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MEMO:

To: Sedro-Woolley Planning Commission

From: John Coleman, AICP
Planning Director

Date: May 17, 2022

Subject: CPA-3-22 – Capital Facilities Element and Municipal Code updates to incorporate a Source Control and Storm Water Permitting Updates into the Comprehensive Plan – 2022 Docket

ISSUE

Capital Facilities Element and Municipal Code updates to incorporate a Source Control and Storm Water Permitting Updates into the Comprehensive Plan (Exhibit A).

BACKGROUND

The city is required by its stormwater permit with the Department of Ecology to make updates to the Comprehensive Plan and Sedro-Woolley Municipal Code to address certain stormwater related issues. Collectively these changes address source control aspect of the stormwater management system. The attached exhibits include those required updates. There are proposed amendments to the Land Use Element and Capital Facilities Element of the Comprehensive Plan, as well as proposed amendments to Chapters 13.36 and 13.40 SWMC.

Below is a brief list of the proposed amendments to both the Comp Plan and Title 13 SWMC;

Comprehensive Plan Updates:

Chapter 2, Land Use Element, Section 2.08:

Page 24: Revisions made to update references to the Department of Ecology Stormwater Management Manual and the NPDES permit.

Chapter 7, Capital Facilities Element, Section 7.24:

Page 157: Revisions made to update components of the City stormwater system and other minor revisions.

Page 158: Revised permit date references and added paragraphs related to new Stormwater Management planning and existing site Source Control program.

Page 160: Replaced Figure CF-3 with current stormwater system map and other minor revisions.

Page 162-165: Minor revisions.

Chapter 7, Capital Facilities Element, Section 7.36:

Page 178: Policy updates. Revised Policy CF3.20. Added Policies CF3.24 and CF3.25. Renumbered subsequent policies.

Municipal Code Updates:

CH 13.36, Stormwater Management:

Revisions made in various locations to update date references to the Department of Ecology Manual, and other minor revisions for clarity.

CH 13.40, Stormwater Maintenance:

Revisions made in various locations to update date references to the Department of Ecology Manual, and other minor revisions for clarity.

Added Source Control inspections to Purpose.

Added Source Control BMP to Definitions.

Added language in 13.40.060, 13.40.075, 13.40.100 and 13.40.110 related to Source Control to comply with City's NPDES permit requirement to "...adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities."

This is the first review of the Capital Facilities Element update for source control. A public hearing for will be scheduled for the next Planning Commission Meeting. The Planning Commission is not going to make any recommendations at this meeting.

EXHIBITS

Exhibit A – proposed amendments to Land Use Element of the Comprehensive Plan

Exhibit B – proposed amendments to Capital Facilities Element of the Comprehensive Plan

Exhibit C – proposed amendments to Chapter 13.36 SWMC

Exhibit D – proposed amendments to Chapter 13.40 SWMC

RECOMMENDATIONS

Be prepared to discuss the proposed updates at the May 17 meeting. The Planning Commission will hold a public hearing on the proposed amendments to the Capital Facilities Element, Land Use Element and Title 13 SWMC at the June 21, 2022 PC meeting.

LAND USE ELEMENT

2.04	Definitions
2.08	Land Characteristics and Types of Land Use
2.12	Existing Land Uses and Land Availability
2.16	Land Use Goals and Policies
Appendix A	Buildable Lands and Land Capacity Analysis Report and addendum memo <u>{No Changes in this draft, Appendix not included}</u>
Appendix B	The Center for Innovation and Technology Subarea Plan (S.W.I.F.T. Center Subarea Plan) <u>{No Changes in this draft, Appendix not included}</u>

2.04

DEFINITIONS

As used in this plan:

“Adequate capital facilities” means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

Arterial Streets. Arterial streets provide the systems primary traffic-carrying capacity. They are intended for higher volume use and provide routes for through trips from various destinations.

Arterial, Minor. Minor arterials serve the major traffic generators of the city, including the central business district, major commercial and residential areas, and the high school.

Arterial, Principal. Principal arterials are the major thoroughfares to, from, and through the city. As such they are subject to the highest traffic volumes and speeds. Direct access from primary arterials to abutting properties is discouraged.

“Available capital facilities” means facilities or services which are in place or that a financial commitment is in place to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development.

“Capacity” means the measure of the ability to provide a level of service of a public facility.

“Capital budget” means the portion of each local government’s budget which reflects capital improvements for a fiscal year.

“Capital facility” means an element of public infrastructure, such as electrical service, streets, a water supply system, sewers, stormwater systems, and other publicly-available utilities and facilities.

“Capital improvement” means a project to create, expand or modify a capital facility. Such a project may include design, permitting, environmental analysis, land acquisition, construction, landscaping, site improvements, and equipment. The cost of a capital improvement is generally non-recurring and may require multi-year financing.

“Commercial uses” means activities within land areas which are predominantly connected with the sale, rental, and distribution of products, or performance of services.

“Comprehensive plan” means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to RCW 36.70A.

“Concurrency” means the concept that capital facilities that achieve and maintain the standards for level of service adopted in the comprehensive plan are available to serve new development no later than the impacts of the new development. This definition includes the two concepts of “adequate capital facilities” and “available capital facilities” described above.

“Concurrent development” means development which can be provided transportation services by the city within six years of the date of development approval.

“Consistency” means a requirement of GMA that no feature of a plan or regulation is incompatible with any other feature of a plan or regulation. Consistency is indicative of the probability for orderly integration or operation with other elements in a system.

“Contiguous development” means development of areas immediately adjacent to one another.

“Coordination” means a requirement of GMA for consultation and cooperation among affected jurisdictions during the preparation (and subsequent revisions) of the comprehensive plan.

“Critical areas” means areas identified for protection and/or special regulation due to their sensitive nature or importance to the public health and welfare, and which include: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

“Cultural resources” means elements of the physical environment that are evidence of human activity and occupation. Cultural resources includes: (a) historic resources are elements of the built environment typically fifty (50) years of age and older, and may

be buildings, structures, sites, objects, and districts; (b) archaeological resources consist of remains of the human environment at or below the ground surface such as habitation sites; and (c) traditional cultural properties consist of places or sites of human activities which are of significance to the traditions or ceremonies of a culture. Traditional cultural properties do not necessarily have a manmade component and may consist of an entirely natural setting.

“Density” means a measure of the intensity of development, generally expressed in terms of the number of dwelling units per acre. It can also be expressed in terms of population density (e.g., people per acre or square mile). Density is useful for establishing a balance between potential local service use and service capacities.

“Department of Ecology (DOE)” means the Washington State Department of Ecology.

“Determination of Nonsignificance (DNS) means a written decision by an agency conducting a SEPA (State Environmental Policy Act) review of a proposed action that the proposal is not likely to have a significant adverse environmental impact, and therefore an EIS is not required.

“Duplex” means a building containing two dwelling units. A duplex must be built on-site and consists of one structure with two residential units. The units may be connected by a common wall or a carport. Duplex units should be constructed with a compatible design and materials to the surrounding neighborhood. In addition, in the instance where a duplex unit is created by the addition of another unit to an existing unit, the new unit must be compatible with the design and materials of the existing unit.

“Essential public facilities” means those public facilities that are typically difficult to site due to the nature of their use, including but not limited to those uses set forth in RCW 36.70A.200.

“Environmental Impact Statement (EIS)” means a document that discusses the likely significant impacts of a proposal. This type of document is required by SEPA.

“Financial commitment” means the identification of sources of public or private funds or combinations thereof; the determination that such funds will be

sufficient to finance capital facilities necessary to support development; and the assurance that such funds will be timely put to that end.

“Geologically hazardous areas” means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

“Goal” means the long-term end toward which programs or activities are ultimately directed.

“Growth Management Act (GMA). This is the Act (RCW, Chapter 36.70A, and all subsequent amendments) which requires most Washington counties, along with their associated municipalities, to formally prepare long-range development and financial plans to accommodate projected growth for the next twenty (20) years.

“Household” includes all the persons who occupy a group of rooms or a single room which constitutes a housing unit.

“Impact fee” means a fee levied by a local government on new development so that the new development pays its proportionate share of the cost of new or expanded facilities required to service that development.

“Industrial uses” means the activities predominantly connected with manufacturing, assembly, processing, or storage of products.

“Infrastructure” means those man-made structures which serve the common needs of the population, such as: sewage disposal systems, solid waste disposal sites or retention areas, stormwater systems, utilities, bridges, and roadways.

“Land use” means a classification system which identifies the types of activities allowed (e.g., agriculture, residential, industrial, etc.), the population densities permitted, and the appearance of the development (e.g. heights and sizes of structures, building placement, and landscaping).

“Level of service” means a quantifiable measure of the amount of public facilities or services that must be provided per unit of demand or other appropriate measure of need for both existing and potential future users.

“Low Impact Development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

“LID Best Management Practices (BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention/rail gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

“LID Principals” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

“Long-term commercial significance” means an analysis of the growing capacity, productivity, and soil composition of the land considered in the context of the land’s proximity to population areas and the possibility of more intense uses of the land which is used as an indication of its long-term potential for commercial production.

“Manufactured housing” means a manufactured building or major portion of a building designed for long-term residential use. It is designed and constructed for transportation to a site for installation and occupancy when connected to required utilities.

“Mixed Commercial Development.” Allows a compatible mix of retail commercial, office uses, general services, light manufacturing and residential development located at selected nodes. Design standards are included in the adopted Design Standards and Guidelines manual to emphasize building and site design components.

“Mobile home” means a single, portable manufactured housing unit, or a combination of two or more such units connected on-site, that is:

- a. Designed to be used for living, sleeping, sanitation, cooking, and eating purposes by one household only and containing independent kitchen, sanitary, and sleeping facilities; and
- b. Designed so that each housing unit can be transported on its own chassis; and
- c. Placed on a temporary or semi-permanent foundation; and
- d. Is over thirty-two (32) feet in length and over eight feet in width.

“Multi-family Housing.” As used in this plan, multi-family is all housing which is designed to accommodate more than one household.

“Overlay” is a special district that provides opportunities to accomplish specific zoning objectives that could include; higher density uses for residential and commercial development; provision of open space and achieving other public policy goals.

“Policy” means the way in which programs and activities are conducted to achieve an identified goal.

“Public facilities” means facilities available for use by the general citizenry including streets, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, electrical power, parks and recreational facilities, and schools.

“Public services” means services which are publicly available including fire protection, law enforcement, public health, education, recreation, environmental protection and other governmental services.

“Single-Family Housing.” As used in this plan, a single-family unit is a detached housing unit designed for occupancy by not more than one household.

“State Environmental Policy Act (SEPA)” means a state law intended to minimize environmental damage caused by proposed public and private actions. SEPA requires that state agencies and local jurisdictions consider environmental factors when making decisions on activities such as development proposals as well as planning actions. As part of this process, environmental review documents are prepared and opportunities for public comment are provided. (RCW 43.21C; WAC 197-11)

Streets, Local Access. Local access streets serve low intensity traffic generators, most typically single-family residences.

“Special district” is a land use designation that indicates a special zoning classification to accomplish specific zoning objectives.

“Urban governmental services” means those governmental services historically and typically delivered by cities, and includes storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

“Urban growth” means growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to conflict with the primary use of such land for agriculture, forestry, or mineral extraction of long-term commercial significance. When spread over wide areas, urban growth typically requires urban governmental services.

“Urban growth area (UGA)” means the designated area around and including recognized municipalities within which residential and commercial growth is focused (over the next twenty (20) years), the greatest densities are allowed, and high levels of service are to be developed and maintained to adequately support population densities and growth.

“Urban Village Mixed Use” is a land use designation, as part of an overlay zone, intended to provide for higher density residential and commercial development in a designated geographic area, providing the benefits of mixed-use development, open space, quality development design and efficiency of land use.

“Wetland” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created

from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate conversion of wetlands, if permitted by the county or city.

“Zoning” means a technique of land use control by which specific geographic areas are designated by ordinance (text and map), and regulated as to the types of uses, and development standards that are allowed.

LAND CHARACTERISTICS AND TYPES OF LAND USE

The inventory presented in this element provides information useful to the planning process. It does not include all of the data or information that was gathered, but has presented the relevant information in an organized and useful format. Additional data are located in the appendices and support documentation. The first part of the inventory summarizes the general development of physical descriptions or types of land use. The second portion summarizes the city's specific information. The analysis of this information is in the last section of the land use element.

Physical Description

Topography and Geology

The city of Sedro-Woolley lies on the north side of the Skagit River which runs generally east and west (See Figure LU-1 Sedro-Woolley Vicinity). Elevations in Sedro-Woolley range from thirty-six (36) to two hundred and eighty-three (283) feet above sea level. The foothills of the Cascade Range lie to the east, and reach elevations of four thousand (4,000) feet. To the west is the broad delta of the Skagit River.

Sedro-Woolley is located at the transition between these two physiographic areas. Much of the incorporated area lies in the historic delta of the Skagit River. Only a small portion of the southernmost portion of the City lies within the 100 year floodplain as defined in the FEMA Flood Insurance Rate Map. A slightly larger area lies within the 500 year floodplain – mostly in the area south of State Street. This area is level to nearly level alluvial bottom land. However, immediately to the north is an area consisting of level to extremely steep glaciated uplands, glaciolacustrine terraces, and glacial outwash terraces. Relative minor areas are influenced by the geology of the bedrock which is typically phyllite and sandstone.

Due to the potential for flooding in the floodplain delta immediately adjacent to the Skagit River, the majority of new development is planned for the upland area in the northern portion of the urban growth area. Some of this area may not be suitable for development due to steep slopes. This constraint has been taken into account and offset by encouraging appropriate development in these areas consistent with the Critical Area Ordinance.

* Soil Survey of Skagit County Area, Washington, U.S. Department of Agriculture, Soils Conservation Service, 1989, p.2.

Soils

Some of the soils in Sedro-Woolley are associated with the floodplain of the Skagit River. This association has produced a soil map unit known as Urban land-Mt. Vernon-Field complex which consists of very deep, moderately well-drained, relatively level soils.

North of State Route 20 in the central part of the urban growth area, the predominant soils are Minkler silt loam and Skipopa silt loam. The Minkler unit consists of very deep, moderately well-drained soils which formed on river terraces. Glacial activity has influenced the Skipopa silt loam which is also very deep, but poorly drained due to underlying glaciolacustrine sediments. Limitations for development within these soil units consist of potential flooding (Urban land-Mt. Vernon-Field complex and Minkler silt loam), perched water table and slow permeability (Skipopa silt loam), and seasonal high water table (Mt. Vernon-Field complex).

The area between Sapp Road and Bassett Road is made of several discontinuous soil units, primarily Dystric Xerochrepts, Barneston gravelly loam, and Hoogdal silt loam. Dystric Xerochrepts is a soil found on steep escarpment which is moderately deep to deep and well-drained. Barneston gravelly loam is very deep, somewhat excessively drained and found on outwash terraces. Hoogdal silt loam is a very deep and moderately well-drained soil located on short

upland slopes. The area consisting of these three soils has the most limitations in terms of constructing homesites. The Dystric Xerochrepts units are limited by extremely steep slopes. Barneston gravelly loam has poor filtering capacity which limits its suitability for septic systems. The moderate to steep slopes found within Hoogdal silt loam map unit create moderate limitations which will be taken into account for each development.*

* Soil Survey of Skagit County Area, Washington, U.S. Department of Agriculture, Soils Conservation Service, 1989, p. 16,44,59,76,97, & 116.

**Figure LU-1
Sedro-Woolley Vicinity**



Surface Water

The Skagit River was the primary source of transportation during the early years of Skagit County. The salmon that thrived in the river also contributed to the local economy. In more recent years, the water quality and habitat value of the river have declined due to runoff from agricultural, urbanization, and clear cut areas. Increased soil erosion from upland areas has caused siltation of the river bottom reducing its navigability. The silty bottom has also discouraged salmon from spawning as they prefer a gravelly river bottom for laying eggs. Many locals believe the siltation is also responsible for the increased frequency and duration of flooding. They surmise that as the river bottom fills with sediments, the water is displaced causing the river level to rise.

Brickyard Creek and Hansen Creek are the primary conveyances for storm water to the Skagit River. Hansen Creek flows north and south along the eastern edge of the urban growth boundary. Due to the low level of urbanization adjacent to Hansen Creek, it is less important as a storm water conveyance. However, its value as habitat for fish and other wild-life species is very significant.

Brickyard Creek runs from the northeast to the southwest to where it meets the Skagit River. Most of the recent development in Sedro-Woolley drains into Brickyard Creek which is currently close to its maximum capacity. A recent study completed by Sturdy Engineering of Mount Vernon identified a number of restrictions caused by undersized or offset culverts that reduce the available capacity of Brickyard Creek. A major restriction where the creek crosses State Route 20 in the western portion of the urban growth area was removed in the summer of 1996 with the completion of a new culvert and fish ladder.

The conflict created by use of Brickyard Creek as a drainage facility and fish and wildlife habitat has resulted in difficulties for all concerned. Prior to the early 1960's, Brickyard Creek flowed to the northwest where it joined the Samish River. However, a

major ditching effort altered its course from a point in the vicinity of the Brickyard Creek subdivision on north Reed Street. From this point to its confluence with the Skagit River, Brickyard Creek has been totally engineered.

The Sedro-Woolley sub-flood control district was created by the county in 1972 to manage the drainage functions of the creek. The District was dissolved in 2012 and management of the creek was assumed by the city Public Works Department. Now any development which discharges stormwater to Brickyard Creek must receive approvals from the Public Works Department and the Department of Fisheries. The competing goals and mission statements of these two agencies can cause extensive delays and frustrations for developers and the local jurisdictions. The city of Sedro-Woolley adopted its Stormwater Management Plan in 1997. The Plan will be updated in conjunction with the [2016-2025 GMA Comprehensive Plan](#) update. The city of Sedro-Woolley has adopted the Department of Ecology [2005 Stormwater Management Manual for Western Washington](#) as the basis for its stormwater management activities. The city ~~anticipates future adoption of the 2012/2014 will adopt the most current~~ Manual as required by the city's National Pollution Discharge Elimination System (NPDES) Stormwater Permit, including implementation of the LID requirements, ~~of the Permit and other programs or requirements of future permits.~~

On a larger scale, surface water provides the primary source of water for Skagit County. Public Utility District Number 1 of Skagit County is responsible for collecting, treating and distributing potable water for the majority of the county. Sedro-Woolley's water comes from Judy Reservoir located south of the Skagit River. Surface water from the state and private lands is collected there and treated before being distributed to Sedro-Woolley.

Ground Water

Ground water is located below the earth's surface within the spaces between individual soil particles. Where there are layers of porous soil or rock sand-

wiched between less permeable layers, an aquifer is created. Many jurisdictions depend on aquifers as a primary source of water.

With so many jurisdictions removing water from aquifers, they must somehow be replenished. Areas where surface water filters through the ground to an aquifer are called aquifer recharge areas. The quality of surface water and the recharge areas is extremely important, because any contamination transmitted through these areas will affect the entire aquifer. In addition, because the ground water system is so extensive, once polluted it is very difficult to impossible to clean. A section of the city's Critical Areas Ordinance provides regulations for the identification and protection of aquifers.

Along with this ordinance are established a number of policies designed to protect the quality and quantity of ground water which is used for public water supplies. In addition, this ordinance also regulates drainage, flooding, and storm water runoff which may discharge pollutants to the groundwater. The city's Critical Areas Ordinance is codified in SWMC 17.65.

Wetlands

Wetlands are located primarily within the northern portion of Sedro-Woolley and its outlying vicinity. Specific locations of wetlands must be ground-truthed. For study purposes, the National Wetland Inventory maps were used. The area of wetlands shown on these maps totals approximately 189 acres. This amounts to 3.6% of the urban growth area. An ordinance regulating development in wetland areas, and requiring site by site reconnaissance was first adopted by the city in March of 1992. A complete Critical Areas Ordinance was adopted in 2005 and addresses development that may affect wetlands and wetland buffers. The CAO was updated in 2016 in conjunction with GMA mandated updates to the Comprehensive Plan.

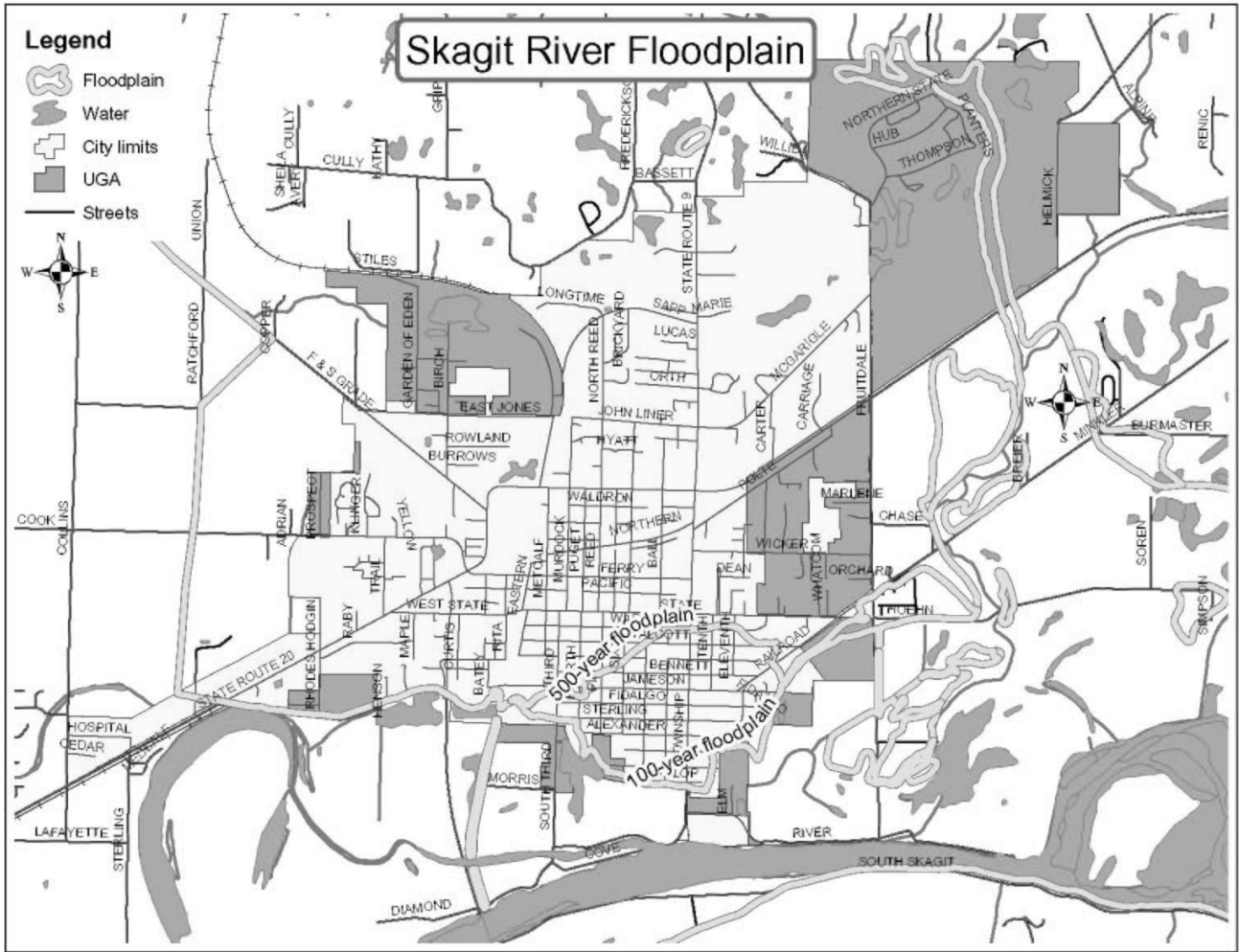
Frequently Flooded Areas

Sedro-Woolley is extremely fortunate in comparison to other municipalities in Skagit County. Almost all of its urban development is located outside of the one hundred (100) year floodplain. The one hundred (100) year flood elevations associated with the Skagit River were mapped by the Federal Emergency Management Agency in December of 1989. These elevations are fifty-two (52) feet in the eastern portion of the urban growth area, and forty-three (43) feet in the western portion (See Figure LU-2). All critical public facilities are located outside of the floodplain with the exception of the United General Hospital. The issue of the hospital location will have to be addressed on a site-specific basis as construction occurs.

Floods associated with the Skagit River occur primarily during November and December as a result of winter rainstorms. Spring floods can also occur when snowmelt caused by a sharp increase in temperature combines with unusually high levels of rainfall. This is a relatively rare occurrence, however, but was evidenced as recently as the spring of 1990. The record of past flood events in Sedro-Woolley is scarce, suggesting that the flood hazard on a community-wide scale is relatively low.*

* Flood Insurance Study: City of Sedro-Woolley, Washington, Skagit County, Federal Emergency Management Agency, December 5, 1989, p. 4.

**Figure LU-2
Floodplain**



Habitat

The primary wildlife habitats species in Sedro-Woolley are located along stream and river corridors. Anadromous fish runs have been identified in Brickyard Creek and Hansen Creek by the Washington State Department of Natural Resources (DNR). Other primary habitat areas are the palustrine wetlands located north of the incorporated city. Maps prepared by the Washington State Department of Wildlife showing detailed information for the Sedro-Woolley urban growth area are available for review at the office of the planning department. These areas are protected by the city's Critical Areas Ordinance which prescribes specific setbacks from stream and river banks and wetlands in order to protect water quality, enhance habitat and limit disturbances to animals.

Types of Land Use

In June of 1994, the Sedro-Woolley city council approved the comprehensive plan, land use element and comprehensive plan map presented in this comprehensive plan as the adopted land use plan. (See Figure LU-3 Adopted Land Use Plan). The land use map has been updated numerous times since 1994. Every rezone or UGA modification or annexation requires an update of the land use map.

2.12

EXISTING LAND USES AND LAND AVAILABILITY

The following data is provided as a statement of the current status of land availability. The jurisdictions in Skagit County have reviewed the State Office of Financial Management's (OFM) high, medium and low growth projections for Skagit County. Through a cooperative planning process, which included review by the Skagit Council of Government (SCOG) Growth Management Steering Committee, the jurisdictions determined that a medium-low population growth projection for the next 20 years is the best estimate. The expected population projection through 2036 in Skagit County is 155,452 residents. This is an increase of 35,751 from the estimated 2105 population. Complete data regarding the County's projected population growth can be found in the Countywide Planning Policies.

The 2036 population forecast for Sedro-Woolley and its unincorporated UGA is 17,069. (The 2025 population forecast for Sedro-Woolley, including the unincorporated urban growth area, was 15,000.) The 2015 estimated population of Sedro-Woolley is 10,700 residents in the city, and 12,514 in the city and UGA combined. Therefore an increase of 4,555 residents is expected – and must be planned for – in the city and UGA between 2015 and 2036.

2015 OFM Estimated Population

City Limits: 10,700

Unincorporated UGA: 1,814

The current city limits encompasses 4.1 square miles.

On behalf of the City of Sedro-Woolley, the economic and development consulting firm E. D. Hovee & Company, LLC (EDH) has prepared a buildable land and land capacity analysis report (Report) as part of the City's Comprehensive Plan update which also involves review of urban growth area boundaries. The analysis is intended to meet requirements of

the Skagit County Code (Chapter 14.08 SCC) together with Skagit County Planning Policies and City of Sedro- Woolley planning policies.

The Report is focused on evaluating the relationship of the buildable capacity to projected need for commercial/industrial (employment) and residential uses over the 20-year planning horizon from 2016 to 2036. Based on the allotment of the Skagit County Council of Governments (SCOG), Growth Management Steering Committee, Sedro-Woolley's population is projected to increase to 17,069 by 2036, an increase of 4,555 residents. Employment is forecast to increase by 4,427 for a total of 9,179 jobs. The Report addresses whether, and under what circumstances, land capacity will be adequate to accommodate these projections. The Report and August 25, 2015 addendum are included as Attachment A to the Land Use Element.

The Report included projected employment growth at the Center of Innovation and Technology (formerly Northern State Hospital Campus) that was annexed into city limits in 2015. A Planned Action Environmental Impact Statement was performed for the 225 acre property in 2015. The Preferred Alternative action of the Final EIS identified a capacity for – and identified mitigation measures for – 2,855 jobs at the facility. Those jobs are tied to the campus and not allocated towards the commercial/industrial land inventory outside the campus.

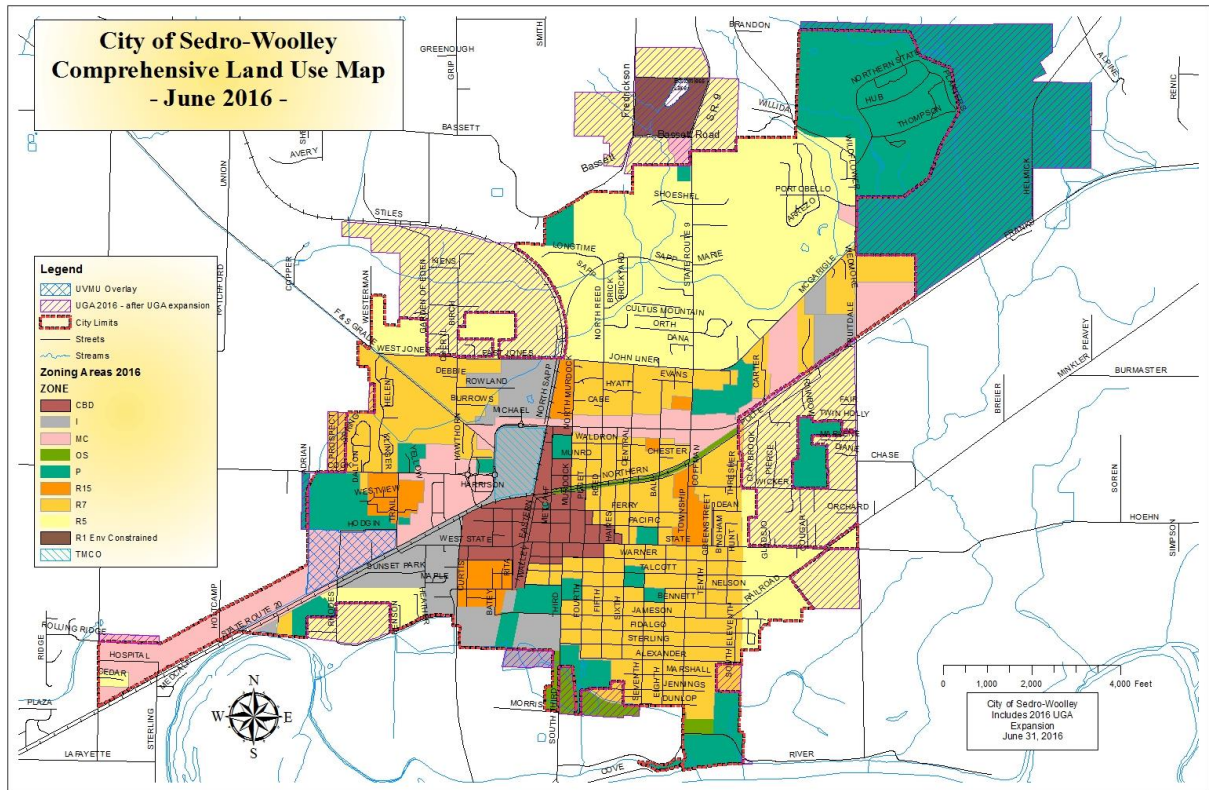
The Report showed that the UGA did not have adequate land supply to accommodate the projected population and employment growth through 2036. To accommodate the projected growth, the UGA boundaries were expanded in 2016 by the Skagit County Board of County Commissioners. As part of the UGA expansion that the Board of County Commissioners approved, two city-owned parcels were also added to the UGA; one zoned Open Space, the other zoned Public. The two city-owned parcels do not affect population and employment land inventory, but add to the amount of recreational and open space land in the city's inventory. The land area within the

parcels added to the UGA in 2016 totaled approximately 172 acres. The data in the Report reflect the UGA size and land uses prior to the 2016 UGA expansion. The updated area for each zone is as follows:

Zone	Acres
Residential 1 (R-1)	43
Environmentally Constrained	
Residential 5 (R-5)	1,201
Residential 7 (R-7)	565

Zone	Acres
Residential 15 (R-15)	82
Central business district (CBD)	76
Mixed commercial (MC)	267
Industrial (I)	199
Public use (P)	836
Open space (OS)	37
Total	3,306

**Figure LU-3
Proposed Land Use Plan**



2.16

LAND USE GOALS AND POLICIES

Goal LU1: To safely accommodate population growth without causing urban sprawl.

Policy LU1.1: Establish an urban growth area (UGA) to include existing and future urban land uses.

Policy LU1.2: Prevent urban development outside the urban growth area (UGA).

Policy LU1.3: Allow expansion of Sedro-Woolley through annexations primarily for single-family residential development.

Policy LU1.4: Pursue industrial park development within all industrial designated areas.

Policy LU1.5: Buffer commercial and industrial land uses when they abut residential development.

Policy LU1.6: Provide for limited commercial development catering to auto-oriented customers and tourists along State Route 20, outside the central business district.

Goal LU2: To coordinate land use decisions within and surrounding the urban growth area with other jurisdictions.

Policy LU2.1: Support inter-jurisdictional efforts to address problems which may arise having regional impacts.

Policy LU2.2: Coordinate with Skagit County and the city of Burlington to limit development and preserve a green belt/open space in the area between the Sedro-Woolley and Burlington UGAs.

Policy LU2.3: The urban growth area is subject to joint planning by the city of Sedro-Woolley and Skagit County. Coordinate review with Skagit County of development proposals within the UGA to en-

sure consistency with the goals of the comprehensive plans. The city shall enter into any necessary Memorandum of Agreements with the county regarding codes and standards to be applied in the UGA.

Policy LU2.4: Encourage UGA growth to the north of city limits.

Goal LU3: To provide concurrent urban services.

Policy LU3.1: Coordinate land use decisions with the transportation and capital facilities elements of the comprehensive plan.

Policy LU3.2: Establish transportation and sanitary sewer services as “urban” services requiring concurrency under the Growth Management Act (GMA).

Policy LU3.3: Do not approve developments that cannot be serviced by city transportation and sewer services.

Policy LU3.4: Deny approval to developments that would lower streets or sewer lines below established levels of service standards, unless:

1. The city accounts for such deficiency in its capital facilities plan, or
2. The developer provides services which maintain the level of service standard.

Policy LU3.5: Ensure that new development bears its fair share of the cost of associated increases in required capital facilities and services.

Policy LU3.6: Prohibit extension of city sewer services outside of the city limits without annexation and transference of governance.

Goal LU4: To reduce damages from natural disasters and preserve the characteristics of the natural environment.

Policy LU4.1: Promote open space, recreation, and agriculture as the highest and best use of land in flood-prone areas.

Policy LU4.2: Implement a community flood-preparedness program.

Policy LU4.3: Require new residential development in outlying areas to provide adequate buffer areas to relieve conflict with adjacent operations on natural resource lands that may be incompatible with residential living.

Policy LU4.4: Provide effective and timely application of sensitive and critical area land use policies, including SEPA review for all developments involving potentially significant environmental issues.

Policy LU4.5: Coordinate with Skagit County and the other jurisdictions in county to update and maintain the Skagit County Natural Hazards Mitigation Plan.

Goal LU5: To preserve community character.

Policy LU5.1: Focus commercial development in the central business district and discourage strip commercial development.

Policy LU5.2: Resist growth pressures which could have a negative impact on community values.

Policy LU5.3: Seek and support developments that further the community character of Sedro-Woolley.

Policy LU5.4: Preserve and enhance Sedro-Woolley's rural and agricultural character by allowing necessary agricultural support services and facilities.

Policy LU5.5: Prevent incompatible uses within residential areas.

Policy LU5.6: Ensure that the community's planning programs reflect basic community values.

Policy LU5.7: Recognize the rights of property owners to freely use and develop private property consistent with city regulations.

Policy LU5.8: Encourage high standards of appearance in all residential areas and in other high visibility areas.

Goal LU6: To provide clear review and approval processes for land use actions.

Policy LU6.1: Adopt a future land-use map as a part of this comprehensive plan as a guide for development of zoning regulations.

Policy LU6.2: The following categories shall be used on the future land use map. Permitted uses will be refined in the development regulations which shall accompany the comprehensive plan.

CBD: Central Business District. Allows all forms of commerce which are geared to the centralized provision of goods and services within easy walking distance. Commercial retail and office uses are allowed on the first floor, and retail compatible uses on the second floor. In addition, multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy is allowed.

MC: Mixed Commercial. Allows a compatible mix of commercial and residential development with standards intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads.

I: Industrial. Allows office parks, wholesaling, manufacturing, live/work units, and limited retail and services.

R-15: Residential (15). Allows multi-plex developments of up to eight units per building, to a maximum density of fifteen (15) dwelling units per acre.

R-7: Residential (7). Allows single lot developments to a maximum density of seven units per acre, with a

minimum lot size of six thousand (6,000) square feet. Allows duplexes on appropriately sized lots (minimum duplex lot size of nine thousand (9,000) square feet). Allows planned residential developments (PRDs) with varying residential densities as a conditional use.

R-5: Residential (5). Allows single lot developments to a maximum density of five units per acre, with a minimum lot size of eight thousand four hundred (8,400) square feet. Allows planned residential developments (PRDs) with varying residential densities as conditional uses.

R-1: Residential Environmentally Constrained. Allows single lot developments to a maximum density of one unit per acre, to protect unique and environmentally sensitive lands. Allows planned residential developments (PRDs) with varying residential densities as conditional uses.

P: Public. Allows parks, schools, public infrastructure and other developments intended primarily for public use.

OS: Open Space. Land which may not be residentially developed. Includes identified sensitive and critical areas. Agriculture and recreational uses shall remain a permitted use in open space areas under the provisions established for sensitive or critical areas.

S: Special Districts provide opportunity for land use designations to accomplish specific public policy goals that include overlay zones and other zoning approaches, including:

Urban Village Mixed-Use (UVMU) overlay zone. An overlay zone, in a specific geographic area, that allows for and encourages higher density residential and commercial development in a mixed-use development. This overlay zone will encourage higher concentration of development allowing for open space, efficient use of land and a more urbanized environment.

Transitional Mixed Commercial Overlay (TMCO). The intent of this overlay is to encourage the conversion of the underlying zone from Industrial to Mixed Commercial Zone. Ultimately, the area in the overlay is intended to become a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors. This area is situated at the center of town and is highly visible from State Route 20 and State Route 9. The area is intended to develop commercially so as to attract more visitors to the core of the city, which includes the adjacent Central Business District. The Transitional Mixed Commercial overlay is intended to allow the continuing use of the property for its historical industrial uses as the commercial transition process proceeds.

Policy LU6.3: Establish a concurrency review procedure. The developer shall be responsible for providing information on impacts the proposed development will have on public services. The city shall be responsible for determining if adequate public facilities can be provided to the development within the confines of the current Capital Facilities Plan.

Policy LU6.4: Develop and implement design review procedures for all land use zones. Residents and property owners in the affected designation areas shall be involved in this process, to the extent possible.

Policy LU6.5: Develop and implement a local historic and cultural preservation procedure.

Policy LU6.6: Encourage community involvement and participation in the land use decision making process, and provide understandable information and notices to affected residents and the press, to enable meaningful involvement and participation.

Goal LU7: To preserve Sedro-Woolley's unique history and small-town character.

Policy LU7.1: Preserve historically-significant buildings, trees and sites within the Sedro-Woolley UGA through the development of historic preservation and urban forestry programs.

Policy LU7.2: Preserve culturally-significant sites identified within the Sedro-Woolley urban growth area. Do not allow development or encroachment upon sites identified as significant by the Upper Skagit Tribe.

Policy LU7.3: Recognize and retain logging and other timber-industry practices as a heritage of this community. Strive to preserve this heritage while supporting and encouraging the development of modern forest-practices industries.

Policy LU7.4: Establish a renewable forest-industry and river wildlife theme for public spaces within the UGA.

Policy LU7.5: Create and adopt a neighborhood plan for the central business district (CBD). Adopt design standards to preserve the “small town” character of the retail area.

Goal LU8: To maintain a hospitable, welcome environment for new Sedro-Woolley residents.

Policy LU8.1: At the neighborhood level, establish citizen welcoming committees, responsible for welcoming new Sedro-Woolley residents to the community.

Policy LU8.2: Conduct community receptions concurrent with the opening of major apartment developments, mobile home parks or residential subdivisions. These receptions should be sponsored by the city in conjunction with local community organizations.

Policy LU8.3: In conjunction with the Sedro-Woolley chamber of commerce, prepare a brochure entitled “Welcome to Sedro-Woolley.” This brochure should provide emergency information, local history,

information on annual community activities, and a community resource list. It should be distributed to all new Sedro-Woolley residents, and be available in both English and Spanish.

Goal LU9: To welcome and encourage multiculturalism.

Policy LU9.1: To not tolerate discrimination based upon sex, race, ethnicity, income, lifestyle, religion, language or place of origin in any activity occurring within the UGA.

Policy LU9.2: Upon request, provide public documents and election materials in languages other than English.

Policy LU9.3: Encourage and promote the development of minority businesses within the UGA.

Policy LU9.4: Recognize and retain Native American culture present within and near the UGA. Improve and enhance relations with the Upper Skagit Tribe. Encourage development of Tribal businesses within the CBD.

Goal LU10: To create a safe, active environment for youth.

Policy LU10.1: To not tolerate the formation, activity or existence of gangs within the UGA.

Policy LU10.2: Seek to reduce youth violence through intervention and education.

Policy LU10.3: In conjunction with community organizations and the Sedro-Woolley school district, provide comprehensive youth activity programming during after-school hours and evenings. Coordinate this programming with recreation activities proposed in the parks and recreation element of the comprehensive plan.

Policy LU10.4: Maintain well supported and equipped police and fire protection services.

Policy LU11: To further community values through education.

Policy LU11.1: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro- Woolley schools emphasizes community history and reflects community values.

Policy LU11.2: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro-Woolley schools emphasizes social and environmental responsibility.

Policy LU11.3: Establish a joint agreement between the city of Sedro-Woolley and the Sedro-Woolley school district for joint use of city and school facilities as necessary to accomplish the goals of the parks and recreation elements of the comprehensive plan.

Policy LU11.4: Coordinate and administer a series of community forums to educate community residents about changes occurring within Sedro-Woolley related to growth. Where possible, these forums should be led by citizens.

Goal LU12: To provide local representation and community empowerment.

Policy LU12.1: Ensure constitutional representation on the city council.

Policy LU12.2: File application with the state of Washington to be recognized as a code city.

Policy LU12.3: Reactivate the city’s ward system. Redelineate wards and/or add new wards to reflect the distribution of population. Extend wards to the limits of the UGA.

Policy LU12.4: Within neighborhood wards, encourage residents to organize local improvement districts (LID’s) to repair residential streets. Also encourage residents to participate in community awareness programs, such as blockwatch.

Policy LU12.5: Encourage neighborhood residents to resolve local disputes through neighborhood wards.

Policy LU12.6: Commit to honest, equal citizen participation in city processes. Encourage, respect and reward citizen activism.

Goal LU13: To provide open space buffers within and adjacent to Sedro-Woolley’s Urban Growth Area.

Policy LU13.1: Designate floodplain areas for open space, recreational, and agricultural purposes.

Policy LU13.2: The city shall provide input and coordinate the review of development proposals with Skagit County to ensure the integrity of unincorporated open space within Sedro-Woolley’s urban growth area.

Goal LU14: To preserve Sedro-Woolley’s existing agricultural lands and heritage.

Policy LU14.1: Work to adopt an agricultural preservation overlay zone which reduces development pressure and enhances the long-term viability of existing agricultural uses within the urban growth area. This zone would be enacted upon petition by the property owner and not imposed by the city.

Policy LU14.2: Recognize and promote the benefits of agricultural land which include maintaining open spaces, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.

Goal LU15: To resolve conflict between existing agricultural uses and quickly growing residential areas.

Policy LU15.1: Work to develop “Right to Practice Agriculture/Forestry” ordinances which require notification of home buyers adjacent to resource lands or related operations.

Policy LU15.2: Establish a building setback of fifty (50) feet and a tree-planting setback of thirty (30) feet for residential areas along the perimeter of the urban growth area which are adjacent to agricultural areas. Explore the allowance of a density credit for the setback area.

Goal LU16: To protect, sustain and maintain Sedro-Woolley’s critical areas, sensitive areas, and natural resource lands for present and future generations.

Policy LU16.1: Provide necessary funds to identify, inventory, and classify sensitive and critical areas and natural resource lands within the UGA.

Policy LU16.2: Provide the public, staff, and decision making bodies with information pertaining to the identification, classification, and designation of critical areas.

Policy LU16.3: Require, as appropriate, site-specific delineation of sensitive and critical areas by owners/developers of property as part of the development review process.

Policy LU16.4: Provide incentives to encourage the use of environmentally sensitive designs including the use of LID principles, LID best management practices (BMPs) and other means such as cluster housing, which would provide for adequate open space and protection of critical areas.

Policy LU16.5: Promote land use patterns and methods of development that will protect the value of sensitive and critical areas, and prevent hazardous conditions.

Policy LU16.6: Develop funding mechanisms to permit the city acquisition of sensitive/open space areas for the public benefit. Integrate public park and/or trail systems with natural areas where appropriate, but ensure that such uses do not degrade the natural function of these areas.

Policy LU16.7: Coordinate efforts with appropriate Skagit County and state of Washington agencies to provide maximum protection for critical and natural resource areas.

Policy LU16.8: Encourage Development of a Brickyard Creek plan that addresses the creek’s habitat functions, passive recreation uses and stormwater conveyance functions. The plan should address off-site mitigation opportunities in the creek’s riparian area in accordance with the regulations for critical areas – Chapter 17.65 SWMC.

Goal LU17: To control the impacts of development activities on the quality of surface and ground water.

Policy LU17.1: Establish clearing, grading and filling restrictions in areas where such activities will impact water resources and associated habitat areas.

Policy LU17.2: Establish storm water runoff controls including use of the appropriate LID BMPs which prevent erosion, sedimentation, minimize stormwater runoff and discharge of pollutants into natural drainage systems.

Policy LU17.3: Preserve and enhance vegetation including use of appropriate LID Principals to minimize impervious surfaces, minimize vegetation loss, and stormwater runoff as a means of protecting both water quality and wildlife habitat.

Policy LU17.4: Develop construction management practices which reduce the potential for erosion and water quality both during and after land development and construction.

Policy LU17.5: Require future developments to use city sewer facilities whenever feasible rather than septic systems.

Policy LU17.6: Allow wetland or stream alteration when such alterations results in restoration or en-

hancement of functions and values of degraded wetlands and streams.

Policy LU17.7: Maintain or enhance water quality within the Skagit River and its tributaries.

Policy LU17.8: Under no circumstances should hazardous wastes be allowed to contaminate the groundwater, surface water or sewer systems of the city of Sedro-Woolley. Dispose of hazardous wastes only in landfills designated for that purpose.

Policy LU17.9: Coordinate basin-wide surface-wide surface water planning with the Skagit County surface water management department.

Policy LU17.10: Water-courses, wetlands, bodies of water and their shores should be kept in a natural condition where possible, and protected from development impacts through the use of buffers and green spaces.

Policy LU17.11: Conduct an inventory of all significant drainage patterns and make this information available to planners and the public.

Policy LU17.12: Preserve natural; stream environments along the Skagit River and Hansen Creek. Restrict development within two hundred (200) feet of both streams, in compliance with the Shoreline Management Act (SMA).

Goal LU18: To protect steep slopes and unstable soil areas from the impacts of development, and likewise protect development from hazards posed by the steep slopes and unstable soils.

Policy LU18.1: Prohibit or strictly limit development in steep slope and unstable soil areas which pose seismic and/or erosion hazards.

Policy LU18.2: Require geotechnical analysis for developments with steep slopes and/or unstable soil areas to understand the extent of potential hazards.

Policy LU18.3: Adopt construction standards, zoning requirements, and enforcement procedures to protect life, property, and the environment in geologically hazardous areas.

Policy LU18.4: Prohibit or restrict clearing of vegetation in areas which are susceptible to landslides and erosion.

Policy LU18.5: Encourage hillside stabilization and replanting of disturbed slopes in order to prevent erosion and further degradation of steep slopes and unstable soil areas.

Policy LU18.6: Require the use of vegetative buffers to separate areas of development from critical and steep slope areas.

Goal LU19: To preserve, enhance, and promote a high degree of air quality in Sedro-Woolley.

Policy LU19.1: Encourage the use of alternative modes of transportation, such as, carpooling, public transit, walking, and biking, in order to reduce the amount of automobile emissions.

Policy LU19.2: Discourage the use of wood burning as a primary source of household heat and promote alternative heating sources.

Policy LU19.3: Insure that local industries, commercial businesses, and residents comply with state, federal, and local environmental regulations concerning air quality.

Shoreline Management Goals.

The Shoreline Management Act recognizes that the shorelines and the waters they encompass are valuable for economically productive industrial and commercial uses, recreation, navigation, residential amenity, scientific research and education. The SMA also recognizes that they are fragile in that they depend upon balanced physical, biological, and chemical systems that may be adversely altered by natural

forces (earthquakes, volcanic eruptions, landslides, storms, droughts, floods) and human conduct. Sedro-Woolley's Shoreline Goals are intended to acknowledge and balance the conflicting nature of the shoreline use.

The SMA identifies eight program elements that must be addressed (if applicable) to effectuate the policies of the Act: Economic Development, Public Access, Recreational, Shoreline Land Use, Conservation, Circulation, Historic / Cultural / Scientific / Educational and Flood Hazard Management (RCW90.58.100(2)). For each of those program elements, the City of Sedro-Woolley has identified shoreline goals. These goals establish the basis from which the environmental designations, policies, regulations, and administrative procedures of the Shoreline Master Program are developed. The goal statements are listed below under their corresponding shoreline elements and have been reviewed for consistency with the Goals of the Comprehensive Plan.

Specific Shoreline Goals.

1. Shoreline Economic Development Element – Per RCW 90.58.100(2)(a) master programs shall include “an economic development element for the location and design of industries, projects of statewide significance, transportation facilities, port facilities, tourist facilities, commerce and other developments that are particularly dependent on their location on or use of the shorelines of the state.” The city owns the majority of the land within the SMZ. The Sedro-Woolley SMZ does not contain any commercial or industrial development. However, there are a few residential parcels at the edge of the SMZ and a couple industrially zoned parcels that are adjacent to wetlands in the flood plain that may be jurisdictional.

Shoreline Economic Development Goals:

SED1: Promote tourism through park-oriented recreational opportunities in those shoreline areas that can reasonably tolerate such uses during peak use periods

without destroying the integrity and character of the shoreline.

SED2: Increase economic opportunities in Sedro-Woolley by encouraging compatible recreational opportunities within the SMZ as a means to support local businesses.

SED3: Support the continued use of industrial properties for such purposes.

2. Shoreline Public Access Element – Per RCW 90.58.100(2)(b) master programs shall include “a public access element making provision for public access to publicly owned areas.” The majority of the Sedro-Woolley SMZ is publicly owned. Public access is a major part of the shoreline plan.

Shoreline Public Access Goals:

SPA1: Increase and enhance public access to publicly-owned shoreline areas so the public may enjoy the amenities of the shoreline, consistent with the natural shoreline character, private rights, and public safety.

SPA2: Integrate public access to shorelines as a part of a public recreational system throughout Sedro-Woolley and Skagit County.

SPA3: Maintain the existing water access such as the boat launch and develop additional pedestrian-only river access.

3. Shoreline Recreation Element – Per RCW 90.58.100(2)(c) master programs shall include “a recreational element for the preservation and enlargement of recreational opportunities, including but not limited to parks, tidelands, beaches, and recreational areas.”

Shoreline Recreation Goals:

SR1: Encourage diverse, water-oriented recreational opportunities in those shoreline areas that can reasonably tolerate such uses during peak use periods without destroying the integrity and character of the shoreline.

SR2: Maintain and improve Riverfront Park and adjacent recreational lands as a regional recreational destination.

SR3: Create public access to the Skagit River through the park and trail system that will not endanger life or property, nor impair the rights of owners of private property in the SMZ.

4. Shoreline Circulation Element – Per RCW 90.58.100(2)(d) master programs shall include “a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other public utilities and facilities, all correlated with the shoreline use element.”

Shoreline Circulation Goals:

SC1: Encourage routes for non-motorized transportation to and throughout the city-owned shoreline resources.

SC2: Maintain safe, reasonable, and adequate vehicular, bicycle, and pedestrian circulation systems to shoreline.

SC3: Maintain the existing circulation system through the SMZ while ensuring that routes accessing the SMZ will have the least possible adverse effect on unique or fragile shoreline features and existing ecological systems, and, when possible, contribute to the functional and visual enhancement of the shoreline.

5. Shoreline Land Use Element – Per RCW 90.58.100(2)(e) master programs shall include “a use element which considers the proposed general distribution and general location and extent of the use on shorelines and adjacent land areas for housing, business, industry, transportation, agriculture, natural resources, recreation, education, public buildings and grounds, and other categories of public and private uses of the land.”

Shoreline Land Use Goals:

SLU1: Promote land and water uses that will honor the existing and ongoing human uses and protect the natural environment as intended by the Shoreline Management Act.

SLU2: Promote land and water uses consistent with the SMA, the Sedro-Woolley Comprehensive Plan, and Sedro-Woolley Zoning Code.

6. Shoreline Conservation Element – Per RCW 90.58.100(2)(f) master programs shall include “a conservation element for the preservation of natural resources, including but not limited to scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection.”

Shoreline Conservation Goals:

SCO1: Comply with SMA rules regarding restoration of areas which are biologically and aesthetically degraded to the greatest extent feasible while maintaining appropriate use of the shoreline.

SCO2: Protect and preserve the unique and nonrenewable resources and amenities of the shoreline for the use and enjoyment of present and future generations.

7. Historic/Cultural/Scientific/Educational Element – Per RCW 90.58.100(2)(g) master programs shall include “an historic, cultural, scientific, and educational element for the protection and restoration of buildings, sites, and areas having historic, cultural, scientific, or educational values.”

Shoreline Historical/Cultural/Scientific/Educational Goals:

SH1: Identify, protect, preserve, and restore important archaeological, historical, and cultural sites located in the city’s SMZ for their educational and scientific value, as well as for the recreational enjoyment of the general public.

SH2: Encourage organized educational projects and programs that use the city-owned shoreline resources.

8. Flood Hazard Management Element – Per RCW 90.58.100(2)(h) master programs shall include “an element that gives consideration to the statewide interest in the prevention and minimization of flood damages.”

Flood Hazard Management Goals:

FHM1: Comply with and complement the city’s Flood Damage Prevention regulations found in Chapter 17.66 SWMC.

FHM2: To safely accommodate compatible uses in the flood plain and flood way while protecting integrity and character of the shoreline.

Chapter 7

CAPITAL FACILITIES ELEMENT

7.04	Introduction <u>{No changes included in this Draft}</u>
7.08	Sewers/Sanitary Capital Facilities <u>{No changes}</u>
7.12	Schools <u>{No changes}</u>
7.14	Library <u>{No changes}</u>
7.16	Fire Protection <u>{No changes}</u>
7.20	Police Protection <u>{No changes}</u>
7.24	Storm Water Management
7.28	Solid Waste Management <u>{No changes}</u>
7.32	Capital Facilities Financing
7.36	Capital Facilities Goals and Policies
Appendix A	Sedro-Woolley Fire Department <u>{No changes}</u>
Appendix B	Fire Equipment Replacement Schedule <u>{No changes}</u>
Appendix C	Police Staff Estimates and Capital Outlay Costs <u>{No changes}</u>
Appendix D	Police Mitigation Fee Analysis and Proposal <u>{No changes}</u>
Appendix E	Sedro-Woolley School District #101 Capital Facilities Plan <u>{No changes as part of this stormwater review}</u>

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7.24

STORM WATER MANAGEMENT

EXISTING FACILITIES

The City of Sedro-Woolley stormwater system currently serves residents living within the city limits (Figure CF-3). The city operates and maintains the Municipal Separate Storm Sewer System (MS4) under the requirements of the State of Washington National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Permit. Facilities include the conveyance network consisting of pipelines, drainage ditches, culverts, catch basins, manholes, pump stations, stormwater infiltration, detention and treatment facilities, Low-Impact Development facilities and outfalls to the Skagit River. The most recent Stormwater Management Plan was completed in 1997.

Private storm sewer systems discharging to the MS4 exist throughout the city. These systems fall under the requirements of the NPDES Permit, and are regulated by the City. Private systems include ditches, culverts, pipelines, catch basins, oil-water separators, infiltration, detention and treatment facilities, Low Impact Development facilities and pump stations.

Pipelines, Culverts and Ditches

Currently the City's MS4 consists of Pipelines of various sizes ranging from eight inches to forty-eight inches in diameter and totaling 199,840~~216,800~~ lineal feet, culverts totaling 7,464~~7,525~~ lineal feet and open ditches totaling 58,835~~35,840~~ lineal feet convey stormwater to nine~~21~~ connection points to ~~discharge points to public or private systems or to Skagit County drainage,~~ 21 infiltration facilities and 26-20 outfall points to receiving waters including Brickyard Creek, Willard Creek, Hansen Creek and the Skagit River. The system includes 1,920~~2,144~~ catch basins, 14-18 control

structures, eight-two drywells, one-two oil-water separators and two pump stations. Pipelines include gravity lines and force mains (pressure pipes). The city's primary responsibility is for the main storm sewers, culverts and ditches in streets and other rights-of-way, as well as for systems serving municipal properties. Private systems discharging to the MS4 are the responsibility of the property owners from the point of discharge to the MS4.

Pump Stations

Pump stations are required when natural topography does not allow for gravity flow to the point of discharge to the gravity system. A pump station receives flow from one area by gravity and pumps that flow over a topographic ridge to continue to the gravity system and ultimately to the outfall. Sedro-Woolley currently owns and maintains 2 stormwater pump stations. There are 7-8 privately owned and maintained stormwater pump stations within the city.

Stormwater Detention and Treatment Facilities

The MS4 includes 24-26 municipal facilities, including 13-9 Stormwater Detention and Treatment ponds, 2-1 Raingardens, 2 pump stations, 4-12 Underground Storage/detention/infiltration systems, 1 Ecology Embankment, and 1 Rainstore system. Within the city also monitors maintenance of there are currently 95-72 private facilities consisting of Stormwater Detention and Treatment Ponds, Raingardens, Bioretention, and Underground Storage/Detention/Infiltration Systems. Inventory of the private systems is under way but not complete as of 2014.

To date, all known private systems have been inventoried and mapped. New systems are inventoried and mapped as they are completed.

Brickyard Creek

Brickyard Creek is a 24,500 lineal foot combination of natural and man-made streambed classified as waters of the state and fish-bearing stream. This water body was formerly maintained by the Skagit County run Sedro-Woolley Sub-Flood Control Dis-

trict, and is the discharge point for approximately 40% of the city's drainage. 95% of Brickyard Creek lies within the city limits, and the remaining portion is in the UGA. Responsibility for Brickyard Creek was assumed by the city in January 2012. The city maintains the remaining 5% of the Creek under an Interlocal agreement with Skagit County.

Flooding

Portions of the city are subject to periodic localized flooding, mainly due to backwater conditions on Brickyard Creek created during peak stormwater events. Certain locations on the Creek, including the North Reed/Brickyard Meadows intersection, portions of Lucas Drive, Independence Boulevard, and the Golf Course, experience short term surcharging during rainfall events greater than a 10-year event (2.6 inches in 24 hours). A 2013 study completed of the SR20 Stormwater Conveyance System identified two undersized culverts on Brickyard Creek between Holtcamp Road outfall and Hodgin Road as contributing factors. Regular maintenance of the creek channel over the past few years has mitigated this condition somewhat. The older portion of the city south of SR20 does not have significant flooding issues. The ongoing General Investigation study being completed under the auspices of the Corps of Engineers will need to be monitored carefully as some alternates for mitigation of Skagit River flooding may impact the 100 year flood level within the lower portion of the city, as well as threatening the Wastewater Treatment Facility.

PROJECTED NEED

Like many jurisdictions in the Northwest, surface water management has historically been considered a funding priority after a major storm event. Two main problems exist in Sedro-Woolley: 1) Water quality in Brickyard Creek and the Skagit River is poor due to many factors including nonpoint source of pollution and frequent flooding; and 2) Localized flooding during peak stormwater events.

Stormwater Management Plan

The 1997 Stormwater Management Plan identified deficiencies in the MS4 system at the time the report was prepared, and included a project list to address these deficiencies, as well as ongoing maintenance issues. The recommendations of the plan were largely unmet in subsequent years. Update of the plan is needed to reassess previously identified deficiencies, and to address significant development that has occurred in the past ~~18-25~~ years.

Water Quality

The State of Washington NPDES Phase II permit, first issued in 2007 and renewed in 2013 and 2019, requires the city to operate and maintain the MS4 system in such a manner as to protect and improve water quality for the identified water bodies, in this case the Skagit River, Brickyard Creek, Hansen Creek and Willard Creek.

The 2019 permit requires the City to prepare a Stormwater Management Action Plan (SMAP) by 2023, prioritizing a receiving water and a catchment area discharging to that receiving water. And within these areas, develop stormwater retrofits, land management strategies and other actions to accommodate future growth and development while preventing water quality degradation and/or improving conditions in the receiving waters harmed by past development.

Another new requirement of the 2019 permit requires the establishment of a Source Control program. This program consists of inspections of existing pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4. Program inspections are required to begin in 2023.

The city formed a Stormwater Utility in 2008 to provide a regular source of funding for ongoing maintenance and for correction of deficiencies. The initial rate set for the utility was insufficient to deal

with deficiencies identified in the 1997 Plan, but did allow for initial steps to address water quality requirements of the NPDES Permit. The Public Works Department has dedicated Operations staff to maintenance, performance and documentation of maintenance activities, and has tracked and reported progress as required by the Permit. A rate increase effective January 1, 2015 is projected to bring maintenance funding up to the level required by the NPDES Permit, but still does not address deficiencies in the system. Funding for the correction of deficiencies is an ongoing discussion item, and will be addressed in the Stormwater Plan update.

The GMA requires that level of service (LOS) service standards be established for services provided by the local jurisdiction as part of capital facilities planning. LOS standards are quantifiable measures of public services the city provides to the present and future residents and businesses within the UGA. They allow the city to assess deficiencies in the services it provides and define maximum threshold standards that must be met by the existing and new facilities to avoid under-served growth.

**PERCENT OF CAPACITY LOS
FOR STORM WATER SYSTEM**

SYSTEM ELEMENT	A	B	C	D	E	F
Pipelines	0-20	21-40	41-60	61-80	81-100	>100
Pump Stations	0-20	21-40	41-60	61-80	81-100	>100

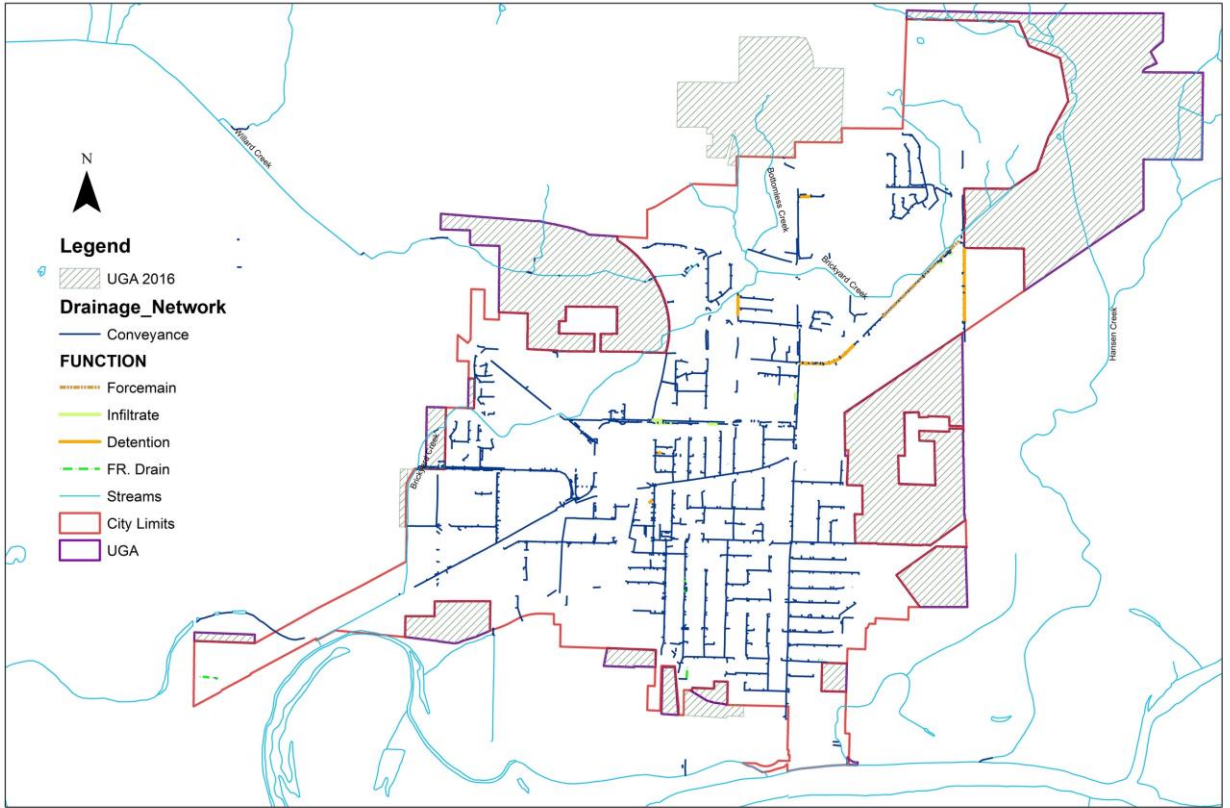
**CONDITION LOS FOR THE
STORM WATER SYSTEM**

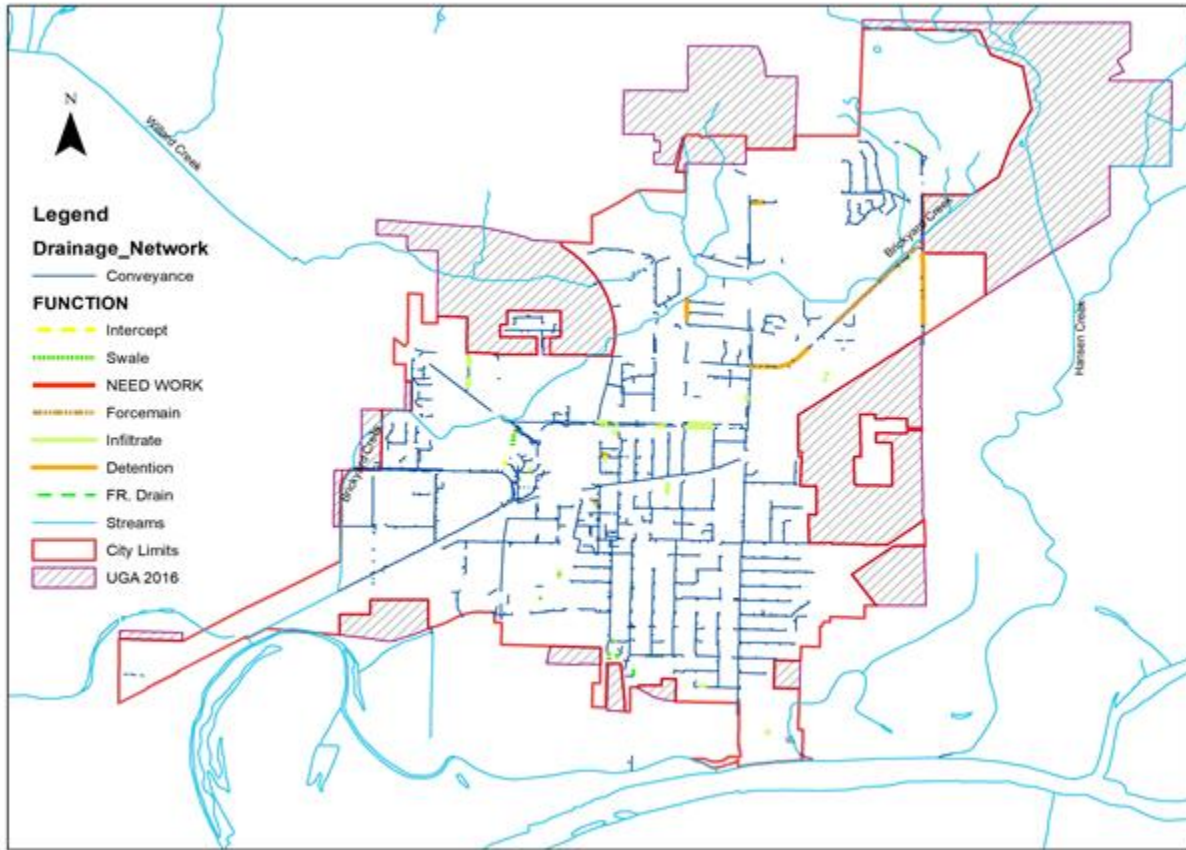
SYSTEM ELEMENT	1*	2*	3*	4*	5*
Pipelines	Immediate	<3	>3,<6	>6,<20	>20
Pump Station	Immediate	<3	>3,<6	>6,<20	>20

* Years until the improvements are needed

**Figure CF-3
Stormwater System**

~~Figure CF-3
Stormwater System~~





Control inspections beginning in 2023-.

PROJECTED DEMAND

With minor differences, the future storm water collection system under both a preferred and benchmark alternative would be similar. This is due to population forecasts which predict similar residential growth rates and population. Only the geographic distribution of the storm water collection system demand will vary between the different alternatives.

Within the existing city limits, the storm water system will be upgraded through an improvement program that takes into consideration demands for residential, commercial and industrial storm water

disposal systems. For instance, under the preferred alternative, residential infilling and increased residential densities will be encouraged. Similarly, there will be new locations for industrial and commercial activity. Under the benchmark, growth and development would follow previous patterns. Design of the new storm water collection system will take these land use changes into account.

PROJECT COSTS

The 1997 Stormwater Management Plan identified system deficiencies and quantified project costs. Formation of the 2008 Stormwater Utility further refined the cost estimates. Revenues produced by the Utility, coupled with a series of small management grants through the Department of Ecology have funded portions of the recommendations of the 1997 Plan. These include:

1. Development of a public education component to make people aware of how their actions affect water quality and to allow the public to participate in the planning process;
2. Participation in the Ecology program to determine Total Daily Maximum Loadings (TMDL) for the Skagit River and tributaries within the MS4. This process will eventually result in specific water quality limitations and allow for design of measures beyond existing permit requirements to address them if required;
3. Development of the stormwater utility, providing ongoing revenue for management and maintenance operations;
4. Updated Sedro-Woolley Municipal Code Chapter 13.36 Stormwater Management and Chapter 13.40 Stormwater Maintenance to comply with the NPDES Phase II Permit.
5. ~~Completed~~-Developed Geographic Information System (GIS) mapping of the existing

city stormwater system and private systems discharging to the city system.

5. Developed of file systems and procedures for stormwater management and maintenance activities, including public and private systems.
6. Enhanced the existing Stormwater Maintenance program utilizing the Public Works Operations Department staff to inspect and clean catch basins, pipelines, culverts and ditches and to maintain detention/treatment systems and pump stations, along with regular street sweeping. Purchased new Vector truck (2009) and Street Sweeper (2013) to support maintenance operations.
7. Developed a stormwater vector waste disposal system for treatment and disposal of vector waste from catch basins, and upgraded the existing street sweeping handling and disposal according to state requirements.

The city contracts with the Skagit Conservation District (SCD) to participate in a Skagit County-wide effort to provide public education and encouragement to meet NPDES Permit requirements. This program has proven successful, and the city plans to continue with this arrangement for the immediate future. The city also maintains a dedicated Stormwater website, containing reports to Ecology, SCD Annual Reports, information on programs available and links to other resources. Regular training of responsible personnel are performed to ensure that staff is aware of the requirements of the Permit and to support the efforts of the city to enhance water quality.

While significant progress has been made since 2008, challenges remain. These are as follows:

1. Meeting increasing Permit requirements such as implementation of Low Impact Development requirements for public and private facility construction, implementation of the new Source Control program, and

implementing projects identified in the SMAP.

2. Funding identified system deficiencies as identified in the 1997 Plan, and additional deficiencies identified since that time.

Deficiency Projects

The 1997 Plan identified two major projects and 14 minor projects for construction to address system deficiencies. The major projects were: 1) construction of a Regional Detention System on Cook Road near Brickyard Creek for regional stormwater detention and treatment, estimated at \$4.3 million, and 2) upgrade of the Fruitdale Road Conveyance System, SR20 to Skagit River, estimated at \$1 million. The Cook Road system is likely to have been superseded by subsequent development in the vicinity, and will need to be reassessed in the plan update. The Fruitdale pipeline is in Skagit County, and mostly serves UGA areas not likely to be annexed due to prior development issues. The minor projects identified in the 1997 Plan total \$380,000, and will be assessed on a case by case basis in the Plan update.

The 2008 Stormwater Utility formation effort identified the additional need for a Regional Treatment Facility to serve the urban area south of SR20, to be located near Riverfront Park at an estimated cost of \$2.6 million. The city purchased property west of River Road and Riverfront Park for this purpose. The need for this facility will be driven by water quality determinations resulting from the TMDL study noted earlier in this section, to be completed after 2018. As a result, this facility will not be needed for at least five years.

The 2013 SR20 Stormwater Conveyance System study completed in conjunction with the SR20/Cook Road Realignment and Extension Project identified \$700,000 in improvements to the piping system between the Brickyard Creek outfall and SR9 South, and within Brickyard Creek itself between the outfall and the Holtcamp Road crossing that will need to be addressed within the next 5

years due to permitting requirements related to the SR20/Cook Road project. The January 5, 2015 25-year storm event corroborated the need for these upgrades. Approximately 1,910 lineal feet of the system from Hodgin Road to SR9 South is planned for upgrade in 2016 as part of the SR20/Cascade Trail West Extension Project Phases 1A and 1B. This will leave 984 lineal feet of the SR20 system west of Hodgin Road for future upgrade, at a cost of \$300,000. In 2017 2,170 LF of the storm system was upgraded with larger diameter pipe and new structures at a cost of \$855,000 (PH 1A & 1B). In 2020, as part of the SR20 widening project, the last 250 LF to the outfall point at Brickyard Creek was piped and a check valve installed to prevent fish from getting into the storm system from the creek. Cost for this last phase was \$85,000.

GOALS AND OBJECTIVES

Goal ST1.0: Update the 1997 Stormwater Management Plan.

Policy ST1.1: Pursue a grant and loan applications to secure funding for the plan update.

Policy ST1.2: Require new developments to mitigate their site water run-offs into the city right-of-way.

Policy ST1.3: Eliminate point and non-point source pollution into the local drainage channels to include the Skagit River and Brickyard Creek.

Goal ST2.0: Annual reassessment of Utility revenue.

Policy ST2.1: Assure that NPDES Permit requirements are met, reassess Utility revenue on an annual basis and adjust as needed.

Goal ST3.0: To assure that capital improvements necessary to carry out the Stormwater Management Plan are provided when they are needed.

Policy ST3.1: Develop funding to support or enhance the storm water utility for Sedro-Woolley to generate funding for the city capital improvement projects.

Policy ST3.2: Maintain a safe and efficient public storm water collection and treatment system.

Policy ST3.4: Require all new development to conform with the city storm water comprehensive plan.

Goal ST4.0: To manage land use changes and develops city facilities and services in a manner that directs and controls land use patterns and intensities.

Policy ST4.1: Establish the storm water system as an “urban service” requiring concurrency under the Growth Management Act.

Policy ST4.2: The city will use level of service to determine the impact of a new development on the existing storm facilities.

**Goal ST5.0: Fund and ~~construct remainingmain-~~
~~tain~~ SR20 Conveyance System Improvements.**

Policy ST5.1: Identify funding to ~~design and build~~
~~this \$300,000 project~~~~maintain this infrastructure.~~

~~Policy ST5.2: Partner with Skagit County for use of~~
~~Sedro Woolley Sub Flood Funds for Brickyard~~
~~Creek portions of the project.~~

~~Policy ST5.3: Construct project by 2020.~~

...

CAPITAL FACILITIES FINANCING

The six-year capital facilities plan includes improvements that the comprehensive plan elements indicates are necessary, along with potential funding sources. In order to identify these potential funding sources, it is important to review how capital improvements have been financed in Sedro-Woolley in the past and could be financed in the future. Capital outlays tend to vary a great deal from year to year, depending on need and the ability of the city to secure grants to fund particular projects.

REVENUE SOURCES

This section summarizes the revenue sources available to the city of Sedro-Woolley and highlights those available for capital facilities:

There are two types of revenue sources for capital facilities:

1. Multi-use: taxes, fees, and grants which may be used for virtually any type of capital facility (but which may become restricted if and when adopted for a specific type of capital facility);
2. Single use: taxes, fees, and grants which may be used only for a particular type of capital facility.

These revenue sources are discussed below.

Multi-Use Revenue

Property Tax

Property tax levies are most often used by local governments for operating and maintenance costs. They are not commonly used for capital improvements. Under State law, local governments are prohibited from raising the property tax levy more than

one percent per year. Property tax received by the city of Sedro-Woolley has by policy, been allocated to pay for costs incurred for parks, cemetery, street, library and general fund expenditures.

Long-Term Bond Indebtedness

There are three basic types of long-term indebtedness uses by municipalities to fund capital improvement projects:

- General Obligation Bonds - General Obligation Bonds are backed by the value of the property within the jurisdiction (at its full faith and credit).
- Revenue Bonds - Revenue bonds are backed by the revenue received from the project that the bonds help to fund. Such bonds are commonly used to fund utility improvements. A portion of the utility charge is set aside to payoff the bonds.
- Special Assessment Bonds - (Local Improvement Districts, Road Improvement Districts, and Local Improvement Districts) - Special assessment bonds, repaid by assessments against the property benefited by the improvements, are used to finance projects within a specific geographic area, as opposed to those that will serve the entire jurisdiction.

General Obligation Bonds and Lease-Purchase (Property Tax Excess Levy)

General Obligation Bonds are those which offer the greatest variety of uses. There are two types of General Obligation (GO) bonds: voter-approved and councilmanic. Voter-approved bonds increase the property tax rate, with increased revenues dedicated to paying principal and interest on the bonds. Local governments are authorized in “excess levies” to repay voter-approved bonds. Excess levies are increased in the regular property tax levy above statutory limits. Approval requires a sixty (60) percent majority vote in favor and a turn-out of at least

forty (40) percent of the voters from the preceding general election. Councilmanic bonds are authorized by a jurisdiction’s legislative body without the need for voter approval. Principal and interest payments for councilmanic bonds comes from general government revenues, without a corresponding increase in property taxes. Therefore, this method of bond approval does not utilize a dedicated funding source for repaying the bondholders. Lease-purchase arrangements are also authorized by vote of the legislative body and do not require voter approval.

The amount of local government debt allowable for GO bonds is restricted by law to 7.5 percent of the taxable value of the property within the city limits. This may be divided as follows:

General Purpose Bonds	2.5 percent
Utility Bonds	2.5 percent
Open Space and Park Facilities	2.5 percent

Of the 2.5 percent for General Purpose Bonds, the city may issue up to 0.75 percent in the form of councilmanic bond. State law allows cities an additional separate debt capacity of 0.75 percent of taxable value of property for non-voted lease obligations.

Depending on the amount in-term of the bonds or lease-purchase arrangements, the impact on the individual taxpayer can vary widely.

Real Estate Excise Tax

RCW 82.46 authorizes local governments to collect a real estate excise tax levy of 0.25 percent of the purchase price of real estate within the city limits. The Growth Management Act authorizes collection of another 0.25 percent. Both the first and second 0.25 percents are required to be used for financing capital facilities in local governments’ capital facilities plans.

The first and second 1.25 may be used for the following capital facilities:

- a) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvements of streets, roads, highways, sidewalks, streets and road lighting systems, traffic signals, bridges, domestic water systems, and storm and sanitary sewer systems; or
- b) The planning, construction, repair, rehabilitate, or improvement of parks and recreational facilities.

In addition, the first 0.25 percent may be used for the following:

- a) The acquisition of parks and recreational facilities;
- b) The planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of law enforcement facilities, protection of facilities, trails, libraries, administrative and judicial facilities, river and/or floodway/flood control projects, and housing projects subject to certain limitations.

The city of Sedro-Woolley has enacted the first 0.25 percent real estate excise tax which is allocated to a cumulative reserve capital expense fund.

Business and Occupation Tax

RCW 35.11 authorizes cities to collect this tax on the gross or net income of businesses, not to exceed a rate of 0.2 percent. Revenue may be used for capital facilities acquisition, construction, maintenance, and operations. Voter approval is required to initiate the tax or increase the tax rate. The city has utilized this revenue source.

Local Option Sales Tax

Local governments may collect a tax on retail sales of up to 1.1 percent, of which 0.1 percent may

be used only for criminal justice purposes (public transportation-benefit authorities may levy up to 0.6 percent). Voter approval is required. Sedro-Woolley has enacted a sales tax, of which eighty (80) percent goes to the city and the remainder goes to the county.

Utility Tax

RCW 35A.52 authorizes cities to collect a tax on gross receipts of electrical, gas, garbage, telephone, cable television, water, sanitary sewer, and storm water management providers. State law limits the utility tax to six percent of the total receipts for cable television, electricity, gas, steam, and telephone, unless a majority of the voters approved a higher rate. There are no restrictions on the tax rates for sewer, water, solid waste, and stormwater. Revenue can be used for capital facilities acquisition, construction and maintenance. In Sedro-Woolley, a tax is collected on cable television, natural gas, telephone and electricity. No utility tax is collected on sanitation, sewer and water.

Community Development Block Grants

Approximately \$8.5 million in Community Development Block Grant (CDBG) funding is available annually state-wide through the federal Department of Housing and Urban Development for public facilities, economic development, and housing projects which benefit low-and-moderate income households. Funds may not be used for maintenance and operations. Because the amount of CDBG funding varies substantially from year to year, it is not possible to reliably forecast revenue from these grant sources.

Community Economic Revitalization Board Grant (CERE)

The State Department of Trade and Economic Development provides low-interest loans, and occasionally grants, to finance sewer, water, access roads, bridges, and other facilities for specific private sector development. Funding is available only for projects which support specific private developments or expansion which promotes the trading

of goods and services outside the state. The average requirement is to create one job per three thousand dollars (\$3,000.00) of CERE financing. The city has not utilized this funding source. It is not possible to forecast revenues from CERE loans or grants.

Public Works Trust Fund Grants (PWTF)

The State Department of Community Development provides low-interest loans for capital facilities planning, emergency planning, and construction of bridges, roads, domestic water, sanitary sewer, and storm sewer. Applicants must have a capital facilities plan in place and must be levying the original 0.25 percent real estate sales tax (see previous real estate excise tax discussion). Construction and emergency planning projects must be for reconstruction of existing capital facilities only. Capital improvements planning projects are limited to planning for streets and utilities. Loans for construction projects require a local match generated only from local revenues or state-shared entitlement (gas tax) revenues. The required local match is ten (10) percent of a three percent loan, twenty (20) percent for a two percent loan, and thirty (30) percent for a one percent loan. Emergency planning loans are at a five percent interest rate. If state or federal disaster funds are received, they must be applied to the loan for the life of the project (twenty (20) years). Capital improvement planning loans are at least 0 percent interest, but require a twenty-five (25) percent local match. The city has applied for these funds for a sewer system design study and was awarded a loan. Future PWTF funding cannot be reliably forecasted.

Farmer Home Administration Community Facilities Program

Farmers Home Administration provides loans to develop community facilities for public use in rural areas and towns of not more than twenty thousand (20,000) people. Facilities eligible for loan assistance include fire stations, police stations, community buildings, libraries, and utilities. It is not possible to forecast revenues from this program.

Single-Purpose Revenue Sources

Cultural Arts, Stadium/Convention Facilities

Special Purpose Districts

RCW 67.38.130 authorizes cultural arts, stadiums/convention special purpose districts with independent taxing authority to finance capital facilities. The District requires a majority voter approval for formation, and has a funding limit of 0.25 cents per one thousand dollars (\$1,000.00) of assessed valuation. Typically, such a special-purpose district would serve a larger geographical area than the single city. Revenue would be based on the tax base of the area within the special service district.

Police, Fire Protection and Emergency Medical Services

EMS Levy

The state authorizes a fifty cents (\$0.50) per one thousand dollars (\$1,000.00) AV property tax levy which may be enacted by fire and hospital districts, cities and towns, and counties. This levy is voluntary in cities and fire districts. Skagit County has enacted an EMS levy.

Fire Districts

Fire District #8 surrounds the city of Sedro-Woolley from which a fire district tax levy is collected. This revenue is used for operating and maintenance costs. Sedro-Woolley has entered into an interlocal agreement with District 8. Sedro-Woolley annually updates the amount it charges to District 8 for services rendered under the interlocal agreement.

Fire Impact Fees

RCW 82.02.050-090 authorizes a charge (impact fee) to be paid by new development for its "fair share" of the cost of fire protection and emergency medical facilities required to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing

deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley collects impact fees on all new development. These fees will supersede any fees collected under SEPA.

A fire impact fee for the city of Sedro-Woolley can be generated by multiplying the current level of service by the cost of the capital facilities to determine the cost per capita, then multiplying that figure by the number of persons per dwelling unit to determine the cost per dwelling unit. Commercial fire impact fees are calculated with a formula using Equivalent Residential Units (ERUs) based on square footage.

Police Impact Fees

State law authorizes a charge (impact fee) to be paid by new development for its “fair share” of the cost of police facilities required to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley has collected voluntary police impact fees for projects undergoing SEPA review. Police impact fees cannot be collected under GMA, so following adoption of the comprehensive plan, Sedro-Woolley will continue to collect voluntary police impact fees on all new development only if a SEPA review is required.

The primary costs associated with providing police protection to new projects are those costs required to provide protection for the two year period from the start of the construction until tax revenues from the improved project reach the General Fund.

To calculate the impact of new development on police protection, the city has determined that in 1990, each call for police service costs the city an average of one hundred eighteen dollars (\$118.00). It also determined that each residential unit generated an average of .86 calls for service and commercial development generated calls for police service at an average rate of .002 calls per square foot of

commercial space. Therefore the costs of providing police service to new development during the two-year lag-time between application filing and tax revenues for the improved project reaching the Sedro-Woolley General Fund is calculated by multiplying the number of residential units times .86 times one hundred eighteen dollars (\$118.00) times two years two hundred two dollars ninety-six cents (\$202.96) for residential development and by multiplying the square footage times .002 times one hundred eighteen dollars (\$118.00) times two years (\$0.472 times square footage) for commercial development.

Parks and Recreation

Open Space and Park Facility General Obligation Bonds

See General Obligation Bonds (under Multi-Use Revenue, above) for general discussion of the purpose, requirements, and decision basis for GO bonds. The total amount of local government debt which may be committed to open space and park facilities is 2.5 percent. Sedro-Woolley currently does not have any open space and park facility general obligation debt.

Park Districts

State law authorizes metropolitan parks districts and park and recreation districts, each with independent taxing authority.

Parks and Recreation Service Areas (PRSA)

RCW 36.68.400 authorizes parks and recreation service areas as junior taxing districts for the purpose of financing the acquisition, construction, improvement, maintenance, or operation of any park, senior citizen activity center, zoo, aquarium or recreational facility. The maximum levy limit is 0.15, or 0.15 per one thousand dollars (\$1,000.00) AV. A PRSA can generate revenue from either the regular or excess property tax levies and through general obligation bonds, subject to voter approval. Revenue may be used for capital facilities maintenance

and operations. Voters approve formation of a PRSA, and subsequently approve an excess levy for the purpose of constructing facilities.

User Fees and Program Fees

These fees are charged for using park facilities (such as field reservation fees) or participating in recreational programs (such as arts and crafts registration fees).

Park Impact Fees

RCW 82.02.050-090 authorizes local government to enact impact fees to be paid by new development for its “fair share” of system improvements costs of parks and recreation facilities necessary to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley currently utilizes a park impact (mitigation) program. A complete description of that program and the specific fees is in the Parks and Recreation Element of the Comprehensive Plan.

State Parks and Recreation Commission Grants

These grants are for parks, capital facilities acquisition, and construction, and require a fifty (50) percent local match. Sedro-Woolley currently has no state parks and recreational commission grants. It is not possible to reliably forecast the amount of revenue the city would receive over twenty (20) years from this source.

Aquatic Land Enhancement Access

This grant program is administered by the Department of Natural Resources. ALEA funds are limited to water dependent public access/recreation projects or on-site interpretive projects. Twenty-five (25) percent local match is required. It is not possible to forecast revenues from ALEA grants. The city may apply for grants for future improvements or additions to Riverfront Park.

Outdoor Recreation Grant-in-Aid Funding

The Interagency Committee for Outdoor Recreation (IAC) provides grant-in-aid funding for the acquisition, development and renovation of outdoor recreation facilities. Park and boating program grants require a fifty (50) percent match. It is not possible to forecast revenues from IAC grants-in-aid funding sources.

Roads, Bridges, and Mass Transit

Motor Vehicle Excise Tax

RCW 82.36 authorizes this tax, which is administered by the State Department of Licensing and paid by gasoline distributors. Cities and counties receive 11.53 percent, respectively, of motor vehicle fuel tax receipts. Revenues must be spent for “highway purposes” including the construction, maintenance, and operation of city streets, county roads, and highways.

Local Option Fuel Tax

RCW 82.80 authorizes this county-wide local option tax to ten (10) percent of the state-wide motor vehicle fuel tax and a special fuel tax of 2.3 cents per gallon. Revenues are distributed back to the county and its cities on a per capita basis (1.5 for population in unincorporated areas and 1.0 for population in incorporated areas). Revenues must be spent for “highway purposes.”

Commercial Parking Tax

RCW 82.80 authorizes a tax for commercial parking businesses, but does not set rates. Revenues must be spent for “general transportation purposes” including highway purposes, public transportation, high-capacity transportation, transportation planning and design, and other transportation-related activities. Sedro-Woolley does not have a commercial parking tax at this time, nor are any commercial parking businesses anticipated in Sedro-Woolley in the foreseeable future.

Transportation Benefit District

RCW 35.21.225 authorizes cities to create transportation districts with independent taxing authority for the purposes of acquiring, constructing, improving, providing, and funding any city street, county road, or state highway improvement within the district. Special district's tax base is used to finance capital facilities. The district may generate revenue through property tax excess levies, general obligation bonds (including councilmanic bonds), local improvement districts, and development fees (see related discussions for background on each of these). Voter approval is required for bonds and excess property tax levies. Council approval is required for councilmanic bonds, special assessments, and development fees.

Transportation improvements funded with district revenues must be consistent with state, regional and local transportation plans; necessitated by existing or reasonable foreseeable congestion levels attributable to economic growth; and partially funded by local government or private developer contributions, or a combination of such contributions. To date, no jurisdiction in the state has formed a transportation benefit district. A transportation benefit district would address specific transportation projects reducing congestion caused by economic development. The City initiated a Transportation Benefit District in 2014.

Road Impact Fees

RCW 82.02.050-090 authorizes cities and counties to exact road impact fees from new development for its "fair share" of the system improvement costs of roads necessary to serve the development. Impact fees must be used for capital facilities necessitated by growth and not to correct existing deficiencies in current level of service. Impact fees cannot be used for operating expenses. Under the GMA, the city of Sedro-Woolley adopted road impact fees per residential unit with a credited commercial rate.

Local Option Vehicle License Fee

RCW 82.80 authorizes a county-wide local option fee of up to fifteen dollars (\$15.00) maximum annually per vehicle registered in the county, subject to the January 1, 2000 "sunset." Revenues are distributed back to the county and cities within the county levying the tax on a weighed per capita basis (1.5 for the population in unincorporated areas and 1.0 for population in incorporated areas). Revenues must be spent for "general transportation purposes." This fee is currently being used in Skagit County. Sedro-Woolley's receives an allocation of this fee.

Street Utility Charge

RCW 35.95.040 authorizes cities to charge for city street utilities to maintain, operate, and preserve city streets. Facilities which may be included in a street utility include street lighting, traffic control devices, sidewalks, curbs, gutters, parking facilities, and drainage facilities. Businesses and households may be charged a fee of up to fifty (50) percent of the actual cost of construction, maintenance, and operations, while cities provide the remaining fifty (50) percent. The fee charged to businesses is based on the number of employees and may not exceed two dollars (\$2.00) per full-time employee per month. Owners or occupants of residential properties are charged a fee per household which may not exceed two dollars (\$2.00) per month. The city does not currently have a street utility.

National Highway Systems Grants

The Washington State Department of Transportation (WSDOT) awards grants for construction and improvement of the National Highway System (NHS). In order to be eligible, projects must be a component of the NHS and be on the regional Transportation Improvement Program (TIP). It is to include all interstate routes, a large percentage of urban and rural principal arterials, defense strategic highway networks, and strategic highway connectors. Funds are available on a 86.5 percent federal, 13.5 percent local match based on the highest ranking projects from the regional TIP list. Sedro-Woolley does currently have eligible projects. It is

not possible to forecast how much, if any, revenue the city would receive from this source.

Surface Transportation Program (STP) Grants

Puget Sound Regional Council provides grants for road construction, transit, capital projects, bridge projects, transportation planning, and research and development. Projects must be on the regional TIP list and must be for roads with higher functional classifications than local or rural minor collectors. Funds are available on a 86.5 percent federal/13.5 percent local match based on highest ranking projects from the regional TIP list. Awarded values are based on eligible projects in the city's six-year Transportation Improvement Program. Actual revenue will be less if the city does not receive grants for all projects for which funding is sought.

Federal Aid Bridge Replacement Program Grants

WSDOT provides grants on a state-wide priority basis for the replacement of structural deficient or functionally obsolete bridges. Funding is awarded on eighty (80) percent federal/twenty (20) percent local match.

Federal Aid Emergency Relief Grants

WSDOT provides funding for restoration of roads and bridges on the federal aid system which are damaged by natural disasters or catastrophic failures. Funds are available on an eighty-three (83) percent federal/seventeen (17) percent local matching basis. Sedro-Woolley does not qualify for natural disaster relief at this time. Because emergencies cannot be predicted, it is not possible to forecast revenues from this source.

Urban Arterial Trust Account Grants (UATA)

The Washington State Transportation Improvement Board (TIB) provides funding for projects to alleviate and prevent traffic congestion. In order to be eligible, roads should be structurally deficient, congested by traffic, and have geometric deficiencies, or a high incidence of accidents. Funds are

awarded on an eighty (80) percent federal/twenty (20) percent local matching basis.

Transportation Improvement Account Grants (TIA)

The State TIB provides funding for projects to alleviate and prevent traffic congestion caused by economic development or growth. Eligible projects should be multi-agency, multi-modal, congestion and economic development-related, and partially funded locally. Funds are available on an eighty (80) percent federal/twenty (20) percent local matching basis.

Sanitary Sewer

Sewer District

No sewer districts presently serve the planning area.

User Fees

The state authorizes cities, counties, and special purpose utility districts to collect fees from wastewater generators. Fees may be based on the amount of potable water consumed, or may be flat fees. Revenues may be used for capital facilities or operating and maintenance costs. Three million two hundred-twenty-five thousand dollars (\$3,225,000.00) was budgeted in Sedro-Woolley in 2015 from this source, all of which is for operating and maintenance costs.

System Development Charges/Connection Fees

The state authorizes a fee to connect to a sanitary sewer system based on capital costs of serving the new connection. For 2015, sixty-six thousand eight hundred fifty dollars (\$66,850.00) was budgeted from this revenue source in Sedro-Woolley, all of which is to be expended on improvements in the city's wastewater treatment system.

Centennial Clean Water Fund

The Department of Ecology (DOE) issues grants and loans for the design, acquisition, construction, and improvement of water pollution control facili-

ties and related activities to meet state and federal requirements to protect water quality. State grants and loans are available based on a twenty-five (25) percent to fifty (50) percent local matching share range. Future funding cannot be reliably forecast.

State Revolving Fund Loans

DOE administers low-interest guarantees for water pollution control projects. Applicants must demonstrate water quality need, have a facility plan for water quality treatment, show ability to repay a loan through a dedicated source of funding, and conform to other state and federal requirements. Fund must be used for construction of water pollution control facilities (wastewater treatment plants, stormwater treatment facilities, etc). Revenues from this source are not forecast.

Solid Waste

Department of Ecology Grants

The state awards grants to local government for a variety of programs related to solid waste, including a remedial action grant to assist with local hazardous waste sites, moderate risk/hazardous waste implementation grants, and waste composting grants. It is not possible to forecast revenue from this source.

Flood Control

Flood Control Special Purpose Districts

RCW 86.15.160 authorizes flood control special purpose districts with independent taxing authority (up to a fifty cents (\$0.50) cents property tax levy limit without voter approval) to finance flood control capital facilities. In addition, the district can, with voter approval, use an excess levy to pay for general obligation debt. Sedro-Woolley does not have a flood control special purpose district.

CAPITAL FACILITIES PROJECTS AND FUNDING SOURCES

Category/ Projects	Sanitary Sewer Capital Projects	School District Capital Projects	Fire Department Capital Projects	Police Department Capital Projects	Storm Water Capital Projects	Solid Waste Capital Projects	Parks Department Capital Projects
Property tax revenue	X		X	X	X	X	X
Sales tax	X		X	X	X	X	X
Motor vehicle excise tax			X	X			
Real estate excise tax revenue	X				X		X
User fees	X				X	X	X
Utility taxes and fees	X				X		
School/city bonds & levies	X	X	X	X	X	X	X
State and federal loans and grants	X			X	X	X	X
State matching funds (school)		X					
LID & ULID assessments	X				X		
Connection fees	X						
Impact fee revenue		X	X	X			X
Interest income	X		X	X	X	X	X
Transfers from city sources	X		X	X	X	X	X
Donations			X				X

Stormwater Management

Storm Drain Utility Fee

The state authorizes cities and counties to charge a fee to support storm drain capital improvements. This fee is usually a flat rate per residential equivalency. Residential equivalencies are based on average amounts of impervious surface. Commercial property is commonly assessed a rate based on a fixed number of residential equivalencies. Sedro-Woolley has a stormwater utility. Residential is billed per unit. Non-residential is billed per 10,000 square feet of land. For 2015, \$365,000 was budgeted from this source for improvements to the city's stormwater infrastructure.

Storm Drainage Payment in Lieu of Assessment

In accordance with state law, the city could authorize storm drainage charges in lieu of assessments. The city does not currently collect a storm drainage facility charge per acre upon issuance of a building permit. Revenues from this charge could be deposited in a special storm drainage reserve fund. Revenues from this fund could be used for capital improvements.

PROJECTS AND FUNDING SOURCES

The preceding table identifies the source of funds that will pay for the capital facilities (sanitary sewer, schools, fire, police, storm water, and solid waste) improvement projects. A table outlining road projects and funding sources is located in the transportation element of this plan.

CAPITAL FACILITIES GOALS AND POLICIES

Goal CF1: Develop City facilities and services in a manner that directs and controls land use patterns and intensities consistent with the Land Use Element.

Policy CF1.1: The city of Sedro-Woolley shall allow only “concurrent development” to occur within the urban growth area. Proposed developments shall complete a concurrency review provided by the city planning department.

Policy CF1.2: “Concurrent Development” shall be defined as development the city of Sedro-Woolley is capable of providing within six years of the date of development approval. If capital facilities necessary to meet the concurrency requirement are not provided in the six-year capital facilities plan, the developer shall provide the facilities at his/her own expense to meet the concurrency requirement.

Policy CF1.3: Ensure that future development bears a fair share of capital improvement costs necessitated by the development. The city shall reserve the right to collect mitigation impact fees from new development in order to achieve and maintain adopted level of service standards. The city will be responsible for its fair share of capital improvement costs for existing deficiencies.

Policy CF1.4: Ensure that city planning and development regulations identify and allow for the siting of “essential public facilities,” as described in the Growth Management Act. Work cooperatively with Skagit County and neighboring jurisdictions in the siting of public facilities of regional importance.

Goal CF2: To finance the city’s needed capital facilities in as economic, efficient, and equitable a manner as possible.

Policy CF2.1: Update the six-year capital facilities plan annually prior to the city budget process. All city departments shall review changes to the CFP and participate in the annual review.

Policy CF2.2: The burden for financing capital improvements should be borne by the primary beneficiaries of new facilities.

Policy CF2.3: General city revenues should only be used for projects that provide a general benefit to the entire community.

Policy CF2.4: Work with citizens at a neighborhood level to establish local improvement districts (LIDs), wherein residents assess themselves to improve neighborhood facilities.

Policy CF2.5: Long-term borrowing for capital facilities is an appropriate method to finance large facilities which benefit multiple generations.

Policy CF2.6: Pursue funding from state and federal agencies as described in the six-year capital facilities plan.

Policy CF2.7: Fulfillment of development concurrency requirements shall not be based upon potential city income from state and federal agencies. Concurrency can only be met by existing financial capacity and awarded government funding.

Policy CF2.8: Wherever possible, self-supporting bonds will be used instead of tax-supported general obligation bonds.

Goal CF3: To assure that capital improvements necessary to carry out the comprehensive plan are provided when they are needed.

Policy CF3.1: Provide capital improvements to correct existing deficiencies, to replace worn out or obsolete facilities and to accommodate desired future growth, according to the Six-Year Financing Plan contained in this element.

Policy CF3.2: Coordinate land use and public works planning activities with an ongoing program of long-range financial planning, to conserve fiscal resources available to implement the capital facilities plan.

Sewer/Sanitary Policies

Policy CF3.3 Maintain a safe, efficient and cost-effective sewage collection and treatment system.

Policy CF3.4 Require all new subdivisions to connect to City sewer

Policy CF3.5 Existing septic systems shall be replaced with city sewer when it is available. The city shall seek sources of financial aid to assist low-income residents with this cost.

Policy CF3.6 Monitor groundwater quality in areas of septic service on a timely basis.

Policy CF3.7 Update the sewer plan every six years on a rotating schedule with other capital facilities plans.

Policy CF3.8 Eliminate any point or non-point pollution sources associated with sewage transport and disposal.

Policy CF3.9 Monitor infiltration and inflow through routine television inspection. Conduct improvements to limit and reduce current infiltration and inflow.

Policy CF3.10 The following level of service guidelines should be used to determine the impacts of new development upon existing public facilities: [See description of level of service in the text. A facility with a rating equal to or worse than those listed is considered deficient and planning for improvements should commence.]

- Pipelines-Condition Level of Service 2, Capacity Level of Service D
- Pump Stations-Condition Level of Service 2, Capacity Level of Service D
- Wastewater Treatment Facility-Condition Level of Service 3, Capacity Level of Service D.
- Septic Tanks-Condition Level of Service 3

Solid Waste Policies

Policy CF3.10: Maintain a cost-effective and responsive solid waste collection system.

Policy CF3.11: Manage solid waste collection methods to minimize litter and neighborhood disruption and quality of the urban development.

Policy CF3.12: Promote the recycling of solid waste materials through waste reduction and source separation. Develop educational materials on recycling and other waste reduction methods.

Storm and Surface Water Policies

Policy CF3.13: Maintain a safe and cost-effective storm and surface water collection system.

Policy CF3.14: Establish controls to protect surface and groundwater quality. Educate the public on water quality issues.

Policy CF3.15: Design surface water systems to handle peak runoff flows and provide stormwater storage during high flow periods.

Policy CF3.16: Protect physical and biological integrity of wetlands, streams wildlife habitats and other identified sensitive and critical areas.

Policy CF3.17: Maintain water quality within the Skagit River and its tributaries in accordance with the National Pollutant Discharge Elimination System (NPDES) and State regulations.

Policy CF3.18: Carefully control development in areas with steep slopes where surface water runoff can create unstable conditions. Maintain natural vegetation for slope stabilization.

Policy CF3.19: Preserve natural stream environments along the Skagit River and Brickyard Creek. Comply with the Shoreline Management Act (SMA) regulations.

Policy CF3.20: ~~Encourage—Make~~ low-impact-development (LID) principals and LID BMPs the preferred and commonly used approach to site development to minimize impervious surfaces, native vegetation loss, and stormwater runoff, where feasible. to reduce stormwater infrastructure and improve water quality.

Policy CF3.21: Ensure that the quality of water leaving the city is essentially the same quality as water entering the city. Assert influence to ensure neighboring jurisdictions exercise responsibility in promoting good water quality.

Policy CF3.22: Under no circumstances should hazardous wastes be allowed to contaminate the groundwater, surface water or sewer systems of the city of Sedro-Woolley. Dispose of hazardous wastes only in landfills designated for that purpose.

Policy CF3.23: Coordinate basin-wide surface water planning with the Skagit County Surface Water Management Department.

Policy CF3.24: Implement stormwater management actions identified in the SMAP to improve and/or reduce degradation of water quality in receiving waters.

Policy C3.25: Through Source Control program inspections, prevent and reduce pollutants in runoff from existing land uses and activities that discharge to the MS4.

Library Policies

Policy CF3.~~2426~~: Maintain a safe, efficient and cost-effective library system.

Policy CF3.~~2527~~: Expand and improve services and programs to the library patrons.

Policy CF3.~~2628~~: Continue efforts to offer materials sharing services with other local and compatible library systems.

Policy CF3.~~2729~~: Provide meeting space and other facilities necessary for a state-of-the-art library system.

Policy CF3.~~2830~~: Continue working toward the funding, design and construction of a new library facility that will better meet the needs of a growing population.

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Exhibit C - Chapter 13.36 updates

13.36.010 Purpose.

It is the purpose of this chapter to:

- A. Minimize water quality degradation and sedimentation in streams, ponds, lakes, wetlands and other water bodies;
- B. Minimize the impact of increased runoff, erosion and sedimentation caused by land development and maintenance practices;
- C. Maintain and protect groundwater resources;
- D. Minimize adverse impacts of alterations on ground and surface water quantities, locations and flow patterns;
- E. Decrease potential landslide, flood and erosion damage to public and private property;
- F. Promote site planning and construction practices that are consistent with natural topographical, vegetational and hydrological conditions;
- G. Maintain and protect the city stormwater management infrastructure and those downstream;
- H. Provide a means of regulating clearing and grading of private and public land while minimizing water quality impacts in order to protect public health and safety; and
- I. Provide minimum development regulations and construction procedures which will preserve, replace or enhance, to the maximum extent practicable, existing vegetation to preserve and enhance the natural qualities of lands, wetlands and water bodies. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.020 Definitions.

For the purposes of this chapter, the following definitions shall apply. The definitions in:

- A. Wetlands Guidance Appendices, Definitions of the SWMMWW;
- B. The glossary and notations in the ~~current 2014~~ Department of Ecology SWMMWW; and
- C. Section 2, Definitions Related to Minimum Requirements, Appendix I of the NPDES Phase II Municipal Stormwater Permit;

are incorporated by reference, unless the context clearly indicates that another definition is applicable.

“Department” means Washington State Department of Ecology.

“Director” means the public works director or his designee.

“Person” means any individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, agency of the state, or local government unit, however designated.

“Stormwater maintenance permit” is a permit or approval issued by the director pursuant to Chapter [13.40](#) for maintenance of facility constructed for a regulated activity.

“Stormwater management manual” or “manual” means Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the ~~2012-current~~ Department of Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~ (“~~2014~~ SWMMWW”) except as modified in Section [13.36.060](#)(A)(4).

“Stormwater management permit” is a permit or approval issued by the director pursuant to this chapter for a regulated activity.

“~~2014~~ SWMMWW” means the ~~2012-current~~ Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~. (Ord. [1855-16](#) § 2, 2016: Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.030 Abrogation and interpretation of provisions.

A. Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate or impair any existing ordinances, regulations, issued permit requirements, easements, covenants or deed restrictions, except as expressly stated. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

B. Interpretation. The provisions of this chapter shall be liberally construed to serve the purposes of this chapter. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.040 Applicability.

A. When any provision of any other ordinance of the city conflicts with this chapter, that which provides the higher standard of environmental protection shall apply unless specifically provided otherwise in this chapter.

B. Prior to the applicant fulfilling the requirements of this chapter and obtaining a stormwater management permit or approval, the city shall not grant any approval or permission to conduct a regulated activity, including but not limited to the following: building permit, commercial or residential; binding site plan; conditional use permit; franchise right-of-way construction permit; fill, grading and clearing permit; master plan development; planned unit development; right-of-way permit; shoreline substantial development permit; shoreline variance; shoreline conditional use permit; shoreline environmental redesignation; unclassified use permit; variance; zone reclassification; subdivision; short subdivision; special use permit; sewer discharge, utility and other use permit; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter.

C. Regulated activities as defined in Section [13.36.060](#) shall be conducted and a stormwater management permit or approval shall be issued only after the city approves a stormwater site plan (SSP) which meets the requirements of the manual.

D. In most situations, nonpermanent development activities shall be governed by the stormwater management permit. At the completion of the activities governed by the stormwater management

permit, the continuing maintenance and operation of any facilities that continue in operation will be governed by the stormwater maintenance permit issued pursuant to Chapter [13.40](#). Both permits will be issued by the director, and shall be administered together to meet the minimum requirements and BMPs of the manual. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.050 Stormwater management manual and Appendix I of permit adopted—Administrative provisions authorized.

A. The thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the minimum and mandatory incorporated provisions of the [2014-current](#) Department of Ecology Stormwater Management Manual for Western Washington are hereby adopted by reference, and are hereinafter collectively referred to as the “manual,” except as modified in Section [13.36.060](#)(A)(4).

B. The director may, in his discretion, modify, adopt and publish standards, designs and administrative regulations for permitting, to supplement the manual; provided, that the standards, designs and administrative regulations are consistent with the manual. The standards, designs and administrative regulations may include nonstructural preventative actions and source reduction approaches such as low impact development (LID) techniques consistent with the manual. Prior to adoption, the director shall solicit written and verbal comment at an advertised public hearing.

C. Any standards, designs, and administrative regulations adopted by the director shall be published in printed form maintained for inspection and copying at office of city engineer. Any such standards, designs, and administrative regulations shall have the same effect as a provision of this chapter, and its administration and application to a particular permit is subject to appeal and variance in the same manner as the provisions of this chapter. (Ord. [1855-16](#) § 3, 2016: Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.060 Regulated activities and exempt activities.

A. Regulated Activities.

1. All development and redevelopment shall be regulated activity subject to this chapter, and shall be subject to the applicable minimum requirements of the manual, unless exempted in subsection B of this section.

2. Not all of the minimum requirements apply to every development or redevelopment project. The applicability of the minimum requirements to a project or activity shall be determined by the thresholds in the manual.

3. If new development and redevelopment at sites below the regulatory threshold of this chapter were subject to regulation at the time of permitting, they shall continue to be subject to stormwater regulations, even if the site activities resulted in land disturbances of less than the one-acre threshold. The local stormwater requirements in effect at the time of permit issuance shall apply, unless the minimum requirements for new development and redevelopment contained in this chapter are applicable.

4. The requirements of this chapter apply to all development and redevelopment within the city of Sedro-Woolley, including sites which do not meet the one-acre-or-larger threshold of the manual.

B. Exemptions. The following activities are exempt pursuant to the manual from the requirements of this chapter:

1. Forest Practices. Forest practices regulated under WAC Title [222](#), except for Class IV general forest practices that are conversions from timberland to other uses, are exempt from the provisions of the minimum requirements.
2. Commercial Agriculture. Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timberland to agriculture, and the construction of impervious surfaces, are not exempt.
3. Oil and Gas Field Activities or Operations. Construction of drilling sites, waste management pits, and access roads, as well as construction of transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations are exempt. Operators are encouraged to implement and maintain best management practices to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events.
4. Road Maintenance.
 - a. The following road maintenance practices are exempt: pothole and square-cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and vegetation maintenance.
 - b. The following road maintenance practices are considered redevelopment, and therefore are not categorically exempt:
 - i. Removing and replacing a paved surface to base course or lower, or repairing the roadway base;
 - ii. Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders;
 - iii. Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment ("chip seal") to asphalt or concrete.
5. Underground Utility Projects. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to minimum requirement for construction stormwater pollution prevention.

C. All other development or redevelopment is subject to one or more of the minimum requirements of the manual. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.070 Adjustments and variances.

A. Adjustments. Adjustments to the minimum requirements may be granted by the director; provided, that a written finding of fact is prepared that addresses the following:

1. The adjustment provides substantially equivalent environmental protection.
2. Based on sound engineering practices, the objectives of safety, function, environmental protection and facility maintenance, are met.

Adjustments under this subsection do not require a public notice or hearing, and the decision of the director under this subsection is not subject to appeal.

B. Exceptions/Variations. Exceptions/variances (exceptions) to the minimum requirements may be granted by the director following legal public notice of an application for an exception or variance, legal public notice of the director's decision on the application, and written findings of fact that documents the director's determination to grant an exception. The director shall keep records, including the written findings of fact, of all local exceptions to the minimum requirements.

Project-specific design exceptions based on site-specific conditions do not require prior approval of the Department. The director must seek prior approval by the Department for any jurisdiction-wide exception.

The director may grant an exception to the minimum requirements if such application imposes a severe and unexpected economic hardship. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the director must consider and document with written findings of fact the following:

1. The current (pre-project) use of the site; and
2. How the application of the minimum requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the minimum requirements; and
3. The possible remaining uses of the site if the exception were not granted; and
4. The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
5. A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and
6. The feasibility for the owner to alter the project to apply the minimum requirements.

C. In addition any exception/variances must meet the following criteria:

1. The exception will not increase risk to the public health and welfare, nor be injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and
2. The exception is the least possible exception that could be granted to comply with the intent of the minimum requirements.

D. An exception/variance shall be subject to the same notice requirements and appeal process from the decision of the director as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.080 Stormwater minimum requirements and best management practices (BMPs).

A. The minimum requirements of the manual are adopted and incorporated herein by reference.

B. The site planning process of the manual and BMP selection and design criteria of the manual shall be used to implement the minimum requirements of the manual.

C. All development and redevelopment shall apply all known, available and reasonable methods of prevention, control and treatment (AKART), utilizing the BMPs and design criteria of the manual, including LID design criteria, to comply with the minimum requirements of the manual, prior to discharge into the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology.

D. No person may conduct activity regulated by this chapter which discharges directly to, or indirectly through, the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology, unless they meet the requirements of this chapter and obtain a stormwater management permit or stormwater maintenance permit, or both.

E. All stormwater site plans for regulated activity (development and redevelopment) are subject to review and approval by the director, and shall require a stormwater management permit or stormwater maintenance permit or approvals issued by the director pursuant to this chapter. A stormwater maintenance permit may be required by the director as a condition of the stormwater management permit.

F. The director shall adopt BMPs for low impact development (LID) techniques pursuant to Section [13.36.060](#)(B) as administrative regulations for the implementation of this chapter. The director may adopt specific BMPs and low impact development standards from the ~~2014~~ SWMMWW or other approved source. In addition, an applicant may seek an adjustment or variance incorporating BMPs for LID techniques into permit approval. (Ord. [1855-16](#) § 4, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.090 Prohibitions.

A. Illicit discharge to stormwater drainage systems is prohibited. Illicit discharges are defined as those discharges prohibited by the manual, the Western Washington Phase II Municipal Stormwater Permit, the city of Sedro-Woolley stormwater management plan, and state law.

B. The following categories of nonstormwater discharges are prohibited unless the stated conditions are met:

1. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

2. Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit) and water conservation efforts.
3. Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
4. Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. At active construction sites, street sweeping must be performed prior to washing the street.
5. Other nonstormwater discharges. The discharges shall be in compliance with the requirements of a stormwater pollution prevention plan reviewed by the director, which addresses control of such discharges.

C. Development and redevelopment which fails to comply with the requirements of this chapter is prohibited. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.100 Administration.

- A. Director. The director or a designee shall administer this chapter and shall be referred to as the director. The director shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.
- B. Review and Approval. Any activity subject to regulation by this chapter shall not be approved until the director issues a written finding that the regulated activity complies with this chapter, or is exempt. The finding, approvals and conditions shall be incorporated into a stormwater management permit. The omission of a minimum requirement or BMP on the permit or approved plan shall not relieve the applicant of complying with the minimum requirement or BMP if it is made applicable by the manual.
 1. If the regulated activity is subject to a permit or approval from any department of the city of Sedro-Woolley, including but not limited to the permits and approvals listed in Section [13.36.040](#), a permit or approval shall not be issued until a finding of compliance and a stormwater management permit is issued by the director.
 2. If the regulated activity is not subject to any other permit or approval from any department of the city of Sedro-Woolley, but is subject to the provisions of this chapter, then the owner of the affected property and the person conducting the activity shall apply directly to the director for a permit, which shall not be issued until a finding of compliance and a stormwater management permit is issued by the director.
- C. Any owner or applicant seeking approval or a permit for activity regulated by this chapter shall, in addition to any other permit necessary for the activity, apply for a stormwater management permit in the form provided by the director, and shall provide the information required to demonstrate compliance with minimum requirements and BMPs specified in the manual. The form of the application shall meet the requirements established by the director.

D. The director may approve, conditionally approve or deny an application for activities regulated by this chapter. Such approval or denial shall be based on the thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory or minimum provisions of the 2014 SWMMWW, and on any administrative provisions adopted by the director pursuant to Section [13.36.060](#).

E. If an adjustment, exception or variance is allowed, it shall be incorporated into the conditions and terms of the permit issued by the director.

F. Inspection. All activities regulated by this chapter shall be inspected by the director. The director shall inspect projects at various stages of the work requiring approval to determine that the regulated activity is complying with the terms of the permit and approval. Stages of work requiring inspection include, but are not limited to, preconstruction; installation of BMPs; land-disturbing activities; installation of utilities, landscaping, retaining walls and completion of project. When required by the director, a special inspection and/or testing shall be performed.

G. All project applications must address long-term maintenance responsibility and access for maintenance inspections, and all must continue to meet the minimum requirements of the manual as a condition of the stormwater management permit. When required by the director, a "stormwater maintenance permit" shall also be required as a condition of the stormwater management permit, pursuant to Chapter [13.40](#).

H. The stormwater management permit shall identify the party responsible for compliance, and may require the posting of a bond or surety to guarantee financial responsibility for compliance as a condition of the permit. The amount of the bond or other surety shall not exceed one hundred twenty-five percent of the cost of compliance with the conditions and requirement of the stormwater management permit, as determined by the director.

I. Any applicant may appeal the decision of the director to issue, condition or deny a permit in the same manner as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1855-16](#) § 5, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.110 Civil enforcement.

A. The director shall enforce this chapter. Violations of this chapter shall be subject to civil penalties and process as set forth in Title [18](#). It shall be a violation of this chapter to (1) engage in any regulated activity without a permit issued pursuant to this chapter, (2) to violate the terms and conditions of a permit issued pursuant to this chapter, or (3) to permit, allow, or commit an illicit discharge prohibited by this chapter.

B. The director is authorized to seek injunctions, restraining orders, and other civil relief in court as is necessary to enforce this chapter. (Ord. [1855-16](#) § 6, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.120 Criminal violation.

In addition to any civil penalty or civil enforcement action, a willful violation of this chapter by any person shall constitute a gross misdemeanor punishable by a five-thousand-dollar fine, imprisonment in jail not to exceed one year, or both. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

13.36.130 Fees.

The applicant shall pay all fees and costs as established by ordinance or resolution prior to issuance of the stormwater management permit or other review and inspections pursuant to this chapter. If no separate fee is established, the applicant shall pay a fee based on the hourly rate for city engineering services established by separate ordinance or resolution for plan review and inspections. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

Exhibit D - Chapter 13.40 updates

13.40.010 Purpose.

The provisions of this chapter are intended to:

- A. Provide for inspection and maintenance of stormwater facilities in the city to provide for an effective, functional stormwater drainage system;
- B. Authorize the city to require that stormwater facilities be operated, maintained and repaired in conformance with this chapter;
- C. Establish the minimum level of compliance which must be met;
- D. Guide and advise all who conduct inspection and maintenance of stormwater facilities; (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

E. Provide for inspections of existing sites by the City, or its authorized designee, to insure adequate source control BMPs are in place and maintained to prevent illicit discharges or violations of surface water, groundwater, or sediment management standards.

13.40.020 Definitions.

For the purposes of this chapter, the following definitions shall apply. The definitions in:

- A. Wetlands Guidance Appendices, Definitions of the SWMMWW;
- B. The glossary and notations in the ~~2014-current~~ Department of Ecology SWMMWW; and
- C. Section 2, Definitions Related to Minimum Requirements, Appendix I of the NPDES Phase II Municipal Stormwater Permit are incorporated by reference, unless the context clearly indicates that another definition is applicable.

~~“2014-SWMMWW” means the 2012-current Ecology Stormwater Management Manual for Western Washington, as amended in 2014.~~

“Department” means Washington State Department of Ecology.

“Director” means the public works director or his designee.

“Person” means any individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, agency of the state, or local government unit, however designated.

“Source Control BMP” is a structure or operation intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. Structural Source Control BMPs are physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. Operational Source Control BMPs are non-structural practices that prevent or reduce pollutants from entering stormwater.

“Stormwater maintenance permit” is a permit or approval issued by the director pursuant to Chapter [13.40](#) for maintenance of facility constructed for a regulated activity.

“Stormwater management manual” or “manual” means Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the ~~2012-current~~ Department of Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~ (“2014 SWMMWW”) except as modified in Section [13.36.060](#)(A)(4).

“Stormwater management permit” is a permit or approval issued by the director pursuant to this chapter for a regulated activity. (Ord. [1855-16](#) § 7, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.030 Abrogation and interpretation of provisions.

A. Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate or impair any existing ordinances, regulations, issued permit requirements, easements, covenants or deed restrictions, except as expressly stated. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

B. Interpretation. The provisions of this chapter shall be liberally construed to serve the purposes of this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.040 Applicability.

A. When any provision of any other ordinance of the city conflicts with this chapter, that which provides the higher standard of environmental protection shall apply unless specifically provided otherwise in this chapter.

B. This chapter applies to all activities which are subject to Chapter [13.36](#), and which have one or more conditions or requirements of a stormwater management permit which are permanent or shall require compliance after the completion of the permitted activity regulated by Chapter [13.36](#).

C. All activities regulated by this chapter shall require a stormwater maintenance permit issued pursuant to this chapter. The stormwater maintenance permit shall govern those conditions or requirements of a stormwater management permit which are permanent or shall require compliance after the completion of the permitted activity regulated by Chapter [13.36](#).

D. Prior to the applicant fulfilling the requirements of this chapter, the city shall not issue a stormwater maintenance permit.

E. In most situations, nonpermanent development activities shall be governed by the stormwater management permit. At the completion of the activities governed by the stormwater management permit, the continuing maintenance and operation of any facilities that continue in operation will be governed by the stormwater maintenance permit issued pursuant to Chapter [13.40](#). Both permits will be issued by the director, and shall be administered together to meet the minimum requirements and BMPs of the manual. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.050 Stormwater management manual and Appendix I of permit adopted—Administrative provisions authorized.

A. The thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the minimum and mandatory incorporated provisions of the 2014 Department of Ecology Stormwater Management Manual for Western Washington, are hereby adopted by reference, and are hereinafter collectively referred to as the “manual,” except as modified in Section [13.40.060\(A\)\(4\)](#).

B. The director may, in his discretion, modify, adopt and publish standards, designs and administrative regulations for permitting, to supplement the manual; provided, that the standards, designs and administrative regulations are consistent with the manual. The standards, designs and administrative regulations may include nonstructural preventative actions and source reduction approaches such as low impact development (LID) techniques consistent with the manual. Prior to adoption, the director shall solicit written and verbal comment at an advertised public hearing.

C. Any standards, designs, and administrative regulations adopted by the director shall be published in printed form maintained for inspection and copying at the office of the city engineer. Any such standards, designs, and administrative regulations shall have the same effect as a provision of this chapter, and its administration and application to a particular permit is subject to appeal and variance in the same manner as the provisions of this chapter. (Ord. [1855-16](#) § 8, 2016: Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.060 Regulated activities and exempt activities.

A. Regulated Activities.

1. All development and redevelopment shall be regulated activity subject to this chapter, and shall be subject to the applicable minimum requirements of the manual, unless exempted in subsection B of this section.

2. Not all of the minimum requirements apply to every development or redevelopment project. The applicability of the minimum requirements to a project or activity shall be determined by the thresholds in the manual.

3. If new development and redevelopment at sites below the regulatory threshold of this chapter were subject to regulation at the time of permitting, they shall continue to be subject to stormwater regulations, even if the site activities resulted in land disturbances of less than the one-acre threshold. The local stormwater requirements in effect at the time of permit issuance shall apply, unless the minimum requirements for new development and redevelopment contained in this chapter are applicable.

4. The requirements of this chapter apply to all development and redevelopment within the city of Sedro-Woolley, including sites which do not meet the one-acre-or-larger threshold of the manual.

[5. Existing publicly and privately owned institutional, commercial and industrial sites where land uses and activities have the potential to generate pollutants to the MS4.](#)

B. Exemptions. The following activities are exempt pursuant to the manual from the requirements of this chapter:

1. Forest Practices. Forest practices regulated under WAC Title [222](#), except for Class IV general forest practices that are conversions from timberland to other uses, are exempt from the provisions of the minimum requirements.
2. Commercial Agriculture. Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timberland to agriculture, and the construction of impervious surfaces, are not exempt.
3. Oil and Gas Field Activities or Operations. Construction of drilling sites, waste management pits, and access roads, as well as construction of transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations are exempt. Operators are encouraged to implement and maintain best management practices to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events.
4. Road Maintenance.
 - a. The following road maintenance practices are exempt: pothole and square-cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and vegetation maintenance.
 - b. The following road maintenance practices are considered redevelopment, and therefore are not categorically exempt:
 - i. Removing and replacing a paved surface to base course or lower, or repairing the roadway base;
 - ii. Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders;
 - iii. Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment (“chip seal”) to asphalt or concrete.
5. Underground Utility Projects. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to minimum requirement for construction stormwater pollution prevention.

C. All other development or redevelopment is subject to one or more of the minimum requirements of the manual. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.070 Maintenance requirements.

A. Maintenance Required. All stormwater facilities [and BMPs](#) shall be operated and maintained in accordance with this chapter, the manual, including the minimum standards and BMPs in the manual, the Western Washington Phase II Municipal Stormwater Permit, the Sedro-Woolley

stormwater management plan, [approved facilities maintenance manuals](#), and the stormwater maintenance permit.

B. Compliance. Property owners are responsible for the maintenance, operation or repair of stormwater systems and BMPs. Property owners shall maintain, operate and repair these facilities in compliance with the requirements of the manual, including the minimum standards and BMPs in the manual, the Western Washington Phase II Municipal Stormwater Permit, the Sedro-Woolley stormwater management plan, [approved facilities maintenance manuals](#), and the stormwater maintenance permit.

C. Financial Responsibility. The property owners are responsible for the maintenance, operation and repair of the stormwater system [and BMPs](#) subject to the stormwater maintenance permit. The director may require a bond or other surety, or a block fund in a federally insured financial institution, as security for the permanent maintenance, operation and repair of the stormwater facilities, as a condition of the stormwater maintenance permit, on such conditions as the director deems reasonable, considering the size and cost of the facility. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.075 Stormwater minimum requirements and best management practices (BMPs).

A. The minimum requirements of the manual are adopted and incorporated herein by reference.

B. The site planning process of the manual and BMP selection and design criteria of the manual shall be used to implement the minimum requirements of the manual.

C. All development and redevelopment shall apply all known, available and reasonable methods of prevention, control and treatment (AKART), utilizing the BMPs and design criteria of the manual, including LID design criteria, to comply with the minimum requirements of the manual, prior to discharge into the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology.

D. No person may conduct activity regulated by this chapter which discharges directly to, or indirectly through, the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology, unless they meet the requirements of this chapter and obtain a stormwater management permit or stormwater maintenance permit, or both.

E. All stormwater site plans for regulated activity (development and redevelopment) are subject to review and approval by the director, and shall require a stormwater management permit or stormwater maintenance permit issued by the director pursuant to this chapter. A stormwater maintenance permit may be required by the director as a condition of the stormwater management permit.

F. The director shall adopt BMPs for low impact development (LID) techniques pursuant to Section [13.36.060\(B\)](#) as administrative regulations for the implementation of this chapter. The director may adopt specific BMPs and low impact development standards from the ~~2014~~ SWMMWW or other approved source. In addition, an applicant may seek an adjustment or variance incorporating BMPs for LID techniques into permit approval. (Ord. [1855-16](#) § 9, 2016: Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

G. The owner or operator of an institutional, commercial or industrial establishment that has the potential to generate pollutants into the storm sewer system shall provide appropriate protections from accidental discharge of prohibited materials or other wastes through the use of applicable structural and non-structural source control BMPs in the SWMMWW. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, shall be required to implement additional structural and non-structural source control BMPs to prevent further discharge of pollutants to the storm sewer system.

13.40.080 Adjustments and variances.

A. Adjustments. Adjustments to the minimum requirements may be granted by the director; provided, that a written finding of fact is prepared that addresses the following:

1. The adjustment provides substantially equivalent environmental protection.
2. Based on sound engineering practices, the objectives of safety, function, environmental protection and facility maintenance, are met.

Adjustments under this subsection do not require a public notice or hearing, and the decision of the director under this subsection is not subject to appeal.

B. Exceptions/Variations. Exceptions/variances (exceptions) to the minimum requirements may be granted by the director following legal public notice of an application for an exception or variance, legal public notice of the director's decision on the application, and written findings of fact that document the director's determination to grant an exception. The director shall keep records, including the written findings of fact, of all local exceptions to the minimum requirements.

Project-specific design exceptions based on site-specific conditions do not require prior approval of the department. The director must seek prior approval by the department for any jurisdiction-wide exception.

The director may grant an exception to the minimum requirements if such application imposes a severe and unexpected economic hardship. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the director must consider and document with written findings of fact the following:

1. The current (pre-project) use of the site; and
2. How the application of the minimum requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the minimum requirements; and
3. The possible remaining uses of the site if the exception were not granted; and
4. The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
5. A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and

6. The feasibility for the owner to alter the project to apply the minimum requirements.

C. In addition any exception/variances must meet the following criteria:

1. The exception will not increase risk to the public health and welfare, nor injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and

2. The exception is the least possible exception that could be granted to comply with the intent of the minimum requirements.

D. An exception/variance shall be subject to the same notice requirements and appeal process from the decision of the director as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.090 Prohibitions.

A. Illicit discharge to stormwater drainage systems is prohibited. Illicit discharges are defined as those discharges prohibited by the manual, the Western Washington Phase II Municipal Stormwater Permit, the city of Sedro-Woolley stormwater management plan, and state law.

B. The following categories of nonstormwater discharges are prohibited unless the stated conditions are met:

1. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

2. Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit) and water conservation efforts.

3. Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

4. Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. At active construction sites, street sweeping must be performed prior to washing the street.

5. Other nonstormwater discharges. The discharges shall be in compliance with the requirements of a stormwater pollution prevention plan, reviewed by the director, which addresses control of such discharges.

C. Development and redevelopment which fail to comply with the requirements of this chapter is prohibited. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.100 Authority.

A. Director. The director or a designee/inspector shall administer and enforce this chapter and shall be referred to as the director.

B. Inspection Authority. The director is directed and authorized to develop an inspection program for stormwater facilities and existing sites with the potential to generate pollutants in the city, including all facilities operating under a stormwater maintenance permit.

C. Plan, Manual, and Inspection Schedule. All activities and facilities which are subject to this chapter shall, as a condition of the stormwater maintenance permit, submit a permanent maintenance plan, maintenance and operations manual, and an inspection schedule, which shall be subject to the approval of the director. Compliance with the plan, maintenance manual and inspection schedule shall be a condition of the stormwater maintenance permit.

D. Previously Constructed Facilities. This chapter shall apply to stormwater facilities which were legally constructed without a stormwater maintenance permit issued pursuant to this chapter, to the extent permitted and required by the manual. The facilities shall be subject to inspection for compliance with the original conditions of approval and the applicable standards of this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.110 Inspection program.

A. Inspection. The inspector is authorized to inspect during regular working hours and at other reasonable times all stormwater drainage systems and existing sites with the potential to generate pollutants within the city to determine compliance with the provisions of this chapter. The following schedule shall apply:

1. Facilities operating under a stormwater maintenance permit shall be inspected pursuant to the inspection schedule incorporated in the permit.
2. Facilities operating without a stormwater maintenance permit shall be inspected at least annually, unless the director determines that annual inspections are not necessary.
3. Facilities which the director has reason to believe are not being maintained or operated consistent with the stormwater maintenance permit or as previously permitted or designed, may be inspected by the director at any time, as set forth below.

B. Procedures. Prior to making any inspections, the inspector shall present identification credentials, state the reason for the inspection and request entry.

1. If the property of any building or structure on the property is unoccupied, the inspector shall first make a reasonable effort to locate the owner or any other person(s) having charge or control of the property or portions of the property and request entry.
2. If after reasonable effort, the inspector is unable to locate the owner or other person(s) having charge or control of the property, and has reason to believe the condition of the stormwater drainage system creates an imminent hazard to persons or property, the inspector may enter.

3. Unless entry is consented to by the owner or person(s) in control of the property or portion of the property or unless conditions are reasonably believed to exist which create imminent threat to public safety, the inspector shall obtain a search warrant, prior to entry, as authorized by the laws of the state of Washington.

4. The inspector may inspect the stormwater drainage system without obtaining a search warrant provided for in subsection (B)(3) of this section, provided the inspection can be conducted while remaining on public property or other property on which permission to enter is obtained.

C. **Inspection Schedule.** The director shall establish a master inspection and maintenance schedule to inspect appropriate stormwater facilities that are not owned by the city. Inspections shall be annual. Critical stormwater facilities may require a more frequent inspection schedule.

D. **Inspection and Maintenance Records.** As existing stormwater facilities are encountered, they shall be added to the master inspection and maintenance schedule. Records of new stormwater facilities shall include the following:

1. As-built plans and locations;
2. Findings of fact from any exemptions granted by the local government;
3. Operation and maintenance requirements and records of inspections, maintenance actions and frequencies;
4. Engineering reports, as appropriate.

E. **Reporting Requirements.** The director shall report annually to the city council about the status of the inspections. The annual report may include, but need not be limited to, the proportion of the components found in and out of compliance, the need to upgrade components, enforcement actions taken, compliance with the inspection schedule, the resources needed to comply with the schedule, and comparisons with previous years.

F. **Easement.** The director may require, as a condition of the stormwater maintenance permit, that the city of Sedro-Woolley be conveyed a permanent easement to access the permitted stormwater facilities for purposes of inspection and emergency maintenance and repairs. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.120 Administration.

A. **Director.** The director or a designee shall administer this chapter and shall be referred to as the director. The director shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

B. **Review and Approval.**

1. Any activity subject to regulation by this chapter shall not be approved until the director issues a written finding that the regulated activity complies with this chapter, or is exempt. The finding, approvals and conditions shall be incorporated into a stormwater maintenance permit. The omission of a minimum requirement or BMP on the permit or approved plan shall not

relieve the applicant of complying with the minimum requirement or BMP if it is made applicable by the manual.

2. Any owner or applicant seeking approval or a permit for activity regulated by this chapter shall, in addition to any other permit necessary for the activity, apply for a stormwater maintenance permit in the form provided by the director, and shall provide the information required to demonstrate compliance with minimum requirements and BMPs specified in the manual. The form of the application shall meet the requirements established by the director.

3. The director may approve, conditionally approve or deny an application for activities regulated by this chapter. Such approval or denial shall be based on the thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the 2014 Department of Ecology Stormwater Management Manual for Western Washington, and on any administrative provisions adopted by the director pursuant to Section [13.40.050](#).

4. If an adjustment, exception or variance is allowed, it shall be incorporated into the conditions and terms of the permit issued by the director.

5. Inspection. All activities regulated by this chapter shall be inspected by the director. The director shall inspect projects at various stages of the work requiring approval to determine that the regulated activity is complying with the terms of the permit and approval. Stages of work requiring inspection include, but are not limited to, preconstruction; installation of BMPs; land-disturbing activities; installation of utilities, landscaping, retaining walls and completion of project. When required by the director, a special inspection and/or testing shall be performed.

6. All project applications must address long-term maintenance responsibility and access for maintenance inspections, and all must continue to meet the minimum requirements of the manual as a condition of the stormwater maintenance permit.

7. The stormwater maintenance permit shall identify the party responsible for compliance, and may require the posting of a bond or surety to guarantee financial responsibility for compliance as a condition of the permit. The amount of the bond or other surety shall not exceed one hundred twenty-five percent of the cost of compliance with the conditions and requirements of the stormwater maintenance permit, as determined by the director.

8. Any applicant may appeal the decision of the director to issue, condition or deny a permit in the same manner as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1855-16](#) § 10, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.130 Civil enforcement.

A. The director shall enforce this chapter. Violations of this chapter shall be subject to civil penalties and process as set forth in Title [18](#). It shall be a violation of this chapter to (1) engage in any regulated activity without a permit issued pursuant to this chapter, (2) violate the terms and conditions of a permit issued pursuant to this chapter, or (3) permit, allow, or commit an illicit discharge prohibited by this chapter.

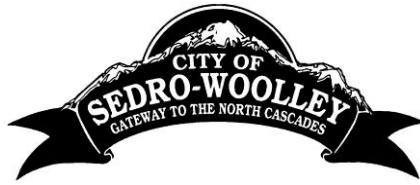
B. The director is authorized to seek injunctions, restraining orders, and other civil relief in court as is necessary to enforce this chapter. (Ord. [1855-16](#) § 11, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.140 Criminal violation.

In addition to any civil penalty or civil enforcement action, a willful violation of this chapter by any person shall constitute a gross misdemeanor punishable by a five-thousand-dollar fine, imprisonment in jail not to exceed one year, or both. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

13.40.150 Fees.

The applicant shall pay all fees and costs as established by ordinance or resolution prior to issuance of the stormwater maintenance permit or other review or inspections pursuant to this chapter. If no separate fee is established, the applicant shall pay a fee based on the hourly rate for city engineering services established by separate ordinance or resolution for plan review. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)



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MEMO:

To: Sedro-Woolley Planning Commission

From: John Coleman, AICP
Planning Director

Date: May 17, 2022

Subject: CPA-4-22 – Parks and Recreation Element and Municipal Code Amendments to Update the Parks Impact Fee Value – 2022 Docket

ISSUE

Should the City update the Parks and Recreation Element and Municipal Code to change the parks impact fee amount charged for new dwelling units?

BACKGROUND

The City Council requested that the impact fee for parks be evaluated and possibly updated. The parks impact fee calculation is in the Park Impact Fee Calculation document (housed in Appendix A of the Parks and Recreation Element of the Comprehensive Plan) and the actual fee is codified in Chapter 15.60 SWMC. To update the fee, the City Council will need to review the calculations and ultimately has the option to update the fee in Chapter 15.60 SWMC.

Because the fee is in the Comprehensive Plan, the fee needs to be reviewed as part of the Comprehensive Plan Docket – a process in which the Planning Commission is involved. The Planning Commission's role is to hold the public hearing(s) on the fee review process and the Planning Commission should be prepared to recommend whether the fee should be increased, decreased or stay the same, then offer some rationale for the changes. It is also appropriate for the Planning Commission to recommend a fee amount that the Planning Commission finds necessary, but ultimately it will be the City Council's role to determine the park impact fee value.

Park impact fees can only be used to pay for improvements reasonably related to new development, not existing deficiencies. Impact fees are assessed at the time that a permit is issued (when an applicant picks up and pays for a building permit). The existing park impact fee is \$1500 per residential unit (with reduced fees for Accessory Dwelling Units). For reference, if the city issues permits for 100 units, the city will collect \$150,000 that year to use towards park development. (100 units is a reasonable estimate and an easy number to work with for illustrative purposes. The number of units issued in a year varies greatly. For example, the city issued permits for 207 units in 2021, but in 2020 that number was much lower and 2022 that number is tracking to be much lower).

The entire Parks and Recreation Element (including Appendix A – Park Impact Fee Calculation) is included as Exhibit A to this memo. The impact fee is codified in sections 15.60.070 and 15.60.080. Because those two sections are short, they have been included below. The entirety of Chapter 15.60

SWMC – which discusses impact fees in general, as well as traffic and fire impact fees – is included as Exhibit B.

15.60.070 Park impact fee and establishment of service area.

A. Subject to the provisions of Section 15.60.080, the parks impact fee assessed pursuant to this chapter shall be set forth on Attachment B, for each equivalent single-family residential dwelling unit, whether a single-family structure, a unit in a multifamily structure, a mobile or manufactured home on an individual lot or in a mobile home park, a detached relative cottage, accessory dwelling unit or other dwelling unit, subject to the provisions in this chapter.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area.

Attachment B—Schedule of Park Impact Fees

Parks Impact Fee Calculations

Additional acres needed	Improvements needed	Existing units	Projected units (2005-2025)	Cost per unit
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
	Trails			
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	
120,500	Climbing wall			
127,500	Recreation			
89,700	Water features			
189,000				
958,400				
165,000				
73,900				
43,100				
114,300				
158,100				
200,000				
Total:				
\$2,632,600				

The city elects to fund less than the full amount through parks impact fees, but will actively seek grant funds to fund the shortfall. Additional costs to fund the shortfall from impact fees should be through grant funds, by private donations to city park funds, and through the general fund.

New units projected by 2025: one thousand three hundred forty-seven new units (estimated in 2005).

Parks impact fee per unit: Single-family residence: one thousand five hundred dollars.

Manufactured home: one thousand five hundred dollars.

Units in a duplex or multifamily unit: one thousand five hundred dollars.

Dependent relative cottage: one thousand five hundred dollars.

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet: four hundred fifty dollars.

Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU: nine hundred and fifteen dollars.

All units not specifically identified in the above: one thousand five hundred dollars.

15.60.080 Calculation of park impact fees.

A. The director shall calculate the parks impact fees as set forth in SWMC Section [15.60.070](#), subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public parks necessitated by new development;
2. An adjustment to the cost of the public parks for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
3. The availability of other means of funding public parks improvements;
4. The cost of existing public parks improvements; and
5. The methods by which public parks improvements were financed.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies.

This is the first review of the Parks and Recreation Element and municipal code updates related to the parks impact fee value. A public hearing for the issue will be scheduled for the next Planning Commission Meeting. The Planning Commission is not going to make any recommendations at this meeting.

EXHIBITS

Exhibit A – Parks and Recreation Element of the Comprehensive Plan

Exhibit B – Chapter 15.60 SWMC

RECOMMENDATIONS

Be prepared to discuss the possible updates at the May 17 meeting. The Planning Commission will hold a public hearing on the proposed amendments to the Parks and Recreation Element and Chapter 15.60 SWMC at the June 21, 2022 PC meeting.

PARKS AND RECREATION ELEMENT

- 6.04 Introduction**
- 6.08 Existing Parks Location and Inventory of Uses**
- 6.12 Projected Population/Land Use/Park Provision Within the City and its Urban Growth Area**
- 6.16 Goals and Policies**
- 6.20 Linkages to County Parks Planning and to Urban Growth Area Interlocal Agreements with Skagit County**
- 6.24 Action Program**
- Appendix A Park Impact Fee Calculations**

6.04

INTRODUCTION

Parks provide more than just a place for the residents of the city to gather, play and relax; parks can instill a sense of pride in the community. They are a part of the identity of the community and contribute to the quality of life of its residents. As the City of Sedro-Woolley grows, so do the demands on our parks and recreation programs. This element is intended to help the city plan for future parks and recreation needs by setting goals and policies, examining the current parks inventory and projecting future parks needs.

The Growth Management Act requires a Parks and Recreation Element that is consistent with the city's Capital Facilities Element (Chapter 7 of the Sedro-Woolley Comprehensive Plan). This element includes an estimate of the demand on the parks system and an evaluation of the facilities and services needed to meet the projected demand on parks services. Also addressed are the regional / intergovernmental parks and recreation services to meet the regional demand.

This element was last updated in 2012 and set goals and planned future parks and recreation needs through 2025. The previous update was based on population projections found in the *Skagit County Population & Employment Forecasting & Allocation 2025*. In 2016, Skagit County revised population estimates for the county and all the jurisdictions within the county through 2036. Per the County forecast, the population of Sedro-Woolley (and its unincorporated urban growth area) is expected to increase to 17,069 residents by 2036.

As part of this update, the Planning Commission reviewed the current level of parks services and set revised goals for parks services through the 2036 planning horizon. The Planning Commission reviewed the County population projec-

tions and the held several public hearings to gather input on what the city's goals for parks should be. The results of the Planning Commissions public hearings was used to set a level of service (LOS) for park lands and identify the amount of land necessary to accommodate the anticipated population growth. The Planning Commission determined that an additional 164 acres (see Appendix A) are necessary to meet the future demands on the park system. This acreage includes property needed for new parks, open spaces and trails. In addition, the estimated cost of developing that property to meet the 2036 level of service goals was determined.

Within the Parks and Recreation Element, "parks" include more than the developed play areas in traditional city-owned play areas. Parks in this context includes recreational facilities such as ball fields, athletic courts, play areas, community centers, city-owned open spaces – both those intended for future parks development, and those set aside as critical areas such as wetlands or fish and wildlife habitat areas. Though critical areas are not intended for active recreational uses, they provide limited opportunities for passive recreation as well as protected oases of natural landscape in an urban environment.

6.08

EXISTING PARKS LOCATION AND INVENTORY OF USES

There are four types of recreational lands that serve residents of Sedro-Woolley: city-owned parks; regional recreational facilities – both public and private; recreational facilities owned by the school district; and lands owned by homeowner associations. An inventory of the existing recreational lands, listed by category, is included below. Not all the properties are developed as parks or play areas, and some are not intended to be developed. Areas set aside for open space and critical areas contribute to the aesthetic appeal of the community are valuable lands for passive recreation and wildlife habitat.

CITY OWNED PARKS

The City of Sedro-Woolley owns and maintains approximately 112.6 acres of park properties. Within city parks system (parkland owned by the city) there are five classifications of park: neighborhood, community, regional, open space and trails.

- Neighborhood parks are smaller areas meant to accommodate the residents in the immediate vicinity. Amenities are limited and include playgrounds, picnic areas and other amenities expected in a small park.
- Community parks generally are larger and serve the needs of the greater Sedro-Woolley community. Picnic shelters, playgrounds, ball fields and restrooms are typical to these parks.
- Regional parks serve areas beyond city limits and include amenities that attract users from the region and beyond such as a sports field complex suitable for large tournaments, camping, trails, playgrounds, restrooms and picnic shelters.

- Open space parks are areas for passive recreation and have limited, if any amenities. Typical amenities are limited to trails, viewing areas and maybe a small parking area.
- There are several trail segments throughout the city, and it is a goal to connect those trails and extend new trails into areas of the city that are underserved by trails. Not all the property over which trails pass are owned by the city. Many of the trails that are open to the public exist within easements that allow public access. Some trails consist of little more than a graded path, signage and maybe some security fencing, while others are paved within the city street right-of-way, but separated from the road. The city has included paved paths as part of major road improvement projects when room is available. Figure P-2 shows the adopted Sedro-Woolley Bikes and Trails map.

Neighborhood Parks

1. Hammer Heritage Square is approximately 0.20 acres located in downtown Sedro-Woolley at the corner of Metcalf and Ferry Streets. The square features a gazebo, restrooms and a clock tower to attract visitors to downtown. With seating, a landscaped water fountain, and a mural, the square is the centerpiece of downtown Sedro-Woolley.

2. Metcalf Street Mall is an improved alleyway owned by the city. In 1956, the Sedro-Woolley Jaycees improved the small mall area with landscaping, setting bricks, etc. Additional improvements by the Garden Club occurred some years ago. The mall is located in the alleyway south of Woodworth Street running directly west from Metcalf Street. Since the mall is located in the center of the business district, its primary use comes from downtowners. Equipped with bench-

es, it serves as a convenient rest stop and walkway for shoppers and pedestrians alike.

3. Lions' Roadside Park is comprised of approximately 0.25 acres of land. Part of the property is in the right-of-way of Moore Street. The remaining portion was donated to the city by the Lions Club. It was also improved by the Lions Club. The park is located in the northern portion of the city, directly north of the Moore and Haines Street intersection. Although small in size, it borders on Highway 20, making an excellent rest stop or picnicking area for passersby. The park is moderately to heavily used during the summer, both on weekdays and weekends. The majority of users are visitors driving through on Highway 20.

4. Park Cottages Park Area is approximately three-tenths of an acre of land on the west side of Brickyard Creek, due west of the Park Cottage Place. The park property is undeveloped, and is well vegetated with native plants and offers a good example of a healthy stream ecosystem. There is no road access to the property there are no future development plans for the land.

5. Fire Station 2 Park is approximately one acre of land adjacent to the north side of the fire station located on North Township Street. The park property is undeveloped, and is encumbered by overhead power lines. Brickyard Creek lies directly west of the site. The creek and the steep ravine in which it flows are located on private land. The ravine is well vegetated with native plants and offers a good example of a healthy stream ecosystem. Likely future development of the site includes interpretive signage along the city owned portion of the creek buffer, trails and open grassy fields.

6. Harry Osborne Park consisting of 1.5 acres is located right off Highway 20 at the northwesterly entrance to Sedro-Woolley (intersection of Borseth and Ferry Streets). This property is leased by the city of Sedro-Woolley from

Burlington Northern. The Scott Paper Company donated the locomotive on the property; the large cross-section of log is dated at eight hundred forty-six (846) years. Along with picnic tables and a convenient location to town, Big Log Park serves as a summer lunch spot for many downtowners. Also with its unique features, it attracts a large number of visitors all year round, traveling on Highway 20. Park use is seen to be moderate to heavy during the summer months.

7. Bassett Road property is a former land-fill on the north end of the city owned by the Sedro-Woolley. The park has not been developed. Access to the 11.2 acres of future park will be primarily from Bassett Road, but a trail easement from Longtime Lane will provide pedestrian access to the southern portion of the land.

Community Parks

8. Bark Park. The City opened a fenced off-leash dog park on former FEMA floodway property adjacent to Riverfront Park in 2009. The one-acre off-leash park also has a small parking lot.

9. Bingham Park is located in the northwest portion of the city. Bounded by Cook Road, Munro, Edward R. Murrow and Borseth Streets, the park lies on approximately 2.6 acres of land. Equipped with a 5 stall R.V. Park, an enclosed picnic area, tables, benches and covered barbecue pit, the park provides an excellent location for picnicking. Other features include playground equipment located adjacent to the picnic area, and rest rooms. An onsite resident caretaker assists with the maintenance and oversight of the Park and the R.V. facility. The trees scattered throughout the park offer a pleasant environment for its users. The park is heavily used during the summer months, usually with the peak traffic occurring on weekends. User groups consist of families traveling on Highway 20 and a roughly proportional number of local families. Bordering on Highway

20 as it does, Bingham Park offers a convenient stop for the traveler as well as being centrally located for Sedro-Woolley residents. Because of its location on Highway 20, many users said the park can be noisy and somewhat dangerous for small children playing. There are three parcels of WSDOT right of way directly west of Bingham Park that are maintained by the city as open grass open space. These parcels are not included in the Bingham Park Acreage but are regularly used by the public as dog walking and picnic areas.

10. Winnie Houser Park & Playfields located on Rhodes Rd consists of 9.52 acres of sports fields that is currently used as a home for the Sedro-Woolley Youth Soccer Association. This park was built through the joint efforts of the Soccer Association and City Public Works Operations Staff. The field opened for use in 2017. Future improvements for the facility include a restroom, a paved parking lot, an irrigation system, site fencing, playground, and an 8' paved shared use path surrounding the perimeter of the site. These improvements are dependent of future funding. The city is currently researching funding opportunities to continue to develop this park into a multi-use facility.

11. Metcalf Park located on 2.8 acres is in the central portion of the city between Metcalf and Murdock Streets; Metcalf Park is just north of City Hall and the fire and police station. Located within the park, is the Tesarik Little League Ball Field with the grandstand, rest rooms, two dugouts, practice pitch area and ball field, Metcalf Park provides an ideal location for little league baseball games, and softball games both for players and spectators. Although there is no parking on the site, the four streets bordering the park provide a large number of parking spaces. During the summer months, it is used to capacity for organized recreation. The park also has an outdoor basketball court, and a volleyball court. The newest addition to the ball park includes a skate park

in the southeastern portion of the parcel. Because the park is located near the downtown business core and adjacent to City Hall, the park has potential to be a central gathering place for the community. Future plans for the park include a children's playground in the southwest corner of the park, and addition of another basketball court.

12. Memorial Park located on three acres of land is found in the central eastern portion of the city, between Ball and Central Streets. The library, community center, and senior citizen center are located on this site. It also is equipped with playground equipment, rest rooms, benches and barbecue pit. A great deal of community pride is attributed to this park since many of the features were provided through the efforts of community organizations. The park is used heavily during the summer months with peak use occurring on weekends. The majority of users consist of local families and clubs. Parking is plentiful with a seventy-three (73) space lot. However, all the developments on the park property restrict the amount of open space available. Memorial Park has a resident park caretaker to assist with maintenance and supervision of the park and assists with community center rentals. Plans are currently in the works for a total redevelopment of memorial park to include a splash park, a new playground, outdoor picnic buildings, site furniture and renovations to the community center facility. The library building may be repurposed if the library is relocated.

13. Denny Engberg Memorial Field on west side of Fruitdale Road, just east of the cemetery and north of Marlene Way is approximately 5.35 acres of city-owned land that is currently leased to the Sedro-Woolley Youth Football Association for use as a youth football field. This property is reserved for future expansion of the adjacent cemetery. Use as a football is temporary until the space is needed for cemetery expansion.

Regional Parks

14. Riverfront Park on the Skagit River consists of 20.5 acres, including 3 acres added to the northwest corner of the park in 2008. The park has a boat launch with ample parking area, together with twenty-seven (27) RV and five tent sites. The site is equipped with rest rooms. Recreation facilities include baseball, basketball, volleyball, horseshoes, and a children's play area. Other facilities include a covered amphitheater, three covered shelters, two of which include sinks, power, barbecue pits and picnic tables. The site is attractively landscaped and includes a rose garden. Also during the week of July 4th, an annual carnival is held on the park grounds. Riverfront Park includes on site resident park caretaker to assist with supervision and maintenance of the park and R.V. facility.

15. SWIFT Center Park on North Fruitdale Road consists of 14.81 acres including an approximately 3 acre pond used annually for the Skagit Steelhead Club Fishing Derby. There is also a large gravel parking area used by the fishing derby participants. The parkland was offered to the city by the Port of Skagit in 2018. No recreation facilities exist at the site, but there is room for a Cal Ripken little league field, as well as other uses such as volleyball, basketball, play equipment walking trails and open space lawn for general recreation uses. Access to the waterfront can also be improved.

Open Space Parklands

16. Sauk Mountain View Estates Open Space dedicated as part of the Sauk Mountain View Estates development located in the north-eastern portion of the city off of Portobello Road. The area is under the BPA power lines and contains approximately three acres of open space area. The developers also dedicated a public trail system to connect the open space with other de-

veloped areas. This site will be used primarily for passive recreation.

17. FEMA Floodway Property as part of the FEMA program to purchase floodplain property, the city acquired approximately eleven (11) acres adjacent to the Little League ball fields and north of Riverfront Park. Future development of the site may include open space areas and ball fields, salmon enhancement and restoration, and pedestrian trails to connect Riverfront Park with neighboring residential areas. The terms of acquiring the property limit the placement of structures on the property.

18. River Road Property is approximately 36 acres located immediately to the south of city limits, north of River Road and west of Township Street. The property is within the Skagit River floodplain, but uses thereon are not restricted as the FEMA Floodway property is restricted. Future uses may include ball fields and other uses appropriate for an area that is subject to seasonal river flooding.

19. 205 N. Reed Street Property is approximately 2.6 acres of open space that was purchased for the purpose of improving stormwater drainage infrastructure that borders the north side of the property. The site has been studied as a potential location for a future developed park, but is currently maintained as open space.

20. Sapp Rd Property is approximately .6 acre of land acquired by the city in 2017 for potential use as a future city park. It is currently unmaintained and is bordered to the north by Sapp Rd and the East by Bottomless Creek, a classified salmon stream.

Summary of Existing Park Acreage

Facility Name	Acres
1. Hammer Heritage Square	0.20
2. Metcalf Street Mall	0.25
3. Lions Roadside Park	0.25
4. Park Cottages Park	0.29
5. Fire Station 2 Park	1.00
6. Harry Osborne Park	1.50
7. Bassett Road Property	11.20
8. Bark Park	1.00
9. Bingham Park	2.60
10. Winnie Houser Park & Playfield	9.52
11. Metcalf Park	2.80
12. Memorial Park	3.00
13. Denny Engberg Memorial field.	5.35
14. Riverfront Park	20.5
15. SWIFT Center park	18.41
16. Sauk Mountain View Estates Open Space	3.00
17. FEMA Property	11.00
18. River Road Property	36.00
19. 205 N. Reed St Property	2.6
20. Sapp Rd Property	0.6
Total	131.07 acres

Trails

1. The Fruitdale / McGarigle Road path system is a paved, off-road path within the city right-of-way along Fruitdale road from State Route 20 to McGarigle Road, then westward parallel to McGarigle Road to State Route 9. The path connects to the Cascade Trail at S.R. 20, and connects to the path system within Northern State Recreation area. Long term public works plans are to continue the path westward within the John Liner Road right-of-way.

2. Moore Street (State Route 20) shared use path runs along the north side of SR 20 from Township street westward to Hodgin Street. This

path is also a paved path within the city right-of-way along Moore Street, but separated from the road by a planting strip. This path creates a vital cross-town pedestrian and bicycle corridor that enables alternate forms of transportation to the goods and services located along State Route 20 and in the Central Business District. Plans are in place to extend this trail from Township Street to Fruitdale Road. Future plans include extending this path west along SR20 connecting to the City of Burlington Arboreta Trail.

3. Sauk Mountain View Estates trails lay on the eastern and western portions of the Sauk Mountain View Estates residential development. Some portions of the trail corridor are owned by the city, while other sections are owned by the home-owners association, but public access is allowed. These trails explore the creek ravine on the east side and run along the hillside on the west. As further development occurs in the area, these trails will be able to connect to future trails to create a unique and extensive trail system. This system may also connect to the walking trail envisioned under the power lines running from Bassett Road to the intersection of Fruitdale Road and State Route 20 (see Proposed Capital Projects in the Action Program – section 6.24)

SURROUNDING RECREATIONAL FACILITIES, PUBLIC AND PRIVATE

The following is an inventory list of private recreation areas and public access points surrounding Sedro-Woolley. There are currently no state or federal parks within ten (10) miles. There are two County-run parks in the immediate area: Northern State Recreation Area and the county operated beach at Clear Lake.

1. Little League Field, located on River Road south of Sedro-Woolley near Riverfront Park, consists of three acres equipped with two baseball diamonds, benches, and roadside parking. The fields are owned by Public Utility Dis-

trict #1 and are sponsored by the local Kiwanis Club.

2. Sedro-Woolley Rodeo Grounds, located one-half mile east of Sedro-Woolley, consist of five acres equipped with rest rooms, benches, parking, riding arena, and holding pens.

3. Wildcat Steelhead Club, located one mile southeast of Sedro-Woolley. This is a small private park which includes picnic facilities and a boat launch.

4. Gateway Golf Course, a nine-hole golf course, located at 837 Fruitdale Road, Sedro-Woolley, consists of sixty-five (65) acres equipped with picnic areas, rest rooms, and putting course.

5. Washington State Department of Fish and Wildlife Department Public Access Site, located off River Road just outside city limits directly adjacent to the Riverfront Park site. The site is equipped with a boat launch and rest rooms.

6. Northern State Recreation Area (NSRA) is a Skagit County Park adjacent to the eastern edge of the city. NSRA has a diverse range of natural, cultural and topographical features. There are significant wetlands on site as well as large areas of dry meadow and forested uplands. Hansen Creek, a significant salmon stream recently subject of a tremendously ambitious restoration project, flows through the site. Prior to closing in the 1970's, NSRA was the working farm associated with the Northern State Hospital. The 726 acre park includes several miles of walking trails, an 18-hole disc golf course, a small parking area and excellent opportunities for wildlife observation.

School-Owned Recreational Facilities

1. Sedro-Woolley High School located on the corner of 3rd and Nelson Streets. Facilities include four tennis courts, a grass field used for football, track and field, and a cinder surface track

running around the borders of the field. Indoor facilities consist of a double gymnasium used primarily for school activities.

2. Cascade Middle School located on Township Street. Facilities include a grass field used for soccer, little league, and football. Indoor facilities consist of a gymnasium. The construction and renovation of Cascade Middle School in 2013 has significantly cut down on the amount of open space available for outdoor recreation at this site

3. Evergreen Grade School located on McGarigle Road directly east of Township Street. Facilities consist of a play area with a variety of playground equipment. Plans to rebuild Evergreen Elementary in the next few years will significantly cut down on the amount of open space available for outdoor recreation.

4. Mary Purcell School located on the corner of 7th and Bennett Streets. Facilities include a paved playground with a variety of playground equipment. There is a grassy area adjacent to the paved playground.

5. Central School located on the corner of Talcott and 6th Streets, across the street from Central Tennis Courts. Facilities include two small ball fields and playground equipment.

6. Central Tennis Courts are located across from Central School on the corner of Talcott and Sixth Streets. Their southeast location from the central business district offers the local resident a convenient spot for playing tennis.

7. Janicki Field, located on nineteen (19) acres southwest of the intersection of Cook and Prospect Roads which includes four sixty (60) foot Little League fields, two ninety (90) foot ballfields and three full size soccer fields. The School District also owns several acres east of the ball fields that are currently undeveloped grassy fields. The District plans to use this area for future school buildings.

Homeowner Association Owned Private Park Facilities and Open Spaces

Newer housing subdivisions are required to provide recreation areas and open spaces within the subdivision for the benefit of the new residents. Owned and maintained by the homeowners association, these recreation areas and open spaces are typically smaller than standard city parks, but provide conveniently located recreational opportunities for residents of the subdivision. Newer residential subdivisions may also contain property set aside as critical areas, such as wetland and stream buffers or land with steep slopes. Homeowners associations are responsible for maintaining and protecting these critical areas. Critical areas can provide limited passive recreation, such as paths and seating areas.

1. Klinger Estates - 1.3 acres of open space, roughly 8,000 of which contains play areas/equipment.
2. Fidalgo Commons - 27,800 square feet of play area and 17,800 square feet of open space.
3. Spring Meadows - 8,500 square feet of play area and 3 acres of critical areas.
4. Sapp Place - 900 square feet play area
5. Brickyard Meadows – 7,000 square feet of play area and 1.87 acres of critical areas.
6. Sauk Mountain View Estates – one 5,465 square foot play area on East Gateway Heights Loop and another 3,500 square foot play area on Vecchio Court, 3.2 acres of open space and 10 acres critical areas.
7. Park Cottages - 4,000 square feet play area and 1.95 acres critical areas.

6.12

PROJECTED POPULATION/LAND USE/PARK PROVISION WITHIN THE CITY AND ITS URBAN GROWTH AREA

The land use element of the city's comprehensive plan seeks to ensure that most urban activities occur in a concentrated downtown business core surrounded by relatively dense urban residential land use, but still allows for smaller open space and play areas. Lower residential densities and more open space are typical in peripheral areas near the defined Urban Growth Boundary (UGB). Skagit River flood hazards are addressed by designating the flood-prone southern portion of the city's urban growth area (UGA) as open space. Figure LU-2 shows this one hundred (100) year flood plain.

The Growth Management Act (GMA) requires municipal jurisdictions to prepare comprehensive plans that account for the long term effects of growth and development. A strategy must be developed so that the cost to maintain a desirable level of service for urban infrastructure is shared equitably among residents. It is the land use element that defines such a strategy and guides the development of all subsequent comprehensive plan elements, such as this parks element. The land use element lists the amount of acreage each of the land use designations in Sedro-Woolley, based on a 2016 Land Capacity Analysis. According to that 2016 study, there were 3,306 acres of land within city limits (excluding rights-of-way). Properties zoned as Public or Open Space are typically used for parks and recreation purposes.

Lands zoned Public are intended primarily for public use and include parks, schools, government facilities, cemeteries and the Northern State Campus. Not all properties zoned as such are owned by the City, much of this zone is owned by the state, county or Sedro-Woolley School District.

Lands zoned Open Space are intended for preserving open spaces and protecting critical areas, such as flood-prone lands and wetlands. There are 9.5 acres of property zoned Open Space within the city limits, plus another 7 acres in the UGA, for a total of 16 acres. The City owns approximately 36 acres of land (referred to as River Road Property in section 6.08), which is currently used as a hay field. This property lies south of city limits and outside the current UGA boundary, east of Third Street, west of Township Street and north of River Road. The property is in the 100 year floodplain, so development potential on the land is limited. Seasonal use as ball fields may be possible, as is use of the area for stormwater utility purposes. The property is not in the urban growth area, however, the city should seek to have the property designated as part of its UGA so it may be annexed in the future. The City will likely designate this property as Open Space in the Comprehensive Plan should it be included in the UGA.

Extension of the city limits to the southern fringe of the city UGA at the Skagit River would require the city to incorporate the river shoreline into its Shoreline Management Area, making it subject to the rules and guidelines developed in the city's Shoreline Management Plan. Inclusion of Skagit River frontage in the city's Shoreline Master Plan will provide the city with an opportunity to address further access to the river frontage in a comprehensive manner within the regulatory framework of the State Shoreline Management Act and within state and federal grant programs that give priority to waterfront recreation and public access.

As property in the urban growth area is annexed into the city limits, new development proposals will be reviewed for compliance with the goals of the city's comprehensive plan.

6.16

GOALS AND POLICIES

Parks and Open Space

Citizens support the development of small, new neighborhood parks, as well as open green space. New residential developments are encouraged to preserve open green areas for the public. The old Burlington Northern Railroad line connecting Sedro- Woolley with Burlington provides a recreation path for bicyclists and pedestrians to use instead of the highway. This trail connects Burlington and Sedro-Woolley with the upriver communities of Lyman, Hamilton, and Concrete. Trails are also available around Riverfront Park. Bicycle and pedestrian paths connect parks to recreation facilities.

Recreational Facilities

The public promotes maintenance and expansion of the city's existing recreation facilities. They also encourage the development of other facilities, particularly for the benefit of local youth. When not in school, teenagers have activities that keep them from loitering on street corners. These older students, as well as grade-school children, have places to go for entertainment and recreation that are close to home and school. A community center that houses an indoor recreation area, swimming pool, and organized programs benefits both the town's youth and its adults. A movie theater and game center allowing people under twenty-one to visit is located downtown.

Vision Statement

The Parks and Recreation Element surveys and analyzes the existing park system and potential improvements, assesses the needs of the community through public involvement, and develops an action program consisting of policies and a capital

facilities plan. The parks goals and policies of the original plan remain applicable and appropriate today:

1. Develop ample park facilities to provide a broad range of recreational activities.
2. Provide appropriate park and recreational facilities to meet future demand.
3. Provide a park system which is efficient to administer and maintain.
4. Provide a park system which complements Sedro-Woolley's natural and cultural beauty and uniqueness.

Through public outreach and surveys, the city has compiled the following vision of parks and recreation in Sedro-Woolley:

"We envision Sedro-Woolley as a 'visitor-friendly' and 'kid-friendly' community with a consistent emphasis on maintaining parks and implementation of recreational programs. We envision that organized, focused, parks & recreation activities will significantly contribute to economic development and economic growth in our community."

Sedro-Woolley has prepared its vision statement in the form of a narrative that describes how it will appear twenty years from now. This narrative reflects the concern of citizens for maintaining the "small town" character of this place.

Goals and Policies

The vision statement informs the city's current goals and policies. The following is the list of the City of Sedro-Woolley's current Goals and Policies to guide future land use decisions and code revisions that affect park and recreation uses.

Goal P1: To provide ample park and recreation facilities to meet current and future demands

Policy P1.1: Pursue joint ventures with Skagit County, other jurisdictions, and public/private opportunities in order to obtain access to a greater variety of recreational facilities than the city could provide on its own.

Policy P1.2: Revise the park dedication requirements in the subdivision ordinance to allow for “pocket parks” less than two acres in area.

Policy P1.3: Establish a network of bicycle and pedestrian trails, which are coordinated with Skagit County in order to provide linkages to existing and proposed regional parks, open spaces and trail systems.

Policy P1.4: Develop a bicycle route in existing neighborhoods that uses existing, low traffic roads, having its focus points being area schools, civic centers, the central business district and proposed and existing parks, which will include bicycle racks, signage and striping to signify the route.

Policy P1.5: Include existing and proposed bicycle and pedestrian trails on the city’s six-year Transportation Improvement Program for non-motorized travel, including a pedestrian overpass to connect the northern and southern portions of the city, which is currently split by Highway 20.

Policy P1.6: Work with the school district and other organizations to construct and maintain facilities, such as restrooms, by means of a joint use agreement, for the use of public and private parks and open spaces.

Policy P1.7: Identify zones which generally indicate where it is appropriate for future parks to be located as new development occurs.

Policy P1.8: Work with the parks department to develop ways to acquire new land for future parks.

Policy P1.9: Limit the placement of buildings on park land whose use is unrelated to the park’s purpose. If land is to be taken for the purpose of buildings, it must be replaced with new parkland. The intent of this policy is to ensure “no-net-loss” of useable park property.

Policy P1.10: Develop parks that are designed to be multi-functional, conserve resources and add value to the adjacent community.

Policy P1.11: Develop parks that are suited for multi-generational users, from toddlers to seniors, and all ages in-between.

Policy P1.12: Construct indoor/covered sports courts for year-round use.

Policy P1.13: Coordinate with local service organizations in the development and improvement of city parks facilities.

Goal P2: To provide a variety of leisure environments and experiences that are efficient to administer and maintain

Policy P2.1: Increase the amount of natural areas to be preserved within Sedro-Woolley’s developed urban area, especially along shorelines, steep hillsides, wetlands and stream corridors.

Policy P2.2: Develop a mixture of active and passive recreational areas in order to accommodate the desires and lifestyles of Sedro-Woolley’s residents.

Policy P2.3: Work with the parks department to better screen parks that are adjacent to major arterials, by way of landscaping and fencing to ensure pedestrian safety and to minimize noise from traffic.

Goal P3: To provide recreation programming and activities

Policy P3.1: To encourage community involvement in the cities artistic and architectural heritage, the city should participate in organized art walks to city art installations, significant buildings, murals and private art galleries. Work together with the local businesses to foster an arts community in the Central Business District.

Policy P3.2: Develop indoor programs which provide for community activities and athletic uses on a year-round basis, concentrating on the recreational needs of Sedro-Woolley's youth.

Goal P4: To provide a park system that complements Sedro-Woolley's natural and cultural heritage and character

Policy P4.1: Investigate with the Upper Skagit Tribe the possibility of building a long house along the Skagit River, which could be used by the Tribe for ceremonial events, and by the city as a center for cultural exchange.

Policy P4.2: Acquire areas of environmental significance for preservation and limited, sensitive development of educational and interpretive facilities.

Policy P4.3: Pursue the development of a logging display in coordination with the Museum's logging display, where people can learn and participate in historic logging practices, and show how the logging industry has changed and will continue to change in the future.

Policy P4.4: Develop a working display at Riverfront Park on the life cycle and habitat requirements of the salmon in order to inform the public of the importance and vulnerability of this endangered species.

Policy P4.5: Work with citizen task force to develop a Railroad Park and trolley line on the east-

west track that runs through the central business district.

Policy P4.6: Develop parks that are designed to educate and commemorate Sedro-Woolley's heritage by way of statues, plaques, benches, etc.

Policy P4.7: Continue to work with local artists to install art – sculptures, murals, etc. – in public places, including city owned properties downtown, the community center, the senior center, the library, and city parks.

Policy P4.8: The use of artistic detailing in public works items such as bike racks, sidewalk paving, tree grates, bollards, sidewalk crossings, etc. should be encouraged.

6.20

**LINKAGES TO COUNTY PARKS
PLANNING AND TO URBAN GROWTH
AREA INTERLOCAL AGREEMENTS
WITH SKAGIT COUNTY**

In 2009 Skagit County adopted a state-mandated plan to coordinate and plan for linkages between the Urban Growth Areas (UGAs). The UGA Open Space Concept Plan identifies and prioritizes open space corridors and greenbelts within and between County’s UGAs that include lands useful for recreation, wildlife habitat, trails, and connection of critical areas. The plan identifies priority areas within the county to be considered for a strictly voluntary open space preservation program. The Skagit County UGA Open Space Plan does not create a regulatory land use designation or allow public access by default. Nor does the Plan mandate that identified areas be regulated or protected.

The plan, along with the Sedro-Woolley Parks and Recreation Element, the Skagit County Comprehensive Park and Recreation plan and the Skagit County Planning Policies related to UGA development give guidance for how new growth and open space needs will be coordinated in the fringes of the city. The plans also help the region’s parks program providers work cooperatively to meet the regional parks and recreation need.

The Skagit County Comprehensive Park and Recreation Plan adopted in 2013 highlights the opportunity to utilize the uplands adjacent to the Skagit River for open space, conservation and recreational uses. This is consistent with the approach taken in the land use element of the city comprehensive plan.

**County Recreation Sites and Facilities in the
Vicinity of the City of Sedro-Woolley**

Site	Acres	Activity/ Facilities
Clear Lake Park	1.00	grills, bathhouse, basketball hoops, lake frontage, picnicking, playground, rest rooms, sand volleyball courts (2), docks (3), water slides (2)
Undeveloped/ Partially Developed Park Sites and Trails:		
Hansen Creek	3.00	Hansen Creek frontage, undeveloped
Northern State	726.00	grazed, some wooded areas, existing buildings (in use) and unused outbuildings, wetlands, Hansen Creek frontage, veterans park picnic building,

<i>Centennial Trail</i>	<i>Bicycling/ Walking</i>	<i>0.75 miles</i>
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The Centennial Trail is a regional trail system intended to eventually connect Snohomish and Whatcom County. Unlike the Cascade Trail, which is in a rails-to-trails conservancy as per federal legislation, this property has been purchased outright. The existing trail segment is approximately three-quarters mile long starting from south Lake McMurray off State Route 9. The trail

ends at the Snohomish County line. In all, the trail system is contained within 22.04 acres of country parkland.

<i>Cascade Trail</i>	<i>Multi-Use</i>	<i>22.5 miles</i>
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This rails to trails conservancy project is 22.5 miles of multi-use trail that parallels the scenic State Route 20 corridor, connecting Sedro-Woolley and Concrete. Hiking, biking, and equestrian use are permitted on the path. No motorized vehicles are allowed. The trail is open year round and in places, meanders along the Skagit River. Viewpoints along the way provide for wildlife viewing opportunities. Trail amenities include portable toilets at trailheads and benches along the trail. The trail encompasses two hundred eighty (280) acres of land.

<i>Burlington to Sedro-Woolley Trail</i>	<i>Multi-Use</i>	<i>3 miles</i>
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Three miles of hiking/jogging trail covering 6.8 park acres. This linear trail divides Highway 20 and the Burlington Northern Railway and provides for recreational and non-motorized transportation.

<i>Northern State Recreation Area</i>	<i>726 acres</i>
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Skagit County acquired the seven hundred twenty-six (726) acre Northern State Recreation Area northeast of Sedro-Woolley, in 1990 from the State of Washington. In 2000, a Master Plan workshop lasting three days was conducted on the site to generate ideas and focus energy on a few specific improvements. A Master Plan was created from that meeting. Much of the development will depend on private funding. The facility will include trails, ball fields, play areas, campgrounds, equestrian center, and environmental education and interpretation sites. Natural re-

sources on the site include Hansen Creek with associated wetlands and tributaries and Red Creek. Over five hundred (500) acres of the site will remain undeveloped to support the wildlife populations. The park will showcase the natural, historical, and cultural character of the region while incorporating accessibility and sustainability. An extensive trail network will provide access to much of the property for a range of interests and physical ability levels. The site will address the education themes of Salmon Habitat Restoration, the Northern State Hospital Farm, Natural Habitats & Biodiversity, and Native American Continuity. An ambitious restoration project on Hansen Creek, including removal of field grasses, reconstruction of the stream bed structure to restore the natural alluvial plain, installation of large woody debris in the stream and planting acres of native plants to decrease flooding and improve fish habitat was completed in 2010. These themes will be presented in the Education Center, as well as along the trail system. Camping facilities will include a forty (40) acre site with one hundred (100) camping sites with various designs, including yurts for year-round camping, RV sites and group camping sites.

6.24

ACTION PROGRAM

This action program is designed to accomplish the parks and recreation goals and policies set forth in the previous section. The action program consists of policies specifically addressing parks provision within the city and its urban growth area, development standards, recommended capital facilities, and financing strategies.

Small cities such as Sedro-Woolley are often surrounded by open space in agricultural and forestry uses and have the community's needs for "regional parks" addressed by national, state, and county parks. In addition, larger backyards and school grounds can fulfill many of the traditional neighborhood park functions. However, the Growth Management Act's policies of containing sprawl and promoting urban infill will increase demand for park and recreation opportunities in cities and their urban growth areas.

Many cities are addressing this situation in their development regulations and impact fee schedules adopted pursuant to the Growth Management Act. A complementary or alternative approach to park land dedication requirements is to utilize the impact fee provisions of 82.02.050-090 of the Growth Management Act.

Sedro-Woolley collects park impact fees on new residential development in accordance with the rules set forth in the Growth Management Act. Appendix A of the Parks and Recreation Element contains an up to date impact fee calculation that shows the anticipated costs of providing the city's desired level of service (LOS) for its parks system. The City Council sets the actual amount charged per unit based on the findings of the parks impact fee calculation and the goals and policies found in this element of the Comprehensive Plan.

In addition, as part of a development proposal, an applicant may dedicate park land for areas where additional parks are needed pursuant to the parks capital facilities plan.

Both approaches must follow the basic constitutional and statutory requirements of completing a comprehensive plan together with a capital facilities element that identifies:

- (a) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;
- (b) Additional demands placed on existing public facilities by new development; and
- (c) Additional public facility improvements required to serve new development.

Park and Recreation Provision Policies

- (1) New residential development shall pay its own way, in accordance with park standards established in the city's parks plan, either through a park land dedication requirement or a park impact fee.
- (2) The city should seek to develop and operate park and recreation facilities through cooperative arrangements with the Sedro-Woolley school district, Skagit County, and other public and private groups and agencies.
- (3) The city should continue to look to Skagit County for recreation programming until the city establishes a Parks and Recreation Director position and should work cooperatively with the county thereafter.
- (4) The city should cooperate with the rest of the county in meeting the need for major indoor recreational facilities through construction of multi-use facilities, such as that

proposed at the Skagit Exposition and Recreation Center at Northern State.

- (5) The city should cooperate with the rest of the county in meeting the need for trails through development and implementation of a county-wide non-motorized plan.
- (6) The city shall establish its parks development standards and program in such a way as to ensure that there is a balance of larger, regional parks along with smaller, neighborhood parks.
- (7) The city shall approve future development regulations to ensure that:
 - (a) Adequate open space buffers and landscaping are provided in new development.
 - (b) Clustering new development and maximizing open space is one option that is considered.
 - (c) Homeowners Associations are formed to manage common open space and recreational areas that are not needed as part of the city's parks program.
 - (d) Park design minimizes maintenance and operations costs.
 - (e) Subdivisions that continue Sedro-Woolley's traditional neighborhood design are encouraged.
- (8) Any city subdivision code requirements for park land dedication shall be extended to new multi-family and mobile home development and any in lieu payment shall be adjusted annually to reflect land price increases within the city of Sedro-Woolley as identified by the county assessor.
- (9) The city should work to secure Skagit County's agreement that city park standards and development regulations, and not those of Skagit County, will apply in the city's urban growth area.
- (10) The city should accept the proposal set out in the county parks plan that the county lend its resources to those of the city in securing potential park property within the city's urban growth area.
- (11) The city should work with the county to develop a fifteen (15) to thirty (30) acre Community Park at Northern State under the joint auspices of Skagit County and the city of Sedro-Woolley.
- (12) The annual city budget should provide adequate funding for maintenance of city parks after ensuring that all user groups pay their fair share and volunteer efforts are maximized.
- (13) As far as practicable, the city should seek to minimize its park development costs by working with service organizations, user groups, and volunteers.
- (14) This plan should be updated as necessary to meet changing conditions and to ensure that the goals and policies of the city comprehensive plan are met.
- (15) The city should work to increase the availability of RV parking space and facilities for residents and visitors to Sedro-Woolley. A downtown RV camp site would bring additional visitors and foot traffic to the commercial core of the city.
- (16) The city should work to construct a municipal pool, including exercise facilities, day care, and meeting rooms.

- (17) The city should implement a dynamic city-wide recreational program with sufficient staff for the parks and recreation department.
- (18) The city should consider the development of a performing arts center.
- (19) The city will maintain and improve the skateboard park by providing new equipment to meet the needs of youths in the city.
- (21) The city should work to develop a splash park, or interactive water fountain in which children may play.
- (22) The city should pursue opportunities to construct a small, uncovered, outdoor amphitheater for children's productions and other small-scale performances, using a hill or man-made berm for seating.
- (23) Unopened right-of-ways should be examined as potential parks.
- (24) Creek Corridors, power easement corridors and abandoned railway corridors shall be examined as potential parks and trails.
- (25) Harry Osborne Park may be expanded for parks and visitor information services.
- (26) Bicycle and pedestrian trails and paths should be separated from driving lanes by landscape strips or other means to provide more pedestrian-friendly experience for travelers using non-motorized transportation. Such separation on State Routes 9 & 20 is especially desired.
- (27) A new location for an additional baseball field appropriately sized for Babe Ruth league baseball games shall be sought and developed.
- (28) Currently a large portion of open space used for outdoor youth athletics is provided by the Sedro-Woolley School District. As new school development continues, the city continues to lose the use of these spaces. The city should work to acquire and develop adequate acreage to support youth athletics, and shall make improvements to existing facilities utilizing funding from the state Resource conservation office and other grant funding sources.
- (29) The city should work with user groups and community service organizations to plan and develop an outdoor BMX bike facility.
- (30) The city should make it a priority to plan and develop a community park on the north side of SR20 which has a large population of children and young families, but currently has no park.

Development Standards

Figure P-1 illustrates the areas within the city where parks and recreational facilities are located. The figure allows one to see where additional park lands and trails are necessary to accommodate the 2036 projected population.

The city has set a level of service (LOS) for parks and trails through 2036. The LOS is based on existing parks infrastructure and public input concerning the desired amount of parks in the city. The LOS is less than, but comparable to, the LOS set by other cities in the region. A full analysis of the existing parks LOS, the proposed parks LOS and the projected costs per new unit of development through 2036 are included in Appendix A to the Parks and Recreation Element. Below is a summary of the desired parks LOS for 2036 as determined through the Planning Commission's public hearing process:

Neighborhood, community and regional parks – Ten (10) acres of neighborhood, community and regional park (total, not each park type) per 1,000 residents in 2036.

Open space – Five (5) acres of open space park per 1,000 residents is recommended as the LOS for 2036.

Trails – 1 mile of trail (separated from roadways) per 1,000 residents in 2036. This includes both trails on public lands and trails on private land where an easement is in place to allow public trail access.

Appendix A of the Parks and Recreation Element contains an up to date impact fee calculation that shows the anticipated costs of providing the city’s desired LOS for its parks system. That calculation does not include existing deficiencies, only the amount of new parks needed to accommodate future population needs and the costs to improve newly acquired land. The city is electing to fund less than the full amount through parks impact fees, but will actively seek grants to fund the shortfall. Additional costs to fund the shortfall should be through private donations to this city park funds and through the city general fund.

It is recommended that an option of a dedication of land be continued in instances in which large subdivisions are being constructed in which dedication of land for recreational purposes would correspond to plans to be implemented in the parks element (i.e. neighborhood parks, an integral part of a trail system). Minimum dedication should be at least one half to one acre in size. A decision whether or not to accept a dedication of land in lieu of fees would be approved by the planning commission with consultation by the city council’s parks committee. Dedication in lieu of the impact fee was retained as an option in instances where the dedication would fit into the overall parks plan of the city.

Recommended Capital Facilities

Figure P-1 shows the location of existing city parks and trails. The city should strive to maintain a balance of regional community parks, smaller neighborhood parks, open spaces between neighborhoods, and a trail system linking such facilities.

Given that much of the projected population growth of the city is steered toward the north of the current city limits, and dispersed northeast and northwest, two separate community parks in the northern portion of the city would make sound planning sense. The city-owned property adjacent to the Fire Station No. 2 property is a likely location for a new city park that would meet this need. An unspecified location in the vicinity of the multi-family developments on Trail Road and the property within the Urban Village Mixed Use (UVMU) Overlay is also of interest. Further, given the number of existing neighborhood parks, joint-use facilities, and park size preferences articulated in this plan, it would be most useful to plan for each of these to be more than ten (10) acres in size.

Proposed Capital Projects

Based on the results of the Parks and Recreation survey, proposed parks and recreational development to occur between 2018-2024 should include the following projects:

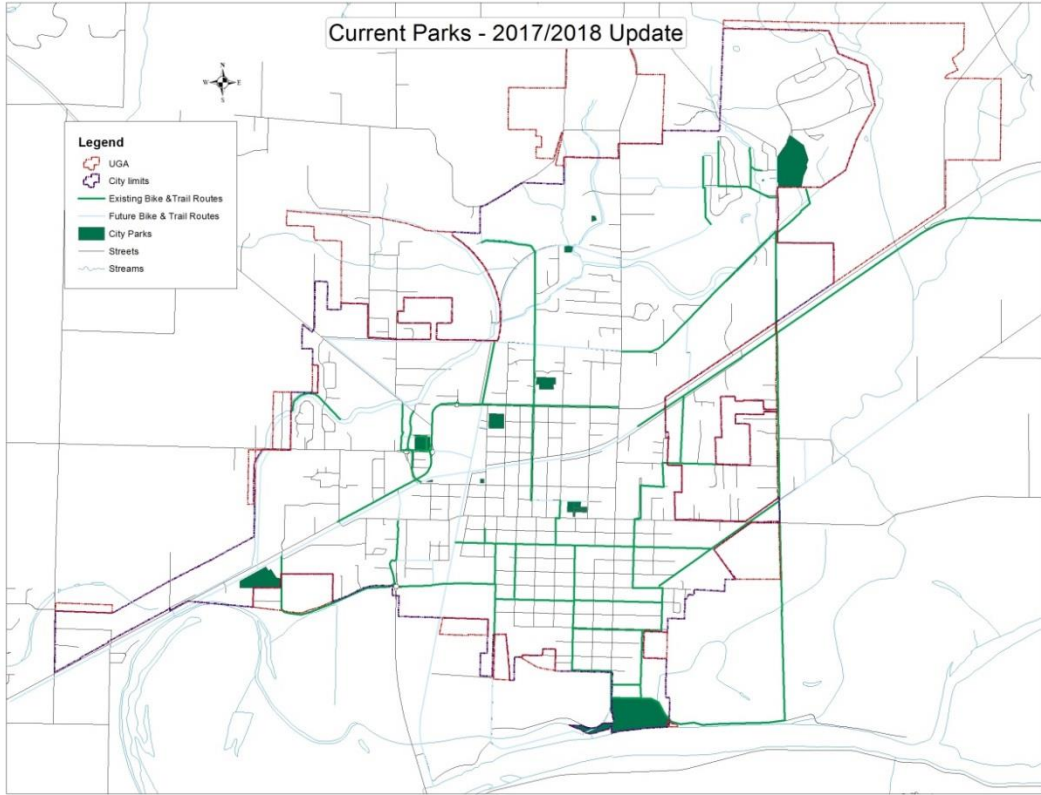
- Design Park for North Side of City (2018-2022) Identify land and purchase for future development of a community park on the North Side of SR20.
- Memorial Park Renovation Project (2019-2020) Complete reconstruction of Memorial Park that includes splash park facility, new sidewalks, picnic structures and playground.

- Houser Park & Playfields (2019-2022) Construct park improvements including irrigation system, restrooms, fencing, shared use path, playground, and associated utilities.
- Fire Station No. 2 Park (2023-2024) The City owns approximately one acre of level land adjacent to the north side of the fire station on State Route 9, in the north end of the city. This property is encumbered by a 100-foot power line easement, but there is still potential for passive uses and some active uses. the western portion of the property is at the top bank of a slope leading to the Brickyard Creek riparian corridor, thus offering good opportunity to develop a walking path and interpretive signs along the area covered by native vegetation. The area under the power lines may be used as a grassy field or possibly and off-leash park. Development of this area would require minimal funding from the park impact fee fund.
- Sapp Road Activity Area (2021-2022) - The city will construct a passive recreational activity area south of Sapp Road between the Brickyard Creek Development and Township Street. In recent years, this area has experienced the most significant growth in the city. The city anticipates a donation of two to three acres by a developer at the site, adjacent to Brickyard Creek. The park will be designed for passive uses (i.e. walking, nature hikes and interpretive areas). Again, this project will rely to a great extent on volunteer labor and materials. Cost to develop the site to be funded by park impact fees, state grants (i.e. vegetation, fishery enhancement) and budgeted city funds.
- Sauk Mountain View Estates Area (2018-2023) - With residential development anticipated to occur north of the golf course on Fruitdale Road, an active use neighborhood park will be necessary in this location. The city accepted a donation of a three acre park at the western edge of the Sauk Mountain View Estates North. The property is under the PSE power lines and has limited development potential. Structures, including fences, goals, basketball hoops or backstops, are not allowed by PSE. Activities in the park will be limited to passive uses such as walking paths, thus this park will be an open space park instead of a developed park. Funding for this project will be minimal, but will not likely take place until development in the west side of the park is completed in the future.
- Bassett Road Recreational Site (2023-2024) - Again, with residential development anticipated to occur to the north of Sedro-Woolley, development of a recreational area will be necessary on the north side of the city limits. The city intends to convert the former 11.2 acre Bassett Road Landfill into a passive recreation site, with an emphasis on maintaining a natural recreational area (i.e. trails, nature hikes and interpretive areas). This project will rely to a great extent on volunteer labor and materials. Cost to develop this project to be funded by park impact fees and budgeted city funds.
- Northern State Recreational Area (NSRA) (on-going) - Owned by Skagit County, Consisting of 726 acres of former farm land, NSRA is being developed as a regional park destination. The County has plans for new ball fields, overnight camping and extensive walking and interpretive paths. A large-scale ecological restoration has been performed on the lower extent of Hanson Creek win the County property, and further restoration within the park area is expected. The City will continue to support the Coun-

ty's efforts to develop regional park improvements, including ball fields, at NSRA.

- State Street properties adjacent to Memorial Park (2018-2023) – Memorial Park, along with the city library, community center and senior center, makes up almost an entire city block between State Street, Pacific Street, Ball Street and a city alley. There are three land-holdings adjacent to Memorial Park, fronting on State Street, that are not owned by the city. These properties obstruct visual connection to the park from State Street and generally present safety, usability and access issues for the park. The City has long-term intentions to acquire these properties and improve park access and infrastructure. Acquisition of these properties and subsequent improvements to be funded by park impact fees, budgeted city funds and potentially grant funding.
- Develop a walking trail under power lines from Bassett Road to Fruitdale Road (2022-2024). Puget Sound Energy maintains a 100-foot wide easement across the northwestern portion of the city. A walking trail below the power lines in this easement will provide a safe and scenic recreational amenity and make a convenient cross-town pedestrian corridor. It will be necessary to acquire an easement or other permission to use the area under the power lines as city trail. Trail development costs are anticipated to be minimal since developing permanent structures (besides a gravel trail) is not necessary.
- Improve the park land at SWIFT Center to add recreation facilities, caretaker amenities, lake and open space access, parking infrastructure and passive recreation opportunities.

Figure P-1
Current Park & Trail Locations



**Figure P-2
Adopted Bikes and Trails Map**

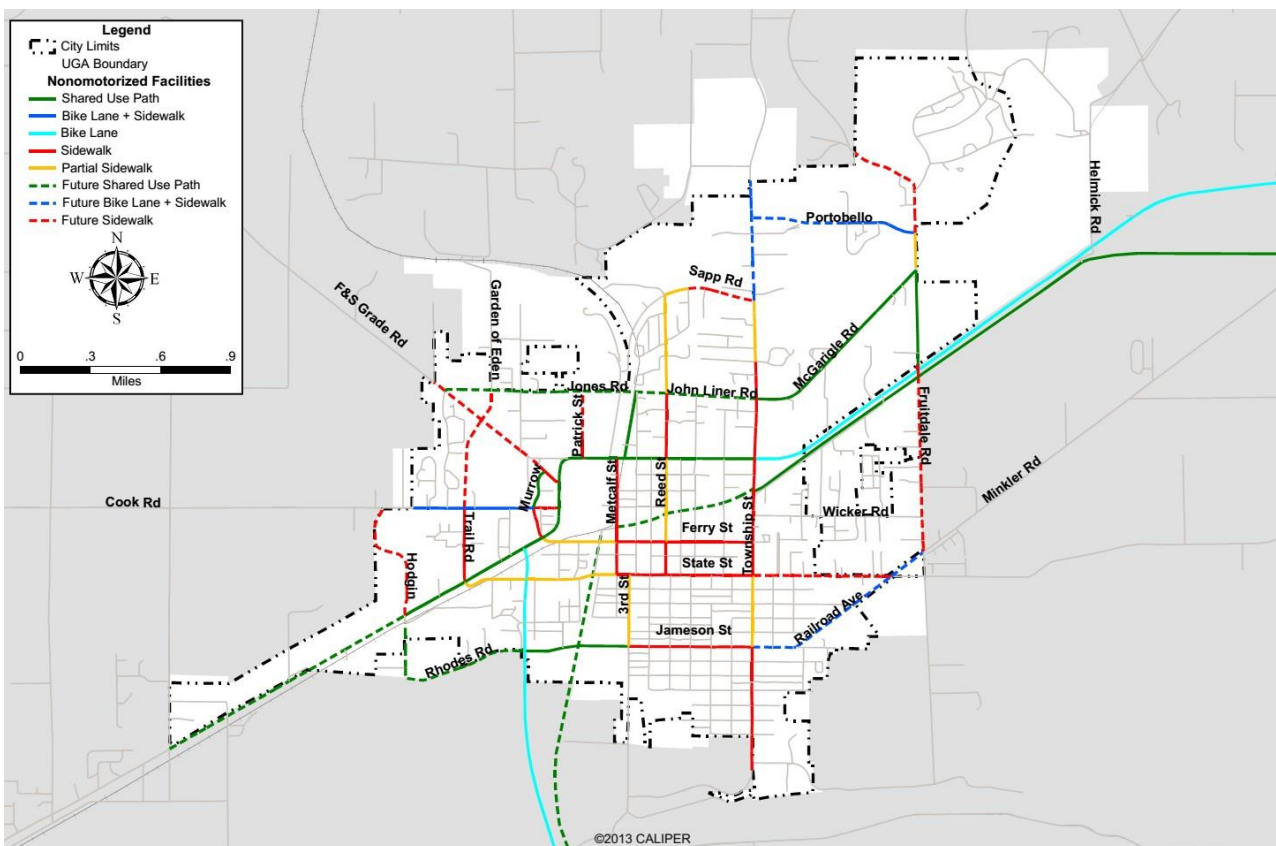


Figure 2

Major Nonmotorized Facilities

City of Sedro-Woolley



Financing Strategies

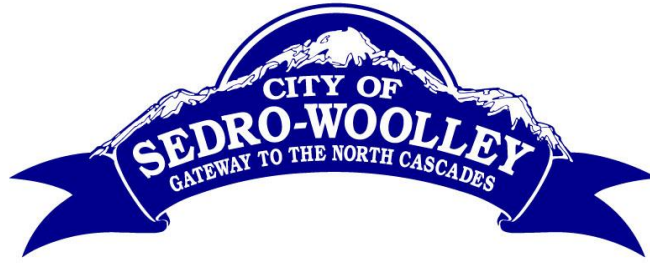
A variety of financing strategies are necessary to provide the level of parks and recreation services that the community expects. Impact fees and grants, along with traditional funding sources like REET funds, general funds and state funding are important sources for parks services, especially as local jurisdictions are facing significant budget challenges as a result of declining sales tax revenues and state funding.

The City of Sedro-Woolley approved the collection of park impact fees on new residential development in 2006. Per state statutes, cities planning under the Growth Management Act are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees. Sedro-Woolley is using a balanced variety of funding options to for parks system improvements. A portion of the impact fees collected have been used to acquire a strategic piece of land that has long been needed to expand Riverfront Park as the city's population has grown. The parks advisory committee recommended that the city increase its park impact fee collected in order to fund future capital improvements needed to accommodate projected population increases. Impact fee valuations are shown in Title 15 of the municipal code. The calculations that provide the support for the value are found in Appendix A of this Element. That calculation, which was fully reviewed and revised in 2016, shows a cost of \$10,055 per new residential unit to purchase and develop the new park space necessary to accommodate new development. The city has elected to charge less than the full amount per unit. In 2008, the City Council increased the park impact fees to bring the amount raised per unit closer to the actual cost of development for park space, to \$1,500 per unit.

Grant moneys will be pursued to purchase additional park property and to assist in the development of those facilities. Several grants are available annually through the Washington State Recreation and Conservation Office (RCO).

Appendix A to Parks and Recreation Element

PARKS IMPACT FEE CALCULATIONS
(See Parks Impact Fee Calculation Update document)



City of Sedro-Woolley Park Impact Fee Calculation



Adopted May 2018

Sedro-Woolley Planning Department
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Section 1 – Introduction

The City of Sedro-Woolley is updating the Parks and Recreation Element of the Sedro-Woolley Comprehensive Plan. The Parks and Recreation Element includes the calculations used to set the parks impact fee for new residential development in the city. This document explains the technical information and methods used to determine the anticipated cost to meet the level of service (LOS) standards for parks over the next eighteen years. LOS is measured by the amount of park land per 1,000 residents that will be provided by the city. During the Parks and Recreation Element update process, the Planning Commission established a desired LOS for parks in 2036. Those standards are elaborated on in Section 2 of this report.

This document will examine the existing park land and determine the amount of land that will need to be acquired and improved to meet the Planning Commission's desired LOS standards goal for 2036. The cost of acquiring that land and improving it for park use is then estimated. Using that figure and the projected housing increase, this document determines the *estimated cost per new dwelling unit to pay for the needed park system improvements (end result)*. The impact fees can only be used to pay for improvements reasonably related to new development, not existing deficiencies. The city owns several acres of land that are intended to be used for parks in the future. The cost of improving these lands is counted as deficiencies in the existing system. For the purposes of this study, those unimproved lands have been included as *existing parks* (though noted as unimproved in Table 1) and the cost of improving them has not been included. No other existing deficiencies have been found in the current park system. Because the cost of improving any deficiencies has been excluded from this study, the full estimated cost per new dwelling unit found in Section 4 may be applied to future development.

RCW 82.02.050-100 establishes the requirements for impact fees in the State of Washington. This document will not set new park impact fees, but rather it addresses the state requirements for impact fee calculations and informs the City Council for future park impact fee discussions. The end result is a number that the City Council can ultimately use to determine how much the city should charge new development to reasonably offset the impacts of new development on the city's parks system. This document will show the fiscal impacts of new development on the park system to assist the City Council if they choose to change the parks impact fee. Per RCW 82.02.050, the City Council may set the impact fee lower (incorporate an "adjustment factor"), but not higher, than the estimated cost per dwelling unit that is determined in this document.

Section 2 – Level of Service

There are five basic types of parks and recreation facilities that the city provides, described below:

- Neighborhood parks are smaller areas meant to accommodate the residents in the immediate vicinity. Amenities are limited and include playgrounds, picnic areas and other amenities expected in a small park.
- Community parks generally are larger and serve the needs of the greater Sedro-Woolley community. Picnic shelters, playgrounds, ball fields and restrooms are typical to these parks. Bingham Park, the City Ball Park (Metcalf Street) and Memorial Park are examples.
- Regional parks serve areas beyond city limits and include amenities that attract users from the region and beyond such as a sports field complex suitable for large tournaments, camping, trails, playgrounds, restrooms and picnic shelters.
- Open Space parks are areas for passive recreation and have limited, if any amenities. Typical amenities are limited to trails, viewing areas and maybe a small parking area.
- Trails are less expensive on average to develop because they consist of little more than a graded path, some signage and maybe some security fencing. The city has also been including paved paths as part of major road improvement projects (Fruitdale/McGarigle Road improvement and State Route 20 improvements).

For the purposes of this analysis, the first three types of parks – which share user characteristics – have been consolidated into one subgroup. Thus there are three subgroups used in this analysis: 1) neighborhood, community and regional parks; 2) open space; and 3) trails.

Only properties that the city can control for parks purposes are included in this study. Though the School District properties serve a vital recreational need in the community, use of school owned properties is limited and access to them is not guaranteed to the general public. Therefore only city-owned properties are included in this study. Also, this study is based on 2036 population projections adopted by Skagit County. Thus the planning horizon for the Sedro-Woolley park impact fees is through 2036. The County's projected population for Sedro-Woolley (and its unincorporated urban growth area) in 2036 is 17,069 residents, an increase of 6,039 residents from the current estimated population of 10,950 within city limits.

Table 1 shows the existing land owned by the City of Sedro-Woolley that is currently used for parks or is anticipated to be used as parkland in the future.

Table 1 – Existing city parklands

Park Name	Park Type	Acreage	Developed
Harry Osborne Park	Neighborhood	1.5	Yes
Hammer Heritage Park	Neighborhood	0.20	Yes
Metcalf Street Mall	Neighborhood	0.25	Yes
Lions Roadside Park	Neighborhood	0.25	Yes
Fire Station 2 Park	Neighborhood	1.00	No
Basset Road Property	Neighborhood	11.20	No
Park Cottages Property	Neighborhood	0.29	No
Dog Park	Community	1.00	Yes
Bingham Park	Community	2.60	Yes
Winnie Houser Park & Playfield	Community	9.52	No
N. Reed Street Property	Community	2.6	No
Sapp Road Property	Community	0.6	No
Memorial Park	Community	3.00	Yes
Metcalf Park	Community	2.8	Yes
Denny Engberg Memorial Field	Community	5.35	Yes
Riverfront Park	Regional	20.50	Yes
SWIFT Center parkland	Regional	14.81	No
FEMA Property	Open Space	11.00	N/A
Sauk Mountain View Estates Park	Open Space	3.0	N/A
River Road Property ¹	Open Space	36.00	N/A
Fruitdale Road/McGarigle Road Paths	Trail	7,000 lf	Yes
State Route 20 Path	Trail	3,500 lf	Yes
RR Path (Fruitdale Rd to Township St) ²	Trail	4,500 lf	Yes
Sauk Mountain View Estates Trails ³	Trail	2,600 lf	Yes

Before the Planning Commission made a decision on the future LOS per 1,000 residents, the existing LOS was examined. Using the information on Table 1 and the current population of 10,095, the existing parks LOS was determined. The existing amount of park land is listed in the second column of Table 2 (page 7), the existing LOS results are included in the third column.

After reviewing the existing amount of parks owned by the city, the Planning Commission debated the appropriate LOS for 2036 considering the increased demand on undeveloped and underdeveloped property in city limits. The result of that discussion is as follows:

¹ Undeveloped field outside city limits

² Mostly outside of city limits, on Skagit County's Cascade trail

³ Private land with easement for public trail access

1) Neighborhood, community and regional parks – Ten (10) acres of neighborhood, community and regional park per 1,000 residents in 2036. This number includes limited-use parks such as ball fields and undeveloped properties where the public does not have unfettered access to the property. An allowance that only 75% of that property must be fully developed by 2036 was included to account for the typical lag time between property acquisition and securing of funding for improvements to the land. This means that city-owned 7.5 acres out of every 10 acres of open, city-owned park should be available per 1,000 residents.

2) Open space – Five (5) acres of open space park per 1,000 residents is recommended as the LOS for 2036.

3) Trails – 1 mile of trail or shared use paths (separated from roadways) per 1,000 residents in 2036. This includes both trails on public lands and trails on private land where an easement is in place to allow public trail access.

The existing LOS is lower than the newly recommended LOS. The LOS was raised to compensate for the loss lands that are not owned by the city, but have been used for recreation purposes in the past. Such lands include private land that has been recently developed or is anticipated to be developed in the near future. The Planning Commission recognizes that the city has traditionally had lower density rates than those projected for 2036. Higher densities coupled with the loss of previously vacant land within the city increases the need for parks and open spaces to be provided by the city. Unused and otherwise vacant lots have in the past served both recreational and aesthetic needs of the community because their presence as undeveloped areas gave the impression of open space and gave residents a place to recreate. As private lands are developed, city parks will need to fulfill all of the open space and recreational needs of the community. Therefore, the city must take a more active roll in providing park land to replace the open space to which the community has grown accustomed. To maintain the existing perceived open space amenities, the city must increase the number of acres of official parks per resident, thus the increased LOS for parks in 2036.

Table 2 shows the existing LOS, planned LOS, and the amount of land that must be acquired to meet the Planned LOS for each of the three subgroups of park type.

Table 2 – Projected acreage needed to meet the 2036 LOS standards

Park Type	2018 Existing Acres	2018 Existing LOS (acres per 1000 residents. 10,950 residents in 2017)	2036 Planned LOS	2036 Total Acres Under Planned LOS based on 17,069 population	2036 New Acreage Needed to meet Planned LOS
Neighborhood, Community & Regional	77.47 acres	5.72 per 1,000	10 per 1,000	170.69 acres	93.22 acres
Open Space	50	4.57 per 1,000	5 per 1,000	78 acres	28 acres
Trails ⁴	13.21 acres (5.45 linear miles)	0.5 linear miles per 1,000	1 mile per 1,000	41.38 acres (17.07 linear miles)	28.17 acres (11.62 linear miles)
Totals	132.92 acres	N/A	N/A	290.07 acres	157.15 acres

Based on the above Table 2, the City of Sedro-Woolley needs to acquire 93.22 acres of land to be developed as neighborhood, community and regional parks to meet the needs of the residents in 2036. In addition, 28 acres of land to be conserved as open space parkland must also be acquired, as well as enough property to accommodate 11.62 linear miles of trails. To determine an estimated cost of trail-miles, a minimum right-of-way of 20 feet is assumed. 11.62 linear miles equals 61,353 linear feet. Multiplied by the assumed 20-foot wide right-of-way, the estimated number of acres that is necessary to meet the trails LOS is determined. $20' \times 61,353' = 1,227,060$ square feet. This is equivalent to 28.17 acres of trail corridor. The total amount of land the city needs to acquire to meet the 2036 parks LOS is 157.15 acres

⁴ Assuming 20-foot wide trail right-of-way

Section 3 – Development Costs

Two factors will affect the cost of park development, the cost of land acquisition and the cost of building the park infrastructure.

Cost of land acquisition

The study used valuations from the Skagit County Assessor Office to determine an average price per acre of land that might potentially be used for parks. The Assessor's Office provided a list of developable land suitable for park use within Sedro-Woolley's city limits and urban growth area. The properties included are based on criteria set by the city⁵. Attached to each parcel is the Assessor's valuation, which was devised from the Office's determination of highest and best use for the property.

The Planning Department calculated the total amount of land and the total assessed value of all the properties that meet the above criteria. 979.7 acres of land totaling \$67,213,500 was found to meet the criteria. The average assessed value for property one acre or larger within city limits is \$68,605 / acre (See Exhibit A). The anticipated cost of acquiring enough land for park use to meet the 2036 LOS (157.14 acres) is \$10,780,589.

Cost of Infrastructure Development

No specific development cost standards exist for park infrastructure and each project is different. The site location, scope of the improved development and other factors affect the cost. However, in 2011 the City of Poulsbo determined a cost estimate based on recent park development projects, typical park amenities and feedback from other municipalities (2016 cost estimates have been revised upward, but the City of Sedro-Woolley has elected to use the older estimated costs because they better reflect costs in the Skagit County area). That study yielded the following cost estimates:

Neighborhood Park: average \$75,000 per acre (*typical amenities: playground, picnic area, lawn/sitting area, barbeque, trails, viewing area*).

Community Park: average \$115, 000 per acre (*typical amenities: playground, sport fields, picnic area/shelter, barbeque, trails/paths, lawn/sitting area, viewing areas, dog run, and community gardens*).

Regional Park: average \$130,000 per acre (*typical amenities: playground, picnic area, restrooms, trails/paths, lawn/sitting area, multi-purpose fields, viewing areas, picnic shelter*)

Open Space Park: average \$60,000 per acre (*typical amenities: trails and paths, viewing areas, viewing platforms, arboretum*).

Trails: average \$30,000 per acre (*typical development: grading and gravel path*).

⁵Criteria for lands included in Assessor's data are as follows; in general, parks are not located in commercial or industrial areas, so only properties in residential areas are included in this study. Also, small lots that have been subdivided for use by single family residences were not included in this study. Thus, only properties one acre or larger in residential zones are considered for the purposes of determining a value per acre for properties that may feasibly be used for parks.

Because Sedro-Woolley is not specifying percentages of land for neighborhood, community and regional parks, the average cost of developing those parks is used in the calculations shown below in Table 3. The calculation of \$105,000 is roughly equivalent of the average of \$60,000, \$115,000 and \$130,000. The anticipated cost of improving 157.14 acres of newly acquired lands for park use to meet the 2036 LOS is \$12,313,200.

Table 3 – Projected Cost to Develop Specific Park Types

Park Type	2036 New acreage needed to meet planned LOS	Average cost of development per acre	Estimated cost to acquire and improve
Neighborhood, Community & Regional	93.22 acres	\$105,000	\$9,788,100
Open Space	28 acres	\$60,000	\$1,680,000
Trails ⁶	28.17 acres (11.62 linear miles)	\$30,000	\$845,100
Totals	164.17 acres	N/A	\$ 12,313,200

⁶ Assuming 20-foot wide trail right-of-way

Section 4 – Costs Related to Future Residential Development

The financial costs discussed in Section 3 are for parks improvements necessary because of future development. The total cost of acquiring 157.14 acres necessary to accommodate new development is \$10,780,589 and the estimated cost to improve those lands is \$12,313,200. Together, *the total estimated cost of future development on the city's parks and recreation system is \$ 23,093,789.*

Although it is not anticipated that the full cost of upgrading the parks system will be paid by new development through parks impact fees, the following analysis shows what the responsibility per new dwelling unit would be if no other funding measures are used to fund the improvements.

According to Skagit County's adopted population projections for 2036, the City of Sedro-Woolley is expected to increase to 17,069 residents. The current population is estimated at 10,950. The 2010 United States Census results indicate that there is an average of 2.449 residents per dwelling unit in Sedro-Woolley. Therefore an increase of 6,119 residents results in an *additional 2,499 dwelling units between 2018 and 2036* ($6,119/2.449=2,499$).

By dividing the number of new units expected to be built between now and 2036 (2,499) into the cost of improving parks to meet the 2036 LOS (\$23,093,789), the cost per new unit is determined. The result of the calculation shows that it will cost the city **\$9,241** for each new unit of residential development to meet the desired goals for park services in 2036.

It is not recommended that the city alter its park impact fees to try to capture the above cost per unit. This study was performed to provide up to date information about the cost of providing parks, as required by the state legislation regarding impact fee rates (RCW 82.02). The City is currently in compliance with these requirements; this study was performed to keep the city in compliance in the new planning horizon stretching into 2036. The findings herein show that the impacts of new development have a direct and substantial financial impact on the Sedro-Woolley park system. The findings further support the city's current park impact fee of \$1,500 per new residential unit.

Though the above calculations indicate that the cost of new parks facilities that are necessary as a result of new development is actually much higher per unit, it cannot be expected that all future park acquisition and development be financed exclusively by park impact fees. The total 2036 park needs cost of \$23,093,789 must be shared between the city and new development. This is referred to as an "adjustment factor" and reflects the contribution public funds must make to future park development. State legislation allows jurisdictions to include an adjustment factor, in other words, the city may charge less than the actual projected cost per unit. The adjustment factor is based on the city's ability to pay for parks needs through grants, general funds and donations.

Exhibit A - Assessor's Office Valuation chart

ALL PROPERTIES 1 ACRE OR LARGER

PARCELID	Acres	AssessedValue	LandUse
36589	1	\$ 153,200	(110) HOUSEHOLD SFR OUTSIDE CITY
37139	1	\$ 243,600	(111) HOUSEHOLD, SFR, INSIDE CITY
37431	1	\$ 193,900	(111) HOUSEHOLD, SFR, INSIDE CITY
37434	1	\$ 224,700	(111) HOUSEHOLD, SFR, INSIDE CITY
37438	1	\$ 534,200	(111) HOUSEHOLD, SFR, INSIDE CITY
37686	1	\$ 234,100	(110) HOUSEHOLD SFR OUTSIDE CITY
37687	1	\$ 381,900	(110) HOUSEHOLD SFR OUTSIDE CITY
39513	1	\$ 154,200	(111) HOUSEHOLD, SFR, INSIDE CITY
39751	1	\$ 256,500	(111) HOUSEHOLD, SFR, INSIDE CITY
39778	1	\$ 21,900	(180) MOBILE HOMES
40386	1	\$ 114,900	(180) MOBILE HOMES
64969	1	\$ 293,200	(110) HOUSEHOLD SFR OUTSIDE CITY
76880	1	\$ 138,400	(111) HOUSEHOLD, SFR, INSIDE CITY
76885	1	\$ 137,800	(111) HOUSEHOLD, SFR, INSIDE CITY
76909	1	\$ 197,900	(111) HOUSEHOLD, SFR, INSIDE CITY
95635	1	\$ 326,700	(111) HOUSEHOLD, SFR, INSIDE CITY
103786	1	\$ 218,800	(111) HOUSEHOLD, SFR, INSIDE CITY
117232	1	\$ 54,600	
120877	1	\$ 133,300	(180) MOBILE HOMES
123071	1	\$ 69,000	(910) UNIMPROVED LAND
123072	1	\$ 449,200	(110) HOUSEHOLD SFR OUTSIDE CITY
123073	1	\$ 286,700	(180) MOBILE HOMES
125302	1	\$ 74,800	(910) UNIMPROVED LAND
36359	1.01	\$ 587,900	(111) HOUSEHOLD, SFR, INSIDE CITY
36642	1.01	\$ 8,200	(910) UNIMPROVED LAND
95637	1.02	\$ 482,400	(111) HOUSEHOLD, SFR, INSIDE CITY
76870	1.03	\$ 250,700	(120) HOUSEHOLD, 2-4 UNITS
36383	1.04	\$ 238,500	(110) HOUSEHOLD SFR OUTSIDE CITY
37673	1.04	\$ 212,600	(111) HOUSEHOLD, SFR, INSIDE CITY
122991	1.04	\$ 452,700	(111) HOUSEHOLD, SFR, INSIDE CITY
77251	1.06	\$ 170,400	(111) HOUSEHOLD, SFR, INSIDE CITY
77252	1.06	\$ 279,300	(111) HOUSEHOLD, SFR, INSIDE CITY
37440	1.07	\$ 35,300	
37157	1.08	\$ 108,800	(180) MOBILE HOMES
122090	1.08	\$ 75,900	(910) UNIMPROVED LAND
39400	1.09	\$ 6,300	
39549	1.09	\$ 94,200	(111) HOUSEHOLD, SFR, INSIDE CITY
37176	1.1	\$ 176,300	(111) HOUSEHOLD, SFR, INSIDE CITY

64967	1.1	\$	257,500	(110) HOUSEHOLD SFR OUTSIDE CITY
36342	1.11	\$	127,200	(180) MOBILE HOMES
38610	1.12	\$	325,800	(110) HOUSEHOLD SFR OUTSIDE CITY
37171	1.13	\$	117,300	(111) HOUSEHOLD, SFR, INSIDE CITY
36368	1.15	\$	46,900	
37463	1.16	\$	340,400	(120) HOUSEHOLD, 2-4 UNITS
39768	1.17	\$	346,200	(110) HOUSEHOLD SFR OUTSIDE CITY
36481	1.18	\$	322,100	(110) HOUSEHOLD SFR OUTSIDE CITY
36690	1.18	\$	205,100	(110) HOUSEHOLD SFR OUTSIDE CITY
64939	1.19	\$	97,100	(110) HOUSEHOLD SFR OUTSIDE CITY
36353	1.2	\$	249,700	(120) HOUSEHOLD, 2-4 UNITS
36346	1.21	\$	214,600	(110) HOUSEHOLD SFR OUTSIDE CITY
39896	1.21	\$	177,500	(110) HOUSEHOLD SFR OUTSIDE CITY
64936	1.22	\$	79,900	(110) HOUSEHOLD SFR OUTSIDE CITY
95636	1.22	\$	342,600	(111) HOUSEHOLD, SFR, INSIDE CITY
125213	1.233	\$	169,100	(180) MOBILE HOMES
76893	1.24	\$	288,000	(180) MOBILE HOMES
100299	1.24	\$	84,400	(910) UNIMPROVED LAND
36382	1.25	\$	78,200	(910) UNIMPROVED LAND (810) AGRICULTURE, NON-CLASSIFIED
39283	1.27	\$	6,800	O/S
77766	1.27	\$	288,300	(110) HOUSEHOLD SFR OUTSIDE CITY
36501	1.3	\$	455,800	(111) HOUSEHOLD, SFR, INSIDE CITY
36661	1.31	\$	166,200	(830) CURRENT USE FARM AN AG
36369	1.32	\$	161,500	(111) HOUSEHOLD, SFR, INSIDE CITY
36503	1.33	\$	32,700	(111) HOUSEHOLD, SFR, INSIDE CITY
37154	1.33	\$	207,700	(180) MOBILE HOMES
39398	1.36	\$	298,700	(111) HOUSEHOLD, SFR, INSIDE CITY
39903	1.36	\$	259,400	(110) HOUSEHOLD SFR OUTSIDE CITY
38611	1.37	\$	377,000	(110) HOUSEHOLD SFR OUTSIDE CITY
38612	1.37	\$	248,400	(110) HOUSEHOLD SFR OUTSIDE CITY
64940	1.37	\$	243,000	(110) HOUSEHOLD SFR OUTSIDE CITY
76869	1.38	\$	109,000	
36404	1.4	\$	471,200	(111) HOUSEHOLD, SFR, INSIDE CITY
77020	1.41	\$	204,000	(111) HOUSEHOLD, SFR, INSIDE CITY
39359	1.43	\$	121,500	(110) HOUSEHOLD SFR OUTSIDE CITY
39583	1.43	\$	200,100	(110) HOUSEHOLD SFR OUTSIDE CITY
36410	1.45	\$	375,500	(111) HOUSEHOLD, SFR, INSIDE CITY
36411	1.45	\$	247,400	(111) HOUSEHOLD, SFR, INSIDE CITY
77289	1.45	\$	16,700	(910) UNIMPROVED LAND
37138	1.46	\$	89,500	
77001	1.47	\$	354,800	(111) HOUSEHOLD, SFR, INSIDE CITY
36407	1.49	\$	257,600	(111) HOUSEHOLD, SFR, INSIDE CITY

37168	1.5	\$	195,900	(111) HOUSEHOLD, SFR, INSIDE CITY
37484	1.51	\$	117,800	
39451	1.51	\$	278,400	(111) HOUSEHOLD, SFR, INSIDE CITY
37194	1.54	\$	187,900	(111) HOUSEHOLD, SFR, INSIDE CITY
37150	1.57	\$	152,100	(111) HOUSEHOLD, SFR, INSIDE CITY
36441	1.58	\$	12,200	(910) UNIMPROVED LAND
36660	1.62	\$	191,200	(110) HOUSEHOLD SFR OUTSIDE CITY
37674	1.63	\$	178,900	(111) HOUSEHOLD, SFR, INSIDE CITY
39906	1.64	\$	254,800	(110) HOUSEHOLD SFR OUTSIDE CITY
77368	1.67	\$	192,300	
77174	1.6943	\$	2,306,800	(130) HOUSEHOLD, 5+ UNITS
36587	1.7	\$	289,400	(110) HOUSEHOLD SFR OUTSIDE CITY
37335	1.7	\$	371,900	(111) HOUSEHOLD, SFR, INSIDE CITY
126554	1.73	\$	7,900	(180) MOBILE HOMES
39550	1.76	\$	305,600	(110) HOUSEHOLD SFR OUTSIDE CITY
37694	1.77	\$	14,000	
39329	1.78	\$	311,700	(111) HOUSEHOLD, SFR, INSIDE CITY
37698	1.8	\$	272,700	(111) HOUSEHOLD, SFR, INSIDE CITY
76918	1.8	\$	238,900	
36678	1.81	\$	159,700	(110) HOUSEHOLD SFR OUTSIDE CITY
39578	1.82	\$	118,100	(111) HOUSEHOLD, SFR, INSIDE CITY
36584	1.83	\$	169,200	(110) HOUSEHOLD SFR OUTSIDE CITY
37401	1.8737	\$	444,800	(111) HOUSEHOLD, SFR, INSIDE CITY
37696	1.9	\$	73,100	(910) UNIMPROVED LAND
39315	1.93	\$	284,700	(110) HOUSEHOLD SFR OUTSIDE CITY
107812	1.93	\$	144,300	
76524	1.95	\$	55,300	
77290	1.96	\$	398,100	(111) HOUSEHOLD, SFR, INSIDE CITY
36378	1.98	\$	231,900	(110) HOUSEHOLD SFR OUTSIDE CITY
39891	1.98	\$	221,700	(110) HOUSEHOLD SFR OUTSIDE CITY
36242	2	\$	413,400	(110) HOUSEHOLD SFR OUTSIDE CITY
36522	2	\$	286,400	(111) HOUSEHOLD, SFR, INSIDE CITY
36638	2	\$	219,600	(110) HOUSEHOLD SFR OUTSIDE CITY
37166	2	\$	262,600	(111) HOUSEHOLD, SFR, INSIDE CITY
37259	2	\$	1,000	(830) CURRENT USE FARM AN AG
40385	2	\$	448,600	(110) HOUSEHOLD SFR OUTSIDE CITY
37147	2.07	\$	131,400	(111) HOUSEHOLD, SFR, INSIDE CITY
123079	2.09	\$	280,500	(110) HOUSEHOLD SFR OUTSIDE CITY
37482	2.11	\$	356,500	(111) HOUSEHOLD, SFR, INSIDE CITY
39897	2.14	\$	120,000	(110) HOUSEHOLD SFR OUTSIDE CITY
39902	2.17	\$	355,500	(120) HOUSEHOLD, 2-4 UNITS
36550	2.19	\$	250,700	(110) HOUSEHOLD SFR OUTSIDE CITY
36652	2.2	\$	249,200	(110) HOUSEHOLD SFR OUTSIDE CITY

36468	2.21	\$	223,000	(111) HOUSEHOLD, SFR, INSIDE CITY
38599	2.24	\$	260,000	(110) HOUSEHOLD SFR OUTSIDE CITY
64957	2.25	\$	243,500	(110) HOUSEHOLD SFR OUTSIDE CITY
36510	2.27	\$	451,200	(111) HOUSEHOLD, SFR, INSIDE CITY
39825	2.34	\$	280,300	(111) HOUSEHOLD, SFR, INSIDE CITY
76912	2.34	\$	403,500	(111) HOUSEHOLD, SFR, INSIDE CITY
95634	2.34	\$	380,000	(111) HOUSEHOLD, SFR, INSIDE CITY
37421	2.3415	\$	291,400	(111) HOUSEHOLD, SFR, INSIDE CITY
36651	2.36	\$	231,200	(110) HOUSEHOLD SFR OUTSIDE CITY
36370	2.37	\$	16,900	(910) UNIMPROVED LAND
36511	2.38	\$	322,000	(111) HOUSEHOLD, SFR, INSIDE CITY
36416	2.39	\$	131,900	(111) HOUSEHOLD, SFR, INSIDE CITY
39900	2.43	\$	187,800	(110) HOUSEHOLD SFR OUTSIDE CITY
113070	2.43	\$	303,900	(111) HOUSEHOLD, SFR, INSIDE CITY
39373	2.47	\$	300	(830) CURRENT USE FARM AN AG
77287	2.48	\$	383,900	(111) HOUSEHOLD, SFR, INSIDE CITY
40389	2.5	\$	165,200	(110) HOUSEHOLD SFR OUTSIDE CITY
40388	2.54	\$	227,400	(110) HOUSEHOLD SFR OUTSIDE CITY
39889	2.55	\$	2,837,000	(130) HOUSEHOLD, 5+ UNITS
36418	2.58	\$	126,500	
37140	2.67	\$	282,600	(111) HOUSEHOLD, SFR, INSIDE CITY
36662	2.7	\$	23,300	(830) CURRENT USE FARM AN AG
36663	2.7	\$	25,700	(830) CURRENT USE FARM AN AG
64948	2.7	\$	337,500	(110) HOUSEHOLD SFR OUTSIDE CITY
39318	2.71	\$	242,200	(180) MOBILE HOMES (810) AGRICULTURE, NON-CLASSIFIED
37677	2.74	\$	14,800	O/S
37632	2.76	\$	338,600	(110) HOUSEHOLD SFR OUTSIDE CITY
39548	2.8	\$	350,400	
36325	2.85	\$	18,800	(810) AGRICULTURE, NON-CLASSIFIED O/S
36639	2.89	\$	13,500	(910) UNIMPROVED LAND
131117	3.0325	\$	181,000	
131116	3.0388	\$	-	
36564	3.05	\$	321,700	(111) HOUSEHOLD, SFR, INSIDE CITY
39399	3.15	\$	334,800	(111) HOUSEHOLD, SFR, INSIDE CITY
76522	3.21	\$	270,800	(111) HOUSEHOLD, SFR, INSIDE CITY (810) AGRICULTURE, NON-CLASSIFIED
39305	3.22	\$	49,500	O/S
36412	3.26	\$	23,200	(910) UNIMPROVED LAND
37695	3.27	\$	162,000	(110) HOUSEHOLD SFR OUTSIDE CITY
39314	3.38	\$	160,900	(110) HOUSEHOLD SFR OUTSIDE CITY
36367	3.47	\$	261,500	(111) HOUSEHOLD, SFR, INSIDE CITY
123564	3.47	\$	116,200	(910) UNIMPROVED LAND

37688	3.48	\$	6,000	(830) CURRENT USE FARM AN AG
39406	3.5	\$	117,000	(110) HOUSEHOLD SFR OUTSIDE CITY
39371	3.59	\$	132,500	
39757	3.69	\$	329,400	(110) HOUSEHOLD SFR OUTSIDE CITY
37333	3.75	\$	6,500	(830) CURRENT USE FARM AN AG
37541	3.87	\$	4,801,000	(130) HOUSEHOLD, 5+ UNITS
36409	3.89	\$	260,400	(111) HOUSEHOLD, SFR, INSIDE CITY
36641	3.89	\$	21,800	(910) UNIMPROVED LAND
36643	3.9	\$	237,800	(110) HOUSEHOLD SFR OUTSIDE CITY
36644	3.9	\$	215,600	(110) HOUSEHOLD SFR OUTSIDE CITY
36552	3.93	\$	307,400	(110) HOUSEHOLD SFR OUTSIDE CITY
36379	4	\$	195,000	(180) MOBILE HOMES
76507	4.12	\$	7,100	(830) CURRENT USE FARM AN AG
36241	4.22	\$	341,600	(110) HOUSEHOLD SFR OUTSIDE CITY
36244	4.24	\$	269,000	(110) HOUSEHOLD SFR OUTSIDE CITY
37251	4.25	\$	152,300	(830) CURRENT USE FARM AN AG
37256	4.28	\$	2,200	(830) CURRENT USE FARM AN AG
39290	4.32	\$	295,600	(111) HOUSEHOLD, SFR, INSIDE CITY
36675	4.38	\$	255,000	(110) HOUSEHOLD SFR OUTSIDE CITY
37407	4.39	\$	410,900	(111) HOUSEHOLD, SFR, INSIDE CITY
36680	4.45	\$	159,400	(111) HOUSEHOLD, SFR, INSIDE CITY
36405	4.47	\$	546,500	(120) HOUSEHOLD, 2-4 UNITS
39307	4.5	\$	229,900	(111) HOUSEHOLD, SFR, INSIDE CITY
36640	4.54	\$	387,400	(110) HOUSEHOLD SFR OUTSIDE CITY
36348	4.57	\$	30,800	(910) UNIMPROVED LAND
36509	4.64	\$	306,800	(111) HOUSEHOLD, SFR, INSIDE CITY (810) AGRICULTURE, NON-CLASSIFIED
36372	4.73	\$	223,300	O/S
118271	4.74	\$	283,400	(111) HOUSEHOLD, SFR, INSIDE CITY
39417	4.77	\$	207,200	(111) HOUSEHOLD, SFR, INSIDE CITY
37702	4.87	\$	323,600	(110) HOUSEHOLD SFR OUTSIDE CITY
39316	4.87	\$	169,800	(180) MOBILE HOMES
39317	4.87	\$	232,200	(111) HOUSEHOLD, SFR, INSIDE CITY
36653	4.89	\$	315,800	(110) HOUSEHOLD SFR OUTSIDE CITY
40364	4.89	\$	303,800	(111) HOUSEHOLD, SFR, INSIDE CITY
36470	4.91	\$	176,300	(110) HOUSEHOLD SFR OUTSIDE CITY
36323	5	\$	281,300	(110) HOUSEHOLD SFR OUTSIDE CITY
36654	5	\$	27,900	(910) UNIMPROVED LAND
36684	5	\$	233,800	(111) HOUSEHOLD, SFR, INSIDE CITY
37820	5	\$	291,200	(830) CURRENT USE FARM AN AG
133765	5	\$	260,500	(111) HOUSEHOLD, SFR, INSIDE CITY
39377	5.01	\$	232,600	(111) HOUSEHOLD, SFR, INSIDE CITY
127102	5.07	\$	112,100	(910) UNIMPROVED LAND

37229	5.15	\$	354,600	(111) HOUSEHOLD, SFR, INSIDE CITY
127103	5.17	\$	112,800	(910) UNIMPROVED LAND
127101	5.3	\$	113,800	(910) UNIMPROVED LAND
39304	5.64	\$	328,400	(111) HOUSEHOLD, SFR, INSIDE CITY
37250	5.65	\$	67,200	(830) CURRENT USE FARM AN AG
39390	5.69	\$	295,000	(111) HOUSEHOLD, SFR, INSIDE CITY
36374	5.98	\$	368,800	(180) MOBILE HOMES
39388	6.03	\$	157,700	(111) HOUSEHOLD, SFR, INSIDE CITY
118146	6.29	\$	110,400	(910) UNIMPROVED LAND
121363	6.34	\$	162,300	
36637	6.44	\$	216,400	(180) MOBILE HOMES
36343	6.53	\$	278,300	(110) HOUSEHOLD SFR OUTSIDE CITY
36477	6.78	\$	654,600	(110) HOUSEHOLD SFR OUTSIDE CITY
37658	6.87	\$	145,600	(110) HOUSEHOLD SFR OUTSIDE CITY
36324	7	\$	382,300	(110) HOUSEHOLD SFR OUTSIDE CITY (810) AGRICULTURE, NON-CLASSIFIED
36380	7	\$	173,300	O/S
64982	7.03	\$	314,200	(110) HOUSEHOLD SFR OUTSIDE CITY
36419	7.8	\$	196,900	(180) MOBILE HOMES
37206	7.85	\$	131,400	(830) CURRENT USE FARM AN AG
36366	7.95	\$	267,000	(111) HOUSEHOLD, SFR, INSIDE CITY
64984	7.97	\$	257,300	(830) CURRENT USE FARM AN AG
37678	8.71	\$	325,600	(830) CURRENT USE FARM AN AG
36234	9.01	\$	169,300	(110) HOUSEHOLD SFR OUTSIDE CITY
36413	9.11	\$	146,900	(110) HOUSEHOLD SFR OUTSIDE CITY
36469	9.21	\$	335,600	(110) HOUSEHOLD SFR OUTSIDE CITY
39280	9.34	\$	231,600	(120) HOUSEHOLD, 2-4 UNITS
118284	9.58	\$	421,300	(110) HOUSEHOLD SFR OUTSIDE CITY
39380	9.6	\$	336,200	(111) HOUSEHOLD, SFR, INSIDE CITY
39382	9.64	\$	318,400	(111) HOUSEHOLD, SFR, INSIDE CITY (810) AGRICULTURE, NON-CLASSIFIED
36581	9.72	\$	54,200	O/S
37253	9.73	\$	3,900	(830) CURRENT USE FARM AN AG
36414	9.75	\$	131,800	(110) HOUSEHOLD SFR OUTSIDE CITY
36491	9.82	\$	1,988,700	(130) HOUSEHOLD, 5+ UNITS
37824	10.45	\$	18,100	(830) CURRENT USE FARM AN AG
36417	11.65	\$	745,600	
39374	12.7	\$	420,100	
39295	16.08	\$	125,900	(830) CURRENT USE FARM AN AG
123070	16.48	\$	2,400	(830) CURRENT USE FARM AN AG
36480	17.879999	\$	496,500	(910) UNIMPROVED LAND
36347	18.860001	\$	273,300	(180) MOBILE HOMES (810) AGRICULTURE, NON-CLASSIFIED
36482	19.440001	\$	259,300	O/S

39366	19.549999	\$	621,600	(111) HOUSEHOLD, SFR, INSIDE CITY
39369	24.41	\$	624,900	(910) UNIMPROVED LAND
38606	24.42	\$	424,100	(110) HOUSEHOLD SFR OUTSIDE CITY
39372	28.75	\$	3,500	(830) CURRENT USE FARM AN AG
36504	40.540001	\$	258,700	(830) CURRENT USE FARM AN AG
	979.703801	\$	67,213,500	

Total value of properties 1 acre or larger	\$	67,213,500
Total acreage 1 acre or larger		979.703801
Average price per acre of developable land 1 acre or larger	\$	68,605.94

Chapter 15.60
IMPACT FEES FOR PLANNED FACILITIES*

**Exhibit B to PC Memo -
Chapter 15.60 SWMC**

Sections:

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* Prior ordinance history: Ords. 1314-98, 1331-99, 1424-02 and 1452-03.

15.60.010 Authority and purpose.

A. This title is enacted pursuant to the city's police powers, the Growth Management Act as codified in Chapter [36.70A](#) RCW, the enabling authority in Chapter [82.02](#) RCW, Chapter [58.17](#) RCW relating to platting and subdivisions, and the State Environmental Policy Act (SEPA) Chapter [42.21C](#) RCW.

B. The purpose of this title is to:

1. Develop a transportation impact fee program consistent with the Sedro-Woolley Comprehensive Plan (2005) the Six-Year Transportation Improvement Program (2005), and capital facilities plans for joint public and private financing of transportation, park and fire department improvements necessitated in whole or in part by development in the city;
2. Ensure adequate levels of transportation, traffic, park and fire department service within the city consistent with the comprehensive plan;
3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site facilities directly necessitated by new development, in order to provide an adequate level of service consistent with the comprehensive plan;

4. Ensure that the city pays its fair share of the capital costs of transportation, park and fire department facilities necessitated by public use of the transportation, park, and fire department systems; and

5. Ensure fair collection and administration of such impact fees.

C. The provisions of this chapter shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.015 Definitions.

The following are definitions provided for administering the impact fee ordinance. The public works director shall have the authority to resolve questions of interpretation or conflicts between definitions.

A. "Adequate level of transportation service" means a system of transportation facilities which have the capacity to serve development without decreasing levels of service below the city's established minimum as determined by SWMC Chs. 15.40, 15.56, and adopted plans and ordinances.

B. "Adequate level of parks service" means a system of parks facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

C. "Adequate level of fire department service" means a system of fire department facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

D. "Capacity" means the maximum sustainable flow rate at which vehicles or persons can be expected to traverse a point or uniform segment of a lane or roadway during a specified time period, usually expressed as vehicles per hour, passengers per hour, or persons per hour.

E. "Development activity" means any construction or expansion of a building, or structure, or use, or any changes in the use of land, that creates additional demand and need for public facilities.

F. "Director" means the director of the department of public works of the city of Sedro-Woolley or his/her designee.

G. "Finance director" means the clerk-treasurer of the city of Sedro-Woolley or his/her designee.

H. "Impact fee" means a payment of money imposed upon development approval to pay for public streets and roads, parks and fire department facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public streets and roads, parks and fire department facilities that is a proportionate share of the cost of the public streets and roads, parks and fire department facilities and that is used for public streets and roads, parks and fire department facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee otherwise established by city council resolution, nor mitigation required by SEPA or other ordinance.

I. "Jurisdiction" means a municipality or county.

J. "Off-site transportation road improvement" means improvement, except a frontage improvement, to an existing or proposed city road or street outside the boundaries of a development, which

improvement is required or recommended in accordance with this title. “Off-site parks improvement” means improvement to an existing or proposed park facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

K. “Off-site fire department improvement” means improvement to an existing or proposed fire department facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

L. “Parks” means public parks; public recreational, community, cultural or civic facilities (including, without limitation senior centers and youth centers); public trails; and any other similar public facilities identified in the parks plan.

M. “Parks plan” means those specific projects and/or classes of projects for the development and/or improvement of public parks identified within the parks element of the Sedro-Woolley capital facilities plan, as may from time to time be amended.

N. “Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities plan approved by the city council shall be considered a project improvement.

O. “Service area” means a geographic area defined by ordinance or intergovernmental agreement in which a defined set of public streets and roads, parks and fire department facilities provide service to the development within the area.

P. “Six-year transportation improvement program (TIP)” means a subset of projects contained in the city’s capital improvement program. The TIP is a set of comprehensive street programs/projects which after a public hearing is annually adopted by the city council for the purpose of advancing plans for not less than six years as a guide for carrying out the coordinated transportation/street construction program. The six-year TIP shall contain a small group of capacity projects which will be considered reasonably funded for determining transportation concurrency and impact fees. The adoption of the six-year TIP will obligate the city to actively pursue funds as to implement the capacity component of the transportation improvement program as best possible with the available resources.

Q. “System improvements” means public facilities that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.020 Applicability.

A. The requirements of this chapter apply to all development activity in the city of Sedro-Woolley.

B. Mitigation of impacts on transportation, park, and fire department facilities located in jurisdictions outside the city will be required when:

1. The other effective jurisdiction has reviewed the development’s impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and

2. There is an interlocal agreement between the city and the effective jurisdiction specifically addressing transportation, park or fire department impact identification and mitigation. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.030 Geographic scope.

The boundaries within which impact fees shall be charged and collected are co-extensive with the corporate city limits, and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. After the adoption of interlocal agreements with other local and regional governments, geographic boundaries may be expanded consistent therewith to include the unincorporated urban growth area as identified in the current comprehensive plan map as now adopted or hereafter amended. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.040 Imposition of transportation impact fees.

A. The approving authority is hereby authorized to impose impact fees on new development according to the provisions of this chapter.

B. Impact Fees.

1. Shall only be imposed for system improvements that are reasonably related to the new development;
2. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
3. Shall be used for system improvements that will reasonably benefit the new development; and
4. May be collected and spent only for system improvements which are addressed by the Sedro-Woolley capital facilities plan, or other capital facilities plan for parks and fire department improvements identifying:
 - a. Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time,
 - b. Additional demands placed on existing public facilities by new developments, and
 - c. Additional public facility improvements required to serve new development;
5. Should not be imposed to mitigate the same off-site facility impacts that are mitigated pursuant to any other law;
6. Should not be collected for improvements to state facilities outside the city boundaries unless the state requests such improvements and an agreement to collect such fees has been executed between the state/county and the city;
7. Shall not be collected for improvements to facilities in other jurisdictions unless the affected jurisdiction requests such improvement and an interlocal agreement has been executed between the city and the affected jurisdiction for the collection of such fees;

8. Shall be collected only once for each building permit, unless changes or modifications to the building permit are proposed which result in greater direct impacts on public facilities than were considered when the building permit was first approved;

9. Shall not be collected from any new or expanded city facilities, post offices or libraries. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.050 Transportation fee schedules and establishment of service area.

A. Subject to the provisions of Section [15.60.060](#), the transportation impact fee shall be as set forth on Attachment A, attached to the ordinance codified in this section, and on file with the city clerk. Attachment A shall provide:

1. The schedule of projects established by the city council for which impact fees may be collected, which shall be a subset of the Sedro-Woolley transportation capital facilities plan of the Sedro-Woolley Comprehensive Plan and 2016 Transportation Plan, as updated on May 18, 2018;
2. The cost of the projects on the schedule;
3. A map dividing the city into zones based upon probable impact on planned transportation capital facility projects of development within the zones;
4. The amount of the transportation impact fees to be paid on a “per peak PM trip basis” to be paid by a development with a particular zone.

Attachment A shall not be codified, but shall be on file with the ordinance codified in this section.

B. The impact fee schedule of costs, as set out in Attachment A, shall be updated annually at a rate adjusted in accordance with the Federal Highway Administration’s National Highway Construction Cost Index (NHCCI), using an annual measure to establish revised fee schedules effective January 1st of each year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. [1960-20](#) § 1, 2020; Ord. [1852-16](#) § 1, 2016; Ord. [1773-13](#) § 1, 2013; Ord. [1555-06](#) § 1 (part), 2006)

15.60.060 Calculation of transportation impact fees.

A. The director shall calculate the transportation impact fees as set forth in Section [15.60.050](#), subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public streets and roads necessitated by new development;
2. An adjustment to the cost of the public streets and roadways for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
3. The availability of other means of funding public street and roadway improvements;

4. The cost of existing public street and roadway improvements;
5. The methods by which public street and roadway improvements were financed; and
6. The most recent ITE Trip Generation Manual and a report titled "Traffic Impact Fee Methodology," dated November 2005, as updated by a report titled "Sedro-Woolley Transportation Impact Fee Rate Update" prepared by Transportation Solutions, Inc., dated June 15, 2016, and as updated by a report titled "Transportation Impact Fee Rate Study 2020 Update Final Report" prepared by Transportation Solutions, Inc., dated April 2020, on file with the city clerk.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the capital facilities plan and on the TIF project list (Attachment A, attached to the ordinance codified in this section, referenced herein and on file with the city clerk) and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. [1960-20](#) § 2, 2020; Ord. [1852-16](#) § 2, 2016; Ord. [1555-06](#) § 1 (part), 2006)

15.60.070 Park impact fee and establishment of service area.

A. Subject to the provisions of Section [15.60.080](#), the parks impact fee assessed pursuant to this chapter shall be set forth on Attachment B, for each equivalent single-family residential dwelling unit, whether a single-family structure, a unit in a multifamily structure, a mobile or manufactured home on an individual lot or in a mobile home park, a detached relative cottage, accessory dwelling unit or other dwelling unit, subject to the provisions in this chapter.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. [1959-20](#) § 2 (part), 2020; Ord. [1630-08](#) § 1 (Exh. A)(part), 2008; Ord. [1555-06](#) § 1 (part), 2006)

Attachment B—Schedule of Park Impact Fees

Parks Impact Fee Calculations

Additional acres needed	Improvements needed	Existing units	Projected units (2005-2025)	Cost per unit
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
	Trails			
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	
120,500	Climbing wall			
127,500	Recreation			
89,700	Water features			
189,000				
958,400				
165,000				
73,900				
43,100				
114,300				
158,100				
200,000				
Total:				
\$2,632,600				

The city elects to fund less than the full amount through parks impact fees, but will actively seek grant funds to fund the shortfall. Additional costs to fund the shortfall from impact fees should be through grant funds, by private donations to city park funds, and through the general fund.

New units projected by 2025: one thousand three hundred forty-seven new units (estimated in 2005).

Parks impact fee per unit: Single-family residence: one thousand five hundred dollars.

Manufactured home: one thousand five hundred dollars.

Units in a duplex or multifamily unit: one thousand five hundred dollars.

Dependent relative cottage: one thousand five hundred dollars.

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet: four hundred fifty dollars.

Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU: nine hundred and fifteen dollars.

All units not specifically identified in the above: one thousand five hundred dollars.

(Ord. [1959-20](#) § 2 (part), 2020; Ord. [1630-08](#) § 1 (Exh. A)(part), 2008)

15.60.080 Calculation of park impact fees.

A. The director shall calculate the parks impact fees as set forth in SWMC Section [15.60.070](#), subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public parks necessitated by new development;
2. An adjustment to the cost of the public parks for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
3. The availability of other means of funding public parks improvements;
4. The cost of existing public parks improvements; and
5. The methods by which public parks improvements were financed.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer

demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. [1630-08](#) § 1 (Exh. A)(part), 2008; Ord. [1555-06](#) § 1 (part), 2006)

15.60.090 Fire department impact fee and establishment of service area.

A. Subject to the provisions of Section [15.60.100](#), the fire department facilities impact fee assessed pursuant to this chapter shall be calculated as set forth on Attachment C.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. [1845-16](#) § 2 (Exh. A)(part), 2016; Ord. [1555-06](#) § 1 (part), 2006)

Attachment C—Schedule of Fire Department Impact Fees

Fire Impact Fee Calculations.

A. Residential structures, including single-family and multifamily structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches.

B. Nonresidential structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches; provided, that the fee for nonresidential structures shall receive an adjustment, in an amount determined by the responsible official, equal to forty percent reduction for buildings equipped with an approved sprinkler system, and ten percent reduction for buildings equipped with an alarm system.

C. Nonresidential construction and development activity which requires fire protection but is not a traditional structure, such as a bulk fuel storage facility or a fuel pipeline, shall be assessed an impact fee in an amount determined by the responsible official pursuant to Section [15.60.100](#). (Ord. [1845-16](#) § 2 (Exh. A)(part), 2016)

15.60.100 Calculation of fire department impact fees.

A. The director shall calculate the fire department impact fees as set forth in SWMC Section [15.60.090](#), subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public fire department facilities necessitated by new development;

2. An adjustment to the cost of the fire department facilities for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
 3. The availability of other means of funding fire department facilities improvements;
 4. The cost of existing fire department facilities improvements; and
 5. The methods by which public parks improvements were financed.
- C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of “value” shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.
- D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.
- E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.
- F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies.
(Ord. [1555-06](#) § 1 (part), 2006)

15.60.110 Payment of fees.

- A. All developers shall pay an impact fee in accordance with the provisions of this chapter at the time that the applicable building permit is ready for issuance.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

It is the intention of this chapter that fees shall generally be due at time of issuance of building permits, rather than at time of subdivision or construction of unoccupied infrastructure not generating immediate impacts. However, if no building permit will be required of a project, then the impact fee may be assessed for any other development activity permit or development approval generating an

impact for which the fee is required. The fee paid shall be the amount in effect as of the date the permit application or approval is deemed completed and vested.

B. All developers shall pay an impact administrative fee at the time of application for a building permit or other permit or approval as set forth in the fee schedule adopted by resolution or ordinance of the city council.

C. The impact fee, as initially calculated after issuance for a building permit or other permit or approval, shall be recalculated at the time of payment if the development is modified or conditioned in such a way as to alter the trip generation rate for the development.

D. No building permit (or other applicable permit or approval) shall be issued until the impact fee is paid.

E. Impact fees may be paid under protest in order to obtain a permit or other approval of development activity. (Ord. [1761-12](#) § 1, 2012; Ord. [1555-06](#) § 1 (part), 2006)

15.60.120 Project list.

A. The director shall commonly review the city's comprehensive land use and transportation plan ("comprehensive plan"), capital facilities plan, and the projects in attachment A, attached to the ordinance codified in this section, and shall:

1. Identify each project in the comprehensive plan that is growth-related and the proportion of each such project that is growth-related;
2. Forecast the total moneys available from taxes and other public sources for road improvements over the next six years;
3. Calculate the amount of impact fees already paid; and
4. Identify those comprehensive plan projects that have been or are being built but whose performance capacity has not been fully utilized.

B. The director may use this information to prepare an annual draft amendment to attachment A, which shall comprise:

1. The projects on the comprehensive plan that are growth-related and that should be funded with forecast public moneys and the impact fees already paid;
2. The projects already built or funded pursuant to this chapter whose performance capacity has not been fully utilized; and
3. An update of the estimated costs of the projects listed.

C. The council, at the same time that it adopts the biennial budget and appropriates funds for capital improvement projects, shall by separate ordinance establish the annual attachment A by adopting, with or without modification, the director's draft list.

D. Once a project is placed on attachment A, a fee shall be imposed on every development that impacts the project until the project is removed from the list by one of the following means:

1. The council by ordinance removes the project from attachment A, in which case the fees already collected will be refunded if necessary to ensure that impact fees remain reasonably related to the traffic impacts of development that have paid an impact fee; provided, that a refund shall not be necessary if the council transfers the fees to the budget of another project that the council determines will mitigate essentially the same traffic impacts; or
2. The impact fee share of the project has been fully funded, in which case the director shall administratively remove the project from the project list. (Ord. [1950-20](#) § 2 (part), 2020; Ord. [1555-06](#) § 1 (part), 2006)

15.60.130 Funding of projects.

- A. A transportation impact fee restricted cash fund is hereby created. The finance director shall be the fund manager. Transportation impact fees shall be placed in appropriate deposit accounts within the transportation impact fee fund.
- B. The transportation impact fees paid to the city shall be held and disbursed as follows:
 1. The transportation, parks, and fire department impact fees collected shall be placed in separate deposit accounts within the impact fee fund;
 2. When the council appropriates capital improvement project (CIP) funds for a project on the project list, the fees held in the appropriate impact fee fund shall be transferred to the appropriate CIP fund. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in impact fees;
 3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;
 4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
 5. All interest earned on impact fees paid shall be retained in the account and expended for the purpose or purposes for which the transportation impact fees were imposed.
- C. Projects shall be funded by a balance between impact fees and public funds, and shall not be funded solely by transportation impact fees.
- D. Impact fees shall be expended or encumbered for a permissible use within ten years of receipt, unless there exists an agreement extending the time or extraordinary or compelling reason for fees to be held longer than ten years. The finance director may recommend to the council that the city hold fees beyond ten years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.
- E. The finance director shall prepare an annual report on the transportation impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by transportation impact fees. (Ord. [1930-19](#) § 1, 2019; Ord. [1555-06](#) § 1 (part), 2006)

15.60.140 Refunds.

- A. A developer may request and shall receive a refund when the developer does not proceed with the development activity for which impact fees were paid, and the developer shows that no impact has resulted; however, the impact fee administrative fee shall not be refunded.
- B. If an owner appears to be entitled to a refund of impact fees, the finance director shall notify the owner by first class mail deposited with the United States Postal Service at their last known address. The owner must submit a request for a refund to the finance director in writing within one year of the date the right to claim the refund arises or the date the notice is given, whichever is later. Any impact fees that are not expended or encumbered within the time limitations established by SWMC Ch. 15.60, and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project.
- C. In the event that impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners of the benefited property as they appear of record with the Skagit County assessor at the time of refund. In the event of a dispute or uncertainty as to who is entitled to receipt, the funds may be paid into the registry of the Skagit County Superior Court. The city may require a release and hold harmless agreement from any recipient of refunded fees as a condition of payment.
- D. When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in subsection B of this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on any city projects. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.150 Appeals.

- A. A developer may appeal the amount of an impact fee determined by the director to the hearing examiner as provided in SWMC Chapter [2.90](#).
- B. In order to appeal, the developer must pay the fee or post a bond or other acceptable security for the fee. Notice of appeal must be filed within fourteen days of issuance of a building permit or other land use approval or decision for which the fee was required.
- C. The developer shall bear the burden of proving:
1. That the director committed error in calculating the developer's proportionate share, as determined by an individual fee calculation or, if relevant, as set forth in the fee schedule, or in granting credit for the benefit factors; or
 2. That the director based his determination upon incorrect data.

D. The hearing examiner shall affirm the decision of the director, modify the decision of the director and recalculate the fee or credit, or remand the matter back to the director for additional findings and recomputation of the fee or credit. (Ord. [1607-08](#) § 5(A), 2008; Ord. [1555-06](#) § 1 (part), 2006)

15.60.160 Relationship to SEPA.

A. All development shall be subject to environmental review as provided by SEPA and other applicable city ordinances and regulations.

B. Payment of the impact fee shall constitute satisfactory mitigation of those impacts related to the specific improvements identified on the project list (attachment A, attached to the ordinance codified in this section).

C. Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

D. Nothing in this chapter shall be construed to limit the city's authority to deny building permits when a proposal would result in significant adverse impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.170 Relationship to concurrency.

Neither compliance with this chapter or the payment of any fee hereunder shall constitute a determination of concurrency under Chapter [15.56](#) of this code. (Ord. [1555-06](#) § 1 (part), 2006)

15.60.180 Necessity of compliance.

A building permit issued after the effective date of the ordinance codified in this section shall be null and void if issued without substantial compliance with this chapter by the department, the approving authority and the director. (Ord. [1555-06](#) § 1 (part), 2006)