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SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 85-071
AMENDING SNOHOMISH COUNTY CODE, TITLE 19
RELATING TO SCOPE OF COVERAGE,
SCHOOL DISTRICTS, FIRE DISTRICTS, AND PARKS

BE IT ORDAINED:

Section 1. That SCC, Title 19, section 19.08.010, adopted by Ord. 80-116 December 29, 1980, is amended to read:

19.08.010 Scope of coverage:

- (1) Subdivisions as defined in this title.
- (2) Every redivision of a short subdivision occurring within five (5) years of the date of recording of the original short subdivision [~~(that results in a total of five (5) or more lots contained within the same boundaries as the original subdivision)~~].
- (3) Every redivision of a large tract segregation occurring within five (5) years immediately following the date of segregation so as to create any lot, tract or parcel less than one one hundred twenty eighth (1/128th) of a section of five (5) acres in size.

Section 2. That SCC, Title 19, section 19.24.040 adopted by Ord. 80-116, December 29, 1980, is amended to read:

19.24.040 School district.

- (1) When a preliminary plat wholly or partially contains a school site proposed in the comprehensive plan or other officially adopted plans, or when the school district finds a reasonably foreseeable need for such a site, the applicant may be required to dedicate a portion of the plat or reserve it for future purchase by the school district. The county shall require evidence of need from the school district as a prerequisite to requiring dedication or reservation. The hearing examiner or council may recommend a time limit on the effective period of any reservation.
- (2) The applicant may [~~(be required to present evidence in the form of an agreement with the affected school district that applicant has offset the cost of the district's growth which is reasonably attributable to the proposed plat.)~~] enter into a voluntary agreement with the affected school district, which would allow payment in lieu of a dedication or to mitigate a direct impact that has been identified as a consequence of the proposed subdivision.

Section 3. That SCC, Title 19, section 19.24.050, adopted by Ord. 80-116 December 29, 1980, is amended to read:

19.24.050 Fire district.

(1) When the affected fire district finds a reasonably foreseeable need for a site wholly or partially contained within the preliminary plat, the applicant may be required to dedicate a portion of the plat or reserve it for future purchase by the fire district. The county shall require evidence of need from the fire district as a prerequisite to requiring dedication or reservation. The hearing examiner or council may recommend a time limit on the effective period of any reservation.

(2) The applicant may ~~[(be required to present evidence in the form of an agreement with the affected fire district that applicant has offset the cost of the district's growth which is reasonably attributable to the proposed plat.)]~~ enter into a voluntary agreement with the affected fire district, which would allow payment in lieu of a dedication or to mitigate a direct impact that has been identified as a consequence of the proposed subdivision.

NEW SECTION. Section 4. The following new subsection is added to SCC, Title 19, Section 19.24.060:

19.24.060 Parks.

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(2) The applicant may enter into a voluntary agreement with the county, which would allow payment in lieu of a dedication or to mitigate a direct impact that has been identified as a consequence of the proposed subdivision. Any such voluntary agreement shall be subject to the following provisions:


(a) The payment shall be held in a reserve account and may be expended to fund a capital improvement agreed upon by the parties to mitigate the identified direct impact;

(b) The payment shall be expended in all cases within five years of collection;

(c) Any payment not so expended shall be refunded with interest at the rate applied to judgments to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

Dated this AUG 7 1985

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairman


Clerk of the Council


- () APPROVED
- () EMERGENCY
- () VETOED

DATE 8-12-85


THOMAS CARLSON
DEPUTY EXECUTIVE

County Executive

PUBLISHED _____


DPA

Approved as to form