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JUL 23 1991

COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

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EMERGENCY ORDINANCE NO. 91- 115

AMENDING AMENDED ORDINANCE NO. 91-026 AND TITLE 26A SCC
RELATING TO MITIGATION OF DEVELOPMENT IMPACTS ON
PARK AND RECREATION FACILITIES, TO CORRESPOND TO THE
MITIGATION LEVELS ADOPTED IN ORDINANCE NO. 91-026

BE IT ORDAINED:

NEW SECTION: Section 1. A new Section 26A.02.142 is added to Chapter 26A.02 SCC, adopted July 3, 1991 by Amended Ordinance 91-026, as follows:

26A.02.142 Facility requirement. The "facility requirement" is the amount of park and recreation facilities required to meet the park and recreation demand of a subdivision's or development's population regardless of the existing level of service in the community.

NEW SECTION: Section 2. A new Section 26A.02.144 is added to Chapter 26A.02 SCC, adopted July 3, 1991 by Amended Ordinance 91-026, as follows:

26A.02.144 Facility requirement cost. The "facility requirement cost" is the cost of the facility requirement as stated in the Comprehensive Park and Recreation Plan and updated on the basis of construction averages for similar park or recreation facilities.

Section 3. Section 2 of Amended Ordinance No. 91-026 adopted July 3, 1991, and SCC 26A.03.030 are each amended to read:

26A.03.030 Calculation of Impact and Mitigation Requirement. The park and recreation impact mitigation cost shown in the schedule below is calculated using a computer model which determines the park and recreation impacts of a hypothetical residential project with 100 dwelling units in each of the 17 community areas. The model calculates the impacts of a single family residential subdivision and a multiple family residential development. This computer model is based on the demand model summarized on pages 42 and 43 of the Snohomish County Comprehensive Park and Recreation

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Plan, and described in detail in Chapter 3 of the plan.

The model first calculates demand by computing the expected population of each of the two hypothetical projects. Population is based on recent estimates from the Puget Sound Council of Governments for countywide average household size for single family and multiple family units. The project population is then broken down by age group. The computer model then estimates the project's expected demand for facilities supporting the thirty-one park and recreation activities. Demand is estimated by multiplying the populations in each group by the activity frequency and the activity participation rate for each activity.

The model also multiplies the projects population by the percentage of annual use which will occur during one week at the peak of the season and the percentage of participants who will use public rather than private facilities, as described on pages 42 and 43 of the Snohomish County Comprehensive Park and Recreation Plan. The results of these calculations are the total number of users who are projected by participate in each activity during one week of the year.

The model then computes size and/or number of facilities which will be needed to accommodate the expected number of users. The number of users is divided by standard facility sizes or numbers per user to arrive at the ideal size or number of facilities. The cost of providing these facilities is then calculated by multiplying the facility size by a unit cost (the facility requirement cost). If the park and recreation level of service for an activity in a community is less than the facility requirement to meet the demand of the existing population in the community, the facility cost is adjusted ("the adjusted facility requirement cost") based on the community's existing level of service for the activity.

The adjusted-facility-costs) facility requirement costs and adjusted facility requirement costs for the activities are added together to provide a total adjusted cost for the project in the community. This total adjusted cost is then divided by 100 to arrive at the impact cost for one single family and one multiple family unit in each of the 17 communities.

Section 4. Section 2 of Amended Ordinance 91-026, adopted July 3, 1991, and SCC 26A.04.040 are each amended to read:

26A.04.004 Validity of preexisting agreements.

Written (voluntary) mitigation agreements between Snohomish County and a developer which have been executed prior to the effective date of this title shall be accepted as satisfying the mitigation requirements of this title for those phases of a subdivision or development addressed by the written agreement.

Section 5. Section 2 of Amended Ordinance 91-026, adopted July 3, 1991 and SCC 26A.04.050 are each amended to read:

26A.04.050 Use and disposition of dedicated land.

All land dedicated or conveyed pursuant to this title shall be set aside for development of park and recreation facilities. The County and any city, school district, or special purpose district to which land is dedicated or conveyed pursuant to this title, shall make every effort to use, develop and maintain land dedicated or conveyed for park and recreation facilities.

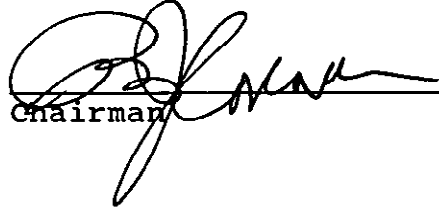
In the event that use of any such dedicated land is determined by the director or applicable city, school district, or special purpose district, to be infeasible for development of park and recreation facilities, the dedicated land may be sold or traded for another parcel of land in the same community, subject to the requirements of state law and county code. The proceeds from such a sale shall be used to acquire land or develop park and recreation facilities in the same community. Prior to any proposed sale of land which has been dedicated to the county, a city, a school district, or a special purpose district, the responsible entity ((county)) shall notify each current taxpayer of record or resident of known address in the plat in which the dedicated land is proposed for sale and each taxpayer of record and resident of known address within 500 feet of the said park site.

Section 6. Emergency. The County Council finds as a fact that the adoption of a mitigation level in Ordinance No. 91-026 which differed from that originally proposed in the ordinance had the effect of changing the level of service that subdivisions and developments must meet in mitigating park impacts, and that this change requires that corresponding changes be made in other parts of the ordinance which relate to the calculation of impact and

mitigation requirements in order for Title 26A to be administered correctly and fairly. The Council finds further that a question has arisen concerning its intent regarding the entity responsible for notifying area residents in the event land dedicated for park purposes is to be sold or traded, and regarding which preexisting mitigation agreements will be accepted as satisfying the mitigation requirements of Title 26A. Proper administration of Title 26A depends upon an immediate clarification of the Council's intent on these two issues. Therefore, the Council finds as a fact that this ordinance is necessary for the immediate preservation of public peace, health and safety and the support of county government and its existing public institutions. Based on the foregoing, the Council declares that an emergency exists, and this ordinance shall take effect immediately.

Dated this 22nd day of July, 1991.

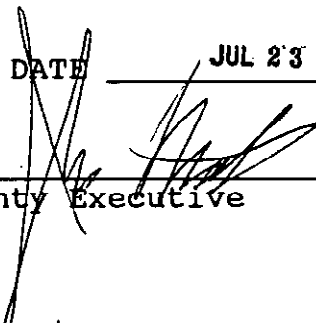
SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairman

Sheila McCallister
Clerk of the Council

-) APPROVED
-) EMERGENCY
-) VETOED

DATE JUL 23 1991


County Executive **JOHN MARTINIS**
Deputy Executive

PUBLISHED _____

Gene A. Tanner, DPA
Approved as to form only on

July 17, 1991
(Date)

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