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SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 05-070

AN ORDINANCE RELATING TO ADOPTION OF A TRANSPORTATION ELEMENT AS PART OF THE 10-YEAR UPDATE OF SNOHOMISH COUNTY'S COMPREHENSIVE PLAN AS REQUIRED BY THE GROWTH MANAGEMENT ACT (GMA), RCW 36.70A.070(6) AND RCW 36.70A.130; CHANGING THE STANDARDS FOR EVALUATING LEVEL OF SERVICE ON COUNTY ARTERIALS; CLARIFYING CRITERIA FOR DESIGNATING ARTERIALS AT ULTIMATE CAPACITY; AND PRESENTING A PLAN FOR TRANSPORTATION FACILITIES AND SERVICES THROUGH THE YEAR 2025.

WHEREAS, RCW 36.70A.130(3) directs counties planning under the Growth Management Act (GMA) to take legislative action to review and, if needed, revise their comprehensive plans and development regulations to ensure that the plans are capable of accommodating forecasted population growth for the succeeding 20-year period; and

WHEREAS, Snohomish County adopted the Snohomish County Growth Management Act Comprehensive Plan ("GMACP") on June 28, 1995; and

WHEREAS, Snohomish County has amended its comprehensive plan several times since its adoption, most recently in December 2004 to conclude the "7-year compliance review" required by RCW 36.70A.130(1); and

WHEREAS, the County must also review its plan every ten years, pursuant to RCW 36.70A.130(3) to ensure that it is capable of accommodating projected population growth for the succeeding 20-year period; and

WHEREAS, in the spring of 2003 the County provided general notice it was, pursuant to RCW 36.70A.130, undertaking a review of its comprehensive plan to complete the seven-year compliance review along with the separate 10-year update process, through its widely disseminated *Focus on Tomorrow Newsletter* and through updates to the county website; and

WHEREAS, public open houses concerning the seven-year compliance review and the 10-year update were held in Everett on February 4, 2003, Lynnwood on February 6, 2003, Monroe on February 10, 2003, and Arlington on February 19, 2003; and

WHEREAS, on July 22, 2003, a joint public meeting before the County Council and Planning Commission was held in Everett concerning the seven-year compliance review and 10-year update; and

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WHEREAS, on November 8, 2003, all-day events referred to as "Planners in the Library" were held in Lynnwood, Marysville and Monroe for the purpose of discussing the seven-year compliance review and 10-year update with the public; and

WHEREAS, in April 2004, the County updated the public on the seven-year compliance review and 10-year update process through its widely disseminated *Focus on the Future Newsletter* and through updates to the county website; and

WHEREAS, the County held public hearings concerning the seven-year compliance review and 10-year update in Arlington on June 1, 2004, and June 8, 2004, as well as in Everett on June 3, 2004; and

WHEREAS, on May 15, 2004, all-day events known as "Planners in the Library" were held in Lynnwood, Marysville and Monroe for the purpose of discussing the seven-year compliance review update and 10-year update with the public; and

WHEREAS, Snohomish County Department of Planning and Development Services (PDS) staff hosted public workshops on the seven-year compliance review and 10-year update in Lynnwood on June 14, 2004, Monroe on June 16, 2004, and Arlington on June 17, 2004; and

WHEREAS, on June 29, 2004, a joint public hearing before the County Council and Planning Commission was held in Everett concerning the seven-year compliance review and 10-year update; and

WHEREAS, on July 27, 2004, PDS presented overviews of the seven-year compliance review and 10-year update to the Planning Commission and the County Council Planning Committee; and

WHEREAS, on October 12, 2004, PDS unveiled its preferred alternative future land use map at an advertised public meeting before the Planning Commission; and

WHEREAS, on October 14 and 20, 2004, PDS held public open houses to facilitate public knowledge of and to receive public input concerning the preferred alternative future land use map; and

WHEREAS, on November 3, 4, 9 and 18, 2004, PDS held public workshops with city and county planning commissioners to discuss key policy issues related to the comprehensive plan, including infrastructure challenges for transportation, parks and drainage, economic development, resource land preservation, fully-contained communities and others; and

WHEREAS, on April 19, 21 and 28, and May 21, 2005, PDS held public open houses on the recommended package of comprehensive plan amendments for the 10-Year Update, including amendments to the General Policy Plan, the Transportation Element, the Capital Facilities Plan, the Comprehensive Park and Recreation Plan, the Future Land use Map, the county zoning map, and selected sections of the code; and

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WHEREAS, on May 24 and 26 and June 1 and 2, 2005, the Snohomish County Planning Commission and the Snohomish County Council held joint public hearings to receive public testimony concerning the proposed amendments to the comprehensive plan; and

WHEREAS, on June 7, 9, 14, 16, and 21, 2005, the planning commission deliberated on the PDS recommended package of comprehensive plan amendments at an advertised public meeting; and

WHEREAS, at the conclusion of the public hearing the planning commission voted to recommend adoption of the proposed package of comprehensive plan amendments, with certain modifications as enumerated in its recommendation letter of July 26, 2005 and

WHEREAS, the county council held public hearings on October 3, 4, 5, and 6, 2005 and December 7, 2005 to consider the entire record, including the planning commission's recommendations on the full package of comprehensive plan amendments, and to hear public testimony on this Ordinance No. 05-070; and

WHEREAS, the county council deliberated on the planning commission recommendations, executive alternatives, and public testimony on October 10, 11, 12, 17, 18, 19, 20 and 31, 2005 and November 3 and 9, 2005 and December 14, 19 and 21, 2005; and

WHEREAS, RCW 36.70A.070 (6) directs counties planning under the Growth Management Act (GMA) to take legislative action to adopt a transportation element that implements, and is consistent with, the land use element and ensures the transportation element plan complies with the goals and requirements in chapter 36.70A RCW; and

WHEREAS, Snohomish County adopted the GMACP and its Transportation Element ("TE") on June 28, 1995 and the TE was amended in compliance with the GMA on December 20, 2000, November 7, 2001 and May 30, 2002; and

WHEREAS, the County has provided for environmental review of the proposed revisions in accordance with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and county codes; and

WHEREAS, public participation was also conducted during March through December of 2004 to solicit review and comment from various stakeholders (individuals and interest groups) regarding transportation level of service standards and modifications to administration of the county's concurrency management program required by the county's countywide planning policies and transportation element;

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NOW, THEREFORE, BE IT ORDAINED:

**Section 1.** 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 2.** The County Council adopts and incorporates the foregoing recitals as findings and conclusions as if set forth fully herein.

**Section 3.** The County Council makes the following additional Findings of Fact regarding adoption of the Transportation Element (TE):

- A. Goal 12 of the GMA (RCW 36.70A.020(12)) provides that jurisdictions should, "Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards."
- B. The TE must be consistent with guidance provided by countywide planning policies (CPPs) adopted by the Snohomish County Council.
  1. Consistent with CPP TR-2, the TE designates transportation service areas that provide the geographic basis for joint projects, maintenance, level of service methods, coordinated capital and mitigation programs and finance methods for transportation facilities and services.
  2. Consistent with CPP TR-4, the TE plans for the provision of transportation facilities and services that support the land use elements of the county and cities' comprehensive plans, particularly roadway capacities together with public transportation services appropriate to the designated land use types and intensities.
  3. Consistent with CPP TR-7, the TE provides for use of consistent and professionally accepted methodologies for determining transportation levels of service that consider development intensities for urban versus rural areas, high-occupancy vehicle use and community values as reflected by the city and county comprehensive plans.
  4. Consistent with CPP TR-8, the TE recommends concurrency requirements for land development by considering transportation levels of service and available financial resources to make needed transportation improvements.

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5. Consistent with CPP TR-9, the TE establishes common technical procedures for transportation demand management (TDM) programs that reduce trip making and air quality impacts associated with development and major employers.
- C. The State Growth Management Act (RCW 36.70A.070 (6)) directs counties to include within their comprehensive plans a TE that implements and supports the adopted land use element as described by the General Policy Plan (GPP).
- D. Adoption of the proposed TE must be consistent with the goals, objectives and policies of the GMACP General Policy Plan (GPP). The Transportation Element advances a number of specific goals, objectives and policies from the GPP.
1. The TE maintains consistency with GPP Goal TR1 by planning for transportation systems (highways, arterials, transit and nonmotorized), that serve and complement the future land use map (FLUM) of the county comprehensive plan.
  2. Consistent with Objective TR 1.B, the TE details in map and text form a long-range plan for future highways and arterial roadways that will provide direct connections and adequate rights-of-way in consideration of planned land use.
  3. The TE, consistent with TR Policy 1.B.1, uses future land use projections based on the FLUM and city comprehensive plans to establish travel demand and county rights-of-way needs for all modes of travel.
  4. The TE, consistent with TR Policy 1.B.2, provides for types and levels of transportation facilities within the county based on the types and levels of future development intensity illustrated by the FLUM.
  5. The TE, consistent with TR Policy 1.B.5, evaluates and presents future roadways and improvements of existing roads as a way to enhance multi-modal traffic flow and the connectivity of countywide arterial roadways.
  6. The TE presents transportation systems that are efficient in providing adopted levels of service, as per TR Goal 5.

7. Consistent with TR Policy 5.A.1, the TE identifies additional transportation mitigation requirements for proposed development that impacts roadways expected to be at ultimate capacity.
8. The TE provides that a level of service standard, consistent with TR Policy 5.A.2, is used as a tool to manage the rate of growth in rural areas and encourage more intense development within urban areas.
9. The TE identifies and forecasts the financial resources reasonably available to make needed transportation improvements for county roads, consistent with TR Policy 5.A.4.
10. The TE adopts professionally accepted measures and methods in determining transportation level of service, consistent with TR Policy 5.A.5 and the most current edition of the Highway Capacity Manual, Transportation Research Board, Washington D.C .
11. The TE provides for a systematic, two-step method for calculating transportation level of service, consistent with TR Policy 5.A.6.
12. The provisions for level of service in the TE are also consistent with TR Policy 5.A.8 in ensuring that level of service will be monitored on all county arterials.
13. The TE, consistent with TR Goal 7, defines how to prioritize and finance transportation improvements for the greatest public benefit based on multi-year estimates of improvement cost and reasonably available revenues.
14. The TE is consistent with TR Objective 7.A and is a product of joint-planning with other transportation providers through ad hoc technical teams and Snohomish County Tomorrow committees (i.e., planning advisory committee and infrastructure coordinating committee).
15. Consistent with Policy 7.A.1, the TE identifies critical arterials that are given first consideration for improvement because they enhance the safety and effectiveness of existing transportation facilities and services and/or use of high-occupancy vehicles.
16. Consistent with Policy 7.A.3, the TE cost estimating process is compatible with other transportation agency processes used to estimate costs of proposed transportation system improvements.

17. The TE, consistent with TR Policy 7.A.5, identifies projects for input to the county's six-year transportation improvement program and identifies reasonably available sources of public money for such purposes.
  18. The provisions for impact fee rates in the TE are consistent with TR 7.B.3 in using the new average daily trips generated by development as the primary measurement in establishing the amount of the impact fee that will be paid by development.
- E. The transportation element text and maps are required to include the sub elements identified in RCW 36.70A.070 (6). These sub elements include: a) land use assumptions used in estimating travel demand, b) an inventory of transportation facilities and services, c) level of service standards and actions necessary to meet the standards, d) transportation service and facility needs, e) a multi-year finance plan, f) strategies for intergovernmental coordination, and g) strategies for impact assessment and reducing travel demand; and,
  - F. Snohomish County complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW by preparing a draft and final environmental impact statement which addresses the TE impacts and mitigation; and,
  - G. Pursuant to RCW 36.70A.130 (3), Snohomish County has reviewed and updated its comprehensive plan and transportation element to ensure that it is capable of accommodating projected growth and development for the succeeding 20-year period; and,
  - H. Snohomish County has provided for early and continuous public participation in the review of the proposed TE as required by chapter 30.73 SCC and 30.74 SCC.
  - I. Schools and other public facilities necessary to support existing residential development are subject to concurrency requirements. Generally, these facilities lag behind the residential growth that necessitates them. Where residential development constrains local arterial concurrency determinations, the public facilities may have trouble obtaining concurrency, and may not be available in a timely fashion to serve the residential areas. WAC 365-195-835(3) (c) (i) and (iii) recognize that local governments should preserve concurrency capacity for these types of facilities. The Snohomish County Council and the Planning Commission received both written and oral testimony to this effect during the joint public hearing process conducted in the spring of 2005.

**Section 4.** The County Council makes the following conclusions regarding adoption of the Transportation Element (TE):

- A. Adoption of the TE is consistent with and advances the General Policy Plan goals, objectives and polices on Transportation.
- B. Snohomish County has prepared a transportation element for the 2005 to 2025 timeframe consistent with RCW 36.70A.070 (6) which directs counties planning under the GMA, to include within their comprehensive plans a TE that implements and supports the adopted land use element as described by the GPP.
- C. Adoption of the TE is consistent with the countywide planning policies (CPPs), adopted by the Snohomish County Council, by providing a plan for multi-modal transportation facilities and services that support planned land use.
- D. The transportation element, related appendices, and maps carry out the transportation goals, objectives and policies contained within the GPP and also address the requirements of RCW 36.70A.070 (6).
- E. The level of service and concurrency provisions adopted by the TE advance several GMA planning goals:
  - a. The TE provisions, which provide a level-of-service standard for arterials designated as ultimate capacity will help to reduce sprawl, encourage efficient multimodal transportation systems, and encourage economic development, which further RCW 36.70A.020(2), (3), (5), and (12).
  - b. The level-of-service standard provisions, which provide for an average daily trip threshold, will help the County process permits in a timely manner, furthering RCW 36.70A.020(7).
  - c. The outreach to the public and stakeholders throughout the process of developing the TE has helped to encourage the involvement of citizens in the planning process, thereby advancing RCW 36.70A.020(11).
  - d. By helping to ensure that transportation public facilities and services, necessary to support development, will be adequate to serve development without decreasing current service levels below the adopted minimum standards, the TE advances RCW 36.70A.020(12).



- e. Overall, the TE will help to protect the environment while helping to ensure predictability for development in furtherance of RCW 36.70A.020(1), (2), (3), (7), (10), and (12).
- F. The level of service and concurrency amendments to the TE comply with RCW 36.70A.070(6)(a) by providing level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system.
- G. The level of service and concurrency amendments to the TE comply with RCW 36.70A.070(6)(b) by providing that the County will prohibit development that causes the level of service to decline below the standards adopted in the transportation element unless sufficient transportation improvements are made concurrent with the development to remedy the level of service deficiency.
- H. The level of service and concurrency amendments to the TE comply with WAC 365-195-835 by providing regulations which govern the operation of the County's concurrency management system.
- I. The level of service, concurrency, and ultimate capacity provisions of the TE comply with the GMA and the GPP policies that relate to level of service and concurrency. Specifically:
1. Adopting the level of service standards in the TE meets the requirement of RCW 36.70A.070 which requires that a transportation element include level of service standards for all locally owned arterials. Adopting the identical standards in Chapter 30.66B SCC is necessary to implement those standards within the county's development regulations.
  2. Section III.A.2 of the TE indicates that the county council reserves the option to designate arterials as being at ultimate capacity, where provisions are made for adequate operational safety, pedestrian mobility and bicycle circulation as applicable. Ultimate capacity may be appropriate if, among other things, there are "adequate provisions to accommodate pedestrian and bicycle demand" and the requirement for county council to identify any known improvements needed to address safety issues.
  3. The TE proposes several measures to help mitigate the effects of ultimate capacity by promoting efficiency including transportation system management (TSM) actions, access management improvements, and transportation demand management (TDM) actions.

4. The TE proposes that development impacting ultimate capacity facilities be required to meet new Transportation System Management (TSM) requirements (e.g. access control) and either meet revised (more intensive) Transportation Demand Management (TDM) requirements, or meet the criteria for transit compatibility.
  5. The TE proposes that arterials outside of UGAs that are designated as rural arterials with urban traffic would be evaluated for their level of service using the urban LOS standard.
  6. Snohomish County's TE is incorporated by reference into the Capital Facilities plan with respect to transportation facilities and needs.
- J. The State Environmental Policy Act (SEPA) requirements with respect to this proposed action have been satisfied. A Final Environmental Impact Statement (FEIS) for the GMACP and TE was issued on December 13, 2005. This FEIS describes the provisions of this ordinance and adds information and analysis of the significant impacts. The SEPA requirements with respect to this proposed action have been satisfied by the DEIS and FEIS.
- K. The amendments to the TE allow the county to allocate its limited public resources efficiently by focusing on improvements that will have the most effect for the most citizens. Specifically, the addition of a measure of average daily trips (ADT) to the level of service standard, helps assure that public resources to maintain concurrency are not focused on roads with low volumes or on roads that have been designated as being at ultimate capacity.
- L. The amendments to the TE pertaining to the level of service standard for transit-compatible development will provide for a simple reduction in average travel speed for the same one-hour peak periods that are used to evaluate LOS for development that is not transit compatible.
- M. The amendments to the TE pertaining to the commitment by the county for such things as access control and demand management on roads designated as ultimate capacity, will help assure that the efficiency of such roads is maintained or increased through active, ongoing road system management.
- N. The amendments to the TE pertaining to the process and criteria for designation of roads as ultimate capacity will help assure that such designations are made in a consistent manner.

- O. The amendments to the TE pertaining to the requirements for development impacting roads designated as ultimate capacity will help assure that the efficiency of such roads is maintained or increased over time to preserve capacity and lessen reductions in average travel speeds.
- P. There has been early and continuous public participation in the review of the proposed amendment as required by chapter 30.73 SCC and 30.74 SCC. The public was notified of the public hearings held by the planning commission and the county council by means of published legal notices in The Everett Herald and local newspapers. The TE has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.
- Q. The amendments to the Transportation Element and Chapter 30.66B SCC include provisions related to concurrency for certain public facilities needed to support residential development. The ordinance would provide for a level of service (LOS) standard for certain public facilities needed to support previous residential development to make it more likely that such developments could be deemed concurrent. The determination of whether or not a proposed development would qualify for the separate LOS standard would be based upon a set of adopted criteria. In addition, public facilities which had to use the separate LOS standard to achieve concurrency would be required to provide additional road mitigation, mainly in the form of transit compatibility or transportation demand management (TDM).

**Section 5.** Based on the foregoing findings and conclusions, the Transportation Element of Snohomish County's GMA Comprehensive Plan – General Policy Plan is adopted as indicated by Exhibits A - D attached hereto and incorporated by reference into this ordinance as if set forth in full.

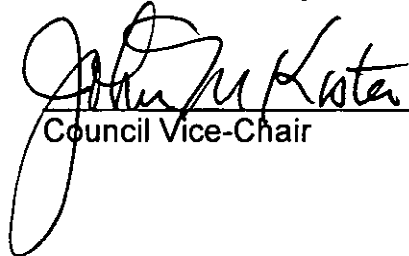
**Section 6.** The Transportation Element, and related attachments, adopted by this ordinance replaces all prior transportation elements adopted or amended by previous legislative actions.

**Section 7. Effective Date.** The provisions of this ordinance shall take effect on February 1, 2006.

**Section 8.** Severability and savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (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 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 21<sup>st</sup> day of December, ~~2004~~ 2005

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Council Vice-Chair

ATTEST:

  
Asst. Clerk of the Council

- APPROVED  
 EMERGENCY  
 VETOED

DATE: 12/30, 2005

  
Snohomish County Executive

ATTEST 

Approved as to form only:

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Deputy Prosecuting Attorney

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**EXHIBIT A**

**Snohomish County GMA Comprehensive Plan –  
Transportation Element, April 2005.**

**EXHIBIT B**

**Inventory of Transportation Facilities and Services –  
Catalog of Maps and Data Bases, January 2002.**

**EXHIBIT C**

**Recommended Road and Street Improvements Maps  
for Transportation Service Areas, April 2005.**

**EXHIBIT D**

**Arterial Circulation Map –  
April 2005.**

**EXHIBIT E**

**County wide Bicycle Facilities Systems Map –  
April 2005.**

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