

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LYNDEN
TO AMEND THE UNIFIED FEE SCHEDULE
FOR THE PURPOSE OF UPDATING
PARK AND TRAIL IMPACT FEES**

WHEREAS, the Lynden City Council adopted the updated Lynden Park and Trail Master Plan (the Parks Plan) on December 21, 2020; and

WHEREAS, the Parks Plan identifies Capital Improvement Projects that will become necessary for the City to provide a desired level of service for its park system and continue to maintain a high quality of life for the community; and

WHEREAS, the Parks Plan identifies a suite of funding sources that are used by the City to fund its park system and the identified Capital Improvement Projects; and

WHEREAS, RCW 82.02.050 authorizes the City to impose impact fees on development activity as part of the financing for public facilities and guides the expenditures of these impact fees; and

WHEREAS, Ordinance 1197 of the City of Lynden, which was adopted in 2004, established standards and formulas for mitigating the impacts of property development on the City's park and recreation system, referred to as Park Impact Fees; and

WHEREAS, the Lynden Municipal Code, Title 3.40 provides for the dedication of property or the financial assessment through impact fees to mitigate for the increase of impacts caused by new development; and

WHEREAS, as the City continues to grow, the City Council Parks Committee has determined that to sufficiently fund the anticipated costs of providing adequate parks, recreation facilities, trails and open space associated with forecasted growth, Exhibit A of Ordinance 1197, which includes specific formulas for collecting Park Impact Fees from approved development projects within the City, shall be updated to reflect current population estimates, and property acquisition and land development cost assumptions; and

WHEREAS, Exhibit A of this ordinance, which is herein incorporated in full, includes updated formulas for implementing mitigation measures and establishes the base park impact fee rate for providing or contributing to parks, recreation facilities and open spaces necessitated by the property developments for which the mitigation is assessed; and

WHEREAS, the base park impact fee rate, as determined in Exhibit A of this ordinance, shall be adjusted for inflation annually, without adjusting the formulas in Exhibit A, according to the West Region Consumer Price Index annual change calculated after the first half of the year and be effective on January 1.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNDEN,
WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1: The Unified Fee Schedule of the City of Lynden shall be amended to update
the base Park Impact Fees as described in Exhibit A, section 7:

PASSED BY THE CITY COUNCIL OF THE CITY OF LYNDEN BY AN
AFFIRMATIVE VOTE, _____ IN FAVOR _____ AGAINST AND SIGNED BY THE
MAYOR on the _____ day of _____, 2021.

M A Y O R

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT "A"

ASSUMPTIONS, STANDARDS AND FORMULAS FOR PUBLIC PARKS, RECREATION FACILITIES, AND OPEN SPACE DEDICATION AND IMPACT MITIGATION FEES

1. LEVEL OF SERVICE

The City desires to achieve and maintain an improved park and open space level of service standard of 7 acres per 1,000 persons.

2. SERVICE DEMAND

Based on the WA State OFM 2012 Housing Data, household populations within the City are as follows:

- 2.8 persons per detached single-family unit
- 1.7 persons per multi-family unit

3. COST OF SERVICE

The City estimates the acquisition costs for land suitable for park, recreation and open space purposes and the development costs of additional park facilities necessitated by new development as follows:

- a. Acquisition cost per acre = \$90,000
- b. Development cost per acre = \$135,000

Total Cost of Service per acre = \$225,000

4. IMPROVEMENT TO ACQUISITION RATIO

The ratio of the cost of unimproved park properties to improved park properties is \$225,000 per acre to \$90,000 per acre or 2.5 : 1.

5. FORMULA ADJUSTMENTS

Recognizing that the provision of parks, open spaces and recreational facilities that serve the community as a whole benefit the entire population and in consideration of possible past and future payments made by new development and to provide a balance between the requirements imposed on new development and other sources of public funds, the following adjustment shall be applied to the dedication or assessment formula in this exhibit: 35% adjustment.

6. DEDICATION REQUIREMENTS

When it is determined that a proposed dedication of an improved park, open space or recreation facility is appropriate and that it meets the goals and policies established in the Park and Trail Master Plan, the requirement shall be as follows:

a. Single family unit or mobile home or lot:

7 acres per 1000 population = 0.007 per person
0.007 acres/person x 2.8 persons per unit = 0.02 acres/unit
0.02 acres/unit x 43,560 sq. ft./acre = 871 sq. ft/unit
871 sq. ft. – 35% adjustment = 566 square feet per unit

b. Multi-family dwelling unit (duplex and greater):

7 acres per 1000 population = 0.007 per person
0.007 acres/person x 1.7 persons per unit = 0.012 acres/unit
0.012 acres/unit x 43,560 sq. ft./acre = 523 sq. ft/unit
523 sq. ft. – 35% adjustment = 340 square feet per unit

Non-Residential development demand for park and recreation facilities is approximately 25% of the single-family residential demand for similar facilities. Dedication requirements are based on the single-family unit (SFU) requirement and are further broken down as follows:

- a. General Commercial = 25% of SFU or 142 sq ft per 1000 sq ft GFA
- b. Retail = 15% of SFU or 85 sq ft per 1000 sq ft GFA
- c. Manufacturing or warehouse space = 10% of SFU or 57 sq ft per 1000 sq ft per 1000 sq ft of GFA
- d. Assembly (i.e. schools/churches) = 5% of SFU or 28 sq ft per 1000 sq ft of GFA

When it is determined that a proposed dedication of an unimproved park land or open space is appropriate and that it meets the goals and policies established in the Park and Trail Master Plan, the ratio of improved park land to unimproved park land established in Section 4 above shall be used and the requirement shall be as follows:

a. Single family unit, Duplex unit or mobile home or lot:

566 square feet/unit x 2.5 = 1,415 square feet/unit
1,415 sq. ft. – 35% adjustment = 920 square feet per unit

b. Multi-family dwelling unit:

341 square feet/unit x 2.5 = 853 square feet/unit
853 sq. ft. – 35% adjustment = 554 square feet per unit

c. General Commercial = 25% of SFU or 230 sq. ft. per 1000 sq. ft. GFA

- d. Retail = 15% of SFU or 138 sq. ft per 1000 sq. ft. GFA
- e. Manufacturing or warehouse space = 10% of SFU or 92 sq. ft per 1000 sq. ft. GFA
- f. Assembly (i.e. schools/churches) = 5% of SFU or 46 square feet per 1000 square feet of GFA

7. MITIGATION ASSESSMENTS

The following mitigation assessments shall be applied for those development projects that do not include a dedication of park land. The assessments are based on the cost of services established in Section 3 above.

- a. Single family unit or mobile home or lot:
 $0.02 \text{ acres/unit} \times \$225,000 \text{ per acre} = \$4,500/\text{unit}$
 $\$4,500 - 35\% \text{ adjustment} = \mathbf{\$2,925 \text{ per unit}}$
- b. Multi-family dwelling unit:
 $0.012 \text{ acres/unit} \times \$225,000 \text{ per acre} = \$2,700/\text{unit}$
 $\$2,700 - 35\% \text{ adjustment} = \mathbf{\$1,755 \text{ per unit}}$
- c. General Commercial = 25% of SFU or **\$731 per 1000 sq. ft. GFA**
- d. Retail = 15% of SFU or **\$439 per 1000 sq. ft. GFA**
- e. Manufacturing or warehouse space = 10% of SFU or **\$293 per 1000 sq. ft. GFA**
- f. Assembly (i.e. schools/churches) = 5% of SFU or **\$146 per 1000 square feet of GFA**