

# 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 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 Comprehensive Plan. Other implementation actions may be pursued by the City to further the implementation of the Comprehensive Plan. These may include actions that expand on and develop adopted policies, and that may be formally adopted later as part of the Comprehensive Plan.

Regulatory measures to implement the Comprehensive Plan must be adopted as

39 legal instruments in the form of ordinances. Administrative actions and decisions of  
40 the City also should be based on implementing the goals and policies of the  
41 Comprehensive Plan.

42

## 43 **I. Regulatory Implementation**

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44 Cities and counties that are “fully planning” under the Growth Management Act  
45 (GMA) must conduct a thorough review of their comprehensive plans and  
46 development regulations, including those related to critical areas and natural  
47 resource lands, every 10 years in accordance with the schedule in RCW 36.70A.130.  
48 Revisions may be necessary to reflect new population and employment projections  
49 and any related zoning and/or urban growth area (UGA) changes, changes in state  
50 law, new community priorities, and more.

51

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

59

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

61 The current Zoning Ordinance for the City of Brier was adopted in May 1991 and has  
62 been updated over the years. It regulates and restricts the use of land, the location  
63 and construction of buildings and structures, and establishes use districts within the  
64 City to implement the Future Land Use Plan Map. The Zoning for the City of Brier is  
65 included in Figure 1 in the Land Use Element.

66

67 The 2024-2044 Comprehensive Plan proposes changes to the future land use plan  
68 designations in the City to be consistent with the zoning designations found in the  
69 Zoning Code. The changes include the creation of the Public Use and the Open Space  
70 zoning designation. This will create consistency between the Future Land Use Map  
71 and the Zoning Map. The City may review other aspects of the Zoning Ordinance to  
72 fine-tune development regulations for implementing the goals and policies of the  
73 Comprehensive Plan.

74

### 75 **2. Critical Areas**

76 The Growth Management Act (GMA) defines critical areas as: wetlands: areas with a  
77 critical recharging effect on aquifers used for potable water, fish and wildlife habitat

78 conservation areas, frequently flooded areas, and geologically hazardous areas.  
79 Pursuant to the periodic major update policies of the GMA (RCW 36.70A.130 (5) (a)),  
80 the City updated its environmentally critical area regulations to meet Best Available  
81 Science requirements. These regulations are contained in Title 18 of the Brier  
82 Municipal Code (BMC). Critical Areas are further discussed in the Natural  
83 Environment Element under the Critical Areas Section.

84

### 85 **3. Shoreline Management Master Program**

86 Swamp Creek is a stream of statewide significance, from its confluence with Scriber  
87 Creek to its mouth at the Sammamish River. The city's program designates four  
88 shoreline environments: Aquatic, Shoreline Residential, Urban Conservancy, and  
89 Utility. Each environment has been aimed to assure the protection of existing  
90 shoreline ecological functions. Shoreline jurisdiction extends two hundred feet from  
91 the ordinary high water mark of Swamp Creek; its floodway and two hundred feet of  
92 contiguous floodplain; and associated wetlands. Further information concerning  
93 Swamp Creek is provided in the Natural Environment Element under the Critical  
94 Areas section.

95

### 96 **4. Concurrency Management Ordinance**

97 The Growth Management Act requires local jurisdictions to address "concurrency"  
98 for the transportation facilities and for other public facilities as determined by the  
99 City. Concurrency requires that:

100

101 1) facilities to serve development will be in place at the time of development or  
102 that a financial commitment is made to provide the facilities within a certain  
103 period of time; and 2) that such facilities have sufficient capacity to serve  
104 development without decreasing levels of service below locally established  
105 minimum standards.

106

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

114

## 115 **II. Capital Improvements**

116 The Six-Year Capital Facilities Plan is another major implementation tool for the

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

125

### 126 **III. Administrative Measures**

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

130

#### 131 **1. Development Review Procedures**

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

136

137 The GMA authorizes local jurisdictions to impose impact fees on development activity  
138 as part of financing improvements that are reasonably related to new development.  
139 The impact fees need to consider the proportionate share of system improvement  
140 costs and be used for improvements that will benefit the new development.

141

#### 142 **2. Comprehensive Plan Amendments**

143 The Growth Management Act requires that comprehensive plans and development  
144 regulations be reviewed and revised, on or before December 31, 2024 and every ten  
145 years thereafter. Proposed amendments or revisions to the comprehensive plan may  
146 not be considered more than once per year. The exceptions to annual amendments  
147 are that emergency amendments, subarea plans, and the capital facilities plan may  
148 be considered more frequently and independent of the other annual amendments.  
149 Typically, the capital facilities plan is amended during the annual budget process.

150

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

156 ascertained.

157

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

163

164 1) Notify the public about the Annual Amendment Process for the Brier  
165 Comprehensive Plan. An announcement should be made at a City Council  
166 meeting about the opportunity to propose amendments. The announcement  
167 should be made at the first City Council Regular Meeting in February of every  
168 year.

169 2) Amendments may be proposed by either the City or by an individual. A fee may  
170 be charged according to the adopted fee schedule.

171 3) The City Clerk shall maintain a docket of all proposed amendments. All  
172 amendment proposals, except the Capital Facilities Plan, must include the  
173 following information:

174

175 a. Form prescribed by the City which shall include such things as name of  
176 applicant, location of the property, and/or proposed revised or  
177 additional language;

178 b. Assessor's maps, zoning maps, or individual site drawings, if applicable,  
179 showing current and proposed designations (for land use map  
180 amendments);

181 c. Written description of the reasons for the proposed amendment and  
182 what it is intended to accomplish; and

183 d. Additional information may be requested by the City to clarify the  
184 proposal.

185

186 4) The City staff will present to the City Council all proposed Comprehensive Plan  
187 amendments for its preliminary review. A public hearing should be held on the  
188 full list of proposed amendments. The City Council may decide not to consider  
189 further a particular amendment. A revised list of the proposed amendments  
190 for further study and review will be prepared. The remaining proposals shall  
191 be forwarded to the Planning Commission for its review and recommendation  
192 to the City Council. Other Boards and Commissions may be asked to comment  
193 on the proposed amendments.

194 5) The Planning Commission shall conduct an in-depth review of the proposed

195 amendments. A public hearing shall be held to allow the public to comment  
196 on the proposals. The Planning Commission shall make a recommendation to  
197 the City Council on each of the proposed amendments. Other boards and  
198 commissions also may make recommendations on the proposed  
199 amendments.

200 6) The City Council will review the recommendations on the amendments. The  
201 final draft of the proposed amendments shall be sent to the State Department  
202 of Commerce (Commerce), per GMA requirements, 60 days prior to final  
203 adoption of the amendments.

204 7) After the completion of the State review, the City will hold a final public hearing  
205 on the proposed amendments. The City Council shall vote on the amendments  
206 with the following guidelines:

207 a. The amendment is consistent with the Comprehensive Plan and is in the  
208 best interest of the public;

209 b. The amendment is not detrimental to the public interest, health, safety,  
210 and welfare; and

211 c. The amendment will complement the appropriate balance of land uses  
212 within Brier.

213 8) Any approved amendments shall be incorporated into the Comprehensive  
214 Plan and distributed to the State, Snohomish County, adjacent comm unities,  
215 and other interested parties.

216  
217 The Comprehensive Plan amendment process is summarized on the following  
218 page.

219  
220

**COMPREHENSIVE PLAN ANNUAL AMENDMENT PROCESS TIMETABLE**

221		
222		
223	1. Applications accepted for Annual	Year Round
224	Amendment Process.	
225		
226	2. Final acceptance date for current year's	Last business day in March
227	Amendments.	
228		
229	3. Staff review and initial analysis	April
230		
231	4. City Council preliminary review and decision	May
232	about further review of proposed amendments;	
233	public hearing to establish Annual Docket.	
234		
235	5. Planning Commission in-depth review of all	June and July
236	proposals. A public hearing shall be held.	
237	Other Boards and Commissions also may be	
238	asked to comment on the proposed	
239	amendments. Recommendations are made to	
240	the City Council on the proposed amendments	
241		
242	6. City Council final review of the	August
243	Recommendations on proposed amendments.	
244		
245	7. The proposed amendments are sent to	September 1 <sup>st</sup> to
246	Commerce 60 days prior to final adoption.	October 31 <sup>st</sup>
247		
248	8. A City Council Public hearing shall be held	November
249	after Commerce's review prior to the City Council's	
250	decision. Approval of the final Annual Docket.	
251		
252	9. The approved amendments are incorporated into	December After
253	the Comprehensive Plan.	City Council Final Review