
8

Essential Public Facilities

Section 1 - Introduction

The Growth Management Act requires that every Comprehensive Plan include a process for siting essential public facilities. Examples of essential public facilities include schools, water transmission lines, sewer collection lines, fire stations, hospitals, jails, prisons, solid waste transfer stations, highways, and stormwater treatment plants. No comprehensive plan can preclude the siting of essential public facilities within the community. The Growth Management Act includes these provisions because siting certain public facilities has become difficult. Many factors contributed to this problem, including increased demand for facilities to serve a growing population, increased competition for land as the state becomes more urbanized, and problems with siting processes. By including a process for siting essential facilities in the Comprehensive Plan deficiencies in the siting process can be minimized.

Because of their potential impacts neighborhoods and local governments should take their fair share of essential public facilities. However, the facilities should not be concentrated in a single neighborhood or community. The Comprehensive Plan is intended to guide the location of all land uses including essential public facilities. Therefore, essential public facilities shall comply with the Comprehensive Plan.

Organization

The Essential Public Facilities Element consists of the following sections:

Section 2 presents land use goals and policies developed for the Essential Public Facilities Element and the applicable policies from the County Wide Planning Policies.

Section 3 presents the criteria for defining an essential public facility and the optional process for siting the facility.

Essential Public Facilities

Section 2 - Goals and Policies

Grant County-wide Planning Policies

The Grant County-wide Planning Policies have been developed as written policy statements for establishing a county-wide framework from which county and city comprehensive plans are to be developed and adopted. This framework ensures that city and county comprehensive plans are consistent as required by GMA.

The County wide planning policies which relate to siting essential public facilities are listed:

Policy 3 - Policies For Siting Public Facilities of a County-wide or State-Wide Nature

- I. Identify and Siting Essential Public Facilities
 - A. The Comprehensive Plan of each city, town and county that is planning under the Growth Management Act shall include a process for identifying and siting essential public facilities. (RCW 36.70A.200(1)).
 - B. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, and group homes. (RCW 36.70A.200(1)).
 - C. No city, town, or county comprehensive plan or development regulation may preclude the siting of essential public utilities. (RCW 36.70A.200(2)).
- II. Development of Essential Public Facilities: When essential public facilities are proposed the potentially affected city(s) and/or town(s) and the county shall:
 - A. Establish an Advisory Project Analysis and Site Evaluation Committee composed of citizen members and government representatives selected to represent a broad range of interest groups. The Committee shall develop specific siting criteria for the proposed project and to identify, analyze, and rank potential project sites. In addition the Committee shall establish a reasonable time for completion of the task.
 - B. Insure public involvement through the use of timely press releases, newspaper notices, public information meetings, and public hearings.
 - C. Notify adjacent cities and towns and other governmental entities of the proposed project and solicit review and comment on the recommendations made by the Advisory Project Analysis and Site Evaluation Committee.
- III. Siting Considerations: In siting essential public facilities the Advisory Project Analysis and Site Evaluation Committee shall consider at least the following:
 - A. Essential facilities shall be developed in a timely, orderly, and efficient arrangement and be so located so as to not adversely affect the safety, health or welfare of the citizens residing around or near the facility.
 - B. Essential public facilities sited near public water and sewer services shall be required to utilize such services.
 - C. Essential public facilities sited where public water and sewer services are not immediately available shall be required to be constructed so as to be able to be serviced by public water and sewer services when they are available and, further, the essential public services shall be required to connect to such water and sewer services when they are available.
 - D. Land adjacent to existing and proposed essential public facilities which may be developed in the future shall be compatible with such uses.
 - E. Proposed essential public facilities shall be

- compatible with existing land uses.
- F. Adequate fire protection water supplies shall be required in all developing areas where essential public facilities may be sited.
 - G. Undesignated landfills, dredging, waste discharges, and other activities with potential deleterious environmental impacts shall be controlled with appropriate rules and regulations adopted and enforced by the jurisdiction with authority.
 - H. Essential public facilities shall not locate in resource lands or critical areas if incompatible.
 - I. Essential public facilities shall not be located outside of UGA's unless they are self-contained and do not require the extension of urban governmental services.

Goals and Policies Developed for the Comprehensive Plan

The following essential public facility goals and policies were developed for the Comprehensive Plan:

GOAL 1: ESTABLISH A PROCESS AND SITING CRITERIA FOR ESSENTIAL PUBLIC FACILITIES THAT COMPLIES WITH THIS COMPREHENSIVE PLAN.

POLICIES

- 1.1 The Moses Lake Planning Commission shall recommend and the City Council shall adopt a list of essential public facilities which meet the definition described in this chapter. The Planning Commission shall develop its recommendation in consultation with the Municipal Services Department and the Community Development Department. Any agency or organization proposing a facility on this list may request review of the proposal

through the essential public facilities process.

- 1.2 Essential public facilities shall be allowed in those zoning districts in which they would be compatible. Various facilities shall be classified as permitted, conditional uses, or prohibited based on the purpose of the zoning district and the facility's potential for adverse impacts on various uses and the environment. If classified as a conditional use permit, the approval criteria shall be those set out in the process identified within this chapter. The Industrial Zoning District should include broad use categories that allow all essential public facilities that are difficult to site as permitted, or conditionally permitted uses, as appropriate.
- 1.3 Essential public facilities should be equitably located throughout the City, County and State. No jurisdiction should absorb a disproportionate share.
- 1.4 Essential public facilities shall comply with Moses Lake's adopted Comprehensive Plan, whether they are owned or operated by private organizations or special purpose, local general purpose, state, or federal agencies.

Essential Public Facilities

Section 3 - Essential Public Facility Siting Process

This section contains Moses Lake’s process for siting essential public facilities.

Essential public facilities are facilities, conveyances, or sites that meet the following definition: (1) the facility, conveyance or site is used to provide services to the public; (2) these services are delivered by government agencies, private or non-profit organization under contract to or with substantial funding from government agencies, or private firms or organizations subject to public service obligations, and (3) the facility, conveyance or site is necessary to adequately provide a public service. The City Council will adopt and periodically update a list of essential public facilities that meet this definition and which, therefore, may follow the essential public facility siting process. This list will be reviewed by the Planning Commission before its adoption by the City Council. In developing this list Moses Lake should consider any State or County lists of essential public facilities. Improvements to facilities and services of state-wide significance identified in the state-wide multi-modal plan are essential state public facilities under RCW 36.70A.200.

One of the concerns surrounding the siting of essential public facilities within Moses Lake is that they are conditionally allowed in all zones without parameters. To help address this problem Moses Lake shall modify the development regulations to allow essential public facilities in those zones in which they would be compatible. The types of facilities that are compatible will vary with the impacts likely from the facility and the zoning district. Schools are an example of an essential public facility that will be allowed in most zoning districts. In contrast, public works maintenance centers will only be allowed in a few zones because of their potential adverse impacts.

In the Industrial Zoning Districts many essential public facilities will be compatible uses and broad use categories allowing such uses should be included in the zone.

The essential public facilities siting process is optional. An organization seeking to site a facility on Moses Lake’s essential public facility list can either use the normal processes as outlined in the zoning code or can request to use the essential public facilities siting process. An organization also can request that a facility type be added to the list to allow that facility to use the essential public facility siting process. The following process will be used to site essential public facilities:

1. An agency or organization requests in writing that a proposed facility be reviewed through Moses Lake’s essential public facilities siting process. This request should be in the form of a letter to the Director of Community Development, or the current position having the duties of this office, addressing the criteria in 2 below.
2. The Director of Community Development, or the current position having the duties of this office, shall review this request and grant it if the following criteria are met:
 - a. The facility meets the definition of essential public facilities as noted in this chapter;
 - b. The facility is a type difficult to site because of one of the following:
 1. The facility needs a type of site of which there are few sites,
 2. The facility can locate only near another public facility,
 3. The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site, or
 4. The facility is of a type that has been difficult to site in the past;

MOSES LAKE PLANNING COMMISSION RECOMMENDED COMPREHENSIVE PLAN
Essential Public Facilities

- c. It is likely this facility will be difficult to site, and
 - d. There is need for the facility and Moses Lake is in the facility service area.
3. The Director of Community Development, or the current position having the duties of this office, shall determine if the facility serves a regional, countywide, statewide or national need. If it does, the Director may condition the review with a requirement that the review process consider sites in parts of the service area outside Moses Lake. If the facility serves a regional, countywide, statewide or national need, a multi-jurisdictional planning process should be used. In these cases the multi-jurisdictional process should conform to the process defined in the Grant County County-Wide Planning Policies.
4. The facility shall be reviewed in the same manner as a zone change. Where more than one local government is involved in the review process, Moses Lake staff shall participate in the review process and use the data, analysis and environmental documents prepared in that process in the City's review, if Moses Lake determines those documents are adequate. If the facility would require a variance that approval shall be decided by the Hearings Examiner.
5. The Director of Community Development shall require that the facility siting process include a public involvement component that meets the following standards:
- a. At least one public hearing shall be held with notice given in the same manner as a privately initiated, quasi-judicial rezone.
 - b. An additional public involvement process that gives those who live near the proposed site or sites and those who will use the facility, where appropriate, the opportunity to affect the design and location of the facility. This process may be regional or local.
 - c. The potential impact of the proposed facility should be taken into account in deciding the nature of the public involvement process. The public involvement process shall involve those within the zone of likely and foreseeable impacts.
 - d. The public involvement process shall address the criteria in 7 below, including the need for the facility.
6. An analysis of the facility's impact on City finances shall be undertaken. If the study shows that locating a facility in a community would result in a disproportionate financial burden on the community, an agreement should be executed to mitigate the adverse financial impact or the approval shall be denied.
7. The following criteria shall be used to decide the application;
- a. Whether there is a public need for the facility.
 - b. The impact of the facility on the surrounding uses and environment, the City, and the region.
 - c. Whether the design of the facility or the operation of the facility can be conditioned, or the impacts otherwise mitigated, to make the facility compatible with the affected area and the environment.
 - d. Whether a package of incentives can be developed that would make siting the facility within the community more acceptable.
 - e. Whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts on affected areas and the environment.
 - f. Whether the proposed essential public facility is consistent with the Moses Lake Comprehensive Plan.
 - g. If a variance is requested, the proposal shall also comply with the variance

MOSES LAKE PLANNING COMMISSION RECOMMENDED COMPREHENSIVE PLAN

Essential Public Facilities

- criteria.
- h. Essential public facilities shall comply with any applicable state siting and permitting requirements (e.g., hazardous waste facilities).