

1 Adopted:
2 Effective:
3
4

5 SNOHOMISH COUNTY COUNCIL
6 Snohomish County, Washington
7

8 ORDINANCE NO. 25-029
9

10 AMENDING SNOHOMISH COUNTY CODE CHAPTER 30.66A – PARK AND RECREATION
11 FACILITY IMPACT MITIGATION TO UPDATE IMPACT FEE CALCULATION FORMULA AND
12 IMPACT FEE SCHEDULE AND AMENDING CHAPTER 30.91B TO ADD DEFINITION OF
13 “BEDROOM” FOR PURPOSES OF IMPACT FEE CALCULATIONS
14
15

16 WHEREAS, the Revised Code of Washington (RCW) Chapter 82.02 provides for local
17 jurisdictions to collect impact fees from development in order to support provision of capital
18 facilities needed to serve new population; and
19

20 WHEREAS, Snohomish County Code (SCC) Chapter 30.66A was adopted by Amended
21 Ordinance 04-016 on February 23, 2005, and established Snohomish County’s Growth
22 Management Act (GMA) based impact mitigation fee program for park facilities pursuant to
23 RCW 82.02.050; and
24

25 WHEREAS, the 2024 biennial update of park impact mitigation fees updated the fee
26 schedule to reflect current park improvement project costs and anticipated population growth in
27 accordance with the adopted level-of-service standards set forth in the proposed 2025-2030
28 Parks Capital Improvement Program (CIP); and
29

30 WHEREAS, the Washington State Legislature approved Engrossed Second Substitute
31 Senate Bill (ESSSB) 5258 amending RCW 82.02.060, *Impact fees—Local ordinances—*
32 *Required provisions—Exemptions* to produce a proportionally lower impact fee for smaller
33 housing units to take effect on July 23, 2023; and
34

35 WHEREAS, ESSSB 5258, amended RCW 82.02,060 to provide proportionally lower
36 impact fees for smaller housing units, and require jurisdictions to adopt and make effective
37 implementing regulations six months after the required periodic comprehensive plan update per
38 Chapter 36.70A RCW; and
39

40 WHEREAS, on March 31, 2025, the County received from the Washington State
41 Department of Commerce (“Commerce”), the *Public Review Draft Residential Proportional*
42 *Impact Fees and System Development Charges Guidebook*, that was open for public comment
43 through the end of April 2025; and

1
2 WHEREAS, the County Council adopted the 2024 GMA Comprehensive Plan on
3 December 4, 2024 and implemented on December 22, 2024; and
4

5 WHEREAS, Parks has conducted public outreach in developing the proposed
6 amendments to Chapter 30.66A SCC, which are proposed by this ordinance, including webpage
7 postings and newsletter updates; and
8

9 WHEREAS, State Environmental Policy Act (SEPA) requirements with respect to this
10 non-project action have been satisfied; and
11

12 WHEREAS, the Snohomish County Planning Commission ("Planning Commission") held
13 a public briefing on December 17, 2024 to review a presentation by the Parks Division, which
14 set forth the basis for allocating the new fee schedule amongst the various housing types and
15 sizes, as more fully set forth in the Staff Report Memorandum dated November 27, 2024; and
16

17 WHEREAS, the Snohomish County Planning Commission ("Planning Commission") held
18 a public hearing on January 28, 2025 to receive public testimony concerning the proposed
19 Chapter 30.66A SCC code amendments; and
20

21 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning
22 Commission voted unanimously to recommend adoption of the code amendments contained in
23 this ordinance, and
24

25 WHEREAS, the County Council held a public hearing on _____, 2025, after
26 proper notice, and considered public comment and the entire record related to the code
27 amendments contained in this ordinance; and
28

29 WHEREAS, following the public hearing, the County Council deliberated on the code
30 amendments contained in this ordinance;
31

32 NOW, THEREFORE, BE IT ORDAINED:
33

34 Section 1. The County Council adopts the following findings in support of this ordinance:
35

36 A. The foregoing recitals are adopted as findings as if set forth in full herein.
37

38 B. This ordinance amends Chapter 30.66A SCC to update park impact fees consistent with
39 ESSSB 5258's requirement for the fee schedule to proportionally reduce fees for smaller
40 housing units
41

42 C. This ordinance will add section 30.91B.065 to chapter 30.91B SCC to add a definition for
43 "bedroom" as recommended in the *Public Review Draft Residential Proportional Impact*

1 *Fees and System Development Charges Guidebook*, developed by Commerce. This
2 definition applies only to "Park and recreation impact mitigation" regulations in chapter
3 30.66A SCC and "School impact mitigation" regulations in chapter 30.66C SCC.
4

5 D. This ordinance is consistent with Chapter 36.70A RCW and maintains consistency with
6 GMA.
7

8 E. Procedural requirements.
9

10 1. SEPA requirements with respect to this non-project action have been satisfied.
11

12 2. This proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
13

14 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
15 transmitted to the Washington State Department of Commerce for distribution to
16 state agencies.
17

18 4. The public participation process used in the adoption of this ordinance has complied
19 with all applicable requirements of the GMA and the SCC.
20

21 5. The Washington State Attorney General last issued an advisory memorandum, as
22 required by RCW 36.70A.370, in September of 2018 entitled "Advisory Memorandum
23 and Recommended Process for Evaluating Proposed Regulatory or Administrative
24 Actions to Avoiding Unconstitutional Takings of Private Property" to help local
25 governments avoid the unconstitutional taking of private property. The process
26 outlined in the State Attorney General's 2018 advisory memorandum was used by
27 Snohomish County in objectively evaluating the regulatory changes proposed by this
28 ordinance.
29

30 F. This ordinance is consistent with the record:
31

32 1. Amendments to SCC 30.66A adds smaller residential units for each dwelling
33 type, consistent with the requirements of RCW 82.02.060.
34

35 2. This ordinance will be adopted within six months of the County's implementation
36 of its 2024 GMACP.
37

38 Section 2. The County Council makes the following conclusions:
39

40 A. The amendments proposed by this ordinance comply with the GMA and the GMACP.
41

42 B. The proposal is consistent with Washington State law and the SCC.
43

1 C. The County has complied with all SEPA requirements in respect to this non-project
2 action.

3
4 D. The amendments proposed by this ordinance do not result in an unconstitutional
5 taking of private property for a public purpose.
6

7 Section 3. The County Council bases its findings and conclusions on the entire record of
8 the County Council, including all testimony and exhibits. Any finding, which should be deemed a
9 conclusion, and any conclusion which should be deemed a finding, is adopted as such.
10

11 Section 4. Snohomish County Code Section 30.66A.035(3), amended by Amended
12 Ordinance No. 20-081 on January 20, 2021, is amended to read:
13

14 (3) *Cost calculation by element.* The fees shall be calculated on a "per dwelling unit"
15 basis, by "dwelling unit type" as set forth below in the Impact Fee Schedule.
16

17 ~~((a) Single Family Impact Fee Calculation Formula))~~

18 ~~(($[\Sigma C_{PA}] [H_{SF}] / [SF_{TOT}] [S_{FAC}]$))~~

19 ~~((b) Multi Family Impact Fee Calculation Formula))~~

20 ~~(($[\Sigma C_{PA}] [H_{MF}] / [MF_{TOT}] [S_{FAC}]$))~~

21
22 $([\Sigma C_{PA}] [P_{\%}] / [HS_{TOT}])$
23

24 Where:
25

26 ΣC_{PA} = The sum (total) cost of park amenities

27 ~~((H_{SF} = Population proportion factor from single family housing starts))~~

28 ~~((H_{MF} = Population proportion factor from multi family housing starts))~~

29 ~~((SF_{TOT} = Total projected single family housing starts over six years))~~

30 ~~((MF_{TOT} = Total projected multi family housing starts over six years))~~

31 $P_{\%}$ = Population proportion (percentage)

32 HS_{TOT} = Projected housing starts over six years

33 ~~((S_{FAC} = The proportion of new parks amenities to be paid with impact fees from
34 new development))~~
35

36 Section 5. Snohomish County Code Section 30.66A.040 Impact fee schedule, last
37 amended by Amended Ordinance No. 24-088 on November 25, 2024, is amended to read:
38

39 (1) Developments subject to this chapter shall pay the fees set forth in Table
40 30.66A.040(1) ~~((a) or in Table 30.66A.040(1)(b) as appropriate.~~
41

42 ~~((a) For complete development applications filed on or after January 1, 2025, but before~~
43 ~~January 1, 2026:~~

Table 30.66A.040(1)(a) Park and Recreation Impact Fees

Park Service Area	PSA Name	Single Family and Duplex	Multi Family and Townhouse
		\$/unit	\$/unit
301	Kayak Point	\$681.97	\$441.70
302	River Meadows	\$856.60	\$441.70
303	Robe Canyon	\$772.41	\$441.70
304	White Horse	\$681.97	\$441.70
305	Lord Hill	\$681.97	\$441.70
306	Centennial	\$681.97	\$441.70
307	Nakeeta Beach	\$1,963.77	\$1,264.73

(b) For complete development applications filed on or after January 1, 2026:

Table 30.66A.040(1)(b) Park and Recreation Impact Fees

Park Service Area	PSA Name	Single Family and Duplex	Multi Family and Townhouse
		\$/unit	\$/unit
301	Kayak Point	\$860.09	\$554.27
302	River Meadows	\$1,209.35	\$554.27
303	Robe Canyon	\$860.09	\$554.27
304	White Horse	\$860.09	\$554.27
305	Lord Hill	\$860.09	\$554.27
306	Centennial	\$860.09	\$554.27
307	Nakeeta Beach	\$2,297.32	\$1,458.00))

Table 30.66A.040(1) Park and Recreation Impact Fees

Park Service Area	Single Family Detached Units		Duplexes and Townhomes		Multifamily	
	2 or less bedrooms	3+ bedrooms	2 or less bedrooms	3+ bedrooms	1 or less bedrooms	2+ bedrooms
	\$/Unit	\$/Unit	\$/Unit	\$/Unit	\$/Unit	\$/Unit
301 - Kayak Point	\$685.22	\$831.94	\$622.07	\$790.90	\$339.04	\$660.01
302 - River Meadows	\$966.07	\$1,172.93	\$877.05	\$1,115.08	\$339.04	\$660.01
303 - Robe Canyon	\$685.22	\$831.94	\$622.07	\$790.90	\$339.04	\$660.01
304 - Whitehorse	\$685.22	\$831.94	\$622.07	\$790.90	\$339.04	\$660.01
305 - Lord Hill	\$685.22	\$831.94	\$622.07	\$790.90	\$339.04	\$660.01
306 - Centennial	\$685.22	\$831.94	\$622.07	\$790.90	\$339.04	\$660.01
307 - Nakeeta Beach	\$1,705.32	\$2,070.47	\$1,548.18	\$1,968.35	\$843.79	\$1,642.59

1 Section 5. A new section is added to chapter 30.91B of the Snohomish County Code to
2 read:

3
4 30.91B.065 Bedroom. "Bedroom" means any room or space used or intended to be used
5 for sleeping purposes in a dwelling that contains a closet and method of egress. Rooms that are
6 intended to provide support to occupants of a dwelling such as studies, nooks, dens, home
7 offices, walk-in closets, and spaces providing similar functions should not be classified as
8 bedrooms.

9
10 *This definition applies only to "Park and recreation impact mitigation" regulations in*
11 *chapter 30.66A SCC and "School impact mitigation" regulations in chapter 30.66C SCC.*
12

13 Section 6. Effective date, implementation. This ordinance shall take effect July 1, 2025.
14 The Snohomish County Planning and Development Services and Department of Conservation
15 and Natural Resources' Parks and Recreation Division are authorized to take such actions as
16 may be necessary to implement this ordinance on its effective date.
17

18 Section 7. Severability and savings. If any section, sentence, clause, or phrase of this
19 ordinance shall be ruled to be invalid or unconstitutional by a court of competent jurisdiction,
20 such ruling shall not affect the validity or constitutionality of any other section, sentence, clause,
21 or phrase of this ordinance, and the section, sentence, clause, or phrase in effect prior to the
22 effective date of this ordinance shall be in full force and effect for that individual section,
23 sentence, clause, or phrase as if this ordinance had never been adopted.
24

25 PASSED this ___ day of _____, 2025.
26

27 SNOHOMISH COUNTY COUNCIL
28 Snohomish County, Washington
29
30

31 _____
32 Council Chair

33 ATTEST:
34
35

36 _____
37 Deputy Clerk of the Council
38

39 () APPROVED
40 () EMERGENCY
41 () VETOED
42
43

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney