

1 Adopted: 11/23/15  
2 Effective: 12/20/15

3  
4 SNOHOMISH COUNTY COUNCIL  
5 SNOHOMISH COUNTY, WASHINGTON

6  
7 AMENDED ORDINANCE NO. 15-080

8  
9 ADOPTING THE 2016-2021 CAPITAL IMPROVEMENT PROGRAM  
10 AS A PART OF SNOHOMISH COUNTY'S  
11 GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN  
12

13 WHEREAS, the Growth Management Act (GMA), chapter 36.70A RCW, requires  
14 counties to adopt, as part of a GMA comprehensive plan (GMACP), a capital facilities  
15 element that includes a six-year plan providing for the financing of capital facilities within  
16 projected funding capacities and clearly identifying sources of public money for such  
17 purposes; and

18  
19 WHEREAS, the Snohomish County Council (the "County Council") first adopted  
20 a capital facilities plan as required by the GMA, the 1995-2000 Capital Plan, along with  
21 other mandatory elements of Snohomish County's GMACP, on June 28, 1995; and

22  
23 WHEREAS, the County Council has adopted regular updates to the Capital  
24 Improvement Program (CIP) since 1995 including, most recently, the 2015-2020 CIP  
25 adopted by Emergency Ordinance No. 14-126 on December 17, 2014; and

26  
27 WHEREAS, Section 6.50 of the Snohomish County Charter (the "County  
28 Charter") requires the County Council to adopt a six-year capital improvement program  
29 as an adjunct to the annual budget, including a balance of proposed expenses and  
30 potential revenue sources; and

31  
32 WHEREAS, Section 4.26.024 of the Snohomish County Code (SCC or the  
33 "County Code") requires the Snohomish County Executive on an annual basis to  
34 prepare a capital improvement program for the next six fiscal years pursuant to the  
35 County Charter and the GMA; and

36  
37 WHEREAS, General Policy Plan (GPP) CF Policy 1.B.1 requires Snohomish  
38 County (the "County") to prepare and adopt a six-year capital improvement program that  
39 identifies projects, outlines a schedule, and designates realistic funding sources for all  
40 County capital projects; and

41  
42 WHEREAS, pursuant to the County Charter and the County Code, the County  
43 Council plans to update its six-year CIP concurrently with the 2016 budget process; and

44  
45 WHEREAS, the Snohomish County Planning Commission (the "Planning  
46 Commission") held a public hearing on September 22, 2015; and

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PROGRAM AS A PART OF SNOHOMISH COUNTY'S  
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1  
2 WHEREAS, the County Council held a public hearing on November 23, 2015, to  
3 consider the Planning Commission's recommendations as well as public testimony on  
4 the 2016-2021 CIP; and

5  
6 WHEREAS, the County Council considered the 2016-2021 CIP, which is  
7 attached as Exhibit A, concurrently with the 2016 budget; and

8  
9 WHEREAS, the County Council considered the entire hearing record including  
10 the Planning Commission's recommendation and written and oral testimony submitted  
11 during the public hearings;

12  
13 NOW, THEREFORE, BE IT ORDAINED:

14  
15 Section 1. The County Council adopts the foregoing recitals as findings as if set forth  
16 fully herein.

17  
18 Section 2. The County Council makes the following additional findings of fact and  
19 conclusions.

- 20  
21 A. The 2016-2021 CIP is a six-year financing plan that is consistent with the directives  
22 of the GMA, the Countywide Planning Policies for Snohomish County, and the  
23 County's GMACP, including the directives of the GPP and the Capital Facilities  
24 Element of the GMACP. The 2016-2021 CIP meets the capital planning  
25 requirements contained in the County Charter and County Code.  
26  
27 B. The 2016-2021 CIP complies with RCW 36.70A.070(3) that requires adoption of a  
28 six-year financing plan for capital facilities including a requirement to reassess the  
29 land use element if probable funding falls short of meeting existing needs and to  
30 ensure coordination and consistency between the CIP, the land use element, and  
31 the capital facilities elements of the GMACP.  
32  
33 C. The 2016-2021 CIP helps achieve Goal 12 of the GMA, RCW 36.70A.020(12), by  
34 ensuring those public facilities necessary to support development are funded to  
35 adequately serve the development at the time development is available for  
36 occupancy and use without diminishing the current service levels below the  
37 established minimum level of service (LOS).  
38  
39 D. The 2016-2021 CIP furthers the GMA's goals of encouraging urban development in  
40 urban areas and ensuring the provision of adequate public facilities. It identifies  
41 short and intermediate term capital facility needs based upon the same population  
42 forecasts which drive the land use element. The projected need for parks, roads,  
43 and other County facilities is predicated on the increasingly urban population base  
44 directed by the land use element, and the CIP focuses County infrastructure  
45 investment within UGAs.  
46

- 1 E. The 2016-2021 CIP satisfies the policy direction contained in GPP Objective CF 1.B  
2 to develop a six-year financing program for capital facilities that meets the  
3 requirements of the GMA, achieves the County's LOS objectives for County roads  
4 and transit, and is within its financial capabilities to carry out.  
5
- 6 F. The 2016-2021 CIP satisfies the policy direction contained in GPP CF Policy 1.B.1  
7 to prepare and adopt a six-year capital improvement program that identifies projects,  
8 outlines a schedule, and designates realistic funding sources for all County capital  
9 projects.  
10
- 11 G. The 2016-2021 CIP specifies proposed funding sources for the planned capital  
12 facilities and contains a "statement of assessment" which addresses the need for a  
13 reassessment of land use or other comprehensive plan elements if there is a  
14 projected shortfall in revenue (between 2016 and 2021) that causes the LOS for a  
15 facility classified as necessary to support development to fall below the minimum  
16 level identified in the capital facilities plan.  
17
- 18 H. The 2015 Comprehensive Plan Update, adopted by the County Council on June 10,  
19 2015, included reassessment and updates to the Land Use Element, Transportation  
20 Element, Parks and Recreation Element, Capital Facilities Plan Element, future land  
21 use map, and regulations and policies.  
22
- 23 I. The Capital Facilities Element adopted during the 2015 update of the GMACP  
24 describes the LOS standards for those public facilities the County has identified as  
25 necessary to support development: fire protection services, surface transportation,  
26 parks and recreation, surface water management, electric power, schools, public  
27 wastewater, and public water supply.  
28
- 29 J. The adoption of the 2016-2021 CIP is within the scope of analysis and associated  
30 adopted environmental documents contained in the Final Environmental Impact  
31 Statement (FEIS) for the GMACP issued on June 3, 2015, in compliance with the  
32 State Environmental Policy Act (SEPA), chapter 43.21C RCW. The adoption of the  
33 2016-2021 CIP will result in no new significant adverse environmental impacts.  
34
- 35 K. The Planning Commission conducted a public hearing on September 22, 2015, and  
36 considered the public testimony and the full public record in preparing its  
37 recommendation and has met the applicable public participation requirements of the  
38 SCC and state law.  
39
- 40 L. The CIP includes public facilities that will maintain or exceed a minimum LOS.  
41
- 42 M. Projected revenues are adequate to fund capital facilities included in the CIP.  
43
- 44 N. There is a reasonable expectation that regulatory measures will ensure development  
45 will not occur unless adequate public facilities are in place to maintain a minimum  
46 LOS.

1  
2 O. RCW 36.70A.130(2)(a)(iv) allows the County to amend the GMACP more frequently  
3 than once per year if the amendment is to the capital facilities element and occurs  
4 concurrently with the adoption or amendment of the County's budget. This criterion  
5 is met because this ordinance will be considered concurrently with the County's  
6 2016 budget ordinance, fulfilling GMA, County Charter, and County Code  
7 requirements that tie the CIP to the budget.  
8

9 Section 3. The County Council bases its findings and conclusions on the entire record  
10 of the Planning Commission and the County Council, including all testimony and  
11 exhibits.  
12

13 Section 4. The 2016-2021 CIP, attached hereto as Exhibit A and incorporated by  
14 reference to this ordinance, is hereby adopted as the six-year capital improvement  
15 program required by the GMA and County Charter Section 6.50 based on the foregoing  
16 findings of fact and conclusions.  
17


18 Section 5. The 2016-2021 CIP adopted by this ordinance supersedes all other County  
19 capital improvement programs. The 2016-2021 CIP shall control in the event of any  
20 inconsistency between the 2016-2021 CIP and any other capital improvement program  
21 adopted by the County.  
22

23 Section 6. The County Council directs the code reviser to update SCC 30.10.060  
24 pursuant to the authority in SCC 1.02.020(3) upon adoption of this ordinance.  
25

26 Section 7. If any section, sentence, clause, or phrase of this ordinance shall be held to  
27 be invalid or unconstitutional by the Growth Management Hearings Board, or a court of  
28 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
29 constitutionality of any other section, sentence, clause, or phrase of this ordinance.  
30 Provided, however, that if any section, sentence, clause, or phrase of this ordinance is  
31 held to be invalid by the Board or court of competent jurisdiction, then the section,  
32 sentence, clause, or phrase in effect prior to the effective date of this ordinance shall be  
33 in full force and effect for that individual section, sentence, clause, or phrase as if this  
34 ordinance had never been adopted.  
35


36 PASSED this 23<sup>rd</sup> day of November, 2015  
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39 SNOHOMISH COUNTY COUNCIL  
40 Snohomish County, Washington  
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43 \_\_\_\_\_  
44 Dave Somers  
45 Council Chair  
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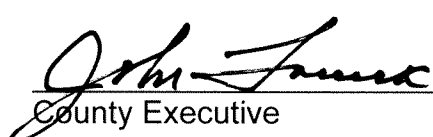
ATTEST:

  
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Debbie Eco  
Clerk of the Council

APPROVED  
 EMERGENCY  
 VETOED

Date: 12-10-, 2015

ATTEST:

  
\_\_\_\_\_  
County Executive

  
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Approved as to form only:

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Deputy Prosecuting Attorney