CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2014-367  

AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING CHAPTER 14A.20 OF THE  
SAMMAMISH MUNICIPAL CODE, IMPACT FEES FOR  
PARKS AND RECREATIONAL FACILITIES, TO REVISE  
THE EXEMPTION FOR AFFORDABLE HOUSING  

WHEREAS, pursuant to RCW 82.02.060, the City Council has adopted Chapter 14A.20  
of the Sammamish Municipal Code, (the “SMC”), which regulates impact fees for parks and  
recreational facilities; and  

WHEREAS, the State of Washington amended RCW 82.02.060, allowing cities to  
provide exemptions of up to 80% of impact fees for low income housing without finding an  
alternative source of funds; and  

WHEREAS, Sammamish supports and encourages affordable housing options within  
Sammamish.  

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:  

Section 1. Amendments. The proposed amendments subject to this Ordinance are set  
forth in Attachment “A” hereto.  

Section 2. Severability. The above “Whereas” clauses of this Ordinance constitute specific  
findings by the Council in support of passage of this Ordinance. If any provision of this Ordinance  
or its application to any person or circumstance is held invalid, the remainder of the Ordinance or  
the application of the provision to other persons or circumstances is not affected.  

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of  
the City, and shall take effect and be in full force five (5) days after the date of publication.  

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  

CITY OF SAMMAMISH  

[Signature]  
Mayor Thomas E. Vance  

- 1 -
ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk: April 10, 2014
First Reading: April 15, 2014
Passed by the City Council: May 06, 2014
Effective Date: May 14, 2014
Attachment A

SMC 14A.20.030 Exemptions.

(1) Pursuant to RCW 82.02.060, the City may provide exemptions for low-income housing and other development activities with broad public purposes; provided, that the impact fees from such development activity shall be paid from public funds other than impact fee accounts if the waiver is greater than 80% of the impact fee. The director shall be authorized to determine whether a particular development falls within an exemption identified below. Determinations of the director shall be in writing and shall be subject to the appeals procedures set forth in SMC 14A.20.060. The following development activities are exempt from the requirements of this chapter. A parks impact fee shall not be assessed for:

(a) Any development activity undertaken by the City of Sammamish;

(b) Accessory dwelling units approved by the City.

(2) Except as provided above, the provision of affordable housing for low- and moderate-income families as defined in SMC 14A.05.010, may be exempted from some or all of the required impact fees as shown in Table 1:

<table>
<thead>
<tr>
<th>Affordable Housing</th>
<th>Impact Fee Reduction*</th>
<th>Maximum Number of Affordable Housing Units per Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-Income — 0% to 50% of King County median household income (as defined by U.S. HUD)</td>
<td>Up to 100%</td>
<td>4 units</td>
</tr>
<tr>
<td></td>
<td>50% to 90%</td>
<td>5 units or more (including the first 4) subject to decision by the director of the department of community development in consultation with the director of the department of parks and recreation</td>
</tr>
<tr>
<td></td>
<td>80%</td>
<td></td>
</tr>
<tr>
<td>Median-Moderate-Income — 51% to 80% of King County median household income (as defined by U.S. HUD)</td>
<td>Up to 50%</td>
<td>4 units</td>
</tr>
<tr>
<td></td>
<td>80%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0% to 50%</td>
<td>5 units or more (including the first 4) subject to approval by the director of the department of</td>
</tr>
</tbody>
</table>

Table 1: Proposed-Impact Fee Reductions for Affordable Housing Units

Attachment A - 1
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*The % fee reduction is expressed as a maximum amount per unit.

(a) As a condition of receiving an exemption or percentage fee reduction under this section, prior to any development approval, the owner shall execute and record in the King County real property title records a City-prepared lien, covenant, or other contractual provision against the property that provides that the proposed housing unit or development will continue to be used for low- or moderate-income housing and remain affordable to those families/households for a period of not less than 30 years. The lien, covenant, or other contractual provision shall run with the land and apply to subsequent owners and assigns. In the event that the housing unit(s) no longer meets the definition of affordable housing set forth in Table 1 during the term of the life of the lien, covenant or contractual provision, then the owner(s) shall pay to the City the amount of impact fees from which the housing unit(s) was exempted into the City’s account for park impact fees plus 12 percent interest per year.

(b) In determining the impact fee reductions for development(s) containing five or more affordable housing units, the community development director in consultation with the parks and recreation director should consider the following:

(i) The proposed housing units meet the provisions set forth by the City’s housing strategy plan adopted by the City council.

(ii) The proposed housing units will assist the City in meeting Sammamish’s affordable housing targets.
(iii) The location of the units meets the City’s Comprehensive Plan policies for the proposed housing type and density.

(iv) Approval of the proposed housing units and the associated impact fee reduction would not result in a significant adverse impact on the level of service provided by the parks system.

(c) The impact fee amounts waived in excess of 80% not collected from affordable housing units shall be paid from public funds from sources other than impact fees or interest on impact fees, and budgeted for this purpose.

(d) Determinations of the community development director in consultation with the parks and recreation director regarding the exemption or reduction of impact fees shall be in writing and shall be subject to the appeals procedures set forth in SMC 14A.20.060. (Ord. O2006-207 § 1)