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SNOHOMISH COUNTY
EXECUTIVE OFFICE

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SNOHOMISH COUNTY COUNCIL



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ORDINANCE NO. 89-105
AMENDING SNOHOMISH COUNTY CODE
TITLE 19, CHAPTER 19.24, RELATING TO
PRELIMINARY PLATS TO INCORPORATE THE LANGUAGE OF
RCW 82.02.020 ALLOWING VOLUNTARY AGREEMENT FOR
MITIGATION OF PARK IMPACTS

BE IT ORDAINED:

Section 1. That SCC, Title 19, Subsection 19.24.060, last amended by Section 8 of Ordinance 85-088, adopted September 18, 1985, is amended to read:

19.24.060 Parks.

(1) When a preliminary plat contains a portion of a county trail or open space network which is indicated in the park plan element of the comprehensive plan or other officially adopted plan, an area encompassing such trail or open space network may be required to be set aside for its intended purpose by the granting of a trail or open space easement to the county, dedication or reservation for future purchase by the public. The council or hearing examiner may determine a reasonable time or specify the event, limiting the effective period of the reservation.

(2) The applicant may enter into a voluntary agreement with the county, which would allow payment in lieu of a dedication of land 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 only 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 judgements 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.

PASSED this 27th day of September, 1989.

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

William A. Swisher
Chairperson

Approved as to Form:

Sue A. Tanner 8/8/89
Deputy Prosecuting Attorney

ATTEST:

Asst. Julie VanCleve
Clerk of the Council

- APPROVED
- DENIED
- EMERGENCY

DATE 10/4/89

ATTEST:

Linda McPrea

John Martinis
JOHN MARTINIS
Deputy Executive
County Executive

PUBLISHED _____ and _____.