

CITY OF MONROE
ORDINANCE NO. 011/2025

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON,
AMENDING CHAPTER 3.52 MMC PARK IMPACT FEES;
UPDATING AND AMENDING THE CITY'S SCHEDULE OF PARK
IMPACT FEES TO PROVIDE FOR A DISCOUNTED AND
DEFERRED ASSESSMENT FOR ACCESSORY DWELLING
UNITS; MAKING MINOR HOUSEKEEPING, CLARIFICATION, AND
REFERENCE AMENDMENTS; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in order to ensure that new parks and recreation facilities are available when needed, the City Council has determined that the cost of such facilities must be shared by the public and the private sectors, and that a proportionate share of the expense of new parks and recreation facilities needed to serve new development should be borne by developers through the City's imposition of park impact fees; and

WHEREAS, the City of Monroe is authorized by Chapter 82.02 RCW to require new growth and development within the City to fund a proportionate share of new system improvements necessary to serve such new growth and development through the assessment of impact fees; and

WHEREAS, the City of Monroe adopted its park impact fee program by ordinance, the regulations for which are currently codified at Chapter 3.52 MMC; and

WHEREAS, park impact fees are authorized by the Growth Management Act as a financing tool for cities to ensure that growth pays for an appropriate share of the parks and recreation facilities needed to serve such growth; and

WHEREAS, the park impact fees imposed pursuant to Chapter 3.52 MMC are based upon the calculation methodology set forth in the Park Impact Fee Technical Memorandum that has been commissioned by the City's technical consultants; and

WHEREAS, House Bill 1337, effective on July 23, 2023, establishes new rules regarding the regulation of accessory dwelling units (ADUs), including without limitation that the assessment of impact fees upon such uses may not exceed fifty percent (50%) of the fee amount that would otherwise be imposed upon the principal unit located on the underlying property; and

WHEREAS, as authorized by HB 1337, the City Council desires to assess and collect park impact fees on ADUs at the rate of fifty percent (50%) of the fee amount that would be assessed, by unit type in combination with the dwelling unit factor, upon the principal unit located on the underlying property; and

WHEREAS, the City Council desires to provide applicants the option of deferring the payment of transportation impact fees imposed upon ADUs until such time as the ADU is sold or otherwise conveyed independent of the principal unit on the property; and

WHEREAS, the amendments to Chapter 3.52 MMC set forth in this ordinance will assist in funding the parks and recreational facilities necessary to serve new growth within the City while simultaneously encouraging and facilitating residential development of the type and in the manner consistent with the City’s community planning vision and the Monroe Housing Action Plan;

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

Section 1. Amendment of MMC 3.52.070. Section 3.52.070 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

3.52.070 Computation of the park impact fee amount.

A. The park impact fee for each development activity on which an impact fee is imposed as provided in this chapter shall be determined according to the following schedule:

<u>Unit Type (number of bedrooms)</u>	<u>Dwelling Unit Factor</u>	<u>Per-Capita Cost</u>	<u>Park Impact Fee</u>
<u>0 Bedrooms</u>	<u>1.1</u>	<u>\$2,980</u>	<u>\$3,346</u>
<u>1 Bedroom</u>	<u>1.4</u>	<u>\$2,980</u>	<u>\$4,143</u>
<u>2 Bedrooms</u>	<u>2.2</u>	<u>\$2,980</u>	<u>\$6,601</u>
<u>3 Bedrooms</u>	<u>2.9</u>	<u>\$2,980</u>	<u>\$8,642</u>
<u>4 or More Bedrooms</u>	<u>3.5</u>	<u>\$2,980</u>	<u>\$10,393</u>

* The methodology for determining the maximum park impact fees is set forth in the Park Impact Fee Calculation Technical Memorandum (2025), which is incorporated herein by reference and shall be maintained in the office of the director and made available for inspection upon request.

B. If development approval is requested for mixed uses, then the fee shall be determined using the above schedule by apportioning the space committed to uses specified on the schedule.

C. If development approval is requested for an accessory dwelling unit (as defined in Chapter 22.12 MMC, Definitions), the accessory dwelling unit shall be assessed at a rate of fifty percent (50%) of the fee amount that would be assessed, by unit type in combination with the dwelling unit factor, upon the principal unit (as defined in Chapter 22.12 MMC, Definitions) located on the underlying property.

Examples:

Where the principal unit contains 3 bedrooms, an accessory dwelling unit containing 1 bedrooms would be subject to a fee assessment of \$2071.50.

Where the principal unit contains 1 bedrooms, an accessory dwelling unit containing 2 bedrooms would be subject to a fee assessment of \$3030.50.

~~C.~~**D.** If the type of development activity that is applied for is not specified on the above fee schedule, the director shall use the fee applicable to the most comparable type of development activity or land use on the above fee schedule. The director shall be guided in the selection of a comparable type by the Monroe comprehensive plan and its technical appendices, and by MMC Title 22, Unified Development Regulations. If the director determines that there is not a comparable development activity or land use on the above fee schedule, then the director shall determine the appropriate fee by considering demographic or other documentation that is available from state, local, and regional authorities.

~~D.~~**E.** In the case of a change of use, redevelopment, or expansion or modification of an existing use for which a park impact fee is required by this chapter, the impact fee shall be based upon the net positive increase in the impact fee for the new as opposed to the previous use. The director shall be guided in this determination by the sources and agencies listed above.

~~E.~~**F.** The park impact fees established in this section shall be adjusted annually, effective January 1st, in accordance with a five-year rolling average of the Washington State Department of Transportation Construction Cost Index ("CCI").

Section 2. Amendment of MMC 3.52.110. Section 3.52.110 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

3.52.110 Payment of fee.

A. Impact fees shall be imposed upon **non-exempt** development activity in the city, based upon the schedule set forth in this chapter, and shall be collected by the city from any applicant where such development activity requires final plat, PRD approval, issuance of a residential building permit or a mobile home permit and the fee for the lot or unit has not been previously paid.

B. For a plat or PRD applied for on or after the effective date of the ordinance codified in this chapter, the impact fees due on the plat or the PRD shall be assessed and collected from the applicant at the time of final approval, using the impact fee schedule in effect when the plat or PRD was approved; provided, that the applicants may opt to:

1. Have impact fees allocated to the lots or dwelling units in the project and collected when the building permits are issued; or

2. For single-family attached and detached units only, the impact fee payment may be deferred and collected in accordance with subsection (C) of this section.

Where the applicant exercises the option for collection of impact fees at the time of building permit or deferral, the fees to be collected shall be those in effect at the time building permits are issued. Residential development proposed for short plats shall not be governed by this subsection, but shall be governed by subsection **(F)** ~~(E)~~ of this section.

C. Deferral of Impact Fee Payment—Single-Family Residential Development.

1. For single-family detached or attached single-family residential dwelling units only, impact fee payments may be deferred to final inspection or up to eighteen months from the date of issuance of the building permit, whichever occurs first. Deferral shall only be allowed when, prior to issuance of the building permit, the applicant:

a. Submits a deferred impact fee application form for the property which the applicant is requesting deferral of the impact fee payment; and

b. Grants and records a deferred impact fee lien against the property in favor of the city of Monroe in a form as approved by the city. The content, form and procedure for the lien shall also be in accordance with RCW 82.02.050. Recording and release of the deferred impact fee lien shall be at the expense of the applicant.

Applications for an impact fee deferral shall be accompanied by payment of an administrative fee as provided for in the city's adopted fee resolution.

2. Each applicant for a single-family residential construction permit is entitled to annually receive (per calendar year) deferral for only the first twenty single-family residential construction building permits. For the purposes of this subsection, an "applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.

3. The city shall withhold approval of final inspection until the deferred impact fees are paid and collected. For the purposes of this section, "final inspection" shall mean the city's signed approval of the final inspection for occupancy on the job card.

D. Deferral of Impact Fee Payment—Accessory Dwelling Units.

1. For accessory dwelling units only, impact fee payments may be deferred until such time as the accessory dwelling unit is sold or otherwise conveyed separately and independently of the principal unit on the property. Deferral shall only be allowed when, prior to issuance of the building permit for the accessory dwelling unit, the applicant:

a. Submits a deferred impact fee application form for the accessory dwelling unit regarding which the applicant is requesting deferral of the impact fee payment.

b. Grants and records a deferred impact fee lien against the property in favor of the city of Monroe in a form as approved by the city. The lien shall require full payment of the deferred impact fees to the city no later than the date the accessory dwelling unit is sold or otherwise conveyed separately and independently of the principal unit on the property. Recording and release of the deferred impact fee lien shall be at the expense of the applicant.

Applications for an impact fee deferral shall be accompanied by payment of an administrative fee as provided for in the city's adopted fee resolution.

2. The amount of impact fees that may be deferred under this subsection (D) shall be determined by the fees in effect at the time the applicant applies for a deferral.

3. In addition to any other recourse, remedy, and/or penalty allowed by law or in equity, including without limitation the provisions of Chapter 1.04 MMC, the city may enforce the provisions of this subsection (C) through a collection action against the applicant and/or owner(s) of the subject property, jointly and severally.

E. If, on the effective date of the ordinance codified in this chapter, a plat or PRD has already received preliminary approval and is not otherwise exempt from the payment of impact fees under MMC 3.52.160, such plat or PRD shall not be required to pay the impact fees at the time of final approval, but the impact fees shall be allocated to the lots or dwelling units and assessed and collected from the lot or unit owner at the time the building permits are issued or deferred in accordance with subsection (C) of this section, using the impact fee schedule then in effect. If, on the effective date of the ordinance codified in this chapter, an applicant has applied for preliminary plat or PRD approval, but has not yet received such approval, the applicant shall follow the procedures set forth in subsection (B) of this section.

FE. For existing lots or lots not covered by subsection (B) of this section, application for single-family and multifamily residential building permits, mobile home permits, and binding site plan approval for mobile home parks proposed, the total amount of the impact fees shall be assessed and collected from the applicant when the building permit is issued or deferred in accordance with subsection (C) of this section, using the impact fee schedules then in effect.

GF. Any application for preliminary plat or PRD approval which has been approved subject to conditions requiring the payment of impact fees established pursuant to this chapter shall be required to pay the fee in accordance with the conditions of approval.

Section 3. Amendment of MMC 3.52.160. Subsection 3.52.160(B) of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

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B. The following shall be exempt from the payment of park impact fees under this chapter:

1. Rebuilding or replacement of the following activities:
 - a. An existing legally established dwelling unit(s) where no additional dwelling unit(s) **and/or bedroom(s)** is created.
 - b. An existing legally established dwelling unit(s) where such replacement occurs within five years of the demolition or destruction of the existing structure.
 - c. An existing legally established dwelling unit(s) where a park impact fee for such unit has been previously paid pursuant to this chapter.
2. Expansion, alteration and accessory structures:
 - a. Alteration or expansion of an existing building where no additional residential units **and/or bedrooms** are created and where the use is not changed; and/or
 - b. The construction and/or establishment of any accessory building or structures **other than a** ~~specifically including without limitation any permitted accessory dwelling unit (as defined in Chapter 22.12 MMC, Definitions) contained within the structure of the primary dwelling unit or detached from the primary dwelling unit.~~
3. The construction or installation of any nonresidential manufactured building or structure. Any claim or exemption must be made no later than the time of application for a building permit or permit for manufactured home installation. Any claim not so made shall be deemed waived.
4. Condominium projects in which existing dwelling units are converted into condominium ownership where no new dwelling units are created.
5. Previous mitigation, where:
 - a. The development activity is exempt from the payment of an impact fee pursuant to RCW 82.02.100, due to mitigation of the same system improvement under the State Environmental Policy Act (SEPA).
 - b. The impacts of the development activity have been mitigated pursuant to a condition of plat or PRD approval to pay fees, dedicate land or construct or improve **parks** facilities, unless the condition of the plat or PRD approval provides otherwise; provided, that the condition of the plat or PRD approval predates the effective date of fee imposition as provided herein.
 - c. Any development activity for which **parks** impacts have been mitigated pursuant to a voluntary agreement entered into with the city to pay fees, dedicate land or construct or improve **parks** facilities, unless the terms of the voluntary agreement provide otherwise; provided, that the agreement predates the effective date of fee imposition as provided herein.

Section 4. 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 5. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 8th day of July, 2025.

First Reading: 06/24/2025
Adoption: 07/08/2025
Published: 07/11/2025
Effective: 07/16/2025

CITY OF MONROE, WASHINGTON:


[Geoffrey Thomas \(Jul 9, 2025 11:52 PDT\)](#)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


[Jodi Wycoff \(Jul 9, 2025 12:19 PDT\)](#)

Jodi Wycoff, City Clerk


[Zach Lell \(Jul 9, 2025 07:24 PDT\)](#)

J. Zachary Lell, City Attorney

Ord 011 2025 - Amending Park Impact Fees for ADUs - Option 1 - Adopted 20250708

Final Audit Report

2025-07-09

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