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EXECUTIVE OFFICE

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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



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EMERGENCY ORDINANCE NO. 92-053

AMENDING SNOHOMISH COUNTY CODE TITLE 26C
"SCHOOL IMPACT MITIGATION", TO PROVIDE FOR ACCEPTANCE
OF CERTAIN VOLUNTARY MITIGATION AGREEMENTS AS MEETING
THE REQUIREMENTS OF TITLE 26C SCC

WHEREAS, a question has arisen as to the Council's intent concerning the applicability of Snohomish County Code Title 26C, "School Impact Mitigation", adopted by Ordinance No. 91-027 on February 27, 1991, and amended by Emergency Ordinance No. 91-117 adopted July 31, 1991; and

WHEREAS, this ordinance is not intended to change existing law, but to eliminate confusion regarding the Council's intent concerning the applicability of Snohomish County Code Title 26C;

NOW, THEREFORE, BE IT ORDAINED:

Section 1: Snohomish County Code Section 26C.07.110, last amended by Emergency Ordinance No. 91-117 on July 31, 1991, is amended as follows:

26C.07.110 Validity of Pre-existing Agreements.

~~((Written-voluntary-mitigation-agreements-between-a school-district-and-a-project-proponent-which-have-been executed-prior-to-the-effective-date-of-this-title shall-be-accepted-as-satisfying-the-mitigation requirements-of-this-title-for-these-phases-of-a subdivision-or-development-addressed-by-the-written agreement-))~~

For subdivision and development applications which are complete on or after the effective date of this title, but prior to the date of certification pursuant to this title for the school district in which the subdivision or development is located, a written voluntary impact mitigation agreement between the school district and the project proponent, executed prior to the date of the threshold determination for the application, shall be accepted as satisfying the mitigation requirements of this title for those phases of a subdivision or development addressed by the written agreement. The maximum amount of impact mitigation imposed pursuant to such an agreement shall not exceed one thousand five hundred dollars per unit for single family subdivisions and developments and six hundred dollars per unit for multiple family developments.

Section 2 - Emergency: The County Council finds as a fact that questions have arisen concerning the intended applicability of Snohomish County Code Title 26C to subdivision and development applications which were complete on or after the effective date of Title 26C SCC and before the date the school district in which the subdivision or development is located was certified to receive impact mitigation pursuant to Title 26C SCC. County staff and the development community need immediate clarification on the issue of applicability in order to properly administer Title 26C SCC. Therefore, the Council finds that an emergency exists and that this ordinance is necessary for the immediate preservation of the public peace, health and safety and for the support of county government and its existing public institutions.

Section 3 - Retroactive Application: This ordinance shall take effect immediately and shall apply retroactively to May 1, 1991.

PASSED this 6th day of May, 1992.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

L. J. McLaughlin
Chairperson

Approved as to Form:

Julie A. Tanner
Deputy Prosecuting Attorney

ATTEST:

Barbara J. Morton
Clerk of Council

- () APPROVED
() VETOED
() EMERGENCY

DATE: *5/13/92*
[Signature]
County Executive

PUBLISHED _____ and _____