



GRANITE FALLS WASHINGTON

GATEWAY TO THE MOUNTAIN LOOP

City of Granite Falls
215 S. Granite Avenue / P.O. Box 1440
Granite Falls, Washington 98252

P 360/691-6441
F 360/691-6734
www.ci.granite-falls.wa.us

DIAL-IN CONTACT PHONE NUMBER: (US) +1(253) 215-8782 / MEETING ID: 923 2742 5425

The City requests that all non-essential visits to City Hall for the Planning Commission Meeting be observed. We encourage all commission members and the public to utilize the dial-in feature. Staff will ensure hosting of the access number approximately 15 minutes prior to the Commission meeting; no meeting business may be discussed prior to the official opening of the meeting beginning at 7:00 PM. The public is encouraged to submit written comments prior to the meeting by sending to the City Clerk at Darla.Reese@ci.granite-falls.wa.us; comments via email will need to be submitted by no later than 4:00 PM on December 14, 2021 in order for them to be received and prepared for submission into the record; comments received may be read aloud as part of the Comments From the Public on Items Not on the Agenda or during the discussion of specific action items.

**CITY OF GRANITE FALLS
PLANNING COMMISSION
DECEMBER 14, 2021
7:00 PM
MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES:**
 - A. Approval of November 9, 2021 Minutes**
- 5. PUBLIC COMMENTS/RECOGNITION OF VISITORS-NON ACTION ITEMS**
(Speakers must sign up prior to the meeting. Individual comments will be limited to three minutes. Group comments shall be limited to five minutes.)
- 6. NEW BUSINESS:**
 - A. Public Hearing - 7:05 PM**
For consideration of the City of Granite Falls amendments to the Development Regulations. Moved Chapter 19.04.090 Concurrency and Adequacy to its own Chapter 19.12 - Concurrency and Adequacy - also included changes associated with Ordinance 1015-2021 to account for changes in the chapter due to the existing sewer moratorium
- 7. CURRENT BUSINESS:**

8. **REPORTS:**
 - A. City Clerk Reports
 - B. Homework
9. **CORRESPONDENCE:**
10. **ADJOURN:**

Notice-All Proceedings of this meeting are sound recorded.

Approval of November 9, 2021 Minutes



PLANNING COMMISSION

MEETING

NOVEMBER 9, 2021

7:00 PM

MINUTES

1. CALL TO ORDER (Via Zoom)

Commissioner Cruger called the Planning Commission meeting to order at 7:00 p.m.

2. FLAG SALUTE:

Commissioner Cruger led the Planning Commission, Staff and Audience in the Pledge of Allegiance to the Flag.

3. ROLL CALL:

Planning Commission

Commissioner Frederick Cruger – Present
Commissioner Ron Stephenson – Present
Commissioner Scott Morrison – Present
Commissioner Monica Hoerstring – Absent

City Staff

Darla Reese, City Clerk

Consultants

Ryan C. Larsen, Consultant Planner

4. APPROVAL OF MINUTES

A. Approval of October 12, 2021 Minutes

Commissioner Morrison moved to approve the Minutes of October 12, 2021. Commissioner Stephenson seconded. Motion carried.

5. PUBLIC COMMENTS/RECOGNITION OF VISITORS – NON-ACTION ITEMS

No one was present online to speak during this portion of the meeting, and no written correspondence had been received.

6. NEW BUSINESS

A. 2024 Comprehensive Plan Update – Population and Employment Projections

Consultant Planner Larsen explained and discussed the following items:

- What the population allocation is and how it works for cities and counties

- Draft 2044 Initial Population Growth Targets (for PAC Discussion/Action, Oct-14-2021)
- Draft 2044 Initial Employment Growth Targets (for PAC Discussion/Action, Oct-14-2021)
- Census Population for 2020
- Plan inside the City limits for Population of 6,551
- Plan inside the City limits for Employment of 2,128

B. Code Edits

Consultant Planner Larsen mentioned Council reviewed and asked he work with City Attorney Thom Graafstra on the Concurrency and Adequacy section 19.12 – for the fact we have a sewer moratorium going on. It includes background and findings of fact.

Intent of an interim rules is just that they are interim. The best way to do this is to take the interim rules and make them permanent at this time. When we are close to ending the moratorium, we take those rules back out and change to match what is going on at that time.

The changes show the modification as Attachment C – show the proposed changes by City Attorney Graafstra into this new section.

This will come back to the Planning Commission in a separate Public Hearing. It will be brought forth at the December 14, 2021 meeting.

*Discussion ensued between Planning Commission and Consultant regarding cleaning up language regarding service providers.

C. Public Participation Plan

Consultant Planner Larsen brought this before the Planning Commission to highlight it. After review and explanation of the process, he asked that the Commission review and bring back suggestions to the December meeting.

7. CURRENT BUSINESS

There were no Current Business items for the Agenda.

8. REPORTS:

A. City Clerk Reports

There were no questions of the City Clerk Report.

B. Homework

Consultant Planner Larsen asked that the Planning Commission review the Public Participation Plan.

9. CORRESPONDENCE:

There were no correspondence items to share.

10. ADJOURNMENT:

Commissioner Cruger adjourned the meeting.

Public Hearing - 7:05 PM

**For consideration of the City of Granite Falls
amendments to the Development Regulations.**

**Moved Chapter 19.04.090 Concurrency and
Adequacy to its own Chapter 19.12 - Concurrency
and Adequacy - also included changes associated
with Ordinance 1015-2021 to account for changes
in the chapter due to the existing sewer
moratorium**



PUBLIC HEARING NOTICE

City of Granite Falls
December 14, 2021
7:05 p.m.

BEFORE THE GRANITE FALLS PLANNING COMMISSION

NOTICE IS HEREBY GIVEN THAT via Zoom Meeting Online, on Tuesday, the 14th day of December, 2021, at 7:05 p.m. or soon thereafter, a public hearing will be held by the Granite Falls Planning Commission for consideration of the City of Granite Falls amendments to the Development Regulations. Moved Chapter 19.04.090 Concurrency and Adequacy to its own Chapter 19.12 – Concurrency and Adequacy – also included changes associated with Ordinance 1015-2021 to account for changes in the chapter due to the existing sewer moratorium.

Any person may appear at the Zoom Meeting online hearing or may call in at the designated meeting number +1 (253) 215-8782, Meeting ID: 923 2742 5425 and may be heard in support of or in opposition to this proposal. If you are unable to attend the public hearing in person, you may submit your written comments by 4:00 p.m., December 14, 2021, to the attention of the City Clerk at Granite Falls City Hall, 215 S Granite Avenue, Granite Falls, WA, 98252, in order for your comments to be considered as part of the formal record. Additional information may be obtained at City Hall from 8:30 a.m. to 5:00 p.m. weekdays by calling 360-691-6441.

GRANITE FALLS PLANNING COMMISSION

Darla Reese, City Clerk

Dated this 3rd day of December 2021.

Notice – All Proceedings of this meeting are sound recorded



GRANITE FALLS

City of Granite Falls
215 S. Granite Avenue / P.O. Box 1440
Granite Falls, Washington 98252

Exhibit 2, page 1 of 1

P 360/691-6441
F 360/691/6734
www.cityofgranitefalls.com

DECEMBER 3, 2021
VERIFICATION OF PUBLIC POSTING
FOR CONSIDERATION OF AMENDMENTS TO THE
DEVELOPMENT REGULATIONS CHAPTER 19.12 –
CONCURRENCY AND ADEQUACY AND ALSO CHANGES
ASSOCIATED WITH ORDINANCE 1015-2021

I, Darla Reese, City Clerk for the City of Granite Falls, WA hereby certifies the Public Hearing Notice for the Planning Commission's Tuesday, December 14, 2021 approximately 7:05 PM public hearing was posted in the three public places described below:

City Hall, 215 South Granite Avenue by: Darla date: 12/3/2021

Granite Falls Public Library, 815 East Galena Street by: TA date: 12/3/2021

Granite Falls Post Office, 205 East Stanley Street by: TA date: 12/3/2021

Emailed to the Everett daily Herald, Legal Publishing by: Darla date: 11/10/2021

Certified this 3rd day of December, 2021

Darla Reese

By Darla Reese, MMC
City Clerk

Affidavit of Publication

State of Washington }

County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH944171 PUBLIC HEARING as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 2 issue(s), such publication commencing on 12/03/2021 and ending on 12/03/2021 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$37.80.

Subscribed and sworn before me on this 3rd day of December, 2021.



Linda Phillips

Notary Public in and for the State of Washington.

City Of Granite Falls/LEGAL ADS | 14102095
DARLA REESE

RECEIVED

DEC 07 2021

City of Granite Falls

PUBLIC HEARING NOTICE
City of Granite Falls
December 14, 2021
7:05 p.m.

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GRANITE FALLS PLANNING COMMISSION

Daria Reese, City Clerk

Published: December 3, 2021.

EDH944171

Consultant Report

To: Planning Commission
From: Ryan C. Larsen, Consultant
Subject: PUBLIC HEARING - Development Regulations – Code Edits and Concurrency Edits
Chapter 19.12

For Meeting of: December 14, 2021

ISSUES:

1. The issue before the Planning Commission is to review the proposed change to Chapter 19.12 Concurrency and Adequacy in a Public Hearing.
2. Make a revised recommendation to City Council on the proposed amendments and Chapter 19.12 Concurrency and Adequacy.

POLICY: Granite Fall Municipal Code (GFMC) section 19.04.130(D)(1) states, “An amendment to the zoning code or other official controls may be initiated by: (a) the City Council; (b) the Planning Commission; (c) the City-Designated Official; (d) One or more property owners directly affected by a proposal through the submittal to the city of an application and fee as set forth in subsections (D)(2) and (3) of this section; or (e) Citizen advisory committees or organizations through the submittal to the city of an application and fee as set forth in subsections (D)(2) and (3) of this section.” City Designated Official along with the city Planning Consultant are suggesting several development regulation amendments to Title 19, 20 and 21 to better streamline the document. The Planning Commission is required to make a recommendation on the proposed edits to the City Council following a public hearing. City Council is to receive the recommendation and take final action on the amendments through the adoption of an ordinance.

BACKGROUND: Pursuant to GFMC 19.04.130(F), City staff advertised and initiated the 2021 Annual Docket process on August 31, 2020, inviting all interested parties to submit proposed amendments to the Comprehensive Plan and development regulations by October 31, 2020. The city did not receive or initiate any Comprehensive plan amendments. However, the city is proposing several edits to Title 19, 20, and 21 of the Granite Falls Municipal Code. As the result of this, the city is only processing amendments to the GFMC pursuant to 19.04.130(D).

Planning Commission reviewed proposed changes at their January 12, 2021, February 9, 2021, March 9, 2021, and April 13, 2021 meeting and suggested few minor corrections to the proposed changes. The proposed edits have had environmental review and a SEPA threshold determination of non-significance was issued on July 1, 2021. Also, the proposed changes/edits were sent to the Department of Commerce and Department of Ecology of the proposed changes on June 30, 2021. The end of the 60-day comment and review period was August 29, 2021.

The city Consultant prepared the following Zoning Code amendments (ZCA).

- ZCA2021-001 *Land Use Updates* – Proposed Zoning Code Amendments to Title 19, Title 20 and Title 21 (Attachment B) – Outlined below.

1. Chapter 19.02 – Definitions were updated to include definitions from Title 20, definitions addressing mobile food truck, changed short plats from 4 lots to 9 lots and plats for 10 or more lots, and added definitions addressing unit lot subdivisions.
2. Chapter 19.04 – Deleted chapter 19.04 and incorporated into either new Chapter 19.04C or created a new chapter for an individual item.
3. Chapter 19.04A – Edits to table in 19.04. Added a few permit types to the table. Biggest change was to move Final Plats as an administrative permit (Type II) rather than a Type IV permit which are reviewed by City Council.
4. Chapter 19.04B – Edits to the modification section to reference the newly created Administrative Modifications section in Chapter 19.04C.
5. Chapter 19.04C – Newly created chapter to deal with land use permit action. Some chapters from the old 19.04 and 19.05 were moved to this section. In addition, added sections to address administrative conditional uses, administrative modifications, code interpretations, and site plan review which previously did not exist.
6. Chapter 19.04D – This chapter is the old Title 20.06.
7. Chapter 19.05 – Deleted old 19.05 and moved sections to new 19.04C and the PRD section to Newly updated 19.05.
8. Chapter 19.05 – Chapter has been converted to address moving Chapter 20.08 into Title 19. Rewrote the subdivision chapter to make it more simplified and added a new section to address Unit Lot Subdivisions allowance by state law.
9. Chapter 19.06 – Proposing to add Food Vendor section. Main is how long if allowed can a food vendor operate.
10. Chapter 19.06 – Deleted home occupation from this chapter and move to new Chapter 19.04C.
11. Chapter 19.12 – Created own chapter for Concurrency and Adequacy which was moved from deleted Chapter 19.04. Change also incorporates the interim ordinance 1015-2021 which address the sewer moratorium and made modification to the Concurrency and Adequacy Chapter 19.04.
12. Chapter 19.13 – Created own chapter for Community facilities district which was moved from deleted Chapter 19.04.
13. Chapter 19.15 - Created own chapter for Land Use fees which was moved from deleted Chapter 20.10 – since Title 20 has been deleted.
14. Chapters 19.20, 19.21, 19.22, and 19.23 – Four new chapters to address Wireless communications facilities. Granite Fall did not have rules in place previously to address these facilities.
15. Title 20 – Chapter 20.02, Chapter 20.04, Chapter 20.06, Chapter 20.08, and Chapter 20.10 have been deleted and moved into Title 19 within various chapters as discussed above.
16. Chapter 21.10 – Created new chapter to address deferred impacts fees as required by state law (RCW 82.02.050). Cities in the state are required to have rules in place that allow for impact fees to be deferred.

FINDINGS:

1. Revised Codes of Washington (RCW) 36.70A.470(2) stipulates that all cities planning under the Growth Management Act (RCW 36.70A.040) shall provide procedures for any interested citizen or agency to suggest comprehensive plan and development regulation amendments.
2. The suggested amendments pursuant to RCW 36.70A.470(2) are to be docketed and considered on at least an annual basis.
3. The City of Granite Falls docket procedures are provided under UDC 19.04.130(F).
4. Pursuant to UDC 19.04.130(F)(1), a notice advertising the Docket opening was published in the City's newspaper of record, the Everett Herald, on August 31, 2020 and October 1, 2020 and posted at the Granite Falls City Hall, Library, and U.S. Post Office.
5. The city did not receive or initiate any Comprehensive plan amendments.
6. However, the city is proposing several development regulation edits to Title 19, 20, and 21 of the Granite Falls Municipal Code. As the result of this, the city is only processing amendments to the GFMC pursuant to 19.04.130(D)
7. The City Staff/Consultant Team has prepared proposed edits as outlined below:
 - a. Chapter 19.02 – Definitions were updated to include definitions from Title 20, definitions addressing mobile food truck, changed short plats from 4 lots to 9 lots and plats for 10 or more lots, and added definitions addressing unit lot subdivisions.
 - b. Chapter 19.04 – Deleted chapter 19.04 and incorporated into either new Chapter 19.04C or created a new chapter for an individual item.
 - c. Chapter 19.04A – Edits to table in 19.04. Added a few permit types to the table. Biggest change was to move Final Plats as an administrative permit (Type II) rather than a Type IV permit which are reviewed by City Council.
 - d. Chapter 19.04B – Edits to the modification section to reference the newly created Administrative Modifications section in Chapter 19.04C.
 - e. Chapter 19.04C – Newly created chapter to deal with land use permit action. Some chapters from the old 19.04 and 19.05 were moved to this section. In addition, added sections to address administrative conditional uses, administrative modifications, code interpretations, and site plan review which previously did not exist.
 - f. Chapter 19.04D – This chapter is the old Title 20.06.
 - g. Chapter 19.05 – Deleted old 19.05 and moved sections to new 19.04C and the PRD section to Newly updated 19.05.
 - h. Chapter 19.05 – Chapter has been converted to address moving Chapter 20.08 into Title 19. Rewrote the subdivision chapter to make it more simplified and added a new section to address Unit Lot Subdivisions allowance by state law.
 - i. Chapter 19.06 – Proposing to add Food Vendor section. Main issue how long - if allowed can a food vendor operate.
 - j. Chapter 19.06 – Deleted home occupation from this chapter and move to new Chapter 19.04C.
 - k. Chapter 19.12 – Created own chapter for Concurrency which was moved from deleted Chapter 19.04.

- l. Chapter 19.13 – Created own chapter for Community facilities district which was moved from deleted Chapter 19.04.
 - m. Chapter 19.15 - Created own chapter for Land Use fees which was moved from deleted Chapter 20.10 – since Title 20 has been deleted.
 - n. Chapters 19.20, 19.21, 19.22, and 19.23 – Four new chapters to address Wireless communications facilities. Granite Fall did not have rules in place previously to address these facilities.
 - o. Title 20 – Chapter 20.02, Chapter 20.04, Chapter 20.06, Chapter 20.08, and Chapter 20.10 have been deleted and moved into Title 19 within various chapters as discussed above.
 - p. Chapter 21.10 – Created new chapter to address deferred impacts fees as required by state law (RCW 82.02.050). Cities in the state are required to have rules in place that allow for impact fees to be deferred.
8. Environmental review/Determination of Non-significance and noticing the Department of Commerce and Department of Ecology of the proposed changes occurred on Wednesday June 30, 2021.
 9. The Department of Commerce provide notice to the City on July 1, 2021 confirming the 60-day notice period ends on August 29, 2021 and the City has met the procedural requirements for notification.
 10. Planning Commission reviewed proposed changes at their January 12, 2021, February 9, 2021, March 9, 2021, April 13, 2021, and July 13, 2021 meeting and suggested few minor corrections to the proposed changes.
 11. City Council reviewed in a study session at their July 14, 2021 meeting reviewed the suggested edits as outline in Attachment B.
 12. Planning Commission held a hearing on the proposed edits at their October 12, 2021 meeting and made a recommendation of approval of all the proposed changes.
 13. City Council reviewed the Planning Commission recommendation at their November 3, 2021 meeting and directed staff to make changes to Food Vendor rules and to new Chapter 19.12 Concurrency and Adequacy to address the change made in the Ordinance 1015-2021 (which address the current sewer moratorium).
 14. Planning Commission will review the proposed changes to Chapter 19.12 Concurrency and Adequacy at their November 9, 2021 meeting and then will hold a public hearing on these changes at their December 14, 2021 meeting.
 15. City Council reviewed the proposed change to Chapter 19.12 Concurrency and Adequacy at their November 17, 2021 meeting prior to considering the Planning Commission recommendation at their December 15, 2021 meeting.

ALTERNATIVES:

1. Move to recommend approval to City Council adopt the 2021 Development Regulation proposed amendments as previously recommended on October 12, 2021 and the revised new Chapter 19.12 Concurrency and Adequacy as prepared by staff and the city consultant.
2. Move to recommend denial to City Council adopt the 2021 Development Regulation proposed amendments as previously recommended on October 12, 2021 and the revised new Chapter 19.12 Concurrency and Adequacy as prepared by staff and the city consultant.

3. Move to recommend approval and/or denial of certain sections in new Chapter 19.12 Concurrency and Adequacy to City Council as determined by the Planning Commission.
4. Take no action at this time and direct City staff and the City consultant to provide the Commission with additional information prior to making a recommendation to City Council.

RECOMMENDED ACTIONS:

1. I move to recommend City Council adopt the 2021 Development Regulation proposed amendments as previously recommended on October 12, 2021 and the revised new Chapter 19.12 Concurrency and Adequacy as prepared by staff and the city consultant.

ATTACHMENTS:

- A. Revised new Chapter 19.12 Concurrency and Adequacy

ATTACHMENT A

ATTACHMENT A**Chapter 19.12
CONCURRENCY AND ADEQUACY****Sections:**

- 19.12.010 Interim Regulations.
- 19.12.015 Purpose.
- 19.12.020 Authority.
- 19.12.025 Exemptions.
- 19.12.030 Concurrency procedures.
- 19.12.035 Check for adequacy.
- 19.12.040 Approval or Denial of Permits.
- 19.12.045 Concurrency Test Request without Application.

19.12.010 Interim Regulations

The re-adoption of this section does not repeal current interim regulations related to concurrency and adequacy presently adopted and renewed, extended or imposed due to capacity limitations at the City's wastewater treatment plant. Those interim regulations presently are contained in Ordinance 1015-2021, remain in effect despite the adoption of this chapter and read as follows:

19.04.090 Concurrency and adequacy.

(A) Intent. The purpose of this section is to ensure that public facilities and services owned, operated, or provided by the city and public facilities and services owned, operated or provided by other governments, special districts and applicable organizations within the city are provided simultaneous to or within six years after development occurs consistent with, available capacity, the capital facilities element of the comprehensive plan and RCW 36.70A.070(6)(e). This chapter shall apply to all applications for development or redevelopment permit approvals that will result in:

(1) More than 10 new p.m. peak hour vehicle trips; and

(2) ~~Five or more connections or five~~ Two or more connections or two SFR equivalent connections to city water and/or sanitary sewer systems.

(B) Authority. The designated official shall be responsible for enforcing the provisions of this chapter.

(C) Exemptions. The test for concurrency shall not be required for exempted developments as specified below:

(1) Highways of statewide significance (HSS) are exempt from this concurrency section.

(2) No Impact. Development which creates little or no additional impacts on public water, sanitary sewer, surface water management, streets, schools and parks are exempt from the test for concurrency. Such development includes but is not limited to:

~~(a) Uses falling under thresholds described in GFMC 19.07.010(H);~~

~~(b) (a) Additions, accessory structures, or interior renovations to or replacement of a residence which do not result in a change in use or increase in the number of dwelling units or residential equivalents;~~

~~(c) (b) Additions to or replacement of a nonresidential structure which do not result in a change in use, expansion in use, or otherwise increase demand in public facilities as defined above;~~

~~(d) (c) Temporary uses as described in GFMC 19.05.060; and~~

~~(e) (d) Demolitions.~~

~~(f) Commercial development in the General Commercial zone subject to available capacity at time of complete application submittal.~~

~~(g) Construction of a single family residence or a duplex on an existing lot~~

~~(3) Variances as provided elsewhere in this section.~~

~~(3) (4) Permits and Actions. The following are exempt from the test for or a new test for concurrency:~~

~~(a) Boundary line adjustments;~~

~~(b) Temporary use permits;~~

~~(c) Variances and shoreline variances;~~

~~(d) Approvals pursuant to site development regulations;~~

~~(e) Administrative interpretations;~~

~~(f) Sign permits;~~

~~(g) Street vacations;~~

~~(h) Demolition permits;~~

~~(i) Street use or right-of-way permits;~~

~~(j) Clearing, grading, and excavation permits;~~

~~(k) Mechanical, electrical and plumbing permits;~~

~~(l) Fire code permits;~~

(m) Other permits as determined by the city that will not result in impacts on public services or utilities.

(n) Permits or applications for which the City has contractually committed to sewer availability, including but not limited to approved preliminary subdivisions, short plats or binding site plans as of the date of this Ordinance;

(o) New sewer service to properties that paid assessments as part of local improvement districts established prior to the effective date of this Ordinance for the purpose of providing sewer;

(p) All projects (if any) that have vested rights to new sewer connections because of previously submitted and fully complete applications with prior affirmative city issued concurrency determinations;

(q) New sewer connection in cases where the property owner has presented the City with documentation from the Snohomish Health District that sufficiently demonstrates a failed on-site septic system and that there is no feasible alternative but to connect to the public sewer system;

(r) The Snohomish Health District or the State Department of Ecology authorizes temporary use of an on-site sewer system, the Applicant pays sewer connection fees at the time of building permitting, and the Applicant signs and records a covenant agreeing to connect to the City of Granite Falls sewer system and decommission the on-site system within 60 days of receiving a request from the City

(4)-(5) SEPA. Applications exempt from the test for concurrency are not necessarily exempt from SEPA.

(5)-(6) Exemptions. The portion of any development used for any of the following purposes is exempt from the requirements of this chapter:

(a) Public transportation facilities;

(b) Public parks and recreational facilities; and

(c) Public libraries.

(D) Concurrency Procedures.

(1) Concurrency Review Procedures. The test for concurrency is currently suspended for six months from October 20, 2021 but when resumed shall be performed in the processing of all nonexempt permit applications through a concurrency review process established by the individual service providers.

(a) The concurrency review process shall be completed prior to issuance of a building permit. The designated official shall determine the time of the concurrency test dependent on the time of permit.

(b) The concurrency review process shall include review of phased projects.

(c) The concurrency review process established by the individual service providers shall be specified in written policy, and shall be available for city distribution.

(2) Test for Concurrency – Roles.

(a) When allowed, the designated official shall provide the overall coordination of the test for concurrency by:

(i) Notifying the service providers of all applications requiring a test for concurrency;

(ii) Notifying the service providers of all exempted development applications which use capacity;

(iii) Notifying the service providers of expired development permits or other actions resulting in a release of capacity reserved through a certificate of capacity.

(b) Service providers shall:

(i) Be responsible for conducting the test for concurrency for their individual public facilities, for all applications requiring a test for concurrency;

(ii) Reserve the capacity needed for each application;

(iii) Account for the capacity for each exempted application which uses capacity;

(iv) Adjust capacity to reflect the release of reserved capacity as notified by the city;

(v) Annually report the capacity of their public facilities to the city. Said annual report shall include an analysis of comprehensive plan infrastructure priorities in accordance with the six-year capital improvement plan; and

(vi) Have the authority to charge applicable fees to recover the costs of concurrency testing and monitoring their concurrency systems.

(3) Capacity. For sanitary sewer and domestic water supply, only available capacity shall be used in conducting the test for concurrency. For streets, available and planned capacity may be used in conducting the test for concurrency. The adopted level of service standards outlined in the comprehensive plan shall be the basis for determining whether adequate capacity will be available.

(4) Test for Concurrency – Pass. The test for concurrency, when allowed to occur, is passed when the capacity of public facilities and services is equal to or greater than the capacity required to maintain the level of service standards established by the city. When a

concurrency determination is allowed, a certificate of capacity will be issued by the city according to the following provisions:

(a) A certificate of capacity will be issued upon payment of any fee, performance of any condition, or other assurances required by the service provider.

(b) A certificate of capacity shall apply only to the specific land use types, densities, intensities, and development project described in the certificate.

(c) A certificate of capacity is not transferable to other land, but may be transferred to new owners of the subject land along with any conditions imposed by the city in the permit or approval documents.

(d) A certificate of capacity shall expire if the accompanying permit expires or is revoked. The expiration date of the certificate of capacity may be extended according to the same terms and conditions as the accompanying permit. If the permit is granted an extension, so shall the certificate of capacity. If the accompanying permit does not include an expiration date, the certificate of capacity shall expire two years from the date of issuance. Expiration dates shall be included in certificates of capacity.

(5) Test for Concurrency – Fail. The test for concurrency is not passed and the proposed project may be denied if the capacity of the public services or facilities is less than the capacity required to maintain the adopted level of service standards after the impacts associated with the requested permit are added to the existing capacity utilization. The following options are available to applicants in the event that partial capacity of public facilities and services is available:

(a) The scope of the project may be reduced to the level equal to that which would absorb the available capacity;

(b) The phasing of the project may be modified to accommodate planned capacity improvements;

(c) The capacity shortfall may be mitigated as part of the project; or

(d) The results of the test for concurrency may be appealed to the hearing officer.

(E) Check for Adequacy. The check for adequacy will be performed on an annual basis concurrent with the annual update of the capital facilities element of the comprehensive plan. The check for adequacy will be conducted by the appropriate service provider.

(1) City. The city shall:

(a) Provide the affected service providers a report on all permit applications occurring within the past year;

(b) Provide population growth figures to the service providers;

(c) Maintain a cumulative record of all checks for adequacy.

(2) Service Providers. Service providers shall provide annual reports on checks for adequacy to the city.

(F) Approval or Denial of Permits.

(1) Approvals. When allowed, permits which would not result in a reduction of an adopted level of service standard for a public facility or service may be approved as long as all other provisions of the code are met.

(2) Denials. Permits which would result in a reduction of an adopted level of service standard for a public facility or service are subject to denial.

(G) Concurrency Test Request without Application. At this time no test for concurrency may be requested without an accompanying permit application.

(H) Variance. Notwithstanding any other provision of this Section 19.04.090, The City Engineer shall have authority to administratively grant a variance from the prohibition on a concurrency determination in this section in cases of special hardships, unique circumstances and practical difficulties not covered by an exemption in this section. Application for such a variance shall be in writing, state the basis for the request, and shall be filed with the City Engineer together with a filing fee as established by resolution of the City Council. No variance shall be granted unless the City Engineer finds that all of the following facts and conditions exist:

(1) That there are exceptional or extraordinary circumstances such as a bona fide public health emergency or conditions applying to the subject property or as to the intended use thereof that do not apply generally to other properties in the same vicinity;

(2) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity;

(3) That the authorization of such variance will not be materially detrimental to the public interest, welfare or the environment;

(4) That the granting of such variance will not be inconsistent with the long-range plans of the City utility system;

(5) That the granting of such variance is consistent with the Growth Management Act, Chapter 36.70A RCW;

(6) For purposes of this chapter the term "bona fide public health emergency" shall mean that service is necessary and that all of the following are present:

(a) The impact on public health potentially impacts the general public rather than solely the property owner making application;

(b) The hardship is not the result of the applicant's own action;

(c) The hardship is not merely financial or pecuniary;

(d) The City's NPDES permit will not be affected by the extension (if applicable);

(e) The extension is consistent with the goals of the City's sewer comprehensive plans and all other applicable law, including, but not limited to, the Growth Management Act and the State Environmental Policy Act;

(f) The City has adequate capacity and adequate infrastructure available to provide the required service, or the applicant voluntarily agrees to provide the necessary infrastructure upgrades to allow service consistent with City standards.

(7) Conditions may be imposed upon the granting of a variance to ensure the protection of the public health, welfare and environment. Each variance shall be considered on a case-by-case basis, and shall not be construed as setting precedent for or binding on any subsequent application. The decision of the City Engineer on a variance application shall be in writing, deemed a Type 2 decision and shall be final, subject to appeal to the City Land Use Hearing Examiner pursuant to the appeal process set forth in GFMC 19.04.030, including but not limited to filing any appeal within the 10-day period after the written decision of the City Engineer.

~~and amendments of this section to address capacity and sewer availability.~~

Notwithstanding the provisions of this chapter, the interim regulations adopted or subsequently adopted shall remain in full force and effect pending their ir-expiration. The provisions of 19.12.015 to 19.12.045 shall only become effective upon the expiration of any and all interim regulations. ~~-repeal or revision of the interim provisions in this section.~~

19.12.015 Purpose. (effective after expiration of interim regulations)

(A) Intent. The purpose of this section is to ensure that public facilities and services owned, operated, or provided by the city and public facilities and services owned, operated or provided by other governments, special districts and applicable organizations within the city are provided simultaneous to or within six years after development occurs consistent with the capital facilities element of the comprehensive plan and RCW 36.70A.070(6)(e). This chapter shall apply to all applications for development or redevelopment permit approvals that will result in:

- (1) More than 10 new p.m. peak hour vehicle trips; and
- (2) Five or more connections or five SFR equivalent connections to city water and/or sanitary sewer systems.

19.12.020 Authority. (effective after expiration of interim regulations)

The designated official shall be responsible for enforcing the provisions of this chapter.

19.12.025 Exemptions. (effective after expiration of interim regulations)

(A) The test for concurrency shall not be required for exempted developments as specified below:

- (1) Highways of statewide significance (HSS) are exempt from this concurrency section.
- (2) No Impact. Development which creates little or no additional impact on public water, sanitary sewer, surface water management, streets, schools and parks is exempt from the test for concurrency. Such development includes but is not limited to:
 - (a) Uses falling under thresholds described in GFMC 19.07.010 (H);
 - (b) Additions, accessory structures, or interior renovations to or replacement of a residence which do not result in a change in use or increase in the number of dwelling units or residential equivalents;
 - (c) Additions to or replacement of a nonresidential structure which do not result in a change in use, expansion in use, or otherwise increase demand in public facilities as defined above;
 - (d) Temporary uses as described in GFMC 19.05.060; and
 - (e) Demolitions.
- (3) Permits and Actions. The following are exempt from the test for concurrency:
 - (a) Boundary line adjustments;
 - (b) Temporary use permits;
 - (c) Variances and shoreline variances;
 - (d) Approvals pursuant to site development regulations;
 - (e) Administrative interpretations;
 - (f) Sign permits;
 - (g) Street vacations;
 - (h) Demolition permits;
 - (i) Street use or right-of-way permits;
 - (j) Clearing, grading, and excavation permits;
 - (k) Mechanical, electrical and plumbing permits;
 - (l) Fire code permits;
 - (m) Other permits as determined by the city that will not result in impacts on public services or utilities.
- (4) SEPA. Applications exempt from the test for concurrency are not necessarily exempt from SEPA.
- (5) Exemptions. The portion of any development used for any of the following purposes is exempt from the requirements of this chapter:
 - (a) Public transportation facilities;
 - (b) Public parks and recreational facilities; and
 - (c) Public libraries.

19.12.030 Concurrency procedures. (effective after expiration of interim regulations)

(A) Concurrency Procedures.

(1) Concurrency Review Procedures. The test for concurrency shall be performed in the processing of all nonexempt permit applications through a concurrency review process established by the individual service providers.

(a) The concurrency review process shall be completed prior to issuance of a building permit. The designated official shall determine the time of the concurrency test dependent on the time of permit.

(b) The concurrency review process shall include review of phased projects.

(c) The concurrency review process established by the individual service providers shall be specified in written policy, and shall be available for city distribution.

(2) Test for Concurrency – Roles.

(a) The designated official shall provide the overall coordination of the test for concurrency by:

(i) Notifying the service providers of all applications requiring a test for concurrency;

(ii) Notifying the service providers of all exempted development applications which use capacity;

(iii) Notifying the service providers of expired development permits or other actions resulting in a release of capacity reserved through a certificate of capacity.

(b) Service providers shall:

(i) Be responsible for conducting the test for concurrency for their individual public facilities, for all applications requiring a test for concurrency;

(ii) Reserve the capacity needed for each application;

(iii) Account for the capacity for each exempted application which uses capacity;

(iv) Adjust capacity to reflect the release of reserved capacity as notified by the city;

(v) Annually report the capacity of their public facilities to the city. Said annual report shall include an analysis of comprehensive plan infrastructure priorities in accordance with the six-year capital improvement plan; and

(vi) Have the authority to charge applicable fees to recover the costs of concurrency testing and monitoring their concurrency systems.

(3) Capacity. For sanitary sewer and domestic water supply, only available capacity shall be used in conducting the test for concurrency. For streets, available and planned capacity may be used in conducting the test for concurrency. The adopted level of service standards outlined in the comprehensive plan shall be the basis for determining whether adequate capacity will be available.

(4) Test for Concurrency – Pass. The test for concurrency is passed when the capacity of public facilities and services is equal to or greater than the capacity required to maintain the level of service standards established by the city. A certificate of capacity will be issued by the city according to the following provisions:

- (a) A certificate of capacity will be issued upon payment of any fee, performance of any condition, or other assurances required by the service provider.
- (b) A certificate of capacity shall apply only to the specific land use types, densities, intensities, and development project described in the certificate.
- (c) A certificate of capacity is not transferable to other land, but may be transferred to new owners of the subject land along with any conditions imposed by the city in the permit or approval documents.
- (d) A certificate of capacity shall expire if the accompanying permit expires or is revoked. The expiration date of the certificate of capacity may be extended according to the same terms and conditions as the accompanying permit. If the permit is granted an extension, so shall the certificate of capacity. If the accompanying permit does not include an expiration date, the certificate of capacity shall expire two years from the date of issuance. Expiration dates shall be included in certificates of capacity.
- (5) Test for Concurrency – Fail. The test for concurrency is not passed and the proposed project may be denied if the capacity of the public services or facilities is less than the capacity required to maintain the adopted level of service standards after the impacts associated with the requested permit are added to the existing capacity utilization. The following options are available to applicants in the event that partial capacity of public facilities and services is available:
 - (a) The scope of the project may be reduced to the level equal to that which would absorb the available capacity;
 - (b) The phasing of the project may be modified to accommodate planned capacity improvements;
 - (c) The capacity shortfall may be mitigated as part of the project; or
 - (d) The results of the test for concurrency may be appealed to the hearing officer.

19.12.035 Check for adequacy. (effective after expiration of interim regulations)

(A) Check for Adequacy. The check for adequacy will be performed on an annual basis concurrent with the annual update of the capital facilities element of the comprehensive plan. The check for adequacy will be conducted by the appropriate service provider.

- (1) City. The city shall:
 - (a) Provide the affected service providers a report on all permit applications occurring within the past year;
 - (b) Provide population growth figures to the service providers;
 - (c) Maintain a cumulative record of all checks for adequacy.
- (2) Service Providers. Service providers shall provide annual reports on checks for adequacy to the city.

19.12.040 Approval or denial of permits. (effective after expiration of interim regulations)

(A) Approvals. Permits which would not result in a reduction of an adopted level of service standard for a public facility or service may be approved as long as all other provisions of the code are met.

(B) Denials. Permits which would result in a reduction of an adopted level of service standard for a public facility or service are subject to denial.

19.12.045 Concurrency Test Request without Application.(effective after expiration of interim regulations)

(A) Test for concurrency may be requested without an accompanying permit application. Any available capacity found at the time of the test cannot be reserved and no certificate of capacity will be issued.

City Clerk Reports

City Clerk Staff Report November 17, 2021

Business Licenses (Inside City):

Farmers Roofing LLC

116 Tompkins PL
Granite Falls, WA 98252
Roof & gutter cleaning, pressure washing, handyman

Superior Restrooms, LLC

20318 Gun Club Rd.
Granite Falls, WA 98252
Portable toilet

Granite Falls Community Chiropractic PLLC

106 Cascade Ave., Unit 103
Granite Falls, WA 98252
Chiropractor

Business Licenses (Outside City):

Alpha Steel buildings, Inc.

1724 Cole St. Ste. 10
Enumclaw, WA 98022
Construction company/pole buildings/concrete

Harmsen, LLC

125 E. Main St., Ste. 104
Monroe, WA 98272
Land surveying, civil engineering, land use planning

PNW Mechanical & Contractor LLC

206 E Haller Ave., Apt. 8
Arlington, WA 98223
Heating, ventilation and air conditioning, HVAC, contractor, construction, refrigeration – commercial, major appliances – install, repair

Swinburnson Enterprises (Swinburnson, Barbara K)

1057 Birch Bay
Lynden, WA 98264
Drywall and painting installations

-Continued -

Valley Cabinets & More
18362 Burkland Rd.
Mt. Vernon, WA 98273
Cabinets and counter tops

1st Response Heating & Air Solutions LLC
1731-113th Dr. SE
Lake Stevens, WA 98258
Heating, air conditioning, energy solutions, repair, installation, service, sales

Captain's Cod Company (Captains Cod LLC)
2303-30th St.
Bellingham, WA 98225
Food sales

Building Permits Issued:

Snohomish Fire Dist. #17
20217 Gun Club Rd.
New training tower building

Building Permit #2021-046

Jack Nichols
207 N. Bogart Ave.
Residential re-roof with sheathing

Building Permit #2021-078

Cindy Olano
224 Paradise Pkwy.
Residential hot water tank

Building Permit #2021-099

Leah Bedatsky
10410 Spruce Ave.
Residential patio cover

Building Permit #2021-103

City Clerk Staff Report December 1, 2021

Business Licenses (Inside City):

Lugo Handyman Services (Lugo Ramirez, Gumerindo)

505 Cedar Ct.
Granite Falls, WA 98252
Roofing, roof inspection, siding – install, repair, chimney repair

Cellini Mushroom Company (Griffin, Philip John)

509 Hemming Way
Granite Falls, WA 98252
Mushroom growing & sales.

Business Licenses (Outside City):

Brown Family Craftsmen LLC

8825-34th Ave. NE, Ste. L538
Quil Ceda Village, WA 98271
Contractor, construction

L1 Restorations, Inc.

8503 NE 152nd St.
Kenmore, WA 98028
Mold remediation, emergency water clean-up, crawl space cleanup/moisture control, HVAC cleaning

Weather Shield Contracting LLC

5737 Guide Meridian
Bellingham, WA 98226
Water proofing, roofing inspection, roofing, framing, demolition – construction

Arbanasin Quality Construction LLC

16324-91st Ave. NE
Arlington, WA 98223
Construction contractor

ZW Renovations, LLC

4820-134th PL NE
Marysville, WA 98271
Flooring tear out and installation services

-Over-

Building Permits Issued:

Katherine Zajac
10601 Tailspar Ave.
Residential A/C Unit

Building Permit #2021-105

Granite Falls School Dist.
205 N. Granite Ave.
Two commercial AC Units

Building Permit #2021-106

Aaron Hess
9814 Hawkins Ave.
Residential A/C Unit

Building Permit #2021-107