



Planning & Development Services

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Planning Commission Work Session Staff Report

From: Sarah Ruether, Long Range Planning Manager

Re: 2023-2028 Capital Facilities Plan and Transportation Improvement Program

Date: October 25, 2022

Summary

This staff report is being issued in advance of the public hearing scheduled with the Planning Commission on November 8, 2022. The proposal updates the Capital Facilities Plan (CFP) and incorporates by reference the County's updated Transportation Improvement Program (TIP). The TIP helps fulfill the County's Growth Management Act (GMA) requirement for transportation planning. This limited update of the CFP did not include outreach to special purpose districts but does incorporate district changes if they were requested. The following sections describe the regulatory background of the proposal; provide findings of fact concerning compliance with State and local requirements for environmental review and public comment; and provide the Department's recommendation to adopt the proposed updates. The project proposal website is at: www.skagitcounty.net/cfp.

Background

Goal twelve of the Washington State Growth Management Act (GMA) provides that the County must "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." Goal twelve is implemented in Skagit County planning documents in a variety of ways, including Skagit County Code (SCC) Chapter 14.28, Concurrency, and through this update to the Skagit County CFP.

The introductory chapter of the proposal provides background information on what the GMA requires of the County for capital facilities planning, and how it is implemented in the Comprehensive Plan. The CFP document has two main parts: (1) county-owned or operated capital facilities, and (2) special purpose district capital facilities.

County-owned or operated capital facilities. The County's plan combines both an inventory of the County's existing capital facilities and the required financing plan for fulfilling unmet needs. The County's transportation financing plan is a separate document called the Transportation Improvement Program (TIP), which is incorporated into the CFP by reference.

Special purpose district capital facilities. The second half of the proposal includes aggregated information from various special purpose districts throughout the County that provide services necessary for development (fire, water, sewer, etc.). The County does not have authority to manage or approve those inventories or plans, but the GMA requires the County, in its role as a regional government, to both acquire and present the information from special purpose districts in coordinating their own planning.

Proposal

Plan Updates

The Department has provided a track-changes version of the new plan on the webpage (www.skagitcounty.net/cfp) for comparison to last year's plan. The changes are largely updates to the projects and values contained in last year's plan. Staff updated school district enrollment numbers according to data from the Office of Superintendent of Public Instruction for the 2021-2022 school year. The remainder of the updates are focused on removing projects that have been completed and updating future projects to better reflect anticipated costs, funding sources, and timing of completion.

Analysis and Consistency

The statute requires a jurisdiction's Capital Facilities Plan to include the following elements: (a) an inventory of existing capital facilities; (b) a forecast of future needs for those facilities [including] (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year financing plan using projected funding capacities and clearly identified sources of public money; and (e) a requirement to reassess the land use element.

The proposal amends the Comprehensive Plan to update both the required capital facilities inventory and the six-year financing plan. The capital facilities planning policies in Comprehensive Plan Chapter 10 remain the same. This year's updated document helps continue the County's compliance with the Growth Management Act for capital facilities planning.

Findings of Fact

The following section describes the Department's compliance with both the State Environmental Policy Act (SEPA) and the Growth Management Act (GMA) concerning this proposal:

1. *Compliance with the State Environmental Policy Act (Chapter 97-11 WAC and SCC Title 16):*
 - Staff prepared an environmental checklist for the proposed CFP, and the SEPA official issued a threshold Determination of Non-Significance on October 20, 2022.
 - No agency or public comments have been received as of the writing of this report. Any comments received prior to the close of the comment period will be presented to the Planning Commission at the scheduled public hearing.

Conclusions – The proposed code amendment has will meet local and State SEPA requirements at the conclusion of the comment period on November 10, 2022.

2. *Procedural Compliance with the Growth Management Act (RCW 36.70A.106):*

- The County must obtain approval from the Department of Commerce prior to adoption by the Board of County Commissioners.
- The Department of Commerce received the 60-Day Notice of Intent to Adopt Amendment on October 20, 2022.
- Staff will file the ordinance with the Department of Commerce within 10 days of the County Commission's action.
- Based on the projects, locations, and levels of service described in the CFP, a reassessment of the land use element of the Skagit County Comprehensive Plan is not required.

Conclusions – The proposed code amendment will meet the Growth Management Act requirements.

3. *Public Notice and Comments*

- The County published a Notice of Availability, Public Comment, and SEPA threshold determination in the Skagit Valley Herald on October 20, 2022.
- The County posted the staff report, public notice, and threshold determination on the County website on October 20, 2022.
- No agency or public comments have been received for the Capital Facilities Plan as of the writing of this staff report. Any comments received prior to the close of the comment period will be presented to the Planning Commission prior to deliberations.

Conclusions – The County has met the public noticing requirements per SCC 14.08.070.

Recommendation

The Department recommends that the Planning Commission issues a recommendation to the Board of County Commissioners to adopt the 2023-2028 Capital Facilities Plan.

Public Comment

A public hearing is scheduled for November 8, 2022 before the Planning Commission. Public comments can be submitted until November 10, 2022 at 4:30 pm consistent with the process for adoption of plans and land use regulations in SCC Chapter 14.08. Information on how to comment is contained in the Notice of Availability document on the project website. The Transportation Improvement Program (TIP) will have its own public hearing and comment period with the Board of County Commissioners. The Board of County Commissioners takes action on the CFP and TIP through the budget process on December 12, 2022.

For More Information

Please visit the project website at www.skagitcounty.net/cfp.