

AMENDED AT PUBLIC HEARING 7/2/2025

1 Adopted:

2 Effective:

5 SNOHOMISH COUNTY COUNCIL
6 Snohomish County, Washington

8 ORDINANCE NO. 25-029

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

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

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

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

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

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

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

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CHAPTER 30.91B TO ADD DEFINITION OF “BEDROOM” FOR PURPOSES OF
IMPACT FEE CALCULATIONS

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED:

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

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

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

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

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

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

E. Procedural requirements.

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

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

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

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

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

F. This ordinance is consistent with the record:

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

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

Section 2. The County Council makes the following conclusions:

A. The ~~9~~ amendments proposed by this ordinance comply with the GMA and the GMACP.

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

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

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

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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.

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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:

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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 (((ΣC_{PA})[H_{SF}]/[SF_{TOT}][S_{FAC}]))
19 (((b) Multi Family Impact Fee Calculation Formula))
20 (((ΣC_{PA})[H_{MF}]/[MF_{TOT}][S_{FAC}]))
21
22 (ΣC_{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 \$/unit	Multi Family and Townhouse \$/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 \$/unit	Multi Family and Townhouse \$/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 \$/Unit	3+ bedrooms \$/Unit	2 or less bedrooms \$/Unit	3+ bedrooms \$/Unit	1 or less bedrooms \$/Unit	2+ bedrooms \$/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

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

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

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

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

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

PASSED this day of , 2025.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

~~Deputy Clerk of the Council~~

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

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1 DATE: _____
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7 County Executive
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ATTEST:
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Approved as to form only:
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Deputy Prosecuting Attorney
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