

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00004322

ORDINANCE NO. 00-098

RELATING TO SCHOOL IMPACT FEES AND MITIGATION, ADOPTING 2000-2005 CAPITAL FACILITIES PLANS FOR THE DARRINGTON, EDMONDS, EVERETT, GRANITE FALLS, LAKE STEVENS, LAKEWOOD, NORTHSHORE, SNOHOMISH, STANWOOD AND SULTAN SCHOOL DISTRICTS AS PART OF THE GMA COMPREHENSIVE PLAN, AND ADOPTING A NEW SCHOOL IMPACT FEE SCHEDULE FOR ALL SCHOOL DISTRICTS PURSUANT TO SCC 26C.28.020; AMENDING AMENDED ORDINANCE 94-125 AND TITLE 26C SCC

WHEREAS, Snohomish County has adopted an impact fee ordinance to mitigate the impacts of new development on public school facilities pursuant to RCW 82.02.050; and

WHEREAS, under RCW 82.02.050(4), the county may only collect and spend impact fees for public facilities which are addressed by the capital facilities plan element of the comprehensive plan; and

WHEREAS, pursuant to Title 26C SCC, school districts must submit capital facilities plans to the county for adoption to be eligible for school impact fees; and

WHEREAS, certain existing school capital facilities plans (CFPs), including the 1998-2003 Capital Facilities Plans for Darrington School District No. 330, Everett School District No. 2, Granite Falls School District No. 332, Lake Stevens School District No. 4, Lakewood School District No. 306, Northshore School District No. 417, Snohomish School District No. 201, Stanwood School District No. 401 and Sultan School District No. 311, were adopted by Snohomish County in 1998 and will expire for purposes of Title 26C SCC on December 31, 2000; and

WHEREAS, under Title 26C SCC school districts must submit updated CFPs to Snohomish County for review and adoption before December 31, 2000 in order to maintain their eligibility to collect school impact fees after December 31, 2000; and

WHEREAS, by Ordinance No. 00-055 the County Council adopted updated CFPs for the period 2000-2005 for the Arlington, Marysville, Monroe, and Mukilteo School Districts effective January 1, 2001; and

WHEREAS, the Darrington, Everett, Granite Falls, Lake Stevens, Lakewood, Northshore, Snohomish, Stanwood and Sultan School Districts have submitted their

updated CFPs for the period 2000-2005 to the county Department of Planning and Development Services (PDS) pursuant to SCC 26C.26.010; and

WHEREAS, the Edmonds School District has also submitted a 2000-2005 capital facilities plan for county consideration, which would be the first plan from the district to be adopted by Snohomish County; and

WHEREAS, PDS has reviewed these plans, including the impact fee calculations using the formula in Table 1 of SCC 26C.28.010, and has consulted with the School Technical Review Committee authorized by SCC 26C.26.020(3) and has determined that each plan meets the applicable requirements of SCC 26C.26.020; and

WHEREAS, the Snohomish County Planning Commission held a public hearing on the Lakewood plan on July 25, 2000, a public hearing on the Edmonds and Sultan plans on August 22, 2000; and a public hearing on the Darrington, Granite Falls, Lake Stevens, Northshore, Snohomish, and Stanwood plans on October 10, 2000; and

WHEREAS, the Snohomish County Council held a public hearing on these plans on December 6, 2000; and

WHEREAS, environmental analysis required by the State Environmental Quality Act (SEPA) has been completed on each plan by the school district acting as lead agency; and

WHEREAS, SCC 26C.26.030 provides that any school district plan adopted by the County Council shall be incorporated by reference into the capital facilities element of the county comprehensive plan; and

WHEREAS, many of the new school CFPs provide for changes to existing impact fees, requiring an amendment to the county's school impact fee schedule; and

WHEREAS, the County Council has been briefed by staff on these school CFPs and on any relationships between them and the county Capital Facilities Plan / Year 2000 Update, the 2001-2006 Capital Improvement Program and the 2001 Annual Budget, and the County Council has given due consideration to such relationships; and

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

NOW, THEREFORE, BE IT ORDAINED:

Section I. Authority. This ordinance is adopted to implement Title 26C SCC, as amended, and to adopt school capital facilities plans for the Arlington, Darrington,

Everett, Granite Falls, Lake Stevens, Lakewood, Marysville, Monroe, Mukilteo, Northshore, Snohomish, Stanwood, and Sultan School Districts. This ordinance is necessary to address identified impacts of development on school districts in order to protect the public health, safety, and welfare, and to exercise Snohomish County's authority to impose impact fees pursuant to RCW 82.02.050 et seq.

Section 2. Findings of fact and conclusions. The County Council makes the following findings of fact and conclusions:

A. The 2000-2005 Capital Facilities Plans for the Darrington, Edmonds, Everett, Granite Falls, Lake Stevens, Lakewood, Northshore, Snohomish, Stanwood, and Sultan School Districts, adopted herein, will further the goals of the GMA for the provision of adequate public facilities to accommodate growth.

B. The 2000-2005 Capital Facilities Plans for the Darrington, Edmonds, Everett, Granite Falls, Lake Stevens, Lakewood, Northshore, Snohomish, Stanwood, and Sultan School Districts contain the necessary components for such comprehensive plan elements as prescribed in Chapter 36.70A RCW and the applicable provisions in Appendix F of the Snohomish County General Policy Plan.

C. PDS has reviewed these district plans, including the impact fee calculations using the formula in Table 1 of SCC 26C.28.010, and has determined that each plan meets the requirements of SCC 26C.26.020. This determination was made after consultation with the School Technical Review Committee, which reviewed each plan prior to the Planning Commission's public hearing. The record demonstrates that these school capital facilities plans meet the requirements of Title 26C SCC, as amended, and is an appropriate basis for the collection of school impact fees.

D. The Darrington, Everett, Granite Falls, Lake Stevens, Lakewood, Northshore, Snohomish, Stanwood, and Sultan School Districts have met the requirements of SCC Title 26C and of their agreements with Snohomish County concerning the operation and administration of the school impact fee program.

E. SEPA requirements have been satisfied by each school district, acting as lead agency, completing an environmental checklist and issuing a Determination of Nonsignificance for each plan.

F. The Planning Commission has reviewed the school districts' plans, has conducted a public hearing on each plan, and has recommended adoption of these plans as part of the capital facilities element of the GMA comprehensive plan.

G. The County Council conducted a public hearing on these ten school district capital facilities plans on December 6, 2000.

H. The County Council has considered these school CFPs in the context of other potentially related amendments to the county's capital facilities element also under consideration, including the county Capital Facilities Plan / Year 2000 Update, the 2001-2006 Capital Improvement Program and the 2001 Annual Budget. As provided by SCC 26C.26.030, each of these plans will be incorporated by reference into the capital facilities element of the comprehensive plan.

I. The County Council has considered adoption of these school CFPs concurrently with the yearly amendments to the county's GMA comprehensive plan.

J. Public participation requirements of the GMA and the county code have been met or exceeded through the public hearing conducted by the Planning Commission and the County Council.

K. The adoption of these district plans is consistent with the GMA, the county's GMA comprehensive plan, and the Countywide Planning Policies for Snohomish County.

L. It is appropriate to adopt a fee schedule for 2001 through 2002 based on the school capital facility plans that have been developed and adopted pursuant to Title 26C SCC as a new section of the Snohomish county Code, pursuant to SCC 26C.28.020.

Section 3. Adoption. Based on the foregoing findings and conclusions, the following school CFPs are hereby adopted as part of the county's GMA comprehensive plan and are incorporated by reference into this ordinance as if set out in full: Darrington School District No. 330 2000-2005 Capital Facilities Plan, attached hereto as Exhibit A; the Edmonds School District No. 15 2000-2005 Capital Facilities Plan, attached hereto as Exhibit B; the Everett School District No. 2 2000-2005 Capital Facilities Plan, attached hereto as Exhibit C; the Granite Falls School District No. 332 2000-2005 Capital Facilities Plan, attached hereto as Exhibit D; the Lake Stevens School District No. 4 2000-2005 Capital Facilities Plan, attached hereto as Exhibit E; the Lakewood School District No. 306 2000-2005 Capital Facilities Plan, attached hereto as Exhibit F; the Northshore School District No. 417 2000-2005 Capital Facilities Plan attached hereto as Exhibit G; the Snohomish School District No. 201 2000-2005 Capital Facilities Plan, attached hereto as Exhibit H; the Stanwood School District No. 401 2000-2005 Capital Facilities Plan, attached hereto as Exhibit I; and the Sultan School District No. 311 2000-2005 Capital Facilities Plan, attached hereto as Exhibit J. These plans hereby replace the former capital facilities plans for the aforementioned school districts previously adopted by Amended Ordinance 98-126.

Section 4. Section 4 of Amended Ordinance 94-125, as last amended by Amended Ordinance No. 00-074 on November 21, 2000, is amended to read:

Section 4. Based on the foregoing findings and conclusions, the county council hereby adopts the Snohomish County GMA Comprehensive Plan required by the Growth Management Act consisting of the General Policy Plan and Future Land Use Map, the Transportation Element, and the Capital Facilities Element. Attached hereto as Exhibit A is the General Policy Plan element of the comprehensive plan. As part of the GMA Comprehensive Plan, the county council hereby adopts the agricultural, forest land and mineral land designations shown in the Future Land Use map attached to the General Policy Plan and shown in parcel specific detail on a set of county assessor's maps, attached hereto as Exhibit B. As part of the GMA Comprehensive Plan, the county council also adopts the Transportation Element, attached hereto as Exhibit C, and the capital facilities element, which consists of the following documents: Snohomish County ~~(1999-2004)~~ 2000-2005 Capital Improvement Plan, ~~((Detail attached hereto))~~ as adopted in Section 3 of ~~((to))~~ Amended Ordinance 99-092 ~~((as Exhibit D))~~; Arlington School District Capital Facilities Plan 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-055 as Exhibit ~~((D-1))~~ A; Darrington School District #330 Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-2))~~ A, Edmonds School District #15 Capital Facilities Plan 2000-2005 attached to Ordinance No. 00-098 as Exhibit B, Everett School District Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-3))~~ C, Granite Falls School District #332 Capital Facilities Plan ~~((1998-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance 00-098 as Exhibit ~~((D-4))~~ D; Lake Stevens School District #4 Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-5))~~ E; Lakewood School District #306 Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-6))~~ F; Marysville School District #25 2000-2005 Capital Facilities Plan, attached ~~((hereto))~~ to Ordinance No. 00-055 as Exhibit ~~((D-7))~~ B; Monroe School District #103 Capital Facilities Plan 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-055 as Exhibit ~~((D-8))~~ C; Mukilteo School District #6 Capital Facilities Plan 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-055 as Exhibit ~~((D-9))~~ D; ~~((1998 Capital Facilities Plan (Northshore School District #417)))~~ Northshore School District No. 417 Capital Facilities Plan 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-10))~~ G; Snohomish School District Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-11))~~ H, Stanwood School District #401 Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-12))~~ I; and Sultan School District #311 Capital Facilities Plan ~~((1997-2003))~~ 2000-2005, attached ~~((hereto))~~ to Ordinance No. 00-098 as Exhibit ~~((D-13))~~ J. The Countywide Comprehensive Park and Recreation Plan, adopted by Motion 94-428, is a part of the GMA Comprehensive Plan, and is attached hereto as Exhibit E.

Section 5. Expiration. The school district capital facility plans adopted by Sections 3 and 4 of this ordinance shall remain in effect for a period of two years from the effective date of this ordinance, unless an updated plan is submitted and approved prior

to that date, or as otherwise provided by Title 26C SCC. Plan approval remains in effect within this period only so long as the school districts meet the requirements of the GMA concerning the collection and use of impact fees, and other conditions established in state law or in Title 26C SCC.

Section 6. Snohomish County Code Chapter 26C.28 is amended by adding a new section to read:

26C.28.015 2001-2002 school impact fee schedule. The following school impact fees have been adopted pursuant to this title for developments that vest to county development regulations from January 1, 2001, to December 31, 2002:

SCHOOL DISTRICT	SINGLE FAMILY per dwelling unit	MULTI-FAMILY [1-bedroom] per dwelling unit	MULTI-FAMILY [2+ bedrooms] per dwelling unit
Arlington No. 16	\$ 2758	\$ 1698	\$ 2117
Darrington No. 330	\$ 817	\$ 140	\$ 579
Edmonds No. 15	\$ 0	\$ 0	\$ 0
Everett No. 2	\$ 1844	\$ 0	\$ 1044
Granite Falls No. 332	\$ 2201	\$ 0	\$ 3394
Lake Stevens No. 4	\$ 5013	\$ 446	\$ 2772
Lakewood No. 306	\$ 1797	\$ 0	\$ 1248
Marysville No. 25	\$ 3847	\$ 0	\$ 3030
Monroe No. 103	\$ 2810	\$ 294	\$ 2782
Mukilteo No. 6	\$ 3718	\$ 0	\$ 2864
Northshore No. 417	\$ 879	\$ 0	\$ 0
Snohomish No. 203	\$ 4429	\$ 0	\$ 2416
Stanwood No. 401	\$ 2664	\$ 0	\$ 651
Sultan No. 311	\$ 2362	\$ 0	\$ 1827

Section 7. Repeal. Sections 5, 6, and 8 of Ordinance No. 98-126 are hereby repealed.

Section 8. Effective date. The effective date of this ordinance shall be January 1, 2001.

Section 9. Severability. If any provision of this ordinance shall be held to be invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision of this ordinance.

PASSED this 6th day of December, 2000

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Richard Latham
Chairperson

ATTEST:

Sheila McAlester
Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: 12-11-00
[Signature]
Snohomish County Executive

ATTEST: *J. Swanson*

Approved as to form only:

Bubba Dyles 10/13/00
Deputy Prosecuting Attorney

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**COPIES OF EACH OF THE
SCHOOL DISTRICT PLANS ARE
AVAILABLE UPON REQUEST IN
THE OFFICE OF THE
COUNTY COUNCIL**

**Ordinance No. 00-098
adopted December 6, 2000**