

# COMPREHENSIVE PLAN IMPLEMENTATION

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## **COMPREHENSIVE PLAN IMPLEMENTATION**

The Comprehensive Plan is a set of goals and policies that are intended to guide land use decisions and to coordinate other City plans, decisions, and regulations. One of the most far-reaching effects of the state Growth Management Act (GMA) is the status that it bestows on comprehensive plans. Before, plans have been used as advisory policy documents. Now, comprehensive plans will have legal, regulatory standing and all other community plans, policies, and regulations must be made consistent with the adopted comprehensive plan.

The following section discusses some of the land use regulations and techniques for implementing the policies and objectives of the Comprehensive Plan. The City presently utilizes some of the implementation tools, which therefore may only require review for consistency with the Plan. Other implementing actions may be pursued by the City to further the implementation of the Plan. These may include actions that expand on and develop adopted policies, and that may be formally adopted later as part of the Plan. Regulatory measures to implement the Plan must be adopted as legal instruments in the form of ordinances. Administrative actions and decisions of the City also should be based on implementing the goals and policies of the Plan.

### **I. Regulatory Implementation**

The Growth Management Act requires local governments to enact land use regulations that are consistent with and implement the Comprehensive Plan, within one year after Plan adoption. Brier will need to review its existing land development regulations following adoption of the Comprehensive Plan, to insure that the regulations are consistent with the adopted Plan and the State Growth Management Act. One of the major regulatory measures for implementing land development is the Zoning Ordinance.

#### **1. Zoning Ordinance**

The current Zoning Ordinance for the City of Brier was adopted in May 1991. It regulates and restricts the use of land, the location and construction of buildings and structures, and establishes use districts within the City to implement the Land Use Plan Map. The Zoning for the City of Brier is included in Figure 1 in the Land Use Element, above.

The 2004 Comprehensive Plan Update does not propose changes to land use plan designations in the City. Therefore, the existing Zoning Map is consistent with the proposed Land Use Plan map. The City may review other aspects of the Zoning Ordinance to fine-tune development regulations for implementing the goals and policies of the Comprehensive Plan.

#### **2. Shoreline Management Program**

Swamp Creek is a stream of statewide significance, from its confluence with Scriber Creek to its mouth at the Sammamish River. The Snohomish County Shoreline Management Master Program designates the Snohomish County portion of Swamp Creek as Suburban Environment, recognizing that residential housing currently exists along its shores (within the 200 foot protection zone of either side of the banks of the Creek). The Program provides nine management policies for the shoreline land use of Swamp Creek. Further

information concerning Swamp Creek is provided in Appendix B of the Land Use Element – Natural Environment Conditions, under the Surface Water section.

Concurrent with the 2004 Plan update, the City will consider adopting its own regulations governing the use of shorelines in the City.

### 3. Concurrency Management Ordinance

A concurrency management ordinance is a new regulatory measure for Brier, necessary for implementing the “concurrency” requirements of the Comprehensive Plan. The Growth Management Act requires local jurisdictions to address “concurrency” for the transportation facilities and for other public facilities as determined by the City. Concurrency requires that: 1) facilities to serve development will be in place at the time of development or that a financial commitment is made to provide the facilities within a certain period of time; and 2) that such facilities have sufficient capacity to serve development without decreasing levels of service below locally established minimum standards.

The Capital Facilities element of the Plan includes level of service standards that measure the availability and performance of capital facilities. The City is responsible for determining how the standards relate to concurrency requirements, and the regulatory response or strategy if a development proposal would cause levels of service to fall below the locally adopted standards. The concurrency management ordinance would also require the City to set up a monitoring system to track the capacity of its public facilities and services.

## II. Capital Improvements

The Six-Year Capital Facilities Plan is another major implementation tool for the Plan. It sets out the capital projects that are identified needs in the Public Facilities Element. The six-year schedule should be updated annually, with the first year of the schedule acting as the capital budget for the fiscal year. During the annual updating, the City may revise its capital project priorities, and should review cost estimates and funding sources to reflect any additional information received during the year. The City should periodically review and monitor adopted level of service standards to include additional capital projects that may be necessary to maintain service levels.

## III. Administrative Measures

The Comprehensive Plan includes policies that are implemented through administrative actions that may include interlocal agreements or development review procedures.

### 1. Development Review Procedures

Development review procedures may be revised to further implement the goals and policies of the Comprehensive Plan. The City presently uses the environmental review (SEPA) process to mitigate for the potential adverse impacts of development of the natural environment.

The GMA authorizes local jurisdictions to impose impact fees on development activity as part of financing improvements that are reasonably related to new development. The impact

fees need to consider the proportionate share of system improvement costs and be used for improvements that will benefit the new development.

## 2. Comprehensive Plan Amendments

The Growth Management Act requires that comprehensive plans and development regulations be reviewed and revised, if necessary, at least every five years. Proposed amendments or revisions to the comprehensive plan may not be considered more than once per year. The exceptions to annual amendments are that emergency amendments, subarea plans, and the capital facilities plan may be considered more frequently and independent of the other annual amendments. Typically, the capital facilities plan is amended during the annual budget process.

The basis of the annual amendment process is twofold: First, to provide for an ongoing process of evaluation to ensure internal and interjurisdictional consistency of comprehensive plans and continuous consistency of development regulations with such plans; and second, to consider all proposed amendments in any year concurrently so that the cumulative effect of the various proposals can be ascertained.

Amendments to the Comprehensive Plan may be proposed by a member of the public, elected officials, or staff members. An amendment process, including a timetable, is identified below. Once adopted, information about the amendment process should be distributed so that the public is aware of the opportunity to submit amendment proposals.

1. Notify the public about the Annual Amendment Process for the Brier Comprehensive Plan. An announcement should be made at a City Council meeting about the opportunity to propose amendments.
2. Amendments may be proposed by either the City or by an individual. A fee may be charged.
3. The City Clerk shall maintain a docket of all proposed amendments. All amendment proposals, except the Capital Facilities Plan, must include the following information:
  - a. Form prescribed by the City which shall include such things as name of applicant, location of the property, and/or proposed revised or additional language;
  - b. Assessor's maps, zoning maps, or individual site drawings, if applicable, showing current and proposed designations (for land use map amendments);
  - c. Written description of the reasons for the proposed amendment and what it is intended to accomplish; and
  - d. Additional information as may be requested by the City to clarify the proposal.
4. The City staff will present to the City Council all proposed Comprehensive Plan amendments for its preliminary review. A public hearing should be held on the full list of proposed amendments. The City Council may decide not to consider further a particular amendment. A revised list of the proposed amendments for further study and review will be prepared. The remaining proposals shall be forwarded to the Planning Commission for its review and recommendation to the City Council. Other Boards and Commissions may be asked to comment on the proposed amendments.

5. The Planning Commission shall conduct an in-depth review of the proposed amendments. A public hearing shall be held to allow the public to comment on the proposals. The Planning Commission shall make a recommendation to the City Council on each of the proposed amendments. Other boards and commissions also may make recommendations on the proposed amendments.
6. The City Council will review the recommendations on the amendments. The final draft of the proposed amendments shall be sent to the State CTED, per GMA requirements, 60 days prior to final adoption of the amendments.
7. After the completion of the State review, the City will hold a final public hearing on the proposed amendments. The City shall vote on the amendments with the following guidelines:
  - a. The amendment is consistent with the Comprehensive Plan and the public interest;
  - b. The amendment is not detrimental to the public interest, health, safety, and welfare; and
  - c. The amendment will complement the appropriate balance of land uses within Brier.
8. Any approved amendments shall be incorporated into the Comprehensive Plan and distributed to the State, Snohomish County, adjacent communities, and other interested parties.

The Comprehensive Plan amendment process and timetable is summarized below.

**PLAN AMENDMENT PROCESS TIMETABLE**

1. Applications accepted for the Annual Amendment Process	Year Round
2. Final acceptance date for current year's amendments	Last business day in April
3. Staff review and initial analysis	May
4. City Council preliminary review and decision about further review of proposed amendments; public hearing	City Clerk's schedule
5. Planning Commission in-depth review of all proposals. A public hearing should be held. Other Boards and Commissions also may be asked to comment on the proposed amendments. Recommendations are made to the City Council on the proposed amendments.	City Clerk's schedule
6. City Council final review of the recommendations on proposed amendments. The proposed amendments are sent to the State CTED 60 days prior to final adoption. A Public hearing should be held after the State review and prior to the City Council's decision.	City Clerk's schedule
7. The approved amendments are incorporated into the Comprehensive Plan.	After City Council final review