

Adopted: April 9, 2003
Effective: April 21, 2003

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 03-033

ADOPTING THE MUKILTEO SCHOOL DISTRICT'S AMENDED 2002-2007 CAPITAL FACILITIES PLAN AS PART OF THE GMA COMPREHENSIVE PLAN; AMENDING AMENDED ORDINANCE NO. 94-125; AMENDING THE SCHOOL IMPACT MITIGATION FEE SCHEDULE IN 30.66C.100; AMENDING SCC 30.10.060; AND DECLARING A GMA EMERGENCY

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 collect and spend impact fees only for public facilities that are addressed by the capital facilities plan element of the comprehensive plan; and

WHEREAS, under Title 30.66C SCC, school districts must periodically submit updated capital facilities plans (CFPs) to the county for adoption to be eligible for school impact fees; and

WHEREAS, in December 2002, the county adopted the Mukilteo school district's updated 2002-2007 CFP in Amended Ordinance No. 02-052; and

WHEREAS, after the county adopted the Mukilteo school district's updated 2002-2007 CFP, the Mukilteo school district amended its 2002-2007 CFP to reduce the impact fee for single family dwelling units from \$4,966 to \$3,563, and for multi-family dwelling units from \$2,073 to \$1,468; and

WHEREAS, the Mukilteo school district has transmitted its amended 2002-2007 CFP to the county Department of Planning & Development Services (PDS) pursuant to SCC 30.66C.035 to be considered for adoption by the county under the procedures established by Appendix F of the county's General Policy Plan; and

WHEREAS, after reviewing the amended CFP, including the impact fee calculation under SCC 30.66C.045, PDS has determined that it meets the requirements of SCC 30.66C.040 through SCC 30.66C.055; and

WHEREAS, the Snohomish County Council held a public hearing on the Mukilteo school district's amended 2002-2007 CFP on April 9, 2003; and

WHEREAS, the county council considered the entire hearing record, as well as written and oral testimony submitted during the public hearings.

NOW, THEREFORE, BE IT ORDAINED:

Section 1: Authority. This ordinance adopts the Mukilteo school district's amended 2002-2007 capital facility plan. This ordinance is necessary to address identified impacts of development on this school district in order to protect the public health, safety, and welfare, and to exercise the county's authority to impose impact mitigation 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. Adoption of the Mukilteo school district's amended 2002-2007 CFP into the County's 2002-2007 CFP is necessary to correct an inconsistency which arose after the Mukilteo school district amended its 2002-2007 CFP.
- B. Because the impact fees the County collects for school districts are based on school district CFPs that are incorporated into the county's CFP under SCC 30.66C.055, the county must adopt the Mukilteo school district's amended 2002-2007 CFP into the county's CFP.
- C. Adoption of the Mukilteo school district's amended 2002-2007 CFP into the county's CFP constitutes an emergency action within the meaning of RCW 36.70A.130, SCC 30.73.090, and SCC 30.66C.035.
- D. The Mukilteo school district, acting as lead agency, has satisfied SEPA requirements by completing an environmental checklist and issuing a Determination of Nonsignificance for the amended plan.
- E. The County Council conducted a public hearing on the Mukilteo school district's amended 2002-2007 CFP on April 9, 2003 .
- F. Public participation requirements of the GMA and the county code have been met or exceeded through the public hearing(s) held by the County Council.
- G. The adoption of the amended CFP is consistent with the GMA, the county's GMA comprehensive plan, and the Countywide Planning Policies for Snohomish County.

H. SCC 30.66C.100(1) must be amended to adopt a school impact mitigation fee that is consistent with the Mukilteo school district's amended 2002-2007 CFP.

I. SCC 30.10.060 must be amended to reflect this amendment to the county's GMA comprehensive plan.

Section 3: Basis. The County Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Council.

Section 4: Adoption. The Mukilteo school district's amended 2002-2007 CFP is hereby adopted as part of the county's GMA comprehensive plan based on the foregoing findings and conclusions. It is incorporated by reference into this ordinance as if set forth in full: Mukilteo School District #6 Amended Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-10. This plan hereby replaces the Mukilteo School District #6 Capital Facilities Plan 2002-2007 previously adopted by Amended Ordinance No. 02-052.

Section 5. Amendment to Amended Ordinance 94-125. Section 4 of Amended Ordinance 94-125, adopted on June 28, 1995 and last amended by Amended Emergency Ordinance No. 03-101 on January 27, 2003, is hereby 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 Capital Facilities Plan/Year 2000 Update attached hereto as Exhibit D-14; 2001-2006 Capital Improvement Program, attached to Ordinance 00-074 as Exhibit D-15; Arlington School District Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-1; Darrington School District #330 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-2, Edmonds School District #15 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-3, Everett School District Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-4, Granite Falls School District #332 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-5; Lake Stevens School District #4 Capital Facilities Plan 2002-2007,

attached hereto as Exhibit D-6; Lakewood School District #306 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-7; Marysville School District #25 2002-2007, attached hereto as Exhibit D-8; Monroe School District #103 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-9; Mukilteo School District #6 Amended Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-10; Northshore School District No. 417 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-11; Snohomish School District Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-12, Stanwood School District #401 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-13; and Sultan School District #311 Capital Facilities Plan 2002-2007, attached hereto as Exhibit D-14. The 2001 Countywide Comprehensive Park and Recreation Plan, attached to Ordinance No. 01-108 as Exhibit A, is a supplemental part of the General Policy Plan.

Section 6: Expiration. The Mukilteo school district's amended 2002-2007 CFP herein adopted shall remain in effect for a period of two years from the effective date of Amended Ordinance No. 02-052, unless an updated plan is submitted and approved prior to that date, or as otherwise provided by Title 30.66C 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 30.66C SCC.

Section 7: Snohomish County Code section 30.66C.100, added on December 9, 2002 by Amended Ordinance No. 02-064, is hereby amended to read:

Table 30.66C.100(1) School Impact Mitigation Fees

SCHOOL DISTRICT	SINGLE FAMILY	MULTI-FAMILY 1-BEDROOM per dwelling unit	MULTI-FAMILY 2+ BEDROOMS per dwelling unit
Arlington No. 16	\$2310	\$2460	\$4037
Darrington No. 300	\$460	\$107	\$445
Edmonds No. 15	\$0	\$0	\$0
Everett No. 2	\$1010	\$0	\$632
Granite Falls No. 332	\$2321.26	\$0	\$2529.40
Lake Stevens No. 4	\$2571	\$0	\$1191
Lakewood No. 306	\$1116	\$0	\$1752
Marysville No. 25	\$4174	\$0	\$3493
Monroe No. 103	\$3262	\$272	\$4404
Mukilteo No. 6	\$4966 <u>\$3563</u>	\$0	\$2073 <u>\$1468</u>
Northshore No. 417	\$0	\$0	\$0
Snohomish No. 203	\$3506	\$0	\$1303

Stanwood No. 401	\$0	\$0	\$0
Sultan No. 311	\$1093	\$0	\$1048

Section 8: Snohomish County Code section 30.10.060, added on December 9, 2002 by Amended Ordinance No. 02-064, is hereby amended to read:

30.10.060 Comprehensive plan.

Snohomish County has adopted a comprehensive plan as follows:

- (1) Amended Ordinance No. 94-125, adopted on June 28, 1995 (General Policy Plan (GPP)) and future land use map, transportation element, capital facilities element, resource lands designations, comprehensive park and recreation plan);
- (2) Amended Ordinance No. 93-036, adopted on June 9, 1993 - amending the Shoreline Management Master Program;
- (3) Amended Ordinance No. 94-113, adopted June 28, 1995 - establishing Darrington UGA;
- (4) Amended Ordinance No. 94-114, adopted June 28, 1995 - establishing Gold Bar UGA;
- (5) Amended Ordinance No. 94-115, adopted June 28, 1995 - establishing Granite Falls UGA;
- (6) Amended Ordinance No. 94-116, adopted June 28, 1995 - establishing Index UGA;
- (7) Amended Ordinance No. 94-117, adopted June 28, 1995 - establishing Lake Stevens UGA;
- (8) Amended Ordinance No. 94-119, adopted June 28, 1995 - establishing Monroe UGA;
- (9) Amended Ordinance No. 94-120, adopted June 28, 1995 - establishing Arlington, Marysville and Unincorporated Smokey Point Area UGA;
- (10) Amended Ordinance No. 94-121, adopted June 28, 1995 - establishing Snohomish UGA;
- (11) Amended Ordinance No. 94-122, adopted June 28, 1995 - establishing Stanwood UGA;
- (12) Amended Ordinance No. 94-123, adopted June 28, 1995 - establishing Southwest Cities UGA (Bothell, Brier, Edmonds, Everett, Lynnwood, Mill Creek, Mountlake Terrace, Mukilteo, and Woodway);
- (13) Amended Ordinance No. 94-124, adopted June 28, 1995 - establishing Sultan UGA;
- (14) Amended Ordinance No. 95-117, adopted on January 10, 1996 - amendment to GPP: common siting process for essential public facilities;
- (15) Amended Ordinance No. 96-073, adopted November 27, 1996 - establishing Unincorporated Maltby Industrial Area UGA subarea plan;
- (16) Amended Ordinance No. 96-074, adopted November 27, 1996 - amendment to GPP text and future land use map upon remand by Central Puget Sound Growth Management Hearings Board in Sky Valley case;

- (17) Amended Emergency Ordinance No. 96-078, adopted October 14, 1996 - amendment to GPP future land use map (portion of Arlington, Smokey Point, and Marysville UGA);
- (18) Ordinance No. 97-034, adopted June 2, 1997 - amendment to Gold Bar UGA;
- (19) Ordinance No. 97-036, adopted June 2, 1997 - adoption of Gold Bar UGA Subarea Plan and repeal of portions of Skykomish Valley Area Comprehensive Plan;
- (20) Ordinance No. 97-056, adopted July 2, 1997 - amendment to GPP future land use map to add lands to commercial forest land designation;
- (21) Ordinance No. 97-076, adopted September 15, 1997 - amendment to Arlington, Marysville, and Unincorporated Smokey Point Area UGA and to establish separate UGAs for Arlington and Marysville;
- (22) Amended Ordinance No. 98-035, adopted July 22, 1998 - adoption of Snohomish UGA subarea plan;
- (23) Amended Ordinance No. 98-036, adopted July 22, 1998 - amendment to Snohomish UGA;
- (24) Amended Ordinance No. 98-051, adopted August 3, 1998 - adoption of Mill Creek UGA subarea plan;
- (25) Amended Ordinance No. 98-068, adopted September 9, 1998 - amendment to Arlington UGA;
- (26) Amended Ordinance No. 98-069, adopted September 9, 1998 - amendment to GPP future land use map to change plan designations in the Island Crossing area;
- (27) Amended Ordinance No. 98-071, adopted September 9, 1998 - amendment to Southwest Cities UGA;
- (28) Amended Ordinance No. 98-072, adopted September 9, 1998 - amendment to GPP future land use map to change plan designations in the Smith and Spencer Islands areas;
- (29) Amended Ordinance No. 98-112, adopted December 16, 1998 - amendment to GPP text and future land use map (1996 docket);
- (30) Ordinance No. 98-114, adopted December 16, 1998 - amendment to Arlington and Marysville UGA (1996 docket);
- (31) Ordinance No. 98-115, adopted December 16, 1998 - amendment to Sultan UGA;
- (32) Amended Ordinance No. 98-119, adopted December 16, 1998 - amendment to GPP future land use map and text regarding rural commercial/industrial land uses (1996 docket);
- (33) Ordinance No. 98-126, adopted December 2, 1998 - adoption of school district capital facilities plans;
- (34) Ordinance No. 98-142, adopted January 11, 1999 - amendment to Marysville UGA to add Strawberry Fields Regional Park site;
- (35) Amended Ordinance No. 99-005, adopted March 3, 1999 - adoption of GPP text and future land use map amendments in Darrington area;
- (36) Ordinance No. 99-027, adopted on May 24, 1999 - adoption of the 1999-

2004 Capital Plan;

(37) Ordinance No. 99-028, adopted May 17, 1999 - amendment to GPP text and future land use map (repeal of land use designation and land use policy on specific property on Cavalero Hill pursuant to Central Puget Sound Growth Management Hearings Board decision in Kelly case);

(38) Amended Ordinance No. 99-031, adopted July 21, 1999 - adoption of GPP text and future land use map amendments for Tulalip subarea plan;

(39) Amended Ordinance No. 99-092, adopted on November 22, 1999 - adopting the 2000-2005 Capital Plan;

(40) Amended Ordinance No. 99-099, adopted December 22, 1999 - adoption of GPP text and future land use map amendments regarding Arlington/Marysville UGA - reconciliation of future land use designations (1999 consolidated docket);

(41) Amended Ordinance No. 99-100, adopted December 22, 1999 - adoption of GPP text and future land use map amendments (1999 consolidated docket);

(42) Emergency Ordinance No. 00-050, adopted July 26, 2000 - amendment to Arlington UGA (addition of school district high school site);

(43) Ordinance No. 00-055, adopted September 6, 2000 - adopting the 2000-2005 Capital Improvement Plans for the Arlington, Marysville, Monroe, and Mukilteo school districts;

(44) Amended Ordinance No. 00-074, adopted on November 21, 2000 - adopting the Year 2000 Capital Facilities Plan Update and the 2001-2006 Capital Improvement Program;

(45) Ordinance No. 00-075, adopted November 21, 2000 - adopting amendments to the Capital Facilities chapter of the GPP;

(46) Amended Ordinance No. 00-091, adopted December 20, 2000 - adopting map and text amendments to the GPP - (2000 consolidated docket, including Transportation Element amendments);

(47) Ordinance No. 00-094, adopted December 20, 2000 - revising the existing Maltby UGA (2000 consolidated docket);

(48) Ordinance No. 00-098, adopted December 6, 2000 - adopting 2000-2005 Capital Improvement Plans for Darrington, Edmonds, Everett, Granite Falls, Lake Stevens, Lakewood, Northshore, Snohomish, Stanwood, Sultan school districts;

(49) Amended Ordinance No. 01-040, adopted June 27, 2001 - adopting the December 2000 amendments to the Transportation Element of the GMA comprehensive plan;

(50) Emergency Ordinance No. 01-047, adopted July 23, 2001 - notifying, readopting, and repealing certain portions of Emergency Ordinance No. 00-050 (amendment to Arlington UGA);

(51) Amended Ordinance No. 01-073, adopted November 7, 2001 - adopting the Lake Stevens UGA plan;

(52) Amended Ordinance No. 01-074, adopted November 7, 2001 - adopting modifications to the Lake Stevens UGA boundary;

(53) Amended Ordinance No. 01-089, adopted November 20, 2001 - adopting

the 2002-2007 Capital Improvement Plan;

(54) Amended Ordinance No. 01-090, adopted November 20, 2001 - adopting the Year 2001 Update to the Capital Facilities Plan;

(55) Amended Ordinance No. 01-106, adopted December 19, 2001 - adopting map and text amendments (2001 docket);

(56) Ordinance No. 01-108, adopted December 19, 2001 - adopting the 2001 Comprehensive Park and Recreation Plan;

(57) Amended Ordinance No. 01-111, adopted December 19, 2001 - amending the Year 2001 Capital Facilities Plan (and Amended Ordinance No. 01-090); and

(58) Amended Ordinance No. 01-133, adopted February 6, 2002 - adopting map and text amendments (Clearview remand).

(59) Emergency Ordinance No. 03-033, adopted April 9, 2003 - adopting the Mukilteo School District's Amended 2002-2007 Capital Facilities Plan.

Section 8: Effective date. This ordinance shall take effect within ten days of its enactment as provided by Snohomish County Charter § 2.110.

PASSED this 9th day of April, 2003

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Gary Nelson
Chairperson

ATTEST:

Sheila McCallister
Asst. Clerk of the Council

(X) APPROVED
() VETOED
() EMERGENCY

DATE: April 11, 2003

ATTEST:

County Executive
Robert Drewel

Laura Nelson

Approved as to form only:

Courtney Flora
Deputy Prosecuting Attorney