



**CITY OF EDGEWOOD
COUNCIL STUDY SESSION AGENDA**

Tuesday, September 5, 2023 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA
Meeting Link: <https://cityofedgewood-org.zoom.us/j/86916509308>

1. CALL TO ORDER

Roll Call, Pledge of Allegiance

2. COUNCIL BUSINESS

- A.** Equity, Diversity and Inclusion (Trainings, Planning, etc.)
- B.** Council Term Limits
- C.** Comprehensive Plan Periodic Update
- D.** Fireworks
- E.** Fence Code
- F.** Park Impact Fees
- G.** Interurban Trail - ForeverGreen Trails TAP Fundraiser Results

3. OTHER COUNCIL ITEMS

4. ADJOURN

Study Sessions are meetings for Council to review upcoming and pertinent business of the City, no action is taken by the City Council. Study Sessions are open to the public, but public input is reserved for the regular Council meetings

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (253) 952.3299, 24 hours in advance.



City Of Edgewood Council Agenda Summary Sheet

Subject: Equity, Diversity and Inclusion (Trainings, Planning, etc.)	Agenda Item #: 2.A
	For Agenda of: 9/5/2023
	Prepared by: Jill Schwerzler-Herrera
Attachments (list):	
Approval of Materials: Jill Schwerzler-Herrera Rachel Pitzel, City Clerk/HR Director 8/31/2023 Dave Gray 8/31/2023 Daryl Eidinger 9/1/2023	Expenditure Required:
	Amount Budgeted:
	Timeline: Topic to be added to all future Study Sessions (see item history below)

Summary Statement:

Item History:

The council has asked that this topic be discussed at all study sessions for the foreseeable future. As such, this has been a reoccurring agenda item since September of 2020.

Recommended Action:

N/A

Fiscal Note/Consideration:

N/A



City Of Edgewood Council Agenda Summary Sheet

Subject: Council Term Limits	Agenda Item #: 2.B
	For Agenda of: 9/5/2023
	Prepared by: Ann Marie Soto
Attachments (list): 1. Ch 2.10 amendments term limits	
Approval of Materials: Ann Marie Soto Rachel Pitzel, City Clerk/HR Director Dave Gray Daryl Eidinger	Expenditure Required:
	Amount Budgeted:
	Timeline:
8/28/2023	
8/28/2023	
8/28/2023	

Summary Statement:

The City Council previously adopted term limits for the Mayor and Councilmembers, as set forth in Edgewood Municipal Code ("EMC") Chapter 2.10. The EMC provides that no person may serve on the City Council or in the office of Mayor for more than two consecutive four-year terms. Questions were recently raised as to whether an individual can run for a different council position after their two terms are up, or if they can run again after a break in service. The Council discussed this item at the 8/15/2023 study session and requested additional options to consider. This agenda item includes two options for the Council's consideration, along with alternate language should the Council desire to remove language requiring that the two-year terms be consecutive, meaning that a person would be limited to two four-year terms, regardless of whether consecutive or not.

Item History:

7/18/23 SS

Recommended Action:

Hold a discussion and provide staff direction to Council Term Limits

Fiscal Note/Consideration:

OPTION A

2.10.010 Limiting councilmembers to serving two consecutive four-year terms.

No person shall be allowed to serve in any position on the city council for more than two consecutive four-year terms; provided, that this prohibition shall not disqualify any person now serving on the city council from completing the term of office that he or she has been elected to serve as of the effective date of the ordinance codified in this chapter or prohibit a person from serving two consecutive four-year terms following the person's completion of a partial term in the event he or she was appointed to fill a vacant position on the city council. This prohibition shall not disqualify a person from serving again on the city council after a break in service of at least two years.

2.10.015 Term limits for office of mayor.

No person shall be allowed to serve in the office of mayor for more than two consecutive four-year terms; provided, this prohibition shall not disqualify any person serving as mayor as of the effective date of the ordinance codified in this section from completing the term of office that he or she has been elected to serve or from running for, and serving if so elected, one additional four-year term or prohibit a person from serving two consecutive four-year terms following the person's completion of a partial term in the event he or she was appointed to fill a vacant position as mayor. This prohibition shall not disqualify a person from serving again in the office of mayor after a break in service as mayor of at least four years, or from serving on the city council at least two years after serving as mayor.

OPTION B

2.10.010 Limiting councilmembers to serving two consecutive four-year terms.

No person shall be allowed to serve in any position on the city council for more than two consecutive four-year terms regardless of any breaks in service; provided, that this prohibition shall not disqualify any person now serving on the city council from completing the term of office that he or she has been elected to serve as of the effective date of the ordinance codified in this chapter or prohibit a person from serving two consecutive four-year terms following the person's completion of a partial term in the event he or she was appointed to fill a vacant position on the city council.

2.10.015 Term limits for office of mayor.

No person shall be allowed to serve in the office of mayor for more than two consecutive four-year terms regardless of any breaks in service; provided, this prohibition shall not disqualify any person serving as mayor as of the effective date of the ordinance codified in this section from completing the term of office that he or she has been elected to serve or from running for, and serving if so elected, one additional four-year term or prohibit a person from serving two

consecutive four-year terms following the person's completion of a partial term in the event he or she was appointed to fill a vacant position as mayor.

OPTION TO REMOVE "CONSECUTIVE" TERMS REQUIREMENT:

2.10.010 Limiting councilmembers to serving two ~~consecutive~~ four-year terms.

No person shall be allowed to serve in any position on the city council for more than two ~~consecutive~~ four-year terms, regardless of any breaks in service;

2.10.015 Term limits for office of mayor.

No person shall be allowed to serve in the office of mayor for more than two ~~consecutive~~ four-year terms regardless of any breaks in service;



City Of Edgewood Council Agenda Summary Sheet

Subject: Comprehensive Plan Periodic Update	Agenda Item #: 2.C
	For Agenda of: 9/5/2023
	Prepared by: Evan Hietpas
Attachments (list): 1. Draft Resolution 23.0xx	
Approval of Materials: Evan Hietpas Rachel Pitzel, City Clerk/HR Director 8/30/2023 Dave Gray 8/31/2023 Daryl Eidinger 9/1/2023	Expenditure Required: N/A Amount Budgeted: N/A Timeline: • 09/05/2023 Study Session • 09/12/2023 Regular Council Meeting

Summary Statement: The Growth Management Act (GMA) is a series of state statutes, first adopted in 1990, that requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. It is primarily codified under Chapter 36.70A RCW, although it has been amended and added to in several other parts of the RCW. Based on the requirements in RCW 36.70A.040, 18 counties (including Pierce County), and all the cities and towns within them, are required to "fully plan" under the GMA. The comprehensive plan is the centerpiece of local planning and articulates a series of goals, objectives, policies, actions, and standards that are intended to guide day-to-day decisions by elected officials and local government staff. The City of Edgewood's current comprehensive plan was adopted in 2015. Per GMA requirements, the City must update its comprehensive plan by December 2024. The periodic update process ensures that cities remain consistent with state, regional, and county planning legislation, requirements, goals, and policies.

Comprehensive planning covers a wide range of topics. Under GMA these topics are referred to as "Elements", which are organized into a plan like chapters in a book. Currently, the City of Edgewood is required to include six (6) "Elements" in the comprehensive plan.

- Land Use
- Housing
- Capital Facilities
- Utilities
- Transportation
- Climate Change and Resiliency (new requirement)

Additionally, cities may develop other optional elements, based on community needs. These could include

topics such as:

- Natural Environment Protection and Conservation
- Parks and Recreation
- Economic Development

The backbone of every Comprehensive Plan is community input. Through the public engagement process, people help shape the future of the city by voicing what is important to them. The update process looks closely at these topics to make sure that Edgewood continues to grow in line with the community's vision. The Resolution included in this packet is intended to initiate the City of Edgewood's Periodic Update process, including a public participation process. The City Council may discuss the Resolution at this meeting in preparation for adoption at the September 12, 2023 Regular Council Meeting.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff guidance regarding Comprehensive Plan Periodic Update .

Fiscal Note/Consideration:

N/A

RESOLUTION NO. 23-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON ANNOUNCING THE
START OF THE 2024 COMPREHENSIVE PLAN PERIODIC UPDATE, ADOPTING A
PUBLIC PARTICIPATION PLAN FOR THE UPDATE, AND DEFERRING THE ANNUAL
DOCKETING AND REVIEW OF APPLICATIONS FOR COMPREHENSIVE PLAN
AMENDMENTS IN 2023 AND 2024 DURING THE PERIODIC UPDATE PROCESS**

WHEREAS, the Washington Growth Management Act (GMA), Chapter 36.70A RCW, provides for the coordinated planning and growth by cities and counties according to a series of goals; and

WHEREAS the City of Edgewood is required to adopt a comprehensive plan (“Plan”) under RCW 36.70A.040 and must periodically review and update the Plan, with the City’s next periodic Plan review and update due on or before December 31, 2024 and every ten years thereafter; and

WHEREAS, the City’s Plan was last adopted in 2015 by Ordinance 15-0440 and subsequently amended in June 2020 by Resolution 20-0507 and includes the following elements: Natural Environment; Land Use; Community Character; Housing; Transportation; Parks, Recreation, Open Space; Utilities; Energy; and Capital Facilities; and also addresses strategies for Economic Development; and

WHEREAS, all elements of the Plan shall be consistent with each other, the Pierce County Countywide Planning Policies, PSRC Vision 2050, and the Growth Management Act; and

WHEREAS, Washington State recently passed legislation that require updates to the Plan to include an equity lens applied to all goals and policies, and provisions to plan for and accommodate low-income housing throughout State designated bands of income; and

WHEREAS, State law also requires coordination of planning efforts with federally recognized tribes through a memorandum of agreement if the tribe(s) elects to participate; and

WHEREAS, the City seeks to facilitate early and continuous public participation in accordance with RCW 36.70A.140; and

WHEREAS, besides the periodic update, the GMA states that updates, proposed amendments, or revisions of the Plan shall occur no more frequently than once per year, with certain exceptions; and

WHEREAS, pursuant to EMC 18.60.010(B) and 18.40.120 the City has adopted procedures for annually reviewing changes and recommendations regarding the Plan text, Plan map, and/or development regulations, accepting applications for such amendments through the end of the calendar year for consideration by the City Council during the following year’s annual docket review cycle; and

WHEREAS, the GMA generally requires all Plan amendments to be considered by the City Council concurrently so the cumulative effects of the various proposals can be ascertained; and

WHEREAS, City staff will continue to develop and implement the public participation plan, work items, review and engagement process, and necessary amendments relating to the 2024 periodic update; and

WHEREAS, in accordance with EMC 18.60.140(B), the planning director has determined staffing requirements for the extensive and intensive nature of the periodic update necessitates an adjustment to the City's typical annual schedule for accepting and processing suggested amendments; and

WHEREAS, through the community engagement process proposed by the public participation plan for the 2024 periodic update, the public will have ample opportunity to participate in the planning process, including providing public comment to the Planning Commission and City Council on the draft Plan and proposed development regulations; and

WHEREAS, the general public will have ample opportunities to suggest areas of study for consideration during the broad 2024 periodic update public participation process, and such suggestions can be included in City staff analysis; and

WHEREAS, per Section 18.60.230 of the EMC, the timing of consideration of suggested Plan amendments shall be determined by the City Council; and

WHEREAS, deferring the annual docket process will allow the City to focus on the 2024 periodic update and will avoid having to start processing suggested amendments prior to the adoption of the Plan amendments resulting from the 2024 periodic update;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City hereby provides this official notice to the public that the process to conduct the 2024 Comprehensive Plan Periodic Update is hereby initiated.

Section 2. The City adopts the Comprehensive Plan Periodic Update – Public Participation Plan document, attached to this Resolution at Exhibit A.

Section 3. Formal acceptance and processing of suggested amendments to the comprehensive plan, a subarea plan, or development regulations for the years 2023 and 2024 shall be deferred until December 31, 2025, for consideration as part of the 2026 annual amendment cycle, except for the following:

- A. Suggested amendments submitted for consideration prior to the effective date of this resolution shall be considered as part of the 2024 periodic update;
- B. Applications for site-specific rezones requiring a comprehensive plan amendment may be submitted prior to December 31st of each year for consideration during the following year's update;
- C. In 2024, suggested amendments may be submitted by December 31st for consideration in 2025 on items that were not considered as part of the 2024 periodic update.

During 2024, the general public will have opportunities to submit suggested areas of study for City consideration during the 2024 periodic comprehensive plan update. Requests and the related annual cumulative review analysis will be incorporated into the periodic update comments and analysis for the comprehensive plan required by December 31, 2024.

Section 4. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers, and any references thereto.

Section 5. This resolution shall be effective on the date of adoption.

ADOPTED THIS 12TH DAY OF SEPTEMBER 2023

Mayor, Daryl Eiding

ATTEST:

Rachel Pitzel, CMC
City Clerk



City Of Edgewood Council Agenda Summary Sheet

Subject: Fireworks	Agenda Item #: 2.D For Agenda of: 9/5/2023 Prepared by: Mark Berry										
Attachments (list): 1. EMC 8.10 Fireworks 2. Fireworks Ban language from previous discussion											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; border-bottom: 1px solid black;">Approval of Materials:</td> <td style="border-bottom: 1px solid black;">Expenditure Required:</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Mark Berry</td> <td style="border-bottom: 1px solid black;">N/A</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Rachel Pitzel, City Clerk/HR Director 8/30/2023</td> <td style="border-bottom: 1px solid black;">Amount Budgeted:</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Dave Gray 8/30/2023</td> <td style="border-bottom: 1px solid black;">N/A</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Daryl Eiding 8/30/2023</td> <td style="border-bottom: 1px solid black;">Timeline:</td> </tr> </table>	Approval of Materials:	Expenditure Required:	Mark Berry	N/A	Rachel Pitzel, City Clerk/HR Director 8/30/2023	Amount Budgeted:	Dave Gray 8/30/2023	N/A	Daryl Eiding 8/30/2023	Timeline:	
Approval of Materials:	Expenditure Required:										
Mark Berry	N/A										
Rachel Pitzel, City Clerk/HR Director 8/30/2023	Amount Budgeted:										
Dave Gray 8/30/2023	N/A										
Daryl Eiding 8/30/2023	Timeline:										

Summary Statement:

City Council members have requested further discussion of EMC 8.10 Fireworks.

Item History:

Recommended Action:

Hold a discussion and provide staff direction for Fireworks.

Fiscal Note/Consideration:

N/A

Chapter 8.10 FIREWORKS

Sections:

[8.10.010 Repealed.](#)

[8.10.020 Definitions – Delegation of authority.](#)

[8.10.030 Retail fireworks sales.](#)

[8.10.040 Dangerous fireworks prohibited.](#)

[8.10.050 Dates and hours when consumer fireworks discharge permitted.](#)

[8.10.060 Repealed.](#)

[8.10.070 Public display.](#)

[8.10.080 Penalties.](#)

8.10.010 Repealer.

Repealed by Ord. 22-631. (Ord. 03-210 § 1).

8.10.020 Definitions – Delegation of authority.

Definitions of terms used in this chapter shall be as set forth in Chapter 70.77 RCW and Chapter 212-17 WAC except as expressly provided herein.

A. Delegation of Authority. Pursuant to RCW 70.77.270, the city council hereby designates the East Pierce Fire and Rescue fire chief, or his or her designee as the person with authority to issue, condition, deny and/or revoke permits pursuant to this chapter, and to enforce the provisions hereof.

B. Local Fire Official Defined. The terms “local fire official” or “fire chief” as used in this chapter shall mean the chief of East Pierce Fire and Rescue or his or her designee. (Ord. 16-473 § 2; Ord. 14-417 § 1; Ord. 03-210 § 2).

8.10.030 Retail fireworks sales.

A. Retail Fireworks Sales. Retail sales of fireworks within the city of Edgewood shall comply with the provisions of this section and all applicable requirements of Chapter 70.77 RCW and Chapter 212-17 WAC, which are hereby adopted by this reference and incorporated herein as if set forth in full, as the same now exists or as may be subsequently amended. The provisions set forth in this section are expressly intended to supplement, rather than supersede, the applicable provisions of Chapter 70.77 RCW and Chapter 212-17 WAC.

B. State License and City Permit Required.

1. Pursuant to Chapter 70.77 RCW and this chapter, a permit issued by the city of Edgewood shall be required for any retail sale of fireworks within the city.

2. No permit authorizing the retail sale of fireworks shall be issued until:

a. A license issued by the Washington State Patrol pursuant to Chapter 70.77 RCW is filed with the city of Edgewood; and

b. A certificate of insurance or bond, as required by this chapter and Chapter 70.77 RCW, has been filed with the city of Edgewood.

C. Inspection Required. Prior to the issuance of a permit under this section, the fire chief shall perform an inspection of any temporary stand or other structure intended for retail activity to determine whether such structure complies with all applicable requirements set forth in the RCW, the WAC and local regulations. No permit shall be issued unless and until such compliance is verified.

D. Permit Fee. The annual permit fee for the retail sale of fireworks as authorized pursuant to this section shall be \$75.00 per year, payable in advance.

E. Permit Application. An application for a permit authorizing the retail sale of fireworks shall be made in writing to the city of Edgewood on a form provided by the city no later than May 20th of the year for which the permit is sought.

F. Permit Decision – Conditions. Within the timeframes established by RCW 70.77.270, the fire chief shall issue a written report of findings and a decision granting or denying a permit application under this section. To the extent consistent with applicable state law and local regulations, the fire chief may place reasonable conditions on any permit issued in order to protect the public health, safety or welfare. Any decision denying a permit application shall include a written statement of reasons supporting such denial. The duration of any permit issued under this section shall be as established by RCW 70.77.345.

G. Certificate of Insurance.

1. As a condition of the issuance of any permit required by this chapter, and at all times during the retail sale of fireworks pursuant to a permit issued under this section, every retailer shall obtain at its sole expense and maintain in effect a bond or insurance in the amounts required by RCW 70.77.270, 70.77.285 and 70.77.295 and as directed by the city of Edgewood. The city of Edgewood shall approve the bond or insurance only if it meets the requirements of this section.

2. Any such certificate of insurance or bond shall provide that:

a. The insurer will not cancel the insured's coverage without 15 days' prior written notice to the city of Edgewood and the Chief of the Washington State Patrol through the director of fire protection;

b. The city of Edgewood, its employees, officers, agents, volunteers, and officials are included as additional insureds.

H. Retail Fireworks Stands. Prior to opening for business, a stand or other structure from which retail sales of fireworks will occur must be inspected and approved by the fire chief or his or her designee. Inspections shall not be conducted until the retailer has submitted to the fire chief the following:

1. A temporary use permit issued by the city of Edgewood in accordance with EMC 18.50.070;
2. A city of Edgewood business license;
3. A copy of the state license pursuant to Chapter 70.77 RCW;
4. Proof of insurance as required by this section.

I. Responsibility. All retailers of fireworks shall be solely responsible for operating in a manner that is safe and responsible and in full compliance with all federal, state, and local laws and regulations. The issuance of any permit required by this section shall in no way relieve any person from the duty of complying with all federal, state, and local laws and regulations or conducting activities in a safe and reasonable manner.

J. Retail Sales Period. No fireworks shall be sold or offered for sale at retail within the city except as follows each year:

1. From 12:00 noon to 11:00 p.m. on the twenty-eighth of June;
2. From 9:00 a.m. to 11:00 p.m. on each day from the twenty-ninth of June through the fifth of July;
3. From 12:00 noon to 11:00 p.m. on each day from the twenty-seventh of December through the thirty-first of December;
4. Or as provided in RCW 70.77.311.

K. Location of Retail Sales. It is unlawful for any person to offer for sale retail fireworks on the property of another without permission of the owner of such property. It is unlawful for any person to offer for sale retail fireworks on city property that is owned by the city without the express written permission of the city council.

L. Number of Stands. The maximum number of permits that may be issued pursuant to this chapter shall not exceed one license for each 2,500 residents of the city, according to the last official census or the last estimate of the state's census board. No person, firm, corporation or charitable organization shall receive more than one

permit for the sale of fireworks from the city during the same calendar year.

M. Violations. Without prejudice to any other penalties and remedies, violation of any provision of Chapter 70.77 RCW, this chapter, or a permit issued hereunder, or any failure or refusal on the part of a retailer to obey any rule, regulation or request of the fire chief, shall be grounds for the revocation of a fireworks permit. Such revocation shall be grounds for denial of any permit application submitted by the permittee during or otherwise pertaining to the calendar year immediately following the year in which such revocation occurs.

N. Appeal of Permit Denial or Revocation. A retailer whose application for a permit under this section has been denied, or whose permit has been conditioned or revoked, may appeal in writing to the fire chief. The appeal shall be based solely upon written statements, information and/or evidence provided by the retailer and information obtained or held by the fire chief and no hearing shall be required. The determination of the fire chief of the appeal shall be issued in writing within 10 days of receiving the appeal and shall be final. (Ord. 16-473 § 3; Ord. 14-417 § 2 (Exh. A); Ord. 03-210 § 3).

8.10.040 Dangerous fireworks prohibited.

It is unlawful for any person to possess, use, or explode any fireworks other than consumer fireworks, as defined in RCW 70.77.136, as now exists or as hereafter may be amended, within the city of Edgewood. (Ord. 03-210 § 4).

8.10.050 Dates and hours when consumer fireworks discharge permitted.

A. Restrictions on Times for Discharge. The discharge of consumer fireworks is prohibited at any time except between the hours of 9:00 a.m. and 12:00 a.m. on the Fourth of July and between the hours of 6:00 p.m. on December 31st and 1:00 a.m. on January 1st of the subsequent year. Provided, that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the state; and provided further, that this prohibition shall not apply to persons or organizations specified in EMC [8.10.070](#). (Ord. 16-473 § 4; Ord. 04-225 § 2; Ord. 03-210 § 5).

8.10.060 Hours of discharge.

Repealed by Ord. 04-225. (Ord. 03-210 § 6).

8.10.070 Public display.

Public display of fireworks shall be in accordance with Chapter 70.77 RCW and Chapter 212-17 WAC and the following:

A permit will be required for all public displays of fireworks. Any person desiring to put on a public display of fireworks shall apply in writing to the mayor for a permit at least 30 days in advance of the proposed display. The applicant shall submit information and evidence concerning the following:

A. The name of the organization sponsoring the display, if other than the applicant;

- B. The date the display is to be held;
- C. The exact location for the display;
- D. The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks, and the name of at least one experienced assistant;
- E. The number of set pieces, shells (specify single or multiple break), and other items;
- F. The manner and place of storage of such fireworks prior to the display;
- G. A diagram of the ground on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, and the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction;
- H. Applicant shall procure and maintain public liability insurance with limits of not less than \$1,000,000 for bodily injury to any one person in one accident or occurrence; \$2,000,000 for bodily injury to two or more persons in any one accident or occurrence; and \$500,000 property damage; or, at the option of the applicant, a combined single limit of \$2,000,000 per occurrence. The insurance policy shall name the city as an additional assured and shall contain a provision that it will not be cancelled or reduced without 30 days' advance written notice to the city. The applicant shall also procure a State Fire Marshal's general license for the public display of fireworks;
- I. The fee for each permit for public display of fireworks shall be as specified in the fee schedule, adopted by city of Edgewood Resolution 02-125, as now exists or as hereafter may be amended. (Ord. 15-447 § 1 (Exh. A); Ord. 03-210 § 7).

8.10.080 Penalties.

- A. Any person violating any of the provisions of this chapter shall be guilty of a civil infraction and shall be assessed a civil penalty of \$250.00 for each and every day of violation. Any violation of this chapter which also constitutes a violation of state law shall also be punishable in accordance with any and all applicable state law penalties, including without limitation the provisions of Chapter 70.77 RCW.
- B. A person is guilty of a separate offense for each separate and distinct violation of any provisions of this chapter, and a person is guilty of a separate offense for each day during which he/she commits or allows to continue any violation of the provisions of this chapter.
- C. Any fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions of this chapter or of Chapter 70.77 RCW shall be subject to seizure by any police officer or by the city's fire marshal or his designee to the extent permitted by law. (Ord. 16-473 § 5; Ord. 03-210

§ 9).

OPTION A – Total Ban

Chapter 8.10

FIREWORKS

Sections:

- 8.10.010 Definitions – Delegation of authority.
- 8.10.020 Sale, use and discharge of fireworks unlawful.
- 8.10.030 Public display.
- 8.10.040 Inspection.
- 8.10.050 Issuance – Nontransferable – Voiding.
- 8.10.060 Penalties.

8.10.010 Definitions – Delegation of authority.

Definitions of terms used in this chapter shall be as set forth in Chapter 70.77 RCW and Chapter 212-17 WAC except as expressly provided herein.

A. Delegation of Authority. Pursuant to RCW 70.77.270, the city council hereby designates the East Pierce Fire and Rescue fire chief, or his or her designee as the person with authority to issue, condition, deny and/or revoke permits pursuant to this chapter, and to enforce the provisions hereof.

B. Local Fire Official Defined. The terms “local fire official” or “fire chief” as used in this chapter shall mean the chief of East Pierce Fire and Rescue or his or her designee.

8.10.020 Sale, use and discharge of fireworks unlawful.

It is unlawful for any person to sell, use, transfer, discharge, ignite or explode any fireworks within the city of Edgewood; provided, that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

- A. Duly authorized public displays, as provided in RCW 70.77.260; and
- B. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2); and
- C. Special effects for entertainment media pursuant to RCW 70.77.535.

8.10.030 Public display.

Public display of fireworks shall be in accordance with Chapter 70.77 RCW and Chapter 212-17 WAC and the following:

A permit will be required for all public displays of fireworks. Any person desiring to put on a public display of fireworks shall apply in writing to the mayor for a permit at least 30 days in advance of the proposed display. The applicant shall submit information and evidence concerning the following:

- A. The name of the organization sponsoring the display, if other than the applicant;
- B. The date the display is to be held;
- C. The exact location for the display;
- D. The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks, and the name of at least one experienced assistant;
- E. The number of set pieces, shells (specify single or multiple break), and other items;

F. The manner and place of storage of such fireworks prior to the display;

G. A diagram of the ground on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, and the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction;

H. Applicant shall procure and maintain public liability insurance with limits of not less than \$1,000,000 for bodily injury to any one person in one accident or occurrence; \$2,000,000 for bodily injury to two or more persons in any one accident or occurrence; and \$500,000 property damage; or, at the option of the applicant, a combined single limit of \$2,000,000 per occurrence. The insurance policy shall name the city as an additional assured and shall contain a provision that it will not be cancelled or reduced without 30 days' advance written notice to the city. The applicant shall also procure a State Fire Marshal's general license for the public display of fireworks;

I. The fee for each permit for public display of fireworks shall be as specified in the City's fee schedule.

8.10.040 Inspection.

After the discharge site has been completely set up, and prior to the display, the discharge site shall be inspected and approved by the fire chief.

8.10.050 Issuance – Nontransferable – Voiding.

Each public display permit issued pursuant to this chapter shall be valid for the specific authorized public display event only, shall be used only by the designated permittee and shall be nontransferable. Any transfer or unauthorized use of a permit is a violation of this chapter and shall void the permit granted in addition to all other sanctions provided in this code.

8.10.060 Penalties.

A. Any person violating any of the provisions of this chapter shall be guilty of a civil infraction and shall be assessed a civil penalty of \$250.00 for each and every day of violation. Any violation of this chapter which also constitutes a violation of state law shall also be punishable in accordance with any and all applicable state law penalties, including without limitation the provisions of Chapter 70.77 RCW.

B. A person is guilty of a separate offense for each separate and distinct violation of any provisions of this chapter, and a person is guilty of a separate offense for each day during which he/she commits or allows to continue any violation of the provisions of this chapter.

C. Any fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions of this chapter or of Chapter 70.77 RCW shall be subject to seizure by any police officer or by the city's fire marshal or his designee to the extent permitted by law.



City Of Edgewood Council Agenda Summary Sheet

Subject: Fence Code	Agenda Item #: 2.E
	For Agenda of: 9/5/2023
	Prepared by: Mark Berry, Lauren Balisky
Attachments (list): 1. 2023-08-23 EMC Fence Excerpts	
Approval of Materials: Mark Berry, Lauren Balisky Rachel Pitzel, City Clerk/HR Director 8/31/2023 Dave Gray 8/31/2023 Daryl Eidinger 9/1/2023	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline:

Summary Statement:

Hold a discussion and provide staff direction related to amending EMC 18.90.060 Fences, Bulkheads and Retaining Walls.

Pursuant to EMC 18.60.040(B): "... The text of the city's adopted development regulations may be amended at any time; provided, that the amendment is consistent with the city's comprehensive plan and land use map...."

Excerpts of the Edgewood Municipal Code (EMC) most applicable to this discussion are attached; additional sections and references may also require amendment if Council directs staff to move forward.

Item History:

Recommended Action:

Direct staff on whether to proceed with an amendment to EMC and the scope of any such amendment.

Fiscal Note/Consideration:

1 **EMC EXCERPTS RELATED TO FENCES (INCOMPLETE LIST)**

2
3 **Title 18 Development Standards**

4
5 **18.20 Definitions.**

6 **18.20.090 F definitions.**

7 ... “Fence, sight-obscuring” means a fence constructed of solid wood, masonry, metal or other
8 appropriate material that totally conceals the subject use from adjoining uses....

9
10 **18.20.220 S definitions.**

11 ...“Security barrier” means a wall, fence, or berm that has the purpose of securing a wireless
12 telecommunications facility’s wireless service facility from unauthorized entry or trespass.....

13
14 **Chapter 18.40 Procedures for Land Use Permits and Decisions.**

15 **18.40.030 Exclusions from permit requirements.**

16 Except as indicated otherwise, an activity, development or use listed below is excluded from the
17 requirement for a project permit, discretionary, or zoning decision. Exclusion from the
18 requirements of a permit does not exempt the development or its use from applicable
19 requirements of this title or other applicable federal, state and local regulations.

20 ...

- 21 B. Fences less than or equal to six feet in height and not obstructing the clear line of vision
22 of vehicular traffic approaching the location from any street or driveway. Fences greater
23 than six feet in height require a building permit and must meet applicable setback
24 standards.

25
26 **Chapter 18.90 Development Standards – Citywide Applicability.**

27 **18.90.060 Fences, bulkheads, and retaining walls.**

- 28 A. Artificially constructed barriers to enclose, screen, or separate areas may be erected
29 within required setbacks as follows, provided fences or other barriers:

1. Do not obstruct the sight distance of a driveway, private street, or public street;
 2. Within the interior and rear setbacks do not exceed a maximum height of six feet;
 3. Within the front yard setbacks do not exceed a maximum height of four feet:
 - a. Except the back half of a front yard setback on a corner lot, the rear lot line and the rear of the structure may be enclosed with a maximum six-foot-high fence, and
 - b. Except that within the required front yard setback of a lot fronting on a principal arterial street, the maximum height shall be six feet;
 4. Razor wire, embedded glass, or other similar materials construction not to include electric fences or barbwire, or anti-entry techniques, which may cause injury, shall not be permitted.
- B. Bulkheads and Retaining Walls. Any structure constructed and erected between lands of different elevations which is used to resist the lateral displacement of any material, control erosion, or protect structures may be placed within required setbacks to a maximum height of four feet on front property lines and eight feet on side and rear property lines, provided all applicable site distance requirements and building permit requirements are met.
- C. Access control shall be applied, at the discretion of the community development director or designee, to all street frontages to minimize traffic conflicts and, where appropriate, to preserve on-street parking and promote nonmotorized modes. (Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

18.90.070 Height standards.

...

- D. The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the high side of the rockery, retaining wall, or berm. Net fences, such as those used on golf courses and/or driving ranges, shall not be higher than 35 feet and shall meet the setbacks required for structures.

Chapter 18.100 Development Standards – Use Specific.

18.100.040 Daycare facilities.

...

7. In addition to the general requirements above, child daycare services, home-based (624410, part) are subject to the following requirements:

- a. The outdoor recreation areas shall be enclosed by at least six-feet-high fence.
- b. The outdoor play equipment for child daycare facilities shall not be located in any required front or side yard setback area.

...

8. In addition to the requirements above, child daycare services, all other (624410, part) are subject to the following requirements:

...

- b. Outdoor recreation areas shall be enclosed by a six-foot-high fence.
- c. Outdoor play equipment for child daycare facilities shall not be located in any required front or side yard setback area.

....

(Ord. 20-579 § 7 (Exh. F); Ord. 16-463 § 6 (Exh. B); Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).



City Of Edgewood Council Agenda Summary Sheet

Subject: Park Impact Fees	Agenda Item #: 2.F
	For Agenda of: 9/5/2023
	Prepared by: Jeremy Metzler
Attachments (list): 1. Park Impact Fees Memo 2023-08-30 2. Appendix A 3. 13-0394 Amending Park Impact Fees	
Approval of Materials: Jeremy Metzler Rachel Pitzel, City Clerk/HR Director 8/30/2023 Dave Gray 8/30/2023 Daryl Eidinger 8/30/2023	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 09/05/2023 SS <u>Tentative Schedule:</u> 10/09/2023 Planning Commission 11/13/2023 Planning Commission 12/05/2023 Council SS 12/12/2023 Council RCM

Summary Statement:

Staff recently reviewed the City's Park Impact Fee, how it was previously calculated, and updated the background information contained therein to be current. Attached is staff's analysis and recommendation, as well as the materials from the previous update performed in 2013. If Council desires, staff is prepare to forward this information to the Planning Commission for their consideration and recommendation, following the appropriate development regulation update process.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff guidance regarding Park Impact Fees

Fiscal Note/Consideration:

While only a modest increase is recommended herein, this will help keep pace with increasing costs of construction.

Technical Memorandum -

To: Mayor Daryl Eiding, Edgewood City Council

From: Jeremy Metzler, PE – Public Works Director

253-831-4266 | jeremy@cityofedgewood.org

Date Prepared: August 30, 2023

SECTION I. BACKGROUND INFORMATION

Park Impact Fees (PIF) are authorized under GMA by statute (see RCW 82.02.050 through 82.02.090), and the City's current PIF program is described in Chapter 4.20 of the Edgewood Municipal Code (EMC). The current PIF was last evaluated in early 2013, with the currently imposed fee adopted under Ordinance 13-0394. Included with said ordinance is the November 15, 2012 Technical Memorandum titled "*Preliminary Recommendations – Park Impact Fees*", being the basis for the fee calculated at that time. Among the themes considered by the Planning Commission at that time are the following:

- Consideration of the requirements under the Growth Management Act (GMA) for planning for and providing parks, including the capital (financial) planning aspects,
- Review of the Park Impact Fee Program elements required by statute (RCW 82.02),
- Review the background of Edgewood's current Park Impact Fee Program,
- Review the status of similar jurisdiction's Park Impact Fee programs adjacent to the City of Edgewood or within similar market areas, and
- Proposal of a simple method for calculating the Park Impact Fee, for the Council to consider.

While GMA does not require local jurisdictions to accommodate a specific number of park facilities in the community, it does require that the City identify an appropriate Level of Service (LOS). The Edgewood Parks, Recreation, Open Space and Trails (PROST) Plan (latest adopted in June 2022) maintains an Active Park LOS of 5.8 acres per 1,000 people, and a Passive / Open Space LOS of 4.1 acres per 1,000 people.

The PROST Plan provides the following helpful definitions relating to parks LOS:

- Active or Active Recreation: Predominately human muscle powered recreational activities.
- Passive: Activities usually conducted in place and requiring minimal physical exertion such as picnicking, watching a sports event, sun bathing, or relaxing.

Edgewood currently has ownership over 186.9 acres of public land, with 74.9 acres of active use and 112 acres of passive use / open space area. Per the Washington State Office of Financial Management (OFM) 2022 estimates, the City of Edgewood's population is 13,590. Therefore, the current Active Park LOS is 5.51 acres per 1,000 people, and the Passive / Open Space LOS is 8.24 acres per 1,000 people. In summary, we are close to meeting our Active LOS goal, and we are exceeding our Passive LOS goal.

As the City continues to grow, we will need more park land to maintain this LOS target. The City's 2044 population target is currently set at 19,648, being 6,058 more than the current population estimate. In order to meet or maintain our current LOS targets, the city will need to establish at least 39.1 more acres of active park area, and up to 31.5 acres of that could be converted from existing passive / open space areas. The net result is a need to acquire at least 7.63 acres of new parks land area by 2044, with the understanding that more acquisition would be needed if some of the 31.5 passive acres cannot be converted into active use.

The funds collected by the impact fee program must be used for *system improvements* (new projects) that benefit new development. Also, impact fees must only be used to fund a *proportionate share* of these new improvements (RCW 82.02.050(2)). The City's Capital Improvement Plan (CIP) annually updates and identifies capital parks projects. Here is a list of parks projects currently identified in the CIP and PROST Plan, looking through the year 2044:

Project	In PROST Plan?	In 2022 CIP?	Growth Related?	Total Project Cost
Interurban Trail Phase III	Yes	Yes	Yes	\$7,500,000
Miscellaneous Park Improvements	Yes	Yes		\$550,000
Edgewood Multi-Modal Trail Loop	Yes	Yes	Yes	\$3,820,000
Nelson Farm Master Plan / Farmhouse Remodel	Yes	Yes	Yes	\$305,000
Nelson Nature Park Master Plan / Rehabilitation	Yes	Yes		\$200,000
Land Acquisition	Yes	Yes	Yes	\$300,000
Edgemont Park Improvements	Yes	Yes		\$400,000
Mortenson Farm Trail	Yes	Yes	Yes	\$500,000
Wolf Point Trail	Yes	Yes	Yes	\$450,000
Civic Center Park Improvements	Yes		Yes	\$500,000
36 th St E SRTS – ECP Connection	Yes	Yes		\$750,000
Edgewood Community Park – Phase Two	Yes	Yes	Yes	\$6,600,000
School District Partnership (shared fields)	Yes			\$1,500,000
Total CIP Project Cost:				\$23,375,000

Staff has updated the Existing Park Asset Inventory that was included with the 2013 memo (see Appendix A), wherein the total estimated value of all existing park facilities is \$17,733,870. Some additional facts to take into consideration when developing the PIF are as follows:

- The Park Impact Fund balance is currently about \$1,250,000.
- The oldest funds remaining in the Park Impact Fund were received in 2020.
- The 2023-2028 CIP contains \$10,565,000 of proposed improvements yet to be constructed, being a portion of the \$23,375,000 listed in the table above.
- The total value of parks facilities for the 2044 planning horizon is \$41,108,870, in 2023 dollars.

SECTION II. RECOMMENDATION

Upon analysis of all the information considered above, Staff recommends using the “Existing Value per Capita” scenario of \$1,304.92 as the basis for the impact fee calculation, as follows:

<i>Type of Dwelling Unit</i>	Household Size (per OFM)	Recommended Impact Fee (rounded)
Single Family Detached	2.59	\$ 3,380
Multi-Family: 1 to 4 units	2.23	\$ 2,910
Multi-Family: 5+ units	1.96	\$ 2,560
Accessory Dwelling Unit	1.96	\$ 2,560
Mobile Homes	2.42	\$ 3,160

While other scenarios were considered, the “Existing Value per Capita” scenario is consistent with the 2013 analysis and resulted in rates that remain comparable to other agencies in the region.

RCW 82.02.050(2) states, “Counties, cities, and towns that are required or *choose to plan under RCW 36.70A.040 (GMA) 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.*” In short, impact fees can only fund a ***proportionate share*** of the new improvements. Staff believes continued use of the “Existing Value per Capita” scenario meets this intent.

Finally, to aid the Council in determining the appropriate rate for the Park Impact Fee, staff provides the following table comparing rates in other nearby municipalities:

<i>Type of Dwelling Unit</i>	<i>Single Family</i>	<i>Multi-Family</i>
Buckley	\$1,624.70	\$1,331.52
Fife	\$1,700.00	\$1,450.00
Mukilteo	\$2,483.00	\$1,611.00
Mercer Island	\$2,600.00	\$1,671.59
Maple Valley	\$2,754.00	\$2,754.00
Renton	\$2,914.99	\$2,198.62
Edgewood (Existing)	\$2,940.00	\$1,742.00
Edgewood (Proposed)	\$3,380.00	\$2,560.00
Mountlake Terrace	\$3,450.00	\$2,494.00
Kent	\$3,485.45	\$2,603.16
University Place	\$3,644.00	\$2,660.00
Tumwater	\$3,726.86	\$2,746.11
Covington	\$3,922.00	\$2,760.55
Kirkland	\$4,435.00	\$3,371.00
Shoreline	\$4,692.00	\$3,077.00
Olympia	\$5,581.00	\$3,786.00
Newcastle	\$6,527.00	\$6,527.00
Issaquah	\$9,107.47	\$5,590.71

Appendix A - Existing Park Asset Inventory

Name of Park or Facility	Unit	Unit Cost	Qty	Value
<i>Land Values (Pierce County Assessor - 2023 Values)</i>				
Edgemont Park	acre	\$ 192,817.80	4.72	\$ 910,100.00
Jovita Crossroads Trailhead	acre	\$ 415,793.10	1.45	\$ 602,900.00
Interurban Trail (West of 114th)	acre	\$ 6,666.67	8.52	\$ 56,800.00
Interurban Trail (East of 114th) + P/N 0420022004	acre	\$ 11,689.80	16.57	\$ 193,700.00
Edgewood Community Park (36th & Meridian)	acre	\$ 41,716.67	18.00	\$ 750,900.00
Civic Center Campus	acre	\$ 528,774.83	9.06	\$ 4,790,700.00
Nelson Nature Park	acre	\$ 43,749.00	12.51	\$ 547,300.00
Nelson Farm Park	acre	\$ 77,570.00	10.00	\$ 775,700.00
Walkers Pond	acre	\$ 3,765.59	4.01	\$ 15,100.00
Mortenson Farm (+ Edgewood View Estates & Phillips Ridge)	acre	\$ 29,150.80	33.09	\$ 964,600.00
Crawford Woods	acre	\$ 102,231.95	4.57	\$ 467,200.00
Kempf Open Space	acre	\$ 22,428.34	12.56	\$ 281,700.00
Falcon Ridge (Barth Subdivision)	acre	\$ 3,166.23	10.61	\$ 33,600.00
Litowitz Donation (East Slopes)	acre	\$ 18,504.36	29.82	\$ 551,800.00
PENDING - Wolf Point (South Slopes)	acre	\$ 3,200.00	11.4	\$ 36,480.00
<i>Land Value Subtotals</i>			186.89	\$ 10,978,580.00
<i>Park Amenity / Improvement</i>				
Edgemont Park - Play Structures and Ballfield	LS			\$ 300,000.00
Jovita Crossroads Trailhead - Site Improvements	LS			\$ 432,350.00
Interurban Trail (West of 114th) - Trail Facility	LF	\$ 120.00	3700	\$ 444,000.00
36th & Meridian - Gateway Sign	LS			\$ 30,000.00
Edgewood Community Park - Site Improvements	LS			\$ 3,480,573.70
Civic Center - Trail and Plaza	LS			\$ 120,000.00
Nelson Nature Park - Trail	LS			\$ 100,000.00
Nelson Farm Park - Community Gardens and Parking	LS			\$ 40,000.00
Crawford Woods - Sign and Bench	LS			\$ 10,000.00
<i>Park Amenity / Improvement Subtotals</i>				\$ 4,956,923.70
<i>Buildings and Structures</i>				
Edgemont Park - Restroom and Shelter	LS			\$ 250,000.00
Jovita Crossroads Trailhead - Restroom and Shelter	LS			\$ 250,000.00
Edgewood Community Park - Restroom and Shelter	LS			\$ 373,367.81
Civic Center - Barn	LS			\$ 250,000.00
Nelson Nature Park - Garage / Barn	LS			\$ 100,000.00
Nelson Nature Park - Picnic Shelter	LS			\$ 75,000.00
Nelson Farm Park - Farmhouse and Outbuildings	LS			\$ 500,000.00
<i>Buildings and Structures Subtotals</i>				\$ 1,798,367.81
Total Value - All Existing Park Facilities				\$ 17,733,871.51

2022 Estimated Population

13,590

Existing Value per Capita

\$ 1,304.92

2022 Average no. of persons per household

2.6

2022 Estimated Households (occupied)

5,225

Existing Value per Household

\$ 3,394.04

ORDINANCE NO. 13-0394

AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING CHAPTER 4.20 EMC PARK IMPACT FEES; AMENDING THE PARK IMPACT FEE SCHEDULE AND CALCULATION METHODOLOGY SET FORTH IN SAID CHAPTER; ESTABLISHING A TEMPORARY FEE REDUCTION UNTIL JULY 1, 2015; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 82.02 RCW, the City of Edgewood has adopted a park impact fee program and has codified regulations governing the calculation, assessment, collection, refund and administration of such fees at Chapter 4.20 EMC; and

WHEREAS, the recent economic downturn has severely reduced development activity within the City, and;

WHEREAS, the City Council has reviewed a report of Park Impact Fees submitted by the Planning Commission providing a series of recommendations for consideration related to Park Impact Fees including a temporary adjustment to fees pending completion of a new Park Plan scheduled for completion by June 2015; and

WHEREAS, the City desires to further update Chapter 4.20 EMC in order to provide a method of collecting Park Impact Fees based on the average occupancy of each housing unit type; and

WHEREAS, the City desires to temporarily reduce the park impact fee under Chapter 4.20 EMC in order to spur development activity; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals, together with the content of Agenda Bill No. 13-0394 are hereby adopted as legislative findings in support of this ordinance.

Section 2. Permanent Amendment of EMC 4.20.030. Section 4.20.030 of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

4.20.030 Fee imposed – Applicability.

There is imposed, and shall be collected from every person who receives a development permit, a park impact fee for each dwelling unit based on the average occupancy for each housing type. The amount shall be calculated based on a unit cost of \$1089 per person; and, the total fee based on persons per unit (PPU), consistent with the provisions of this chapter and in accordance with the following schedule of fees:

Dwelling Unit Type	PPU* X \$1089	Total PIF
Single Family	2.7 X \$1089	\$2940
Multi-Family: 2-4units	2.0 X \$1089	\$2178
Multi-Family: 5+ units	1.6 X \$1089	\$1742
Mobile Homes	2.0 X \$1089	\$2178

Section 2 of this Ordinance shall take effect immediately upon the expiration of Section 3 below.

Section 3. Temporary Amendment of EMC 4.20.030. Section 4.20.030 of the Edgewood Municipal Code is hereby temporarily amended to provide in its entirety as follows:

4.20.030 Fee imposed – Applicability.

There is imposed, and shall be collected from every person who receives a development permit, a park impact fee for each dwelling unit based on the average occupancy for each housing type. The amount shall be calculated based on a unit cost of \$1089 per person; and, the total fee based on persons per unit (PPU), consistent with the provisions of this chapter and in accordance with the following schedule of fees:

Dwelling Unit Type	PPU* X \$1089 X %50	Total PIF
Single Family	2.7 X (.5 X \$1089)	\$1470
Multi-Family: 2-4units	2.0 X (.5 X \$1089)	\$1089
Multi-Family: 5+ units	1.6 X (.5 X \$1089)	\$871
Mobile Homes	2.0 X (.5 X \$1089)	\$1089

Section 3 of this Ordinance shall automatically sunset on July 1, 2015, whereupon the provisions of Section 2 shall take effect.

Section 4. Amendment of EMC 4.20.050. Subsection 4.20.050(D) of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

4.20.050 Park impact fee program elements.

....

D. The park impact fee imposed for any development shall be calculated and determined by the procedures established in

this chapter. The basis for such calculation shall be the November 2012 Technical Memorandum to Council - Preliminary Recommendations – Park Impact Fees, which is hereby adopted by reference.

....

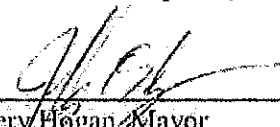
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. A summary of this Ordinance consisting of its title 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.

Presented to Council for first reading on March 26, 2013

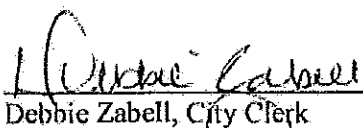
Presented to Council for second reading on April 9, 2013

ADOPTED BY THE CITY COUNCIL ON April 9, 2013



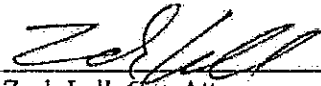
Jeffery Hogan, Mayor

ATTEST/AUTHENTICATED:



Debbie Zabell, City Clerk

APPROVED AS TO FORM:



Zach Lell, City Attorney

Date of Publication: April 17, 2013

Effective Date: April 22, 2013

CITY OF EDGEWOOD
2224 104th Avenue East, Edgewood, WA 98372-1513
(253) 952-3299 Fax: (253) 952-3537

LEGAL NOTICE

April 17, 2013

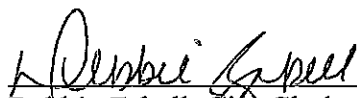
NOTICE OF ORDINANCE ADOPTED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance adopted by the City of Edgewood City Council on the 9th day of April, 2013, and shall take effect and be in full force on the 22nd day of April, 2013.

ORDINANCE NO. 13-0394

AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING CHAPTER 4.20 EMC PARK IMPACT FEES; AMENDING THE PARK IMPACT FEE SCHEDULE AND CALCULATION METHODOLOGY SET FORTH IN SAID CHAPTER; ESTABLISHING A TEMPORARY FEE REDUCTION UNTIL JULY 1, 2015; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of the Ordinance is available at Edgewood City Hall, 2224 104th Avenue East, Edgewood, WA 98372-1513 (253) 952-3299.



Debbie Zabell, City Clerk

Published in the Herald on April 17, 2013

Final Draft

City of Edgewood

TECHNICAL MEMORANDUM

TO: Edgewood City Council
FROM: Edgewood Planning Commission
THRU: Eric C. Phillips, AICP, Community Development Director
DATE: November 15, 2012

ECP

SUBJECT: PRELIMINARY RECOMMENDATIONS – PARK IMPACT FEES

Summary:

In 2011 the Edgewood City Council requested that staff review “Impact Fees” with specific direction to bring forward options to reduce impact fees where feasible to make the City more approachable and competitive for new development. Primarily, concern was raised with regard to Traffic Impact Fees (TIFs) and following a council review the TIF was reduced by about 75% for an interim period. Staff subsequently completed an update to the TIF study that was the basis for the original fee, and completed that technical work in early 2012. This update still needs to be presented and considered for final approval by the Council but the updated study recommendations support a sustained reduction in the TIFs.

At the same time there was general direction to examine, as time permitted, School and Park Impact Fees to determine if other adjustments should be considered in the near future. Of particular concern were Park Impact Fees with regard to the more recent zoning code updates that resulted in a significant potential increase in residential use along the Meridian Corridor in the zoning districts that support multi-family housing.

In order to provide a framework for recommendations pertaining to Park Impact Fees the Planning Commission has elected to review the following themes in support of the Council’s request:

- Planning Requirements under the Growth Management Act (GMA) for planning for and providing parks; including the capital (financial) planning aspects
- Required elements of a Park Impact Fee Program
- Background of Edgewood’s current Park Impact Fee Program
- Status of similar jurisdictions Park Impact Fee programs adjacent to the City of Edgewood or within similar market areas
- A simple method for calculating options for the Council to consider
- Recommendations to advance the subject to the Council for formal review

In addition to reviewing the Park Impact Fee program fees the Planning Commission is also looking for opportunities to incentivize new development with the overall goal to increase the amount of open space and park areas available for the enjoyment of Edgewood citizens. These

Final Draft

options will be presented as both policy discussions as well as potential code changes that would be required to implement a specific set of options.

Long Range and Capital Planning Requirements for Parks

The Growth management Act (GMA) does not require local jurisdictions to plan for, or accommodate, a specific number of park facilities within the community. It does require that the City identify within its own policies what the appropriate level-of-service (LOS) is for Parks in the City. This action is accomplished by means of Chapter 11 of the City's Comprehensive Plan - *Parks, Open Space, and Recreation*. The GMA also requires that Edgewood must identify how it will maintain the adopted LOS for current as well as future population growth with regard to the adopted LOS for parks. This "reconciliation" requirement is met through identification of capital projects in the Capital Facilities Plan (CFP) intended to meet and maintain the City's adopted LOS for parks. What is important to remember about the City's requirements for Park planning is that it must show via the CFP how future growth and current residents will achieve the adopted LOS within the planning horizon. If appropriate the CFP should distinguish between new capital projects respective portions for new growth vs. existing growth. Currently the City is planning for a population of 13,700 by 2030. These planning assumptions will be referred to frequently throughout this review.

The City has historically utilized a chapter of its Comprehensive Plan to identify the planning framework under the GMA that addresses park planning and LOS. This "element" of the comprehensive plan is then "backed-up" with annual updates to the CFP with a project list adopted as part of the 6-year CFP plan sub sequentially adopted as part of the City's annual budget process. To summarize, the GMA requires the City to plan for parks, establish a LOS, and show through the Capital Improvement Program (CIP) how it will meet the adopted LOS standards for existing and future residents of the City.

Park Impact Fees

Under the GMA the legislature included a new method for local governments to fund future park capital projects called Impact Fees. Impact fees are specific to a limited number of facilities. These include traffic, school, park, and fire facilities. Impact fees are authorized under the GMA under RCW 82.02.050 – 82.02.090. Two key themes to keep in mind with regard to impact fees is that they are not mitigation payment and they must be used to finance new capital projects required as a result of growth.

As we discuss the park impact fee program for Edgewood it will be important to consider that these fees will be used for system improvements (new projects) that benefit new development. Impact fees must also be used to only fund a proportionate share of these new improvements. In summary, if Edgewood plans to build a community park (a park greater than 15 acres) to serve a population of 15,000 (and we have a current population of about 10,000) and wants to finance a portion of this future park with impact fees, it would need to base the impact fee on the "proportionate share" attributable to growth. In this case that would be approximately one third with two thirds being funded by the City.

Formula: *future population (15,000) – current population (10,000) = growth share 5,000*
Or, roughly one third proportionate share can be attributable to growth thru impact fees

Final Draft

In 2002 the City adopted a Park Impact Fee Ordinance (02-192) now codified as EMC 4.20 and began collecting fees for future park improvements as identified in the CIP. The City currently collects \$2,939 per residential unit. The City's current code allows for exemptions and adjustments in accordance with statutory provisions regarding the imposition and collection of impact fees. Since adoption of the impact fee program the park impact fees collected have been utilized primarily for land acquisition, principally the 36th and Meridian community park property.

In reviewing the history of the current park impact fee program it is important to note that while a formal park impact fee study was not completed prior to the adoption of the current park impact fee schedule by Council, a technical review and calculation methodology was completed by staff that considered the followings elements:

- Review of impact fees in surrounding jurisdictions
- Formula based on future population growth
- Level-of-Service of 34 acres per 1000 population
- Assumed land and park development costs
- A comprehensive plan period of 20 years
- An assumed credit for a share of the Zoo tax revenues received by the City annually that has historically been allocated for Park use.

As noted above, Edgewood has utilized park Impact Fees for the acquisition of new park property. These properties were originally purchased with funds "borrowed" from the general fund in order to make a timely purchase before the actual impact fees had been collected. Over the past few years the impact fees coming in to the City have been used to "pay back" the general fund. Because of these acquisitions the park impact fee fund has been historically "in-debt" to the general fund however the land acquisitions for the 36th and Meridian park property were finally "reimbursed" to the general fund during 2012.

Similar to past discussions, staff recently reviewed Park Impact fees collected in other jurisdictions in Pierce County (and the region) for comparison purposes. Since imposition of impact fees for Parks are optional, it is important to consider market factors that could influence the policy decision made by the City Council to impose an impact fee. Park impact fees should be carefully considered as part of a city's "funding policies" that balance the ability to encourage quality development activity at competitive rates while providing community amenities, like parks, that developers like to have in the communities they chose to develop in.

Comparison of Park Impact Fees in the Region

Pierce County Jurisdictions			
<i>Name</i>	<i>Per SFR</i>	<i>Per MFU</i>	<i>Other</i>
Pierce County	\$355	\$180	N/A
Edgewood	\$2,939	\$2,939	N/A
Bonney Lake	\$3,130	\$3,130	N/A
Buckley	\$772	\$517	N/A
DuPont	N/A	N/A	N/A
Eatonville	N/A	N/A	N/A

Final Draft

Pierce County Jurisdictions, cont			
<i>Name</i>	<i>Per SFR</i>	<i>Per MFU</i>	<i>Other</i>
Firecrest	N/A	N/A	N/A
Fife	\$1,700	\$1,450	Variable MFR*
Gig Harbor	\$1,500	\$1,500	N/A
Milton	N/A	N/A	N/A
Orting	\$830	\$830	N/A
Puyallup	\$2,300	\$2,300	N/A
Roy	\$2,372	\$2,372	N/A
Ruston	N/A	N/A	N/A
South Prairie	N/A	N/A	N/A
Steilacoom	N/A	N/A	N/A
Sumner	\$214	\$214	N/A
University Place	\$2,000	\$2,000	N/A
Wilkeson	N/A	N/A	N/A
Other small Cities in the Region			
<i>Name</i>	<i>Per SFR</i>	<i>Per MFU</i>	<i>Other</i>
Algona	\$1,000	\$1,000	N/A
Auburn	\$3,500	\$3,500	N/A
Covington	N/A	N/A	N/A
Enumclaw	\$1,209	\$801	N/A
Sammamish	\$2,605.82	\$1,505.35	N/A

Source: AWC 2012 Fee Survey and Online Code Review

Calculating an updated PIF for Edgewood

Certainly any adjustments to the PIF schedule should consider updates to the original assumptions and, more preferably, a calculation methodology that can be utilized as part of the capital tracking for projects in the longer term on a spreadsheet so the City can make timely adjustments, either up or down, to the fee based on actual growth and tracking impacts and response to the adopted LOS for parks.

Certain assumptions must be updated. For example the City's growth targets for the 20 year planning period should be adjusted to the current number or planning for a total population of 13,700 for the year 2030. From a policy perspective a decision should be made with regard to the existing system. Is there a certain portion of the existing system that should be charged to future growth? Likewise, the current LOS of 34 acres per 1000 in population is well above the 11.82 actual acres per 1000 residents the City currently have. The LOS assumptions and the Capital plan must be reconciled to balance, and then a decision will need to be made with regard to the future growth share.

Final Draft

One simple solution to determine “where we are at” today is to use the existing system as a “known commodity” that we could use as a starting point for the following:

Assumptions:

- Current Park inventory and land are adequate to meet LOS needs. In other words we want future growth and current residents to continue to enjoy parks and park land essentially as they are today or 11.82 acres per 1000 residents. No new parks but development and improvements to existing land with some new land added.
- Population growth share for impact fee calculations will be at the historic 50%.
- Assumptions for the above can be applied toward existing Park Capital Projects

Calculation method scenario:

If 11.82 acres per 1000 population is an acceptable LOS then we need 4.25×11.82 (population growth = 4,250) = 50.24 acres of new land inventory with 50 % +/- developed to “Active Park” for the total inventory during that planning period. The value per capita is based on the existing LOS or approximately \$2820 per person. Therefore the future portion of growth attributable to a PIF at the historic 50% rate would be:

$$\begin{aligned}
 & \$2,820/2 = \$1,410 && (50\% \text{ share per capita growth}) \\
 & \$1,410 \times 4,250 = \$5,992,500 && (\text{per capita share} \times \text{population growth} = \text{PIF value}) \\
 & \text{SFR PIF } (\$1,410 \times 2.7\text{pph}) = \$3,807 \\
 & \text{MF PIF } (\$1,410 \times 1.9\text{pph}) = \$2,679
 \end{aligned}$$

Under the above scenario we can see that a careful review of the existing park facilities and previous policies with regard to adoption of the Park Impact Fee show a fee that is higher than the current established fee. A second approach, that adjusts the SFR to meet mirror the current TIF rate, could be adjusted to allow for different housing types thus providing for a range of PIF charges for each housing type.

Scenario Two:

Using a current fee scenario, a second approach would be to simply assign a new per capita rate of \$1,089 (\$2,939 PIF / SFR PPH 2.7 = \$1,089 per capita value). This would allow the current PIF to stay “the same” while adding different housing types to the equation. This is a much simpler interim approach to maintaining the current PIF rate while adding a logical calculation for different housing types. For example a revised PIF structure could be:

Types of Dwelling Unit	Average Persons Per Dwelling Unit	Cost Per Dwelling Unit @ \$1,083.96 per person
Single Family	2.7	\$2,939
Multi-Family: 2-units	2.2	\$2,396
Multi-Family: 3-4 un	1.9	\$2,069
Multi-Family: 5+ units	1.6	\$1,743
Mobile Homes	1.9	\$2,069

Final Draft

Summary Recommendations

- A temporary adjustment the PIF rate, as a policy, similar to traffic impact fees for a certain duration and pending completion of an updated Plan and Capital program is reasonable.
- Add provisions for different household types as depicted under scenario two above to provide for a more appropriate fee on a per person basis rather than for each new dwelling unit. Suggest using the actual “per household type rates” as provided by OFM in the annual population report for the City.
 - i.e. rate for – Single Family Residential
 - Multi- Family tier(s)
 - Mobile Home etc.
- The Planning Commission recommends adding housing types to the fee schedule as described above. The Council could also make an interim adjustment to the PIF schedule using the revised housing types (by policy) stated as a percent reduction for a specific time period as an incentive to encourage development. For example a 50% reduction in PIF for the next 200 housing units, or 50 SFR and 150 MFU. An adjustment could also be stated for a specific time period, similar to the approach taken for traffic impact fees (TIFs), such as “a 50% PIF until December 31, 2015” or similar.
- Consider adding provisions to the code to allow more incentive for larger property owners to develop park facilities in-lieu of paying a fee. These provisions should be in the development code and then cross referenced in the Impact fee portion of EMC.
- Update Edgewood’s Park Plan to address Level of Service (LOS) issues and provide/develop an updated capital improvement plan (CIP) to support future growth’s proportionate share for the PIF program. This should be done in advance of the major Comprehensive Plan update since capital planning requirements under the GMA will have an impact on the Parks Element as well as the 20 year CIP required as part of the Comprehensive Plan update.
- Develop and maintain a cost allocation model (CAM) for park infrastructure. Develop a 20 year CIP in a spreadsheet that can be updated with projects and costs as they occur within the twenty year planning period and provide a collection and accounting basis for future projects to appropriately document and track how PIFs are collected and what projects they fund. The tool would provide significant guidance in developing the six-year CIP’s adopted annually that tie projects to the annual budget. This effort would also support the balancing of Level of Service goals with cost providing longer term financial planning support for park infrastructure in the City of Edgewood.

Appendix to Report:

1. Edgewood Impact Fee Review – comparison of park impact fees in other jurisdictions
2. Park Asset Inventory Worksheet
3. Park value and Growth Assumptions worksheet
4. Existing Capital Facilities – Cost and growth factors worksheet
5. Cost Per Residential Dwelling Unit Type Worksheet

Edgewood Impact Fee Review

Comparison of Park Impact Fees

Pierce County Jurisdictions			
Name	Per SFR	Per MFU	Other
Pierce County	\$355	\$180	N/A
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Eatonville	N/A	N/A	N/A
Fircrest	N/A	N/A	N/A
Fife	\$1,700	\$1,450	Variable MFR*
Gig Harbor	\$1,500	\$1,500	N/A
Milton	C	N/A	N/A
Orting	\$830	\$830	N/A
Puyallup	\$2,300	\$2,300	N/A
Roy	\$2,372	\$2,372	N/A
Ruston	C	N/A	N/A
South Prairie	N/A	N/A	N/A
Steilacoom	N/A	N/A	N/A
Sumner	\$214	\$214	N/A
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Covington	N/A	N/A	N/A
Enumclaw	\$1,209	\$801	N/A
Sammamish	\$2,605.82	\$1,505.35	N/A

Source: AWC 2012 Fee Survey and Online Code Review

Edgewood Park Asset Inventory and Capital Value per Person / Household

Name / Types of Park or Facility	Unit	Inventory	Est Cost per Unit	Capital Value
Land Value				
Edgemont Park / Neighborhood	acre	4.72	90,000.00	\$424,800.00
Jovita Crossroads Trailhead / Mini	acre	1.4	150,000.00	\$210,000.00
Interurban Trail (West of 114th) / Trail	acre	8.52	50,000.00	\$426,000.00
Interurban Trail (East of 114th) / Trail	acre	13.77	50,000.00	\$688,500.00
36th and Meridian / Community	acre	18	90,000.00	\$1,620,000.00
Civic Center / Neighborhood	acre	9.34	100,000.00	\$934,000.00
Nelson Nature park	acre	12.51	70,000.00	\$875,700.00
Nelson Farm Park	acre	10	80,000.00	\$800,000.00
Walkers Pond	acre	4	50,000.00	\$200,000.00
Mortenson Farm	acre	12.31	80,000.00	\$984,800.00
Crawford Woods	acre	4.57	70,000.00	\$319,900.00
Kempf Open Space	acre	12.56	50,000.00	\$628,000.00
Totals		111.7		\$8,111,700.00
Park Amenity / Improvements				
Edgemont Park / Play Structures and Ballfield	each	1	180,000.00	\$180,000.00
Jovita Crossroads Trailhead / Site Improvements	each	1	432,350.00	\$432,350.00
Interurban Trail (West of 114th) / Trail Facility	LF	4436	120.00	\$532,320.00
36th and Meridian / Gateway Sign - 2014	each	1	25,000.00	\$25,000.00
Civic Center / Trail and Plaza	each	1	120,000.00	\$120,000.00
Nelson Nature park / Trail -Walkway	each	1	80,000.00	\$80,000.00
Nelson Farm Park / Community Gardens & Parking	each	1	40,000.00	\$40,000.00
Crawford Woods / Sign and Bench	each	1	5,000.00	\$5,000.00
Totals				\$1,414,670.00
Buildings and Structures				
Edgemont Park / Restroom & Shelter	each	1	150,000.00	\$150,000.00
Jovita Crossroads Trailhead / Restroom and Interp.	each	1	160,000.00	\$160,000.00
Civic Center / Barn	each	1	60,000.00	\$60,000.00
Nelson Nature park / Garage - Barn		1	60,000.00	\$60,000.00
Nelson Nature park / Picnic Shelter	each	1	40,000.00	\$40,000.00
Nelson Farm Park / Farmhouse and Outbuildings	each	1	220,000.00	\$220,000.00
Totals				\$690,000.00
Total Value All Existing Park Facilities				\$10,216,370.00

2012 Population	9,425
2012 Average persons per household	2.6
2012 Households	3,625

Existing Park area per 1000 persons	11.82 acres
Existing Value Per capita	\$1,083.96
Existing value per household	\$2,818.31

Value of Parks, Recreation and Open Space Facilities Needed to Support Growth

2012 Population	9,425
2012 Average persons per household	2.6
2012 Households	3,625

Existing Park area per 1000 persons	11.82 acres
Existing Value Per capita	\$1,083.96
Existing value per household	\$2,818.31

2030 Planning Horizon Growth Factors

2030 Population Target	13,700
Population Growth	4,275
Population Growth - New Households	1,644

Value Per Person Needed to Support Growth at existing service levels

Capital Value Per Person	Capital Value Per Household	Forecast Population Growth	Value Needed For Growth
\$1,083.96	\$2,818.31	4,275	\$4,633,929.00

Investment Per Person Needed in Parks, Recreation and Open Space for Growth

Value Needed For Growth	Value of Existing Reserve Capacity	Investment Needed for Growth	Balance in Impact Fee Account	Investment Needed for growth*
\$4,633,929.00	\$0.00	\$4,633,929.00	\$0.00	\$4,633,929.00

* Investment needed for growth represents an equal value per capita for all Edgewood park assets as exists in 2012 for 2030.

Cost Per Dwelling Unit based on proportionate value for growth

Types of Dwelling Unit	Average Persons Per Dwelling Unit	Cost Per Dwelling Unit @ \$1,083.96 per person
Single Family	2.7	\$2,926.69
Multi-Family: 2-units	2.2	\$2,384.71
Multi-Family: 3-4 un	1.9	\$2,059.52
Multi-Family: 5+ units	1.6	\$1,734.34
Mobile Homes	1.9	\$2,059.52

Edgewood Capital Facilities Plan 6-year CIP - Park Projects

ID	Improvement Name	Projected 6 year cost
P-2	Interurban Trail - Phase 2 & 3	\$12,602,230
P-3	36th & Meridain Park	\$9,639,850
P-4	Mortenson Farm Wetland Enhancement	\$0
Total Future Capital Park Projects		\$22,242,080
Total Value All Existing Park Facilities		\$10,216,370.00
2030 Build Out Total		\$32,458,450
Proportionate share PP / total system / 2012		\$3,443.87
Proportionate share PP / total system / 2030		\$2,369.23
2012 Population		9,425
2012 Average persons per household		2.6
2012 Households		3625
2012 Existing Park area per 1000 persons		11.82 acres
2012 Existing Value Per capita Parks		\$1,083.96
2012 Existing value per household		\$2,818.31
2030 Population Target		13,700
Population Growth		4,275
Population Growth - New Households		1,644
2030 Park area per 1000 persons		8.15 acres
2030 Value Per capita Parks		\$2,369.23
2030 value per household Parks		\$6,160.00
Amount per capita park improvements City responsibility		\$0.00
Amount per capita park improvements Growth at 100%		\$22,242,080.00
Amount per capita park improvements 50% PIF		\$11,121,040.00
Adjusted Per Person Impact Fee		\$2,601.41

Cost Per Dwelling Unit based on proportionate value for growth

Types of Dwelling Unit	Average Persons Per Dwelling Unit	Cost Per Dwelling Unit @ \$1,083.96 per person	Growth Share per person adjusted for CIP @ \$1,184.61	Suggested Park Impact Fee Per Dwelling Unit (based on 2012 CIP)
Single Family	2.7	\$2,926.69	\$3,198.45	\$3,198.45
Multi-Family: 2-units	2.2	\$2,384.71	\$2,606.14	\$2,606.14
Multi-Family: 3-4 units	1.9	\$2,059.52	\$2,250.76	\$2,250.76
Multi-Family: 5+ units	1.6	\$1,734.34	\$1,895.38	\$1,895.38
Mobile Homes	1.9	\$2,059.52	\$2,250.76	\$2,250.76



City Of Edgewood Council Agenda Summary Sheet

Subject: Interurban Trail - ForeverGreen Trails TAP Fundraiser Results	Agenda Item #: 2.G		
	For Agenda of: 9/5/2023		
	Prepared by: Jeremy Metzler		
Attachments (list): 1. TAP Fundraising Memo Edgewood Interurban Trail 2. RESOLUTION 22.0651 3. SIGNED Edgewood Interurban III Partnership MOU			
<table><tr><td>Approval of Materials: Jeremy Metzler Rachel Pitzel, City Clerk/HR Director 8/30/2023 Dave Gray 8/30/2023 Daryl Eidinger 8/30/2023</td><td>Expenditure Required: N/A Amount Budgeted: N/A Timeline: 09/05/2023 SS 09/12/2023 RCM</td></tr></table>		Approval of Materials: Jeremy Metzler Rachel Pitzel, City Clerk/HR Director 8/30/2023 Dave Gray 8/30/2023 Daryl Eidinger 8/30/2023	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 09/05/2023 SS 09/12/2023 RCM
Approval of Materials: Jeremy Metzler Rachel Pitzel, City Clerk/HR Director 8/30/2023 Dave Gray 8/30/2023 Daryl Eidinger 8/30/2023	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 09/05/2023 SS 09/12/2023 RCM		

Summary Statement:

ForeverGreen Trails (FGT) is a non-profit organization dedicated to the development and stewardship of trails in Pierce County, and they were very supportive in the City's efforts to apply for and obtain grant funding for Edgewood's Interurban Trail Phase III project. As a part of the City's grant request, there was a commitment to engage with the community through development of a fundraising effort, seeking a goal of \$10,000 in donations toward the project.

The City Council adopted Resolution 22-0651 in December 2022 (attached), authorizing the Mayor to join FGT as a Jurisdiction Member on behalf of the City. Staff worked with FGT to execute a Fundraising Memorandum of Understanding (MOU) in May 2023 (attached) outlining the terms of the fundraising effort. The fundraiser was launched on the FGT website shortly thereafter, and we are happy to report that \$20,133 had been raised as of August 18, 2023. Enclosed in the material, you will find the explanatory letter from FGT, detailing how they are prepared to remit \$14,106.40 pursuant to the terms of the MOU, with an additional \$5,000 coming separately as pledged by the Foothills Rails to Trails Coalition.

In accordance with Edgewood Municipal Code (EMC) 2.90.030(B)(2), restricted donations of \$5,000 or more per donor, per calendar year, "may only be accepted by action of the city council". Staff recommends acceptance of the subject donations by council action at their next regular meeting.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff guidance regarding Interurban Trail - ForeverGreen Trails TAP Fundraiser Results

Fiscal Note/Consideration:

The City's RCO Grant Application anticipated at least \$8,000 from this effort. Any amount received above this target will offset funds that would have come from other City revenue sources, such as Park and/or Traffic Impact Fees, Real Estate Excise Taxes (REET), or the General Fund.



ForeverGreen Trails

Connecting Pierce County Communities with Trails

Date: August 18, 2023

To: City of Edgewood Public Works Director Jeremy Metzler

Re: Trail Accelerator Program Edgewood Interurban Trail Fund Drive Report

Per our "Fundraising Memorandum of Understanding" (MOU) between the City of Edgewood and ForeverGreen Trails, we hosted a Trail Accelerator Program donation portal on our website and promoted the fund drive with its partners. The MOU specified a \$10,000 goal for this drive. Happily, the fund drive exceeded this goal, with the following breakdown:

Source	Amount
Online Donations	\$5,205
Check Donations	\$9,928
Donation Subtotal	\$15,133
Matching Funds	\$2,000 provided by ForeverGreen Trails
Additional Pledge	\$3,000 from Foothills Rails to Trails Coalition (atop their earlier \$2,000)
Total raised funds	\$20,133

The MOU specified that ForeverGreen Trails will retain an Administrative Fee of 20%. This fee is not applied to the matching funds we supplied, nor the above pledge from Foothills, only the donations raised. The net amount we are remitting to you is as follows:

Donations Raised	\$15,133
Administrative Fee	(\$3,026.60) 20% per MOU
FGT Match Funds	\$2,000
Net FGT Amount	\$14,106.40

Edgewood will have to arrange with Foothills for payment of their original \$2,000 pledge listed in the RCO grant application, and their additional \$3,000 pledge their board made during this fund drive.

If you have any questions, please contact us at: info@forevergreentrails.org or 360-357-3871.

Larry Leveen

Larry Leveen
Executive Director

RESOLUTION NO. 22-0651

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EDGEWOOD, PIERCE COUNTY, WASHINGTON,
AUTHORIZING JURISDICTION MEMBERSHIP WITH
FOREVERGREEN TRAILS FOR 2023**

WHEREAS, ForeverGreen Trails is a non-profit organization dedicated to the development and stewardship of trails in Pierce County; and

WHEREAS, ForeverGreen has been very supportive and helpful in the City's recent efforts to apply for and obtain grant funding for Edgewood's Interurban Trail Phase III project; and

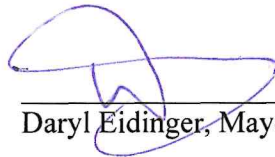
WHEREAS, the City is interested in joining this organization in support of continued efforts to develop the Interurban Trail and other walkability improvements throughout the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Membership Authorized. The Mayor is hereby authorized to join ForeverGreen Trails on behalf of the City of Edgewood as a Jurisdiction Member, for an annual fee of \$1,000.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS 13TH DAY OF DECEMBER, 2022



Daryl Eidinger, Mayor

ATTEST:



Rachel Pitzel, CMC
City Clerk



ForeverGreen Trails

Connecting Pierce County Communities with Trails

INVOICE 2022-JM5

Date: July 29, 2022

To: Metro Parks Tacoma

Re: Jurisdiction Membership ForeverGreen Trails

Jurisdictions like yours are key partners in a collaborative effort to build out and maintain a system of trails that connect all communities in Pierce County. Please see the included resource detailing the benefits of jurisdiction membership. Your membership also entails one vote at our Annual Meeting (date TBD) and the ability to have a representative serve on our Board of Directors if elected or appointed. We ask that you please inform us who will serve as a representative for your jurisdiction as well as an alternate in case of need. Your representative and alternate can be a staff member or elected official. Since several staff across multiple departments (as well as elected officials) might have interests in our activities, we welcome anyone from your jurisdiction to receive our communications and meeting agendas and attend our meetings. Please contact us for more information at info@forevergreentrails.org or to request adding people to our communication list (traffic on the list is very light — usually 1 or 2 emails per month).

We welcome your jurisdiction's involvement, questions, and suggestions to help us better serve our members and through them, the public at large. Thank you for your support in improving the health, wellbeing, mobility, and enjoyment of the citizens and visitors of our service area of Pierce County.

ForeverGreen Trails Organizational Annual Membership

Jurisdictions between 10,000 & 24,999 population — Amount Due: \$1,000.00

Please remit payment to:

ForeverGreen Trails
243 S. 55th Street
Tacoma, WA 98408

Payment by check is preferred. If you need to pay this invoice via Electronic Funds Transfer, using a payment card online, or if you need us to submit an invoice through your jurisdiction's online billing system, please contact us at: info@forevergreentrails.org or 360-357-3871. Thank you.

Larry Leveen

Larry Leveen
Executive Director

Fundraising Memorandum of Understanding City of Edgewood, WA & ForeverGreen Trails

This Fundraising Memorandum of Understanding (“MOU”) is between ForeverGreen Trails (FGT) and the City of Edgewood, WA (Edgewood or City) (collectively, the “Parties”).

- 1. Project Name:** Interurban Trail Phase III (“Project”)
- 2. Project Description:** Completion of the 1.0-mile gap in the Interurban Trail within Edgewood. The alignment of this final link will be 12' wide with 2' shoulders and would generally follow / parallel Jovita Blvd within City-owned property and right-of-way along the north side of the road, extending from the City's current trail head at 114th Avenue East and terminating at West Valley Hwy. It will connect to recent work completed by the City of Pacific ending at Stewart Road via a sidewalk under SR167. This project supports Objectives 3.4 and 6.1 and Goal 8 of the City’s adopted Parks, Recreation & Open Space (PROS) Plan.
- 3. Fundraising Goal:** The Parties’ fundraising goal is that FGT’s efforts as described in this MOU will raise \$10,000 in donations from the public. After withholding twenty percent (20%) of the funds raised to recoup its administrative costs associated with the fundraising campaign, FGT would donate the remaining eighty percent (80%) of the donations raised to the City for use as the City deems appropriate on the Project. The Parties understand the goal amount is not a guarantee that amount will be raised, but the distribution of funds will be in accordance with the percentages stated above.
- 4. Background/ Need:** The Interurban Trail is of significant regional importance. The north section of the trail extends 24 miles between Everett and Seattle through the communities of Shoreline, Mountlake Terrace, Edmonds, and Lynnwood. The approximately 19-mile south section of the trail connects the cities of Tukwila, Kent, Auburn, Algona, and Pacific, with two unattached segments in Edgewood and Milton that follow the old railway corridor toward Fife and Tacoma. This trail provides recreational opportunities for residents and visitors alike who utilize the trail for non-motorized activities. The construction of this missing link will provide for a safer transportation network by completing a much-needed east-west active transportation network connection, thereby allowing users to stay off Jovita Blvd, a busy arterial roadway.
- 5. Responsibilities:** FGT and Edgewood will collaborate on a fundraising drive for the project as follows:
 - FGT will run a Trail Accelerator Program (TAP) campaign from **May 25th, 2023**, with a target end date of **July 31st, 2023**, subject to extension if agreed upon by both Parties
 - FGT will develop a fund drive webpage with embedded donation form on its website, implementing edits as requested by the City
 - The City will provide images and text to FGT for use on the webpage, and review/approve the webpage prior to the fundraising drive launch
 - The City and FGT will seek matching funds to facilitate/incentivize public giving
 - The City and FGT will collaborate on outreach messages and drive promotion via respective channels
 - The City will recruit community boosters to help promote the fundraising drive
 - FGT will inform the City on drive results and remit the net amount (after withholding 20% of the raised funds for administrative costs) within 30 days of drive end date

- FGT understands all records related to the Project are public records, and as such FGT will retain all records in its possession related to the Project and the fundraising campaign, including but not limited to communications and financial records, for a minimum of six (6) years after the close of the City's fiscal year of December 31, 2023. FGT will provide the records to the City promptly upon receiving a request for the records from the City.

6. **Term.** The effective date of this MOU shall be the date of the last party's signature to this Agreement. The Agreement will expire on December 31, 2023 unless extended by written agreement signed by both parties.

7. **Donation Acceptance.** FGT's donation of the net funds raised during the fundraiser described in this MOU is subject to the donation acceptance requirements in the Edgewood Municipal Code Ch. 2.90.

Approvals

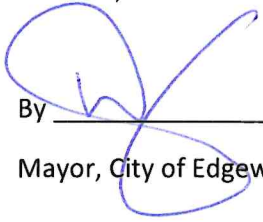
FGT and the City agree to this MOU as written.

By Laurence Leveen

Director, ForeverGreen Trails

5/10/23

Date

By  _____

Mayor, City of Edgewood

5/5/23

Date