

CHAPTER 2

PLAN DEVELOPMENT

HISTORY OF COMPREHENSIVE PLANNING IN ELECTRIC CITY

Traditionally, comprehensive planning has been a community's effort to understand where it has been and what direction it plans to take during the next twenty years. To accomplish this, a community examines its needs, problems and potential opportunities and then prepares its vision for the future. From that vision, a comprehensive plan is developed. The comprehensive plan provides a sense of direction, a broad overview of where a community is and where it is going.

Historically, Electric City had little need for comprehensive planning due to its small size, limited infrastructure needs and lack of pressing development issues. However, with the passage of the Growth Management Act in 1990 and the subsequent action of the Grant County Board of Commissioners¹ to "opt-in" to GMA planning, the community faced a mandate to plan regardless of the community's needs or desires.

In response to the County's decision to "opt-in", Electric City began participating in the Grant County Planned Growth Committee on development of a series of county-wide planning policies intending to incorporate the requirements of the GMA. The county-wide planning policies support, promote, and enforce the GMA's mandated planning goals. These county-wide planning policies were adopted by the Grant County Board of Commissioners on May 6, 1993. Electric City's planning process began in 1997 when the City entered an agreement with Grant County.

Because the City's plan was prepared in close cooperation with the Grant County Planning Department, much of the plan and subsequent implementing regulations² closely parallel the plans prepared by the County at that time.

Each city or town planning under the GMA is required to designate Urban Growth Areas (UGAs) to encourage urban growth. The requirements and methodology for designating Electric City's UGA is discussed in detail in Chapter 5 – Urban Land Use Sub-element.

¹ RESOLUTION #93-133-CC November 17, 1993

² On May 25, 1993, the Grant County Commissioners adopted a Resource Lands and Critical Areas ordinance meeting the requirements of the GMA. The City adopted a nearly identical ordinance on June 11, 2003

COMMUNITY INVOLVEMENT

One cornerstone of successful implementation of the Growth Management Act (GMA) is citizen participation. That concept is first articulated in the GMA planning goals, which state that jurisdictions shall “encourage the involvement of citizens in the planning process.” Other provisions of the GMA require that Grant County must “establish procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans.”

Unfortunately, preparation of the 1995 Electric City Comprehensive Plan did not provide for the type and level of public participation envisioned by the GMA. Recognizing that this updated comprehensive plan must reflect the people it serves, the City Council created a City of Electric City Planning Commission on August 13, 2002. The creation of the Planning Commission reflects the Mayor and Council’s desire to encourage citizen input throughout the development of this Plan and subsequent implementing ordinances.

One of the first tasks given to the Planning Commission was preparation of a Public Participation Plan for the community. This plan, approved on the Council on January 8, 2002 established guidelines to enable the citizens Electric City and surrounding areas to participate in the planning process.

The public participation procedures provide for broad dissemination of proposals and alternatives, opportunities for written comments, public meetings, provisions for open discussion, communication programs, information services and consideration of and response to public comments. These enhanced procedures augment the minimum public notification requirements required by law.

The City’s Public Participation Plan provided the basic framework for achieving an interactive dialogue between local decision-makers, the County, the City’s growth management planning consultant, state and federal agencies, the media and the citizens of community.

In addition to following the Public Participation Plan, the Planning Commission, assisted by the City’s planning consultant held monthly public meetings as the Plan was be prepared and reviewed.

This review and update to the Comprehensive Plan was initiated in 2017 under different circumstances than the original plan adopted in 1995. The City has recently adopted its first Park and Recreation Plan compliant with the requirements of the Washington State Recreation and Conservation Office. The City has also engaged consultants to prepare the plans and designs for construction of its first City Parks. In addition, the Growth Management Act requires the periodic review and revision of the Comprehensive Plan with the next deadline in 2019.

Another important change in the community has been the elimination of the Planning Commission and adoption of a Planning Agency. The Planning Agency has the responsibility of conducting a public process to review and revise the Comprehensive Plan and make recommendations to the City Council on amendments.

The process of updating the plan was initiated in the fall of 2017 with the city directing its planning consultant to review and update the data, references and language in the plan, primarily focused on inserting a new Park and Recreation Element, suggesting revisions to integrate the goals and policies of the Park and Recreation Plan into appropriate parts of the Comprehensive Plan and begin review of the Capital Facilities Element and preparation of a Capital Facilities Plan. The consultants work was reviewed by the Planning Agency and 4 public workshops and meetings were held throughout 2018 and into 2019 with the final updated plan presented to the City Council in June 2019.

AMENDMENTS TO THE PLAN

The Decision-making Process

Planning decisions in Electric City must be consistent with the intent of this Comprehensive Plan. This Plan is a legal, binding document and cannot be disregarded; it is also a document designed to adapt to changing trends and circumstances. This Plan serves as the basis for land use decisions.

However, adoption of this Plan does not complete the planning process. Over time this Plan's policies may change to ensure that the development patterns in the City remain consistent with the intent of the community's vision for the future and the Plan's goals and policies.

This Plan addresses long-range issues beyond the scope of individual development proposals. It serves as a vital guide to the future, provides a framework for managing change and is important that amendments to this Plan retain the broad perspectives articulated in the community vision statement, satisfy the goals and policies of this Plan, and remain consistent with the intent of the GMA.

GMA Requirements

The Growth Management Act (GMA) establishes procedures for the review and amendment of comprehensive plans governing counties and cities planning under the Act. RCW 36.70A.130 states that the City shall:

- Provide for the continuing review and evaluation of the comprehensive land use plan and development regulations, at a frequency no greater than every seven years;
- Establish a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the governing body of the City no more frequently than once every year (some exceptions to this schedule are provided for in the GMA);
- Review at least every ten years, the designated urban growth area and the densities permitted within both the incorporated and unincorporated portions of the growth area. Such areas shall be revised to accommodate the urban growth projected for the City for the succeeding twenty-year period.

In addition to the Growth Management Act requirements for the review and amendment of the comprehensive plan, the Washington Administrative Code provides for the implementation of the plan. WAC 365-195-805 states that each county or city planning under the act should develop a detailed strategy for implementing its comprehensive plan, including the regulatory and non-regulatory measures to be used in order to apply the plan in full (including actions for acquiring and spending money). The strategy should identify each of the specific development regulations needed as follows:

- Determine the specific regulations to be adopted with consideration given to the types of controls such as general development limitations (lot size, setbacks, etc.), means and process of applying regulations (permits, licenses, etc.), and methods of enforcement;
- Include a list of all regulations identified as development regulations for implementing the comprehensive plan including those in existence and consistent with the plan, those requiring amendment, and those that need to be written;
- Include a schedule for the adoption or amendment of the regulations identified; and
- Prepare the implementation strategy in writing and make the strategy available to the public.

Amendment Process

General:

Amendments to the Comprehensive Plan and implementing regulations (Zoning, Subdivision, Shorelines, Critical Areas, SEPA, Flood Damage Prevention) fall into several major categories or types and different review application and review criteria apply to each. The kinds of amendments identified herein include:

- Urban Growth Area boundary changes;
- Plan policy or text changes;
- Plan Map changes;
- Supporting Document changes;
- Emergency amendments; and
- Site-specific amendments.

Each of these types of amendments is described, criteria identified, the persons or parties responsible or authorized to initiate amendments are identified, and procedural guidelines established as appropriate.

All amendments must be justified through findings from monitoring of “growth management indicators”, such as population growth, land capacity, economic indicators, changes in technology, omissions or errors in the Plan, or declared emergency.

Amendments to this Plan must conform to the following:

1. Proposed amendments to this Comprehensive Plan will be considered on an annual basis (no more frequently than once per year), except for the adoption or amendment of a shoreline master program pursuant to RCW 90.58. All proposals will be considered at the same time so the cumulative effect of the various proposals can be ascertained (WAC 365-195-630(2)). The City may consider adopting amendments more frequently than once per year if a declared emergency exists. An emergency amendment may only be adopted if the City Council finds that the amendment is necessary to address an immediate situation of federal, state, subarea, or community concern as opposed to a personal emergency on the part of the applicant or property owner and the situation cannot adequately be addressed by waiting until the annual comprehensive plan amendment process.
2. At least every 7 years, the City must work with the County to review the Urban Growth Area boundary, as well as the densities permitted within both the incorporated and unincorporated portions of each urban growth area. If necessary, the Urban Growth Area boundaries will be revised to accommodate the urban growth projected to occur in the County for the succeeding 20-year period. A 5-year cycle was selected because of past inaccuracies in state growth projections, and will allow the City, county and other cities the opportunity to maintain an adequate inventory of lands for residential and economic development with the accompanying fiscal review.
3. Amendments or changes to natural resource lands and critical area designations should be based on consistency with one or more of the following criteria:
 - Change in circumstances pertaining to the comprehensive plan or public policy.

- A change in circumstances beyond the control of the landowner pertaining to the subject property.
- An error in designation.
- New information on natural resource land or critical area status (WAC 365-190-040(2)(g)).

Comprehensive Plan Policy Amendments:

Policy amendments may be initiated by the City, County or by other entities, organizations, or individuals through petitions. The merits of proposed policy amendments shall be measured against the petition submittal requirements listed below to ensure consistency in the review and decision-making process.

1. A detailed statement of what is proposed to be changed and why.
2. A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented.
3. A demonstration of why existing Comprehensive Plan policies should not continue to be in effect or why existing policies no longer apply.
4. A statement of how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.
5. A statement of how functional plans and Capital Improvement Plans support and change.
6. A statement of how the change affects implementing land use regulations (i.e., zoning) and the necessary changes to bring the implementing land use regulations into compliance with the Plan.
7. A demonstration of public review of the recommended change.

UGA Boundary & Plan Map Amendments:

Comprehensive Plan Future Land Use Map amendments may be initiated by the City, or by other entities, organizations, or individuals through petitions. The boundaries separating major land use classifications and specific land use designations may be subject to minor refinements, but only after full public participation, notice, environmental review, and an official assessment of planning growth management indicators.

Amendments must comply with the same petition submittal requirements as comprehensive plan policy amendments (see preceding) in addition to the following items:

1. A detailed statement describing how the map amendment complies with comprehensive plan land use designation criteria.

2. Urban Growth Area boundary changes shall be supported by and dependent on criteria set forth in the GMA such as population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, adequate public facility and service capacities to serve such development in an economical manner. The UGA boundary amendment shall demonstrate that:
 - the full range of urban public services and facilities, including water, sewer, storm drainage, transportation, fire protection, and schools, can be adequately provided in an efficient, timely and economically feasible manner;
 - it is compatible with contiguous development within the UGA and adjacent unincorporated rural and resource lands; and
 - development in the amended area will occur at urban densities.
3. Rural Areas and Natural Resource Lands designation changes shall be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities. Natural Resource Land designations should also satisfy the criteria in Section 1 (f) above (WAC 365-190-040 (2)(g)).
4. In accordance with the requirements of the GMA, future urban growth area expansions should be located: (1) first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development; (2) second, in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources; and (3) third, in the remaining portions of the urban growth areas. When considering inclusion of rural areas within urban growth boundaries, attention should be given to recognizing the high priority Grant County places on conserving and protecting both agricultural lands of long-term commercial significance and those lands characterized by rural development. Both the GMA and this Comprehensive Plan recognize preservation of rural character as being desirable. Rural character and lifestyle are clearly desired by the residents of the County to be maintained and even enhanced, while accommodating reasonable growth. Whenever reasonably possible, those remaining portions developed agriculturally or rurally and having the potential for inclusion within an UGA but not meeting criteria (1) or (2) above, should be considered as a lower priority for re-designation and conversion to urban uses.

Supporting Document Amendments:

Updates for various planning documents are or may be reviewed annually by the

Electric City City Council, including:

- Capital Facilities Plan; and
- Road Improvement Plans, including annual construction program and six-year plan.

The City Council may update these plans at points in time provided by law, usually annually. Such changes in supporting planning documents will be incorporated into the Comprehensive Plan during the first plan amendment cycle subsequent to adoption of the supporting planning document.

Emergency Amendments:

The GMA precludes considering amendments to the Plan more than once per year. However, emergency amendments may be considered at any time if the following situations arise:

- To attract a large employer of more than 50 workers or retain an existing large employer. Applications of this type requesting an amendment to an industrial designation shall include the reasons the amendment needs to be considered outside the annual review
- To provide a regional facility or service that is needed to protect the public health, safety or welfare including waste disposal transfer sites, sewer treatment facilities, port or airport facilities, and significant state or local government facilities that cannot be reviewed through another process; and process.
- In the development of the Plan and implementing zoning map it is possible that technical errors in mapping or obvious errors in applying land use map designations may occur. Such errors can be corrected at any time during the first year following adoption of the land use map. The applicant must demonstrate that an obvious error occurred. The application may be initiated by the City, County, property owner, or interested person. After the first year, such applications will be considered only during the amendment cycle for other amendments.

Site-Specific Plan Amendments:

A site-specific comprehensive plan amendment is a policy or land use designation that is applied to a specific number of parcels that are in readily identifiable ownership. A proposal which formulates policy yet affects relatively few individuals will generally be characterized as a site-specific action. Comprehensive plan amendment proposals (petitions) which apply to a specific site, frequently in conjunction with an identifiable

development proposal, may be initiated by a petitioner through the following amendment process:

- Fees. The petitioner shall pay to the City the application fee prescribed by the fee schedule adopted by the City Council, as may be amended from time to time.
- Petition. The petitioner must submit to the City a written application, on forms provided by the City, containing appropriate amendatory language and, if applicable, a map showing the proposed change. The petition shall also address policy or map evaluation criteria as described above. Incomplete petitions will not be accepted. To avoid incomplete petitions, it is recommended that the petitioner request a pre-submittal meeting with City staff.
- Timing. Petitions shall be submitted to the City by the last business day of October of each year for consideration the following year. Petitions received after the last business day of October will be processed with proposed amendments received through the last business day of October of the following year.
- Approval for Consideration. When a petition application is considered complete the City shall submit it to the City Council within 45 business days of the last business day of October, with the recommendation as to whether the Council should consider or reject the proposed petition. Within 15 business days of receiving the City Staff recommendation, the Council in a public meeting shall determine whether to consider or reject the proposed petition. A decision by the City Council to initiate the plan amendment process is procedural only and does not constitute a decision by the Council as to whether the amendment will ultimately be approved.
- Environmental Review. (State Environmental Policy Act Rules (Chapter 197-11 WAC)). If the City Council approves consideration of the amendment, the petitioner shall submit to the City an environmental checklist within 20 business days of the Council's action. Upon receipt of the environmental checklist and supporting documentation, the City should issue, within 15 business days, an environmental threshold determination on the proposed amendment. If necessary, a Draft Environmental Impact Statement should be published no later than the first business day of May of the year following the submitted petition.
- Process. The City will process the amendment pursuant to the procedures contained within Chapter 36.70 RCW and Electric City ordinances, including public hearings before the City Council.

Public Notification and Hearing Process:

All private applicants requesting amendment to the Comprehensive Plan must file

for a pre-application conference prior to or in conjunction with submittal of a formal application. The applicant shall participate in a pre-application meeting with City staff and shall receive a written staff review of the submitted information. The applicant shall have two weeks from receipt of the staff report to submit any requested additional applications or written information to the City.

All amendment public hearings shall have public notice issued at least fifteen calendar days before the date of a hearing. The notice shall be published in a newspaper of general circulation, and shall include a summary of the request and its location, the date, time and place of the hearing. The notice shall also be mailed to the applicant and owners of property within a 300-foot radius of the subject property as shown on the records of the Grant County Assessor. The notice shall also be posted by City staff in three conspicuous places on or in the vicinity of the subject property and shall be removed by the applicant within fifteen days following the public hearing date or any continuance thereof. Any neighborhood associations, including homeowners' associations, shall also receive notice.

The Electric City Council shall conduct all public hearings regarding amendments to this Plan, following a written recommendation from the Planning Agency. The City Council will schedule a public hearing for all cases recommended for approval by the Planning Agency.

Comprehensive Plan Amendment Appeals:

All cases recommended for denial by the Planning Agency shall be considered final unless appealed by the Electric City Clerk/Treasurer or, upon payment of any public hearing appeal fee, by any affected party. The City Council shall administratively consider all appeals of a Planning Agency recommendation for denial. The City Council will schedule public hearings only on those cases where the Council finds that the Planning Agency recommendations may have been made in error or the Council concludes that the Planning Agency decision raises a significant and unresolved land use policy issue that warrants immediate consideration.

Challenges to amendments to the Comprehensive Plan or related plans that are within the jurisdiction of the Growth Management Hearing Board shall be processed according to the law governing such challenges. Any judicial action to review any decision concerning the amendment of the Comprehensive Plan, including related plans, shall be commenced within twenty-one (21) days from the date of the decision. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review and other costs as may be imposed.

PLAN IMPLEMENTATION

Each county or city planning under the GMA should develop a detailed strategy for implementing its Comprehensive Plan, as stated in WAC 365-195-805. Through the preparation of this Plan, several policies were developed and additional planning needs were identified where further action is warranted. These include, but are not limited to, such action items as preparation and adoption of new development ordinances, review and revision of current zoning requirements, and review and evaluation of the critical areas ordinance. In compliance with the requirements of WAC 365-195-805, Electric City will use the following strategy to implement the Comprehensive Plan.

Ordinance Inventory

City ordinances regulating land development activities are listed in Table 2-1. Electric City, Grant County and the Grant County Health District also have separate civil infraction ordinances that impose enforcement processes and actions against violations of most of the land development and health regulations.

Table 2-1 Land Development Ordinances

Municipal Code Title	Regulated Activity
Title 12	Streets, Sidewalks, and Public Places
Title 13	Public Services Buildings and
Title 15	Construction
Title 16	Environment
Title 17	Subdivisions
Title 18	Zoning
Title 19	Administration

The City also has enacted the ordinance listed in Table 2-2 relating to land development, including water supply and on-site sewage disposal requirements.

Table 2-2 Public Health Ordinances

Municipal Codes.	<i>Regulated Activity</i>
Title 8	Health and Safety

Funding Issues

The regular City budgetary processes will be used to appropriate funds to carry out the goals and policies of this Plan and to monitor the effectiveness of the City’s actions. The City will actively solicit grant funding from the Department of Commerce and other

sources to augment City funds. The pace and schedule of implementation will, by necessity, depend entirely on the adequacy of budgetary appropriations, including any grant or nonrecurring funds that may be secured.

Proposed Modifications

To a greater or lesser extent, each of the regulations listed above in Tables 2-1 and 2-2 will need periodic review and potential modification. Of most immediate concern is to prepare and adopt amendments to the City's Zoning, subdivision, critical areas and SEPA ordinances to ensure consistency with any updates to the Comprehensive Plan. The SEPA Ordinance will be made fully consistent with Chapter 36.70B RCW and Chapter 197-11 WAC while the other ordinances will be amended to ensure consistency with the Plan and compliance with applicable requirements of the GMA. It is not anticipated that the Public Health Ordinances will require extensive revisions.

Anyone who seeks to engage in land development activities, or is otherwise subject to the development regulations contemplated under this Plan, will be required to obtain necessary local permits, licenses, and/or franchises. In general, applications for land development activities will be processed according to the requirements of Electric City's Zoning and/or Critical Areas Ordinances, including any amendments thereto. The City may consider a number of remedies for violation of development regulations, including, but not limited to, bond forfeiture, abatement, injunctive relief, permit/license/franchise revocation, civil penalties, and criminal sanctions.

Adoption Schedule

All revisions will be processed as expeditiously as possible, subject to staff resources and funding availability. Thereafter, any amendments to this Comprehensive Plan and consistent implementing regulations will be enacted and put into effect concurrently.

MONITORING PLAN EFFECTIVENESS

The effectiveness or success of the City of Electric City Comprehensive Plan can be measured or monitored in several ways. Two important ways are: (1) analyzing land use development trends; and (2) evaluating policy implementation. The implementation of the Comprehensive Plan can be readily monitored on a periodic basis. Monitoring the success of policy implementation can be measured by public acceptance and support, and enactment, amendment, or deletion of specific operational procedures and ordinances.

Establishing Growth Management Indicators

The success of implementing and monitoring any plan must have a background from which the plan can be measured. This background consists of a database tied to a time period. This database becomes the indicator for monitoring changes and the degree of success or failure in implementing a plan. Obviously if success is not occurring then the policies or implementing regulations need to be re-examined. This re-examination would assess whether the policies or implementing regulations should be modified.

Growth management indicators can be used to measure the outcomes of public policy and the goals and objectives behind that policy. Use of growth management indicators is a way to assure accountability to the public. It demonstrates whether the County is moving toward goals and how fast. It allows public resources to be prioritized in order to meet the goals or, if the desired outcome is not achieved, to consider modifying the goals or implementing regulations. Growth management indicators also work well with the public participation process of the planning cycle. Citizens and decision-makers can review the growth management indicators and make changes in policy direction, which reflect present day realities.

Monitoring the effectiveness of the Plan will occur through the establishment of a “Growth Management Indicators Work Program” which consists of the following processes:

1. Establishment of a growth management indicators database for measuring progress towards meeting the goals and objectives of the Comprehensive Plan.
2. Review of the growth management indicators data will include public participation.
3. The growth management indicators will document data of community significance. Such indicators may include, but are not limited to: land capacity, density, permit processing, housing costs, economic strength and diversity, natural resource consumption, public health and safety, solid waste, transportation, open space, and water quality.
4. Review of growth management indicators data for consideration as part of the City’s annual budget review process.
5. Identify alternatives to achieving those goals or policies that are not demonstrating progress toward their implementation.
6. Preparation of an annual status report regarding the implementation of policies. This report should address progress to date. This status report will include statements on policies that have already been or are being implemented.

Land Use and Related Growth Management Indicators Data

For monitoring land use and related issues, the growth management indicators data consists of a base year (starting with 2002) population, age of the population, family size, number of housing units, school enrollments, registered automobiles, consumer goods and costs, utility hookups, building permits issued, etc. Using this and other data, population, and service user ratios, needs and changes can be identified. The changes can be monitored and measured. Where necessary, changes to services, policies and programs can be made.

Assessing Effectiveness

Policy and Ordinance Effectiveness:

Measuring general policy, ordinance, or program effectiveness involves the review of different growth management indicator data than that of land use. For example, the effectiveness of a policy to shorten and improve the building permit process can be monitored by reviewing on different dates the time it takes to get a permit. This and similar type monitoring will necessitate the participation of the permit user groups. This is part of the citizen participation process of the work program.

Analysis of Plan Effectiveness:

To complete the monitoring of the effectiveness of the plan, the collection and presentation of growth management indicators data must be accompanied by an analysis and recommendations. Generally, that analysis is best presented by those who work most closely with a specific process, project, or policy program. This analysis should, where appropriate, provide for review, comment, and participation by both public and private interests.

For example, the growth management indicators data relating to land use will enable the City to prepare an analysis that determines the success of achieving the Grant County policy of directing new population into the urban growth areas. A similar analysis can be prepared on the success of new ordinances or ordinance modifications, or local government inter-local agreements and areas where they are working, not working, or need modifications.