

TITLE 19 — LAND USE AND DEVELOPMENT CODE

New Chapter 19.180 — Concurrency for Development Proposals

19.180.010 Purpose and Authority

A. This chapter is adopted pursuant to the Growth Management Act, Chapter 36.70A RCW.

B. The City of Medical Lake shall ensure that public facilities and services necessary to support development are adequate at the time of occupancy and use, without reducing service levels below adopted minimum standards.

C. Transportation improvements or strategies required to accommodate the impacts of development shall be provided concurrent with development, consistent with RCW 36.70A.070(6).

D. This chapter establishes a citywide concurrency management system applicable to development proposals and coordinates concurrency review across city departments and service providers.

19.180.020 Applicability

A. All development permit applications requiring review under this title are subject to a concurrency determination unless explicitly exempt by this code.

B. A concurrency determination conducted at the preliminary approval stage shall satisfy concurrency requirements for subsequent final permits for the same project.

C. Exemptions, vesting rights, and accounting for exempted capacity are governed by Chapter 19.XX and referenced departmental titles.

19.180.030 Concurrency Review Process

A. Concurrency Coordination.

The Planning Department shall coordinate concurrency review by:

1. Distributing applications to affected departments and agencies;
2. Compiling concurrency determinations;
3. Issuing written notice of concurrency findings;
4. Maintaining certificates of capacity.

B. City Departmental Review.

Each department shall:

1. Apply adopted level-of-service standards;
2. Determine available and planned capacity;
3. Reserve capacity when concurrency is met;
4. Report annual capacity to support the Capital Facilities Program.

19.180.040 Facilities and Services Included

For purposes of development review under this title, concurrency applies to the following public facilities and services, collectively referred to as "concurrency facilities," as identified and evaluated in accordance with the City's Capital Facilities Program, Comprehensive Plan, and adopted level-of-service standards:

1. Roads and streets, including associated intersections and traffic control infrastructure;
2. Transit facilities and services;
3. Potable water supply, treatment, storage, and distribution systems;
4. Electric utility facilities and services;
5. Sanitary sewer collection, treatment, and disposal systems;
6. Solid waste and recycling facilities and services;
7. Stormwater and surface water management facilities;
8. Law enforcement facilities and services;
9. Fire protection and emergency medical services;
10. Public school facilities serving city residents;
11. Public parks, trails, and recreation facilities; and
12. Public library facilities and services.

19.180.050 Application of the Concurrency Test

A. General Requirement.

All non-exempt development proposals shall be evaluated to determine whether adequate concurrency facilities are available to maintain adopted levels of service without degradation below established minimum standards.

B. Available vs. Planned Capacity.

Concurrency determinations shall be made using the following capacity standards:

1. Available Capacity Only shall be used for concurrency determinations involving:
 - o Potable water;
 - o Electric utilities;
 - o Sanitary sewer;
 - o Solid waste; and
 - o Stormwater management.
2. Available and Planned Capacity may be used for concurrency determinations involving:
 - o Roads and transit;

- Law enforcement;
- Fire and emergency medical service;
- Schools;
- Parks; and
- Libraries.

C. Planned Capacity Limitations.

Planned capacity may only be used where the facility expansion or improvement is:

1. Included in the adopted Capital Facilities Program; and
2. Scheduled and financially committed for completion within six years.

19.180.060 Concurrency Determination

A. Development proposals that would cause adopted levels of service to fall below minimum standards shall not be approved unless:

1. Sufficient capacity is available; or
2. Capacity will be provided concurrent with development within six years through adopted capital planning and financial commitment.

B. If concurrency is not met, the applicant may:

1. Modify the proposal to reduce impacts;
2. Provide or fund required improvements;
3. Appeal the determination per Title 2 and Chapter 19.XX.

19.180.070 Certificate of Concurrency Capacity

A. A certificate of concurrency capacity shall be issued concurrently with development approval.

B. Certificates are project-specific, non-transferable to other land, and expire with the associated permit.

C. Unused or expired capacity shall revert to the available capacity pool.

19.180.080 Relationship to Departmental Concurrency Chapters

Concurrency adequacy shall be evaluated under the following Chapters, which establish standards, methodologies, and thresholds:

- MLMC Chapter 11.30 — Transportation Concurrency
 - MLMC Chapter 12.40 — Water and Sewer Concurrency
 - MLMC Chapter XX.XX — Parks and Recreation Concurrency
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TITLE 11 — STREETS AND SIDEWALKS

New Chapter 11.30 — Transportation Concurrency

11.30.010 Purpose

This chapter implements transportation concurrency requirements of the Growth Management Act by ensuring that development does not reduce transportation levels of service below adopted standards unless improvements or strategies are provided concurrent with development.

11.30.020 Facilities Subject to Concurrency

Transportation concurrency applies to:

- City streets and intersections
- Transit facilities and services under city jurisdiction

11.30.030 Level of Service Standards

A. Transportation level-of-service (LOS) standards shall be those adopted in the Transportation Element of the Comprehensive Plan.

B. LOS standards may include multimodal performance measures, including vehicle, transit, pedestrian, and bicycle capacity.

11.30.040 Concurrency Test

A. Available and planned transportation capacity may be used.

B. Planned capacity must:

1. Be included in the adopted Capital Facilities Program; and
 2. Have a financial commitment to completion within six years.
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TITLE 12 — WATER AND SEWERS

New Chapter 12.40 — Water and Sewer Concurrency

12.40.010 Purpose

This chapter ensures that potable water and sanitary sewer facilities are adequate to serve development concurrently with demand.

12.40.020 Facilities Subject to Concurrency

A. Potable water supply, treatment, storage, and distribution

B. Sanitary sewer collection, treatment, and disposal

12.40.030 Level of Service Standards

Level-of-service standards shall be those adopted in the Capital Facilities Program and Water and Sewer Comprehensive Plans.

12.40.040 Concurrency Test

- A. Only available capacity shall be used to determine concurrency for water and sewer facilities.
 - B. Development requiring system extensions or upgrades shall not be approved unless adequate capacity exists at the time of approval or occupancy.
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NEW TITLE XX — PARKS AND RECREATION

Chapter XX.XX — Parks Concurrency

XX.XX.010 Purpose

This chapter ensures that parks and recreation facilities are adequate to serve development consistent with community standards and quality of life goals.

XX.XX.020 Facilities Subject to Concurrency

Parks concurrency applies to:

- Neighborhood and community parks
- Trails and trailheads
- Recreation facilities owned or operated by the city

XX.XX.030 Level of Service Standards

The level of service standard shall be based on:

- Acres of park land per 1,000 population; or
- Facility-specific capacity measures adopted in the Parks Element of the Comprehensive Plan.

XX.XX.040 Concurrency Test

- A. Available and planned capacity may be considered.
- B. Planned capacity must be included in the Capital Facilities Program and scheduled for completion within six years.