

1 Adopted:
2 Effective:

3
4
5 SNOHOMISH COUNTY COUNCIL
6 Snohomish County, Washington
7

8 PROPOSED SUBSTITUTE ORDINANCE NO. 25-029
9

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

16
17 WHEREAS, the Revised Code of Washington (RCW) Chapter 82.02 provides for
18 local jurisdictions to collect impact fees from development in order to support provision
19 of capital facilities needed to serve new population; and
20

21 WHEREAS, Snohomish County Code (SCC) Chapter 30.66A was adopted by
22 Amended Ordinance 04-016 on February 23, 2005, and established Snohomish
23 County’s Growth Management Act (GMA) based impact mitigation fee program for park
24 facilities pursuant to RCW 82.02.050; and
25

26 WHEREAS, the 2024 biennial update of park impact mitigation fees updated the
27 fee schedule to reflect current park improvement project costs and anticipated population
28 growth in accordance with the adopted level-of-service standards set forth in the
29 proposed 2025-2030 Parks Capital Improvement Program (CIP); and
30

31 WHEREAS, the Washington State Legislature approved Engrossed Second
32 Substitute Senate Bill (ESSSB) 5258 amending RCW 82.02.060, *Impact fees—Local*
33 *ordinances—Required provisions—Exemptions* to produce a proportionally lower impact
34 fee for smaller housing units to take effect on July 23, 2023; and
35

36 WHEREAS, ESSSB 5258, amended RCW 82.02,060 to provide proportionally
37 lower impact fees for smaller housing units, and require jurisdictions to adopt and make
38 effective implementing regulations six months after the required periodic comprehensive
39 plan update per Chapter 36.70A RCW; and
40

41 WHEREAS, on March 31, 2025, the County received from the Washington State
42 Department of Commerce (“Commerce”), the *Public Review Draft Residential*
43 *Proportional Impact Fees and System Development Charges Guidebook*, that was open
44 for public comment through the end of April 2025; and
45

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

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

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

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

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

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

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

29 WHEREAS, following the public hearing, the County Council deliberated on the
30 code 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
35 ordinance:
36

37 A. The foregoing recitals are adopted as findings as if set forth in full herein.
38

39 B. This ordinance amends Chapter 30.66A SCC to update park impact fees
40 consistent with ESSSB 5258's requirement for the fee schedule to
41 proportionally reduce fees for smaller housing units
42

43 C. This ordinance will add section 30.91B.065 to chapter 30.91B SCC to add a
44 definition for "bedroom" as recommended in the *Public Review Draft*
45 *Residential Proportional Impact Fees and System Development Charges*
46 *Guidebook*, developed by Commerce. This definition applies only to "Park

1 and recreation impact mitigation" regulations in chapter 30.66A SCC and
2 "School impact mitigation" regulations in chapter 30.66C SCC.

3
4 D. This ordinance is consistent with Chapter 36.70A RCW and maintains
5 consistency with GMA.

6
7 E. Procedural requirements.

8
9 1. SEPA requirements with respect to this non-project action have been
10 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
15 was transmitted to the Washington State Department of Commerce for
16 distribution to state agencies.

17
18 4. The public participation process used in the adoption of this ordinance has
19 complied with all applicable requirements of the GMA and the SCC.

20
21 5. The Washington State Attorney General last issued an advisory
22 memorandum, as required by RCW 36.70A.370, in September of 2018
23 entitled "Advisory Memorandum and Recommended Process for
24 Evaluating Proposed Regulatory or Administrative Actions to Avoiding
25 Unconstitutional Takings of Private Property" to help local governments
26 avoid the unconstitutional taking of private property. The process outlined
27 in the State Attorney General's 2018 advisory memorandum was used by
28 Snohomish County in objectively evaluating the regulatory changes
29 proposed by this ordinance.

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

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

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

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

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

43
44 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-
2 project action.

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

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

11
12 Section 4. Snohomish County Code Section 30.66A.035(3), amended by
13 Amended Ordinance No. 20-081 on January 20, 2021, is amended to read:
14

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

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

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

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

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

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

24
25 Where:

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

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

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

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

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

32 $P\%$ = Population proportion (percentage)

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

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

36
37 Section 5. Snohomish County Code Section 30.66A.040 Impact fee schedule,
38 last amended by Amended Ordinance No. 24-088 on November 25, 2024, is amended
39 to read:
40

41 (1) Developments subject to this chapter shall pay the fees set forth in Table
42 30.66A.040(1) ~~((a) or in Table 30.66A.040(1)(b) as appropriate.~~

43
44 ~~((a) For complete development applications filed on or after January 1, 2025, but
45 before January 1, 2026:~~
46

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
<u>301 - Kayak Point</u>	<u>\$685.22</u>	<u>\$831.94</u>	<u>\$622.07</u>	<u>\$790.90</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>302 - River Meadows</u>	<u>\$966.07</u>	<u>\$1,172.93</u>	<u>\$877.05</u>	<u>\$1,115.08</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>303 - Robe Canyon</u>	<u>\$685.22</u>	<u>\$831.94</u>	<u>\$622.07</u>	<u>\$790.90</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>304 - Whitehorse</u>	<u>\$685.22</u>	<u>\$831.94</u>	<u>\$622.07</u>	<u>\$790.90</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>305 - Lord Hill</u>	<u>\$685.22</u>	<u>\$831.94</u>	<u>\$622.07</u>	<u>\$790.90</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>306 - Centennial</u>	<u>\$685.22</u>	<u>\$831.94</u>	<u>\$622.07</u>	<u>\$790.90</u>	<u>\$339.04</u>	<u>\$660.01</u>
<u>307 - Nakeeta Beach</u>	<u>\$1,705.32</u>	<u>\$2,070.47</u>	<u>\$1,548.18</u>	<u>\$1,968.35</u>	<u>\$843.79</u>	<u>\$1,642.59</u>

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

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

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

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

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

27
28 PASSED this ___ day of _____, 2025.

29
30 SNOHOMISH COUNTY COUNCIL
31 Snohomish County, Washington

32
33
34
35 _____
36 Council Chair

37
38
39 ATTEST:

40
41
42 _____
43 Deputy Clerk of the Council
44
45
46

- 1 (☐) APPROVED
- 2 (☐) EMERGENCY
- 3 (☐) VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney