



ORDINANCE NO. 3325

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LYNNWOOD, WASHINGTON, RELATING TO THE FEE SCHEDULE,
AMENDING LMC 3.104.210, LMC 3.104.220, AND LMC 3.104.230,
AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND
SUMMARY PUBLICATION.**

WHEREAS, fees for City services are authorized by the Lynnwood Municipal Code (LMC), and are codified as Chapter 3.104 LMC, which is generally referred to as the “Fee Schedule”; and

WHEREAS, the Fee Schedule is revised periodically to address changing conditions, including increased service costs and technological advances; and

WHEREAS, providers of personal wireless services have expressed interest in placing new, “small cell” antennas upon City-owned property such as street light standards or structures; and

WHEREAS, it is common and established practice for local governments to assess a fee for the processing and review of permit applications; and

WHEREAS, small cell antennas for personal wireless service require conduit and other ancillary equipment and when placed upon public property, will utilize a City-owned resource and preclude, hinder, or complicate the City’s full use and enjoyment of its property; and

WHEREAS, RCW 35.21.860(1)(e) allows a city to charge a site-specific fee to providers of personal wireless services for the placement of related equipment upon the city’s property; and

WHEREAS, in September 2018, the Federal Communications Commission (FCC) issued a Declaratory Ruling and Third Report and Order (WT Docket No. 17-79, WT Docket No. 17.84), specifying several provisions to preempt or limit local governments’ discretion regarding industry’s deployment of personal wireless infrastructure; and

WHEREAS, on March 26, 2018, the Lynnwood City Council approved development standards for wireless telecommunications facilities, including personal wireless service facilities as set forth in Ordinance 3290; and

WHEREAS, director of Parks, Recreation and Cultural Arts (PRCA) has determined that adjustments to recreation fee is prudent and warranted;

1 WHEREAS, Section 5 of Ordinance 3307, as prepared by the Community Development
2 Department and adopted by the City Council, established a technology fee applicable to “every
3 person paying any fee or charge” required by several sections as enumerated by Section 5 of
4 Ordinance 3307; and

5 WHEREAS, Section 5 of Ordinance 3307 as written and adopted inadvertently requires
6 that the technology fee be imposed upon transportation impact fees and concurrency fees and
7 charges specified by LMC 3.104.030 and Table 3.104.122 of LMC 3.104.120, respectively; and

8 WHEREAS, the provisions of this ordinance are procedural in nature and are exempt from
9 SEPA threshold determination and EIS requirements as specified by to WAC 197-11-800(19); and

10 WHEREAS, the City Council has determined that the provisions of this ordinance are in
11 the interest of the public’s health, safety and general welfare;

12 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO
13 ORDAIN AS FOLLOWS:

14 **Section 1:** LMC 3.104.210 is amended as provided by Exhibit A to this Ordinance.

15 **Section 2:** LMC 3.104.220 is amended as provided by Exhibit B to this Ordinance.

16 **Section 3:** LMC 3.104.230 is amended as provided by Exhibit C to this Ordinance.

17 **Section 4: Effective Date.** This ordinance shall become effective five days following passage and
18 publication.

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

23 **Section 6: Summary Publication.** Publication of this ordinance shall be by summary publication
24 consisting of the ordinance title.


25 PASSED BY THE CITY COUNCIL, the 28th day of January 2019.

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27 APPROVED:

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32 Nicola Smith, Mayor

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ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



 Rosemary Larson, City Attorney

PASSED BY THE CITY COUNCIL: 01/28/2019
PUBLISHED: 01/30/2019
EFFECTIVE DATE: 02/05/2019
ORDINANCE NUMBER: 3325

Exhibit A, Ordinance 3325
 Fee Schedule amendments relating to small cell equipment

3.104.210 LMC Title 21 fees and charges.

The fees and charges set forth in Table 3.104.210 are the city of Lynnwood fees and charges related to the provisions of LMC Title 21.

Table 3.104.210 – LMC Title 21 Fees and Charges

Type of Fee	LMC TITLE 21 – ZONING FEES	
Accessory Dwelling Unit		500.00
Administrative Amendment (LMC 1.35.180)		1,500.00
Conditional Use Permits		5,000.00
Essential Public Facility	Local	1,500.00
	Regional or State	20,000.00
Miscellaneous Plan Review	Fee for review not related to a permit (e.g., parking lot)	263.00
Parking Alternatives Review		1,500.00
Planned Unit Development (PUD)		10,000.00
Preapplication Meeting		200.00
*Fee credited towards development review charges.		
Project Design Review	Under 5,000 gross sq. ft.	3,500.00
	5,000 gross sq. ft. and above	15,000.00
Reclassification (Rezone)		10,000.00
Variance, Single-Family		500.00
Variance, Standard (Non-Single-Family)		3,000.00
Wireless Communication Facility (WCF)		5,000.00
<u>Small Wireless Facility¹, permit review</u>	<u>Up to five Small Wireless Facilities</u>	<u>500.00</u>
	<u>Each additional Small Wireless Facilities</u>	<u>100.00</u>

¹ As defined by the Federal Communications Commission (FCC), Subpart U, 47 CFR Part 1.

Exhibit A, Ordinance 3325
 Fee Schedule amendments relating to small cell equipment

Table 3.104.210 – LMC Title 21 Fees and Charges

Type of Fee	LMC TITLE 21 – ZONING FEES	
<u>Small Wireless Facility, right-of-way access and/or attachment to City-owned pole/structure</u>	<u>Per year, per pole/structure</u>	<u>270.00</u>
Zoning Code Interpretation		1,000.00
Zoning Certification Letter		150.00
Signs with Searchlights	Per permit	86.00
City Attorney Support	Actual cost	
Hearing Examiner	Actual cost	
Public Notice Requirements		
Posting costs	Hourly rate (posting notification on proposed project site and civic sites)	
Mailing costs	Actual cost of postage plus staff hourly rate	
Publication in newspaper	Actual cost	

Exhibit B, Ordinance 3325
 Fee Schedule amendments relating to parks and recreation

3.104.220 Parks, recreation and cultural arts department fees and charges.

The fees and charges set forth in Table 3.104.220 are the city of Lynnwood fees and charges related to parks, recreation and cultural arts department services.

Table 3.104.220 – Parks, Recreation and Cultural Arts Fees and Charges

PARKS AND RECREATION DEPARTMENT FEES – (All Parks and Recreation Department Fees Include Tax)

Facility Admission Fees (Includes Pool, Hydrotherapy Pool, Sauna and Weight Room)

Daily Pass	(Single drop-in fee – Same rate for resident and nonresident)	
Under 2		Free
Youth (2 – 12)		5.25 – 5.75 <u>5.50-6.25</u>
Teen (13 – 17)		5.25 – 5.75
Adult (18 – 61)		5.25 – 5.75
Senior (62+)		5.25 – 5.75
Disabled		5.25 – 5.75
Family		20.00 – 25.00
10-Visit Pass		
Under 2	Resident	N/A
	Nonresident	N/A
Youth (2 – 12)	Resident	29.00 – 36.25 <u>36.25-40.00</u>
	Nonresident	33.00 – 41.25 <u>41.25-45.00</u>
Teen (13 – 17)	Resident	33.00 – 41.25 <u>41.25-45.00</u>
	Nonresident	37.00 – 46.25 <u>46.25-50.00</u>
Adult (18 – 61)	Resident	37.00 – 46.25 <u>46.25-50.00</u>
	Nonresident	41.00 – 51.25 <u>51.25-55.00</u>
Senior (62+)	Resident	29.00 – 36.25 <u>36.25-40.00</u>
	Nonresident	33.00 – 41.25 <u>41.25-45.00</u>

Exhibit B, Ordinance 3325
 Fee Schedule amendments relating to parks and recreation

Table 3.104.220 – Parks, Recreation and Cultural Arts Fees and Charges

PARKS AND RECREATION DEPARTMENT FEES – (All Parks and Recreation Department Fees Include Tax)

Disabled	Resident	29.00 – 36.25 <u>36.25-40.00</u>
	Nonresident	33.00 – 41.25 <u>41.25-45.00</u>
Annual Pass		
Under 2	Resident	Free
	Nonresident	Free
Youth (2 – 12)	Resident	300.00 – 375.00
	Nonresident	345.00 – 430.00
Teen (13 – 17)	Resident	375.00 – 470.00
	Nonresident	430.00 – 540.00
Adult (18+)	Resident	450.00 – 565.00
	Nonresident	515.00 – 645.00
Senior (62+)	Resident	300.00 – 375.00
	Nonresident	345.00 – 430.00
Disabled	Resident	300.00 – 375.00
	Nonresident	345.00 – 430.00
Family	Resident	700.00 – 875.00
	Nonresident	805.00 – 1,000.00
Facility Rental Fees		
Pool (Hourly Rate)		
Up to 25 people (6 slots available)	Resident	120.00 – 150.00
	Nonresident	130.00 – 180.00
Room Rental		
Up to 25 people	Resident	50.00 – 70.00
	Nonresident	60.00 – 80.00
Over 50 people	Resident	100.00 – 140.00
	Nonresident	120.00 – 160.00
Picnic Shelters (Permit Fee)		
North Lynnwood Park Picnic Shelter (25 capacity, 2 available)		

Exhibit B, Ordinance 3325
 Fee Schedule amendments relating to parks and recreation

Table 3.104.220 – Parks, Recreation and Cultural Arts Fees and Charges

PARKS AND RECREATION DEPARTMENT FEES – (All Parks and Recreation Department Fees Include Tax)

Half day	Resident	36.00 – 45.00
	Nonresident	40.00 – 60.00
Full day	Resident	82.00 – 105.00
	Nonresident	90.00 – 120.00
Wilcox Park Picnic Shelter (35 Capacity, 1 Available)		
Half day	Resident	44.00 – 55.00
	Nonresident	48.00 – 68.00
Full day	Resident	99.00 – 125.00
	Nonresident	110.00 – 140.00
Wilcox Park Gazebo (25 Capacity, 1 Available)		
Half day	Resident	30.00 – 38.00
	Nonresident	32.00 – 52.00
Full day	Resident	68.00 – 85.00
	Nonresident	75.00 – 125.00
Lynndale Park Shelter 1		
Half day – 1 to 50 people	Resident	44.00 – 55.00
	Nonresident	50.00 – 80.00
Half day – 51 to 100 people	Resident	82.00 <u>86.00</u> – 105.00
	Nonresident	90.00 – 120.00
Half day – 101 to 200 people	Resident	116.00 – 145.00
	Nonresident	130.00 – 180.00
Full day – 1 to 50 people	Resident	99.00 – 124.00
	Nonresident	120.00 <u>112.00</u> – 160.00
Full day – 51 to 100 people	Resident	118.00 – 148.00
	Nonresident	130.00 – 170.00
Full day – 101 to 200 people	Resident	174.00 – 218.00
	Nonresident	190.00 – 220.00
Lynndale Park Shelter 2		
Half day – 1 to 50 people	Resident	30.00 – 38.00
	Nonresident	32.00 – 52.00

Exhibit B, Ordinance 3325
 Fee Schedule amendments relating to parks and recreation

Table 3.104.220 – Parks, Recreation and Cultural Arts Fees and Charges

PARKS AND RECREATION DEPARTMENT FEES – (All Parks and Recreation Department Fees Include Tax)

Half day – 51 to 100 people	Resident	43.00 – 54.00
	Nonresident	45.00 – 65.00
Full day – 1 to 50 people	Resident	68.00 – 85.00
	Nonresident	75.00 – 95.00
Full day – 51 to 100 people	Resident	98.00 – 123.00
	Nonresident	110.00 – 150.00
Lynndale Park Amphitheater (Up to 250 Adults or 400 Children)		
Half day, per hour		50.00 – 63.00 <u>20.00-45.00</u>
Full day, per hour		75.00 – 94.00 <u>40.00-55.00</u>
Heritage Park Plaza		
Half day	Resident	50.00 – 63.00
	Nonresident	75.00 – 94.00
Full day	Resident	75.00 – 94.00
	Nonresident	112.00 – 140.00
Field Rentals (Per Hour)		
Youth (<u>football and soccer</u>)	Field	10.00 – 15.00 <u>40.00-60.00</u>
	Additional for lights	10.00 – 15.00 <u>25.00</u>
<u>Youth (softball)</u>	<u>Field</u>	<u>30.00-50.00</u>
	<u>Additional for lights</u>	<u>25.00</u>
Adult (softball)	Field	19.00 – 24.00 <u>35.00-55.00</u>
	Additional for lights	10.00 – 15.00 <u>25.00</u>
Adult (<u>football and soccer</u>)	Field	19.00 – 24.00 <u>50.00-70.00</u>
	Additional for lights	10.00 – 15.00 <u>25.00</u>

Golf Fees – All Golf Fees Include Sales Tax

Adults

18 holes – Weekdays	28.00 – 40.00
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Exhibit B, Ordinance 3325
 Fee Schedule amendments relating to parks and recreation

Table 3.104.220 – Parks, Recreation and Cultural Arts Fees and Charges

**PARKS AND RECREATION DEPARTMENT FEES – (All Parks and
 Recreation Department Fees Include Tax)**

18 holes – Weekend and holiday	32.00 – 44.00
9 holes	20.00 – 25.00
Junior	
9 holes	8.00 – 15.00
18 holes	15.00 – 20.00
Senior/Military	
9 holes	18.00 – 22.00
18 holes	24.00 – 31.00
*Twilight (Everyone)	15.00 – 30.00
**Super Twilight	
Adult	15.00 – 21.00
Junior/College	5.00 – 10.00
WWGCSA superintendent/PGA golf professionals/city staff rate	10.00
Power cart rental	
18 holes	Rate for 2 people per cart 28.00 – 32.00
9 holes	Rate for 2 people per cart 16.00 – 20.00
Push cart rental	5.00 – 8.00
Full set rental clubs	15.00 – 20.00
1/2 set rental clubs	10.00 – 15.00

*Twilight – Last four hours before sunset.

** Super Twilight – Last three hours before sunset.

Exhibit C, Ordinance 3325
Fee Schedule amendments relating to technology fee

3.104.230 Technology fee.

In addition to any other fee or charge required by the city, every person paying any fee or charge required under LMC 3.104.010, ~~3.104.030~~, 3.104.050, 3.104.090, 3.104.120 (excluding Table 3.104.122 – Concurrency Fees and Charges), 3.104.130, 3.104.140, 3.104.150, 3.104.160, 3.104.170, 3.104.180, 3.104.190 and 3.104.210 shall pay a technology fee to the city. The technology fee shall be in the amount of two and one-half percent of fees or charges required under the above code sections.



On the 28th of January 2019 the City Council of the City of Lynnwood, Washington, passed ordinance 3325. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3325

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE FEE SCHEDULE, AMENDING LMC 3.104.210, LMC 3.104.220, AND LMC 3.104.230, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.

DATED this 31st day of January 2019

A handwritten signature in blue ink that reads 'D. Karber'.

Debbie Karber, Deputy City Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Maggie Boyd being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH843343 ORDINANCE 3325 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 01/31/2019 and ending on 01/31/2019 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$20.70.

Subscribed and sworn before me on this 31st day of January, 2019.

Diana L Beaver

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBER

LYNNWOOD
WASHINGTON

CITY OF LYNNWOOD

On the 28th of January 2019 the City Council of the City of Lynnwood, Washington, passed ordinance 3325. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3325
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE FEE SCHEDULE, AMENDING LMC 3.104.210, LMC 3.104.220, AND LMC 3.104.230, AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.
DATED this 31st day of January 2019.

Debbie Karber, Deputy City Clerk
EDH843343

Published: January 31, 2019.

