

COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



ORDINANCE NO. 00-075

ADOPTING AMENDMENTS TO THE GENERAL POLICY PLAN RELATING TO THE
CAPITAL FACILITIES ELEMENT AS A PART OF SNOHOMISH COUNTY'S GROWTH
MANAGEMENT ACT COMPREHENSIVE PLAN, AMENDING
AMENDED ORDINANCE NO. 94-125

WHEREAS, the County Council adopted the 1995-2000 Capital Plan, together with other documents, as Snohomish County's Growth Management Act Comprehensive Plan (GMACP) on June 28, 1995; and

WHEREAS, the Snohomish County Council has adopted periodic updates to the capital facilities plan since 1995, including the 1998-2003 Capital Plan – adopted by Amended Ordinance #98-060 on August 5, 1998, the 1999-2004 Capital Plan – adopted by Amended Ordinance #99-027 on May 24, 1999 and the 2000-2005 Capital Improvement Plan adopted by Amended Ordinance 99-092 on November 22, 1999; and

WHEREAS, the Planning Commission held a public hearings on August 22 and September 20, 2000, on an updated capital facilities plan entitled Capital Facilities Plan/Year 2000 Update and the 2001-2006 Capital Improvement Program; and

WHEREAS, the updated capital facilities plan requires amendments to the General Policy Plan (GPP) to maintain consistency between components of the GMACP; and

WHEREAS, the planning commission held a public hearing on September 20, 2000, on amendments to the GPP; and

WHEREAS, the County Council held a public hearing on November 20 and 21, 2000 to consider the Planning Commission's recommendation on the amendments to the GPP; and

WHEREAS, the County Council considered the entire hearing record including the Planning Commission's recommendation, and written and oral testimony submitted during the public hearings.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Findings and Conclusions. The county council makes the following findings of fact and conclusions:

A. The County Council hereby adopts and incorporates by reference into this ordinance as if set out in full Section 1 of Ordinance 00-074, entitled *Adopting the Capital Facilities Plan/Year 2000 Update and the 2001-2006 Capital Improvement Program As A Part of Snohomish County's Growth Management Act Comprehensive Plan, Amending*

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Amended Ordinance No. 94-125 and Repealing Amended Ordinance No. 99-027 and Amended Ordinance 99-092.

B. The amended capital facilities plan requires several amendments to the GPP. These amendments are needed to maintain consistency between the two components of the GMACP.

C. The GPP amendments are consistent with the goals and requirements of the GMA.

D. In compliance with the State Environmental Policy Act (SEPA), staff conducted an environmental review by preparing an addendum to the Final Environmental Impact Statement (FEIS) for the GMA Comprehensive Plan. . The recommended amendments are within the scope of analysis contained in the FEIS and associated adopted environmental documents and result in no new significant adverse environmental impacts. The addendum performs the function of keeping the public apprised of the refinement of the original GMACP by adding new information but does not substantially change the analysis of significant impacts and alternatives analyzed in the existing adopted environmental documents. The County Council concludes that the environmental review conducted satisfies SEPA requirements.

E. The Planning Commission held a public hearing on these amendments on September 20, 2000 and the County Council have held a public hearing on November 20 and 21, 2000. The County Council concludes that the applicable public participation requirements of county code and state law have been met.

F. The GMA allows the county to amend the GMACP more frequently than once per year if the amendment is to the capital facilities element that occurs concurrently with the adoption or amendment of the county's budget. This criterion has been met because this ordinance is adopted concurrently with the adoption of the county's 2001 budget, the Capital Facilities Plan/Year 2000 Update, and the new 2001-2006 Capital Improvement Program.

Section 2. Basis. The County Council bases its findings of fact and conclusions on the entire record of the Planning Commission and the County Council, including all testimony and exhibits.

Section 3. Amendment of GPP. Based on the foregoing findings and conclusions, the Snohomish County Growth Management Act Comprehensive Plan-General Policy Plan adopted as Exhibit A in Section 4 of Amended Ordinance No. 94-125 on June 25, 1995, and last amended by Amended Ordinance No. 00-055 on September 6, 2000, is hereby amended as indicated in General Policy Plan (GPP) Amendments Regarding the Capital Facilities Plan-Year 2000 Update, which is attached hereto as Exhibit A and incorporated by reference into this ordinance as if set forth in full.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of

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this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED THIS 21st day of November, 2000.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Barbara Cochran
Chairperson

ATTEST:

Sheila McAllister

Clerk of the Council, Asst.

- (X) APPROVED
- () EMERGENCY
- () VETOED

Date: 12/6/00

Gary Weikel
County Executive

g/w GARY WEIKEL
Deputy Executive

ATTEST:

Joanna Swanson
Joanna Swanson

Approved as to form only:

Barbara Dyle 9/29/00
Deputy Prosecuting Attorney

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Exhibit A

General Policy Plan (GPP) Amendments Regarding The Capital Facilities Plan-Year 2000 Update

Amend the second paragraph of the first column on page CF-1 to read:

Snohomish County provides services and facilities for all county residents, as well as certain services for unincorporated citizens and properties. All county facilities are included within the capital facilities element, although many county facilities do not support development or relate to GMA Goal 12. This section of the plan also addresses certain facilities and services provided by other local public agencies, such as cities and special districts, which serve development within unincorporated areas of the county.

Amend the first paragraph of the first column on page CF-2 to read:

The primary driver of capital facility needs is the same measure of future demand that also determines land requirements under the land use element: the projected growth and distribution of population and employment over the next 20 years. These forecasts determine the amount of additional urban land and the public infrastructure for which planning is needed. Use of the forecasts in all elements of the plan guarantees internal consistency. Most of the facility needs identified in this capital facilities element are relatively unaffected by variations in land use pattern. The county may, in the future, adjust either the level of service standards (for elements where LOS standards are adopted) and/or the facility service guidelines identified for planning purposes for other elements, thereby providing a more effective means to achieve balance and fiscal realism in the required financing program than through modifications to the land use map. This adjustment of service levels may occur either through amendments to the GPP or the capital facilities plan, or through adoption of UGA plans. UGA plans may incorporate LOS standards or facility guidelines that are higher than countywide standards or guidelines, based on local preferences and the availability of additional local revenues.

Amend the second bullet of the second paragraph of the first column on page CF-2 to read:

This section of the comprehensive plan, as well as future plan phases and implementation measures that deal with public services and facilities, are intended to carry out, and should be evaluated against, the following fundamental principles:

- public facilities should be planned to support projected population growth and land use patterns;
- levels of service standards should be developed only for land transportation public facilities and services necessary to support development, within the transportation

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element of this plan and they should be periodically reassessed as the basis of need for future public facilities;

Amend the sixth paragraph of the second column on page CF-3 and the first column of page CF-4 to read:

The GMA places great importance on local determination of appropriate measures and extent of various facility needs as expressed through the concept of level of service. The county has established level of service (LOS) measures for land transportation, and for other public facilities and services necessary to support development, as described in the capital facilities plan. The county has established facility service guidelines for other elements of the capital plan. These guidelines are for planning purposes only and do not obligate the county to achieve specific projects or service levels. The process used by the county in measuring and establishing levels of service targets standards for land transportation public facilities necessary to support development and guidelines for all other elements is was first presented in a report entitled Capital Facility Requirements 1994-99 (and to 2013) (Snohomish County, 1994). An existing LOS for land transportation was produced as a reference point by compiling an inventory of existing county facilities and relating that inventory to existing measures of demand, generally the 1992 estimated county population. A similar process was used to develop the guideline ranges for other plan elements. Comparing projected growth in demand with projections of revenues clarifies the difficult trade-offs between desired facilities and revenue enhancements.

Amend the first paragraph of the first column of page CF-4 to read:

This process was used by the county in evaluating the LOS for land transportation facilities. It also established the parameters for the 20-year facilities plan and the six-year financing program delineated in the Capital Plan. These parameters may be revised as the specifics of the six-year financing program are developed. The process is further developed in the Capital Facilities Plan/Year 2000 Update. The county will periodically evaluate and refine LOS measures to improve the linkage between land transportation facilities, services and demand and to reflect changing fiscal and jurisdictional circumstances.

Amend the second paragraph of the first column of page CF-5 to read:

The GMA expressly authorizes cities and counties to impose impact fees on new development to help finance capital facility expansions required to serve that new development. This authorization applies to parks, schools, and transportation. By 1999, Snohomish County had adopted GMA-based already employs a mitigation impact fee program for roads and schools, which is found in Title 26 of the county code. The county intends to consider converting is considering whether to convert these its SEPA-

based park mitigation program into a GMA-based programs upon adoption of the GMA Comprehensive Plan.

Delete the third paragraph of the first column of page CF-5

Amend the fourth paragraph of the second column of page CF-5 to read:

~~Any~~The fee programs design will comply with GMA requirements and conditions concerning its their basis in the six-year CIP, appropriate credits for future property tax payments for debt retirement, use of other supplemental funding sources, and use of fee receipts.

Amend the sixth paragraph of the second column of page CF-5 to read:

This concurrency test must be met for transportation facilities in order for development to proceed. Title 26B defines the concurrency management system for Snohomish County's transportation facilities.

Amend the first paragraph of the first column of page CF-6 to read:

A less rigorous form of adequacy test for public facilities other than transportation facilities is needed to address GMA Goal 12. It directs that development not cause the level of service for those facilities and services necessary to support development to decline below established minimum levels. Such a test ~~is~~ will be utilized in reviewing development applications and updates to the six-year CIP. For development applications, incorporated into development regulations following the approval of the plan. This this will generally involve a review of development proposals to ascertain their impact upon existing or planned infrastructure systems. Where added capacity or other facility improvements to systems are needed to support a development proposal, the county will require a solution, such as temporary or permanent facility construction by the developer, longer project phasing or build-out periods, or other appropriate measures.

Add a second paragraph to the second column of page CF-6:

For updates to the CIP, a "statement of assessment" will be prepared to accompany the CIP. This statement will evaluate the adequacy of projected funding and current regulations to meet GMA Goal 12. This process is described in more detail in the Capital Facilities Plan/Year 2000 Update.

Amend Objective CF 1.A on page CF-7 to read:

Objective CF 1.A Establish level of service (LOS) standards for land transportation and other public facilities and services

necessary for development and establish facility service guidelines for other elements county facilities and services. Both LOS standards and facility service guidelines should which differentiate between urban and rural areas for appropriate county facilities.

Amend Goal CF 6 on page CF-14 to read:

GOAL CF 6 **Establish facility service guidelines for park land and recreational facilities which support objectives and priorities identified in the Countywide Comprehensive Park and Recreation Plan (Snohomish County Tomorrow, 1993).**

Amend the first paragraph of the first column of page CF-16 to read:

An exception to this approach is the public schools. Snohomish County's existing former impact mitigation program for schools provided the advance groundwork and the incentive for the county to include this facility system within this element. The county has been able to work closely with the school districts to develop GMA-compliant facility plans to serve as the foundation for a the new GMA-based school impact fee program that began operating in 1999. A special joint project was undertaken that is expected to result in consistent up to date capital facilities plans for all districts and a corresponding update to this element. Most school districts now participate in this program and prepare GMA capital facilities plans on a biennial basis. These plans are reviewed and adopted by Snohomish County as a part of its capital facilities element.

Amend the first paragraph of the first column of page CF-17 to read:

The Capital Facilities Plan/Year 2000 Update identifies public facilities and services that are necessary to support development, including some that are provided by other public agencies. Meeting GMA Goal 12 requires the county to monitor its development regulations and provider agency plans, as well as new development proposals. Although concurrency review will not be utilized for any non-county facilities, an adequacy test will be utilized in reviewing development applications. This will generally involve a review of development proposals to ascertain their impact upon existing or planned infrastructure systems including water supply, wastewater, parks, schools, and stormwater systems. If formal LOS targets and capital facility plans are not yet in place for a particular facility, other data from the provider agency will be used, such as national or regional space standards and existing utilization rates. Where additional capacity or other improvements are needed to support a development proposal, the county will require that a solution be worked out between the developer and the appropriate facility provider. As with county facilities, solutions may involve temporary or permanent facility construction by the developer, longer project phasing or build-out periods, or other appropriate measures.