

February 28, 1989  
0225D/GG/NM/rr

INTRODUCED BY: Gary Grant

PROPOSED NO.: 89-89

ORDINANCE NO. **8874**

AN ORDINANCE appropriating \$50,000 from unappropriated Building and Land Development Fund balance to implement an interlocal agreement between King County and Educational Service District No. 121 to develop proposed regulations and procedures to deal with the impact of new development on schools, authorizing the execution of said agreement, and amending Ordinance No. 8802, Section 67.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby approved and adopted an appropriation of \$50,000 to Building and Land Development from unappropriated Building and Land Development Fund balance to implement an interlocal agreement between King County and Educational Service District No. 121 to develop proposed regulations and procedures regarding the impact of new development on schools.

SECTION 2. Ordinance No. 8802, Section 67, is hereby amended by adding thereto and inserting therein the following:

BUILDING AND LAND DEVELOPMENT - From the Building and Land Development Fund there is hereby appropriated to:

Building and Land Development	\$50,000
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1        SECTION 3. The King County executive is authorized to  
2 execute an agreement between King County and Educational Service  
3 District No. 121 to develop regulations and procedures to deal  
4 with the impact of new development on schools.

5        Provided that:

6        The composition of the School Mitigation Task Force will be

7        5 school district representatives

8        5 developer representatives (county appointed)

9        5 general public representatives (county appointed)

10       1 county council representative (county appointed)

11       1 BALD representative (county appointed)

12       Provided further that:

13       The School Mitigation Study consultant work program will be  
14 amended to include the following language:

15       Work Task 2 - Identification of Alternative Solutions

16       At a minimum, the consultant will provide a methodology which  
17 can be consistently used by all county school districts and the  
18 King County building and land development division to assess  
19 development for school infrastructure costs required due to this  
20 development. This methodology should provide for full recovery  
21 of capital costs and should eliminate any cost impact on existing  
22 taxpayers for new development.


1 The consultant will apply the proposed methodology to at  
2 least one representative school district to provide an example of  
3 how the methodology will function.

4 Said report shall be presented to the King County council  
5 prior to December 1, 1989.


6 INTRODUCED AND READ for the first time this 30th day  
7 of January, 1989.

8 PASSED this 13th day of March, 1989.


9 KING COUNTY COUNCIL  
10 KING COUNTY, WASHINGTON

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12 \_\_\_\_\_  
13 Chairman

14 ATTEST:

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18 Clerk of the Council

19 APPROVED this 22<sup>nd</sup> day of March, 1989.

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23 \_\_\_\_\_  
24 King County Executive

INTERLOCAL AGREEMENT BETWEEN  
KING COUNTY AND  
EDUCATIONAL SERVICE DISTRICT NO. 121

WHEREAS, many school districts in King County have documented that new development generates students that increase enrollment beyond capacity; and

WHEREAS, the State Environmental Policy Act (RCW 43.21C.020) declares that it is the continuing policy of the State of Washington to use all practicable means to foster and promote the general welfare; and

WHEREAS, the State Environmental Policy Act (RCW 43.21C.020 and WAC 197-11-660) states that any governmental action on a public or private proposal which is not exempt may be conditioned or denied under the State Environmental Policy Act to mitigate environmental impacts provided mitigating measures are related to specific, clearly identified, significant adverse environmental impacts that are attributable to the proposal; and

WHEREAS THE State Environmental Policy Act (WAC 197-11-444(d)(iii)) designates schools as one of the elements of the environment to be analyzed in an environmental review; and

WHEREAS the State Subdivision Act (RCW 58.17.110) authorizes county legislative bodies to condition approval of subdivisions upon the appropriate provision of facilities for public health, safety, and welfare; and

WHEREAS King County Comprehensive Plan goals include:

1. Guide population and employment growth to protect public health and safety, and maintain a quality environment in King County.
2. Indicate clearly where growth can best be accommodated and is desired and encourage development in those areas through incentives and land use regulations.
3. Enable local governments -- including King County, cities, and other agencies -- to provide adequate and affordable public facilities and services, or to enable private provision of improvements, and to allocate their costs equitably.
4. Provide a framework for effective cooperation among King County residents and their governments, cities and other public agencies, and the private sector in addressing the many issues of managing growth responsibly.

WHEREAS King County Comprehensive Plan policies include:

1. PC-202. The existing and scheduled availability and adequacy of planned facilities and services should be a major consideration in land use plans. Review of individual development proposals should include verification of the availability of all facilities and services essential to public health and safety in time to meet the needs generated by the proposal.

## King County/ESD No. 121 Interlocal Agreement

2. PC-203. In cooperation with cities and other service providers, King County should set service level standards as the basis for defining the adequacy of facilities and services, consistent with the plan concept's growth and development pattern. The standards should: "Encourage allocation of facilities and service costs efficiently and equitably between regional and local taxpayers and ratepayers, and between existing communities and new developments.
3. PI-301. King County, its cities, special districts and other public agencies should work together to address major planning issues, to pool and distribute data and forecasts, and to solve problems affecting more than one jurisdiction, recognizing the requirement, rights, and procedures set forth in applicable Washington State law.
4. F-501. King County should encourage growth to locate where it can make best use of existing schools.

WHEREAS, the King County Council passed Ordinance No. \_\_\_\_\_ authorizing an interlocal effort to evaluate current procedures in the development approval process in King County for assessing the impacts of development upon schools and to recommend a comprehensive administrative and regulatory proposal that will enable King County to make appropriate provision for school facilities and safety in the future; and

WHEREAS, King County and the Educational Service District No. 121 desire to work cooperatively because the County is the governmental agency for planning for regulation of land use and the ESD is a regional agency intended to provide cooperative and information services to local school districts; and

WHEREAS, King County, under the laws of the State, has the authority to enter into an Interlocal Agreement with the Educational Service District No. 121, a regional agency created under Chapter 21A.21 RCW, with the objective of defining the responsibilities of each party in the development and implementation of the task force, and

WHEREAS, the Educational Service District No. 121 is acting as the representative of the participating school districts and will administer the matching funds submitted to it by the participating school districts and King County for the purpose of funding the task force; and

WHEREAS, THE King County Council considers the adoption of the school-adequacy standards to be in the public interest;

NOW, THEREFORE King County and Educational Service District No. 121 agree to undertake a study with the objective of evaluating current procedures in the development approval process in King County for assessing the impacts of development upon schools, and to recommend on the basis of this analysis a comprehensive administrative and regulatory proposal which will enable King County to fulfill its responsibilities under RCW, SEPA, and

the King County Comprehensive Plan to address the impacts of development upon schools and to make appropriate provisions for school facilities and safety in the future.

A. Working Group Established

To accomplish this, the parties shall establish a working group of fifteen member which shall include balanced representation from school districts, the development industry, and the general public.

1. Six members shall be appointed by the superintendent of Educational Service District No. 121, and shall represent school districts.
2. Nine members shall be appointed by the King County Executive and shall be confirmed by the King County Council. These members shall represent a geographic balance within the County. Six shall represent the development industry and three shall be members of the general public.
3. Chairperson shall be elected by the group no later than the third regular meeting. Educational Service District No. 121 will convene the working group and facilitate its activities until the time of election of the chairperson.

B. Project Goals

The goals of the work group shall be to:

1. Encourage growth to locate where it can make best use of existing schools.
2. Equitably allocate facility and service costs between regional and local taxpayers, and between existing communities and new development.
3. Ensure that funds designated for specific projects will be used for the intended purpose to provide substantive benefit to those who paid.

C. Work Tasks

Specific tasks assigned to the work group include, but are not limited to:

1. Determine current enrollment in schools within King County.
2. Determine current capacity of those schools.
3. Determine anticipated new development within attendance boundaries of schools/school districts based on figures from King County's Land Development Information system reflecting the number of lots created from 1984 to the present, and determine the number of students that may be generated by this new development.

- 4. Assess how students from proposed developments can be accommodated.
- 5. Recommend procedures to mitigate impacts if overcrowding or unhoused students will result from proposed developments.
- 6. Recommend procedures to provide for the safety of students impacted by proposed developments.

D. Lead Agency

Education Service District No. 121 shall be the lead agency for the project and will be responsible for administrative tasks including but not limited to the hiring of necessary consultants and disbursing and accounting for project funds. The District shall provide the County with copies of reports and documents produced by the study.

E. Funding

King County shall contribute an amount not to exceed \$50,000 to carry out the work of the project, and school districts shall provide an equal amount not to exceed \$50,000 in matching funds.

F. Deadline

The project shall be completed within 180 days from the effective date of this agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

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Tim Hill, King County Executive

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Doyle E. Winter, Superintendent  
Educational Service District No. 121

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