

On April 9, 1996, the Board received “Snohomish County’s Reply to Petitioners’ Motion for Reconsideration (**County’s Reply**).

II. Discussion

A. COUNTY’S PETITION

County’s Basis for Reconsideration

The County requests the Board delete that portion of the Final Order which stated the County did not comply with RCW 36.70.200(6), because that statement contradicted earlier text in the Final Order. *See* Final Order, at 61 (Conclusion 46) and at 134 (Part IV. Order, Item 3); compare with text, at 61, lines 16-7 (1996).

Discussion

The County correctly notes that the conclusion and order portions of the Final Order are inconsistent with the preceding text. The text at page 61 is the Board’s intended holding.

Conclusion

The Final Order is modified accordingly:

Conclusion No. 46, at 62:

The County did ~~not~~ comply with the requirements of RCW 36.70A.200(6) (1) since its Plan ~~does not contain~~ a process for identifying and siting essential public facilities.

and Section IV., ORDER, Item 3, at 134:

The Plan is **remanded** with instructions for the County to ~~include a process for identifying and siting essential public facilities pursuant to RCW 36.70A.200(6) and to~~ identify lands useful for public purposes pursuant to RCW 36.70A.150.

B. AFT’S PETITION

Basis for AFT’s Reconsideration No. 1

AFT, as a party to the Pilchuck III Petition for Review, requests that the Board reconsider its decision because the County failed to designate as agriculture all lands that met the definition of agricultural lands; that the County based its designation on the intention of the landowners and not on the concept of “the land speaks first;” and that these actions violate RCW 36.70A.020(10).

Discussion

AFT reasserts its argument from the Prehearing Brief that the County impermissibly de-designated certain lands from agricultural use.

AFT also repeats its argument with respect to floodplain areas that were included within UGAs in a similar fashion. It does not provide any new information that shows how the results they allege will ensue, only citations to the allegations in its Prehearing Brief.

Conclusion

AFT's Motion does not contain any information that was not included within its Prehearing Brief, nor does it contain any new arguments not presented at the hearing on the merits. Therefore, AFT's motions are denied.

Basis for AFT's Reconsideration No. 2

AFT requests the Board reconsider its ruling that Legal Issue 19 was abandoned because petitioner failed to adequately brief the matter. AFT argues that Legal Issue No. 19 was not abandoned, that the issue was included in its Prehearing Brief, and properly argued. (*see* Pilchuck III Prehearing Brief, at 23-6.)

Discussion

In order for an issue to be considered by the Board, it must be briefed. Failure to brief an issue shall constitute abandonment of the issue. WAC 242-02-570. As provided for in the practice and procedure rules, the Board held a Prehearing Conference on October 11, 1995 to discuss the legal issues to be considered in this case. WAC 242-02-550. The purpose of a prehearing conference is to obtain agreement as to the issues of law and fact presented. *Id.* The Board issued a Prehearing Order on October 31, 1995 that set forth the legal issues. In addition to publishing the legal issues, the Prehearing Order stated that "parties are reminded that their briefs and arguments must be confined to those issues [specified in this Order], and that issues not briefed will be deemed to be abandoned." *Sky Valley*, Prehearing Order, at 6.

Legal Issue 19, as stated in the Prehearing Order, is:

Did the County fail to comply with RCW 36.70A.060(4) and .090 when it failed to complete a Transfer of Development Rights Program study before enacting Ordinance 92-125, which placed agricultural resource lands into the UGA?

In the Final Order, the Board held that inadequately briefed issues would be considered in a manner similar to consideration of unbriefed issues and, therefore, should be deemed to be

abandoned. *Sky Valley*, Final Order, at 24. Thus, if a petitioner did not adequately substantiate the assertions made in its Petition for Review, the issue was dismissed with prejudice and not considered further.

In their Prehearing Brief, AFT titled Legal Issue 19 as “The Plan Is Inconsistent with the Countywide Planning Policies and the Multicounty Planning Policies” and labeled the issue as “Issue 19, New Issue.” *See* Pilchuck III Prehearing Brief, at 23. AFT did not address the legal issue stated in the Prehearing Order. Therefore, the issue was deemed to be abandoned for failure to adequately brief the legal issue stated as stated in the Prehearing Order.

Conclusion

The Board denies AFT’s petition for reconsideration of this issue.

Basis for AFT’s Reconsideration No. 3

AFT asserts that the Final Order fails to resolve procedural violations by the County. AFT requests the Board reconsider the Final Order and impose sanctions on the County for various procedural violations allegedly committed during the course of the proceedings before the Board.

Discussion

AFT alleges that the County failed to adequately list exhibits initially, and that the County later submitted additional exhibits in violation of procedural rules. *See* AFT’s Petition, at 10. AFT alleges that these violations caused petitioners severe prejudice. *Id.* AFT requests that the Board exclude the late evidence from consideration and sanction the County. However, similar to the issues in the above discussions, AFT fails to adequately substantiate these allegations.

AFT does not state how it was prejudiced, specifically what effect the incomplete exhibit lists and late information may have had on the presentation of its case, or how it may have altered argument in response to the information. AFT merely alleges that the effect was detrimental. AFT does not provide an explanation as to how either exclusion of certain evidence or the imposition of sanctions would provide a remedy to the alleged prejudice.

Conclusion

The Board rejects AFT’s motion.

C. CCSV III’S PETITION

CCSV’s Basis for Reconsideration No. 1

CCSV requests the Board identify a specific deadline by which the County must comply with its holding in the Legal Issue 40 that required the County to adopt those implementing measures necessary to a general zoning code as required by the Act. *See Sky Valley*, Final Order, at 121. CCSV also makes a similar request with respect to the Board's holding regarding concurrency requirements for Policy TR5.A.1. and the requirement to identify open space corridors *Id.*, at 129 and 132 (respectively).

Discussion

The Final Order includes deadlines by which the County must comply with the Final Order at § IV. Order, Items 8 and 9. The Board finds this requirement adequate and declines to impose additional requirements on the County.

The Board agrees that § IV. Order should include a specific statement remanding the matter to the County to provide the identification of open space corridors concurrent with the Future Land Use Map.

Conclusion

The Board rejects CCSV's request to assign additional deadlines to the County to comply with the requirements of the Order. The Board modifies the Final Order at § IV. Order, Item 1 to include:

The County shall identify open space corridors within and between UGAs when it amends the Future Land Use Map as required above.

CCSV's Basis for Reconsideration No. 2

CCSV asserts that the Board neither fully considered nor fully ruled on the issues in Legal Issue 45 as raised in its Prehearing Brief.

Discussion

Legal Issue 45 asked:

Does the Plan procedurally and substantively comply with the requirements of RCW 36.70A.070 and was it guided by the goals of the Act, and if not, are the Plan and adopted Final UGAs in violation of the Act?

CCSV requests additional consideration of four aspects of the County's Plan: the land use element, the housing element, the capital facilities plan element, and the utilities element (as required by RCW 36.70A.070(1), (2), (3), and (4) respectively).

CCSV alleges that the Plan's land use element is devoid of consideration of groundwater and stormwater runoff. The County stated in its Prehearing Brief that it had provided this information by reference in the Natural Environment section of the Plan. *See County's Prehearing Brief*, at 89-93. The Board concluded the Plan adequately addressed this issue and held that the land use element was complete. *Sky Valley*, Final Order, at 55. CCSV's motion has not demonstrated the Board's holding is in error.

CCSV alleges that the housing element is also inadequate because it fails to include an inventory of housing needs, identify land for housing, or make adequate provisions for the housing needs of the community. Again, the County indicated that the relevant inventory information was contained in an appendix, the "Snohomish County Housing Needs Analysis" and that the identification and provisions were included in the Plan *See County's Prehearing Brief*, at 93-5. CCSV's Petition does not provide any new analysis or argument. Therefore, the Board denies the request for reconsideration regarding the housing element.

CCSV alleges that the capital facilities plan element does not contain a requirement that the land use plan be reassessed if funding is insufficient nor that this element remain consistent with the land use element and the financing plan. In its Prehearing Brief, the County cites the GMACP ordinance adopting the Plan as stating:

"Future updates of the capital plan will be accompanied by a reassessment if any affected portions of the land use element to maintain continued constancy between these elements of the comprehensive plan."

County's Prehearing Brief, at 105 (citing Snohomish County Amended Ordinance No. 94-125, § 2.D.2.d.(4)).

The County has provided for reassessment of the land use element if funding of the capital facility plan is insufficient. Therefore, the Board rejects CCSV's request to find this portion of the Plan invalid.

CCSV complains that the utilities element does not describe the location, proposed location, or capacity of utilities. The Act requires that:

"[e]ach comprehensive plan shall include a . . . :

(4) A utilities element consisting of the general locations, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines,

telecommunication lines and natural gas lines. RCW 36.70A.070

In order to describe the general locations of utilities as required by the Act, a city or county must compile an inventory of the utilities that exist within its boundaries and the location of known proposals for future utilities. Additionally, a jurisdiction must note the capacity of these existing and proposed utilities. The Board recognizes that a city or county might neither own nor control the utilities within its borders, and therefore, may be required to request some information, such as capacities and future proposals, from other entities. However, by the same token, a city or county should be able to determine and document, either in narrative or graphically, the locations of the utilities that presently exist within its borders. This can be done specifically within the Plan or by incorporation by reference of a document that does so.

In the present case, the Plan concedes that the compilation of some information regarding utilities remains to be completed while in other cases known proposals remain undocumented.^[1] A review of the Utilities Element of the Plan indicates that the County included a description of the parties responsible for providing utilities and a description of the type of service each provides or intends to provide. However, the electric power provisions fail to indicate, either narratively or graphically by means of a map, the general locations of existing utilities, nor the locations of proposed utilities. Instead, the Plan indicates that:

Transmission line corridors of Puget Power and Seattle City Light occupy substantial lands within Snohomish County. Plan, at UT-8.

RCW 37.80A.070(4) requires more than such an assertion; it requires the County to show the general location of these existing transmission line corridors within its Plan (or specify through the incorporation by reference technique, where this information can be found). The electric power provisions are remanded with instructions to the County to include the appropriate information.

The Plan's natural gas provisions (Plan, at UT 9-10) do narratively indicate the general location of natural gas lines within Snohomish County. However, the Plan fails to discuss the capacity of all existing and proposed gas lines. Therefore, the Plan is remanded so that it can be modified accordingly.

The Plan's provisions do not indicate the general location or capacities of existing and proposed telecommunications utilities. To the extent that information is known, it must be included in the Plan. Therefore, the Plan is remanded for that purpose.

Conclusion

The Board **denies** CCSV's Petition with respect to the land use element, housing element, and

capital facilities plan element. The Board **grants** CCSV's Petition with respect to the utilities element, thus revising its holding in Legal Issue 45 as stated in the Final Order at 36, footnote 22 and at 58. **The Board remands the utilities element to the County to comply with the requirements of RCW 36.70A.070(4) to provide a utilities element that indicates the general location of all existing or proposed utilities and the capacity of those utilities.**

CCSV's Basis for Reconsideration No. 3

CCSV requests that the Board reconsider its ruling on Legal Issue 43 because the County failed to designate open space corridors, and the UGAs will not achieve compact urban development or the transformation of local governance.

Discussion

Addressing the first aspect of the Petition's basis, the question of open space corridors was discussed in Legal Issue 38 of the Final Order. *Sky Valley*, Final Order, at 130-3. The Board agreed that the County failed to identify open space corridors within and between the UGAs. The Final Order remanded the matter to the County to identify open space corridors. *Id.* at 132. In Legal Issue 38, the Board also held that CCSV failed to meet the burden of proof necessary to show that the County's failure to designate open space corridors *substantially* interfered with the goals of the Act. CCSV has not presented any new information to require the Board to otherwise modify the Final Order with respect to open spaces.

Additionally, CCSV alleges that the UGAs will not achieve compact urban development because the UGAs include area allocations that CCSV deems incompatible with urban densities, for example flood hazard areas. CCSV also alleges the Plan fails to adequately provide for *transformation of local governance* because cities within the UGAs are unwilling to provide services. Both arguments repeat those in petitioner's Prehearing Brief and attempt to lead to a conclusion that the UGAs are sized incorrectly. In the Final Order, the Board held that CCSV failed to carry its burden of proof on this matter. Again, CCSV's motion does not provide any new information or arguments, and the Board declines to modify the Final Order.

Conclusion

The Board denies CCSV's request with respect to Legal Issue 43.

CCSV's Basis for Reconsideration No. 4

CCSV requests the Board find the Plan invalid because the County failed to adequately ensure public participation as required by RCW 36.70A.140. CCSV alleges that the County failed to encourage citizens to become informed of the alternate plan, and did not provide adequate opportunity to comment on the plan.

Discussion

CCSV alleges that the County's public participation ordinance is invalid and, therefore, the County did not comply with the Act's requirements for early and continuous public participation. In addition to failure to adopt an adequate ordinance, Petitioner alleges that the County failed to adequately inform its citizens, limited participation opportunities for those citizens who chose to participate, and exceeded its legislative discretion when it altered the final plan after the close of public testimony.

Addressing the last allegation first, in the Final Order the Board held that the County acted within the scope of legislative discretion when it made revisions to the Plan during deliberations. *Sky Valley*, Final Order, at 36. Petitioner does not provide any new support for its allegation, it only repeats their disagreement with the final Plan. Therefore, the Board declines to repeat its discussion and rejects this portion of Petitioner's motion.

CCSV alleges that the County's public participation ordinance (**Ordinance**) is invalid because it does not comply with the Act. CCSV alleges that the Ordinance makes "optional what the Act made mandatory," that it treats public participation as an optional element, not a mandatory requirement. CCSV's Petition, at 19. Therefore, according to CCSV's reasoning, the Ordinance is contrary to the state law and may not be presumed to be valid. The Board denies CCSV's request. The Ordinance was not timely appealed to the Board. It is irrefutably valid. The Board will not consider this new legal issue at this late date.

Moreover, the section of the Ordinance that petitioner cites as providing for optional public participation is labeled "Additional Procedures." *See* SCC § 32.05.025. A reading of this section indicates that it provides the County with means to provide for additional public participation, above and beyond the already adequate public participation requirements defined in the Ordinance, should the County determine it to be necessary under special circumstances. This section does not relieve the County from the requirement to include the public in the basic decisions regarding growth management actions. Therefore, the County has not made public participation optional. The Board rejects CCSV's allegation on this matter.

CCSV also raises a new issue with respect to the County's provisions for public participation by alleging that the County did not adequately publicize or make available information on its GMA proceedings. The Ordinance is irrefutably valid. The Board further held that the County complied with the procedures that were required in the Ordinance. *Sky Valley*, Final Order, at 30. The Board will not comment on the new aspects of this allegation because they raise untimely new issues.

Conclusion

The Board denies CCSV's Petition to reconsider Legal Issue 44.

CCSV's Basis for Reconsideration No. 5

CCSV alleges that the County utilized pre-GMA subarea plans as the foundation for its Plan. CCSV alleges that even though these subarea plans were not technically adopted, "they exert . . . the same regulatory effect as though they had." CCSV's Motion, at 23. CCSV further complains that the County is under no timeline obligation to conform subarea plans to the General Policy Plan. *Id.*

Discussion

The Board held that pre-GMA subarea plans may properly have a role in local land use decision making without being adopted as GMA enactments. *Sky Valley*, Final Order, at 55. That holding also included a caveat: pre-GMA subarea plans may not supersede any specific policy or regulatory directive contained in the GMA, and if subarea plans are used to satisfy GMA requirements, they must conform to the requirements of the Act. *Id.*

Subsequent to the Final Order, the Board had an opportunity to further discuss subarea plans in the context of GMA. *See West Seattle Defense Fund v. City of Seattle, (WSDF III) CPSGMHB Case No. 95-3-0073, Final Decision and Order (1996)*. In *WSDF III*, the Board reiterated its *Sky Valley* holding that subarea plans are discretionary; that is, a city or county may chose to adopt them or not, but if adopted after the effective date of the Act, subarea plans must conform to the requirements of the Act. *Id.*, at 25. In reaching this holding the Board acknowledged that local governments are in a period of transition as they continue to conform to the GMA. As the transition proceeds, local governments will continue to wean themselves from reliance on pre-GMA subarea plans. *Id.* However, unless and until these plans are utilized to fulfill a GMA requirement, they are not required to conform to the Act.

CCSV requests that the Board direct the County to make a requirement that subarea plans be consistent with the GPP. The Board declines, because such an order would be redundant to any duty the County would have to conform to the requirements of the Act when, and if, the County elects to incorporate subarea plans as GMA enactments.

Conclusion

The Board declines to impose a requirement on the County to take action on an element that is optional to the GPP.

CCSV's Basis for Reconsideration No. 6

CCSV requests the Board reconsider its holding on two aspects of Legal Issue 42. First, it

disputes the Board's holding that CCSV did not meet its burden of proof on the issue of land use designations meeting the requirements for external consistency. Second, on the issue of land designations as shown on the Future Land Use Map, specifically the rural elements, rather than remand the matter to the County to show its work, CCSV requests the Board to declare the Plan invalid.

Discussion

On the first issue, the Board held that CCSV did not meet the burden of proof. Again, CCSV does not present any new facts or arguments. CCSV repeats its disappointment with the issue of open spaces but does not offer any conclusive proof that, by a preponderance of the evidence, would indicate that the Plan is not externally consistent.

On the second issue, the Board is satisfied that the County has received sufficient instruction to "show its work" when the Future Land Use Map is submitted at the compliance hearing. CCSV does not provide adequate reasoning or argument to justify a finding that the Plan is invalid.

Conclusion

The Board denies CCSV's request to reconsider its holding on Legal Issue 42.

D. HENSLEY III'S PETITION

Hensley III's Basis for Reconsideration

Legal Issue 59 asked the question:

Is the amended diversified center alternative adopted as the Growth Management Act Comprehensive Plan:

- a) guided by the goals of the Act, the CPPs and the MCPPs? (RCW 36.70A.020(1) through (13)? (CPPs at UG-1, -3 through 8, -11 and -12, OD-1, -2, -5 through -7, -10 and -11, JP-1, RU-1 through 3, HO-13, ED-2 and -5, TR-2,-4, -5, -7, -8, and -12. The Multi-county Planning Policies (MCP) at: RG-1, -1.1, -1.3 through -1.7, -1.9 and -1.10, and -1.12; RC-2, -2.1, -2.4 and -2.5; -2.7 through -2.9, -2.11 and -2.12; RF-3, -3.1 and -3.3; RH-4 and -4.3; RR-5, -5.3 and -5.7; RO-6, -6.1, -6.4, 6.7 and -6.8; RE-7, -7.2, -7.4 through 7.8 and -7.12; RT-1, -8.1 and -8.2, -8.5, -8.7, -8.8, -8.13, -8.14, -8.16 through -8.25, -8.27 and -8.28, -8.30, -8.36, -8.37 through -8.39.)
- b) and does it substantively comply with the Act's provisions at RCW 36.70.070(1), (2), (3), (4), (5), and (6), .110(1), (2) and (3), and .170?

Position of Hensley III

Hensley argues that the Board did not rule on Legal Issue No. 59 in the Final Decision and Order and asks that the Board now find that:

... the County has failed to designate urban centers creating inconsistencies with the CPP's, MCPP's, and other portions of the plan itself; the County failed to designate centers thus creating a flaw in the county's population and employment forecasts; the County land use element lacks required elements, creating a plan that is not consistent with the CPP's, MCPP's and the plan itself; and the adopted urban patterns, centers and rural policies are inconsistent with the methodology used creating inefficient use of a valued resource - land. Hensley III Motion, at 1.

In its prehearing and reply briefs, Hensley details a number of other defects and inconsistencies, both internal and external, which it alleges would flow from the fundamental failure of the County to designate all intended centers in its Plan.

County's Position

The County argues that the “diversified centers” concept, which is a central organizing concept of the Plan, is optional and that the GMA does not require optional elements to be completed at the time of Plan adoption. It cites to *West Seattle Defense Fund v. Seattle*, CPSGMHB Case No. 94-3-0016 (1994) in support of the proposition that phased implementation of optional Plan features is not violative of the Act. County PHB, at 79. It further argues that, even if the Board were to conclude that “diversified centers” are not optional, the Plan provides sufficient location and identification of the centers, and a process for later detailed implementation, to comply with the Act and/or *Vision 2020*.

The County also argues that Hensley failed to establish either internal inconsistency within the Plan, or external inconsistency with the CPPs or the MCPPs (i.e., *Vision 2020*). On this last point, it points out that the Puget Sound Regional Council (**PSRC**) certified the transportation element of the County's Plan as consistent with the GMA and the Multi-County Planning Policies (**MCPPs**), and asserts that the Board is, therefore, without jurisdiction to review such “external” consistency of the Plan. Alternatively, the County argues that the Board should give deference to the PSRC certification that the County is in compliance with the MCPPs. County PHB, at 70.

Discussion

The term “centers” is a creature of *Vision 2020*, the regional growth and transportation strategy for the Central Puget Sound Region, first adopted by the Puget Sound Council of Governments in

October, 1990, and subsequently re-adopted and amended several times by the PSRC, most recently in May, 1995. *Vision 2020* serves as the MCPPs for the Central Puget Sound Region pursuant to RCW 36.70A.210(7).^[2] The term “centers” is defined as:

Compact, well-defined areas to which a mix of higher density growth or intensive land uses will be directed, connected and served by an efficient, transit-oriented, multi-modal transportation system. *Vision 2020*, at 62.

The term “diversified centers” is a creature of the Snohomish County Plan. Ordinance No. 94-125, which adopted the Plan, provides in part:

2. Land Use Element

The General Policy Plan contains a land use element which includes interrelated and consistent land use goals that form the basis of the county’s land use strategy.

- a) The record indicates that the Diversified Centers alternative was supported by the majority of written and verbal testimony before the county council.
- b) Urban Growth Areas.
- (4) The General Policy Plan directs that more detailed land use plans be prepared for UGAs, that centers be developed and that minimum densities be implemented in UGAs. Such actions will provide additional land capacity for development within UGAs. Ordinance 94-125, at 5-6. Emphasis added.

This phased approach is discussed in the Plan itself:

With the introduction of the General Policy Plan, the county is pursuing a phased approach to the implementation of the GMA in Snohomish County... The complexity of the planning process and the need for effective public involvement requires a phased approach. The first phase will consist of the General Policy Plan. The second phase will end with the completion of the planning process which will produce detailed plans for all urban growth areas and the rural areas. Plan, at IN-7.

The Plan also provides:

The General Policy Plan follows *Vision 2020* concepts and the countywide planning policies and would create a compact land use pattern. Population, housing and employment growth will be directed toward designated centers and the UGAs of southwest county and outlying cities. Designated centers would be located in Everett (metropolitan center); Lynnwood and Bothell (subregional centers); Smokey Point, Frontier Village and

southwest cities (activity centers); unincorporated southwest county (4-5 pedestrian or activity centers); and several community centers. These centers correspond to the hierarchy and functions identified in *Vision 2020*.

Growth would be concentrated in urban areas containing higher density centers. Approximately 85 percent of the 20-year forecast population growth would occur within urban growth areas (including cities),... To achieve a balance of households and employment, most future job growth (approximately 96 percent) would also be directed toward the urban growth areas of the county. Plan, at IN-12.

The heart of Hensley's complaint is that the "diversified centers" alternative does not conform precisely to the hierarchy set forth in *Vision 2020* and that the Plan defers too much detail, such as precise boundaries and densities for centers, to Phase II planning. For example, it contends that the population allocation process must be defective if the County has failed to designate and precisely delineate the boundaries of all centers, including pedestrian and activity centers.

After consideration of the arguments presented and a review of the specific requirements of the Act, the structure and methodology of the CPPs (i.e., the population and employment forecast, subcounty allocation and target reconciliation process) and the PSRC's certification of the compliance of the Plan with *Vision 2020* (i.e., the MCPs), the Board concludes that Hensley has failed to carry her burden to prove either internal or external noncompliance of the County's diversified centers concept and phased approach to centers planning.

The hierarchy of "diversified centers" in the Plan corresponds to the hierarchy set forth in *Vision 2020*, while also reflecting the local circumstances and choices which the Act permits the County to make. Likewise, this Board has previously held that the nature of planning under the GMA is both iterative and interactive. See *Edmonds and Lynnwood v. Snohomish County*, CPSGMHB Case No. 93-3-0005 (1994), at 26. Phased planning, such as specific designation of certain centers now and more specific designation of others later, is a practical and lawful way to approach the task at hand. The same is true of area-wide population allocation and target reconciliation, generalized countywide land use designations and subsequent detailed sub-area planning.

It is appropriate to take a phased approach at the county-wide level, where there are so many actors, so many decisions and so many variables that must be coordinated to achieve the Act's aims for managed growth. In the present case, the County has exercised its authority to allocate population and employment to cities; however, it is largely the cities' responsibility to carry out the detailed planning for centers, either independently within their borders or inter-jurisdictionally with the County in planning for unincorporated UGAs.

Conclusion

The Board concludes that the amended diversified center alternative adopted by the County was guided by the goals of the Act, the CPPs and the MCPs and substantively complies with the provisions of RCW 36.70A.070, .110 and .170.

III. ORDER

Having reviewed the above-referenced documents and the file in this case, and having deliberated on the matter, the Board enters the following Order:

1. The County's Petition is **granted** with the result that the Final Order at 134, Section IV, Item 3 is amended as follows:

The Plan is **remanded** with instructions for the County to identify lands useful for public purposes pursuant to RCW 36.70A.150.

2. AFT's Petition is **denied**.

3. Hensley III's Petition is **denied**.

4. CCSV's Petition is **partially granted**, with the following result:

The Board modifies the Final Order at § IV. Order, Item 1 to add:

“The Plan is remanded to the County for it to identify open space corridors within and between UGAs when it amends the Future Land Use Map as required above.”

The Board remands the Utilities Element of the Plan to the County to indicate the general location, proposed location, and capacity of all existing and proposed utilities.

5. The remaining portions of CCSV's Petition are **denied**.

6. The County shall comply with the requirements of this Order and the requirements of the Act by **5:00 p.m. on Friday, September 6, 1996**.

7. The County shall file by **5:00 p.m. on Tuesday, September 17, 1996**, one original and three copies with the Board and serve a copy on each of the parties of a statement of actions taken to comply with the Final Decision and Order.

So ORDERED this 15th day of April, 1996.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

M. Peter Philley
Board Member

Joseph W. Tovar, AICP
Board Member

Chris Smith Towne
Board Member

[1] In the “Electrical Power” portion, the Plan states that “Although the review and evaluation process has not been completed . . . ;” in the “Natural Gas” portion: “Coordination of major natural gas facilities with surrounding land uses is a principal comprehensive planning issue” and in the “Telecommunications” portion: “It is too early to tell exactly how these changing circumstances may affect local comprehensive planning.” *See* General Policy Plan, at UT-8-10.

[2] *Vision 2020* provides:

The VISION 2020 strategy for managing growth, the economy and transportation contains the following eight parts: urban growth areas; contiguous and orderly development; regional capital facilities; housing; rural areas; open space; resource protection and critical areas; economics; and transportation. Each of the eight parts contains an overall ‘framework policy’ followed by a series of more specific policies. Together, these eight parts constitute the Multicounty Policies for King, Kitsap, Pierce and Snohomish counties and meet the multicounty planning requirements of the Growth Management Act (RCW 36.70A.210). *Vision 2020*, at 2-3.