efficiency and cost-effectiveness in siting and operating facilities and services **that serve a primarily urban population within the Urban Growth Area**. At the same time, those facilities and services that primarily benefit rural populations provide a greater benefit when they are located within neighboring cities and rural towns.

(p. 64)

**PF-19** Locate schools, institutions, and other community facilities and services that **primarily serve urban populations** within the Urban Growth Area, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks.

**PF-20** Jurisdictions shall work collaboratively with school districts to ensure the availability of sufficient land and the provision of necessary educational facilities **within the Urban Growth Area** through compliance with PF-22 and PF-23 and through the land use element and capital facilities element of local comprehensive plans.

**PF-21** **Locate new schools and institutions primarily serving rural residents in neighboring cities and rural towns**, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). Locate new community facilities and services that primarily serve rural residents in neighboring cities and rural towns, with the limited exceptions when their use is dependent upon a rural location and their size and scale supports rural character.

(p. 65)

**PF-23** Coordinate and collaborate with school districts to build new and expand existing school facilities within the Urban Growth Area. Jurisdictions and school districts should work together to employ strategies such as: ....

The four-county Puget Sound Regional Council's (PSRC's) *VISION 2050* sets out the following Multicounty Planning Policies (MPPs):

**MPP-PS-26** Work cooperatively with school districts to plan for school facilities to meet the existing and future community needs consistent with adopted comprehensive plans and growth forecasts, including siting and designing schools to support safe, walkable access and best serve their communities.

**MPP-PS-27** Site schools, institutions, and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans, except as provided for by RCW 36.70A.211. [NOTE: King County does not fit the description in this RCW because its population exceeds the maximum threshold of 1,500,000, therefore this "exception" does not apply.]

**MPP-PS-28** Locate schools, institutions, and other community facilities serving rural residents in neighboring cities and towns and design these facilities in keeping with the size and scale of the local community, except as provided for by RCW 36.70A.211. [NOTE: King County does not fit the description in this RCW because its population exceeds the maximum threshold of 1,500,000, therefore this "exception" does not apply.]

Clearly, the PSRC, through *VISION 2050*, and King County and all King County cities, through the CPPs, and King County itself, through the KCCP, all are in agreement that schools, if sited in the Rural Area, should primarily serve rural students.

Finally, we cite the Growth Management Hearings Board (GMHB) on School Siting (found on the WA State Department of Commerce's "*Planning for Schools Siting*" webpage — <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-school-siting/>):

### **Growth Management Hearings Board guidance related to siting schools**

The county has an obligation to work with school districts in the siting of schools. It also has an obligation to facilitate the siting of schools within urban areas while discouraging them outside of urban growth areas (UGAs). Hensley VI, 03-3-009c, FDO, at 22

School or church properties that are adjacent may be drawn into the UGA. Pilchuck VI, 06-3-0015c, FDO at 53

Any actual UGA extensions for churches and schools shall be limited and rare, for the following reasons:

- RCW 36.70A.150 requires cities and counties to identify land for public purposes, specifically schools.
- School impact fees require coordination between school districts and jurisdictions so school needs should be known.

- Accommodating school needs within existing UGAs should be a priority. CTED, 03-3-0017, FDO, at 28-29.

Schools are authorized in rural areas. Vashon Maury CPSGMHB 95-3-0008, FDO

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Thank you for considering our comments from councils, associations, and organizations that serve most of the King County Rural Area.

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