

ORDINANCE NO. 10-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, RELATING TO PARK IMPACT FEES, REPEALING CMC 18.122 ENTITLED "PARKS, RECREATIONAL FACILITIES AND OPEN SPACE IMPACT FEES", ADOPTING A NEW CHAPTER 19.60 PARK IMPACT FEES, REPEALING AND REPLACING A PORTION OF CMC 18.35 RELATED TO ON-SITE RECREATION AND TRAIL CORRIDOR DESIGN REQUIREMENTS, AND ADOPTING MINOR RELATED AMENDMENTS TO SELECTED SECTIONS OF CHAPTERS 18.20, 18.30, AND 19.20 OF THE COVINGTON MUNICIPAL CODE TO IMPLEMENT CHAPTER 19.60 AND ESTABLISHING AN EFFECTIVE DATE FOR COLLECTING PARK IMPACT FEES.

WHEREAS, the Growth Management Act (GMA), specifically RCW 36.70A.130, mandates that the City of Covington take legislative action to review, and if needed, revise its Comprehensive Plan and development regulations to ensure continued compliance with GMA (also known as "periodic review"); and

WHEREAS, on January 12, 2016, the City Council approved Ordinance 02-2016 adopting the new 2015-2035 Covington Comprehensive Plan in compliance with GMA; and

WHEREAS, Ordinance 02-2016, identified that the City intended to adopt impact fees (Policy CF-29) on new development to ensure that development bears a proportionate share of the cost of public facilities necessary to accommodate such development; and

WHEREAS, Parks and Recreation Department adopted the Parks, Recreation and Open Space (PROS) plan through Resolution No. 2016-03 on March 8, 2016 and the PROS plan is adopted by reference in the City's Comprehensive Plan; and

WHEREAS, cities planning under the GMA are authorized under RCW 82.02.050-100 to impose impact fees on development. The collection of impact fees is permitted for: Public streets and roads, publicly owned parks, open space, and recreation facilities, school facilities and fire protection facilities; and

WHEREAS, the City's Comprehensive Plan establishes service standards for park and recreation facilities based on expected growth. To date the City of Covington has a deficiency of parks and recreation facilities to meet community demand; and

WHEREAS, the City Council of the City of Covington finds that adequate parks and recreation facilities should be provided; and

WHEREAS, the City of Covington hired Henderson and Young Company to complete a Park Impact Fee Rate study to determine the park impact fee to be collected by the City with new development. The study was completed October 29, 2015; and

WHEREAS, the City of Covington, in reviewing and revising these proposed amendments to the Covington Municipal Code conducted a public meeting before the Planning Commission on July 6, 2017, and a public hearing before the Planning Commission on August 3, 2017. The Planning Commission public hearing was noticed in the Covington Reporter, published on the City's website, and posted at City Hall; and

WHEREAS, on August 3, 2017, the Planning Commission voted 5-0 to recommended the City Council to adopt a new section, Chapter 19.60 Park Impact Fees and other associated amendments to Titles 18 & 19 related to the implementation of a park impact fee collection program as set forth in Exhibits A, B, C and D; and

WHEREAS, draft amendments to the Covington Municipal Code as adopted by this ordinance were transmitted to the Washington State Department of Commerce on June 27, 2017. No comments were received from the Department of Commerce; and

WHEREAS, pursuant to the State Environmental Policy Act, a Determination of Nonsignificance (DNS) was issued by the responsible official pursuant to WAC 197-11-340 on June 23, 2017. No comments were received during the DNS comment period; and

WHEREAS, the City Council of the City of Covington, upon review of the facts, findings, and recommendations of the Covington Planning Commission, and after reviewing information provided by City staff, find that all applicable and substantive requirements of the law have been met, that the adoption of this ordinance promotes the public health, safety, and general welfare of the community, and that the adoption of this ordinance serves the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The "Whereas" provisions above shall constitute Findings of Fact and are incorporated by reference as if fully set forth herein.

Section 2. Chapter 18.122 CMC "Parks, Recreational Facilities and Open Space Impact Fee", Repealed. Chapter 18.122 CMC, "Parks, Recreational Facilities and Open Space Impact Fee", as adopted by Ordinance No. 14-06 and all amendments thereafter, is hereby repealed in its entirety.

Section 3. Chapter 19.60 CMC, New Chapter. A new Chapter 19.60 "Park Impact Fee" of the Covington Municipal Code is hereby added to Title 19 of the Covington Municipal Code as set forth in Exhibit A.

Section 4. Park Impact Fee Rate Study, Reference. The Park Impact Fee Rate study, dated October 29, 2015, as set forth in Exhibit B and referenced in Section 19.60.050 CMC is attached to this ordinance and adopted and incorporated by this reference. Subsequent updates to this fee study may be made by City Council Resolution.

Section 5. Chapter 18.35 CMC, Sections 18.35.150-190 (On-site Recreation) and Sections 18.35.230-250 (Trail-corridor), Repealed and Replaced. Chapter 18.35 CMC, "Development Standards-Design Requirements for On-site recreation and Trail-corridors", as adopted by Ordinance

No. 42-02 and all amendments thereafter, is hereby repealed in its entirety and replaced with new sections 18.35.150-190 as set forth in Exhibit C of this ordinance.

Section 6. Associated Amendments. The following list of chapters of the Covington Municipal Code are amended as set forth in Exhibit D: CMC 18.20, 19.10, and 19.20 and are incorporated herein by reference.

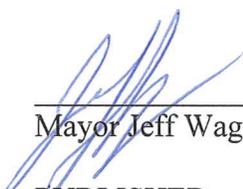
Section 7. Savings. The enactment of this ordinance shall not affect any application, case, proceeding, appeal, or other matter currently pending administratively or judicially in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 8. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 9. Corrections. Upon approval of the city attorney, the city clerk and/or code codifier is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

Section 10. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the city's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

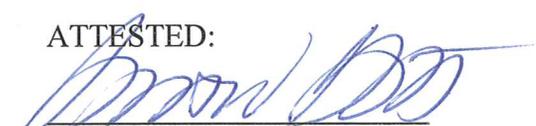
PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 22nd day of August, 2017, and signed in authentication of its passage.



Mayor Jeff Wagner

PUBLISHED: Aug. 25, 2017
EFFECTIVE: Aug. 30, 2017

ATTESTED:



Sharon Scott, City Clerk

APPROVED AS TO FORM ONLY:



Kathy Hardy, City Attorney

EXHIBIT A

Title 19 Amendment Adopt new Chapter 19.60 – Park Impact Fees

Chapter 19.60 PARK IMPACT FEE

Sections:

- 19.60.010 Purpose.**
- 19.60.020 Application**
- 19.60.030 Administrative guidelines**
- 19.60.040 Exemptions.**
- 19.60.050 Assessment of fees.**
- 19.60.060 Use of funds.**
- 19.60.070 Credits.**

19.60.010 Purpose.

(1) The purposes of this chapter are to:

- (a) Establish the City of Covington as a service area for parks and recreation facilities;
- (b) Ensure that new growth and development pay a proportionate share of the cost of parks and recreation facilities needed to service and support new growth;
- (c) Implement the policies of the Parks and Recreations Element of the City of Covington Comprehensive Plan; and,
- (d) Provide funds related to Parks and Recreation as identified in the City of Covington Comprehensive Plan as necessary to meet additional growth.

19.60.020 Application

Except as otherwise provided for under this title, development activity in the city's service area shall be charged a park impact fee pursuant to this chapter.

19.60.030 Administrative guidelines

The director shall be authorized to adopt internal guidelines for the administration of impact fees under this chapter.

19.60.040 Exemptions.

(1) Public school districts, as fee payer, shall be exempt from the assessment and collection of park impact fees under this chapter, as authorized by exemptions for a broad public purpose under RCW 82.02.060(2).

19.60.050 Assessment of fees.

(1) Impact fees shall be assessed based on the city's fee schedule, as updated by the city council, through resolution. The park impact fee shall be generated from the formula for calculating park impact fees as set forth in the Rate Study for Park Land Impact Fee by Henderson, Young and Company, dated October 29, 2015("Park Rate Study") as may be amended from time to time and the Park Study is incorporated into this chapter by this reference. The Park Rate study utilizes a methodology for calculating impact fees that fulfills all the requirements of RCW 82.02.060(1). A copy of the Park Rate study shall be kept on file with the city clerk and is available for public review.

(2) Park Impact Fee Schedule:

(a) The park impact fee schedule is generated from the formula for calculating impact fees set forth in the Park Rate study adopted in subsection (1) of this section.

(b) The park impact fee schedule is adopted by the city council through the fee resolution.

(3) Development activities that have received vested rights prior to the adoption of the impact fee rate by resolution of the city council shall be required to mitigate for park impacts through a park fee-in-lieu, as assessed through an approved preliminary plat or by providing park space at the rate of 450 square feet per lot for single family residential for densities of four units per acre or more or 100 square feet per dwelling unit for multifamily at a density of eight or more dwelling units per acre. A deficiency in adequate park facilities associated with development activities with vested rights shall be subject to payment of the park impact fee in place at the time of building permit issuance.

19.60.060 Use of funds.

(1) The city shall base continued authorization to collect and expend impact fees on revising its Comprehensive Plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

(a) Deficiencies in public facilities serving existing development and how 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.

(2) Park impact fees collected for system improvements shall be used only in conformance with the most recent capital facilities plan element of the Comprehensive Plan adopted by the city council.

(3) Park impact fees shall not be used to eliminate or reduce deficiencies in existing facilities serving existing development.

(4) Park impact fees shall not be used for maintenance or operation expenses.

(5) Park impact fees may be spent for public improvements for planned facilities, including, but not limited to planning, land acquisition, right-of-way acquisition, easement or access acquisition, construction, permitting, financing, engineering, architectural design, project management and any other expenses that are consistent with the most recent capital facilities plan element adopted by the city council.

(6) Park impact fees may be used to recoup public improvement costs previously incurred by the city to the extent that new growth and development activity will be served by the previous acquisition; provided, such fee shall not be imposed to make up for any system improvement deficiencies.

19.60.070 Credits.

Requests for park impact fee credits shall be in accordance with CMC 18.35 and 19.20.090.

RATE STUDY

FOR

**PARK LAND
IMPACT FEE**

FOR



CITY OF COVINGTON, WASHINGTON

October 29, 2015

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EXECUTIVE SUMMARY

The purpose of this study is to establish the rates for impact fees for park land in the City of Covington, Washington as authorized by RCW¹ 82.02.050 – 100. This study describes the methodology that is used to develop the fees, presents the formulas, variables and data that are the basis for the fees, and documents the calculation of the park land impact fee.

Impact Fee Rates

The rate for park land impact fees are \$3,922 per single family dwelling unit, and \$2,760 per multi-family dwelling unit.

Definition and Rationale of Impact Fees

Impact fees are charges paid by new development to reimburse local governments for the capital cost of public facilities that are needed to serve new development and the people who occupy the new development². New development is synonymous with “growth.”

Local governments charge impact fees on either of two bases. First, as a matter of policy and legislative discretion, they may want new development to pay the cost of its share of new public facilities because that portion of the facilities would not be needed except to serve the new development. In this case, the new development is required to pay for the cost of its share of new public facilities³.

¹ Revised Code of Washington (RCW) is the state law of the State of Washington.

² Throughout this study the term "developer" is used as a shorthand expression to describe anyone who is obligated to pay impact fees, including builders, owners or developers.

³ RCW 82.02.050(2) prohibits impact fees that charge 100% of the cost, but does not specify how much less than 100%, leaving that determination to local governments.

On the other hand, local governments may use other sources of revenue to pay for the new public facilities that are needed to serve new development. If, however, such revenues are not sufficient to cover the entire costs of new facilities necessitated by new development, the new development may be required to pay an impact fee in an amount equal to the difference between the total cost and the other sources of revenue.

There are many kinds of "public facilities" that are needed by new development, including parks, recreation and open space; streets and roads; fire protection facilities; schools; and water and sewer facilities. This study is for park land in the City of Covington, Washington.

Impact Fees are Different Than Other Types of Developer Contributions

The impact fees that are described in this study do not include any other forms of developer contributions or exactions, such as mitigation or voluntary payments authorized by SEPA (the State Environmental Policy Act, RCW 43.21C); system development charges for water and sewer authorized for utilities (RCW 35.92 for municipalities, 56.16 for sewer districts, and 57.08 for water districts); local improvement districts or other special assessment districts; linkage fees; or land donations or fees in lieu of land.

There are several important differences between impact fees and SEPA mitigations. Three aspects of impact fees that are particularly noteworthy are: 1) the ability to charge for the cost of public facilities that are "system improvements" (i.e., that provide service to the community at large) as opposed to "project improvements" (which are "on-site" and provide service for a particular development); 2) the ability to charge small-scale development their proportionate share, whereas SEPA exempts small developments;

and 3) the predictability and simplicity of impact fee rate schedules compared to the cost, time and uncertain outcome of SEPA reviews conducted on a case-by-case basis.

ORGANIZATION OF THE STUDY

This study contains two chapters and three appendices:

Chapter 1 summarizes the statutory requirements for developing impact fees, and describes how the study of Covington's park land impact fee complies with the law.

Chapter 2 documents calculation of the park land impact fee, including descriptions of seven formulas, each variable used in the formulas, and the data used in each formula.

Appendix A presents the inventory of Covington's existing park land and trails.

Appendix B contains the analysis of the need for park land.

Appendix C is a copy of the Capital Facilities Plan for future park acquisition and development.

1. STATUTORY REQUIREMENTS AND THIS STUDY

This chapter summarizes the significant statutory requirements pertaining to the calculation of impact fees in the State of Washington, and describes how this study of Covington's park land impact fees complies with the statutory requirements. Each synopsis of a statutory requirement includes citations to the Revised Code of Washington as an aid to readers who wish to review the exact language of the statutes.

TYPES OF PUBLIC FACILITIES

RCW 82.02.050(2) and (4), and RCW 82.02.090(7)

Four types of public facilities can be the subject of impact fees: 1) public streets and roads; 2) publicly owned parks, open space and recreation facilities; 3) school facilities; and 4) fire protection facilities.

This Study

This study contains impact fees for land for parks and trails. In general, local governments that are authorized to charge impact fees are responsible for specific public facilities for which they may charge such fees. The City of Covington is legally and financially responsible for the park land it owns within its jurisdiction.

TYPES OF IMPROVEMENTS

RCW 82.02.050(3)(a) and RCW 82.02.090(5) and (9)

Impact fees can be spent on "system improvements" (which are typically outside the development and "designed to provide service to service areas within the community at large"). Impact fees cannot be used for "project improvements" (which are typically provided by the developer on-site within the development or adjacent to the

development, and "designed to provide service for a development project, and that are necessary for the use and convenience of the occupants or users of the project").

This Study

The park land impact fees in this study are calculated for system improvements that are listed in the Capital Facilities Plan (CFP) (see Appendix C). No project improvements are included in this study.

BENEFIT TO DEVELOPMENT

RCW 82.02.050(3)(a) and (c)

Impact fees must be limited to system improvements that are reasonably related to, and which will benefit new development.

This Study

There are many ways to fulfill the requirement that impact fees be "reasonably related" to the development's need for public facilities, including personal use and use by others in the family or business enterprise (direct benefit), use by persons or organizations who provide goods or services to the fee-paying property (indirect benefit), and geographical proximity (presumed benefit).

Impact fees for parks are charged to properties which need (i.e., benefit from) new parks. Parks are provided by the City of Covington to all kinds of property throughout the City regardless of the type of use of the property. Impact fees for park land, however, are only charged to residential development in the City because the dominant stream of benefits redounds to the occupants and owners of dwelling units. As a matter of policy, the City of Covington has decided not to charge park impact fees to non-residential properties. Impact fees for park land are calculated for all new residential development within the City of Covington.

The need for additional park land for new development is determined by using standards for levels of service for each type of park to calculate the quantity of land that is required. The required quantity is then compared to the existing inventory to determine the need for additional land. The analysis of needed park land must comply with the statutory requirements of identifying existing deficiencies, reserve capacity and new capacity requirements for facilities. An analysis of the need for additional park land is presented in Appendix B and summarized in Chapter 2.

In addition, a provision of Covington's city code further ensures compliance with the requirement that expenditures be "reasonably related" to and benefit the development that paid the impact fee. All park land impact fee revenue is deposited to a separate account that can be used only for the specific projects in the Capital Facilities Plan that are the basis of this park land impact fee because their benefit has been demonstrated in determining the need for the projects and the portion of the cost of needed projects that are eligible for impact fees as described in this study (see Chapter 2, and Appendices B and C).

PROPORTIONATE SHARE

RCW 82.02.050(3)(b) RCW 82.02.060(1) and RCW 82.02.090(6)

Impact fees cannot exceed the development's proportionate share of system improvements that are reasonably related to the new development. The impact fee amount shall be based on a formula (or other method of calculating the fee) that determines the proportionate share.

This Study

There are four ways that this study complies with the proportionate share requirement.

First, the "proportionate share" requirement means that impact fees can be charged only for the portion of the cost of public facilities that is "reasonably related" to new development (as described above). As a result, impact fees cannot be charged to pay for the cost of reducing or eliminating deficiencies in existing facilities. Some impact fee studies use standards for park land that may result in existing deficiencies between the standards and the existing parks. This study for park land impact fees for Covington ensures that impact fees are not for existing deficiencies by using the ratio of existing park land to the current population as the basis for determining the need for park land and the amount of the impact fee. Ratios of existing land to current populations have no deficiencies, nor do they have any excess capacity.

Second, using the ratio of existing land to current population ensures that new development's share is proportionate. The ratio "is what it is" for all of the current population, and new development is required to match it with the same proportionate share in order to maintain the same ratio as exists before the new development.

The third way in which Covington's park land impact fee complies with the proportionate share requirement is by providing adjustments and credits to impact fees, as explained in the next section. These actions ensure that the amount of the impact fee does not exceed the proportionate share.

Fourth, this study uses seven formulas to calculate the proportionate share impact fee for park land in Covington.

ADJUSTMENTS AND/OR CREDITS REDUCING IMPACT FEE AMOUNTS

RCW 82.02.050(1)(c) and (2), RCW 82.02.060(1)(b), and RCW 82.02.060(4)

Impact fees rates must be adjusted to account for other revenues that the development pays (if such payments are earmarked for or proratable to particular system improvements). Impact fees may be credited for the value of dedicated land, improvements or construction provided by the developer (if such facilities are in the adopted CFP and are required as a condition of development approval).

This Study

The "adjustments" requirement reduces the impact fee to account for past and future payments of other revenues (if such payments are earmarked for, or proratable to, the system improvements that are needed to serve new growth). The impact fees calculated in this study include an adjustment that accounts for other revenue that is used by the City to pay for a portion of growth's proportionate share of costs. Chapter 4 includes an analysis of the other sources of revenue the City has to pay needed costs.

The "credit" requirement reduces impact fees of specific developers by the value of dedicated land, improvements or construction provided by the developer (if such facilities are in the adopted CFP and are required as a condition of development approval). This credit is in addition to the adjustment for other revenues described in the preceding paragraph.

The law does not prohibit a local government from establishing reasonable constraints on determining credits. For example, the location of dedicated land

and the quality and design of a donated public facility can be required to be acceptable to the local government, and meets local standards.

“Adjustments” are included in the calculation of the impact fee because the City can estimate the amount of other revenue it may receive for the same park projects that will be funded in part by impact fees. “Credits” are not included in the calculation of the impact fee rate in this study because it is not possible to predict which applicants will propose to contribute land. “Credits” are determined on a case-by-case basis when an applicant proposes to make such a contribution.

CAPITAL FACILITIES PLAN

RCW 82.02.050(4), RCW 82.02.060(8), and RCW 82.02.070(2)

Impact fees must be expended on public facilities in a capital facilities plan element (or used to reimburse the government for the unused capacity of existing facilities). The CFP must conform with the Growth Management Act of 1990, and must also identify existing deficiencies in facility capacity for current development, capacity of existing facilities available for new development, and additional facility capacity needed for new development, as required by RCW 82.02.050(4).

This Study

This study includes excerpts from the CFP for parks in Appendix C, and uses specific CFP projects to calculate the cost per acre (or mile of trail) that is one of the variables in the impact fee calculation.

Appendix B provides the required analysis that identifies existing deficiencies, capacity available for new development, and additional public facility capacity needed for new development. The analysis is based on levels of service ratios

for each type of public facility. The results of Appendix B are summarized in Chapter 3.

NEW VS. EXISTING FACILITIES

(RCW 82.02.060(1)(a)) and (RCW 82.02.060(8))

Impact fees can be charged for new public facilities and/or to reimburse the government for the unused capacity of existing public facilities (subject to the proportionate share limitation described above).

This Study

This study bases the park land impact fee on new park land acquisitions in the CFP. As noted earlier, using the ratio of existing land to current population as the basis for the impact fee ensures that there is no existing deficiency, nor any surplus capacity. Therefore the park land that will serve new development will be provided by future acquisitions.

SERVICE AREAS

RCW 82.02.060(7)

Local governments must establish reasonable service areas (one area, or more than one, as determined to be reasonable by the local government).

This Study

Impact fees in some jurisdictions are collected and expended within service areas that are smaller than the jurisdiction that is collecting the fees. Impact fees are not required to use multiple service areas unless such “zones” are necessary to establish the relationship between the fee and the development. Park land impact fees are collected and expended in a single service area throughout the

boundaries of the City of Covington because of the compact configuration of the City and the accessibility of its park system to all residences.

OTHER STATUTORY REQUIREMENTS FOR ADMINISTERING IMPACT FEES

There are other statutory requirements that pertain to the administration of impact fees. Those requirements do not affect the calculation of the impact fee rate. The requirements are fulfilled in the City's code, or administratively, as described below.

EXEMPTIONS FROM IMPACT FEES

RCW 82.02.060(2) and (3)

Local governments have the discretion to provide exemptions from impact fees for low-income housing and other "broad public purpose" development, but all such exemptions must be paid from public funds (other than impact fee accounts).

This Study

The City's impact fee ordinance addresses the subject of exemptions. Exemptions do not affect the impact fee rates calculated in this study because of the statutory requirement that any exempted impact fee must be paid from other public funds. As a result, there is no increase in impact fee rates to make up for the exemption because there is no net loss to the impact fee account as a result of the exemption.

DEVELOPER OPTIONS

RCW 82.02.060(6), RCW 82.02.070(4) and (5), and RCW 82.02.080

Developers who are liable for impact fees can submit data and or/analysis to demonstrate that the impacts of the proposed development are less than the impacts

calculated in this rate study. Developers can pay impact fees under protest and appeal impact fee calculations. The developer can obtain a refund of the impact fees if the local government fails to expend the impact fee payments within 10 years, or terminates the impact fee requirement, or the developer does not proceed with the development (and creates no impacts).

This Study

All of these provisions are addressed in the City's impact fee code, and none of them affect the calculation of impact fee rates in this study.

ACCOUNTING REQUIREMENTS

RCW 82.02.070(1)-(3)

The local government must separate the impact fees from other monies, expend the money on CFP projects within 10 years, and prepare annual reports of collections and expenditures.

This Study

These requirements are addressed by Covington's impact fee code, and are not factors in the impact fee calculations in this study.

DATA SOURCES AND CALCULATION

Data Sources

The data in this study of impact fees for park land in the City of Covington, Washington was provided by the City of Covington unless a different source is specifically cited.

Data Rounding

The data in this study was prepared using computer spreadsheet software. In some tables in this study, there will be very small variations from the results that would be obtained using a calculator to compute the same data. The reason for these insignificant differences is that the spreadsheet software was allowed to calculate results to more places after the decimal than is reported in the tables of these reports. The calculation to extra places after the decimal increases the accuracy of the end results, but causes occasional differences due to rounding of data that appears in this study.

2. CALCULATION OF PARK LAND IMPACT FEE

This chapter documents the calculation of the park land impact fee for the City of Covington. The calculations are produced using seven formulas. Each formula is described, each variable used in each formula is explained, and the data and calculations are presented in a separate table for each formula.

1. Population

Impact fees are meant to have “growth pay for growth” so the first step in developing an impact fee is to quantify future growth in the City of Covington. The future population is calculated by adding the current population to the population growth for the next 6 years.

$$\begin{array}{rcccl} \text{Current} & & \text{Population} & & \text{Future Population} \\ \text{Population} & + & \text{Growth} & = & \text{2020} \\ & & \text{2015 – 2020} & & \end{array}$$

There are two variables that require explanation: 1-a, current population and 1-b, population growth from 2015 through 2020.

Variable 1-a: Current Population

The current population is the number of people who reside in Covington in 2014. The source for this is the State of Washington’s Office of Financial Management.

Variable 1-b: Population Growth 2015-2020

The estimate of additional population from 2015 through 2020 is a linear projection based on the average annual population growth during the last ten years (2004 – 2014).

Table 1 - Population

Time Period	Population
2014 Current Population	18,480
Additional Growth (2015-2020)	1,209
Total as of 2020	19,689

2. Level of Service Ratio

Level of service ratios measure the average quantity of park land per 1,000 population. This is a common metric used in park planning and park impact fees. One of its uses is to estimate the quantity of park land that will be needed for future growth (which will be presented in formula 3, below).

The level of service ratio is calculated by dividing the existing acreage⁴ of each type of park by the current population.

$$\begin{array}{rcccl} \text{Existing Acres of} & & \text{Current} & & \text{Current Level of} \\ \text{Parks} & \div & \text{Population} & = & \text{Service Ratio} \end{array}$$

There is one new variable that requires explanation: 2-a, existing acres of parks.

Variable 2-a: Existing Acres of Parks

The acreage of each of Covington’s parks is listed in Appendix A – Inventory of Existing Parks. There are three categories of parks: community parks, neighborhood parks, and trails. Appendix A includes a total of the acreage for each category.

Calculation of Level of Service Ratios

The levels of service for park land for Covington’s impact fee are the ratios of existing park land per 1,000 current population for the year 2014. Table 2 lists each of the three types of parks, the existing acres from Appendix A, and the current population from Table 1.

The ratios are calculated in the final column of Table 2 by dividing the 2014 existing inventory by the 2014 current population, then multiplying the result times 1,000. The result is the current level of service ratio of each type of park for every 1,000 people in the Covington’s current population.

⁴ Covington’s park land acquisitions for community and neighborhood parks will be measured in acres. However, acquisitions for trails will be measured in lineal miles. For simplicity in this study, the term “acres” includes “miles” when referring to trails.

Table 2 – Inventory and Level of Service Ratio

Type	Measurement Units	Existing Acres	Current Population	Level of Service Ratio per 1,000 Population
Community Parks	acres	50.20	18,480	2.72
Neighborhood Parks	acres	92.52	18,480	5.01
Trails	lineal miles	3.84	18,480	0.21

3. Park Land Needs for Growth

The park land needed for growth is calculated in order to ensure that Covington plans to acquire enough land to provide new growth with the same level of service ratio that benefits the current population. The acres of park land needed for growth are calculated by multiplying the level of service ratio times the population growth from 2015 through 2020 (divided by 1,000).

$$\text{Current Level of Service Ratio} \times \text{Population Growth 2015 – 2020} = \text{Park Acres Needed for Growth}$$

There are no new variables in formula 3.

Calculation of Land Needs for Growth

Table 3 shows the calculation of land needed for growth⁵. The current level of service ratios are from Table 2, and the population growth is from Table 1. The last two columns show the number of additional acres needed for growth, and the number of acres in Covington’s plans for future parks (the 2015-2020 Capital Facilities Plan).

The number of acres in the CFP must equal or exceed the number of acres needed for growth in order to provide at least the amount for which growth is paying impact fees. If

⁵ A different version of part of Table 3 is presented in Appendix B – Analysis of the Need for Park Land.

the CFP amounts are greater than the amount needed for growth, the City pays for the additional amounts, and growth pays only for the amount that it needs.

Table 3 – Park Land Needs for Growth

Type	Measurement Units	Level of Service Ratio per 1,000 Population	Additional Growth 2015-2020	Additional Acres Needed for Growth	Additional Acres in CFP 2015-2020
Community Parks	acres	2.72	1,209	3.3	20.0
Neighborhood Parks	acres	5.01	1,209	6.1	7.7
Trails	lineal miles	0.21	1,209	0.3	2.0

4. Park Land Cost per Acre

The cost per acre of park land is the cost basis for the impact fee (in formula 5, below). The cost per acre of park land is calculated by dividing the cost of proposed park acquisitions by the number of acres to be acquired.

$$\begin{array}{r} \text{Cost of Park Land} \\ \text{Acquisitions} \end{array} \div \begin{array}{r} \text{Acres to be} \\ \text{Acquired} \end{array} = \begin{array}{r} \text{Park Land Cost} \\ \text{per Acre} \end{array}$$

There are two variables that require explanation: 4-a, cost of land acquisitions and 4-b, acres to be acquired.

Variable 4-a: Cost of Park Land Acquisitions

The park land impact fees are based on three different park types and each type has a different cost per acre. The costs are from the City’s plans for future parks listed in Appendix C. If more than one acquisition is planned for a type of park the total cost of all acquisitions is used in order to calculate the weighted average cost per acre.

Variable 4-b: Acres to be Acquired

The acres to be acquired are from the same projects listed in Appendix C. If more than one acquisition is planned for a type of park the total acres of all acquisitions is used in order to calculate the weighted average cost per acre.

Calculation of Park Land Cost per Acre

Calculations of park land costs per acre are presented in Table 4. The acquisition costs and acreage for each type of park are from Appendix C. The average cost per acre in the last column is the result of dividing the acquisition cost by the number of acres to be acquired. The variation among the costs per acre are consistent with real estate markets. Community parks are typically larger than neighborhood parks, and large parcels typically have lower costs per acre than smaller parcels. Trail costs are per mile, and cannot be compared to park costs per acre.

Table 4 – Park Land Cost per Acre

Type	Measurement Units	Acquisition Cost	Acres to be Acquired	Average Cost per Acre
Community Parks	acres	\$ 2,010,000	20.00	\$ 100,500
Neighborhood Parks	acres	2,330,000	7.65	304,575
Trails	lineal miles	65,300	2.00	32,650

5. Park Land Cost per Person

The cost of park land per person is needed for calculating the impact fee rate in formulas 6 and 7. The cost per person of future park land acquisition is calculated by multiplying the park land cost per acre times the level of service standard.

$$\text{Park Land Cost per Acre} \times \text{Current Level of Service Ratio} = \text{Park Land Cost per Person}$$

There are no new variables in formula 5.

Calculation of Park Land Cost per Person

Table 5 contains the calculations: each cost per acre (from Table 4) is multiplied by the corresponding level of service ratio from Table 2, with the result being the cost for 1,000 persons. That result is divided in the final column by 1,000 to establish the cost per person. The costs per person for the three types of park are then combined into a total

dollar cost per person for all three types of parks in order to develop a total cost per person as the basis of the impact fee.

Table 5 – Park Land Cost per Person

Type	Measurement Units	Total Cost per Acre or Mile	Level of Service Ratio per 1,000 Population	Cost per 1,000 Population	Cost per Person
Community Parks	acres	\$ 100,500	2.72	\$ 273,360	\$ 273
Neighborhood Parks	acres	304,575	5.01	1,525,922	1,526
Trails	lineal miles	32,650	0.21	6,857	7
Total					\$ 1,806

6. Net Cost Per Person

The net cost per person is calculated by adjusting the park land cost per person to subtract the adjustment for other revenue.

$$\text{Park Land Cost per Person} - \text{Adjustment for Other Revenue} = \text{Net Cost per Person}$$

There is one new variable that requires explanation: 6-a, adjustment for other revenue.

Variable 6-a: Adjustment for Other Revenue

The revenue adjustment is a reduction of the cost per person to account for other revenues used by the City for park projects. The City’s CFP for all projects lists grant revenues totaling \$7.2 million. These are estimates of future grants for all park projects, so there may be some variation between these estimates and the amounts and specific projects for which the City will receive grants. The most conservative approach is to assume that the total amount of all the grants (\$7.2 million) may be available in the same proportion for land acquisition as for all other park projects. Therefore, dividing \$7.2 million of potential grants by the total \$36.8 million cost of all projects indicates that 19.57% of all projects may be funded by grants.

Calculation of Net Cost per Person

Table 6 begins with the cost per person from Table 5, then calculates 19.57% of the total cost as the amount of the adjustment for other revenue for park projects. Subtracting the \$353 adjustment from the total \$1,806 leaves a net cost of \$1,453 per person.

Table 6 – Net Cost per Person

Type	Cost per Person
Total Cost per Person	\$ 1,806
Percent From Other Funding Sources	19.57%
Cost per Person From Other Funding	353
Net Cost per Person	<u>\$ 1,453</u>

7. Impact Fee Per Dwelling Unit

The impact fee per dwelling unit is calculated by multiplying the net cost per person times the number of persons per dwelling unit.

$$\begin{array}{r} \text{Net Cost per} \\ \text{Person} \end{array} \quad \times \quad \begin{array}{r} \text{Persons per} \\ \text{Dwelling Unit} \end{array} \quad = \quad \begin{array}{r} \text{Impact Fee per} \\ \text{Dwelling Unit} \end{array}$$

There is one new variable that requires explanation: 7-a, persons per dwelling unit.

Variable 7-a: Persons per Dwelling Unit.

The number of persons per dwelling unit is the factor used to convert the cost of park land per person into the impact fee per dwelling unit. Covington determined the persons per dwelling unit using census and buildable lands data as well as school district data and provided that data for Table 7.

Calculation of Impact Fee per Dwelling Unit

In Table 7 (on the next page) the net cost per person (from formula 6) is multiplied by the average number of persons per dwelling unit to calculate the park land impact fee per dwelling unit.

Table 7 – Impact Fee per Dwelling Unit

Type	Net Cost per Person	Average Persons per Dwelling Unit	Impact Fee per Dwelling Unit
Single Family Dwelling Units	\$ 1,453	2.7	\$ 3,922
Multi-Family Dwelling Units	1,453	1.9	2,760

APPENDIX A: INVENTORY OF EXISTING PARKS

The parks system in Covington presently consists of 50.20 acres of community parks, 107.64 acres of neighborhood parks, 110.48 acres of open space, and 3.84 miles of trails. The neighborhood parks inventory includes parks owned by Homeowners Associations (HOAs) because those parks serve the function of a neighborhood park for their association, therefore the City would not develop a City-owned neighborhood park in the same service area. Open space is not included in this park land impact fee because the City has a separate requirement for donation of critical areas that include natural areas. A complete inventory is listed in Table A.

Table A – Covington Parks and Trails (2014)

Type and Name of Park	Total Acres
Community Parks	
Jenkins Creek Park	20.30
Covington Community Park	29.90
Total	50.20

Neighborhood Parks	
City Owned and Maintained	
Evergreen Park	1.70
Crystal View Park	1.90
Friendship Park	0.60
City Owned, Maintained by HOA	
Abotsford Estates Park	2.75
The Reserve	9.40
Tamarack	16.80
Channing	0.40
HOA Owned and Maintained	
Coho Creek HOA	2.17
Crofton Heights HOA	4.61
Crofton Hills HOA	0.29
Pearl Jones HOA	1.07
Tamarack HOA	0.58
The Reserve HOA	9.43
Timber Hills HOA	1.85
Timberlane HOA	5.22
Winterwood Estates HOA	43.80
Aqua Vista at Pipe Lake HOA	0.75

Type and Name of Park	Total Acres
Channing Park HOA	0.36
Cornerstone HOA	0.41
Glennwood HOA	0.31
Maple Creek HOA	0.13
Morgans Creek	0.07
N. Rainier Vista HOA	0.05
North Parke HOA	0.48
Parke Meadows HOA	0.45
Pearl Jones HOA	0.03
Pioneer Ridge (High Point) HOA	0.25
S. Rainier Vista HOA	1.08
Savana HOA	0.57
Wood Crest HOA	0.13
Total	107.64

Trails

Covington Community Park	1.50
Evergreen Park	0.07
Friendship Park	0.06
Jenkins Creek Park	0.95
Jenkins Creek Trail	0.22
Rainier Vista Park	0.78
Wingfield (Coho) Open Space	0.26
TOTAL MILES	3.84

APPENDIX B: ANALYSIS OF THE NEED FOR PARK LAND

RCW 82.02 requires impact fees to be based on the City's Capital Facilities Plan, and requires it to identify existing deficiencies in facility capacity for current development, capacity of existing facilities available for new development, and additional facility capacity needed for new development. The purpose of this appendix is to summarize existing deficiencies and reserves, and needs for additional capacity for new development (based on data provided in the City's comprehensive plan).

The need for parks is determined by multiplying the level of service ratio for each type of park times the population to calculate the quantity that is required. The population is from Table 1, and the level of service ratio of existing parks to current population is from Table 2.

The quantity required is then compared to the existing inventory to determine existing deficiencies, reserve capacity, and needed new park land. The inventory of existing parks is from Table A.

Table B shows the analysis of park land needs for the current population and for population growth from 2015 through 2020.

The data illustrate that the existing inventory of park land serves the current population, therefore there is no existing deficiency, and no reserve capacity of existing parks to serve future growth.

The increase in population during the next 6 years from 2015 through 2020 requires the addition of park land to accommodate the persons from dwelling units created by new development. Specifically, in the next 6 years the City of Covington will need an additional 3.28 acres of community parks, 7.04 acres of neighborhood parks, and 0.25

mile of trails. All of these needs are for population growth from new development from 2015 through 2020.

Table B – Analysis of Need for Park Land

Component	Level of Service Ratio	City Population	Quantity Required	Existing Inventory	Reserve or (Need)
Community Parks	2.72				
2014 Current		18,480	50.20	50.20	0.00
Additional Growth (2015-2020)		1,209	3.28	0.00	(3.28)
Total as of 2020		19,689	53.48	50.20	(3.28)
Neighborhood Parks	5.01				
2014 Current		18,480	92.52	92.52	0.00
Additional Growth (2015-2020)		1,209	6.05	0.00	(6.05)
Total as of 2020		19,689	98.57	92.52	(6.05)
Trails	0.21				
2014 Current		18,480	3.84	3.84	0.00
Additional Growth (2015-2020)		1,209	0.25	0.00	(0.25)
Total as of 2020		19,689	4.09	3.84	(0.25)

Sources:

Level of Service Ratio: Table 2

City Population: Table 1

Existing Inventory: Appendix A

APPENDIX C: CAPITAL FACILITIES PLAN - 2015-2020

RCW 82.02 requires impact fees to be based on the City's Capital Facilities Plan (CFP). Table C is an excerpt from Covington's CFP for parks for the years 2015 – 2020. It lists projects for community parks, neighborhood parks and trails that involve acquisition of additional land. The list includes each project's total cost and the land acquisition portion of each project (because that is the basis for the park land impact fee).

Table C – Capital Facilities Plan for Parks: 2015-2020 (Excerpt)

Project	CFP #	CFP Budget	Land Acres	Land Cost
Community Park				
Community Park #3	1178	4,510,000	20.00	2,010,000
Sub-total		4,510,000	20.00	2,010,000
Neighborhood Park				
South Covington (SoCo) Park	1019	5,523,599	5.65	1,830,000
Neighborhood Park #5	xxxx	500,000	2.00	500,000
Sub-total		6,023,599	7.65	2,330,000
Trails				
Pipeline Trail North	1101	477,507	1.00	5,300
Jenkins Creek Trail	1110	80,000	1.00	60,000
Sub-total		557,507	2.00	65,300
TOTAL		11,091,106		4,405,300

EXHIBIT C

Repeal and Replace Sections 18.35.150, 160, 170, 180, 190, 240 & 250

Chapter 18.35 DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS

New Sections

- 18.35.150 Residential - On-site recreation requirements**
- 18.35.160 Multifamily - On-site recreation facilities required**
- 18.35.170 Dedication of parks and trails - Required by capital facilities plan**
- 18.35.180 Private on-site recreation facilities - Minimum design standards**
- 18.35.190 Request for impact fee credits - Park and trail facilities**

18.35.150 Residential - On-site recreation requirements.

(1) Residential development that includes single family attached and detached dwelling units within the city's service area shall mitigate for impacts to park and recreation service levels through payment of a park impact fee in accordance with CMC Title 19.

(2) If the applicant chooses to provide a park and recreation facility as part of the residential development the park and recreation facility shall meet the following minimum requirements:

(a) Park and recreation facilities should be provided at a rate of 200 square feet per lot.

(b) Park and recreation facilities shall meet minimum design standards pursuant to CMC 18.35.180.

(c) The applicant will not receive credit for any park and recreation facilities or dedication of land for a future park and recreation facility unless the space meets the criteria in CMC 18.35.190.

(3) Developments within the Lakepointe Urban Village Subarea as designated in the Future Land Use Map shall provide fully accessible recreation facility for leisure, play and sport activities as follows, or as otherwise determined by the director in accordance with the adopted subarea plan (Ordinance 02-2017) and planned action (Ordinance 04-2017):

(a) Residential subdivision at a density of four units an acre or more: 450 square feet per unit;

(b) Townhouses developed at a density of eight units or less per acre: 450 square feet per unit;

(c) Manufactured home park: 260 feet per unit;

(d) Multifamily dwelling units and townhouses developed at a density of greater than eight units per acre: 100 square feet per unit;

(e) Senior housing or other age-restricted facilities: 200 square feet per unit or as required by the funding agency, whichever is greater.

18.35.160 Multifamily - On-site recreation facility required.

(1) Multifamily development and mixed-use development with residential units, including senior housing or other age-restricted facilities, shall be required to provide private recreation facilities on-site pursuant to subsection (2) and mitigate for impacts to the city's park and recreation service levels through payment of a park impact fee in accordance with CMC Title 19.

(2) Multifamily development shall provide 100 square feet per unit of private recreation facility. The private recreation facility shall meet the minimum design standards pursuant to CMC 18.35.180.

(3) Indoor recreation areas or rooftop areas may be credited toward the total recreation space requirement, if the director determines that the areas are located, designed and improved in a manner that provides recreational opportunities functionally equivalent to recreational activities provided outdoors or provides areas for social activities, multi-purpose entertainment and education areas.

18.35.170 Dedication of parks and trails - Required by capital facilities plan.

(1) Dedication of park and recreation facility and trails shall be provided by any development when such development is located within an area identified by the capital facilities plan as a park site or trail corridor.

(2) The area of the park and recreation facility and trail dedication shall be counted as part of the site for purposes of density and floor area calculations, unless otherwise exempt from density calculations in accordance with CMC 18.30.080.

(3) The residents of the development shall be provided, at a minimum pedestrian access to the park and recreation facility and trail.

(4) Residential and multifamily developments that propose to provide public park and trail facilities pursuant to this section shall be subject to an impact fee credit in accordance with CMC Title 19. An easement granted for future park and recreation and trail facilities shall not be subject to impact fee credits, unless the easement includes required facility improvements.

18.35.180 Private on-site recreation facilities - Minimum design standards.

(1) Private park and recreation facilities shall meet the minimum design standards:

(a) Be on the site of the proposed development;

(b) Be adjacent to and visible from main pedestrian path, sidewalk or near building entrances;

(c) Be of a grade and surface suitable for recreation; 75% of the site cannot exceed 2% grade, unless the topography results in enhanced critical areas or environmental protection.

(d) Be fully accessible and convenient to all residents within the development and in compliance with 2010 ADA Standards for Accessible Design and the 2004 Architectural Barriers Act, as amended.

(e) Be designed with amenities that encourage residents to the facility such as benches, trash receptacles, and paths leading from the main pedestrian path and to an internal walking path.

(f) Trails and paths shall be constructed per the City of Covington's Design and Construction Standards adopted in Title 12. Trails located within critical area buffers shall be designed in accordance with Chapter 18.65 CMC. Any modified private trail or path design shall be approved by the parks and recreation director prior to any preliminary land use approval.

(g) Private recreation facility, paths and trails shall be placed in a designated recreation facility tract. The tract shall be dedicated to the homeowner's association or other organization. Maintenance of any recreation facility tract retained in private ownership should be audited regularly for safety and compliance with current standards. The homeowner's association or other organization shall be responsible for all costs associated with the continued long-term maintenance of the recreation tract and facilities.

(h) Provide play equipment that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing and comply with all applicable ADA accessibility standards, and incorporate play pieces that address ages 2-5 and 5-12. Prior to final approval of the development, the applicant will be required to provide the city a letter from a certified parks installer that the equipment was installed to industry standards.

(3) The city may require a financial guarantee for construction and maintenance of private recreation facilities and trails consistent with CMC Title 14.

18.35.190 Request for impact fee credits - Park and recreation and trail facilities.

(1) Residential and multifamily developments that propose to provide private park and recreation and trail facilities shall not receive a credit against the park impact fee, unless

otherwise determined by the Parks and Recreation Director, in accordance with this section, and CMC Title 19. Any request for a credit shall be submitted in accordance with CMC Title 19.

(2) The applicant may request a credit be applied to the park impact fee based on the installation of a private park and recreation facility, construction of a private trail, or the dedication of land for future park and recreation and trail facilities. The applicant shall be responsible for all cost associated with preparing data and analysis to determine if the private park and recreation or trail facilities provided on private land satisfies the applicant's requirement to mitigate for park and recreation level of service deficiencies.

(3) The Parks and Recreation Director is responsible for making a final decision pertaining to a request for park impact fee credits. The applicant shall submit the following information, in addition the minimum requirements in Chapter 19.20 CMC, to be considered.

(a) Supply and demand data that identifies proposed private park and recreation facility would better meet community needs for parks and recreation facilities than payment of park impact fees.

(b) The location and design of the park and recreation facilities is consistent with comprehensive plan and any applicable park and recreation plans, as amended.

(c) Site plan and supporting documents that shows the proposed private park and recreation facility meets the following minimum criteria:

(i) The land and its development is an integral element of the comprehensive plan;

(ii) The land is suitable for future active park and recreation facilities pursuant to the comprehensive plan;

(iii) The land is a size and horizontal and vertical configuration necessary for the design of recreation facilities that meet the city's park standards identified in the comprehensive plan;

(iv) The land has public access via a public street;

(v) The land is located near areas designated by the city for park, trail or recreation purposes;

(vi) The land provides a link between city and/or other publicly owned recreation properties;

(d) The land shall be surveyed or adequately marked with survey monuments, or otherwise readily distinguishable from adjacent property;

(e) The land shall have no known physical problems associated with it, such as problems with drainage, erosion or flooding, or the presence of hazardous waste, which the director determines would cause inordinate demands on public resources for maintenance and operation;

(f) The land shall have no known on-site safety hazards. Substandard vehicular and pedestrian facilities shall be considered but shall not alone be used to disqualify a proposed site dedication;

(g) The director may require a developer to post financial guarantee consistent with Title 14 for the maintenance of any private park and recreation facility as a method of showing long term maintenance for a time as specified by the director.

EXHIBIT D

Title 18 & 19-Additional code amendments associated with Park Impact Fees.

Chapter 18.20 TECHNICAL TERMS AND LAND USE DEFINITIONS

New definition: 18.20.1XX Capital facilities plan, parks and recreation.

“Capital facilities, parks” means the facilities or improvements included in the most recent capital facilities plan element of a comprehensive plan adopted pursuant to Chapter 36.70A RCW, and such plan as subsequently amended and adopted by the city council. Park and recreation facilities include those identified in the following documents, as amended:

- (1) The Capital Facilities Element of the City of Covington Comprehensive Plan;
- (2) The Parks and Recreation Element of the City of Covington Comprehensive Plan; and
- (3) The Rate Study for Park Land Impact Fees.

Amend definition: 18.20.621 Impact fee.

“Impact fee” means a payment of money authorized by State law and this code to be imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development. Impact fees include, but are not limited to, transportation impact fees, ~~park mitigation payment fees (fee in lieu of), park impact fees,~~ fire impact fees and school impact fees. “Impact fees” do not include fees imposed to cover the costs of processing applications, inspecting and reviewing plans or other information required to be submitted for purpose of evaluation of an application, or inspecting or monitoring development activity.

Amend definition: 18.20.819 Open space.

“Open space” means areas left predominately in a natural state to create urban separators and greenbelts, sustain native ecosystems, connect and increase protective buffers for environmentally ~~sensitive areas~~critical areas, provide a visual contrast to continuous development, reinforce community identity and aesthetics, or provide links between important environmental or recreational resources. Open space functions as protection of natural resources and biodiversity, recreation spaces, support for economic development opportunities, development of neighborhood gathering spaces, promotion of public health benefits and civic and cultural infrastructure.

Replace definition: 18.20.835 Park and recreation facilities.

“Park and recreation facilities” means a site designed or developed for recreational use by the public, including those dedicated parklands, developed parks and associated improvements so designated in the Parks and Recreation element of the city’s Comprehensive Plan.

“Park” means a site designed or developed for recreational use by the public including, but not limited to:

- (1) Indoor facilities, such as:
 - (a) Gymnasiums;
 - (b) Swimming pools; or
 - (c) Activity centers;
- (2) Outdoor facilities, such as:

- ~~(a) Playfields;~~
- ~~(b) Fishing areas;~~
- ~~(c) Picnic and related outdoor activity areas; or~~
- ~~(d) Approved campgrounds;~~
- ~~(3) Areas and trails for:~~
 - ~~(a) Hikers;~~
 - ~~(b) Equestrians;~~
 - ~~(c) Bicyclists; or~~
 - ~~(d) Off-road recreational vehicle users;~~
- ~~(4) Recreation space areas required under CMC 18.35.150;~~
- ~~(5) Play areas required under CMC 18.35.170; and~~
- ~~(6) Facilities for on-site maintenance. (Ord. 42-02 § 2 (21A.06.835))~~

Amend definition: 18.20.840 Park service area.

~~“Park service area” means a geographic area in which a defined set of park facilities provide service to development within the area. The entire area within the city limits is the park service area, established by the Department, within which the dedications of land and fees received from new residential developments for the benefit of residents within such service area. (Ord. 42-02 § 2 (21A.06.840))~~

New definition: 18.20.9XX Proportionate share.

~~“Proportionate share” means that portion of the cost of public facility improvements and facilities that are reasonably related to the service demands and needs of new development.~~

New definition: 18.20.12XX System improvements.

~~“System improvements” means public facilities that are included in the city’s capital facilities plan and are designed to provide service to service areas within the city, in contrast to project improvements~~

**Chapter 18.30
DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS**

Amend: 18.30.200(10)(c) Setbacks – Projections and structures allowed

(c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas ~~required in CMC 18.35.150 and 18.35.170~~ such as benches, picnic tables and drinking fountains designed in accordance with Chapter 18.35 CMC;

**Chapter 19.20
IMPOSITION OF IMPACT FEES**

19.20.090 Credits.

New Section (5)(e) Renumber following sections:

(5)(e) Any impact fee credits pursuant to this section shall be deducted from the calculated impact fee and a new impact fee shall be assessed for the development. If an impact fee is owed by the applicant, the outstanding fee shall be distributed evenly per building permit, unless otherwise determined by the city.