CITY COUNCIL ROUNDTABLE HYBRID MEETING, 6:00 PM
CITY COUNCIL REGULAR HYBRID MEETING, 7:00 PM
Monday, February 12, 2024
Snoqualmie City Hall, 38624 SE River Street & Zoom

MAYOR & COUNCIL MEMBERS
Mayor Katherine Ross
Councilmembers: Ethan Benson, Cara Christensen,
Catherine Cotton, Bryan Holloway, Jo Johnson,
Louis Washington, and Robert Wotton

This meeting will be conducted in person and remotely using teleconferencing technology provided by Zoom.

Join by Telephone: To listen to the meeting via telephone, please call **253.215.8782** and enter Webinar ID **813 0614 8787** and Password **1800110121** if prompted.
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ROUNDTABLE AGENDA, 6 PM

CALL TO ORDER & ROLL CALL

AGENDA APPROVAL

SPECIAL BUSINESS

1. Comprehensive Plan Overview and Land Use Element

ADJOURNMENT

REGULAR AGENDA, 7 PM

CALL TO ORDER & ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

PUBLIC HEARINGS, PRESENTATIONS, PROCLAMATIONS, AND APPOINTMENTS

Public Hearings

Appointments

2. **AB24-013:** 2024 Council Liaison and Regional Appointments

Proposed Action: Move to approve Mayor Pro Tem Holloway's recommendations for 2024 Council Liaison and Regional Appointments.

3. **AB24-029:** Appointment to Arts Commission

   Proposed Action: Move to confirm the Mayor's appointment of Sarah Elley to the Arts Commission.

Presentations

Proclamations

4. **AB24-024**: Proclamation 24-03: Twin Peaks Day

   Proposed Action: Mayor proclaims February 24, 2024, as Twin Peaks Day in Snoqualmie.

PUBLIC COMMENTS AND REQUESTS FOR ITEMS NOT ON THE AGENDA

CONSENT AGENDA

5. Approve the City Council Meeting Minutes dated January 22, 2024.
6. Approve the Claims Approval Report dated February 12, 2024.

ORDINANCES

7. **AB24-027**: Ordinance Amending SMC Chapters 5.04 and 5.08 Regarding Business Licenses and Business and Occupation Tax

   Proposed Action: Motion to waive Council Rule of Procedure 9.6.2.2 and adopt Ordinance No. 1288 on first and final reading.

   OR

   Motion to authorize second reading and proposed adoption at the February 26, 2024, City Council meeting.

COMMITTEE REPORTS

Public Safety Committee:

Community Development Committee:

8. **AB24-021:** Snoqualmie Housing Target

   Proposed Action: Move to adopt Resolution No. 1680 declaring a revised 2044 growth target for housing and requesting a King County reconciliation of the establish target.

Parks & Public Works Committee:

9. **AB24-030:** 2025 Solid Waste Collection Contract

   Proposed Action: Move to authorize staff to pursue the Request for Bid option for the June 1st, 2025 Solid Waste Collection Contract.

Finance & Administration Committee:

Committee of the Whole:

10. Council Retreat Agenda Discussion

REPORTS

11. Mayor's Report
12. Commission/Committee Liaison Reports

13. Department Reports for January 2024.

EXECUTIVE SESSION

14. Closed Session pursuant to RCW 42.30.140(4)(b) Collective Bargaining Proceedings.
15. Executive Session pursuant to RCW 42.30.110(1)(i) Potential Litigation.

ADJOURNMENT

Community Development Department

Emily Arteche, Director
38624 SE River St. | P.O. Box 987
Snoqualmie, Washington 98065
(425) 888-5337 | earteche@snoqualmiewa.gov

MEMORANDUM

To:	City Council
From:	Emily Arteche, Community Development Director
Date:	February 12, 2024
Subject:	Comprehensive Plan – Land Use Element Policy Review

Introduction

The Washington Growth Management Act (GMA) requires King County and cities within King County to update their comprehensive plans on or before December 31, 2024. The land use chapter (sometimes referred to as an "element") is the core of the Comprehensive Plan and must incorporate updated growth targets and show how the city is planning to grow and change over the planning horizon of 20 years; (2044). The Element also must be compliant with all the legislative changes made since the pervious Comprehensive Plan completed over 8 years ago in 2015.

To facilitate the review and approval of the draft Elements, (see Attachment 1: PC Recommendation with Community Development Committee Recommended Edits, dated November 20, 2023) roundtable discussions will be held; followed by resolutions of approval.

Background

The land use element draft goals and policies were discussed at a series of meetings with the public, Planning Commission, and the Community Development Council Committee on the following dates:

- On April 6, 2023, City Staff and consultants held a Comprehensive Plan Open House and received input from the public on the Element.
- On July 17, 2023, City Staff and consultants presented draft policies from the Urban Growth Area, Annexation Proposals, Annexation Implementation Plan, and Floodplain Land Use sections for the Planning Commission to review and discuss.
- On August 7, 2023, City Staff and consultants revised policies from the Balanced, Healthy Development Pattern, Residential Land Use, Commercial and Industrial Land Use, and Institutional and Utilities Land Use.
- On the August 21, 2023, the Planning Commission completed work on the draft Land Use Element, with recommended draft land use goals (see Attachment 2).
- On September 1, 2023, the Community Development Council Committee reviewed the recommended Element at a regularly scheduled meeting.
- On September 18, 2023, the Community Development Council Committee reviewed the recommended Element at a regularly scheduled meeting.

- On October 2, 2023, the Community Development Council Committee reviewed the recommended Element at a regularly scheduled meeting.
- On October 16, 2023, the Community Development Council Committee reviewed the recommended Element and discussed responses to council comprehensive plan land use questions (see Attachment 3, Council Comprehensive Plan Land Use Element Questions 10/11/2023).
- On October 18, 2023, City Staff and consultants held a Comprehensive Plan Open House and received input from the public on the Element.
- On November 6, 2023, the Community Development Council Committee reviewed the recommended Element at a regularly scheduled meeting including amendments to the draft Land Use policies based on comments received from Puget Sound Regional Council, PSRC.
- On November 20, 2023, the Community Development Council Committee reviewed and recommended moving the recommended Element to the City Council for review.

The draft recommended goals and polices were solicited or early review at the state and regional level for GMA and Vision 2050 consistence. Review comments were received from the Puget Sound Regional Council, Liz Underwood-Bultmann Principal Planner, Growth Management Planning on October 9, 2023, (see Attachment 4). Recommended edits to the Planning Commission recommended policies shown below were approved by the Community Development Council Committee on November 6, 2023.

- LU Policy: *Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, ~~and~~ be servable by public water and sewer, ~~as well as~~ the transportation network, including consideration of public transit and in alignment with tother community goals.*
- LU Policy: ~~*Present*~~ *Ensure city proposed King County Comprehensive Plan and/or Countywide Planning Policy docket items addressing Urban Growth Area adjustments to accommodate growth serve the community while conforming with adopted Countywide Planning Policies and State Growth Management Act, GMA requirements.*

Analysis

A part of the review processes the Element was expanded to include Community Character Element policies on Design Character and Quality, Historic and Cultural Resources. The merger of the two Elements was discussed and agreed upon by the Planning Commission as an enhancement to the new 2044 Plan. Please see the 2044 Plan reorganization outline, (see Attachment 5).

The revisions are intended to improve clarity, remove duplicative language, update terminology, and reflect the values of the community and meet recent changes to the Growth Management Act and other laws. Approximately 46 bills related to the Comprehensive Plan were passed during the time span, (see Attachment 6). A complete list of legislation is also and available for viewing in the following link; https://deptofcommerce.app.box.com/s/41vk2hbhsder8movy8kmlylbwac6v7ik

Existing policies that are regulatory in nature (for example, those that include specific requirements for annexation proposals) were identified as suitable implementation regulations to be added to the Snoqualmie Municipal Code as a future implementation action. The attached Land Use Evolution Spreadsheet, (see Attachment 7) includes different spreadsheets used by Staff and City consultants to keep track of the review process.

The spreadsheet demonstrates the evolution of goals and policies, i.e., when policies were combined, moved, updated to support new requirements, modified to address public comment, eliminated to reflect current conditions and/or adapted to fit the PSRC Vision 2050. This Element is rewritten and will fit into a reorganized Plan.

The recommendations also reflect Tribal and public comments received during the planning process. Tribal coordination began in the Fall of 2022 and included early review before the completion of the legislative process. The Two public open house events with dozens of attendees were held on April 6 and October 16, 2023. A "Take the Comp Plan Update Survey" provides an active -ongoing way for the public to share thoughts on our community. Combined public outreach efforts generated 49 public comments related to this Element since the launch of the Plan update in January 2024, (see Attachment 8: Land Use Element Public Comments Table). Many of the comments received emphasis, "keeping us rural", and to "keep growth down" and the natural beauty of our community.

Next Steps

Discuss draft land use goals and policy recommendations shown in Attachment 1 for approval by resolution at an upcoming City Council meeting.

Attachment 1: PC Recommendation with Community Development Committee Recommended Edits
Attachment 2: Signed PC Recommendation
Attachment 3: Council Committee Comprehensive Plan Land Use Element Questions 10_11_2023
Attachment 4: PSRC Comments Snoqualmie Draft Land Use Element
Attachment 5: 2044 Snoqualmie Comprehensive Plan Outline
Attachment 6: GMA-amendments-1995-2023
Attachment 7: Land Use Element Evolution Spreadsheet
Attachment 8: Land Use Element Public Comments Table

Attachment 1:
PC Recommendation with Community Development Committee Recommended Edits
Date of Recommendation 11/20/2023

1. **Maintain Snoqualmie's unique character and attractiveness with new development that complements the existing built and natural environment and allows a rich tourist and commercial center to thrive.**
    a. Strive to maintain existing view corridors, including the Snoqualmie River and other natural features, while minimizing sensitive areas impacts.
    b. Protect the scenic nature of the I-90 corridor and the upper Snoqualmie Valley through partnerships like the Mountains to Sound Greenway Trust.
    c. Maintain the City's federally-recognized historic preservation program for the downtown and Meadowbrook commercial districts and ensure site and building changes are consistent with historic character through appropriate design standards and other regulations.
    d. Support historic design review through the Snoqualmie Historic Design Review Board and/or in partnership with the King County Landmarks Commission.
    e. Consider appropriate lighting standards that minimize light pollution without impacts to public safety.
2. **Feature and preserve the story of Snoqualmie's history and identity using buildings, districts, and landscape (with sustainable development) that fosters civic pride.**
    a. Work individually and cooperatively to identify and evaluate important aspects of historical and cultural heritage and adopt appropriate regulations or other strategies to protect these resources.
    b. Support the preservation of Snoqualmie Valley history, facilities, and culture by working with and supporting the efforts of heritage organizations, agencies, and tribes.
    c. Consider local heritage when naming City streets and facilities.
    d. Maintain an inter-local agreement with King County for historic preservation assistance and inventory as well as landmark designation purposes.
    e. Work with property owners and developers to implement adaptive reuse strategies that preserve the character and viability of the city's historic sites, buildings, districts, landscape features, murals, and neighborhoods.
    f. Pursue grants and technical assistance as available to assist property owners with the preservation and rehabilitation of storefronts and buildings in the historic districts to preserve and restore their historic appearance and economic viability.
    g. As applicable, limit incompatible uses adjacent to Tribal reservation lands.
3. **Pursue annexations that implement the future land use map designations.**
    a. Enter into interlocal agreements with King County for annexations when feasible, including the application of contingent zoning to potential annexation areas.
    b. *Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, ~~and~~ be servable by public water and sewer, ~~as well as~~ the transportation network, including consideration of public transit and in alignment with tother community goals.*
    c. ~~*Present*~~ *Ensure city proposed King County Comprehensive Plan and/or Countywide Planning Policy docket items addressing Urban Growth Area adjustments to accommodate growth serve the*

community while conforming with adopted Countywide Planning Policies and State Growth Management Act, GMA requirements.

d. Regularly evaluate the supply of vacant land and land suitable for re-development.

4. Encourage a compact development pattern of physically connected, distinct, complete neighborhoods that provide a balanced mix of land uses essential to the daily life of Snoqualmie residents, employees, and surrounding rural area residents.

a. Promote a range of uses that help create place and identity, reduce commuting expenses, reduce greenhouse gas emissions and encourage physical activity.
b. Encourage development patterns that feature housing, jobs, services, and transit stops in close proximity to each other.
c. Consider appropriate land use designations and zoning districts for undeveloped land, including Snoqualmie Hills West, that implement the goals and policies of this plan.
d. Encourage commercial nodes to feature gathering spaces as well as civic, cultural, residential and recreational uses within walking distance of one another.
e. Support the transformation of redevelopable lands into viable uses that support the needs of the community.
f. Ensure that land regulations promote a healthy and safe built environment.
g. Promote appropriate infill redevelopment that maintains or enhances neighborhood character.
h. Provide sufficient areas with appropriate zoning to provide the full continuum of goods and services needed to serve the local population.

5. Manage development and conservation within the 100-year floodplain to protect existing and new development from flood hazards and to promote enjoyment of the natural and scenic character of the Snoqualmie River shoreline.

a. Within the floodplain, but outside the floodway, allow for infill and redevelopment in residential zones featuring a range of housing options, including Accessory Dwelling Units, within walking distance of the historic downtown commercial core.
b. Protect development from flood hazards through the application of residential lot coverage and impervious surface standards.
c. Support commercial uses compatible in scale and character to existing single-family uses in residentially-zoned districts within the floodway.
d. Work with governmental agencies to acquire riverfront properties within the floodway and to naturalize them in order to allow for incorporation into a resilient river corridor.
e. Continue to participate in the FEMA Flood Insurance Program and Community Rating System, and implement measures to improve the City's flood insurance rating to benefit floodplain property owners.
f. Support programs that address potential displacement of commercial uses in the floodway.

6. Plan for and encourage high-quality residential areas that provide dwelling units of various type, density, and costs to meet the needs and interests of every

economic segment of the community, including low-, very low-, and extremely low-income households.

a. Allow and encourage a range of housing types and price ranges that are affordable to all economic segments of the City and make it possible for people to live and work in Snoqualmie.
b. Support inclusive community planning that identifies the needs of diverse communities, protects cultural resources, and embraces cohesion in the face of change.
c. Evaluate areas for potential residential and commercial displacement, including the floodplain, and use a range of strategies to mitigate displacement impacts.

7. **Develop a local economy that meets residents' everyday needs, supports a vibrant tourism industry, provides living-wage jobs, enhances community distinctiveness, and maintains a sufficient and sustainable tax base for the City.**
    a. Allow for sufficient service, hospitality, and office uses in retail-focused areas.
    b. Promote neighborhood-scale retail and service businesses within mixed-use developments.
8. **Provide needed institutional and utility land uses within the community with minimal land use conflicts.**
    a. Allow institutional uses, such as museums, interpretive centers, and community recreation centers as appropriate for designated Parks and Open Space areas.
    b. Ensure the impacts to surrounding areas from Essential Public Facilities are appropriately mitigated.
    c. Allow power generation facilities, sewage and water treatment plants, other public or private utilities, parks and open space uses, and other accessory commercial uses in areas designated Utility Park.

The Planning Commission unanimously recommends that the Community Development Committee APPROVE the proposed vision, goals, and policies for the Land Use Element of the 2044 Snoqualmie Comprehensive Plan and transmit them to the City Council for consideration.

It is the recommendation of the Planning Commission to approve proposed vision, goals, and policies for the Land Use Element as presented in Attachment A.

RECOMMENDED BY THE CITY OF SNOQUALMIE PLANNING COMMISSION ON THE 21ST OF AUGUST 2023.

Luke Marusiak Date 9/1/2023

Luke Marusiak
Commission Chair

Attest by:

Ashley Wragge

Ashley Wragge
Planning Technician

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3. **Pursue annexations that implement the future land use map designations.**
    a. Enter into interlocal agreements with King County for annexations when feasible, including the application of contingent zoning to potential annexation areas.
    b. Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, and be servable by public water and sewer, as well as the transportation network, including consideration of public transit.
    c. Present docket items addressing Urban Growth Area adjustments to accommodate uses needed to serve the community.
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b. Encourage development patterns that feature housing, jobs, services, and transit stops in close proximity to each other.
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Key:
N/A, Not Applicable
R, Regulated by Code

Council Comprehensive Plan Land Use Element Questions

#	Council Questions		Staff Responses
1.	ADU 17.55.070 E. *If the parcel is within one half mile of a major transit stop, or is less than 6000 square feet in size, then off-street parking for the ADU is not required?*	N/A	The City does not have a major transit stop per the definition of HB 1337.
2.	Critical Areas Ord., RCW 36.70A.060 SB 5374 – Relating to the adoption of county critical area ordinances by small cities. The bill allows cities under 25,000 to adopt the county's critical area ordinance by reference as long as the CAO is not under appeal. Once adopted by reference, the city is not required to take further action during future GMA periodic updates. Counties are entitled to a portion of the city's grant funding that otherwise would have been used to update their CAOs. *Is that what the city is planning to do here? Or are we taking further/our own action on this item at a later time?*	N/A	Further action on this after December 2024.
3.	Ch. 36.70A (GMA), Ch. 43.21C (SEPA), Chs. 64.34, .32, .38, and .90 RCW. HB 1337 – Expanding housing options by easing barriers to the construction and use of ADUs. *So is the City planning to forego the 50% of impact fees that we otherwise would be entitled to keep?*	R	The Snoqualmie Municipal Code currently exempts school impact fees on affordable housing units.
4.	For the sections where the existing policy has been removed, is there a location in the materials that identifies the reasoning for the removal? If not, please advise as to the reason for the removal of the **following five:** *7.4.3 that states "limit the height and scale of multifamily buildings to three stories, but consider additional height for special needs or affordable housing where viewshed impacts can be mitigated"*	R	Height is regulated by the Snoqualmie Municipal code and amendments to the municipal code for heigh could be considered after December 2024.
5.	*7.2.8 – "balanced, healthy development pattern – restricted the allowance of drive through and formula fast food restaurants near schools"*	R	Fast Food restaurants regulated by Snoqualmie Municipal code17.55.020 Table of uses.
6.	*7.5.4 Commercial land use – removed the requirement that industrial development be designed to minimize environmental impacts, complement viewscapes, retain significant trees, and buffer impact generating activities from other less intensive uses.*	R	Critical areas are regulated by Snoqualmie Municipal code19.12 and Landscaping is regulated by Snoqualmie Municipal code 17.70

Key:
N/A, Not Applicable
R, Regulated by Code

7.	*7.3.6 Floodplain Land Use Do not permit the construction of critical facilities or heavy industrial uses within the floodplain unless there is no feasible alternative. Require critical facilities permitted within the floodplain to be elevated or floodproofed consistent with FEMA technical guidance.*	R	Critical facilities are regulated by Snoqualmie Municipal code17.55.020 Table of uses which includes zones within floodplain. Flooding including floodproofing is regulated by Snoqualmie Municipal code Chapter 15.12
8	*7.3.8 Floodplain Land Use Require the first floor of new residential construction and construction involving substantial improvements to existing residential structures to be elevated to at least three feet above the base flood elevation.* ***Also, was this revised from 3 feet to 1 foot? If so, what was the justification?***	R	Flooding including to one foot is regulated by Snoqualmie Municipal code Chapter 15.12 and was updated per ordinance Ord. 1237 § 1, 2020 where recent amendments to the NFIP regulations required an amendment of the city Flood Hazard Regulations

Puget Sound Regional Council
1011 WESTERN AVENUE, SUITE 500 \\\ SEATTLE, WA 98104•1035 \\\ psrc.org \\\ 206•464•7090

October 9, 2023

Ashley Wragge, Planning Technician
City of Snoqualmie
38624 SE River St
Snoqualmie, WA 98065

Subject: PSRC Comments on Snoqualmie Draft Economic Development and Land Use Policies

Dear Ms. Wragge,

Thank you for sharing drafts of Snoqualmie's Land Use and Economic Development goals and policies. We appreciate the city's work on the comprehensive plan update and the opportunity for early review. The policies are supportive of policies in VISION 2050 to support local economic development, address the risk of commercial displacement, support infill development, and emphasize a unique sense of place. We have reviewed earlier versions of the economic development element, and the revised policies address other comments we provided previously.

Please consider a couple comments as you finalize the draft elements:

- In the Land Use element, consider updates to annexation Policy 3b. VISION 2050 includes policies to support annexation of the urban growth area (MPP-DP-27 - 29). Snoqualmie's Potential Annexation Areas include road segments and residential areas that may not increase the city's sales tax revenue but may serve other community goals to facilitate annexation.

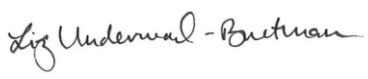
- Please also consider updates to Policy 3c on urban growth area adjustments to recognize that changes to the urban growth area are subject to countywide policies and GMA requirements.

Narrative, data, analysis, and related comprehensive plan elements were not included in this review – we may have additional comments on these elements once the entire draft plan is available.

PSRC has resources available to assist the city in addressing comments and informing development of other draft plan elements. Additional resources related to the plan review process can also be found at https://www.psrc.org/planning-2050/vision/vision-2050-planning-resources.

We appreciate the opportunity to review and provide comments. We are happy to continue working with you as this element progresses through the adoption process and we look forward to reviewing other draft elements as you develop the rest of the comprehensive plan. If you have any questions or need additional information, please contact me at 206-464-6174 or LUnderwood-Bultmann@psrc.org

Thanks,



Liz Underwood-Bultmann
Principal Planner, Growth Management Planning
Puget Sound Regional Council

cc: Review Team, Growth Management Services, Department of Commerce

Snoqualmie 2044 Draft Comprehensive Plan Outline

Volume 1.

I. Cover

II. Acknowledgements

III. Introduction: (Elk, Meadowbrook Farm, Train Museum, Falls, Riverwalk, Historic Downtown, Neighborhoods Overview and, Snoqualmie Events Overview)

IV. History and Background: Weyerhaeuser Mill Site, Snoqualmie Tribe, Town of Meadowbrook, 1990/2009 Floods

V. Snoqualmie Vision

VI. Public Engagement Summary

VII. Elements
- Land Use
- Housing
- Transportation
- Utilities/Capital Facilities
- Parks and Recreation
- Environment/Climate Change
- Economic Development

VIII. Implementation

Volume 2. Background Information and Appendices

I. Public Engagement Plan

II. Land Use/Neighborhoods
- Land Capacity Analysis
- Growth Targets
- Planning Areas and Maps
- Neighborhood Profiles
- Viewsheds
- Historic Sites Map
- Annexations

III. Housing
- Housing Needs Analysis
- Housing Strategy Plan
- Middle Housing
- Affordable Housing Opportunities

IV. Transportation
- Functional Classifications
- TIP
- LOS
- Traffic Volume
- Non-Motorized
- Future Transportation Network
- Inventory and Classification of Streets
- TAZ

V. Utilities/Capital Facilities
- 6 Year Facility Plans Summary
- CIP
- Stormwater/Surface Water Reference

VI. Parks and Recreation
- PRO Plan

VII. Environment/Climate Change
- Elk
- Flood History
- Critical Area Summary
- Urban Forestry Strategic Plan Reference
- Flood Control Plan Reference
- Riverwalk Plan Reference
- Shoreline Master Plan, Reference
- Critical Area Maps
- Tree Canopy Map

VIII. Economic Development
- Tourism
- Target Industries
- Local Centers
- Local Partners
- Retail Opportunities Map

Washington State Department of Commerce

Growth Management Act Amendments 1995-2023

The Washington State Growth Management Act (GMA) has been amended numerous times since originally enacted in 1990. To help local governments with evaluating whether their adopted comprehensive plans and development regulations comply with the GMA, Department of Commerce, Growth Management Services, has developed a list of annual amendments to the GMA. This list summarizes amendments to Chapter 36.70A RCW ("The Growth Management Act" or "GMA"), as well as other related statutory amendments, enacted by the Washington State Legislature from 1995 to 2023.

Each amendment is listed below, by RCW citation and original bill number, according to the year of adoption, and it includes a brief description of the legislation and identification of the local jurisdictions affected.

***Please note**: This list has been prepared to briefly summarize legislative amendments to the GMA and to assist local governments with their periodic update process under RCW 36.70A.130 and for general research. This summary is not intended to provide a complete interpretation of all GMA amendments. Other related statutes may also help implement the GMA, and this summary is not a definitive legal guide for all planning requirements.*

2023 Legislative Session

RCW, Bill Number, Brief Description for 2023 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.060 ***SB 5374 – Relating to the adoption of county critical area ordinances by small cities*** **Brief Description:** The bill allows cities under 25,000 to adopt the county's critical area ordinance by reference as long as the CAO is not under appeal. Once adopted by reference, the city is not required to take further action during future GMA periodic updates. Counties are entitled to a portion of the city's grant funding that otherwise would have been used to update their CAOs.	Counties and cities
RCW 36.70A.130 ***SB 5457 – Relating to implementing growth management task force legislative recommendations regarding small cities*** **Brief Description:** The bill allows cities and towns to opt out of the full comprehensive plan update process, but still must update critical areas regulations and the capital facilities and transportation elements, if the following are met: • Has a population fewer than 500 • Is not located within 10 miles of a city with a population over 100,000 • Experienced a population growth rate of fewer than 10 percent in the preceding 10 years	Cities and towns

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for 2023 Legislative Session	Counties/Cities Other interested parties affected
• Has provided the department of Commerce with notice of its intent to participate in a partial review and revision of its comprehensive plan	
Ch. 36.70A (GMA), Ch. 43.21C (SEPA), Chs. 64.34, .32, .38, and .90 RCW. ***HB 1337 – Expanding housing options by easing barriers to the construction and use of ADUs*** **Brief Description:** All GMA cities and counties must allow at least two ADUs per lot within urban growth areas in zones that allow for single-family homes. The ADUs may be attached, detached, or a combination of both, or may be conversions of existing structures. Cities must implement the bill's requirements 6 months after their next comprehensive plan periodic update, or else the provisions in the bill will control. The bill places certain restrictions on local governments, including: • Local governments may not charge more than 50% of impact fees charged for the principal unit. • Local governments may not require the owner to occupy the property. • Local governments may not prohibit the ADU's sale as independent units. • Local governments must allow an ADU of at least 100 square feet and must adjust zoning to be consistent with the bill with respect to bulk and scale regulations. • Local governments must set consistent parking requirements based on distance from transit and lot size. Local governments are protected from HOAs seeking to enforce private covenants against ADUs in conflict with the bill.	
RCW 36.70A.030 and .280; adding new sections to the GMA and amending SEPA. ***HB 1110 – Creating more homes for Washington by increasing middle housing in areas traditionally dedicated to single-family detached housing.*** **Brief description:** The bill requires cities of over 25,000 in population or that are within a contiguous UGA with the largest city in county with a population of more than 275,000 to allow two housing units per lot, four if one is affordable, or it is located within ¼ mile of transit, unless higher densities are already permitted. For cities over 75,000 in population, the requirement is four and six units, respectively. Extensions and exemptions are available for areas with critical areas, risk of displacement, infrastructure deficiencies, and when certain transportation safety conditions exist.	Cities
RCW 36.70A.020, .030, .070, .130, .190, .280, .320, and .480 ***HB 1181 – Improving the state's climate response through updates to the state's planning framework*** **Brief Description:** The bill adds Climate Change and Resiliency as the 14th goal to the Growth Management Act and includes the following key changes to the GMA:	Counties and cities

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• Adds a greenhouse gas emissions reduction sub-element that would be mandatory for 11 of the largest counties and their cities. The sub-element and implementing development regulations must identify actions the jurisdiction will take that will:
  o Result in reductions in overall GHG emissions generated by the transportation and land use systems within the jurisdiction but without increasing emissions elsewhere.
  o Result in reductions in vehicle miles traveled within the jurisdictions but without increasing emissions elsewhere.
  o Prioritize reductions that would benefit overburdened communities in order to maximize the co-benefits of reduced air pollution and environmental justice.
• Adds a resiliency sub-element that would be mandatory for all jurisdictions planning under RCW 36.70A.040. This requirement can be satisfied by adopting by reference a FEMA natural hazard mitigation plan that is in substantial conformance with this sub-element.
• The land use, capital facilities, park and recreation, utilities, and transportation elements must be updated to include certain climate change related topics, including a prohibition for denying a development permit because a project may cause the transportation level of service to fall below the minimum standard where multimodal mitigation is possible.
• Requires consideration of environmental justice in order to avoid worsening environmental health disparities.
• Creates a new grant program for community-based organizations to advance participation of vulnerable populations in the planning process.
• Requires the Department of Ecology to update its Shoreline Master Program (SMP) guidelines to require that SMPs address the impact of sea level rise and increased storm severity.
• Requires the Department of Transportation to maintain a summary of the per capita vehicle miles traveled for cities and unincorporated portions of counties; adds multimodal concurrency.	

Ch. 36.70A RCW (GMA) and Ch. 36.70B RCW (Local Project Review Act) ***HB 1293 – Streamlining development regulations*** **Brief description:** • Effective six months after its next periodic comprehensive plan update, GMA cities and counties must have in place clear, objective, and understandable design review procedures and standards governing the exterior design of all new development. The term "design review" is further defined in statute. • Design review of development projects must be reviewed concurrently with two or more project permits associated with the proposal and are limited to one public meeting. • The bill adds language to ch. 36.70B RCW (Local Project Review Act) encouraging jurisdictions to consider prompt, coordinated, and expedited project review of general project permits and specifically projects that include affordable housing.	Counties and cities
Ch. 36.70B RCW (Local Project Review Act) ***SB 5290 – Consolidating local permit review*** **Brief description:**	Counties and cities

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The bill amends chapter 36.70B RCW, the Local Project Review Act, for jurisdictions planning under the GMA. The bill includes the following provisions: • Establishes a consolidated permit review grant program for local governments that commit to issuing final decisions for residential permit applications within specified time frames. • Creates a new grant program to support local governments' transition to digital permit application systems. • Requires the department of commerce to convene a work group to study statewide license and permitting software for local governments. • Removes building permits for the types of project permits in the covered types of land use permits. • Amends the process for jurisdictions to provide a written determination of completeness for project permit applications. • Beginning January 1, 2025, jurisdictions must set certain permit decision timelines at 65, 100, and 170 days depending on the permit and other factors. When timelines are not met a portion of the permit fees must be refunded. Jurisdictions can set other deadlines but lose administrative appeal safe harbor protection. Certain jurisdictions must also submit annual performance reports to commerce, which will report to the legislature. • Provides additional measures that jurisdictions can take to facilitate prompt coordinate permit review. • Requires commerce to provide guidance to local governments with respect to appropriate fee structures, staffing-up residential permit processing, and other topics.	
Ch. 43.21C RCW (SEPA) ***SB 5412 – Decreasing local government workload*** **Brief description:** The bill allows for a SEPA categorical exemption for residential development projects within incorporated UGAs and middle housing projects within unincorporated UGAs if: • The local government finds the proposed development is consistent with its development regulations; and • The local government has prepared environmental analysis that considers the project in the area proposed for the exemption and analyzes certain multimodal transportation impacts. The environmental analysis must include documentation that the requirements for environmental analysis, protection, and mitigation for impacts have been adequately addressed for the exempted project. The local government must also document its consultation with the department of transportation regarding certain transportation impacts. Before finalizing the environmental analysis, the local government must provide at least 60 days public notice and the exemption is effective 30 days following adoptive action. Residential projects in Seattle are exempt from these requirements until September 30, 2025.	Counties and cities
Ch. 90.58 RCW (Shoreline Management Act) ***HB 1544 – SMP review schedules*** **Brief description:**	Counties and cities

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RCW, Bill Number, Brief Description for 2023 Legislative Session	Counties/Cities Other interested parties affected
This bill changes the Shoreline Master Program update schedule from eight years to ten years to align with local governments' comprehensive plan periodic update schedule. The bill also extends by one year the date by which the next round of SMP reviews and revisions are due.	
Ch. 44.39 RCW (Joint Committee on Energy Supply and Energy Conservation), Ch. 80.50 RCW (Energy Facilities), Ch. 43.21C RCW (SEPA), and Ch. 36.70B RCW (Local Project Review Act) ***HB 1216 – Clean Energy Siting*** **Brief description:** The bill establishes a new type of project designation by Commerce: Clean Energy Projects of Statewide Significance (CEPSS). The department of Ecology is responsible for coordinating an optional coordinated permitted process for CEPSS projects. Cities and counties with development projects determined as eligible for the coordinated permit process within their jurisdiction must enter into an agreement with Ecology or the project proponent for expediting the completion of projects, including expedited permit process and environmental review processing. The bill also directs lead agencies to complete an EIS for CEPSS projects within 24 months of a threshold determination and requires them to work collaboratively with agencies that have actions requiring SEPA review for the project to develop a schedule that includes a list of agency responsibilities, actions, and deadlines. The bill makes other SEPA changes related to the process of environmental review for CEPSS projects. During a review of a project to construct or improve electric generation, transmission, or distribution facilities, a local government may not require a project applicant to demonstrate the necessity or utility of the project, other than to require as part of the completed project application the submission of documentation required by the Federal Energy Regulatory Commission or other federal agencies with regulatory authority over electric power transmission and distribution needs, or the Utilities and Transportation Commission. A county may not prohibit the installation of wind and solar resource evaluation equipment necessary for the design and environmental planning of a renewable energy project.	Counties and cities
RCW 36.70A710 and .740 ***SB 5353 – Relating to the Voluntary Stewardship Program*** **Brief description:** The bill removes the date by which counties must join the VSP, opening it up to currently non-participating jurisdictions. A county that elects to join the VSP is not required to implement the program in a participating watershed until new adequate funding is provided. The Conservation Commission is required to determine every two years which watersheds in the new participating counties received adequate funding. If adequate funding is not provided, the county must take one of four options: • Develop, adopt, and implement a work plan in the watershed that protects critical areas used for agricultural activities; • Adopt development regulations that have previously been adopted by another local government for the purpose of protecting critical areas used for agricultural activities;	Counties

RCW, Bill Number, Brief Description for 2023 Legislative Session	Counties/Cities Other interested parties affected
• Adopt development regulations certified by commerce as protective as critical areas in areas used for agricultural activities; or • Review, and if necessary, update development regulations adopted under the GMA to protect critical areas as they related to agricultural activities.	
Ch. 43.21C RCW (SEPA), Ch. 35.21 RCW (cities and towns), Ch. 35A.21 RCW (code cities), and Ch. 19.27A RCW (Energy-Related Building Standards) ***HB 1042 – The creation of additional housing units in existing buildings*** **Brief description:** The bill prohibits cities from denying a permit application for the addition of housing units within an existing building due to nonconformity with height, setback, parking, modulation, or elevator size unless it is a building code of life safety issue. When new residential units are proposed completely within an existing building, cities must allow a density bonus of 50% more than the zone otherwise allows. Cities may not require the addition of parking spaces, permitting requirements, or design standards not applied to all residential development in the zone, and may not impose exterior design or architectural requirements to the building. Cities also may not require a transportation concurrency study or SEPA review based on the addition of housing units within an existing building. The changes to city codes necessary to implement the bill are categorically exempt from SEPA. The state building code council is required to adopt an amendment to the energy code that waives the requirement for the unchanged portions of an existing building to comply with the current energy code when additional housing units are added to the building.	Cities
RCW 35.13.470 and RCW 82.14.415 ***HB 1425 – Facilitating municipal annexations*** **Brief description:** The bill requires that if an interlocal agreement is used for a sales and use tax credit for annexed areas, the interlocal agreement must address: • The balancing of annexations of commercial, industrial, and residential properties; • Development, ownership, and maintenance of infrastructure; and • The potential for revenue-sharing agreements. The bill removes the requirements that a city be within a county with a population of at least 600,000 to impose the tax and that an annexation area must have a population of at least 10,000 or 4,000. The bill also removes the eligibility timeline. The bill requires that to impose the tax, a city must have entered into an interlocal agreement with the county regarding the proposed annexation area. The bill also updates the maximum levy amounts that may be imposed based on population.	Counties and cities
Title 64 RCW (Real Property and Conveyances), RCW 58.17.060, RCW 82.02.060, Ch. 82.45 RCW (Real Estate Excise Tax) ***SB 5258 – Increasing the supply and affordability of condominium units and townhouses as an option for homeownership***	

RCW, Bill Number, Brief Description for 2023 Legislative Session	Counties/Cities Other interested parties affected
Brief description: This bill imposes new requirements on condo associations seeking to bring a construction defect claim and imposes additional pre-litigation procedural requirements with the intent to better resolve disputes and encourage the construction of more housing. The bill also created a Down Payment Assistance Account funded by the REET. Impact fee schedules must now reflect the proportionate impact of new housing units based on the square footage and number of bedrooms, or trips generated, in the housing unit, to produce a proportionally lower impact fee for smaller housing units. All cities, towns, and counties must include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots.	

2022 Legislative Session

RCW, Bill Number, Brief Description for 2022 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.130 ***HB 1241 – Relating to planning under the GMA.*** **(Ch. 192 Laws 2022)** **Effective date: June 9, 2022** **Brief Description:** This bill changes the comprehensive plan periodic update from every eight years to every ten years and established the next deadline being December 31, 2024 for King, Kitsap, Pierce, and Snohomish counties and the cities within them. In addition, counties meeting certain population or growth thresholds, and certain cities within them, must provide the Department of Commerce with an implementation progress report five years after the periodic comprehensive plan adoption. Commerce must develop guidelines for the report, including: • The implementation of previously adopted changes to the housing element and the effect of those changes on housing affordability and availability within the jurisdiction; • Permit processing timelines; and • Progress toward implementing actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements as provided for in any element of the comprehensive plan. If a covered jurisdiction has yet to implement any changes that were included in the most recent period update or has not taken legislative or administrative actions necessary to implement the changes by the implementation progress report due date, then that jurisdiction must identify the need for changes or action in its report, adopt a work plan to implement the changes, and complete all work necessary for implementation within two years of the report's submission.	Counties and cities
RCW 36.70A.040 - .210. ***HB 1717 – Relating to tribal participation in GMA planning.*** **(Ch. 252 Laws 2022)** **Effective date: June 9, 2022**	Counties, Cities, regional planning authorities, and tribes.

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RCW, Bill Number, Brief Description for 2022 Legislative Session	Counties/Cities Other interested parties affected
Brief description: Federal agencies and tribes with a reservation or ceded lands within a county are required to be invited to participate in the countywide planning process. A federally recognized Indian tribe may voluntarily choose to participate in the county or regional planning process and coordinate with the counties and cities required to plan under the GMA. Once a local government receives notice from a tribe whose reservations or ceded land are in the county that the tribe has or will have a parallel planning process, the local government must enter into good faith negotiations with the tribe to attempt to reach a mutually acceptable memorandum of agreement regarding collaboration and participation in the planning process, including coordinating planning for urban growth. If such agreement cannot be reached, the local government and tribe must enter mediation. A tribe may also request that Commerce provide facilitation services to resolve issues that it has with a local government's comprehensive planning. Delay of adoption of a local government's comprehensive plan or development regulations due to this dispute resolution are not subject to GMHB appeal regarding the delay. Countywide planning policies must include policies that address the protection of tribal cultural resources in collaboration with tribes that choose to participate in the planning process. When a city's comprehensive plan includes a port element, the city must develop the element collaboratively with the port and any tribe that is participating in the planning process through a MOA.	
RCW 36.70A.540 ***HB 2001 – Relating to expanding the ability to build tiny houses.*** **(Ch. 275 Laws 2002)** **Effective date: June 9, 2022** **Brief Description:** The bill adds tiny house communities, which were legislatively authorized in 2017, to the type of housing eligible for affordable housing incentive programs established by local governments under the GMA through comprehensive plans and development regulations.	Counties and cities
RCW 36.70A.067 ***SB 5042 – Relating to the effective date of certain actions taken under the GMA.*** **(Ch. 218 Laws 2022).** **Effective date: June 9, 2022** **Brief Description:** The bill establishes the effective date of an action that expands a UGA; removes the designation of agricultural, forest, or mineral resource lands; creates or expands a LAMIRD; establishes a new fully contained community; or creates or expands a master planned resort is the later of the following: • 60 days after the date of public of notice of adoption of the comprehensive plan, development regulation, or amendment to the plan or regulation, implementing the action; or • If a petition for review to the Growth Management Hearings Board is timely filed, upon issuance of the board's final order. This eliminates a vesting loophole that previously allowed these actions to proceed due to Washington's early vesting law, even when an action is subsequently invalidated by the GMHB.	Counties

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RCW, Bill Number, Brief Description for 2022 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.070 ***SB 5275 – Relating to enhancing opportunity in LAMIRDs. (Ch. 220 Laws 2022).*** **Effective date: June 9, 2022** **Brief Description:** The bill amends current LAMIRD requirements by allowing for: • Development and redevelopment within a LAMIRD with confirmation that existing providers of public facilities and services have sufficient capacity to serve new or additional demand from the development or redevelopment. • Changes to land use designations on vacant land if new development and redevelopment is consistent with the county definition of local rural character. • Commercial development or redevelopment within mixed-use areas to serve existing and projected rural populations with a footprint limitation of up to a maximum of 5,000 square feet. New uses of retail or food service space cannot exceed 2,500 square feet.	Counties
RCW 36.70A.130 ***SB 5593 – Relating to UGA boundaries. (Ch. 287 Laws 2022).*** **Effective date: June 9, 2022** **Brief Description:** Each county that designates UGAs must review the patterns of development within the UGA during the periodic comprehensive plan update. If, during this review, the county determines the patterns of development have created pressure in areas that exceed the available and developable lands within the UGA, the county may revise the UGA to accommodate identified patterns of development and future development pressure for the succeeding 20-year period. Areas added to the UGA must not be designated as natural resource lands or contain more than 15 percent critical areas.v The areas added must be suitable for urban growth and contiguous. The revision may not result in an increase in the total surface area of the existing UGA. A jurisdiction's transportation element and capital facility plan element must identify the transportation facilities, public facilities, and related services needed to serve the added areas to the UGA, including funding sources.	Counties, cities, and service providers.
RCW 36.70A.600, .070 and Ch. 43.21C RCW (SEPA) ***SB 5818 – Relating to promoting housing construction in cities through amendments to and limiting appeals under SEPA and the GMA.*** **Effective date: June 9, 2022** **Brief Description:** Any nonproject action taken by a fully planning city to implement certain optional planning actions to increase residential building capacity is permanently exempt from administrative and judicial appeal under SEPA. The adoption of ordinances, development regulations, and amendments to such regulations and other nonproject actions taken by a fully planning city that increases housing capacity and affordability and mitigates displacement, outside of critical areas, are exempt from	

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administrative and judicial appeals under SEPA, except for nonproject actions having a probable significant adverse impact on fish habitat. The SEPA exemption for project actions related to a residential, multifamily, or mixed-use development on the basis of or impacts to the transportation elements of the environment only applies if WSDOT has not found that the project will present significant adverse impacts to the state-owned transportation system. Impacts to aesthetics or light and glare are exempt from SEPA if the project is subject to adopted design review requirements. Ecology must undergo expedited rulemaking to modify rule-based SEPA categorical exemptions to SEPA as follows: • Add four attached single-family residential units to the current exemption for certain types of construction. • Create a new exemption level for single-family residential project types with a total square footage of fewer than 1500 square feet in incorporated UGAs of at least 100 units. • Increase the exemption level for multifamily residential project types in incorporated UGAs from 60 units to 200 units. • Add the following sentence to the categorical exemptions for minor new construction: "The city, town, or county must document the result of its outreach with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to state-owned transportation facilities." Any applicant whose project qualifies as exempt under SEPA is not required to file an environmental checklist if other information is available to establish that a project qualifies for an exemption.	
Title 70A RCW (Environmental Health and Safety), Ch. 36.70A RCW (GMA), Ch. 36.70 RCW (Planning Enabling Act), and related statutes ***HB 1799 – Relating to organic materials management*** **Effective date: June 9, 2022** **Brief description:** Beginning January 1, 2027, each county or city that implements a local solid waste plan must provide source-separated organic waste collection services at least either biweekly or 26 weeks annually to all residents and non-residential customers that generate at least 0.25 cubic yards of organic materials per week, and must provide for organic materials management of collected organic materials. Cities and counties may charge and collect fees or rates for these services, consistent with existing authority to impose fees and rates for solid waste collection services. These requirements do not apply to certain jurisdictions and certain areas described in the bill. Jurisdictions implementing local solid waste management plans may not site the increase or expansion of an existing organic materials management facility that processed more than 200,000 tons of material relative to 2019 levels, except that this limitation does not apply to anaerobic digesters. By January 1, 2023, cities and counties with a population of at least 25,000 or in which organic material collection services are provided must adopt a compost procurement ordinance to implement the 2020 requirement for local governments to consider the use of compost products in projects and to use compose products in a project except when availability, health, quality, safety, or price-competitive criteria are not met. They must develop strategies to inform residents	Counties and cities

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regarding the jurisdiction's use of compost and the value of compost and give priority to purchasing compost products that produce compost locally, are certified by a nationally recognized organization, the product products derived from municipal solid waste compost programs, and that meet quality standards. The bill creates additional procurement options for local governments.	

2021 Legislative Session

RCW, Bill Number, Brief Description for 2021 Legislative Session	Counties/Cities Other interested parties affected

RCW 36.70A.020, .030, .070, .390; chapter 35A.21 RCW; chapter 35.21 RCW
HB 1220 – Relating to supporting emergency shelters and housing through local planning and development regulations. **(Ch. 254 Laws 2021)**
Effective date: July 25, 2021
 	
Brief Description:
 	
Commerce will provide jurisdictions with existing and projected housing needs that identify the number of housing units necessary to manage projected growth, including units for moderate, low, very low, and extremely low-income households as well as emergency housing, emergency shelters, and permanent supportive housing.
 	
The housing element of comprehensive plans is updated to require GMA planning counties and cities to do the following:
 	
• Include moderate density housing options within the UGA and include mandatory provisions for the preservation, improvement, and development of housing.
• Identify sufficient land and zoning capacities for the following housing types based on the housing needs provided by Commerce: moderate, low, very low, and extremely low-income households; emergency housing, emergency shelters, and permanent supportive housing; and within the UGA, consideration of duplexes, triplexes, and townhomes.
• Plan for and accommodate, rather than just encourage the availability of, affordable housing for the economic segments described above by doing the following:
  ○ Incorporate special consideration for low, very low, extremely low, and moderate-income households;
  ○ Document programs and actions needed to achieve housing availability, including gaps in local funding, barriers such as development regulations, and other limitations;
  ○ Consider housing locations in relation to employment locations;
  ○ Consider the role of ADUs in meeting housing needs.
• Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing and implement policies and regulations to address and being to undo them.
• Identify areas at high risk of displacement from market forces that occur with changes to zoning, development regulations, and capital investments.
• Establish anti-displacement policies
 	
Cities may not prohibit transitional housing or permanent supportive housing in any zones where residential dwelling units or hotels are allowed. Cities may not prohibit indoor emergency shelters or indoor emergency housing in any zones where hotels are allowed, except for cities that have
	Counties and cities

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adopted an ordinance authorizing such shelters and housing in a majority of zones within a 1-mile proximity to transit. Cities may impose reasonable occupancy and use regulations on such shelters and housing but those regulations may not prevent the siting of a sufficient number to accommodate the need.	
RCW 36.70A.330 and RCW 43.155.070; chapters 35A.14 RCW, 36.70A RCW, 43.160 RCW, 80.36 RCW, and 43.330 RCW. ***SB 5368 – Relating to encouraging rural economic development.*** **(Ch. 312 Laws 2021)** **Effective date: July 25, 2021** **Brief Description:** This bill allows code cities and counties to enter into an interlocal agreement for the purpose of facilitating city annexation of unincorporated UGA territory, including collaborating on the jurisdictional transfer of commercial, industrial, and residential properties and facilities. The bill also authorizes the Growth Management Hearings Board to refer a finding of noncompliance to Commerce to facilitate a speedy resolution.	Counties and Cities

2020 Legislative Session

RCW, Bill Number, Brief Description for 2020 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.130 ***HB 2342 – Relating to aligning the timing of comprehensive plan updates required by the growth management act with the timing of shoreline master program updates required by the shoreline management act.*** **(Ch. 113 Laws 2020)** **Effective date: 6/11/2020** **Effective date (Section 2): 7/1/2025** **Brief Description:** This amendment updated the GMA periodic update schedule to better align the GMA update cycle with the census and makes associated changes to the Shoreline Management Act (SMA) schedule. The new GMA schedule took effect June 11, 2020. (The new SMA schedule changes, RCW 90.58.080, changes take effect July 1, 2025.) <u>New GMA periodic update schedule</u>: • The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2024, and every eight years thereafter: King, Kitsap, Pierce, and Snohomish. • The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2025, and every eight years thereafter: Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom. • The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2026, and every	Counties and cities

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eight years thereafter: Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima. • The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2027, and every eight years thereafter: Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman.	
RCW 36.70A.600 through .620, and RCW 36.70A.030. ***HB 2343 – Relating to urban housing supply.*** **(Ch. 173 Laws 2020)** Effective date: 6/11/2020 **Brief Description:** • Adds to provisions of E2SHB 1923 (2019), extending timelines and adding to the list of activities that cities are encouraged to take in order to increase residential building capacity. • The date by which cities must take certain planning actions to increase residential building capacity in order for those actions to be exempt from administrative or judicial appeal under the GMA and the State Environmental Policy Act (SEPA) is changed from April 1, 2021, to April 1, 2023. • Reduces requirements for bus frequency from four times an hour to two times an hour for very or extremely low income (30-50% AMI) relating to parking reductions. • Adds parking reductions for market rate housing: "*For market rate multifamily housing units that are located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit*." • The GMA definition of "permanent supportive housing" is modified.	Cities
RCW 36.70A.696 through .699 ***SB 6617 – Relating to accessory dwelling unit regulation.*** **(Ch. 217 Laws 2020)** Effective date: 6/11/2020 **Brief Description:** • Requires, by July 1, 2021, any city within a GMA county must adopt or amend regulations so as to not require off-street parking for accessory dwelling units (ADUs) within 0.25 mile of a "major transit stop" unless the city determines the ADU is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons that would make on-street parking infeasible for the ADU. • A city that has adopted or substantively amended its ADU regulations within the previous four years is exempt from the new ADU requirements regarding off-street parking. • "Major transit stop" is defined as: o A stop on certain high capacity transportation systems; o Commuter rail stops; o Stops on rail or fixed guideway systems, including transit-ways;	Cities

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○ Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or ○ Stops for a bus or other transit mode providing fixed route service at intervals of at least 15 minutes during the peak hours of operation.	
RCW 36.70A.200 ***HB 2640 – Relating to clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act.*** **(Ch. 128 Laws 2020)** Effective date: 3/25/2020 **Brief Description:** This bill updates the GMA provision governing the siting of essential public facilities, and exclude private detention facilities from the definition of essential public facilities. It further clarifies that this exclusions does not apply to mental health facilities. Those facilities remain essential public facilities. It applies to only facilities for pretrial detention. It applies retroactively as well as prospectively.	Counties and cities
RCW 36.70A.250 through .280 ***SB 6574 – Relating to clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office.*** **(Ch. 214 Laws 2020)** Effective date: 6/11/2020 **Brief Description:** This bill is governor request legislation designed to align the structure and practice of the Growth Management Hearings Board (GMHB) with the rest of the Environmental and Land Use Hearings Office to improve administration. The bill changes the size of the board, adjusts the qualifications of board members and the procedures for appointing board members and makes other miscellaneous changes to the composition and operations of the GMHB.	Counties, cities and members of the public
RCW 43.21C.229 ***HB 2673 – Relating to exemptions for infill development under the state environmental policy act.*** **(Ch. 87 Laws 2020)** Effective date: 6/11/2020 **Brief Description:** This bill amends RCW 43.21C.229, and changes the standard for use of optionally SEPA categorical exemption for infill development to include development in areas where population is roughly equal to projections in comprehensive plan and development regulations, rather than limiting it to areas where it is less than such projections.	Counties and cities
RCW 84.14.020 ***HB 2950 – Relating to addressing affordable housing needs through the multifamily housing tax exemption by providing an extension of the exemption until January 1, 2022, for certain properties currently receiving a twelve-year exemption and by convening a work group.*** **(Ch. 237 Laws 2020)** Governor partial veto – Section 3 not approved. **Effective date: 6/11/2020**	Counties and cities

RCW, Bill Number, Brief Description for 2020 Legislative Session	Counties/Cities Other interested parties affected
Brief Description: This bill extends the multifamily property tax exemption (MFTE) for certain properties through December 31, 2021. Governor's partial veto: *Section 3 directs the Department of Commence to contract with a nonprofit facilitator to convene a work group to study and make recommendations on certain aspects of the multifamily property tax exemption program. The department is also required to provide a follow-up report to the Legislature and the Joint Legislative Audit and Review Committee by December 1, 2020. However, the work required under Section 3 is not funded in the budget. For these reasons I have vetoed Section 3 of Substitute House Bill 2950.*	

2019 Legislative Session

RCW, Bill Number, Brief Description for 2019 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.545 (and RCW 35A.63.300, and RCW 35.63.280) ***HB 1377 – Relating to affordable housing development on religious organization property.*** **(Ch. 218 Laws 2019)** **Effective date: 7/28/2019** **Brief Description:** • A city planning under certain planning enabling statutes, or a city or county fully planning under the GMA, must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization if the affordable housing development under certain conditions outlined under RCW 36.70A.545. • A city or town, code city, or county may develop policies to implement the increased density bonus if it receives a request from a religious organization for the increased density bonus. • The religious organization developing the qualifying affordable housing must pay all fees, mitigation costs, and other charges required and, if applicable, should work with local transit agencies to ensure appropriate transit services are provided to the affordable housing development. • An affordable housing development created by a religious institution within a city or county fully planning under the GMA must be located within an urban growth area.	Counties and cities
RCW 36.70A.600 through 620; and RCW 36.70A.030 ***HB 1923 – Relating to increasing urban residential building capacity.*** **(Ch. 348 Laws 2019)** **Effective date: 7/28/2019** **Effective date (Section 11): 7/1/2019** **Brief Description:** This is a multifaceted bill designed to increase residential capacity in larger cities.	Cities

RCW, Bill Number, Brief Description for 2019 Legislative Session	Counties/Cities Other interested parties affected
• Encourages fully planning cities to take certain actions designed to increase residential building capacity. The bill lists twelve qualifying measures they are encouraged to adopt. If a city intends to adopt actions before July 30, 2021 they can apply to Commerce for a grant of up to $100,000 to support the effort. Implementation actions taken before this deadline are also shielded from SEPA and GMA appeal. Cities may also gain eligibility through development of a housing action plan. A housing action plan is an expanded version of the housing needs analysis. • The bill also directs the Washington Center for Real Estate Research to produce a report every two years that compiles housing supply and affordability metrics for all fully planning cities. This data is designed for use with drafting the housing action plan. • The bill also contains two mandatory requirements designed to reduce pressure on housing supply. The first is a requirement to all permanent supportive housing in all multifamily areas. The second is limitations on minimum parking requirements. • In order to fund the grants and the production of the housing data profiles, the bill establishes a $2.50 increase in the document-recording fee.	
RCW 43.330.515 and .520 ***SB 5748 – Relating to creating an account to support necessary infrastructure nearby military installations.*** **(Ch. 404 Laws 2019)** Effective date: 7/28/2019 **Brief Description:** The bill creates the defense community compatibility account. The account funds grants to local governments, or entities who have an agreement with a military installation under the Readiness and Environmental Protection Integration (REPI) program. Eligible projects include: • Acquisition of real property or real property interests to eliminate an existing incompatible use; • Projects to jointly assist in the recovery or protection of endangered species dependent on military installation property for habitat; • Projects or programs to increase the availability of housing affordable to enlisted military personnel and nonmilitary residents in the local community. • Projects to retrofit existing uses to increase their compatibility with existing military operations. • Projects to enable local communities heavily dependent on a nearby military installation to diversify the local economy so as to reduce the economic dependence on the military base; • Projects that aid communities to replace jobs lost in the event of a reduction of the military presence; • Local infrastructure or facilities necessary to help a community accommodate an expanded military presence in their community; • Projects that improve or enhance aspects of the local economy, environment, or quality of life impacted by the presence of military activities. Commerce must produce a biennial report with a prioritized list of projects, and may develop rules to implement this section.	Counties and cities, and certain entities also identified in this bill.
RCW 36.70A.270 ***SB 5151 – Relating to requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes.*** **(Ch. 452 Laws 2019)** Effective date: 7/28/2019	Counties, cities, and members of the public.

RCW, Bill Number, Brief Description for 2019 Legislative Session	Counties/Cities Other interested parties affected
Brief Description: Environmental & Land Use Hearings Office must coordinate with the Growth Management Hearings Board, the Department of Commerce, and other interested stakeholders to develop and maintain a rational system of categorizing rulings, decisions, and orders. The website must allow a user to search GMHB decisions and orders by topic, party, and geographic location or by natural language. All rulings, decisions, and orders issued before January 1, 2019, must be published by June 30, 2021.	

2018 Legislative Session

RCW, Bill Number, Brief Description for 2018 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A.590 ***SB 6091 - Relating to ensuring that water is available to support development.*** **(Ch.1 Laws 2018) Effective date 1/19/2018** **Brief Description:** Addresses the availability of water to support development. For the purposes of complying with the GMA relating to surface and groundwater resources, a county or city may rely on or refer to applicable minimum instream flow rules adopted by Ecology. Development regulations must ensure that proposed water uses are consistent with the permit-exempt groundwater statute and with applicable rules when making building permit and subdivision decisions.	Counties and cities

2017 Legislative Session

RCW, Bill Number, Brief Description for 2017 Legislative Session	Counties/Cities Other interested parties affected

RCW 36.70A.211 and .212
HB 1017 – Relating to the siting of schools and school facilities.
(Ch. 129 Laws 17) ***Governor vetoed Section 1.***
Effective date 7/23/2017
 	
Brief Description (Sections 2-3):
• Pierce County may authorize the siting of a school in a rural area to serve students from an urban area, even when otherwise prohibited by multicounty policies if the county has adopted a comprehensive plan policy concerning the siting of schools in rural areas. Such a school may not collect impact fees.
• Vision 2040, the multicounty planning policy document is to be amended at its next update (2020) to include a policy addressing the siting of schools in rural areas. (This policy would cover all four PSRC counties).
• Each school district that sites schools under Section 2 must participate in the county's next GMA update (due in 2023 for Pierce County), to:
  ○ Coordinate on enrollment forecasts and projections
  ○ Identify school siting criteria, with the county, cities and PSRC
	Pierce County

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for 2017 Legislative Session	Counties/Cities Other interested parties affected
○ Identify suitable school sites with the county and cities with priority to siting urban serving schools in existing cities and towns in locations where students can safely walk and bicycle to school from the homes, and can effectively served by transit ○ Identify schools costs and include this in the capital facilities plan element. Governors' partial veto (Section 1)**: *First, any extension of urban services to serve a rural school must be limited to the size and scale needed to support the long-term needs of the school. Second, the land surrounding a new rural school must maintain its rural character and housing density as specified in RCW 36.70A.070(5). Finally, in order for schools to be sited outside the Urban Growth Boundary Line, school districts must demonstrate that there is no suitable land available within the Urban Growth Area. For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill 1017.* ** Note: See HB 2243 (2017) below.	
RCW 37.70A.690 ***HB 1503 – Relating to preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners.*** **(Ch. 105 Laws 17)** **Effective date 7/23/2017** **Brief Description:** • Declares that the Growth Management Act (GMA) does not preclude counties from certifying homeowners, or their family members or tenants, to inspect their on-site sewage systems (OSS). • Declares that counties are not relived of the obligation to protect water quality under the GMA. Governor signed	Counties and cities. Property owners (pertaining to self-inspection of septic systems)
RCW 36.70A.030, .060, .070, and .108 ***SB 5517 – Concerning rail dependent uses for purposes of the growth management act and related development regulations.*** **Governor vetoed** **Brief Description:** • Adds definitions of "freight rail dependent uses" and "short line railroad" to the Growth Management Act (GMA). • Direct the Department of Commerce to submit a report to the Legislature by November 15 of each-even numbered year, beginning in 2022 and ending in 2032, that describes any job gains, tax impact, and impacts to resource lands resulting from freight rail dependent uses sited under the GMA. • Authorized Clark and Okanogan counties to allow rail dependent industrial uses on resource lands adjacent to short line railroads. • Authorizes Clark and Okanogan counties to include development of freight rail dependent uses on land adjacent to railroad lines and infrastructure in the transportation element of their comprehensive plan.	Clark, Okanogan
RCW 36.70A.110 ***HB 1683 – Addressing sewer service within urban growth areas.*** **(Chapter 305 Laws 2017) Effective date 7/23/2017**	Counties and cities. Utility districts and Property owners.

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for 2017 Legislative Session	Counties/Cities Other interested parties affected
Brief Description: Specifies that GMA fully planning counties, cities, and utilities are not obligated to install sanitary sewer systems to certain properties within urban growth areas served by on-site sewage systems.	
HB 2243-Concerning the siting of schools and school facilities **Governor signed C32 L 2017 3rd Special Session. Effective date 10/19/2017** **Brief Description:** • Provides that the Growth Management Act (GMA) does not prohibit a county planning fully under the GMA from authorizing the extension of public facilities and utilities to serve a school located in a rural area that serves students from a rural area and an urban area, so long as certain requirements are met. • Authorizes the extension of public facilities and utilities extended to a school located outside an Urban Growth Area (UGA),. • Provides that the GMA does not prohibit the expansion, modernization, or placement of portable classrooms at an existing school in a rural area. • Directs the Department of Commerce to submit a report to the Legislature in 2023 that reports on the schools built under this legislation. **Note: how this is related to ESHB 1017**: During the 2017 Legislative Session, the Legislature passed Engrossed Substitute House Bill (ESHB) 1017, which dealt with the topic of siting schools in rural areas under the GMA. Governor signed ESHB 1017 into law, but in so doing, vetoed section 1 of ESHB 1017. The vetoed provisions were signed into law as part of HB 2243.	Counties and cities
SB 5254–Relating to ensuring adequacy of buildable lands and zoning in urban growth areas and providing funding for low-income housing and homeless programs **Governor signed C16, L 2017 3Rd Special Session, Effective date 10/19/2017** **Brief Description:** • Extends the $40 local homeless housing and assistance surcharge to 2023. • Allows revenue from the local real estate excise tax (REET II) to be used for homeless housing development through 2019, subject to certain conditions. • Makes certain changes to the Growth Management Act's buildable lands program through 2030, including making Whatcom County subject to buildable lands program requirements and requiring that county buildable land reports be completed at least two years prior to scheduled comprehensive plan updates. • Requires the Department of Commerce to contract for the development of buildable lands program guidance for use by local governments. • Exempts projects with environmental impacts that have been addressed in a planned actions designated by local governments that encompass areas located near transit stops from further environmental review under the State Environmental Policy Act (SEPA).	Buildable Lands Counties: Clark, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties. Note: Portions of the bill only affect newly added Whatcom County.

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for 2017 Legislative Session	Counties/Cities Other interested parties affected
RCW 36.70A, .070 **SSB 5790 – Concerning the economic development element of the growth management act. Governor partial veto – Section 3 not approved. Chapter 331, 2017 Laws PV, Effective date 7/23/2017** **Brief Description:** The bill amends the rural element requirement to allow innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses. It also removes the following provisions from the economic development element: • A summary of the local economy • A summary of the strengths and weaknesses of the local economy, and • An identification of policies, programs, and projects to foster economic growth and development and to address future needs. The Governor partially vetoed a section of the bill that would have allowed smaller counties to identify stagnate or deteriorating economic industries in rural areas and "seize economic opportunities that may deviate" from the GMA in order to encourage economic development. The vetoed section would have required the GMHB to afford deference to local development choices that prioritize economic development in rural areas for certain jurisdictions.	Cities, Counties
SB 5806-Concerning preliminary work to develop a process for planning for a new interstate 5 bridge spanning the Columbia river. Governor signed. C288 L2017. Effective date 7/23/2017 The process for designating a project of statewide significance is modified to allow for a legislative designation. Projects of statewide significance that are designated by the Legislature are exempted from the application requirements.	Cities and Counties

2016 Legislative Session

No Growth Management Act Amendments for 2016 Legislative Session	Cities/Counties Affected

2015 Legislative Session

RCW, Bill Number, Brief Description for 2015 Legislative Session	Cities/Counties Affected
RCW 36.70A.035 **SB 5238 – Concerning public water systems' public participation notice provisions.** **Brief Description:** • The list of persons and entities that public participation requirements of GMA must, through notice procedures, must also be reasonably calculated to provide notice of proposed amendments to comprehensive plans and development regulations is expanded to include Group A public water systems that are required to develop water system plans. Group A water systems either have 15 or more service connections, regularly serve 25 or more people 60 or more days per year, or serve 1,000 or more people for two or more consecutive days.	Counties, Cities
RCW 37.70A.070 **ESB 5923 – Promoting economic recovery in the construction industry** **Brief Description:** • Obligates counties, cities, and towns that collect impact fees to, by September 1, 2016, adopt and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction. • Delays the starting of the six-year frame for satisfying transportation concurrency provisions of the Growth Management Act until deferred impact fees are due. • Establishes impact fee deferral reporting requirements for the Joint Legislative Audit and Review Committee and the Department of Commerce. • Makes all provisions effective September 1, 2016.	Counties, cities, and towns that collect impact fees

Legislative Session 2014

RCW, Bill Number, Brief Description for Legislative Session 2014	Cities/Counties Affected
RCW 36.70A.040, .060, .280 **EHB 1224 – Providing a process for county legislative authorities to withdraw from voluntary planning under the GMA** **Brief Description:** • Allows a county that elected to fully plan under the Growth Management Act (GMA) and that has 20,000 or fewer inhabitants to reduce the planning obligations that it and the cities within must satisfy under the GMA. • Expires the authority of a county to reduce planning obligations for it and the cities within on December 31, 2015. • Establishes that a county action to reduce the planning obligations for it and the cities within may be invalidated if the county is not in compliance with certain planning requirements of	Counties, Cities

RCW, Bill Number, Brief Description for Legislative Session 2014	Cities/Counties Affected
GMA at the time of the county's reduction action, and if the county does not rece3ived a determination of compliance from the Department of Commerce (Commerce). • Makes compliance determinations by Commerce subject to review by the Growth Management Hearings Board. • Specifies that a county that reduces the planning obligations for it and the cities within must satisfy requirements for natural resource lands, critical areas, the use of best available science and the requirements established in the rural element of a comprehensive plan and the associated development regulations.	
RCW 36.70A.367 **HB 1360 – Extending the deadline to designate one or more Industrial land banks** **Brief Description:** • Extends the deadline for certain counties planning under the Growth Management Act and with the authority to designate industrial land banks to identify and approve locations and then adopt regulations for industrial land banks until December 31, 2016, rather than December 31, 2014.	Counties, Cities
RCW 36.70A.460 **2SHB 2251 – Fish barrier removals** **Brief Description:** • Adds three new categories of fish habitat enhancement projects to the list of projects eligible for streamlined permitting under the Department of Fish and Wildlife's hydraulic project approval process. • Directs WDFW to convene a fish passage barrier removal board, with representatives from state agencies, local and tribal governments, and other interested entities to coordinate removal projects.	Counties, Cities
RCW 84.14.007, .010, .040, .060 **2SSB 6330 – Promoting affordable housing in unincorporated areas of rural counties within urban growth areas** **Brief Description:** • Rural counties may offer a property tax exemption for multi-family housing projects within unincorporated urban growth areas. • The Joint Legislative Audit and Review Committee must assess the performance of the tax preference with reference to the intent and public policy objective. • The property tax exemption for properties located in rural counties expires on January 1, 2020.	Counties

Legislative Session 2013

RCW, Bill Number, Brief Description for Legislative Session 2013	Cities/Counties Affected
RCW 36.70A.340 **SHB 1883– Simplifying and updating statutes related to fuel tax administration..**	Counties, Cities

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RCW, Bill Number, Brief Description for Legislative Session 2013	Cities/Counties Affected
Brief Description: Amends various statutes to reflect the consolidation of the fuel tax statutes, including a change in the reference to the RCW chapter addressing fuel tax revenues that may be withheld from a city or county by the Governor upon a notification by the Growth Management Hearings Board of continued non-compliance with the GMA by that city or county.	
RCW 36.70A.070 **ESHB 1652 – Impact fee payment Governor vetoed bill in its entirety** http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Vetoes/House/1652-S.VTO.pdf **Brief Description:** Would have required counties and cities to provide for deferred payment of impact fees, and would have delayed the starting of the six-year time frame for satisfying concurrency provisions for the Growth Management Act until after the county or city received full payment of all deferred impact fees.	Counties, Cities

RCWs 36.70A.200, 36.70A.300, 43.17.250, 43.155.070, 70.146.070
SSB 5399– Addressing the timing of penalties under the growth management act.
 	
Brief Description:
• Establishes that, state agencies, commissions, and governing boards may not penalize jurisdictions during the period of remand following a finding of noncompliance by the Growth Management Hearings Board (GMHB) and the pendency of an appeal before GMHB or subsequent judicial appeals, unless GMHB makes a determination of invalidity, IF:
  • the local government has delayed the effective date of the action subject to the petition until after GMHB issues a final determination; or,
  • within 30 days of receiving notice of a petition for review by GMHB, the local government delays or suspends the effective date of the action until after GMHB issues a final determination in order to not be penalized.
• A local jurisdiction may not be deemed ineligible or otherwise penalized, in the award of a state agency grant or loan during the pendency of the appeal before GMHB, or during any subsequent judicial appeals under certain circumstances.
	Counties; Cities; state agencies, commissions, and governing boards

RCWs 35.91, 35.91.020, 43.21C, 82.02.020 **ESHB 1717– Up-front environmental planning** **Brief Description:** • Authorizes local governments to recover reasonable expenses incurred in the preparation of non-project environmental impact statements (EIS) for infill actions that are categorically exempt from requirements of the State Environmental Policy Act, and for development or redevelopment actions that qualify as planned actions. • Requires that a county, city, or town enact an ordinance, prior to the collection of fees to cover reasonable expenses incurred in the preparation of the EIS, which establishes the total amount of expenses to be recovered through fees, and provides objective standards for determining the fee amount imposed upon each development proposal; provides a procedure by which an applicant may pay the fees under protest; and makes information available about the amount of the expenses designated for recovery. • Modifies provisions governing contracting between qualifying municipalities and real estate owners for the construction or improvement of water or sewer facilities by making the	Counties, Cities

RCW, Bill Number, Brief Description for Legislative Session 2013	Cities/Counties Affected
contracts mandatory, at the owner's request, and by allowing municipalities to collect associated fees.	
RCW 34.05 **HB 1112– Concerning standards for the use of Science to support public policy** **Brief Description:** Directs the Department of Fish and Wildlife to identify the sources of information reviewed and relied on before taking a significant agency action. The requirement applies to actions including those resulting in species recovery plans, certain types of rulemaking, and guidance to support implementation of a rule or statute.	Department of Fish and Wildlife
RCW 34.05 **HB 1113 – Concerning standards for the use of Science to support public policy** **Brief Description:** Requires the Department of Ecology to identify peer-reviewed science, scientific literature, and other sources of information being relied upon before taking significant agency actions related to certain agency programs.	Department of Ecology
RCWs 39.102, 39.102.020, 39.102.140, 39.102.150, 39.102.904, 82.14.475 **E2SHB 1306 – Extending the expiration dates of the local infrastructure financing tool program** **Brief Description:** • Extends the expiration date of the Local Infrastructure Financing Tool program from June 30, 2039, to June 30, 2044. • Requires local jurisdictions to commence construction by June 30, 2017, to impose the state shared local sales and use tax. • Removes the requirement that a sponsoring local government issue indebtedness to receive a state sales and use tax credit.	Counties, Cities
RCWs 39.102, 39.102.020, 39.102.140, 39.102.150, 39.102.904, 82.14.475 **HB 1644 – Concerning transportation planning objectives and performance measures for local and regional agencies.** **Brief Description:** • Allows local or regional agencies to establish transportation objectives and performance measures that correspond with state transportation objectives and performance measures. • Applies the same liability protection to the local or regional agencies that is currently available to the state.	Counties, Cities, Regional Transportation Planning Organizations

Legislative Session 2012

RCW, Bill Number, Brief Description for Legislative Session 2012	Cities/Counties Affected
RCW 36.70A.180 **HB 2834 – Relating to providing cost savings for local governments by reducing a limited number of reporting requirements.** **Brief Description:** Eliminates a requirement obligating jurisdictions that fully plan under the Growth Management Act (GMA) to submit reports to the Department of Commerce every five years regarding the progress by that jurisdiction in implementing the GMA is eliminated. Other county and city reporting requirements are also eliminated.	Counties, Cities

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for Legislative Session 2012	Cities/Counties Affected
RCW 90.58.190 **EHB 2671 – Clarifying procedures for appealing department of ecology final action on a local shoreline mater program by ensuring consistency with existing procedural provisions of the growth management act, chapter 36.70A RCW, the administrative procedure act, chapter 34.50 RCW, and the state environmental policy act, chapter 43.21C RCW.** **Brief Description:** Amends certain standards and procedures relating to the review of shoreline master programs by the Growth Management Hearings Board, Shoreline Hearings Board, and Superior courts.	Counties, Cities
RCW 36.70A.030 **SB 5292 – Exempting irrigation and drainage ditches from the definition of critical areas.** **Brief Description:** Within the definition of critical areas, fish and wildlife habitat conservation areas do not include artificial features or constructs, including irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.	Counties, Cities
RCW 36.70A, 36.70A.130 **SB 5995 – Authorizing urban growth area boundary modifications for industrial land.** **Brief Description:** A city planning under the GMA may request that a county amend the UGA within which the city is located. A city's request to the county to amend the UGA should be done as part of the county's annual comprehensive plan amendment process and must meet the county's application deadline for that year's comprehensive plan amendment process. The requests are subject to certain conditions.	Counties located east of the crest of the Cascade Mountains with a population of more than 100,000 and less than 200,000. (Benton County)
RCW 43.21C **SB 6082 – Regarding the preservation and conservation of agricultural resource lands.** **Brief Description:** Department of Ecology will conduct rulemaking by December 31, 2013, to review and consider whether the current environmental checklist ensures consideration of potential impacts to agricultural lands of long-term commercial significance.	Counties, Cities planning under the GMA are to designate and protect agricultural lands of long term commercial significance.
RCW 36.70A.490, 36.70A.500 **2ESSB 6406 – Modifying programs that provide for the protection of the state's natural resources.** **Brief Description:** By December 31, 2013, DOE must update the thresholds for all other project actions, create categorical exemptions for minor code amendments that do not lessen environmental protection, and propose methods for more closely integrating SEPA with the Growth Management Act. Other changes to SEPA and local development provisions include authorizing money in the Growth Management Planning and Environmental Review Fund to be used to make loans, in addition to grants, to local governments for specified purposes; and authorizing lead agencies to identify within an environmental checklist items that are adequately covered by other legal authorities, although a lead entity may not ignore or delete a question.	Counties, Cities

Legislative Session 2011

RCW, Bill Number, Brief Description for Legislative Session 2011	Cities/Counties Affected
RCW 36.70A, 36.70A.130, 36.70A.280 **ESHB 1886 - Implementing Recommendations of the Ruckelshaus Center process**. **Brief Description**: The Voluntary Stewardship Program is established as an alternative to protecting critical areas on lands used for agricultural activities through development regulations adopted under RCW 36.60A.060. The Program must be designed to protect and enhance critical areas on lands used for agricultural activities through voluntary actions by agricultural operators. The Washington State Conservation Commission (Commission) is charged with administering the Program. Click here to view a description of the timelines in the Program.	All counties must decide if they are going to opt-in by January 22, 2012. Does not apply to incorporated cities or towns.
RCW 36.70A.080 **ESSB 5253 - Concerning tax increment financing for landscape conservation and local infrastructure.** **Brief Description:** Provides financing tool for certain cities in King, Pierce, and Snohomish Counties to invest in infrastructure in designated receiving areas for transfers of development rights (TDR). Eligible cities are cities with a population of 22,500 or more in the three counties. Consistent with the regional TDR program in Chapter 43.362, transfers must be from county sending areas to incorporated city receiving areas.	King, Pierce, and Snohomish Counties, and the Cities within.
RCW 36.70A.130, 36.70A.215 **ESHB 1478** **Delaying or modifying certain regulatory and statutory requirements affecting cities and counties.** **Brief Description:** Extends timeframes within which local government entities must comply with requirements pertaining to reviews, revisions, and evaluations under the Growth Management Act. The comprehensive plan and development regulation/critical areas ordinance review and revision schedule of the Growth Management Act is modified to require counties and cities to take such action every eight years, rather than every seven years, and to reallocate review and revision years for some jurisdictions. An additional two years for meeting the review and requirements is granted to smaller and slow growing counties and cities. The date by which the initial review and revision requirements must be completed for the first bloc of counties and cities is June 30, 2015, rather than December 1, 2014. County reviews of designated urban growth areas must also be completed according to this schedule, and evaluation requirements for the buildable lands program must be completed by counties and cities one year before the applicable review and revision deadline. Also included are extensions for the timelines for expending and encumbering impact fees; and shoreline master programs.	Counties, Cities
RCW 36.70A.290	Counties and Cities

RCW, Bill Number, Brief Description for Legislative Session 2011	Cities/Counties Affected
SSB 5192 - Concerning provisions for notifications and appeals timelines under the shoreline management act. **Brief Description**: Makes numerous technical changes to effective date provisions for shoreline master programs and to notification and timing requirements governing appeals under the Shoreline Management Act.	
RCW 36.70A.340 **SSB 5797 -** Eliminating the urban arterial trust account. Brief Description: Merges the Urban Arterial Trust Account into the Transportation Improvement Account.	None

Legislative Session 2010

RCW, Bill Number, Brief Description for Legislative Session 2010	Cities/Counties Affected
RCW 36.70A.480 **EHB 1653 - Clarifying the Integration of Shoreline Management Act policies with the Growth Management Act**. **Brief Description:** Modifies provisions in the Growth Management Act (GMA) pertaining to the integration of the GMA and the Shoreline Management Act. Establishes new provisions in the GMA pertaining to the regulation and protection of critical areas that are located within shorelines of the state. Declares an emergency and establishes a July 27, 2003, application date. Clarifies that, with certain exceptions, critical area regulations adopted under the GMA apply within Shoreline areas. These regulations apply until Ecology approves either a comprehensive, new shoreline management program (SMP) that meets Ecology's guidelines, or a SMP amendment specifically related to critical areas. The new law specifies that legally existing structures and uses in shoreline areas that are within protection zones created by local critical areas ordinances (CAOs) may continue as conforming uses. The law also provides criteria about how these structures and uses may be redeveloped or modified. In addition, the bill also addresses existing and ongoing farming practices.	All counties and cities with shorelines.
RCW 36.70A **ESHB 2538 - Regarding High-Density Urban Development - Encourages certain cities that plan under the GMA to include compact development in their comprehensive plans.** **Brief Description**: Requires the development of a non-project environmental impact statement for a compact development plan included in a comprehensive plan. Provides for immunity of appeals for proposals that are covered by a non-project environmental impact statement for the compact development area. Encourages establishment of a transfer of development rights program for cities that include compact development in their comprehensive plans. Provides funding incentives to assist with the cost of developing a non-project environmental impact statement for a compact development plan.	A city with a population greater than 5,000 that is required to plan under the GMA. A city of any size required to comply with the GMA and is located on the east side of the Cascade Mountain in a county with a population of 230,00 or less may elect to adopt subarea

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for Legislative Session 2010	Cities/Counties Affected
	development elements.
Referenced throughout the RCW **E2SHB 2658** **Brief Description:** The "Department of Commerce" is created to replace the Department of Community, Trade and Economic Development. By November 1, 2009, the Director is to develop a report, with analysis and recommendations for the Governor and appropriate legislative committees, on statutory changes for effective operation of the department. This is to be done in collaboration with the Office of Financial Management, the Governor's Office, the Economic Development Commission, and legislators from policy and fiscal committees. Input from a broad range of stakeholders is required. The Code Reviser is directed to prepare legislation for the 2010 legislative session that changes all statutory references from the "Department of Community, Trade, and Economic Development" to the "Department of Commerce."	None.
RCW 36.70C.020 **HB 2740 - Regarding the definition of Land Use Decision in the Land Use Petition Act** **Brief Description:** Amends the Land Use Petition Act (LUPA) to clarify when the 21-day time limit for the filing of judicial appeals to local land use decisions begins.	A county or city processing motions for reconsideration under LUPA.
RCW 36.70A **SHB 2935 - Regarding Environmental and Land Use Hearings Boards** **Brief Description**: Creates the Environmental and Land Use Hearings Office by consolidating the powers, duties, and functions of the Environmental Hearings Office and the Growth Management Hearings Boards. Reduces the number of state boards that conduct administrative review of environmental and land use decisions.	None.
RCW 36.70A.110, .130, .172, .250, .260, .270, .280, .290 **SSB 6214 - Restructuring the three Growth Management Hearings Boards into one Board** **Brief Description:** Consolidates the powers, duties, and functions of the three regional Growth Management Hearings Boards into a single, seven-member Growth Management Hearings Board. Specifies that petitions for review before the consolidated board must be heard and decided by a regional panel of three board members. Specifies provisions for the adjudicative and operational functioning of the consolidated board.	None.
RCW 36.70A.200 **SB 6279 - Clarifying Regional Transit Authority Facilities as Essential Public Facilities.** **Brief Description:** Adds regional transit authority facilities to the list of essential public facilities delineated under the GMA.	A county or city planning under GMA.
RCW 36.70A.5601	A county or city that intends to amend or

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SSB 6520 - Extending time to complete recommendations under RCW 36.70A.5601 conducted by the William D. Ruckelshaus Center **Brief Description**: Extends a provision that temporarily prohibits counties and cities from amending or adopting certain changes to critical areas ordinances (CAOs) by one additional year to July 1, 2011. Specifies that counties and cities subject to the temporary prohibition are required to review and, if necessary, revise their applicable CAOs between July 1, 2011 and December 1, 2012. Grants the William D. Ruckelshaus Center, in completing its examination of the conflicts between agricultural activities and CAOs, one additional year to conclude certain examination tasks and a final report by September 1, 2010**.**	adopt a CAO affecting agricultural lands.
RCW 36.70A.130 **SSB 6611 - Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years and addressing the timing for adopting certain subarea plans.** **Brief Description**: Establishes a new recurring seven-year review and revision schedule for comprehensive plans and development regulations adopted under the GMA, which includes jurisdictions that had a December 1, 2007 deadline that qualified for and used a former three year extension. (Note: These new deadlines take effect following the existing requirement by jurisdictions to complete the review of comprehensive plans and development regulations between December 1, 2004 and December 1, 2007). Establishes and modifies requirements applicable to subarea plans in provisions of the GMA that generally prohibit comprehensive plan amendments from occurring more frequently than annually. Such subarea plans must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted after appropriate environmental review under SEPA. In addition, amendment of a comprehensive plan to take place more than once per year when the amendment is for a subarea plan for economic development located outside a 100-year floodplain in a county that completed a state-funded pilot project based on watershed characterization and local habitat assessment. **Cities/Counties Affected:** On or before December 1, 2014, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties; On or before December 1, 2015, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties; On or before December 1, 2016, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those Counties; On or before December 1, 2017, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.	See below first column Brief Description on SSB 6611 for Cities/Counties Affected for this bill.

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Exceptions include a three-year extension for qualifying counties with fewer than 50,000 residents, qualifying cities with fewer than 5,000 residents, and provisions for jurisdictions making substantial progress with certain regulatory requirements.	

Legislative Session 2009

RCW, Bill Number, Brief Description for Legislative Session 2009	Cities/Counties Affected
RCW 36.70A **2SHB 1481 - Regarding Electric Vehicles, add section or chapter** **Brief Description:** Specifies that local government regulations of areas in the I-5 corridor from Snohomish County to Thurston County and the King County areas around SR- 520, I-405, and I-90 must allow for electric vehicle infrastructure, except in residential areas, by July of 2010. Requires the state, to the extent practicable, to install charging outlets capable of charging electric vehicles in each of the state's fleet parking and maintenance facilities, as well as in all state operated highway rest stops. Specifies that the Puget Sound Regional Council must seek federal or private funding related to planning for electric vehicle infrastructure deployment.	Snohomish, King, Pierce, and Thurston Counties and their cities, if within I-5, I-405, SR520, or I-90 corridors.
RCW 36.70A **ESHB 1959 –Concerning land use and transportation planning for marine container ports, add section or chapter.** **Brief Description**: Requires cities with a qualifying marine container port in their jurisdiction to include a container port element in their comprehensive plans. Authorizes cities with a qualifying port district to include a marine industrial port element in their comprehensive plans. Requires the Department of Community, Trade and Economic Development to provide matching grant funds	Cities of Seattle and Tacoma.

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to cities to support development of the container port elements. Declares key freight transportation corridors that serve qualifying marine port facilities to be transportation facilities and services of statewide significance.	
RCW 36.70A.030 **EHB 2242 – Creating a Department of Commerce, amend section** **Brief Description:** A Department of Commerce is created to replace the Department of Community, Trade and Economic Development. By November 1, 2009, the Director is to develop a report, with analysis and recommendations for the Governor and appropriate legislative committees, on statutory changes for effective operation of the department. This is to be done in collaboration with the Office of Financial Management, the Governor's Office, the Economic Development Commission, and legislators from policy and fiscal committees. Input from a broad range of stakeholders is required. The Code Reviser is directed to prepare legislation for the 2010 session that changes all statutory references from the "Department of Community, Trade, and Economic Development" to the "Department of Commerce."	None.
RCW 36.70A.110 **EHB 1967 – One hundred year floodplains** **Brief Description:** Prohibiting expansions of urban growth areas into one hundred year floodplains. A county, city, or town is generally prohibited from expanding an urban growth area into the 100-year floodplain of any river or river segment that is located west of the crest of the Cascade Mountains and has a mean annual flow of 1,000 or more cubic feet per second, except under certain specified circumstances.	Counties and cities west of Cascade Crest, if expanding urban growth areas into 100-year floodplains.
RCW 36.70A.110, .115, .210 **SHB 1825 –Identifying specific facilities planning requirements under the growth management act, amend section** **Brief Description:** Each city within a county fully planning under the Growth Management Act must identify areas sufficient to accommodate the full range of needs and uses that will accompany projected urban growth. The land uses that must be identified include facilities for medical, governmental, institutional, commercial, service, retail, and other nonresidential uses. Countywide economic development and employment policies must include consideration of the future development of commercial and industrial facilities. A county or city that chooses to amend their comprehensive plan to accommodate projected housing and employment growth must also include sufficient land capacity to accommodate commercial and industrial uses.	Cities and counties fully planning under the Growth Management Act.
EHB 1464 – Concerning affordable housing incentive programs. **Brief Description:** Clarifies provisions governing affordable housing incentive programs that may be enacted or expanded in jurisdictions planning under the Growth Management Act	Cities and counties fully planning under the Growth Management Act. (optional)

Legislative Session 2008

RCW, Bill Number, Brief Description for Legislative Session 2008	Cities/Counties Affected
RCW 36.70A **ESSB 6580- Add section or chapter – Governor partially vetoed in 2008 relating to mitigating the impacts of climate change through the growth management act; amending 36.70A.280; adding a new section to chapter 36.70A RCW** **Brief Description:** Requires the Department of Community, Trade and Economic Development (CTED) to develop and provide counties and cities with advisory climate change response methodologies, a computer modeling program, and estimates of greenhouse gas emission reductions resulting from specific measures. Establishes a local government global warming mitigation and adaptation program. Prohibits Growth Management Hearings Boards from hearing petitions alleging non-compliance with the mitigation and adaptation program. Requires CTED to provide a climate change report to the Governor and the Legislature by December 1, 2008	None.

Legislative Session 2007

RCW, Bill Number, Brief Description for Legislative Session 2007	Cities/Counties Affected
RCW 36.70A **SHB 1135: AN ACT Relating to aquifer conservation zones in qualifying island cities without access to potable water sources outside their jurisdiction; and adding a new section to chapter 36.70A RCW.** **Brief Description:** Allows any qualifying island city to designate one or more aquifer conservation zone to conserve and protect potable water sources. Specifies that conservation zones may not be considered critical areas except to the extent that specific areas located within zones qualify for critical area designation and have been designated as such. Allows a city declaring one or more conservation zone to consider whether an area is within a zone when determining the residential density of that area. Specifies that residential densities within conservation zones, in combination with other densities of the city, must be sufficient to accommodate projected population growth.	Any qualifying island city that meets specified criteria.
RCW 36.70A **Amending RCW 76.09.240** **SHB 1409: AN ACT Relating to the transfer of jurisdiction over conversion-related forest practices to local governments.** **Brief Description:** The process for transferring authority to approve or disapprove forest practices applications is repealed. A new mechanism with new dates is established. Some counties and cities are required to adopt forest practices approval ordinances by the end of 2008, while the other counties and cities retain the discretion to not assume the responsibility for approving forest practices. The requirements on local governments vary depending on whether a county plans under the Growth Management Act (GMA), although the path for transferring jurisdiction remains constant across all counties. The trigger for determining if a county or city is required to adopt these ordinances is the number of forest practices applications that have been submitted within the county for the	Counties and cities meeting qualifying criteria.

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time period between January 1, 2003, and December 31, 2005, and whether the county plans under the GMA. For counties planning under the GMA, if more than 25 Class IV applications had been filed to the DNR between those dates for properties within a specific county, then that county, and the cities within it, are required to adopt forest practices approval ordinances. If the number is less than 25, or if the county does not plan under the GMA, then the transfer of jurisdiction for approvals is optional for the county and its cities. Counties that do plan under the GMA, and their cities, are required to adopt ordinances covering Class IV forest practices applications on the same lands that non-GMA counties may address. They must also adopt ordinances for the approval of all four class types of forest practices when those applications are submitted for land located within an urban growth area. The only land over which the GMA-planning counties and cities are not required to assume jurisdiction are ownerships of 20 contiguous acres or more. A county or city may not assume the jurisdiction for forest practices approvals without bringing their critical areas and development regulations in compliance with the current requirements and notifying both the DNR and the DOE at least 60 days before adoption of the necessary ordinances.	
RCW 36.70A **SSB 5248: Preserving the viability of agricultural lands.** **Brief Description**: Counties and cities may not amend or adopt critical areas ordinances (CAOs) as they specifically apply to agricultural activities until July 1, 2010. This does not limit obligations of a county or city to comply with requirements pertaining to critical areas not associated with agricultural activities nor limit the ability of a county or city to adopt or employ voluntary measures or programs to protect or enhance critical areas associated with agricultural activities. Counties and cities subject to deferral requirements should implement voluntary programs to enhance public resources and the viability of agriculture, and must include measures to evaluate their success. By December 1, 2011, counties and cities subject to deferral are to review and revise CAOs to comply with the requirements of this chapter. Subject to the availability of funds, the Ruckelshaus Center is directed to commence, by July 1, 2007, a two-phase examination of the conflicts between agricultural activities and CAOs. The Center is to issue two reports of its fact-finding efforts and stakeholder discussions to the Governor and the appropriate legislative committees by December 1, 2007, and December 1, 2008. A report on the second phase including findings and legislative recommendations is to be issued to the Governor and to the Legislature by September, 1, 2009. The Center is to work to achieve agreement among participating stakeholders and to develop a coalition that can be used to support agreed upon changes or new approaches to protecting critical areas during the 2010 Legislative Session.	All cities and counties, if proposing critical areas ordinance amendments.

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RCW, Bill Number, Brief Description for Legislative Session 2007	Cities/Counties Affected
RCW 36.70A **SB 6014: Authorizing industrial development on reclaimed surface coal mine sites.** **Brief Description:** Certain qualified counties planning under the GMA may designate a master planned location for major industrial activity outside UGAs on lands formerly used or designated for surface coal mining and supporting uses. Counties authorized to designate major industrial development on former surface coal mining uses must have had a surface coal mining operation in excess of 3,000 acres that ceased operation after July 1, 2006, and that is located within 15 miles of the I-5 corridor. Designation of a master planned location for major industrial activities is an amendment to the comprehensive plan of the county. The master planned location must be located on land formerly used or designated for surface coal mining and supporting uses, that consist of an aggregation of land of at least 1,000 acres, and that is suitable for manufacturing, industrial, or commercial business. The master planned location must include criteria for the provision of new infrastructure and an environmental review must be done at the programmatic level. Approval of a specific major industrial activity is conducted through a local master plan process and does not require comprehensive plan amendment. The development regulations adopted must provide that the site consist of 100 or more acres of land formerly used or designated for surface coal mining; must prevent urban growth in the adjacent nonurban areas; and limit commercial development.	Lewis County
36.70A.367 **SHB 1965: Authorizing major industrial development within industrial land banks.** **Brief Description:** The requirements for designating master planned locations for major industrial developments outside Urban Growth Areas are revised. A master planned location for major industrial developments may be approved through a two-step process: designation of a land bank area in the applicable comprehensive plan; and subsequent approval of specific major industrial developments through a local master plan process. The applicable comprehensive plan must identify locations suited to major industrial development because of proximity to transportation or resource assets. The comprehensive plan must identify the maximum size of the land bank area and any limitations on major industrial developments based on local factors, but the plan need not specify particular parcels or identify any specific use or user. In selecting locations for the land bank area, priority must be given to locations that are adjacent or in close proximity to a UGA. The environmental review for amendment of the comprehensive plan must be at the programmatic level and, in addition to a threshold determination, must include: ➢ a county-conducted inventory of developable land indicating that land suitable to site qualifying industrial development is unavailable within the UGA; and ➢ an analysis of the availability of alternative sites within UGAs and the long-term annexation feasibility of sites outside UGAs. Final approval of a land bank area must be by amendment to the comprehensive plan, but the amendment may be considered at any time. Approval of a specific major industrial	Counties meeting qualifying criteria.

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development within the land bank area requires no further amendment of the comprehensive plan. **Development Regulations Amendments** In concert with the designation of a land bank area, a county must also adopt development regulations for review and approval of specific major industrial developments through a master plan process. The regulations governing the master plan process must ensure, at a minimum, that specific criteria, including the following, are met: ➢ urban growth will not occur in adjacent nonurban areas; ➢ development is consistent with development regulations adopted for protection of critical areas; ➢ required infrastructure is identified and provided concurrent with development. Such infrastructure, however, may be phased in with development; and an open record public hearing is held before either the planning commission or hearing examiner with notice published at least 30 days before the hearing date and mailed to all property owners within one mile of the site. **Termination and Eligibility Provisions** Separate eligibility criteria pertaining to population, unemployment, and geographic requirements for counties choosing to identify and approve locations for major industrial development in land banks are specified. Termination provisions with dates certain are deleted and replaced with provisions requiring, in part, that a county choosing to identify and approve locations for land banks must take action to designate one or more of these banks and adopt regulations meeting certain requirements on or before the last date to complete the county's next periodic comprehensive plan and development regulations review that occurs before December 31, 2014. The authority of a county to designate a land bank area in its comprehensive plan expires if not acted upon within these time limitations. Once a land bank area has been identified in a county's comprehensive plan, the authority of the county to process a master plan or site projects within an approved master plan does not expire. **Public Notification and Determination Requirements** New notification and written determination requirements are specified. Counties seeking to designate an industrial land bank must: ➢ Provide countywide notice, in conformity with specific public participation and notification provisions of the GMA, of the intent to designate an industrial land bank. These notices must be published in one or more newspapers of general circulation that are reasonably likely to reach subscribers throughout the applicable county at least 30 days before the county legislative body begins the consideration process for siting a land bank; and ➢ Make written determinations of the criteria and rationale used by the county legislative body for siting a land bank.	
36.70A.450 **SB 5952 – Family day-care providers' home facility-County or city may not prohibit in residential or commercial area** **Brief Description:**	All cities and counties.

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Except as provided in subsections (2) and (3) of this section, no county or city may enact, enforce, or maintain an ordinance, development regulation, zoning regulation, or official control, policy, or administrative practice that prohibits the use of a residential dwelling, located in an area zoned for residential or commercial use, as a family day-care provider's home facility.	

Legislative Session 2006

RCW, Bill Number, Brief Description for Legislative Session 2006	Cities/Counties Affected
RCW 36.70A **ESHB 2984: Authorizing cities, towns, and counties to implement affordable housing incentive programs** **Brief Description:** The amendments: Authorize jurisdictions fully planning under the GMA to enact or expand affordable housing incentive programs. Establish optional provisions for enacted or expanded the programs. Specify that excise tax imposition limits do not limit local government authorities in the implementation of programs or the enforcement of related agreements. Local governments fully planning under the GMA may enact or expand affordable housing incentive programs, providing for the development of low-income housing units. Incentive programs may include, but are not limited to, provisions pertaining to: density bonuses within the urban growth area (UGA); height and bulk bonuses; mixed-use projects; fee waivers or exemptions; parking reductions; or expedited permitting, conditioned on the provision of low-income housing units.	Counties and cities fully planning under the Growth Management A ct (optional).
RCW 36.70A.130 **ESSB 6427: Relating to schedules for comprehensive plan and development regulation review for certain cities and counties** **Brief Description:** The timelines bill has two main features. First, it provides a time extension to small and slow-growing jurisdictions for updates to their comprehensive plans, development regulations, and critical areas ordinances. The bill contains qualifying criteria and clarification that jurisdictions making progress on their updates will be eligible for state grants, loans, pledges, and financial guarantees. Second, it clarifies that amendments to comprehensive plans necessary to enact planned actions may occur more frequently than annually, provided that pursuit of the amendments are consistent with the jurisdictions adopted public participation program and notification is given to agencies that may comment on the proposed amendments. Part of the Governor's Land Use Agenda. CTED request legislation.	Counties and cities meeting qualifying criteria.
RCW 36.70A.117 **SHB 2917: Identifying Accessory Uses on Agricultural Lands** **Brief Description:** The amendments:	Counties and cities with designated agricultural lands of long-term

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Revise GMA requirements regarding the use of agricultural lands of long-term commercial significance by creating more permissive guidelines governing the range of accessory uses permitted on such lands. Provide counties and cities with greater flexibility in implementing innovative zoning techniques related to accessory uses of agricultural lands of long-term commercial significance. SHB 2917 clarifies that any accessory use a city or county may allow on designated agricultural lands of long-term significance must not interfere with and must support continuation of the overall agricultural use of the property and neighboring properties. It provides policy guidepost; requiring any nonagricultural accessory use to (1) be consistent with the size, scale, and intensity of the agricultural use of the property, (2) be located within the general area already developed, and (3) not convert more than one acre of land. Part of the Governor's Land Use Agenda. Washington State Department of Agriculture request legislation. Limit to one acre the amount of agricultural land that may be converted to nonagricultural accessory uses.	commercial significance.

Legislative Session 2005

RCW, Bill Number, Brief Description for Legislative Session 2005	Cities/Counties Affected
RCW 36.70A 2SHB 1565: Addressing transportation concurrency strategies Brief Description: The amendments specify that concurrency compliance improvements or strategies may include qualifying multimodal transportation improvements or strategies. They: • Require regional transportation plans that include provisions for regional growth centers to address concurrency strategies, measurements for vehicle level of service, and total multimodal capacity. • Require the Washington State Department of Transportation (WSDOT) to administer a study to examine multimodal transportation improvements or strategies to comply with the concurrency requirements of the GMA. • Require the study to be completed by one or more regional transportation planning organizations (RTPOs) electing to participate in the study. Require WSDOT, in coordination with participating RTPOs, to submit a report of findings and recommendations to the appropriate committees of the Legislature by December 31, 2006.	RTPOs
RCW 36.70A.130 **ESHB 2171: Allowing counties and cities one additional year to comply with certain requirements of RCW 36.70A.130.** **Brief Description:** Counties and cities required to satisfy the review and revision requirements of the GMA by December 1, 2005, December 1, 2006, or December 1, 2007, may comply with the requirements for development regulations that protect critical areas (critical areas regulations) one year after the applicable deadline provided in the statutory schedule. Jurisdictions complying with the review and revision requirements for critical areas regulations one year after the deadline must be deemed in compliance with such requirements.	Counties and cities meeting qualifying criteria.

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Except as otherwise provided, only those counties and cities in compliance with the statutory review and revision schedule of the GMA, and those counties and cities demonstrating substantial progress towards compliance with the schedule for critical areas regulations, may receive financial assistance from the public works assistance and water quality accounts. A county or city that is fewer than 12 months out of compliance with the schedule is deemed to be making substantial progress towards compliance. Additionally, notwithstanding other provisions, only those counties and cities in compliance with the review and revision schedule of the GMA may receive preferences for financial assistance from the public works assistance and water quality accounts. Until December 1, 2005, a county or city required to satisfy the review and revision requirements of the GMA by December 1, 2004, that is demonstrating substantial progress towards compliance with applicable requirements for its comprehensive plan and development regulations may receive financial assistance from the public works assistance and water quality accounts. A county or city that is fewer than 12 months out of compliance with the GMA review and revision schedule for its comprehensive plan and development regulations is deemed to be making substantial progress towards compliance.	
RCW 36.70A, 36.70A.030, 36.70A.060, 36.70A.130 **EHB 2241: Authorizing limited recreational activities, playing fields, and supporting facilities** **Brief Description**: The amendments: • Authorize the legislative authority of counties planning under RCW 36.70A.040 and meeting specified criteria (Snohomish) to, until June 30, 2006, designate qualifying agricultural lands as recreational lands. • Establish designation criteria, including specifying that qualifying agricultural lands must have playing fields and supporting facilities existing before July 1, 2004, and must not be in use for commercial agricultural production. • Specify activities that may be allowed on designated recreational lands.	Snohomish County
RCW 36.70A.200 **ESSB 5121: Assessing long-term air transportation needs.** **Brief Description:** The amendments: Require WSDOT to conduct a statewide airport capacity and facilities assessment and report results by July 1, 2006. Require WSDOT to conduct a 25-year capacity and facilities market analysis, forecasting demands for passengers and air cargo, and report results by July 1, 2007. After completion of the reports, the Governor is to appoint a ten member Aviation Planning Council to make recommendations on future aviation and capacity needs. The council expires July 1, 2009.	None
RCW 36.70A.070 **SSB 5186: Increasing the physical activity of the citizens of Washington State** **Brief Description:** Land use elements of comprehensive plans are encouraged to consider using approaches to urban planning that promote physical activity. The Transportation Element of a comprehensive plan must contain a pedestrian and bicycle component that includes identified planned improvements for pedestrian and bicycle facilities and corridors to	Counties and cities fully planning under the Growth Management Act.

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enhance community access and promote healthy lifestyles. Comprehensive transportation programs must include any new or enhanced bicycle or pedestrian facilities identified in the Transportation Element. The Washington State Parks and Recreation Commission is to maintain policies that increase access to free or low-cost recreational opportunities for physical activities, within allowable resources. The Health Care Authority, in coordination with other agencies, is authorized to create a work-site health promotion program for state employees to increase physical activity and engage individuals in their health care decision-making. The Health Care Authority must report on progress by December 1, 2006.	
RCW 35A.15 **SB 5589: Providing for proceedings for excluding agricultural land from the boundaries of a charter or non-charter code city** **Brief Description**: The amendments create a method for property owners of agricultural land located within a code city to petition for exclusion from the incorporated area of that code city that does not require the issue to be submitted to the voters for approval. Property owners of agricultural land may petition the legislative body of a code city for exclusion from the incorporated area of that city. The petition must be signed by 100 percent of the owners of the land. In addition, if non-agricultural landowner residents reside within the subject area, the petition must also be signed by a majority of those residents who are registered voters in the subject area. The petition must also set forth a legal description of the territory to be excluded and be accompanied by a drawing that outlines the boundaries of the territory sought to be excluded. After such a petition is filed, the legislative body must set a date for public hearing on the petition within 60 days. Notice of the hearing must be published in at least one newspaper of general circulation in the city as well as in three public places within the territory proposed for exclusion. Interested persons are invited to appear and voice approval or disapproval of the exclusion. If the legislative body decides to grant the petition following the hearing, they must do so by ordinance. The ordinance may exclude all or any portion of the proposed territory but may not include in the exclusion any territory not described in the petition. The petition is not submitted to the voters for approval. The GMA defines "agricultural land" as land that has long-term commercial significance for agricultural production and is primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products; or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to certain excise taxes, finfish in upland hatcheries, or livestock.	Charter or non-charter code city.
RCW 36.70A.070 **SB 6037: Changing provisions relating to limited development of rural areas** **Brief Description**: The amendments modify GMA provisions for public services and facilities in qualifying limited areas of more intensive rural development (LAMIRDs). Until August 31, 2005, an example of a public service or facility that is permitted within recreational and tourist use LAMIRDs is a connection to an existing sewer line where the connection serves only the	Counties with qualifying LAMIRDs.

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recreational or tourist use and is not available to adjacent non-recreational or non-tourist use parcels.	

Legislative Session 2004

RCW, Bill Number, Brief Description for Legislative Session 2004	Cities/Counties Affected
RCW 36.70A **ESSB 6401: Protecting military installations from encroachment of incompatible land uses** **Brief Description**: Legislative findings in the amendments recognize the importance of the United States military as a vital component of the Washington State economy, and it is identified as a priority of the state to protect the land surrounding military installations from incompatible development. Comprehensive plans, development regulations, and amendments to either should not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements. A consultation procedure is established whereby counties and cities must notify base commanders during the process of adopting or amending comprehensive plans or development regulations that will affect lands adjacent to the installations.	Counties and cities with land adjacent to military installations.
RCW 35.61.160 **SB 6593: Prohibiting Discrimination Against Consumers' Choices in Housing** **Brief Description:** Cities, code cities, and counties generally are required to regulate manufactured homes in the same manner as all other homes. They may require new manufactured homes to meet requirements such as the following: (1) the foundation must meet the manufacturer's design standard, (2) the placement of concrete or a concrete product between the base of the home and the ground, and (3) thermal standards must be consistent with the standards for manufactured homes.	All counties and cities.
RCW 36.70A.170 **SB 6488: Ordering a study of the designation of agricultural lands in four counties** **Brief Description:** By December 1, 2004, CTED will prepare a report on designation of agricultural resource land in King, Lewis, Chelan, and Yakima counties. The report will cover how much land is designated, how much is in production, changes in these amounts since 1990, comparison with other uses, effects on tax revenue, threats to the agriculture land base, and measures to better maintain the base and the agriculture industry.	King, Lewis, Chelan, and Yakima counties are studied.
RCW 36.70A .070 **ESHB 2905: Modifying provisions for type 1 limited areas of more intensive rural development** **Brief Description**:	Counties that have designated Type 1 LAMIRDs.

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Any development or redevelopment within one category of existing LAMIRDs must be principally designed to serve the existing and projected rural population. Building size, scale, use, or intensity of the LAMIRD development or redevelopment must be consistent with the character of the existing areas. Development or redevelopment may include changes in use from vacant land or a previously existing use if the new development conforms to certain requirements.	
RCW 36.70A.106 **SHB 2781: Changing provisions relating to expedited state agency review of development regulations** **Brief Description**: Proposed changes to development regulations by jurisdictions that plan under the GMA can receive expedited review by CTED and be adopted immediately thereafter, if timely comments regarding GMA compliance or other matters of state interest can be provided.	All counties and cities (optional).
RCW 36.70A.110 **SSB 6367: Protecting the integrity of national historical reserves in the UGA planning process** **Brief Description**: The existing requirement that cities and counties must include areas and densities sufficient to permit the urban growth projected for the succeeding 20-year period does not apply to those UGAs contained totally within a national historical reserve. When a UGA is contained totally within a national historical reserve, a city may restrict densities, intensities, and forms of urban growth as it determines necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve	Cities that are totally within a national historic reserve.
RCW 36.70A.177 **SB 6237: Providing nonagricultural commercial and retail uses that support and sustain agricultural operations on designated agricultural lands of long-term significance** **Brief Description**: Agricultural zoning can allow accessory uses that support, promote, or sustain agricultural operations and production, including compatible commercial and retail uses that involve agriculture or agricultural products or provide supplemental farm income.	Counties. (optional)
RCW 36.70A.367 **SSB 6534: Designating processes and siting of industrial land banks** **Brief Description**: The requirements for including master planned locations within industrial land banks and for siting specific development projects are separated so that designation of master planned locations may occur during the comprehensive planning process before a specific development project has been proposed. Some of the current criteria for designating a master planned location within an industrial land bank may be delayed until the process for siting specific development projects within a land bank occurs. Designating master planned locations within an industrial land bank is considered an adopted amendment to a comprehensive plan, and approval of a specific development project does not require any further amendment to a comprehensive plan.	Counties meeting qualifying criteria.

RCW, Bill Number, Brief Description for Legislative Session 2004	Cities/Counties Affected
RCW 36.70B.080 **HB 2811: Modifying local government permit processing provisions** **Brief Description:** Existing requirements for timely and predictable procedures for processing permit applications by local governments are clarified. For the buildable lands jurisdictions, performance-reporting requirements are reinstated and changed to an annual basis. A report on the projected costs of this reporting with recommendations for state funding must be provided to the Governor and the Legislature by January 1, 2005.	Buildable Lands Counties: Clark, King, Kitsap, Pierce, Snohomish, Thurston and their cities with population > 20,000.
RCW 36.70 **SB 6476: Designating manufactured housing communities as nonconforming uses** **Brief Description**: Elimination of existing manufactured housing communities on the basis of their status as a nonconforming use is prohibited.	Cities and counties.
SSCR 8418: **Creating a joint select legislative task force to evaluate permitting processes** **Brief Description:** A joint select legislative task force is established to make recommendations regarding permitting processes by January 1, 2006, after evaluating local development regulations of selected jurisdictions among the "buildable lands" counties and their cities over 50,000. The task force is composed of the chairs and ranking minority members of the Senate Committee on Land Use and Planning and the House Local Government Committee. The Governor will be invited to participate and form a Five Corners Task Force. An advisory committee is also established to assist the task force and is composed of CTED, the Department of Ecology, the Office of Regulatory Assistance, a county, a city, the business community, the environmental community, agriculture, labor, the property rights community, the construction industry, ports, and federally recognized Indian tribes.	None.

Legislative Session 2003

RCW, Bill Number, Brief Description for Legislative Session 2003	Cities/Counties Affected
RCW 36.70A **SSB 5602: Concerning the accommodation of housing and employment growth under local comprehensive plans** **Brief Description:** Counties and cities subject to the GMA are required to ensure that, taken collectively, actions to adopt or amend their comprehensive plans or development regulations provide sufficient capacity of land suitable for development within their jurisdictions. The requirement for sufficient capacity refers to accommodating a jurisdiction's allocated housing and employment growth as adopted in the applicable county-wide planning policies and consistent with the 20-year population forecast from the Office of Financial Management.	Counties and cities fully planning under the Growth Management Act.

Growth Management Act Amendments 1995-2023

RCW, Bill Number, Brief Description for Legislative Session 2003	Cities/Counties Affected
RCW 36.70A.070 **SSB 5786: Clarifying the scope of industrial uses allowed in rural areas under the GMA** **Brief Description:** Industrial uses are permitted under the GMA in both industrial and mixed-use areas in certain types of LAMIRDs. Industrial uses within specified LAMIRDs are not required to be principally designed to serve the existing and projected rural population in order to be lawfully zoned	Counties with qualifying LAMIRDs.
RCW 36.70A.110 **S HB 1755: Creating alternative means for annexation of unincorporated islands of territory** **Brief Description**: The amendments create an alternative method of annexation allowing jurisdictions subject to the buildable lands review and evaluation program of the GMA to enter into interlocal agreements to annex qualifying territory meeting specific contiguity requirements. It creates an alternative method of annexation allowing GMA buildable lands counties to enter into interlocal agreements with multiple municipalities to conduct annexation elections for qualifying territory contiguous to more than one city or town.	Snohomish, King, Pierce, Kitsap, Thurston, and Clark Counties and their cities.
RCW 36.70A.280 **SB 5507: Clarifying who has standing regarding growth management hearings board hearings** **Brief Description**: The requirement under the GMA for participation standing before a growth management hearings board is that a petitioner must have participated orally or in writing before the local government. An additional requirement to obtain participation standing is added and provides that only issues "reasonably relate" to issues that the aggrieved person previously raised at the local level can be considered by the board	Counties and cities fully planning under the Growth Management Act.
RCW 36.70A.367 **SB 5651: Authorizing land banks in certain counties with low population densities** **Brief Description:** The industrial land bank program under the GMA is amended to provide that counties meeting certain geographic requirements are eligible for the program based on population density criteria, rather than unemployment criteria. The amendments clarify that Jefferson and Clallam counties are eligible for the program under this provision.	Counties meeting qualifying criteria.
RCW 36.70A.450 **HB 1170: Limiting restrictions on residential day-care facilities** **Brief Description**: A county cannot zone against or otherwise prohibit the use of a residential dwelling as a family day-care facility in a residential or commercial zone. The county can require the family day-care facility to comply with safety and licensing regulations and zoning conditions that are imposed on other dwellings in the same zone.	Counties, cities and towns.
RCW 36.70A.480 **ESHB 1933: Integrating Shoreline Management Act and Growth Management Act provisions**	Counties and cities subject to the

RCW, Bill Number, Brief Description for Legislative Session 2003	Cities/Counties Affected
Brief Description: The goals of the GMA, including the goals and policies of the Shoreline Management Act (SMA), continue to be listed without priority. Shorelines of statewide significance may include critical areas as designated by the GMA, but shorelines of statewide significance are not critical areas simply because they are shorelines of statewide significance. Within shoreline jurisdiction, the Shoreline Master Program (SMP) will protect critical areas and regulations will be reviewed for compliance with the SMA. However, SMP regulations must provide a level of protection of critical areas at least equal to that provided by the county or city's adopted or thereafter amended critical areas ordinances.	Shoreline Management Act.
RCW 90.58.080 **SSB 6012: Establishing limits on the adoption of state shoreline guidance and setting a schedule for local adoption** **Brief Description:** The Washington State Department of Ecology (Ecology) may adopt amendments to the shorelines guidelines no more than once per year and the amendments must be related to technical, procedural, or compliance issues. A staggered statutory schedule for the update of shoreline master programs, running from 2005 to 2014 and every seven years after the initial deadline, is established. Limits on grants from Ecology to local governments for master program reviews are removed and new requirements for the receipt of such grants are created	None.

Legislative Session 2002

RCW 36.70A.011: Findings – Rural lands
The amendment adds a new section containing legislative finds to support the amendment to the Rural Element requirements in RCW 36.70A.070.

RCW 36.70A.020: Planning goals
The amendments change the economic development goal to add the underlined words: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The open space goal is amended to read as follows: Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

RCW 36.70A.070: Comprehensive plans – Mandatory elements
The amendments:
Change the requirements for the Rural Element of comprehensive plans to (1) authorize limited expansion of small-scale businesses in the rural area, and (2) authorize new businesses in the rural area to use sites previously occupied by rural businesses.
Change the Housing Element to require the inventory of housing needs to include the number of housing units necessary to manage projected population growth.
Change the Capital Facilities Element to require the inclusion of parks and recreation facilities.
Require comprehensive plans to include an Economic Development Element and a Parks and Recreation Facilities Element if money to implement these requirements is appropriated by the Legislature.

RCW 36.70A.103: State agencies required to comply with comprehensive plans
The law is amended to cross-reference new provisions for siting secure community transition facilities for sex offenders.

RCW 36.70A.130: Comprehensive plans – Review amendments
The amendments change the deadlines for reviewing and updating comprehensive plans and development regulations adopted under the GMA and clarify the requirements relating to the reviews and updates.

RCW 36.70A.200: Siting of essential public facilities – Limitation on liability
The amendments clarify that the deadline for adopting a process for siting secure community transition facilities for sex offenders must be adopted by September 1, 2002, even though deadlines for GMA reviews and updates were changed in amendments to RCW 36.70A.130. It exempts noncompliance with the September 1, 2002, deadline from challenge before the growth management hearings boards and from economic sanctions under the GMA's enforcement provisions.

RCW 36.70A.367: Major industrial developments – Master planned locations
The amendment establishes a pilot program authorizing the designation of industrial land banks outside urban growth areas if specified requirements are satisfied.

Legislative Session 2001

RCW 36.70A.103: State agencies required to comply with comprehensive plans
The amendment authorizes the Department of Social and Health Services (DSHS) to site and operate a Special Commitment Center and a secure community transition facility to house persons conditionally released to a less restrictive alternative on McNeil Island. The state's authority to site an essential public facility under RCW 36.70A.200, in conformance with comprehensive plans and development regulations, is not affected, and with the exception of these two facilities, state agencies must comply with those plans and regulations.

RCW 36.70A.200: Siting of essential public facilities
The amendments add secure community transition facilities, as defined in RCW 71.09.020, to the list of essential public facilities typically difficult to site. Each city and county planning under RCW 36.70A.040 is required to establish a process, or amend its existing process, for identifying and siting essential public facilities, and to adopt and amend its development regulations as necessary to provide for the siting of secure community transition facilities. Local governments are required to complete this no later than the deadline set in RCW 36.70A.130. Any city or county not planning under RCW 36.70A.040 is required to establish a process for siting secure community transition facilities and amend or adopt development regulations necessary to provide the siting of these facilities.

RCW 36.70A.367: Major industrial developments – Master planned locations
The amendment extends the deadline for counties eligible to use the industrial land bank authority. Currently, Grant County and Lewis County satisfy all three criteria. Until December 2002 eligible counties may establish a process for designating a bank of no more than two master planned locations for major industrial activity outside a UGA. Eligible counties must meet statutory criteria initially specified for the authority terminating on December 1999.

Legislative Session 2000

RCW 36.70A.520: National historic towns
The amendment allows counties planning under RCW 36.70A.040 to authorize and designate national historic towns that may constitute urban growth outside UGAs, if specified conditions are satisfied. A GMA county may allocate a portion of its 20-year population projection to the national historic town to correspond to the projected number of permanent town residents.

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans

The amendment adds language stating that for the purposes of being required to conform to the requirements of the GMA, no county is required to include in its population count those persons confined in a correctional facility under the jurisdiction of the state Department of Corrections that is located in the county.

Legislative Session 1999

RCW 36.70A.035: Public participation – Notice provisions
The amendment adds school districts to list of entities and affected individuals to be provided with notice of comprehensive plan and development regulation amendment.

Legislative Session 1998

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans
The amendment adds the requirement for cities or counties to amend the Transportation Element to be in compliance with Chapter 47.80 RCW no later than December 31, 2000.

RCW 36.70A.060: Natural resource lands and critical areas – Development regulations
The requirement for notice on plats and permits issued for development activities near designated resource lands is expanded to activities within 500 feet, instead of 300 feet, of the resource lands. The notice for mineral lands is required to include information that an application might be made for mining-relating activities. Land Use Study Commission recommendation

RCW 36.70A.070: Comprehensive plans – Mandatory elements
The amendment requires cities or counties to include level of service standards for state highways in local comprehensive plans in order to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and WSDOT six-year investment program. Inventories of transportation are required to include state-owned transportation facilities.

RCW 36.70A.131: Mineral resource lands – Review of related designations and development regulations
A county or city is required to take into consideration new information available since the adoption of its designations and development regulations, including new or modified model development regulations for mineral resource lands prepared by the Washington State Department of Natural Resources, CTED, or the Washington Association of Counties.

RCW 36.70A.200: Siting of essential public facilities
State or regional facilities and services of statewide significance as defined in Chapter 47.06 RCW are added to the list of essential public facilities under the GMA. Included in the definition, among others, are high speed rail, inter-city high speed ground transportation, and the Columbia/Snake navigable river system.

RCW 36.70A.210 County-wide planning policies
Transportation facilities of state-wide significance are added to the minimums that county-wide planning policies are to address.

RCW 36.70A.360: Master planned resorts
Master planned resorts are expressly authorized to use capital facilities, utilities, and services (including sewer, water, stormwater, security, fire suppression, and emergency medical) from outside service providers. Any capital facilities, utilities, and services provided on-site are limited to those meeting the needs of master planned resorts. Master planned resorts are required to bear the full costs related to service extensions and capacity increases directly attributable to the resorts.

RCW 36.70A.367: Major industrial developments
Additional counties (Lewis, Grant, and Clallam) are authorized to establish industrial land banks for two master planned locations by December 31, 1999. Sunset dates are extended for Clark and Whatcom counties to December 31, 1999.

RCW 36.70A.395: Environmental planning pilot projects
Technical corrections are made to eliminate references concerning reports to the Legislature that are no longer necessary or have expired.

RCW 36.70A.460: Watershed restoration projects – Permit processing – Fish habitat enhancement project
A fish habitat enhancement project meeting the criteria of this law is not subject to local government permits, inspections, or fees. Such projects, when approved and a hydraulic permit has been issued, are not required to complete a substantial development permit under the SMA. Fish habitat enhancement projects that meet the criteria of this act are considered to be consistent with local shoreline master programs.

Legislative Session 1997

RCW 36.70A.030: Definitions
The definition of urban growth is amended to expand the listed incompatible primary uses of land to include the following: rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. Additionally, the following is added: A pattern of more intense rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth.

The following terms "rural character," "rural development," and "rural governmental services" are defined.

The following: or "urban services" is added to the definition of "urban governmental services." (ESB 6094 amendments)

RCW 36.70A.035: Public participation – Notice provisions
Requirements for GMA counties and cities to adopt procedures for notifying property owners and other affected or interested parties of proposed amendments to comprehensive plans and development regulations are added. The procedures generally follow the notice requirements currently in the State Environmental Policy Act (SEPA). (ESB 6094 amendments)

The requirement is added that a county or city considering an amendment to a comprehensive plan or a development regulation needs to allow for public comment on the proposed change before adoption. (ESB 6094 amendments)

RCW 36.70A.070: Comprehensive plans – Mandatory elements
Provisions that are to apply to the Rural Element are specified. (ESB 6094 amendments.)

RCW 36.70A.110: Comprehensive plans – Urban growth areas
"Urban growth areas" is deleted from subsection (2) and the following is added: "and each city within the county" so it now reads: based on OFM projections, "…the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected…" (ESB 6094 amendments)

RCW 36.70A.130: Comprehensive plans – Review – Amendments
Language related to the 2002 review requirement is added to the GMA: No later than September 1, 2002, and at least every five years thereafter, a county or city shall take action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure that the plan and regulations are complying with the requirements of this chapter. The review and evaluation required by this subsection may be combined with the review required by subsection (3) of this section. (ESB 6094 amendments)

An amendment to the Capital Facilities Element of the comprehensive plan is allowed if it occurs concurrent with the adoption or amendment of a county or city budget.

RCW 36.70A.165: Property designated as greenbelt or open space – Not subject to adverse possession
Adverse possession is prohibited on property designated as open space to a public agency or homeowner's association. (ESB 6094 amendments)

Growth Management Act Amendments 1995-2023

RCW 36.70A.177: Agricultural lands – Innovative zoning techniques
The amendment allows a variety of innovative zoning techniques in designated agriculture lands of long-term commercial significance. (ESB 6094 amendments)

RCW 36.70A.215: Review and evaluation program
The Buildable Lands Program is created. Six Western Washington counties and the cities located within their boundaries are to establish a monitoring and evaluation program to determine if the actual growth and development is consistent with what was planned for in the county-wide planning policies and comprehensive plans. Measures, other than expanding UGAs, must be taken to correct any inconsistencies. (ESB 6094 amendments)

RCW 36.70A.270: Growth management hearings boards – Conduct, procedure, and compensation
It amends the boards' procedures for distribution of rules and decisions to follow the Administrative Procedures Act, Chapter 34.05 RCW, specifically including the provisions of RCW 34.05.455 governing ex parte communications. (ESB 6094 amendments)

RCW 36.70A.290: Petitions to the growth management hearings boards – Evidence
The board is to render written decisions articulating the basis for its holdings. The board is not to issue advisory opinions on issues not presented to the board in the statement of issues, as modified by any prehearing order. (ESB 6094 amendments)

RCW 36.70A.295: Direct judicial review
The superior court is allowed to directly review a petition for review if all parties to a case before a board agreed to direct review in the superior court. (ESB 6094 amendments)

RCW 36.70A.300: Growth management hearings boards – Final orders
The boards may extend the time for issuing a decision beyond the 180-day period to allow settlement negotiations to proceed if the parties agree to the extension. The boards may: (1) allow up to 90-day extensions that may be renewed; (2) establish a compliance schedule that goes beyond 180 days for a plan or development regulation that does not comply with the GMA if the complexity of the case justifies it; and (3) require periodic updates on progress towards compliance as part of the compliance order. (ESB 6094 amendments)

RCW 36.70A.302: Determination of invalidity – Vesting of development permits – Interim controls
A clarification is made on which permits invalidity orders apply to. (ESB 6094 amendments)

RCW 36.70A.320: Presumption of validity – Burden of proof – Plans and regulations
The burden is shifted to the petitioner to demonstrate that any action by a respondent is not in compliance with the requirements of the GMA. The board is required to find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board and in light of the goals and requirements of the GMA. (ESB 6094 amendments)

RCW 36.70A.3201: Intent – Finding
Local comprehensive plans and development regulations require counties and cities to balance priorities and consider local circumstances. The ultimate responsibility for planning and implementing a county's or city's future rests with that community. The boards are to apply a more deferential standard of review to actions of counties and cities than the previous "preponderance of the evidence" standard. (ESB 6094 amendments)

RCW 36.70A.330: Noncompliance
The board is enabled to modify a compliance order and allow additional time for compliance in the appropriate circumstances. The board is directed to take into account a county's or city's progress toward compliance in making its decision as to whether to recommend the imposition of sanctions by the Governor. (ESB 6094 amendments)

RCW 36.70A.335: Order of invalidity issued before July 27, 1997
A county or city subject to an order of invalidity issued prior to the effective date of the act may request the board to review its order in light of the changes to the invalidity provisions. If requested, the board is required to rescind or modify an order to make it consistent with the act's changes. (ESB 6094 amendments)

RCW 36.70A.362: Master planned resorts – Existing resort may be included

Counties planning under the GMA may include some existing resorts as master planned resorts under a GMA provision that allows counties to permit master planned resorts as urban growth outside of UGAs. An existing resort is defined as a resort that was in existence on July 1, 1990, and developed as a significantly self-contained and integrated development that includes various types of accommodations and facilities.

RCW 36.70A.367: Major industrial developments – Master planned locations
Whatcom County is authorized, in consultation with its cities, to establish a process for designating land to be in an industrial land bank, according to certain conditions.

RCW 36.70A.500: Growth management planning and environmental review fund – Awarding of grants – Procedures
CTED is directed to encourage participation in the Planning and Environmental Review Fund (PERF) by other public agencies through the provision of grant funds. CTED is required to develop the grant criteria, monitor the grant program, and select grant recipients in consultation with state agencies participating in the grant program. Grants from PERF are to be provided for proposals designed to improve the project review process and which encourage the use of GMA plans to meet the requirements of other state programs. (ESB 6094 amendments)

Legislative Session 1996

RCW 36.70A.070: Comprehensive plans – Mandatory elements
General aviation airports are added to subsection (6)(i) relating to required subelements of a Transportation Element as defined by this section.

RCW 36.70A.270: Growth management hearings boards – Conduct, procedure, and compensation
The boards are required to publish their decisions and arrange for reasonable distribution of them. The Administrative Procedures Act (APA) is to be used for the boards' procedures, unless it conflicts with RCW 36.70A. The APA also is to be used to determine whether a board member or hearing examiner will be disqualified.

RCW 36.70A.280: Matters subject to board review
A clarification is made on who may file petitions with the boards (i.e., standing).

RCW 36.70A.305: Expedited review
Courts are to expedite reviews on invalidity determinations made by the boards. Hearings on the issues are to be scheduled within 60 days of the date set for submitting the board's record.

RCW 36.70A.367: Major industrial developments – Master planned locations
The GMA is amended to allow a pilot project to designate an urban industrial bank outside UGAs. A county is allowed to establish the pilot project if it has a population of more than 250,000 and if it is part of a metropolitan area that includes a city in another state with a population of more than 250,000 (Clark County). The urban industrial land banks are to consist of no more than two master planned locations. Priority is to be given to locations that are adjacent to or in close proximity to a UGA. The same criteria are to be met that are required under the existing major industrial development process in the GMA, except that specific businesses to locate on the site(s) need not be identified ahead of the designation. The pilot project terminates on December 31, 1998.

RCW 36.70A.510: General aviation airports
General aviation airports are added to the list of items that all local governments must include in the land use elements of their comprehensive plans. General aviation airports include all airports in the state (i.e., public use facilities).

Legislative Session 1995

RCW 36.70A.030: Definitions
A definition of "wetlands" is added to the Shoreline Management Act that is identical to the definition under the GMA. Excluded from the wetlands definitions under both acts are wetlands created after July 1, 1990, that were unintentionally created as the result of road construction.

Growth Management Act Amendments 1995-2023

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans
The percentage of population increase required to trigger planning under the GMA is changed from 10 percent to 17 percent for a ten-year period for counties with a population of 50,000 or more.

RCW 36.70A.070: Comprehensive Plans – Mandatory elements
The following underlined text is added in subsection (5): The Rural Element shall permit appropriate land uses that are compatible with the rural character of such lands and provide for a variety of rural densities and uses and may also provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate rural uses not characterized by urban growth.

The word "recognizing" is changed to "ensuring" for what the Housing Element must do as noted in the act so it now reads: "…ensuring the vitality and character of established residential neighborhoods." "Mandatory provisions" and "single-family residences" are added to the following: "…include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences.

RCW 36.70A.110: Comprehensive Plans – Urban growth areas
Counties are allowed to designate UGAs outside of cities. A UGA determination may include a reasonable land market supply factor and is to permit a range of urban densities. The term "in general" was added to the GMA statement that indicates urban services are to be provided by cities.

RCW 36.70A.130: Comprehensive plans – Review
Cities and counties are to broadly disseminate to the public, a public participation program.

The provision is added that amendments may be considered more than once a year under the following circumstances: (1) emergency compliance with a growth management hearings board order, (2) the initial adoption of a subarea plan, and (3) the adoption or amendment of a Shoreline Master Program according to chapter 90.58 RCW.

The requirement of public participation is added to the emergency amendment process already permitted by the GMA and the resolution of a growth management hearings board or court order as an amendment permitted outside of the comprehensive plan amendment cycle. (ESHB 1724 amendments)

RCW 36.70A.140: Comprehensive Plans – Ensure public participation
The requirement of a public participation program that identifies procedures is added. Local governments must also provide public participation that is effective when responding to a board order of invalidity. (ESHB 1724 amendments)

RCW 36.70A.172: Critical areas – Designation and protection – Best available science to be used
The state's goals and policies for protecting critical areas functions and values are clarified. Local governments are required to include the "best available science" in developing policies and development regulations to protect the functions and values of critical areas as defined in the GMA and must give special consideration to preserving or enhancing anadromous fisheries.

RCW 36.70A.175: Wetlands to be delineated in accordance with manual
Ecology is directed to adopt by a rule a manual for the delineation of wetlands regulated under the SMA and GMA. The manual is based on the 1987 U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency manual as amended through January 1, 1995.

RCW 36.70A.280: Matters subject to board review
Shoreline master programs or amendments adopted under Chapter 90.58 RCW are added as subjects for growth management hearings board review. (ESHB 1724 amendments)

RCW 36.70A.290: Petitions to growth management hearings boards – Evidence

The publication date for a Shoreline Master Program or amendment is established to be the date when the Shoreline Master Program or amendment is approved or disapproved by Ecology.

RCW 36.70A.300: Growth management hearings boards – Final orders
The Shoreline Master Program and amendments are added to final order procedures.

A finding of noncompliance is not to affect the validity of comprehensive plans or development regulations. The parameters of an invalidity determination by the boards, including vesting issues, are established.

RCW 36.70A.320: Presumption of validity
The Shoreline Element of a comprehensive plan and applicable development regulations adopted by a city or county are governed by Chapter 90.58 RCW and are not presumed valid upon adoption in the same manner as comprehensive plan and development regulations in general. (ESHB 1724 amendments)

RCW 36.70A.330: Noncompliance
Invalidity text is added. The board is allowed to reconsider its final order and decide: (a) if a determination of invalidity has been made, whether to rescind or modify its determination as provided by RCW 36.70A.300(2), or (b) if no invalidity determination has been made, whether to issue a determination as provided by RCW 36.70A.300(2).

Language is added that a person with standing may participate in a hearing of compliance or noncompliance. (ESHB 1724 amendments)

RCW 36.70A.365: Major industrial developments
Counties planning under the GMA are allowed to establish, in consultation with cities, a process for authorizing the siting of major industrial developments outside UGAs. Such a development may be approved if certain criteria are met.

RCW 36.70A.385: Environmental planning pilot projects
References for the "Department of Community Development" to changed to "department."

RCW 36.70A.450: Family day-care provider's home facility – City may not prohibit in residential or commercial area
The agency responsible for certifying that a family day-care provider's facility provides a safe passenger loading area is changed from the Washington State Department of Licensing to the Office of Child Care Policy of DSHS.

RCW 36.70A.460: Watershed restoration projects – Permit processing – Fish habitat enhancement project
The Washington Conservation Commission is directed to develop a single application process by which all permits for watershed restoration projects may be obtained by a sponsoring agency for its project, to be completed by January 1, 1996. Each agency is required to name an office or official as a designated recipient of project applications and inform the commission of the designation. All agencies of state and local government are required to accept the single application developed by the commission.

RCW 36.70A.470: Project review – Amendment suggestion procedure – Definitions - GMA integrated project and environmental review is to be conducted under the newly created provisions of Chapter 36.70B RCW.

RCW 36.70A.480: Shorelines of the state
Under the GMA, (1) the goals and policies of the SMA become one of the goals of the GMA under RCW 36.70A.020, and (2) the goals and policies of a Shoreline Master Program for a county or city are required to become an element of the jurisdiction's comprehensive plan. All other portions of the Shoreline Master Program including regulations are required to become part of the county's or city's development regulations. Additionally, shoreline master programs are to continue to be amended or adopted under the procedures of the SMA (Chapter 90.58 RCW).

RCW 36.70A.481: Construction
Nothing in RCW 36.70A.480 (shorelines of the state) is to be construed to authorize a county or city to adopt regulations applicable to shorelands as defined in RCW 90.58.030 that are inconsistent with the provisions of Chapter 90.58 RCW. (ESHB 1724 amendments)

RCW 36.70A.490: Growth Management Planning and Environmental Review Fund – Established
Moneys in the fund are required to be used to make grants to local governments for the purposes set forth in RCW 43.21C.031. (ESHB 1724 amendments)

RCW 36.70A.500: Growth Management Planning and Environmental Review Fund – Awarding of grants – Procedures
Procedures are established for dispersing funds. (ESHB 1724 amendments)

Chapter 36.70B RCW: Regulatory reform - Regulatory reform amendments are made to streamline permitting procedures in the state. (ESHB 1724 amendments)

Maintain Snoqualmie's unique character and attractiveness with new development that complements the existing built and natural environment and allows a rich tourist and commercial center to thrive.	Feature and preserve the story of Snoqualmie's history and identity using buildings, districts, and landscape (with sustainable development) that fosters civic pride.
Strive to maintain existing view corridors, including the Snoqualmie River and other natural features, while minimizing sensitive areas impacts.	Work individually and cooperatively to identify and evaluate important aspects of historical and cultural heritage and adopt appropriate regulations or other strategies to protect these resources.
Protect the scenic nature of the I-90 corridor and the upper Snoqualmie Valley through partnerships like the Mountains to Sound Greenway Trust.	Support the preservation of Snoqualmie Valley history, facilities, and culture by working with and supporting the efforts of heritage organizations, agencies, and tribes.
Maintain the City's federally-recognized historic preservation program for the downtown and Meadowbrook commercial districts and ensure site and building changes are consistent with historic character through appropriate design standards and other regulations.	Consider local heritage when naming City streets and facilities.
Support historic design review through the Snoqualmie Historic Design Review Board and/or in partnership with the King County Landmarks Commission.	Maintain an inter-local agreement with King County for historic preservation assistance and inventory as well as landmark designation purposes.

Consider appropriate lighting standards that minimize light pollution without impacts to public safety.	Work with property owners and developers to implement adaptive reuse strategies that preserve the character and viability of the city's historic sites, buildings, districts, landscape features, murals, and neighborhoods.
	Pursue grants and technical assistance as available to assist property owners with the preservation and rehabilitation of storefronts and buildings in the historic districts to preserve and restore their historic appearance and economic viability.
	As applicable, limit incompatible uses adjacent to Tribal reservation lands.

Pursue annexations that implement the future land use map designations.	Encourage a compact development pattern of physically connected, distinct, complete neighborhoods that provide a balanced mix of land uses essential to the daily life of Snoqualmie residents, employees, and surrounding rural area residents.
Enter into interlocal agreements with King County for annexations when feasible, including the application of contingent zoning to potential annexation areas.	Promote a range of uses that help create place and identity, reduce commuting expenses, reduce greenhouse gas emissions and encourage physical activity.
Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, and be servable by public water and sewer, as well as the transportation network, including consideration of public transit.	Encourage development patterns that feature housing, jobs, services, and transit stops in close proximity to each other.
Present docket items addressing Urban Growth Area adjustments to accommodate uses needed to serve the community.	Consider appropriate land use designations and zoning districts for undeveloped land, including Snoqualmie Hills West, that implement the goals and policies of this plan.
Regularly evaluate the supply of vacant land and land suitable for re-development.	Encourage commercial nodes to feature gathering spaces as well as civic, cultural, residential and recreational uses within walking distance of one another.

Support the transformation of redevelopable lands into viable uses that support the needs of the community.

Ensure that land regulations promote a healthy and safe built environment.

Promote appropriate infill redevelopment that maintains or enhances neighborhood character.

Provide sufficient areas with appropriate zoning to provide the full continuum of goods and services needed to serve the local population.

Manage development and conservation within the 100-year floodplain to protect existing and new development from flood hazards and to promote enjoyment of the natural and scenic character of the Snoqualmie River shoreline.	Plan for and encourage high-quality residential areas that provide dwelling units of various type, density, and costs to meet the needs and interests of every economic segment of the community, including low-, very low-, and extremely low-income households.
Within the floodplain, but outside the floodway, allow for infill and redevelopment in residential zones featuring a range of housing options, including Accessory Dwelling Units, within walking distance of the historic downtown commercial core.	Allow and encourage a range of housing types and price ranges that are affordable to all economic segments of the City and make it possible for people to live and work in Snoqualmie.
Protect development from flood hazards through the application of residential lot coverage and impervious surface standards.	Support inclusive community planning that identifies the needs of diverse communities, protects cultural resources, and embraces cohesion in the face of change.
Support commercial uses compatible in scale and character to existing single-family uses in residentially-zoned districts within the floodway.	Evaluate areas for potential residential and commercial displacement, including the floodplain, and use a range of strategies to mitigate displacement impacts.
Work with governmental agencies to acquire riverfront properties within the floodway and to naturalize them in order to allow for incorporation into a resilient river corridor.	

Continue to participate in the FEMA Flood Insurance Program and Community Rating System, and implement measures to improve the City's flood insurance rating to benefit floodplain property owners.

Support programs that address potential displacement of commercial uses in the floodway.

Develop a local economy that meets residents' everyday needs, supports a vibrant tourism industry, provides living-wage jobs, enhances community distinctiveness, and maintains a sufficient and sustainable tax base for the City.

Allow for sufficient service, hospitality, and office uses in retail-focused areas.

Promote neighborhood-scale retail and service businesses within mixed-use developments.

Provide needed institutional and utility land uses within the community with minimal land use conflicts.

Allow institutional uses, such as museums, interpretive centers, and community recreation centers as appropriate for designated Parks and Open Space areas.

Ensure the impacts to surrounding areas from Essential Public Facilities are appropriately mitigated.

Allow power generation facilities, sewage and water treatment plants, other public or private utilities, parks and open space uses, and other accessory commercial uses in areas designated Utility Park.

#	Text
Land Use - 1	Maintain Snoqualmie's unique character and attractiveness with new development that complements the existing built and natural environment and allows a rich tourist and commercial center to thrive.
Land Use - 2	Feature and preserve the story of Snoqualmie's history and identity using buildings, districts, and landscape (with sustainable development) that fosters civic pride.
Land Use - 3	Pursue annexations that implement the future land use map designations.
Land Use - 4	Encourage a compact development pattern of physically connected, distinct, complete neighborhoods that provide a balanced mix of land uses essential to the daily life of Snoqualmie residents, employees, and surrounding rural area residents.
Land Use - 5	Manage development and conservation within the 100-year floodplain to protect existing and new development from flood hazards and to promote enjoyment of the natural and scenic character of the Snoqualmie River shoreline.
Land Use - 6	Plan for and encourage high-quality residential areas that provide dwelling units of various type, density, and costs to meet the needs and interests of every economic segment of the community, including low-, very low-, and extremely low-income households.
Land Use - 7	Develop a local economy that meets residents' everyday needs, supports a vibrant tourism industry, provides living-wage jobs, enhances community distinctiveness, and maintains a sufficient and sustainable tax base for the City.
Land Use - 8	Provide needed institutional and utility land uses within the community with minimal land use conflicts.

#	Text
Development Pattern-1	Promote a range of uses that help create place and identity, reduce commuting expenses, reduce greenhouse gas emissions and encourage physical activity.
Development Pattern-2	Encourage development patterns that feature housing, jobs, services, and transit stops in close proximity to each other.
Development Pattern-3	Consider appropriate land use designations and zoning districts for undeveloped land, including Snoqualmie Hills West, that implement the goals and policies of this plan.
Development Pattern-4	Encourage commercial nodes to feature gathering spaces as well as civic, cultural, residential and recreational uses within walking distance of one another.
Development Pattern-5	Support the transformation of redevelopable lands into viable uses that support the needs of the community.
Development Pattern-6	Ensure that land regulations promote a healthy and safe built environment.
Development Pattern-7	Promote appropriate infill redevelopment that maintains or enhances neighborhood character.
Specific Land Uses-1	Allow and encourage a range of housing types and price ranges that are affordable to all economic segments of the City and make it possible for people to live and work in Snoqualmie.
Specific Land Uses-2	Allow for sufficient service, hospitality, and office uses in retail-focused areas.
Specific Land Uses-3	Promote neighborhood-scale retail and service businesses within mixed-use developments.
Specific Land Uses-4	Allow institutional uses, such as museums, interpretive centers, and community recreation centers as appropriate for designated Parks and Open Space areas.
Specific Land Uses-5	Ensure the impacts to surrounding areas from Essential Public Facilities are appropriately mitigated.
Specific Land Uses-6	Allow power generation facilities, sewage and water treatment plants, other public or private utilities, parks and open space uses, and other accessory commercial uses in areas designated Utility Park.
Specific Land Uses-7	Provide sufficient areas with appropriate zoning to provide the full continuum of goods and services needed to serve the local population.
Regional Planning-1	Support inclusive community planning that identifies the needs of diverse communities, protects cultural resources, and embraces cohesion in the face of change.
Regional Planning-2	Evaluate areas for potential residential and commercial displacement, including the floodplain, and use a range of strategies to mitigate displacement impacts.
Regional Planning-3	As applicable, limit incompatible uses adjacent to Tribal reservation lands.
Design Character and Quality-1	Strive to maintain existing view corridors, including the Snoqualmie River and other natural features, while minimizing sensitive areas impacts.
Design Character and Quality-2	Protect the scenic nature of the I-90 corridor and the upper Snoqualmie Valley through partnerships like the Mountains to Sound Greenway Trust.
Design Character and Quality-3	Maintain the City's federally-recognized historic preservation program for the downtown and Meadowbrook commercial districts and ensure site and building changes are consistent with historic character through appropriate design standards and other regulations.
Design Character and Quality-4	Support historic design review through the Snoqualmie Historic Design Review Board and/or in partnership with the King County Landmarks Commission.
Design Character and Quality-5	Consider appropriate lighting standards that minimize light pollution without impacts to public safety.
Historic and Cultural Resources-1	Work individually and cooperatively to identify and evaluate important aspects of historical and cultural heritage and adopt appropriate regulations or other strategies to protect these resources.

Historic and Cultural Resources-2	Support the preservation of Snoqualmie Valley history, facilities, and culture by working with and supporting the efforts of heritage organizations, agencies, and tribes.
Historic and Cultural Resources-3	Consider local heritage when naming City streets and facilities.
Historic and Cultural Resources-4	Maintain an inter-local agreement with King County for historic preservation assistance and inventory as well as landmark designation purposes.
Historic and Cultural Resources-5	Work with property owners and developers to implement adaptive reuse strategies that preserve the character and viability of the city's historic sites, buildings, districts, landscape features, murals, and neighborhoods.
Historic and Cultural Resources-6	Pursue grants and technical assistance as available to assist property owners with the preservation and rehabilitation of storefronts and buildings in the historic districts to preserve and restore their historic appearance and economic viability.
Annexation-1	Enter into interlocal agreements with King County for annexations when feasible, including the application of contingent zoning to potential annexation areas.
Annexation-2	Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, and be servable by public water and sewer, as well as the transportation network, including consideration of public transit.
Floodplain-1	Within the floodplain, but outside the floodway, allow for infill and redevelopment in residential zones featuring a range of housing options, including Accessory Dwelling Units, within walking distance of the historic downtown commercial core.
Floodplain-2	Protect development from flood hazards through the application of residential lot coverage and impervious surface standards.
Floodplain-3	Support commercial uses compatible in scale and character to existing single-family uses in residentially-zoned districts within the floodway.
Floodplain-4	Work with governmental agencies to acquire riverfront properties within the floodway and to naturalize them in order to allow for incorporation into a resilient river corridor.
Floodplain-5	Continue to participate in the FEMA Flood Insurance Program and Community Rating System, and implement measures to improve the City’s flood insurance rating to benefit floodplain property owners.
Floodplain-6	Support programs that address potential displacement of commercial uses in the floodway.
Growth Area-1	Present docket items addressing Urban Growth Area adjustments to accommodate uses needed to serve the community.
Land Capacity-1	Regularly evaluate the supply of vacant land and land suitable for re-development.

GOAL LU 1: Snoqualmie's urban growth area is sufficiently sized and configured to accommodate projected growth, and maintains long term compatibility between a range of land uses.

GOAL LU 2: A generally compact development pattern of physically connected, distinct, complete neighborhoods that provide for a balanced mix of land uses essential to the daily life of Snoqualmie citizens, employees and surrounding rural area residents.

GOAL LU 3: Development and conservation within the 100-year floodplain is managed to protect existing and new development from flood hazards and to promote enjoyment of the natural and scenic character of the Snoqualmie River shoreline.

GOAL LU 4: High quality residential areas that provide dwelling units of various type, density, and costs to meet the needs and interests of a diverse population.

GOAL LU 5: A local economy that meets our citizens' everyday commercial needs, supports a vibrant tourism industry, provides living-wage jobs, enhances community distinctiveness, and maintains a sufficient and sustainable tax base for the City.

GOAL LU 6: Needed institutional and utility land uses are accommodated within the community with minimal land use conflicts.

GOAL LU 7: Annexations support phasing of growth to meet 20-year targets and further the goals, objectives and policies of the City's Comprehensive Plan

GOAL LU 8: Sub-area planning prior to annexation effectively manages growth and development within the urban growth area, and assures consistency with comprehensive plan goals, objectives and policies.

Proposed Implementation Actions and Policies

#	Text	Related Existing Policy
Development Pattern-1	Promote a range of uses that help create place and identity, reduce commuting expenses, reduce greenhouse gas emissions and encourage physical activity.	7.2.1
Development Pattern-2	Encourage development patterns that feature housing, jobs, services, and transit stops in close proximity to each other.	7.2.2
Development Pattern-3	Consider appropriate land use designations and zoning districts for undeveloped land, including Snoqualmie Hills West, that implement the goals and policies of this plan.	7.2.10
Development Pattern-4	Encourage commercial nodes to feature gathering spaces as well as civic, cultural, residential and recreational uses within walking distance of one another.	7.2.4
Development Pattern-5	Support the transformation of redevelopable lands into viable uses that support the needs of the community.	7.5.6
Development Pattern-6	Ensure that land regulations promote a healthy and safe built environment.	7.2.6
Development Pattern-7	Promote appropriate infill redevelopment that maintains or enhances neighborhood character.	5.1.5

Proposed Implementation Actions and Policies

#	Text	Related Existing Policy
Specific Land Uses-1	Allow and encourage a range of -housing types and price ranges that are affordable to all economic segments of the City and make it possible for people to live and work in Snoqualmie.	7.4.1
Specific Land Uses-2	Allow for sufficient service, hospitality, and office uses in retail-focused areas.	7.5.2
Specific Land Uses-3	Promote neighborhood-scale retail and service businesses within mixed-use developments.	7.5.3
Specific Land Uses-4	Allow institutional uses, such as museums, interpretive centers, and community recreation centers as appropriate for designated Parks and Open Space areas.	7.6.2
Specific Land Uses-5	Ensure the impacts to surrounding areas from Essential Public Facilities are appropriately mitigated.	7.6.3
Specific Land Uses-6	Allow power generation facilities, sewage and water treatment plants, other public or private utilities, parks and open space uses, and other accessory commercial uses in areas designated Utility Park.	7.6.4
Specific Land Uses-7	Provide sufficient areas with appropriate zoning to provide the full continuum of goods and services needed to serve the local population.	7.5.1
Regional Planning-1	Support inclusive community planning that identifies the needs of diverse communities, protects cultural resources, and embraces cohesion in the face of change.	VISION 2050
Regional Planning-2	Evaluate areas for potential residential and commercial displacement, including the floodplain, and use a range of strategies to mitigate displacement impacts.	VISION 2050
Regional Planning-3	As applicable, limit incompatible uses adjacent to Tribal reservation lands.	VISION 2050
Design Character and Quality-1	Strive to maintain existing view corridors, including the Snoqualmie River and other natural features, while minimizing sensitive areas impacts.	5.1.2
Design Character and Quality-2	Protect the scenic nature of the I-90 corridor and the upper Snoqualmie Valley through partnerships like the Mountains to Sound Greenway Trust.	5.1.3

Proposed Implementation Actions and Policies

#	Text	Related Existing Policy
Design Character and Quality-3	Maintain the City's federally-recognized historic preservation program for the downtown and Meadowbrook commercial districts and ensure site and building changes are consistent with historic character through appropriate design standards and other regulations.	5.1.6
Design Character and Quality-4	Support historic design review through the Snoqualmie Historic Design Review Board and/or in partnership with the King County Landmarks Commission.	5.1.7
Design Character and Quality-5	Consider appropriate lighting standards that minimize light pollution without impacts to public safety.	5.1.8
Historic and Cultural Resources-1	Work individually and cooperatively to identify and evaluate important aspects of historical and cultural heritage and adopt appropriate regulations or other strategies to protect these resources.	5.2.1
Historic and Cultural Resources-2	Support the preservation of Snoqualmie Valley history, facilities, and culture by working with and supporting the efforts of heritage organizations, agencies, and tribes.	5.2.3
Historic and Cultural Resources-3	Consider local heritage when naming City streets and facilities.	5.2.4
Historic and Cultural Resources-4	Maintain an inter-local agreement with King County for historic preservation assistance and inventory as well as landmark designation purposes.	5.2.5
Historic and Cultural Resources-5	Work with property owners and developers to implement adaptive reuse strategies that preserve the character and viability of the city's historic sites, buildings, districts, landscape features, murals, and neighborhoods.	5.2.7
Historic and Cultural Resources-6	Pursue grants and technical assistance as available to assist property owners with the preservation and rehabilitation of storefronts and buildings in the historic districts to preserve and restore their historic appearance and economic viability.	5.2.8

LDC Comments
This and the previous policy were originally combined into one and have been separated out for clarity
This encourages the City to look at the future land use map in areas including the PAA and consider zones that implement these designations and whether the future land use designations would need to change.
This revised policy originally referred to neighborhood centers, a specific planning concept that is not used in city plans or code in the degree of detail outlined here. That term was replaced with commercial nodes.
Moved from Community Character policies.

LDC Comments
Supportive of new housing requirements (further changes to come in housing element).
This language is adapted from VISION 2050.
Modified existing policy
Modified existing policy

LDC Comments
Modified existing policy
Modified existing policy
Modified existing policy
Modified - less specific regarding organizations
Modified existing policy

Existing Policy #	Existing Section	Text	Action
7.2.1	Balanced, Healthy Development Pattern	Zone to allow and encourage mixed-use areas that integrate residential, commercial, office and public uses so that housing, jobs, daily needs and other activities are within easy walking distance of each-other.	Revise
7.2.2	Balanced, Healthy Development Pattern	Direct development of higher-density housing to areas in close proximity to shops, public facilities and transit stops to help create place and identity, reduce commuting expenses, reduce greenhouse gas emissions and encourage physical activity.	Revise
7.2.3	Balanced, Healthy Development Pattern	Encourage land assembly allowing for feasible and attractive housing or mixed housing/commercial developments, and facilitate matching compatible owners that can work jointly to consolidate and sell or develop such land.	Remove
7.2.4	Balanced, Healthy Development Pattern	Maintain a town and neighborhood center focus for the Historic Snoqualmie and Snoqualmie Ridge neighborhoods that combines commercial, civic, cultural, residential and recreational uses.	Revise
7.2.5	Balanced, Healthy Development Pattern	Ensure land use and zoning changes do not result in significant adverse impacts to adjacent properties and require appropriate landscape buffers or mitigation to minimize the potential for incompatibility between existing and proposed uses.	Remove
7.2.6	Balanced, Healthy Development Pattern	Limit the siting and operation of adult entertainment businesses to the maximum degree constitutionally permissible to ensure such uses have a minimal impact on schools, churches, parks, public buildings, residential districts, and businesses.	Revise
7.2.7	Balanced, Healthy Development Pattern	Provide an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.	Move - Parks, Recreation, Open Space, and Trails Plan
7.2.8	Balanced, Healthy Development Pattern	Restrict the allowance of drive-through and formula fast food restaurants in retail business districts in close proximity to schools.	Remove

Existing Policy #	Existing Section	Text	Action
7.2.9	Balanced, Healthy Development Pattern	Encourage site design and parking standards that support other Comprehensive Plan objectives, such as impervious surface reductions, increased landscaping, better transit linkages and greater pedestrian and bicycle orientation.	Remove
7.2.10	Balanced, Healthy Development Pattern	Once initial development under an approved Mixed Use Final Plan is complete, revise Mixed Use zoning to district classifications consistent with the existing use, to regulate future use and development.	Revise
7.4.1	Residential Land Use	Maintain land use designations and zoning to allow and encourage a spectrum of housing types and price ranges that match the jobs in the City and make it possible for people to live and work in Snoqualmie.	Revise
7.4.2	Residential Land Use	Define residential density according to Table 1.1, and maintain zoning that promotes new residential subdivisions containing an integrated mix of lot sizes to promote housing diversity and avoid streetscape monotony.	Remove
7.4.3	Residential Land Use	Limit the height and scale of multifamily buildings to three stories, but consider additional height for special needs or affordable housing, where viewshed impacts can be mitigated.	Remove
7.4.4	Residential Land Use	Use multiple family housing as a transition between uses so that higher density apartment and townhouse projects are located closer to commercial and industrial land uses, and lower density duplex, triplex, garden apartments and townhouses are located closer to single family areas.	Remove
7.4.5	Residential Land Use	Provide for residential streets that maintain property values and encourage walking by supporting pedestrian safety and comfort, through standards that require on-street parking and sidewalks separated by planter strips with street trees.	Move - Transportation Element
7.4.6	Residential Land Use	Allow day care homes in all residential zones and allow day care centers in single family zones through the conditional use process, subject to state licensing and other requirements.	Remove

Existing Policy #	Existing Section	Text	Action
7.5.1	Commercial Land Use	Provide sufficient areas with appropriate zoning to provide the full continuum of goods and services needed to serve the local population.	Revise
7.5.2	Commercial Land Use	Concentrate retail uses in the historic downtown and the Snoqualmie Ridge neighborhood center, while also allowing for service, hospitality and office uses.	Revise
7.5.3	Commercial Land Use	Allow and encourage neighborhood scale retail and service business uses within large-scale master-planned residential and mixed-use developments.	Revise
7.5.4	Commercial Land Use	Require industrial development be designed to minimize environmental impacts, complement viewscapes, retain significant trees, and buffer impact-generating activities from other less intense uses.	Remove
7.5.5	Commercial Land Use	Locate commercial areas along major arterials to ensure adequate visibility and convenient access, but prohibit individual driveway access for separate commercial uses along SR 202 and the Snoqualmie Parkway.	Remove
7.5.6	Commercial Land Use	Support the transformation of underutilized lands such as brownfields and greyfields to viable mixed-use or commercial/industrial employment areas as appropriate.	Revise
7.6.1	Institutional & Utilities Land Use	Allow public and private elementary, middle, and high schools as a conditional use in all zoning districts, except the Parks and Open Space and Utility Park districts.	Remove
7.6.2	Institutional & Utilities Land Use	Allow for institutional uses in Mixed Use and Planned Commercial/Industrial districts, and specify certain institutional uses, such as museums, interpretive centers, and community recreation centers as appropriate for designated Parks and Open Space areas.	Revise
7.6.3	Institutional & Utilities Land Use	Allow the siting of Essential Public Facilities through the issuance of an Unclassified Use Permit, and ensure that they appropriately mitigate potential impacts on adjoining properties and neighborhoods.	Revise

Existing Policy #	Existing Section	Text	Action
7.6.4	Institutional & Utilities Land Use	Allow power generation facilities and accessory uses, sewage and water treatment plants, other public or private utilities and parks and open space uses in areas designated Utility Park, as well as visitor-related commercial services as a conditional use.	Revise
7.6.5	Institutional & Utilities Land Use	Ensure that the existing rural, undeveloped character of the Snoqualmie Falls viewshed is adequately protected with any future development in the Puget Western - Snoqualmie Falls Utility Park area.	Remove
7.6.6	Institutional & Utilities Land Use	Require major communication utility development to provide setbacks, screening and landscaping to minimize visual impacts on adjacent properties, and provide an appearance as compatible as possible with the uses permitted in the zone.	Remove

Proposed Implementation Actions and Policies

#	Text
Implementation Action-1	Move policies 7.7.1 - 7.7.6 regarding Annexation Criteria to the Snoqualmie Municipal code, including: • Are consistent with the Comprehensive Plan • Will logically extend or make more uniform City boundaries for more unified area-wide planning • Show that there are adequate municipal services exist to serve the area, or include a reasonable service plan • Make providing public services geographically and economically feasible • Include a proposed land use plan and transportation study; • Would benefit the City by increasing employment opportunities, improving road connections, diversifying housing choices, or offering unique park or open space opportunities. • Includes established subdivisions.

#	Text
Implementation Action-2	Move policies 7.8.1 - 7.8.8 regarding required features of Annexation Implementation Plans to Snoqualmie Municipal Code, including: • Proposed land uses and primary road network and connections • Primary sewer, water, and stormwater utility systems, and whether the annexation requires an update to the City's current Comprehensive Water, Sanitary Sewer, and Storm Drainage Plans. • Provision for amendment in response to environmental review, changes over time in housing and employment needs, neighboring land uses, and evolving City and King County policies. • Buffers to adjacent rural and resource areas from more intensive land uses, where applicable. • A required study of all applicable sensitive areas. • Requirement that all development approvals conform substantially to the annexation implementation plan • Requirement that in the Mixed Use Zone, an approved mixed use final plan will be the controlling document for subsequent property development approvals. • Option for granting exceptions to annexation implementation plan requirements for annexations intended to provide facilities to serve the public health and safety needs of residents of the City and its urban growth area. • Allow for a deferral of the Annexation Implementation Plan when that the terms associated with such deferral are established in a pre-annexation agreement approved by City Council and executed by all affected parties. • A legally binding commitment to provide as part of development, or to fairly and equitably share on a pro-rata basis, the cost of future needs, including parks and open space, schools, fire protection services, and roads.
Annexation-1	Enter into interlocal agreements with King County for annexations when feasible, including the application of contingent zoning to potential annexation areas.
Annexation-2	Annexations should be reflective of the community's vision for growth, diversify the City's tax base, increase sales tax revenue, and be servable by public water and sewer, as well as the transportation network, including consideration of public transit.

#	Text
Floodplain-1	Within the floodplain, but outside the floodway, allow for infill and redevelopment in residential zones featuring a range of housing options, including Accessory Dwelling Units, within walking distance of the historic downtown commercial core.
Floodplain-2	Protect development from flood hazards through the application of residential lot coverage and impervious surface standards.
Floodplain-3	Support commercial uses compatible in scale and character to existing single-family uses in residentially-zoned districts within the floodway.
Floodplain-4	Work with governmental agencies to acquire riverfront properties within the floodway and to naturalize them in order to allow for incorporation into a resilient river corridor.
Floodplain-5	Continue to participate in the FEMA Flood Insurance Program and Community Rating System, and implement measures to improve the City's flood insurance rating to benefit floodplain property owners.
Floodplain-6	Support programs that address potential displacement of commercial uses in the floodway.
Growth Area-1	Present docket items addressing Urban Growth Area adjustments to accommodate uses needed to serve the community.
Land Capacity-1	Regularly evaluate the supply of vacant land and land suitable for re-development.

Related Existing Policy	LDC Comments
7.7.1 - 7.7.6	

Related Existing Policy	LDC Comments
7.8.1 - 7.8.8	
New	
7.1.3	

Related Existing Policy	LDC Comments
7.3.1, 7.3.2	Modifed based on feedback from Snoqualmie Tribe.
7.3.3	
7.3.4	This supports the floodway overlay zone.
7.3.5	Modifed based on feedback from Snoqualmie Tribe.
7.3.7	
New proposed policy based on recommendations of HSP/Middle Housing Analysis.	
7.1.5	
7.1.2	

Existing Urban Growth Area and Annexation Policies

Existing Section	Existing Policy #	Text	Action
Urban Growth Area	7.1.1	Maintain a sufficient supply of suitable land in the applicable land use designations within the City and urban growth area to ensure residential development capacity meets or exceeds the City's twenty-year housing projections.	Remove
Urban Growth Area	7.1.2	Regularly evaluate the supply and suitability of vacant and re-developable land in the City's Urban Growth Area for capacity to accommodate the full range of urban land uses needed to support projected growth in the City and surrounding rural area, including medical, governmental, institutional, commercial, service, retail and other non-residential uses as appropriate.	Revise
Urban Growth Area	7.1.3	Assess the adequacy of the designated Urban Growth Area for non-residential uses through policies addressing topics including but not limited to: community vision for a self-contained community meeting most resident needs locally; a diverse tax base not excessively dependent on property tax revenue; the ability to provide public services at adopted levels of service; and the impact of sales taxes lost to other communities due to the lack of an adequate land base.	Revise
Urban Growth Area	7.1.4	Consider accessibility to major transportation corridors in determining the location of proposed additions to the Urban Growth Area, or the feasibility of providing such access through new publicly or privately constructed transportation facilities.	Remove
Urban Growth Area	7.1.5	Present docket items for the King County Comprehensive Plan update cycles addressing Urban Growth Area adjustments based on the existing designated Urban Growth Area capacity to accommodate the full range of urban uses needed to serve the community, in accordance with the City Comprehensive Plan.	Revise
Annexation Proposals	7.7.1	Require annexation proposals to be consistent with the Comprehensive Plan, and to meet all of the following criteria:	Implementation Item

Existing Section	Existing Policy #	Text	Action
Annexation Proposals	7.7.1.A	The annexation will logically extend City boundaries for more unified area-wide planning, or make existing City boundaries more uniform by eliminating irregular boundary lines and unincorporated islands of land;	Implementation Item
Annexation Proposals	7.7.1.B	Adequate municipal services exist to serve the area, or a reasonable service plan, including funding, is in place;	Implementation Item
Annexation Proposals	7.7.1.C	The proposed annexation boundaries make providing public services geographically and economically feasible;	Implementation Item
Annexation Proposals	7.7.1.D	The proposal includes a proposed land use plan and transportation study;	Implementation Item
Annexation Proposals	7.7.1.E	The proposal includes a legally binding commitment to provide as part of development, or to fairly and equitably share on a pro-rata basis, the cost of future public and institutional needs such as: parks and open space, schools, fire protection services, roads, utilities and public facilities.	Implementation Item
Annexation Proposals	7.7.2	When in the public interest, consider annexation proposals when required for municipal facilities or public utilities, they will provide municipal services necessary for public health and safety, or to include property in common ownership that is partially within corporate limits and annexation is desired by the owner.	Implementation Item
Annexation Proposals	7.7.3	Consider annexation proposals when it would benefit the City, such as allowing for development of employment uses providing family wage jobs; improving circulation through new road connections; providing for increased housing choices; or offering unique park or open space opportunities.	Implementation Item
Annexation Proposals	7.7.4	Prior to annexation, require the preparation and approval by City Council of an Annexation Implementation Plan for all, or an appropriate portion, of the applicable planning subarea to serve as a general land use and policy guide for annexation area development.	Implementation Item

Existing Section	Existing Policy #	Text	Action
Annexation Proposals	7.7.5	Prior to annexation, require the preparation of a pre-annexation zoning regulation, pursuant to the provisions of RCW 35A.14.330 and 340 that is consistent with the comprehensive plan land use designation for the property.	Implementation Item
Annexation Proposals	7.7.6	Ensure annexation of individual properties conform substantially to the policies of the approved annexation implementation plan, and the applicable policies of the comprehensive plan.	Implementation Item
Annexation Implementation Plans	7.8.1	Require an annexation implementation plan to portray, at a minimum, proposed land uses; primary road network and connections; and primary utility systems, including locations for sewer mains and lift stations, major storm water facilities, water mains, pump stations and reservoirs.	Implementation Item
Annexation Implementation Plans	7.8.2	Require the annexation implementation plan include a review of the City's current Comprehensive Water, Sanitary Sewer, and Storm Drainage Plans, and include provision for any required updates to those plans.	Implementation Item
Annexation Implementation Plans	7.8.3	Allow that annexation implementation plans may be amended in the review process of more specific final plans based on environmental review, in response to changes over time in housing and employment needs, neighboring land uses and evolving City and King County policies.	Implementation Item
Annexation Implementation Plans	7.8.4	Require all development approvals to conform substantially to the annexation implementation plan. An approved mixed use final plan will be the controlling document for subsequent property development approvals in the Mixed Use Zone.	Implementation Item
Annexation Implementation Plans	7.8.5	Where the area proposed for annexation abuts designated King County rural or resource areas, require the land use plan to include buffers to adjacent rural and resource areas from more intensive land uses.	Implementation Item

Existing Section	Existing Policy #	Text	Action
Annexation Implementation Plans	7.8.6	When the proposed annexation area contains sensitive areas, require the annexation implementation plan to include a study of all applicable sensitive areas.	Implementation Item
Annexation Implementation Plans	7.8.7	Consider granting exceptions to annexation implementation plan requirements for annexations of a public health and safety nature, or providing facilities to serve residents of the City and its urban growth area.	Implementation Item
Annexation Implementation Plans	7.8.8	When a proposed annexation is not accompanied by a development proposal allowing for meaningful consideration of required Annexation Implementation Plan topics, consider deferring Annexation Implementation Plan preparation until after annexation, provided that the terms associated with such deferral are established in a pre-annexation agreement approved by City Council and executed by all affected parties.	Implementation Item
Annexation Implementation Plans	7.8.9	Require Mill, Snoqualmie Hills, and Snoqualmie Falls Planning Area annexation implementation plans to implement the requirements of specific Planning Areas as articulated in Table 1.3.	Remove

Existing Floodplain Land Use Policies

Existing Section	Existing Policy #	Text	Keep / Revise / Move / Combine / Remove
Floodplain Land Use	7.3.1	Limit creation of new single family residential lots in the floodplain to low density where roads and services are adjacent, but allow for small lot infill and redevelopment with attached townhomes and residential units above commercial uses in the floodplain where such uses can be served by alleys and are within walking distance of the historic downtown commercial core.	Revise
Floodplain Land Use	7.3.2	Encourage a range of housing options and settings by allowing for creation of new lots in the floodplain through subdivisions with various low density lot sizes as appropriate, depending on existing infrastructure, development pattern and proximity to the downtown core.	Revise
Floodplain Land Use	7.3.3	Help protect development from flood hazards through residential lot coverage standards and impervious surface standards for different land use designations.	Revise
Floodplain Land Use	7.3.4	Use the Floodway Overlay District (SMC 17.40) for residentially-zoned districts within the 100-year floodway to provide opportunity for commercial uses compatible in scale, character and impacts to existing single-family uses.	Revise
Floodplain Land Use	7.3.5	Work with the King County Flood Control District to target high risk, chronically affected and repetitive loss riverfront properties within the floodway for eventual acquisition.	Revise
Floodplain Land Use	7.3.6	Do not permit the construction of critical facilities or heavy industrial uses within the floodplain unless there is no feasible alternative. Require critical facilities permitted within the floodplain to be elevated or floodproofed consistent with FEMA technical guidance.	Remove
Floodplain Land Use	7.3.7	Continue to participate in the FEMA Flood Insurance Program and Community Rating System, and implement measures to improve the City's flood insurance rating to benefit floodplain property owners.	Keep

Existing Floodplain Land Use Policies

Existing Section	Existing Policy #	Text	Keep / Revise / Move / Combine / Remove
Floodplain Land Use	7.3.8	Require the first floor of new residential construction and construction involving substantial improvements to existing residential structures to be elevated to at least three feet above the base flood elevation.	Remove

Date	Source	Comment	Category
6-Apr	Open House	Abiding with flood control requirements downtown (old and new development) - impacts all of us downtown and our insurance rates	Land Use
7-Apr	Online Survey	Land use needs to be very intentional. I want to preserve as many natural resources as possible. I do think Snoqualmie needs affordable housing for the middle class. Maybe an apartment complex with affordable rent. I would also love to have a few more restaurant choices. There are plots of land in the Williams Addition that I am interested in buying but was told that they aren't for sale. It would be great if people had more options of buying land in Snoqualmie.	Land Use
7-Apr	Online Survey	I hope that over the next 20 years of land development that strip malls like the ones that run along Gilman Blvd don't happen along Snoqualmie parkway. As people push to get further out of the city and masstransit follows to accommodate and reduce the congestion on roads it would be nice if consumerism/commercial space could be built upward and not sprawl.	Land Use
9-Apr	Online Survey	I'm not for multi family zoning in single family neighborhoods. Brings in the wrong kind of people. I'm sure the city of snoqualmie is planning for zoning changes to accommodate higher government edicts to get more money. Land use is most always about taking others property for the betterment of the city. Nice socialism tendencies.	Land Use
9-Apr	Online Survey	We would like to know what this plan is. Please publish it. We would like to see our area stay rural and beautiful, adding more trees to medians with more plant materials especially up in our town area in upper Snoqualmie. Then more trees added to our developments including ours in Ironwood. No more new developments of houses or expansions of businesses or hotels. Keeping it rural!! BEAUTIFUL! NATURAL. PLEASE!! Thank you. That is why we bought in this gorgeous area. Plus it keeps our traffic numbers down, plus crime, etc… more safety… Please hold true to the vision they had when originally creating Snoqualmie Ridge and keeping lower Snoqualmie and North Bend lovely and not all developed… thank you.	Land Use
9-Apr	Online Survey	Please just keep us rural.. no more developments. As I heard is the plan. We would love to have more restaurants.. I think keeping the rents low in the towns for businesses to flourish is the key plus taxes low and utilities.. not taxing us to death. So important!!!! To us all!!!	Land Use
10-Apr	Online Survey	I am grateful that the city is not being over-developed. I just moved from Anacortes, where the woodlands have been decimated over the past few years without regard for expanding infrastructure. There also doesn't seem to be the same issues with un-housed encampments that have grown out of control.	Land Use
10-Apr	Online Survey	Th amount of building makes me wonder who is getting rich that we have to cover over so much nature. They obviously have the ear of the peel n control.	Land Use
11-Apr	Online Survey	I like keeping the growth down and maintaining the forests and mountain look of the community.	Land Use
11-Apr	Online Survey	Stop developing	Land Use
12-Apr	Online Survey	Push back on the huge growth targets. Keep this a small town - livable, not crushed all together and dodging thousands of cars & trucks. The growth management act calls for high density in the major urban areas, and keeping small towns as small - not growing small towns into big cities. Scale back zoning to less density. Scale back the UGA. Most important: Keep in mind limitations of water rights - don't plan for lots of growth that has no water available to support it.	Land Use

12-Apr	Online Survey	Please do not consider additional residential permit approvals to build more housing mini or large communities.	Land Use
12-Apr	Online Survey	Keep the city small!	Land Use
14-Apr	Online Survey	I'm seeing conflicting data about population growth in our region but it seems safe to say that growth is going to continue. Access to normal family housing continues to be extremely limited. Everywhere in the region. We need more housing. It would be good to get away from relying on developers for local revenue. We need a good hotel that supports various kinds of tourism. We need to protect and support our natural ecosystems, including Meadowbrook and the local Elk populations. This is Snoqualmie Valley: A beautiful, desirable place that families flock to live that should continue to grow *while* protecting our rivers, lakes, woodlands, trails and other outdoor recreation spaces, and the most beloved pieces of our prized local history. Both things are essential.	Land Use
18-Apr	Online Survey	Enact a building moratorium. The constant new phases of the Ridge going in and continued clear cutting of the forest around here to keep building more town houses is making Snoqualmie a less nice place to live. It's turning in to Issaquah.	Land Use
18-Apr	Online Survey	Increase density. Encourage supportive services in a Sno-Valley Human Services Committee/Commission	Land Use
18-Apr	Online Survey	I would like to see the land on the other side of the river from the ridge remain undeveloped including the old mill site.	Land Use
18-Apr	Online Survey	My family appreciates deliberate, patient growth that pays attention to density as well, but we're not opposed to growth in Snoqualmie. We support development that continues to help make the town livable and attractive. A huge part of development though is getting the traffic management right. This is the number one detractor for me and my family, and I know growth in both Snoqualmie and North Bend will exacerbate the current traffic issues at the 18/90 interchange, 202, and the parkway if not managed well.	Land Use
19-Apr	Online Survey	Stop using up the land in Snoqualmie and keep it like it is, it has already become too over crowded and busy.	Land Use
19-Apr	Online Survey	Population growth is a major concern in the upper valley. The number of residents has exploded in the last 20 years. It's become noisy, it's hard to make a left turn onto 202 in Snoqualmie, there are hardly any stars in the night sky, traffic is heavy, trailheads are jammed, water use is a big issue, crime is rising. Enough people - limit upper valley census. Why do we assume we have to plan for and accommodate every human who wants to move out here ?	Land Use
19-Apr	Online Survey	It's getting too population crowded in the upper valley. Snoqualmie, at least, has concentrated it's population onto the ridge, keeping it in a relatively smaller space and close to freeway access. North Bend is sprawling all over, road infrastructure is limited and traffic is heavy. Water rights and river health are threatened. Crime is rising. What's wrong with maintaining our authenticity as genuine, relatively rural smaller towns.	Land Use
20-Apr	Online Survey	Stop new land development and build on existing developments.	Land Use

20-Apr	Online Survey	The city is a good size right now and does not have the land for more housing without changing the nature of the community, which had many of us choose Snoqualmie. Land use should be focused on building out recreational activities and unique mountain town attractions that will bring more tourists to our town. There are opportunities for trails - walking, hiking, biking - and better river access and recreation.	Land Use
20-Apr	Online Survey	I love seeing the small local businesses here, and I hope we continue to encourage that. As we grow I'd love to see the mixed-use approach where it's possible to have little local shops mixed in with the housing so that we encourage walkable neighborhoods. I'd also love to see some extension of sidewalks on roads that don't have them so that cars aren't always needed to get to relatively nearby places. As the city grows it would be great to require that new commercial or apartment buildings look like they fit into a mountain town rather than going with some of the cheap modern styles. This is very minor, but I also wish we were a bit more strict about off-leash dogs in this city, it can be a real problem sometimes with aggressive or poorly trained dogs and it feels like that's been getting worse rather than better.	Land Use
22-Apr	Online Survey	Our thoughts are, we moved to Snoqualmie because it was rural in the feel of the area, with tons of trees, nature you could easily go walk into, forested areas, and a generous amount of housing for people to purchase homes in. We understand that the housing developments are all done and we hope to keep it that way way into the future. Also, keeping our roads open, traffic free, and relaxing.	Land Use
26-Apr	Online Survey	I have little to no hope this will reach people who look at Snoqualmie and see a nice small(ish) town with lots of beautiful wilderness instead of people who see dollar signs and land ready for development but I live in Snoqualmie for the former reasons not the latter. All I can hope is that the potential tourism we get from being a cute small town and a destination for hikers, nature lovers, etc can still be a selling point because it's pretty clear money wins out every time with the current government. But that's where my priorities are, wilderness having value for simply existing and not being a revenue stream. Seeing elk herds roaming around and having space to exist that hasn't been taken from them. Being able to walk to the post office or grocery store. Not worrying about traffic jams and clogged streets. The ability to live in a small town that still feels like a community. We've got the draws of the casino and impending ampitheater already please leave it at that.	Land Use
9-May	Online Survey	Stop building so many residences on the Ridge. It's seriously overcrowded.	Land Use
9-May	Online Survey	We need to keep preserving as much of the native forests and parks as possible. STOP building so much !! The property around Dirt Fish SHOULD NOT be used as anything resembling a neighborhood where people live. IT'S POLLUTED, period.	Land Use
9-May	Online Survey	STOP BUILDING !!! I did not move out here to be overrun with people. You are ruining the small town atmosphere that most of us moved out here for. You are turning the Valley into another Issaquah . . . NO THANKS . . .	Land Use
17-May	Online Survey	What’s up with that building in front of the weird hotel? Just strange.	Land Use

25-May	Online Survey	Please consider the natural beauty of this area. Avoid clearing huge tracts of land for high-density housing. Be considerate of wildlife and the effect of our community on their environment. If you develop the old mill site, do it for a natural area which can be used for hiking, biking and outdoor activities and not another retail,office or other commercial debacle. The hotel that was built was allowed to exist as a kickback to the former mayor and his family. It blocked the views of Mt.Si and does not fit the environment. Use that as a cautionary tale of what NOT to do. Don't turn into Redmond or Kirkland, …no matter how much you want tax revenue.	Land Use
8-Jun	Online Survey	The less development the better.	Land Use
10-Jul	Online Survey	The Snoqualmie Ridge Mixed Use plan of September 15,1995 shall be followed. All wetlands and designated sensitive areas must remain as they are today and shall be untouched. The area surrounding Snoqualmie falls especially shall remain as is and untouched. Building heights in downtown Snoqualmie should be kept at its current maximum to keep the current view when driving on Highway 202 through the city. The design of keeping the "Unique" Small Town feel must be kept. Fast food restaurants such as McDonalds and similar should not be built, whereas, in doing so would be contrary to the small town feel. EIS studies and any necessary environmental clean-up in the Mill Pond area should be conducted for housing consideration. Small businesses should be encouraged by the city. The historic trains along Highway 202 should be kept. Tourism with the Snoqualmie Falls and the Unique Small Town design of Snoqualmie city must be viewed as a main city revenue source.	Land Use
12-Jul	Online Survey	I'm a bit anti development, so I'd like to see less residential and only thoughtful commercial development in the future.	Land Use
13-Jul	Online Survey	Seems fine.	Land Use
22-Jul	Online Survey	I am concerned with continuing development and loss of green space. I also wish there were homes with bigger lots. I cannot find smaller homes on larger plots for gardening and the few that exist seem to be disappearing. It takes away from the character of the community and contributes to environmental and wildlife harm. We have such a precious gift of this valley and am concerned with increasing density that we squander it's resources, drive away small farms which are vital to food supply, and eradicate the very things that drew so many of us here.	Land Use
12-Oct	Online Survey	Recently we had family come visit from CO and they asked why there was a train junkyard all along the entrance to the city. If we want to be known for trains (which honestly no one I know cares about) at least get some that are decent looking - With so many visitors to the Falls it makes the city seem broken and run-down and not everyone realizes that we also have an "uptown" on the Ridge. 3/4 of the city live on the Ridge and pay the bulk of the taxes so please pay attention to what we want vs the historical section of the town.	Land Use
7-Apr	Online Survey	We are possibly at a fortunate inflection point where are local challenges are not yet exceeding our ability to course correct them. We should be critical about looking at leading indicators of challenges on the horizon and focus there versus chasing shiny objects, like community pools or major shopping centers, when the data says we have other systemic or foundational areas to improve or mature.	Vision
10-May	Online Survey	We are about right sized. Please no more land or housing. Mayor's constant desire for a bigger ego/city should never be the motivation for growth. The city should focus on healthy roads and community services. If the budget does not allow for these things put it up for vote, not more housing.	Vision

10-May	Online Survey	Love what has been created. Don't mess it up by enlarging. Not sure what is missing. I have three kids who are thriving. My neighbors kids are doing well. You have some who's parents are lacking in parental skills and their kids could use drug and alcohol treatment, but a bigger city and more housing would not solve that. This city should not be an economic powerhouse. It is a bedroom community, doing well. Keep it that way. The ridiculous road fix down the parkway should be cleaned up. Those tar lines are pathetic. Where is the tax money going? Get rid of the contracted civil engineer Perteet. The guy is a pain to work with and not a good representative of the city. Hire a civil guy when needed but this guy has gotten rich off of Snoqualmie and for whatever reason he scares the city officials and the cowtow to him. It's embarrassing and not a help to getting things done.	Vision
15-May	Online Survey	Keep u quaint. Keep us small. Keep us what we are known for. Quality lifestyle. Connected caring community members. Stewards of our community preserving it's heritage and future. We have grown tremendously at an astonishing level. Go back 40 years and look at what has transpired from king county master plans to what we see today. Looking ahead to 2044... It boils down to... "what is enough?"	Vision
7-Apr	Online Survey	I would LOVE if the William's addition can be put on city sewer!	
24-May	Online Survey	Would like to see some infill density added to downtown and across the River in the Mill district.	
10-Jul	Online Survey	There should be no further development in the Snoqualmie Falls area and communication with the Indian Tribes regarding this area must be maintained.	Land Use
18-Oct	Open House	Extreme concern about the traffic impact on downtown with Mill Development. Also extremely concerned about environmental impacts. Growth is inevitable, but this is irresponsible.	Land Use
18-Oct	Open House	Protect large tracts of land designed for elk movement through town.	Land Use
18-Oct	Open House	Buy old Mill land for wildlife viewing	Land Use
18-Oct	Open House	We like the rural feel and life style that is already here. Please NO more building and taking down of trees and natural spaces!! Send to Issaquah.	Land Use
18-Oct	Open House	As a resident in "old" Snoqualmie - I value the small-town out-doorsey feel and do not want any new retail shops and businesses. I am happy with what is here and to go to Issaquah for other shops.	Vision

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-013
January 22, 2024
Appointment

AGENDA BILL INFORMATION

TITLE:	**AB24-013:** 2024 Council Liaison and Regional Appointments	☐ Discussion Only ☒ Action Needed:
RECOMMENDED ACTION:	Mayor Pro Tem appoints councilmembers to council liaison, and regional appointments	☒ Motion ☐ Ordinance ☐ Resolution

DEPARTMENT:	City Council (Mayor Pro Tem)	
STAFF:	Deana Dean, City Clerk	
COMMITTEE:	n/a	Meeting Date: n/a
COUNCIL LIAISON:	n/a	
EXHIBITS:	1. 2023 Council Committee, Liaison, & Regional Appointments	

SUMMARY

Pursuant to City Council Rules of Procedure, Rule 6, the Mayor Pro Tem, subject to approval of a majority of the Council, shall appoint a councilmember as liaison to council committees and commissions, and regional committees.

NEXT STEPS

The website and email distribution lists will be updated to reflect new appointments.

RECOMMENDED ACTIONS

MOVE to approve Mayor Pro Tem's appointments to Council Liaisons and Regional Boards and Committees.

2024 COUNCIL COMMITTEE, LIAISON, & REGIONAL APPOINTMENTS

2024 Mayor Pro Tem Bryan Holloway

Updated: 1/18/2024 3:15 PM

COMMITTEE	2024	DAY	TIME
Community Development	Louis Washington, **Chair**	1st and 3rd Monday	6 PM
Staff Support: *Community Development Director & Staff*	Jo Johnson Rob Wotton		
Finance & Administration	Bryan Holloway, **Chair**	1st and 3rd Tuesday	6 PM
Staff Support: *City Clerk*	Cara Christensen Jo Johnson		
Parks & Public Works	Ethan Benson, **Chair**	1st and 3rd Tuesday	5 PM
Staff Support: *City Clerk*	Bryan Holloway Cat Cotton		
Public Safety	Rob Wotton, **Chair**	1st and 3rd Monday	5 PM
Staff Support: *City Clerk*	Cat Cotton Cara Christensen		
LIAISON	**2024**	**DAY**	**TIME**
Arts Commission	Rob Wotton	2nd Monday	5:30 PM
Economic Development Commission	Vacant	3rd Wednesday	8:00 AM
Human Services Advisory Committee	Vacant	As needed	
Lodging Tax Advisory Committee	Bryan Holloway	As needed	
Meadowbrook Farm Preservation - Website	Rob Wotton Jolyon Johnson, Alt	2nd Monday	12:00 PM
Northwest Railway Museum - Website	Jolyon Johnson	3rd Thursday	5:30 PM
Parks & Events Commission	Ethan Benson	3rd Monday	7:00 PM
Planning Commission	Jolyon Johnson	1st and 3rd Monday	7:30 PM
PRIMA	Cara Christensen	Quarterly	
Railroad Days Committee - Website	Bryan Holloway	2nd Monday	10 AM
Snoqualmie Valley Chamber of Commerce	Vacant	2nd and 4th Wednesday	9 AM
Sound Cities Association (6:00 Pre-PIC workshop)	Cara Christensen Louis Washington, Alt	2nd Wednesday	7:00 PM
Snoqualmie Valley School District #410	Cara Christensen	Thursdays	
Snoqualmie Valley Hospital District	Bryan Holloway	1st Thursday	6:30 PM
Snoqualmie Watershed Forum	Louis Washington Bryan Holloway, Alt		
Snoqualmie Tribe	Vacant	As needed (Ad Hoc)	
SE Area Legislative Transportation Coalition (SEAL-TC)	Rob Wotton	1st Tuesday	8 AM
Snoqualmie Valley YMCA Board - Website	Cara Christensen		

2024 SCA Regional Board & Committee Appointments

REGIONAL COMMITTEES	2022	DAY	TIME
PSRC Economic Development District Board (EDDB)	Vacant, Alt	1st Wednesday, as called	1 PM
King Conservation District Advisory Committee (KCD)	Cara Christensen, Alt	2nd Tuesday, every other month	10 AM
K4C (King County Cities Climate Collaboration) Outreach Committee	Vacant	Unknown	Unknown

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-029
February 12, 2024
Appointment

AGENDA BILL INFORMATION

TITLE:	**AB24-029**: Appointment to the Arts Commission	☐ Discussion Only ☒ Action Needed:
RECOMMENDED ACTION:	Confirm the Mayor's recommendation to appoint Sarah Elley to the Arts Commission	☒ Motion ☐ Ordinance ☐ Resolution

DEPARTMENT:	Mayor	
STAFF:	Deana Dean, City Clerk	
COMMITTEE:	n/a	Meeting Date: n/a
COUNCIL LIAISON:	n/a	
EXHIBITS:	n/a	

SUMMARY

The purpose of this Agenda Bill is to appoint Sarah Elley to the Arts Commission.

Sarah Elley has applied to fill the vacant Position #5 seat on the Arts Commission with a term expiration of January 31, 2026. She has lived in the city for 2 years and is an architect with experience working on public projects including selecting artists and incorporating public art. She is passionate about using art to connect with other people and she will make a great addition to the Arts Commission.

BACKGROUND

There are currently two vacant positions on the Arts Commission. Recruitment is continuous until all positions are filled.

APPOINTMENT PROCESS

Commission and Committee members are appointed by the Mayor and subject to confirmation by the City Council as outlined in Title 2 of the Snoqualmie Municipal Code.

RECOMMENDED ACTION

Move to confirm the Mayor's recommendation to appoint Sarah Elley to the Arts Commission.

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-024
February 12, 2024
Proclamation

AGENDA BILL INFORMATION

TITLE:	**AB24-024**: Proclamation 24-03: Twin Peaks Day	☐ Discussion Only ☒ Action Needed:
PROPOSED ACTION:	Mayor proclaims February 24, 2024, as Twin Peaks Day in Snoqualmie.	☐ Motion ☐ Ordinance ☐ Resolution

REVIEW:	Department Director	Choose an item.	Click or tap to enter a date.
	Finance	n/a	Click or tap to enter a date.
	Legal	n/a	Click or tap to enter a date.
	City Administrator	Choose an item.	Click or tap to enter a date.

DEPARTMENT:	Mayor	
STAFF:	Deana Dean, City Clerk	
COMMITTEE:	n/a	**COMMITTEE DATE:** Click or tap to enter a date.
EXHIBITS:	1. Proclamation 24-03	

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUESTED	$ n/a

SUMMARY

INTRODUCTION
February 24, 2024, will mark the seventh consecutive year that the City of Snoqualmie has recognized Twin Peaks Day. Proclaiming an official Twin Peaks Day creates positive publicity for the City of Snoqualmie, as well as increased tourism for Snoqualmie and the Snoqualmie Valley.

BACKGROUND
The television show Twin Peaks debuted in 1990 and captivated viewers around the world with scenes filmed in Snoqualmie and the Snoqualmie Valley. In the fictional world of Twin Peaks, February 24 is recognized as the date that FBI Special Agent Dale Cooper arrived in the town of Twin Peaks.

BUDGET IMPACTS
n/a

PROPOSED ACTION

Mayor proclaims February 24, 2024, as Twin Peaks Day in Snoqualmie.

Proclamation

WHEREAS, the television show Twin Peaks created by Mark Frost and David Lynch debuted in 1990 and changed television forever by breaking new ground and inspiring numerous other television shows; and

WHEREAS, Twin Peaks returned to television again in 2017, challenging viewers anew and garnering awards and critical acclaim; and

WHEREAS, Twin Peaks captivated television viewers around the world with scenes filmed in Snoqualmie and the Snoqualmie Valley that emphasized the natural beauty and history of our region; and

WHEREAS, Twin Peaks has drawn tourists year-round to Snoqualmie, the Snoqualmie Valley, and the Greater Seattle area for more than 30 years; and

WHEREAS, Twin Peaks has placed many Snoqualmie and Snoqualmie Valley locations, landmarks and businesses into popular culture, not limited to: Snoqualmie Falls, Mt. Si, Olallie State Park, the Salish Lodge & Spa, the Snoqualmie Lumber Mill and the DirtFish Rally School, The Centennial Log, Reinig Road, Twede's Cafe, The Roadhouse Restaurant & Inn, Smokey Joe's Bar & Grill, Mt. Si High School, the Reinig Bridge, Meadowbrook Bridge, and the Northwest Railway Museum Snoqualmie Depot; and

WHEREAS, February 24 is celebrated by Twin Peaks fans world-wide as the day when the character of FBI Special Agent Dale Cooper arrived in the town of Twin Peaks,

NOW, THEREFORE, I, Katherine Ross, Mayor of the City of Snoqualmie, do hereby proclaim Saturday, February 24, 2024, to be

TWIN PEAKS DAY

in the City of Snoqualmie and invite people everywhere to celebrate by "giving yourself a present" of donuts, cherry pie and fine coffee, and planning to visit our beautiful Snoqualmie Valley soon.

APPROVED, this 12th day of February 2024

_____

Katherine Ross, Mayor

CITY COUNCIL MINUTES
REGULAR HYBRID MEETING
January 22, 2024

CALL TO ORDER: Mayor Ross called the Regular Meeting to order 7:00 pm

City Council: Councilmembers Ethan Benson, Rob Wotton, Bryan Holloway, Louis Washington, Catherine Cotton, Cara Christensen, and Jo Johnson.

Mayor Katherine Ross was also present.

City Staff:
Mike Chambless, City Administrator; David Linehan, Interim City Attorney; Deana Dean, City Clerk; Brian Lynch, Police Chief; Mike Bailey, Fire Chief; Drew Bouta, Finance Director; Janna Walker, Budget Manager (remote); Nicole Wiebe, Community Liaison (remote); Tami Wood, Revenue Manager; Michael Liebetrau, Police Evidence and Records Technician; Kim Johnson, HR Manager; Emily Arteche, Community Development Director (remote); Danna McCall, Communication Coordinator; Gail Folkins, Communications Specialist; Jeff Hamlin, Interim Parks & Public Works Director; and Andy Latham, IT Support.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

It was moved by CM Holloway; seconded by CM Wotton to:
Move liaison and regional appointments to the February 12, 2024, Council meeting.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

It was moved by CM Holloway; seconded by CM Benson to:
Move the Fire Department Retirement Recognition to right after the Fire Department Badge Pinning.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

It was moved by CM Holloway; seconded by CM Benson to:
Move Councilmember Ceremonial Oath of Office to after Appointment to Economic Development Commission.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

It was moved to:
Approve the agenda as amended.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

DRAFT

PUBLIC HEARINGS, PRESENTATIONS, PROCLAMATIONS, AND APPOINTMENTS

Public Hearings

1. AB24-001: Resolution regarding Public Records Act Policy, Records Management Policy, and updated Fee Schedule. Mayor Ross opened the public hearing at 7:04 pm. Martin Wheeler of Fall City, Washington spoke. The Public Hearing was closed at7:06 pm.

Appointments

OUT OF ORDER

3. Fire Department Badge Pinning. Badge pinning ceremony for Lt Robert Lasswell and Fire Chief Mike Bailey. Chief Bailey introduced Lt Robert Lasswell and spoke to his experience and history with the department. Lt Lasswell's badge was pinned by his wife, Shay Lasswell. Mayor Ross spoke to Chief Bailey's experience and history with the department. Chief Bailey thanked Council and said a few words. Chief Bailey's badge was pinned by his wife, Stephanie Bailey. Photos followed.

Presentations

6. Fire Department Retirement Recognition. Chief Bailey spoke to Volunteer Firefighter Catherine Cotton's years of service to the organization and presented her with flowers. Photos followed.

Appointments Continued:

4. **AB24-020**: Appointments to the Economic Development Commission

   It was moved by CM Christensen; seconded by CM Holloway to:
   Confirm the Mayor's recommendation to appoint Kristina Hudson to the Economic Development Commission.
   PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

2. Councilmember Ceremonial Oath of Office

   Councilmembers Wotton, Washington, Cotton, and Christensen read their Oath of Office into the record. Photos followed.

5. **AB24-013:** 2024 Council Liaison and Regional Appointments. This item is continued to the February 12, 2024, City Council meeting.

Proclamations

EXECUTIVE SESSION

7. Executive Session pursuant to RCW 42.30.110(1)(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency lasting approximately 10 minutes.

DRAFT

At 7:33 pm, Council went into Executive Session which is expected to last until 7:45 pm.

At 7:45 pm, Council extended Executive Session to 7:55 pm.

At 7:55 pm, Council returned to open session and the recording resumed at 7:57 pm.

PUBLIC COMMENTS AND REQUESTS FOR ITEMS NOT ON THE AGENDA

CONSENT AGENDA

8. Approve the City Council Meeting Minutes dated January 8, 2024.
9. Approve the Claims Approval Report dated January 22, 2024.
10. 2024 Legislative Priorities
11. **AB24-018**: Resolution No. 1678 Ratifying Emergency Proclamation 24-02
12. **AB24-019**: Model Train MOU - One Year Extension

It was moved by CM Holloway; seconded by CM Washington to:
Approve the consent agenda.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

ORDINANCES

13. **AB24-002**: Biennial Budget Amendment to Appropriate for the Collective Bargaining Agreement with Teamsters. Introduction read into the record by CM Holloway. Discussion followed with Finance Director Drew Bouta answering questions.

It was moved by CM Holloway; seconded by CM Washington to:
Adopt Ordinance No. 1286 amending the 2023-2024 Biennial Budget.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

14. **AB24-004**: Ordinance Establishing a One-Tenth of One Percent (0.1%) Sales and Use Tax Within the Boundaries of the Snoqualmie Transportation Benefit District for the Purpose of Financing the Costs Associated with Transportation Improvements as Authorized by RCW 36.73.065 and RCW 82.14.0455. Introduction read into the record by CM Holloway. Discussion followed in which Council addressed concerns raised by citizens.

It was moved by CM Holloway, seconded by CM Benson to:
Adopt Ordinance No. 1285 Establishing a One-Tenth of One Percent (0.1%) Sales and Use Tax Within the Boundaries of the Snoqualmie Transportation Benefit District for the Purpose of Financing the Costs Associated with Transportation Improvements as Authorized by RCW 36.73.065 and RCW 82.14.0455.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

COMMITTEE REPORTS

Public Safety Committee: CM Wotton provided a report noting discussion of goals and opportunities was held at last week's committee meeting.

Community Development Committee: No report.

Parks & Public Works Committee: CM Benson noted committee had a good discussion regarding the Meadowbrook Bridge Repair.

Finance & Administration Committee:

15. **AB24-001**: Resolution regarding Public Records Act Policy, Records Management Policy, and updated Fee Schedule. Summary read into the record by CM Holloway.

    It was moved by CM Holloway; seconded by CM Cotton to:
    Adopt Resolution No. 1675 regarding RCW 42.56, the Public Records Act, adopting an updated Public Records Act Policy, a Records Management Policy, and an updated Fee Schedule, and repealing Resolution 1501.
    PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

16. **AB24-014:** Council Meeting Schedule 2024. Summary read into the record by CM Holloway. Discussion followed.

    It was moved by CM Holloway; seconded by CM Christensen to:
    Cancel the August 26 and December 23, 2024, City Council meetings.
    PASSED: 6-1 (Wotton, Holloway, Washington, Cotton, Christensen, Johnson) (Nay: Benson)

17. **AB24-007:** Resolution 1677 to Provide a Submission of a Ballot Proposition to the Qualified Electors of the City at an Election to be Held on August 6, 2024, Regarding a 0.1% Public Safety Sales Tax. Summary read into the record by CM Holloway. Discussion followed.

    It was moved by CM Holloway; seconded by CM Benson to:
    Authorize the Mayor to sign Resolution 1677 to Provide a Submission of a Ballot Proposition to the Qualified Electors of the City at an Election to be Held on August 6, 2024, Regarding a 0.1% Public Safety Sales Tax.
    PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

18. **AB24-016**: 2024 Salary Schedule and Retention Pay System for Non-Represented Management & Professional Employees. Summary read into the record by CM Holloway. Discussion followed with City Administrator Mike Chambless answering Council questions.

    It was moved by CM Holloway; seconded by CM Washington to:
    Approve the 2024 Salary Schedule and Retention Pay System for Non-Represented Management and Professional Employees.
    PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

19. **AB24-017**: Resolution No. 1679 Repealing Resolution No. 806 Concerning the Establishment of the Management/Professional Employees Performance Management System. Summary read into the record by CM Holloway.

    It was moved by CM Holloway; seconded by CM Washington to:
    Approve Resolution No. 1679 Repealing Resolution No. 806 Concerning the Establishment of the Management & Professional Employees Performance Management System.
    PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

Committee of the Whole:

20. Council Retreat Planning Discussion. It was agreed the F&A Committee be the committee to plan the Council retreat. CM Holloway asked councilmembers to send him specific items they would like to see on the agenda. This topic will be added to the next F&A agenda.

    Council Open House/Town Hall Discussion. CM Holloway led the discussion. Council identified March 28, 2024, as the tentative date.

REPORTS

21. **Mayor's Report**:
    - Thank you to Parks and Public Works, Police, Fire, and Communications team that pulled together during snow and ice storm this past week.
    - Community Center Expansion Open House is January 31st and February 8th at Snoqualmie YMCA
    - Town Hall is February 28th.

22. **City Administrator Report:** City Administrator Mike Chambless reviewed by PowerPoint the "2023 Year in Review."

23. **Council Commission, Committee, and Regional Liaison Reports:**
    - CM Benson attended the Parks & Events Commission and noted they have a desire to update city signage and wayfinding signs.

EXECUTIVE SESSION

Executive Session pursuant to RCW 42.30.110(1)(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency lasting approximately 30 minutes. Action may be taken following the executive session.

At 9:07 pm, Council took a 5-minute recess and will reconvene in Executive Session which is expended to last until 9:42 pm.

At 9:42 pm, Council extended Executive Session to 9:52 pm.

At 9:51 pm, Council returned to open session.

ADJOURNMENT

It was moved by CM Holloway; seconded by CM Johnson to:
Adjourn the meeting.
PASSED: 7-0 (Benson, Wotton, Holloway, Washington, Cotton, Christensen, Johnson)

Meeting was adjourned at 9:52 pm.

CITY OF SNOQUALMIE

_____
Katherine Ross, Mayor

Attest:

_____
Deana Dean, City Clerk

DRAFT

Finance & Human Resources Department

Jerry Knutsen, Financial Services Manager
38624 SE River St. | PO Box 987
Snoqualmie, Washington 98065
(425) 888-1555 | jknutsen@snoqualmiewa.gov

To: **City Council**
Finance & Administration Committee

From: **Jerry Knutsen, Financial Services Manager**

Date: **February 12, 2024**

Subject: **CLAIMS REPORT**
Approval of payments for the period: January 10, 2024 through January 29, 2024

BACKGROUND
Per RCW 42.24.080, all claims presented against the city by persons furnishing materials, rendering services, or performing labor must be certified by the appropriate official to ensure that the materials have been furnished, the services rendered, or the labor performed as described, and that the claims are just, due, and unpaid obligations against the city, before payment can be made. Expedited processing of the payment of claims when certain conditions have been met allows for the payment of claims before the legislative body has acted to approve the claims when: (1) the appropriate officers have furnished official bonds; (2) the legislative body has adopted policies that implement effective internal control; (3) the legislative body has provided for review of the documentation supporting the claims within a month of issuance; and (4) that if claims are disapproved, they shall be recognized as receivables and diligently pursued. The City of Snoqualmie meets all requirements of this state law.

Pursuant to Snoqualmie Municipal Code (SMC) Chapter 3.85, all Claims, Demands and Vouchers against the city, provides that the Finance Director or her designee will examine all claims prior to payment and provide periodic reporting of the payments to the City Council for final approval. Per SMC 3.85.040, to meet these requirements, the Finance Director schedules payment of claims and payroll for monthly Finance & Administration Committee review followed by full City Council approval on the consent agenda. Per SMC 3.85.050, documentation supporting claims paid and the Finance Director's written report are made available to all city council members at City Hall for 48 hours prior to the Finance & Administration Committee meeting. Following the 48-hour review period, the Finance & Administration Committee considers the claims as part of its regular agenda and recommends to the full city council whether to approve or disapprove the claims. Consistent with these requirements, this report seeks City Council approval of payment of claims and payroll batches summarized in the table below.

ANALYSIS
All payments made during these periods were found to be valid claims against the city. Details are available in documentation provided for City Council review prior to the Finance & Administration Committee meeting. The City's internal controls include certification of the validity of all expenditures by the appropriate department and an internal audit conducted by designated finance department staff who review all claims and payroll payments. Staff performs system validation and exception reviews to validate payroll records. The Finance Director performs a random sampling review of supporting documentation for claims payments to ensure validity, as well as regularly reviews its processes to ensure appropriate internal controls are in place.

The City issues disbursements for claims and payroll via the following methods:

- Warrant: paper negotiable instruments, very much like, although legally distinct from, checks
- Commercial Credit Card: as authorized by Financial Management Policy
- Electronic Funds Transfer (EFT). EFTs are electronic banking transactions (no paper instrument) of two basic

types: (1) Automated Clearing House (ACH) for Electronic Fund Transfer (EFT) and (2) Wire Transfers a direct transfer between bank accounts

The following table summarizes the claims and payments authorized by the Finance Director:

The foregoing amounts were budgeted in the 2023-2024 biennial budget, and sufficient funds to cover these payments, as appropriate.

CITY OF SNOQUALMIE
Disbursements for Council Approval
Claims, Payroll and Miscellaneous

CLAIMS

		Warrants			ACH		
Batch ID	Date	From #	Thru #	Amount	Qty	Amount	CLAIMS TOTAL
67	1/10/2024	80952	81000	$ 441,104.41			441,104.41
68	1/10/2024	81001	81013	$ 827,828.96			827,828.96
69	1/19/2024	81014	81066	$ 360,467.47			360,467.47
70	1/19/2024	81067	81067	$ 34,967.46			34,967.46
							-
							-
						Grand Total	**1,664,368.30**

MISCELLANEOUS DISBURSEMENTS

Date	Description	ACH Amount	Wire Amount	MISC TOTAL
1/18/2024	Navia - 2023 FSA Plan Reimbursements	$ 629.48		$ 629.48
1/18/2024	Navia - 2023 HRA Plan Reimbursements	$ 1,284.13		$ 1,284.13
1/18/2024	Navia - 2024 HRA Plan Reimbursements	$ 4,844.69		$ 4,844.69
1/23/2024	Navia - 2024 HRA Plan Reimbursements	$ 10,436.99		$ 10,436.99
1/24/2024	Dept. of Revenue - Quarterly Leashold Excise Tax	$ 3,833.53		$ 3,833.53
1/24/2024	Dept. of Revenue - Monthly Excise Tax	$ 42,771.98		$ 42,771.98
1/29/2024	Firefighters VEBA HRA Plan Contributions for 2023	$ 53,278.50		$ 53,278.50
				-
			Grand Total	**117,079.30**

PAYROLL (including Payroll Benefits)

		Warrants			ACH		
Batch ID	Date	From #	Thru #	Amount	Qty	Amount	PAYROLL TOTAL
P1-22-24	1/22/2024				106	$ 390,020.64	390,020.64
PV1-22-24	1/22/2024	62375	62380	$ 5,657.99	13	$ 271,465.32	277,123.31
P1-22-24 Vd	1/22/2024				1	$ (15,150.83)	(15,150.83)
P1-22-24 #2	1/22/2024				1	$ 3,591.20	3,591.20
							-
						Grand Total	**655,584.32**

Total **2,437,031.92**

The following claims and payments were objected to by Finance Director: **NONE**

(Itemize claims/demands amounts and circumstances, and summarize reasons for objection]

I, the undersigned, do hereby certify under penalty of perjury that the claims and payroll warrant and/or checks itemized above were issued to pay just, due, and unpaid obligations of the City of Snoqualmie for materials furnished, services rendered, or labor performed, and that I am authorized to authenticate and certify the foregoing.

Jerry Knutsen — Jan 30, 2024

Jerry Knutsen, Financial Services Manager/Auditing Officer — Date

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FINANCE & ADMINISTRATION COMMITTEE RECOMMENDATION

City of Snoqualmie
Claims presented to the City to be paid in the amount of $441,104.41
For claims warrants numbered 80952 through 881000 & dated 1/10/2024 **#67**

VENDOR NAME	ACCOUNT	ACCOUNT DESC	YEAR	PERIOD	TYPE	STATUS	AMOUNT	CHECK NO	INVOICE #	FULL DESC	INVOICE DATE	CHECK DATE
AMZONCAP	FIR52210 531000	Office Supplies	2023	12	INV	Paid	14.94	80952	1NJW-9NLW-4JDF	Staples	9/26/2023	1/10/2024
AMZONCAP	FIR52210 531000	Office Supplies	2023	12	INV	Paid	389.67	80952	1Q4M-ZQ13-GLWV	Tape, cartridge, pushpins, front desk sign	6/14/2023	1/10/2024
BT-THOM	40353190 548156	Emergency Tree Removal	2023	12	INV	Paid	1,197.90	80953	1458	Tokul roundabout maple removal	12/19/2023	1/10/2024
CDWG	POL52121 531910	Operating Supplies	2023	12	INV	Paid	84.32	80954	NP72779	C. Werre Toughbook AC adaptor	12/14/2023	1/10/2024
CDWG	POL52121 531910	Operating Supplies	2023	12	INV	Paid	637.07	80954	NP87789	C. Werre toughbook extended warranty	12/15/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	600.60	80955	300517491 12-23	Monthly telephone service	12/20/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	90.90	80955	300570848 12-23	Monthly Telephone Service	12/20/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	206.91	80955	300576080 12-23	Monthly telephone service	12/20/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	1,485.04	80955	411746240 12-23	Monthly telephone service	12/20/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	247.21	80955	300573862 12-23	Fire phone bill	12/20/2023	1/10/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	92.20	80955	402478791 12-23	EOC Phone bill	12/20/2023	1/10/2024
CL	40353130 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	32.32	80956	1989187	Posts for storm pond fence repair	12/5/2023	1/10/2024
CL	40353130 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	174.40	80956	1990590	Posts for storm pond fence repair	12/12/2023	1/10/2024
CL	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	545.00	80956	1984940	Hardware for wetland signs	11/14/2023	1/10/2024
CORPPAY	CLK51420 541000	Professional Svcs - General	2023	12	INV	Paid	501.07	80957	12-23 DD	Shredding PD Nov 2023	12/23/2023	1/10/2024
CORPPAY	COM55720 549200	Dues-Subscriptions-Memberships	2023	12	INV	Paid	66.42	80957	12-23 DM	Mailchimp monthly subscription - E news	12/23/2023	1/10/2024
CORPPAY	COM55720 549300	Printing	2023	12	INV	Paid	8.67	80957	12-23 DM	CM Cotton headshot printing for Council Chambers	12/23/2023	1/10/2024
CORPPAY	COU51160 531000	Office Supplies	2023	12	INV	Paid	62.90	80957	12-23 DD	Council chambers name plates	12/23/2023	1/10/2024
CORPPAY	COU51160 543000	Training & Travel	2023	12	INV	Paid	95.00	80957	12-23 DD	AWC elected official essentials - CM Washington	12/23/2023	1/10/2024
CORPPAY	COU51160 549100	City-Sponsored Expenses	2023	12	INV	Paid	136.00	80957	12-23 DD	CM Mayhew service recognition award	12/23/2023	1/10/2024
CORPPAY	EVE57120 531900	COVID-19 Supplies Contingency	2023	12	INV	Paid	95.88	80957	12-23 NW	Free skate donut holes - Refreshments	12/23/2023	1/10/2024
CORPPAY	EVE57390 531900	Miscellaneous Supplies	2023	12	INV	Paid	50.00	80957	12-23 NW	SWL tree lighting staff lunch/dinner	12/23/2023	1/10/2024
CORPPAY	EXE51310 531040	Tech-Prof Books Maps & Manuals	2023	12	INV	Paid	1,495.00	80957	12-23 MC	ICMA disaster prep	12/23/2023	1/10/2024
CORPPAY	EXE51310 541000	Professional Svcs - General	2023	12	INV	Paid	326.70	80957	12-23 MC	Funeral flowers - Bailey family	12/23/2023	1/10/2024
CORPPAY	EXE51310 543000	Training & Travel	2023	12	INV	Paid	20.00	80957	12-23 MC	Wa public risk mgt Assn Meeting	12/23/2023	1/10/2024
CORPPAY	EXE51310 549100	City-Sponsored Expenses	2023	12	INV	Paid	1,121.14	80957	12-23 NW	Staff recognition event prizes, activity, supplies	12/23/2023	1/10/2024
CORPPAY	FIR52220 531050	Uniforms & Protective Gear	2023	12	INV	Paid	270.75	80957	12-23 MB	Galls belt purchase (1/2 the order)	12/23/2023	1/10/2024
CORPPAY	FIR52220 531340	Custodial & Cleaning Supplies	2023	12	INV	Paid	1,274.15	80957	12-23 JR	Eco lab cleaning supplies	12/23/2023	1/10/2024
CORPPAY	FIR52245 543000	Training & Travel	2023	12	INV	Paid	720.00	80957	12-23 MB	CFPSE Training Fee	12/23/2023	1/10/2024
CORPPAY	HUM51810 541420	HR-Related Services	2023	12	INV	Paid	1,175.60	80957	12-23 KJ	Query plan purchase for D&A clearing house	12/23/2023	1/10/2024
CORPPAY	PKA57680 549100	City-Sponsored Expenses	2023	12	INV	Paid	43.56	80957	12-23 JQ	Refreshments for Dec leadership mtg	12/23/2023	1/10/2024
CORPPAY	40153410 523300	Reimb - Dues, Licenses & Cert	2023	12	INV	Paid	168.00	80957	12-23 JQ	Waterworks cert renew Hedger, Holmes, Wilson, Shin	12/23/2023	1/10/2024
CORPPAY	40353130 542300	Postage & Freight	2023	12	INV	Paid	8.80	80957	12-23 JQ	Certified mail stormwater inspections	12/23/2023	1/10/2024
CORPPAY	40353190 523300	Reimb - Dues, Licenses & Cert	2023	12	INV	Paid	103.00	80957	12-23 JQ	License Renewals Bennett & Battles	12/23/2023	1/10/2024
CORPPAY	40353190 543000	Training & Travel	2023	12	INV	Paid	195.00	80957	12-23 JQ	Pesticide CEU course re-cert Bennett	12/23/2023	1/10/2024
CORPPAY	40353190 549100	City-Sponsored Expenses	2023	12	INV	Paid	48.35	80957	12-23 JQ	Refreshments for Dec Leadership mtg	12/23/2023	1/10/2024
CORPPAY	50251888 541030	Info Tech Services	2023	12	INV	Paid	1,155.84	80957	12-23 Info Tech	Zoom Subscription	12/23/2023	1/10/2024
CORPPAY	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	54.40	80957	12-23 DH	Magnetic door stoppers, city hall council chamber	12/23/2023	1/10/2024
COS BD	31126090 541097	Trails Replace - Design	2023	12	INV	Paid	1,152.29	80958	COM2023-041	Permit for business park bridge repair	12/20/2023	1/10/2024
CRIMINAL	POL52140 543000	Training & Travel	2023	12	INV	Paid	4,947.00	80959	201138400	M. Peter - Basic law enforcement	7/28/2023	1/10/2024
Department of Enterp	PLN55860 543000	Training & Travel	2023	12	INV	Paid	175.00	80960	71144272	Delegating effectively E. Arteche	11/27/2023	1/10/2024
DRIFTMIE	31137010 541060	Facilities Maint - Design	2023	12	INV	Paid	5,214.00	80961	0008488	City Hall Security upgrades - Nov	11/30/2023	1/10/2024
DRIFTMIE	31137010 541060	Facilities Maint - Design	2023	12	INV	Paid	1,330.00	80961	0008490	City Hall HVAC Plan - Oct	11/30/2023	1/10/2024
DRIFTMIE	31137010 541060	Facilities Maint - Design	2023	12	INV	Paid	4,924.95	80961	8516	Design of City Hall security upgrades	12/31/2023	1/10/2024
DRIFTMIE	31137010 541060	Facilities Maint - Design	2023	12	INV	Paid	700.00	80961	8518	Design of City Hall HVAC Plan	12/31/2023	1/10/2024
Evergreen Courier LL	40253585 542300	Postage & Freight	2023	12	INV	Paid	376.20	80962	1A5AA881-0013	Courier lab samples	12/4/2023	1/10/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	23.41	80963	911813	Arborist chips for storm replacement plantings	10/31/2023	1/10/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	561.92	80963	912723	Arborist chips for storm replacement plantings	12/12/2023	1/10/2024
HDF	40153481 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	511.33	80964	I6590989	Hydrant gaskets	12/15/2023	1/10/2024
HOMECARE	51240010 548200	Custodial & Cleaning Services	2023	12	INV	Paid	3,082.72	80965	11	Custodial services December 2023	12/27/2023	1/10/2024
Icon Materials	31059533 563000	Snoq Parkway - Construction	2023	12	INV	Paid	204,368.27	80966	Progress payment #5	Sno Pkwy construction - progress payment #5	12/19/2023	1/10/2024
Independent Review &	HUM51810 541420	HR-Related Services	2023	12	INV	Paid	5,221.02	80967	SPD 1001	Investigative services-complaint against SPD	12/1/2023	1/10/2024
JENKINSP	40353130 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,021.25	80968	071823	Storm Pond control structure repair	8/1/2023	1/10/2024
KBM	LEG51541 541100	Outside Legal Services - Gen	2023	12	INV	Paid	573.30	80969	21389	Pre-defense general	12/14/2023	1/10/2024
KC 710	41134060 541060	Design Svcs - Water Improve	2023	12	INV	Paid	176.00	80970	35007000	Williams addition water main - KC insp - Oct 3rd	11/10/2023	1/10/2024

KEEPPOST	EVE57390 541390	Advertising, Legal Notices etc	2023	12	INV	Paid	437.50	80971	1378	SWL Poster distribution	12/18/2023	1/10/2024
KPGPSOMA	31059533 541000	Snoq Parkway - Prof'l Svcs	2023	12	INV	Paid	740.00	80972	203231	Sno Pkwy construction 10-27 - 11-23-23	12/12/2023	1/10/2024
Land Development	PLN55860 541000	Professional Svcs - General	2023	12	INV	Paid	3,587.25	80973	33289	Comprehensive Plan	12/13/2023	1/10/2024
Magis Police Consult	HUM51810 541420	HR-Related Services	2023	12	INV	Paid	12,900.00	80974	12-22-23	Snoqualmie Police Dept. Review	12/22/2023	1/10/2024
MC	40253585 548000	Repair & Maintenance Services	2023	12	INV	Paid	902.78	80975	11130365	Water system maintenance repair	12/21/2023	1/10/2024
MP	FIN51423 531000	Office Supplies	2023	12	INV	Paid	1,287.83	80976	91974	Mailing for Q4 B&O tax reports	12/27/2023	1/10/2024
MP	FIN51423 542300	Postage & Freight	2023	12	INV	Paid	1,002.54	80976	91974	Mailing for Q4 B&O tax reports	12/27/2023	1/10/2024
NATLSTOR	40353130 543000	Training & Travel	2023	12	INV	Paid	3,096.00	80977	NPDES02790	Certified stormwater inspector training	6/8/2023	1/10/2024
NAVIA AP	00150020 522300	HRA Medical Reimbursements	2023	12	INV	Paid	10.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	CLK51420 522300	HRA Medical Reimbursements	2023	12	INV	Paid	4.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	COM55720 522300	HRA Medical Reimbursements	2023	12	INV	Paid	8.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	EMG52560 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	EVE57120 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.80	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	EXE51310 522300	HRA Medical Reimbursements	2023	12	INV	Paid	12.00	80978	10805220	HRA Admin Fees - December	12/28/2023	1/10/2024
NAVIA AP	FIN51423 522300	HRA Medical Reimbursements	2023	12	INV	Paid	32.80	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	FIR52210 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	FIR52220 522300	HRA Medical Reimbursements	2023	12	INV	Paid	0.40	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	HUM51810 522300	HRA Medical Reimbursements	2023	12	INV	Paid	157.20	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	LEG51531 522300	HRA Medical Reimbursements	2023	12	INV	Paid	12.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	NON51810 541000	Professional Svcs - General	2023	12	INV	Paid	50.00	80978	10805219	FSA Admin Fees - December	12/28/2023	1/10/2024
NAVIA AP	PKA57680 522300	HRA Medical Reimbursements	2023	12	INV	Paid	1.20	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	PKF57680 522300	HRA Medical Reimbursements	2023	12	INV	Paid	28.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	PLN55860 522300	HRA Medical Reimbursements	2023	12	INV	Paid	23.20	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	POL52110 522300	HRA Medical Reimbursements	2023	12	INV	Paid	11.04	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	POL52121 522300	HRA Medical Reimbursements	2023	12	INV	Paid	4.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	POL52122 522300	HRA Medical Reimbursements	2023	12	INV	Paid	43.60	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	POL52131 522300	HRA Medical Reimbursements	2023	12	INV	Paid	8.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	STR54230 522300	HRA Medical Reimbursements	2023	12	INV	Paid	6.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	STR54290 522300	HRA Medical Reimbursements	2023	12	INV	Paid	3.20	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	01452110 522300	HRA Medical Reimbursements	2023	12	INV	Paid	4.96	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	01452122 522300	HRA Medical Reimbursements	2023	12	INV	Paid	48.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	31132010 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.22	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	31132020 522300	HRA Medical Reimbursements	2023	12	INV	Paid	3.16	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	31132030 522300	HRA Medical Reimbursements	2023	12	INV	Paid	3.12	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40153410 522300	HRA Medical Reimbursements	2023	12	INV	Paid	1.80	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40153481 522300	HRA Medical Reimbursements	2023	12	INV	Paid	10.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40153915 522300	HRA Medical Reimbursements	2023	12	INV	Paid	0.80	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40153935 522300	HRA Medical Reimbursements	2023	12	INV	Paid	6.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40253510 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40253580 522300	HRA Medical Reimbursements	2023	12	INV	Paid	20.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40353110 522300	HRA Medical Reimbursements	2023	12	INV	Paid	1.60	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40353130 522300	HRA Medical Reimbursements	2023	12	INV	Paid	12.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	40353190 522300	HRA Medical Reimbursements	2023	12	INV	Paid	8.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	41759431 522300	HRA Medical Reimbursements	2023	12	INV	Paid	2.80	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	41759434 522300	HRA Medical Reimbursements	2023	12	INV	Paid	5.60	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	41759435 522300	HRA Medical Reimbursements	2023	12	INV	Paid	5.60	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	50154861 522300	HRA Medical Reimbursements	2023	12	INV	Paid	0.60	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	50154868 522300	HRA Medical Reimbursements	2023	12	INV	Paid	6.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	50251888 522300	HRA Medical Reimbursements	2023	12	INV	Paid	32.00	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	51051820 522300	HRA Medical Reimbursements	2023	12	INV	Paid	0.20	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NAVIA AP	51051821 522300	HRA Medical Reimbursements	2023	12	INV	Paid	6.10	80978	10805220	HRA Admin Fees- December	12/28/2023	1/10/2024
NB AUTOF	50154868 531301	Repair Parts	2023	12	INV	Paid	1,866.96	80979	12-23	Fleet/ER&R equipment parts	12/24/2023	1/10/2024
NHC	PLN55860 541040	Engineering Services	2023	12	INV	Paid	48.75	80980	30580	Engineering services - Charges to the City	12/14/2023	1/10/2024
NHC	PLN55861 541040	Engineering Services	2023	12	INV	Paid	6,731.25	80980	30580	Engineering services- Plat 30	12/14/2023	1/10/2024
NHC	40353110 541000	Professional Svcs - General	2023	12	INV	Paid	7,554.44	80980	30615	Task order 36 & 51 Professional services 11-23	12/18/2023	1/10/2024
OGDENMW	LEG51541 541102	Downtown Phase 2A Legal Fees	2023	12	INV	Paid	13,775.00	80981	885490	C.A. Carey Appeal	12/28/2023	1/10/2024
OTAK	PLN55860 541080	Environmental Services	2023	12	INV	Paid	927.25	80982	102300420	Comprehensive Plan	10/20/2023	1/10/2024
OTAK	31175050 541063	Kimball Ck Bridges -Profl Svcs	2023	12	INV	Paid	6,322.00	80982	122300385	Kimball Creek Bridges design & Permitting	12/20/2023	1/10/2024
PARAMET	31059533 541040	Snoq Parkway - Const Mgmt	2023	12	INV	Paid	3,327.65	80983	51294	Sno Pkwy construction management through Dec 23	12/19/2023	1/10/2024

PARAMET	31175100 541060	384th Sidewalk Design	2023	12	INV	Paid	1,026.07	80983	51047	384th Ave sidewalk Design	12/14/2023	1/10/2024
PARAMET	41750935 541060	Design Services	2023	12	INV	Paid	1,026.06	80983	51047	384th Ave Sewer Design	12/14/2023	1/10/2024
PERFSYS	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	946.84	80984	12574019	Fire Extinguisher annual service & maintenance	12/27/2023	1/10/2024
PERFSYS	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	210.18	80984	12574024	Fire extinguisher annual service & maintenance	12/27/2023	1/10/2024
PERFSYS	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	769.93	80984	12574071	Fire Extinguisher annual service & maintenance	12/27/2023	1/10/2024
PLATT	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	301.93	80985	4Q64053	Electrical Supplies	12/6/2023	1/10/2024
PSE	PKF57680 547100	Electricity	2023	12	INV	Paid	400.77	80986	002042 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	PKF57680 547100	Electricity	2023	12	INV	Paid	2,192.18	80986	007355 12-9-23	Electricity	12/9/2023	1/10/2024
PSE	STR54263 547100	Electricity	2023	12	INV	Paid	7,222.30	80986	001499 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	STR54263 547100	Electricity	2023	12	INV	Paid	28.87	80986	943807 12-13-23	Electricity	12/13/2023	1/10/2024
PSE	40153935 547100	Electricity	2023	12	INV	Paid	834.34	80986	002042 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	40253565 547100	Electricity	2023	12	INV	Paid	39.95	80986	007124 12-9-23	Electricity	12/8/2023	1/10/2024
PSE	40253565 547100	Electricity	2023	12	INV	Paid	29,000.03	80986	010656 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	40253580 547100	Electricity	2023	12	INV	Paid	2,551.55	80986	010474 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	40253580 547100	Electricity	2023	12	INV	Paid	92.88	80986	010656 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	51051821 547100	Electricity	2023	12	INV	Paid	445.31	80986	005615 12-8-23	Electricity	12/8/2023	1/10/2024
PSE	51051821 547100	Electricity	2023	12	INV	Paid	476.19	80986	010474 12-8-23	Electricity	12/8/2023	1/10/2024
RRJ Company	31022340 223400	Const Contract Retainage	2023	12	INV	Paid	-2,232.49	80987	20235	Retainage	12/14/2023	1/10/2024
RRJ Company	31079561 563000	General Parks Signage	2023	12	INV	Paid	48,623.65	80987	20235	Construction of 2023 sidewalk replacement - 11/23	12/14/2023	1/10/2024
SETINA	50154868 531301	Repair Parts	2023	12	INV	Paid	3,149.38	80988	275435	Replace PD vehicle push bumpers 104 & 122	11/15/2023	1/10/2024
SNYDERR	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	5,636.66	80989	24W278-1	All style (Material) roof maintenance, repair	12/26/2023	1/10/2024
SPOK	40153935 542000	Telephone Service	2023	12	INV	Paid	29.02	80990	G0303878X	Pager monthly fee December	12/15/2023	1/10/2024
SUMMLG	HUM51810 541120	Legal Consulting Svcs - HR	2023	12	INV	Paid	156.00	80991	150178	Legal Services re: A. Gutwein grievance	12/18/2023	1/10/2024
SUMMLG	HUM51810 541120	Legal Consulting Svcs - HR	2023	12	INV	Paid	1,275.00	80991	150443	Legal services re: Policy handbook review	12/18/2023	1/10/2024
SUMMLG	HUM51810 541120	Legal Consulting Svcs - HR	2023	12	INV	Paid	2,260.99	80991	150507	Legal services re: SPA	12/19/2023	1/10/2024
SUMMLG	HUM51810 541120	Legal Consulting Svcs - HR	2023	12	INV	Paid	1,989.00	80991	150492	Legal services re: Teamsters	12/19/2023	1/10/2024
SYSDESIG	FIR52270 541090	BLS Customer Billing Services	2023	12	INV	Paid	746.78	80992	20232581	EMS October	12/21/2023	1/10/2024
UFS/BART	PLN55861 541080	Environmental Services	2023	12	INV	Paid	195.00	80993	2023-1104	Ridge Plaza	9/29/2023	1/10/2024
UFS/BART	PLN55861 541080	Environmental Services	2023	12	INV	Paid	195.00	80993	2023-1132	Ridge Plaza	10/27/2023	1/10/2024
UFS/BART	PLN55861 541080	Environmental Services	2023	12	INV	Paid	190.00	80993	2023-1212	Plat 27	12/29/2023	1/10/2024
ULI	POL52122 522400	LEOFF I Retiree Med & Premiums	2023	12	INV	Paid	70.50	80994	23-DEC	Group Insurance Premium	12/31/2023	1/10/2024
ULINE	PKF57680 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	537.70	80995	171437056	Cord cover - cable protector	11/28/2023	1/10/2024
VERIZCS	40253510 542010	Cellular Telephone	2023	12	INV	Paid	576.27	80996	9947573149 10-23	Machine to Machine SCADA Communications	10/23/2023	1/10/2024
VFG	PLN55861 541000	Professional Svcs - General	2023	12	INV	Paid	600.00	80997	443065	Northwest RR museum	12/20/2023	1/10/2024
VFG	PLN55861 541000	Professional Svcs - General	2023	12	INV	Paid	125.00	80997	443066	Timber Trails	12/20/2023	1/10/2024
VFG	PLN55861 541000	Professional Svcs - General	2023	12	INV	Paid	200.00	80997	443067	The Rails	12/20/2023	1/10/2024
VFG	PLN55861 541000	Professional Svcs - General	2023	12	INV	Paid	675.00	80997	443068	Self Storage Phase 3	12/20/2023	1/10/2024
VFG	PLN55861 541000	Professional Svcs - General	2023	12	INV	Paid	525.00	80997	443069	Dish Wireless	12/20/2023	1/10/2024
WA Dept of Transport	STR54264 548000	Repair & Maintenance Services	2023	12	INV	Paid	413.77	80998	JZ2121 L001	Elk signs/signals - WSDOT JZ Billing Account	12/18/2023	1/10/2024
WASI	HUM51810 541420	HR-Related Services	2023	12	INV	Paid	1,697.50	80999	62757	OSHA/MSHA Occ hearing conservation testing	12/26/2023	1/10/2024
WED	50159448 564000	Fleet Vehicles & Equipment	2023	12	INV	Paid	11,439.73	81000	8076562-00	2023-24 approved equip replace (Blower #470)	12/22/2023	1/10/2024

City of Snoqualmie
Claims presented to the City to be paid in the amount of $827,828.96
For claims warrants numbered 81001 through 81013 & dated 1/10/2024 **#68**

VENDOR NAME	ACCOUNT	ACCOUNT DESC	YEAR	PERIOD	TYPE	STATUS	AMOUNT	CHECK NO	INVOICE #	FULL DESC	INVOICE DATE	CHECK DATE
ASCAP	EXE51310 549100	City-Sponsored Expenses	2024	1	INV	Paid	500.00	81001	500656908 - 2024	ASCAP annual music licensing fee	1/1/2023	1/10/2024
COS	FIR52250 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	781.73	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Fire	1/4/2024	1/10/2024
COS	NON51820 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	184.31	81002	UB Dec 2023	Utility Bills COS Dec 2023 - River Walk	1/4/2024	1/10/2024
COS	PKF57680 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	11,298.58	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Parks	1/4/2024	1/10/2024
COS	POL52150 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	899.42	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Police	1/4/2024	1/10/2024
COS	STR54230 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	1,541.52	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Streets	1/4/2024	1/10/2024
COS	40153481 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	849.61	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Water	1/4/2024	1/10/2024
COS	40153935 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	239.78	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Irrigation	1/4/2024	1/10/2024
COS	40253580 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	6,574.07	81002	UB Dec 2023	Utility Bills COS Dec 2023 - WWTP	1/4/2024	1/10/2024
COS	40353130 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	900.12	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Storm	1/4/2024	1/10/2024
COS	51051821 547300	Water - Sewer - Stormwater	2024	1	INV	Paid	6,222.07	81002	UB Dec 2023	Utility Bills COS Dec 2023 - Median Irrigation	1/4/2024	1/10/2024
EF	50154868 531301	Repair Parts	2024	1	INV	Paid	585.37	81003	5200207	right side turn/strobe/police combo light	1/2/2024	1/10/2024

JSF TECH	STR54264 542010	Cellular Telephone	2024	1	INV	Paid	295.00	81004	INV3439	Primary School Beacon - Cell service renewal 2024	1/1/2023	1/10/2024
KC REC O	CLK51420 549010	Filing & Recording Fees	2024	1	INV	Paid	2,444.00	81005	KC Recorder 1-24	Elected official oath of office recorded doc fee	12/13/2023	1/10/2024
KCMCA	CLK51420 549200	Dues-Subscriptions-Memberships	2024	1	INV	Paid	35.00	81006	1-24	KC Municipal clerks' assoc 2024 dues	12/13/2023	1/10/2024
NORCAM	FIR52220 541511	Dispatch Services	2024	1	INV	Paid	15,771.36	81007	1538	Q1 2024 fees	12/1/2023	1/10/2024
PF&SINC	40153481 548000	Repair & Maintenance Services	2024	1	INV	Paid	109.44	81008	98393	Quarterly fee alarm monitoring 1-24 - 3-24	12/11/2023	1/10/2024
PF&SINC	51051821 548000	Repair & Maintenance Services	2024	1	INV	Paid	280.96	81008	98210	Fire/burglar alarm repair and monitoring	12/11/2023	1/10/2024
PF&SINC	51051821 548000	Repair & Maintenance Services	2024	1	INV	Paid	231.96	81008	98368	Fire/burglar alarm repair and monitoring	12/11/2023	1/10/2024
PF&SINC	51051821 548000	Repair & Maintenance Services	2024	1	INV	Paid	264.63	81008	98498	Fire/burglar alarm repair and monitoring	12/11/2023	1/10/2024
PF&SINC	51051821 548000	Repair & Maintenance Services	2024	1	INV	Paid	231.96	81008	98963	Fire/burglar alarm repair and monitoring	12/11/2023	1/10/2024
PF&SINC	51051821 548000	Repair & Maintenance Services	2024	1	INV	Paid	1,099.89	81008	99121	Fire station alarm panel replacement	12/14/2023	1/10/2024
PSRC	NON51890 549252	Puget Sound Reg Council Dues	2024	1	INV	Paid	6,587.00	81009	2024074	FY24 Membership dues	9/29/2023	1/10/2024
PSRFA	50154868 548000	Repair & Maintenance Services	2024	1	INV	Paid	5,982.43	81010	6050	Fire Apparatus repair and service	1/1/2024	1/10/2024
SCA	NON51890 549253	Sound Cities Assn Dues	2024	1	INV	Paid	10,919.77	81011	4588	2024 Sound cities Assn Dues	12/12/2023	1/10/2024
WCIA	CLK51420 546800	Fidelity-Notary Bond Premiums	2024	1	INV	Paid	366.00	81012	200117	2024 Assessment - Crime/fidelity	1/1/2024	1/10/2024
WCIA	RSK51890 546000	Liability Insurance Premiums	2024	1	INV	Paid	384,798.00	81012	200117	2024 Assessment - Liability	1/1/2024	1/10/2024
WCIA	RSK51890 546500	Prop Cov Insurance Premiums	2024	1	INV	Paid	363,830.00	81012	200117	2024 Assessment - Property	1/1/2024	1/10/2024
WMG	40153935 541000	Professional Svcs - General	2024	1	INV	Paid	4,004.98	81013	21812	Jan 2024 monthly maxicom monitoring service	12/21/2023	1/10/2024

City of Snoqualmie
Claims presented to the City to be paid in the amount of $360,467.47
For claims warrants numbered 81014 through 81066 & dated 1/19/2024 **#69**

VENDOR NAME	ACCOUNT	ACCOUNT DESC	YEAR	PERIOD	TYPE	STATUS	AMOUNT	CHECK NO	INVOICE #	FULL DESC	INVOICE DATE	CHECK DATE
ATWORK	PKF57680 548150	Landscaping Services	2023	12	INV	Paid	17,528.82	81016	PS-INV105313	Maintenance agreement - Mini parks	10/31/2023	1/19/2024
ATWORK	PKF57680 548150	Landscaping Services	2023	12	INV	Paid	17,528.82	81016	PS-INV105347	Maintenance agreement - mini parks	11/30/2023	1/19/2024
ATWORK	PKF57680 548150	Landscaping Services	2023	12	INV	Paid	17,528.82	81016	PS-INV105374	Maintenance agreement - mini parks	12/31/2023	1/19/2024
ATWORK	STR54270 548150	Landscaping Services	2023	12	INV	Paid	6,103.62	81016	PS-INV105314	Landscaping agreement - Roadside maintenance	10/31/2023	1/19/2024
ATWORK	STR54270 548150	Landscaping Services	2023	12	INV	Paid	6,103.62	81016	PS-INV105348	Landcaping agreement - roadside maintenance	11/30/2023	1/19/2024
ATWORK	STR54270 548150	Landscaping Services	2023	12	INV	Paid	6,103.62	81016	PS-INV105375	Landscaping agreement - roadside maintenance	12/31/2023	1/19/2024
ATWORK	40353130 548150	Landscaping Services	2023	12	INV	Paid	14,241.80	81016	PS-INV105314	Landscaping agreement - Roadside maintenance	10/31/2023	1/19/2024
ATWORK	40353130 548150	Landscaping Services	2023	12	INV	Paid	14,241.80	81016	PS-INV105348	Landcaping agreement - roadside maintenance	11/30/2023	1/19/2024
ATWORK	40353130 548150	Landscaping Services	2023	12	INV	Paid	14,241.80	81016	PS-INV105375	Landscaping agreement - roadside maintenance	12/31/2023	1/19/2024
ATWORK	51051821 548150	Landscaping Services	2023	12	INV	Paid	2,886.85	81016	PS-INV105312	Maintenance agreement - Facilities	10/31/2023	1/19/2024
ATWORK	51051821 548150	Landscaping Services	2023	12	INV	Paid	2,886.85	81016	PS-INV105346	Maintenance agreement - Facilities	11/30/2023	1/19/2024
ATWORK	51051821 548150	Landscaping Services	2023	12	INV	Paid	2,886.85	81016	PS-INV105373	Maintenance agreement - facilities	12/31/2023	1/19/2024
BAINA	40253580 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,413.10	81017	1083	Calibration & validation of sensors	12/21/2023	1/19/2024
BYTE	50259418 564100	IT Shared System Hardware	2023	12	INV	Paid	4,421.34	81018	INV0168542	Finance Director and Mayor laptop replacement	12/12/2023	1/19/2024
CALPORTL	40353130 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	484.48	81019	95986838	Quarry Spalls for stormpond inlet erosion ctrl	7/24/2023	1/19/2024
CALPORTL	40353130 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	163.16	81019	95999723	Quarry spalls for stormpond inlet erosion ctrl	8/1/2023	1/19/2024
CENTURY	50251888 542000	Telephone Service	2023	12	INV	Paid	669.45	81020	300568001 12-23	Monthly telephone service	12/20/2023	1/19/2024
CORPPAY	PLN55860 543000	Training & Travel	2023	12	INV	Paid	40.00	81021	12-23 EA	MSRC Training-Land use case law update-E. Arteche	12/31/2023	1/19/2024
CORPPAY	POL52110 549100	City-Sponsored Expenses	2023	12	INV	Paid	46.58	81021	12-23 LT	Food for Snoqualmie potluck	12/23/2023	1/19/2024
CORPPAY	POL52110 549100	City-Sponsored Expenses	2023	12	INV	Paid	77.57	81021	12-23 M. Black	Meals for oral board participants	12/23/2023	1/19/2024
CORPPAY	POL52121 531000	Office Supplies	2023	12	INV	Paid	18.55	81021	12-23 LT	report covers	12/23/2023	1/19/2024
CORPPAY	POL52122 531000	Office Supplies	2023	12	INV	Paid	45.28	81021	12-23 LT	Printer toner cartridge	12/23/2023	1/19/2024
CORPPAY	POL52122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	60.36	81021	12-23 BL	C. Miller CAT tourniquet & holder	12/23/2023	1/19/2024
CORPPAY	POL52122 531910	Operating Supplies	2023	12	INV	Paid	18.25	81021	12-23 LT	Laptop bag for 658	12/23/2023	1/19/2024
CORPPAY	POL52140 543000	Training & Travel	2023	12	INV	Paid	1,403.17	81021	12-23 BL	Lodging peer support training S. Butler	12/23/2023	1/19/2024
CORPPAY	POL52140 543000	Training & Travel	2023	12	INV	Paid	1,403.17	81021	12-23 LT	Lodging Peer Support training J. Aguirre	12/23/2023	1/19/2024
CORPPAY	POL52140 543000	Training & Travel	2023	12	INV	Paid	1,700.67	81021	12-23 M. Black	Lodging S. Butler Peer Training	12/23/2023	1/19/2024
CORPPAY	POL52150 535210	Office Furnishings	2023	12	INV	Paid	197.08	81021	12-23 BL	Home Depot pre lit x mas tree	12/23/2023	1/19/2024
CORPPAY	POL52150 535210	Office Furnishings	2023	12	INV	Paid	27.61	81021	12-23 LT	American flag for PD flag pole	12/23/2023	1/19/2024
CORPPAY	POL52150 545000	Operating Rentals & Leases	2023	12	INV	Paid	348.48	81021	12-23 LT	Water/crystal springs	12/23/2023	1/19/2024
CORPPAY	01452110 542300	Postage & Freight	2023	12	INV	Paid	4.58	81021	12-23 LT	Postage package to Ellensburg	12/23/2023	1/19/2024
CORPPAY	50251888 541030	Info Tech Services	2023	12	INV	Paid	19.95	81021	12-23 IT	Paypal payflow subscription - 141311313	12/23/2023	1/19/2024
CTV	FIR52220 531910	Operating Supplies	2023	12	INV	Paid	25.21	81022	12-25-2023 - 2164	Cable tie, mini clamp, dawn soap	11/25/2023	1/19/2024
CTV	PKF57680 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	669.79	81022	8/25/23-2161	keys, joint knives, ties	8/25/2023	1/19/2024
CTV	PKF57680 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	1,166.22	81022	11/25/23-2161	Trash cans, ties, screws	11/25/2023	1/19/2024
CTV	PKF57680 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	91.41	81022	8/25/23-2162	Wing nuts, mops, markers	12/31/2023	1/19/2024

CTV	40153481 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	85.96	81022	8/25/23-2162	Clamps, adapters, torch, measuring cups	12/31/2023	1/19/2024
CTV	40253580 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	52.21	81022	8/25/23-2162	Wasp spray, plunger, pail	12/31/2023	1/19/2024
CTV	40353130 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	32.66	81022	11/25/23-2162 #2	Rake	11/25/2023	1/19/2024
CTV	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	171.22	81022	8/25/23-2162	Mini tiller, duct tape, fence staples, trash can	12/31/2023	1/19/2024
CTV	40353190 535900	Small Tools & Equipment	2023	12	INV	Paid	259.18	81022	8/25/23-2163	Wheelbarrow	12/31/2023	1/19/2024
CWS	FIR52220 531910	Operating Supplies	2023	12	INV	Paid	74.48	81023	RN12232291	Oxygen and Helium	12/31/2023	1/19/2024
DOE2	40353130 541000	Professional Svcs - General	2023	12	INV	Paid	1,208.00	81024	DIN-000001303	2023 Annual insp of Osprey dam	12/12/2023	1/19/2024
DOT NWR	31059533 563000	Snoq Parkway - Construction	2023	12	INV	Paid	1,853.04	81025	RE 41JZ1747 L007	WSDOT LOOP Repl.	9/18/2023	1/19/2024
DOT NWR	31059533 563000	Snoq Parkway - Construction	2023	12	INV	Paid	176.22	81025	RE 41 JZ1747 L008	WSDOT LOOP Repl.	10/16/2023	1/19/2024
DOT NWR	31059533 563000	Snoq Parkway - Construction	2023	12	INV	Paid	1,127.05	81025	RE 41 JZ1747 L009	WSDOT LOOP Repl.	12/18/2023	1/19/2024
DOWL	41779431 548155	Urb Forest Trees Maint-Replace	2023	12	INV	Paid	822.50	81026	2022.13946.03-3	Design support - design services Urban forestry	8/30/2023	1/19/2024
FCSGROUP	PLN55860 541000	Professional Svcs - General	2023	12	INV	Paid	5,592.50	81027	3743-22401005	Capital facilities funding plan	12/31/2023	1/19/2024
FIRETECH	FIR52245 543000	Training & Travel	2023	12	INV	Paid	400.00	81028	1371	Tactical Leader Training	12/27/2023	1/19/2024
GALLSLLC	FIR52220 531050	Uniforms & Protective Gear	2023	12	INV	Paid	671.64	81029	026607204	Order from 2/2023 back ordered - FF pants	12/21/2023	1/19/2024
Gene Meyer Towin	01452122 541000	Professional Svcs - General	2023	12	INV	Paid	559.31	81030	23-49518	Evidence Impound 23N-2609	8/15/2023	1/19/2024
GIRARD	STR54264 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,070.00	81031	9127110	Sweeper disposal	12/18/2023	1/19/2024
GIRARD	STR54264 548000	Repair & Maintenance Services	2023	12	INV	Paid	4,536.00	81031	91621	Sweeper disposal	10/18/2023	1/19/2024
GIRARD	STR54264 548000	Repair & Maintenance Services	2023	12	INV	Paid	643.50	81031	91624	Sweeper Disposal	10/18/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	1,177.00	81031	91175	Sweeper disposal	9/26/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	802.50	81031	91350	Sweeper Diposal	9/28/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	1,462.50	81031	91386	Sweeper Disposal	9/1/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	321.00	81031	91623	Sweeper disposal	10/18/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	133.75	81031	91626	Sweeper Disposal	10/18/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	5,315.00	81031	911678	Sweeper Disposal	10/26/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	6,634.00	81031	912407	Sweeper Disposal	11/28/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	43.50	81031	912724	Sweeper Disposal	12/12/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	77.32	81031	912725	Sweeper Disposal	12/12/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	378.00	81031	9127109	Sweeper Disposal	12/18/2023	1/19/2024
GIRARD	STR54267 548000	St Clean Repair & Maint Svcs	2023	12	INV	Paid	289.98	81031	9127352	Sweeper Disposal	12/31/2023	1/19/2024
GIRARD	40253580 548000	Repair & Maintenance Services	2023	12	INV	Paid	583.98	81031	9127111	Asphalt disposal	12/18/2023	1/19/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	210.72	81031	912408	Arborist chips for alpha st FEMA lot	11/28/2023	1/19/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	1,381.40	81031	9127246	Arborist chips for Alpha St FEMA lot	12/22/2023	1/19/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	421.44	81031	90798	Mulch	9/12/2023	1/19/2024
GIRARD	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	2,426.50	81031	91622	Mulch	10/18/2023	1/19/2024
HDF	40153481 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	14,614.45	81032	I6594411	Theft replacement items - setters and valves	12/21/2023	1/19/2024
HDF	40153481 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	4,628.34	81032	I6594413	Setters	12/21/2023	1/19/2024
HDFACIL	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	160.00	81033	9221566879	Entrance carpet replacements	12/15/2023	1/19/2024
JENKINSP	40353135 548000	Repair & Maintenance Services	2023	12	INV	Paid	2,620.31	81034	28873	Catcbasin cleaning	12/18/2023	1/19/2024
JENKINSP	40353135 548000	Repair & Maintenance Services	2023	12	INV	Paid	3,663.75	81034	28875	Catchbasin cleaning	12/18/2023	1/19/2024
JENKINSP	40353135 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,838.25	81034	28876	Catchbasin cleaning	12/20/2023	1/19/2024
JENKINSP	40353135 548000	Repair & Maintenance Services	2023	12	INV	Paid	3,772.34	81034	28895	Catchbasin cleaning	12/18/2023	1/19/2024
JENKINSP	40353135 548000	Repair & Maintenance Services	2023	12	INV	Paid	3,663.75	81034	28900	Catchbasin cleaning	12/18/2023	1/19/2024
KC 710	50251888 542200	INET Internet Network Services	2023	12	INV	Paid	1,023.00	81035	11014234	King County INET	12/31/2023	1/19/2024
KC RADIO	FIR52250 542100	Cellular Telephone	2023	12	INV	Paid	1,037.54	81036	20451	Radio Comm system and access fee	12/29/2023	1/19/2024
KEITHLY	40253580 548000	Repair & Maintenance Services	2023	12	INV	Paid	2,174.80	81037	58582	Electrical repair	11/17/2023	1/19/2024
KENYON	LEG51541 541102	Downtown Phase 2A Legal Fees	2023	12	INV	Paid	50.00	81038	1094154	C.A. Carey	12/31/2023	1/19/2024
LNCS	POL52122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	35.28	81039	INV774208	K. Hoyla - name patch w/velcro	12/15/2023	1/19/2024
LNCS	POL52122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	9.17	81039	INV774209	D. Vladis clip-on necktie	12/15/2023	1/19/2024
LNCS	POL52122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	52.27	81039	INV774245	W. Natkha - Name patch w/velcro	12/15/2023	1/19/2024
LNCS	POL52122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	25.23	81039	INV774272	W. Natkha - Hat with embroidery	12/15/2023	1/19/2024
LNCS	01452122 531050	Uniforms & Protective Gear	2023	12	CRM	Paid	-22.02	81039	CM40128	M. Bostick - CM for embroidery INV756588	12/12/2023	1/19/2024
LNCS	01452122 531050	Uniforms & Protective Gear	2023	12	INV	Paid	31.33	81039	INV774087	M. Bostick - hat	12/15/2023	1/19/2024
MCMASTER	40253580 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	120.42	81040	19523747	Lamps for exterior lights	12/26/2023	1/19/2024
Miner	40153482 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,742.40	81041	5310645115	South well elevator inspection	12/29/2023	1/19/2024
MOTOROLA	FIR52250 535900	Small Tools & Equipment	2023	12	INV	Paid	688.36	81042	8281785898	Charger IMP VEH EXT NA/EU KIT	12/19/2023	1/19/2024
MP	40153481 531000	Office Supplies	2023	12	INV	Paid	62.65	81043	91982	Backflow assembly letters	12/28/2023	1/19/2024
MP	40153481 542300	Postage & Freight	2023	12	INV	Paid	51.30	81043	91982	Backflow assembly letters	12/28/2023	1/19/2024
NB AUTOG	FIR52220 531910	Operating Supplies	2023	12	INV	Paid	9.79	81044	11770	De-icer wash	11/27/2023	1/19/2024
NB AUTOG	40153481 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	14.41	81044	999614	FHP belt	8/4/2023	1/19/2024

NB AUTOG	40253580 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	296.38	81044	993300	Repair of rotoray lobe pumps	6/12/2023	1/19/2024
NCEC	40253550 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	113.21	81045	s012574790.001	Service charge s012403808.003 & 004	4/30/2023	1/19/2024
NCEC	40253550 548000	Repair & Maintenance Services	2023	12	INV	Paid	20.26	81045	s01344863.001	Service charge s013032812.001	12/31/2023	1/19/2024
NWR	STX54264 547100	Electricity	2023	12	INV	Paid	423.26	81046	31122023-2	RR X-ing Electricity 2023	12/31/2023	1/19/2024
NWR	STX54264 548801	Railroad Crossing Contract O&M	2023	12	INV	Paid	353.35	81046	31122023-2	RR X-ing O&M 2023	12/31/2023	1/19/2024
NWSC	FIR52220 541000	Professional Svcs - General	2023	12	INV	Paid	710.63	81047	23-37152	Cleaning of Fire gear	12/28/2023	1/19/2024
ORKIN	40253580 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	213.43	81048	253671518	Pest control	12/11/2023	1/19/2024
ORKIN	40253580 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	213.43	81048	252143639	Pest control	11/14/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	173.14	81048	250758888	Pest control	10/19/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	285.31	81048	252143652	Pest control	11/21/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	154.63	81048	252143653	Pest control	11/1/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	173.14	81048	252143654	Pest Control	11/14/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	220.65	81048	252143655	Pest Control	11/14/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	285.31	81048	253671532	Pest control	12/11/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	154.63	81048	253671533	Pest Control	12/4/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	173.14	81048	253671534	Pest Control	12/11/2023	1/19/2024
ORKIN	51051821 548000	Repair & Maintenance Services	2023	12	INV	Paid	220.65	81048	253671535	Pest control	12/11/2023	1/19/2024
PF&SINC	40253580 548000	Repair & Maintenance Services	2023	12	INV	Paid	109.44	81049	98288	Fire alarm monitoring	12/11/2023	1/19/2024
PFM FIN	FIN51423 541090	Financial Services	2023	12	INV	Paid	3,000.00	81050	129077	Financial Advisor Retainer Payment - Q4 2023	12/31/2023	1/19/2024
POA-OR	50251888 545200	Rent - Furniture & Equipment	2023	12	INV	Paid	1,690.57	81051	CSQ-0923	Copier Lease	9/12/2023	1/19/2024
POA-OR	50251888 545200	Rent - Furniture & Equipment	2023	12	INV	Paid	204.54	81051	814816	Copier image overage/printer copy kit	11/14/2023	1/19/2024
POLY	40253555 531500	Sewage Treatment Chemicals	2023	12	INV	Paid	13,901.09	81052	1797480	Treatment chemicals	12/28/2023	1/19/2024
PT	40153481 548000	Repair & Maintenance Services	2023	12	INV	Paid	1,956.60	81053	0200917-IN	Mechanical Seal Jacobia	12/29/2023	1/19/2024
RH2	40153410 541000	Professional Svcs - General	2023	12	INV	Paid	461.77	81054	93890	Reclaimed water system plan update	12/12/2023	1/19/2024
RH2	40153410 541000	Professional Svcs - General	2023	12	INV	Paid	4,178.93	81054	94047	Water system plan update, correspondence with KC	12/18/2023	1/19/2024
RH2	40253510 541000	Professional Svcs - General	2023	12	INV	Paid	2,574.98	81054	93896	Operational support engineering	12/12/2023	1/19/2024
RH2	40253510 541000	Professional Svcs - General	2023	12	INV	Paid	461.76	81054	93890	Reclaimed water system plan update	12/12/2023	1/19/2024
RH2	41134100 541060	Eagle Lake Reclam Design	2023	12	INV	Paid	38,482.54	81054	93890	Reclaimed water system plan update	12/12/2023	1/19/2024
RH2	41134100 541060	Eagle Lake Reclam Design	2023	12	INV	Paid	10,555.49	81054	93354	Reclaimed H20 improvements design & permitting	11/7/2023	1/19/2024
ROBERTH	50269418 541190	Temporary Agency Personnel	2023	12	INV	Paid	3,600.00	81055	62835781	IT contract worker - Asker	11/16/2023	1/19/2024
ROBERTH	50269418 541190	Temporary Agency Personnel	2023	12	INV	Paid	2,880.00	81055	62863502	IT Contract Worker - Asker	11/22/2023	1/19/2024
ROBERTH	50269418 541190	Temporary Agency Personnel	2023	12	INV	Paid	2,160.00	81055	62986310	IT contract Worker - Asker	12/21/2023	1/19/2024
ROBERTH	50269418 541190	Temporary Agency Personnel	2023	12	INV	Paid	3,600.00	81055	62955264	IT Contract Worker - Asker	12/14/2023	1/19/2024
Saybr Contractors	PKF57680 548000	Repair & Maintenance Services	2023	12	INV	Paid	4,980.24	81056	29352	RR park electrical and stair repair	12/31/2023	1/19/2024
SYSDESIG	FIR52270 541090	BLS Customer Billing Services	2023	12	INV	Paid	617.82	81057	20232652	EMS November	12/31/2023	1/19/2024
TRANSU	POL52110 549200	Dues-Subscriptions-Memberships	2023	12	INV	Paid	196.02	81058	944321-202309-1	Credit check current & contract charges Sept 23	10/1/2023	1/19/2024
TRANSU	POL52110 549200	Dues-Subscriptions-Memberships	2023	12	INV	Paid	228.69	81058	944321-202310-1	Credit check current & contract charges Oct 23	10/1/2023	1/19/2024
TRANSU	POL52110 549200	Dues-Subscriptions-Memberships	2023	12	INV	Paid	163.35	81058	944321-202311-1	Credit check current & contract charges Nov 23	12/1/2023	1/19/2024
TTKCM	PLN55860 541000	Professional Svcs - General	2023	12	INV	Paid	5,026.36	81059	52178767	Repetitive loss area analysis	12/27/2023	1/19/2024
TWWP	40253580 523100	Clothing Allowance	2023	12	INV	Paid	203.09	81060	2610	J. George clothing	12/26/2023	1/19/2024
TWWP	40353190 523100	Clothing Allowance	2023	12	INV	Paid	158.53	81060	2591	Work Boots - K. Markwardt	12/15/2023	1/19/2024
TYLERTEC	50269418 541040	Financial System Project Mgmt.	2023	12	INV	Paid	2,800.00	81061	045-451025	Tyler Munis contract	12/31/2023	1/19/2024
TYLERTEC	50269418 541040	Financial System Project Mgmt.	2023	12	INV	Paid	18,428.80	81061	045-451026	Tyler Munis Contract	12/31/2023	1/19/2024
UNITEDSI	40353130 548000	Repair & Maintenance Services	2023	12	INV	Paid	185.00	81062	INV-02149271	Portable toilet service for DOC Operations	11/30/2023	1/19/2024
VERIZCS	40253510 542010	Cellular Telephone	2023	12	INV	Paid	576.31	81063	9952479194 12-23	Machine to machine communications SCADA	12/23/2023	1/19/2024
VERIZCS	50251888 542010	Cellular Telephone	2023	12	INV	Paid	6,324.09	81063	9951916233 12-23	Monthly cellular telephone service	12/16/2023	1/19/2024
WH PACIF	00150020 541000	Professional Svcs - General	2023	12	INV	Paid	4,666.69	81064	361904	Code enforcement for ROW violation	11/24/2023	1/19/2024
WLACE	40253585 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	13.07	81065	15309717	Glue to Fix counter	8/11/2023	1/19/2024
WLACE	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	163.41	81065	15309413	Miscellaneous small tools	7/10/2023	1/19/2024
WLACE	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	128.57	81065	15310295	Fence Repair supplies	10/13/2023	1/19/2024
WLACE	40353190 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	32.67	81065	15310839	Concrete for fence repair	12/21/2023	1/19/2024
WLACE	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	25.06	81065	15309523	Dustpan and broom	7/23/2023	1/19/2024
WLACE	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	15.25	81065	15310301	Refer ice maker filters	10/13/2023	1/19/2024
WLACE	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	5.00	81065	15310814	Paint roller frame	12/15/2023	1/19/2024
WLACE	51051821 531300	Repair & Maintenance Supplies	2023	12	INV	Paid	70.54	81065	15310842	Vent repair on PW building roof	12/21/2023	1/19/2024
WML	40153481 541000	Professional Svcs - General	2023	12	INV	Paid	30.00	81066	217303	December 2023 arsenic sample	12/27/2023	1/19/2024
WML	40153481 541000	Professional Svcs - General	2023	12	INV	Paid	390.00	81066	217407	December 2023 bacteria samples	12/28/2023	1/19/2024

City of Snoqualmie
Claims presented to the City to be paid in the amount of $34,967.46
For claims warrants numbered 81607 through 81067 & dated 1/19/2024 **#70**

VENDOR NAME	ACCOUNT	ACCOUNT DESC	YEAR	PERIOD	TYPE	STATUS	AMOUNT	CHECK NO	INVOICE #	FULL DESC	INVOICE DATE	CHECK DATE
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	21.82	81067	431306 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	11.88	81067	456550 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	55.77	81067	577403 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	55.64	81067	577445 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	128.95	81067	617464 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	1,525.90	81067	639966 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	34.33	81067	742043 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	97.82	81067	780111 1-24	Electricity	1/4/2024	1/19/2024
PSE	STR54263 547100	Electricity	2024	1	INV	Paid	19.92	81067	780137 1-24	Electricity	1/4/2024	1/19/2024
PSE	40153481 547100	Electricity	2024	1	INV	Paid	15,723.45	81067	004220 1-24	Electricity	1/4/2024	1/19/2024
PSE	40153482 547100	Electricity	2024	1	INV	Paid	12,307.92	81067	004220 1-24	Electricity	1/4/2024	1/19/2024
PSE	40153935 547100	Electricity	2024	1	INV	Paid	11.76	81067	103385 1-24	Electricity	1/4/2024	1/19/2024
PSE	40153935 547100	Electricity	2024	1	INV	Paid	3,883.59	81067	436232 1-24	Electricity	1/4/2024	1/19/2024
PSE	40153935 547100	Electricity	2024	1	INV	Paid	12.66	81067	794782 1-24	Electricity	1/4/2024	1/19/2024
PSE	40253565 547100	Electricity	2024	1	INV	Paid	274.26	81067	241418 1-24	Electricity	1/4/2024	1/19/2024
PSE	51051821 547100	Electricity	2024	1	INV	Paid	410.22	81067	133972 1-24	Electricity	1/4/2024	1/19/2024
PSE	51051821 547100	Electricity	2024	1	INV	Paid	284.28	81067	198066 1-24	Electricity	1/4/2024	1/19/2024
PSE	51051821 547100	Electricity	2024	1	INV	Paid	44.92	81067	198082 1-24	Electricity	1/4/2024	1/19/2024
PSE	51051821 547100	Electricity	2024	1	INV	Paid	11.40	81067	400820 1-24	Electricity	1/4/2024	1/19/2024
PSE	51051821 547100	Electricity	2024	1	INV	Paid	50.97	81067	549936 1-24	Electricity	1/4/2024	1/19/2024

P1-22-24

Payroll

Blanket Voucher Document

Claims presented to the City to be paid on 1/22/2024 in the amount of 390,020.64
which includes claim warrants numbered - through -,
totaling $ 0.00, and direct deposits totaling $ 390,020.64.

Payroll

ACH Check Register

User: 'THolden'
Printed: 01/19/2024 - 4:07PM
Batch: 00001.01.2024 - Jan 1-15 Cycle 1 2024
Include Partial: TRUE

Check Date	Check Number	Partial ACH	Employee Name	Amount
01/22/2024	0	False	Bryan Holloway	455.68
01/22/2024	0	False	Catherine Cotton	410.05
01/22/2024	0	False	Louis Washington	310.05
01/22/2024	0	False	Ethan Benson	410.05
01/22/2024	0	False	Jolyon Johnson	410.05
01/22/2024	0	False	Robert Wotton	260.05
01/22/2024	0	False	Cara Christensen	410.05
01/22/2024	0	False	Katherine Ross	1,818.57
01/22/2024	0	False	Deana Dean	3,563.95
01/22/2024	0	False	Tania Holden	3,852.99
01/22/2024	0	False	Jimmie Betts Jr.	2,892.00
01/22/2024	0	False	Brendon Ecker	2,208.08
01/22/2024	0	False	Andrew Latham	2,887.83
01/22/2024	0	False	Andrew Jongekryg	2,424.49
01/22/2024	0	False	Samantha Brumfield	1,610.08
01/22/2024	0	False	Kimberly Johnson	3,454.01
01/22/2024	0	False	Nicole Wiebe	2,212.39
01/22/2024	0	False	Andrew Bouta	4,104.12
01/22/2024	0	False	Krista Hintz	15,150.83
01/22/2024	0	False	Jennifer Hughes	1,745.76
01/22/2024	0	False	Debbie Kinsman	2,301.17
01/22/2024	0	False	Heather Florida	2,342.82
01/22/2024	0	False	Gerald Knutsen	3,199.93
01/22/2024	0	False	Kyla Henderson	2,980.57
01/22/2024	0	False	Janna Walker	3,578.89
01/22/2024	0	False	Tami Wood	3,087.52
01/22/2024	0	False	Gail Folkins	2,378.41
01/22/2024	0	False	Danna McCall	2,923.16
01/22/2024	0	False	Brian Lynch	4,172.31
01/22/2024	0	False	Melinda Black	3,681.02
01/22/2024	0	False	Stephanie Butler	2,775.15
01/22/2024	0	False	Austin Gutwein	3,581.36
01/22/2024	0	False	Joseph Spears	3,554.28
01/22/2024	0	False	Drew Ward	4,723.03
01/22/2024	0	False	Michael Peter	2,511.57
01/22/2024	0	False	Max Bostick	2,577.62
01/22/2024	0	False	Pamela Mandery	7,249.44
01/22/2024	0	False	James Aguirre	4,367.64
01/22/2024	0	False	Michael Liebetrau	3,497.71
01/22/2024	0	False	Kobe Hoyla	2,299.87
01/22/2024	0	False	Craig Miller	7,777.32
01/22/2024	0	False	Daniel Moate	5,496.66
01/22/2024	0	False	Marcus Sanchez	6,505.00
01/22/2024	0	False	Joseph Meadows	5,320.92
01/22/2024	0	False	Cory Hendricks	4,131.10
01/22/2024	0	False	Nicholas Schulgen	2,458.34

01/22/2024	0	False	David Doucett	3,972.84
01/22/2024	0	False	William Natkha	2,335.24
01/22/2024	0	False	Erik Rasmussen	2,591.78
01/22/2024	0	False	Chase Smith	4,658.68
01/22/2024	0	False	James Kaae	6,058.73
01/22/2024	0	False	Jason Weiss	9,518.59
01/22/2024	0	False	Nigel Draveling	2,947.17
01/22/2024	0	False	Dmitriy Vladis	3,445.35
01/22/2024	0	False	Christopher Werre	3,818.96
01/22/2024	0	False	Philip Bennett	5,547.08
01/22/2024	0	False	Justin Ren	2,846.22
01/22/2024	0	False	Kerry O'Neil	2,339.48
01/22/2024	0	False	Dalton Hawk	2,193.73
01/22/2024	0	False	Jason Battles	4,835.42
01/22/2024	0	False	Neil MacVicar	2,601.54
01/22/2024	0	False	Jorge Orozco	2,740.41
01/22/2024	0	False	Ryan Barnet	3,080.45
01/22/2024	0	False	Michael Chambless	6,196.93
01/22/2024	0	False	Kyle Markwardt	2,401.09
01/22/2024	0	False	Christine Iverson Stinson	2,521.52
01/22/2024	0	False	Kevin Aspy	2,926.62
01/22/2024	0	False	Lyle Beach	3,208.49
01/22/2024	0	False	Patrick Fry	3,755.19
01/22/2024	0	False	Jeffrey Hamlin	4,279.10
01/22/2024	0	False	Andrew Vining	3,705.11
01/22/2024	0	False	Hind Ahmed	3,968.94
01/22/2024	0	False	Thomas Holmes	10,881.90
01/22/2024	0	False	Alec Bagley	2,939.53
01/22/2024	0	False	Joan Quade	2,212.03
01/22/2024	0	False	Ryan Dalziel	1,751.06
01/22/2024	0	False	Jason George	5,017.83
01/22/2024	0	False	Kevin Halbert	2,836.13
01/22/2024	0	False	Timothy Barrett	3,273.92
01/22/2024	0	False	Donald Harris	5,928.90
01/22/2024	0	False	Kevin Snyder	5,660.31
01/22/2024	0	False	Kenneth Knowles	4,876.23
01/22/2024	0	False	Christopher Wilson	959.62
01/22/2024	0	False	Todd Shinn	5,634.39
01/22/2024	0	False	Matthew Hedger	6,843.76
01/22/2024	0	False	John Cooper	3,427.31
01/22/2024	0	False	Emily Arteche	4,439.31
01/22/2024	0	False	Ashley Wragge	2,371.31
01/22/2024	0	False	Ilyse Treptow	2,885.27
01/22/2024	0	False	Rebecca Buelna	2,436.59
01/22/2024	0	False	Dylan Gamble	2,716.88
01/22/2024	0	False	Michael Bailey	5,177.52
01/22/2024	0	False	Jessica Rellamas	1,674.29
01/22/2024	0	False	Tylor Fischer	3,533.81
01/22/2024	0	False	Zachary Schumann	5,250.42
01/22/2024	0	False	Jacob Fouts	7,078.01
01/22/2024	0	False	Darby Summers	3,038.06
01/22/2024	0	False	Theresa Tozier	3,314.33
01/22/2024	0	False	Gregory Heath	3,082.12
01/22/2024	0	False	Albert Wolfe	4,257.31
01/22/2024	0	False	Nicholas Lathrop	3,125.18
01/22/2024	0	False	Matthew West	6,908.06
01/22/2024	0	False	William Wisham	5,240.93
01/22/2024	0	False	Robert Lasswell	4,410.88

01/22/2024	0	False	Benjamin Parker	5,067.10
01/22/2024	0	False	Peter O'Donnell	3,211.79
				0.00
				390,020.64
		Total Employees:	106	390,020.64

Payroll

Blanket Voucher Document

VOID

Claims presented to the City to be paid on 1/22/2024 in the amount of (15,150.83) *(Void check)*
which includes claim warrants numbered - through -,
totaling $ *0.00*, and direct deposits totaling $ *(15,150.83)*.

Payroll

Void Payroll Proof List

VOID

User: THolden
Printed: 01/22/2024 - 8:51AM
Batch: 00001.01.2024 - Hintz correction

Check Number	Check Date	First Name	Last Name	Amount
0	01/22/2024	Krista	Hintz	15,150.83

Payroll

Blanket Voucher Document

Claims presented to the City to be paid on 1/22/2024 in the amount of 3,591.20
which includes claim warrants numbered ____-_____ through _____-_____,
totaling $_____0.00_____, and direct deposits totaling $ __3,591.20_____.

Payroll

ACH Check Register

User: 'THolden'
Printed: 01/22/2024 - 9:25AM
Batch: 00002.01.2024 - Correction check Krista Hintz
Include Partial: TRUE

Check Date	Check Number	Partial ACH	Employee Name		Amount
01/22/2024	0	False	Krista Hintz		3,591.20
				Partial ACH:	0.00
				Regular ACH:	3,591.20
		Total Employees:	1	Total:	3,591.20

Accounts Payable

Blanket Voucher Approval Document

User: THolden
Printed: 01/25/2024 - 2:50PM
Warrant Request Date: 1/22/2024
DAC Fund:

Batch: 00001.01.2024 - PV1-22-2024

City of Snoqualmie
Claims presented to the City to be paid in the amount of $ 277,123.31 (Incl. ACH),
for claims warrants numbered 62375 through 62380 & dated 1/22/2024.

Line	Claimant	Voucher No.	Amount
1	AFLAC	000000000	39.07
2	CITY OF SNOQUALMIE	000062375	953.04
3	Dept of Retirement Syst.-PERS	000000000	46,876.12
4	Dept. of Labor & Industries	000000000	15,844.70
5	Dept. of Retirement Syst.- DCP	000000000	18,477.75
6	Dept. of Retirement Syst.- PSERS	000000000	1,910.03
7	Dept. of Retirement Syst.-LEOFF	000000000	33,304.26
8	Employment Security Dept.	000000000	1,094.11
9	Employment Security Dept.	000000000	4,089.05
10	Employment Security Dept.	000000000	2,677.99
11	IAFF Firepac-Political Affairs Dept.	000062376	2.09
12	IAFF LOCAL #2878	000062377	1,458.61
13	ICMA Retirement Trust -303907	000000000	2,200.00
14	IRS-Payroll EFTPS	000000000	143,293.07
15	Office of Support Enforcement - DSHS	000000000	1,434.17
16	Snoqualmie Police Association	000062378	900.00
17	Teamsters Local Union #763	000062379	1,855.50
18	Voya Institutional Trust Company	000000000	225.00
19	Western States Police Medical Trust	000062380	488.75
		Page Total:	$277,123.31
		Grand Total:	$277,123.31

Accounts Payable

Check Detail

User: THolden
Printed: 01/30/2024 - 11:54AM

Check Number	Check Date			Amount
90110 - AFLAC Line Item Account				
0	01/22/2024			
Inv				
Line Item Date	Line Item Description		Line Item Account	
01/19/2024	PR Batch 00001.01.2024 AFLAC-Pre Tax		631-00-000-231-50-19-000	39.07
Inv Total				39.07
0 Total:				39.07
90110 - AFLAC Total:				39.07
90099 - CITY OF SNOQUALMIE Line Item Account				
62375	01/22/2024			
Inv				
Line Item Date	Line Item Description		Line Item Account	
01/19/2024	PR Batch 00001.01.2024 FSA		631-00-000-231-50-15-000	953.04
Inv Total				953.04
62375 Total:				953.04
90099 - CITY OF SNOQUALMIE Total:				953.04
90070 - Dept of Retirement Syst.-PERS Line Item Account				
0	01/22/2024			
Inv				
Line Item Date	Line Item Description		Line Item Account	
01/19/2024	PR Batch 00001.01.2024 PERS2 Employee		631-00-000-231-50-16-000	15,998.57
01/19/2024	PR Batch 00001.01.2024 PERS 3 Employer		631-00-000-231-50-16-000	4,272.63
01/19/2024	PR Batch 00001.01.2024 PERS 2 Employer		631-00-000-231-50-16-000	23,972.66
01/19/2024	PR Batch 00001.01.2024 PERS 3 Employee		631-00-000-231-50-16-000	2,632.26
Inv Total				46,876.12
0 Total:				46,876.12
90070 - Dept of Retirement Syst.-PERS Total:				46,876.12

90010 - Dept. of Labor & Industries Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 L&I Employee	631-00-000-231-50-73-000	2,277.31
01/19/2024	PR Batch 00001.01.2024 L&I Employer	631-00-000-231-50-73-000	13,567.39
Inv Total			15,844.70
0 Total:			15,844.70

90010 - Dept. of Labor & Industries Total: 15,844.70

90105 - Dept. of Retirement Syst.- DCP Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 DCP Flat Employee	631-00-000-231-50-19-000	11,516.75
01/19/2024	PR Batch 00001.01.2024 DCP-Employer	631-00-000-231-50-19-000	5,473.50
01/19/2024	PR Batch 00001.01.2024 DCP-Employer-Supplement	631-00-000-231-50-19-000	1,337.50
01/19/2024	PR Batch 00001.01.2024 Defferd Comp Roth Flat	631-00-000-231-50-19-000	150.00
Inv Total			18,477.75
0 Total:			18,477.75

90105 - Dept. of Retirement Syst.- DCP Total: 18,477.75

90075 - Dept. of Retirement Syst.- PSERS Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 PSERS Employer	631-00-000-231-50-16-000	1,137.06
01/19/2024	PR Batch 00001.01.2024 PSERS Employee	631-00-000-231-50-16-000	772.97
Inv Total			1,910.03
0 Total:			1,910.03

90075 - Dept. of Retirement Syst.- PSERS Total: 1,910.03

90030 - Dept. of Retirement Syst.-LEOFF Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 LEOFF 2 Employer	631-00-000-231-50-16-000	12,792.67
01/19/2024	PR Batch 00001.01.2024 LEOFF 2 Employee	631-00-000-231-50-16-000	20,511.59

Inv Total			33,304.26
0 Total:			33,304.26
90030 - Dept. of Retirement Syst.-LEOFF Total:			33,304.26

90023 - Employment Security Dept. Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 WA Cares	631-00-000-231-50-32-000	2,546.34
01/19/2024	PR Batch 00001.01.2024 WA Paid Fam. & Med. Leave	631-00-000-231-50-32-000	1,168.23
01/19/2024	PR Batch 00001.01.2024 Emp Sec- Unemployment Tax	631-00-000-231-50-50-000	1,094.11
01/19/2024	PR Batch 00001.01.2024 WA Paid Fam. & Med. Leave	631-00-000-231-50-32-000	2,920.82
01/22/2024	PR Batch 00002.12.2023 WA Cares	631-00-000-231-50-32-000	418.81
01/22/2024	PR Batch 00001.12.2023 WA Cares	631-00-000-231-50-32-000	-287.16
Inv Total			7,861.15
0 Total:			7,861.15
90023 - Employment Security Dept. Total:			7,861.15

90035 - IAFF Firepac-Political Affairs Dept. Line Item Account

62376 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 IAFF-FirePac	631-00-000-231-50-50-000	2.09
Inv Total			2.09
62376 Total:			2.09
90035 - IAFF Firepac-Political Affairs Dept. Total:			2.09

90045 - IAFF LOCAL #2878 Line Item Account

62377 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 IAFF-Local 2878 Fire	631-00-000-231-50-21-000	1,458.61
Inv Total			1,458.61
62377 Total:			1,458.61
90045 - IAFF LOCAL #2878 Total:			1,458.61

90100 - ICMA Retirement Trust -303907 Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 ICMA-Employer	631-00-000-231-50-19-000	712.50
01/19/2024	PR Batch 00001.01.2024 ICMA-Employee	631-00-000-231-50-19-000	1,362.50
01/19/2024	PR Batch 00001.01.2024 ICMA-Employer Supplement	631-00-000-231-50-19-000	125.00
Inv Total			2,200.00

0 Total: 2,200.00

90100 - ICMA Retirement Trust -303907 Total: 2,200.00

90085 - IRS-Payroll EFTPS Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 FICA Employee	631-00-000-231-50-27-000	28,832.60
01/19/2024	PR Batch 00001.01.2024 FICA Employer	631-00-000-231-50-27-000	28,832.60
01/19/2024	PR Batch 00001.01.2024 Federal Income Tax	631-00-000-231-50-27-000	69,620.63
01/19/2024	PR Batch 00001.01.2024 Medicare Employee	631-00-000-231-50-27-000	8,003.62
01/19/2024	PR Batch 00001.01.2024 Medicare Employer	631-00-000-231-50-27-000	8,003.62
Inv Total			143,293.07

0 Total: 143,293.07

90085 - IRS-Payroll EFTPS Total: 143,293.07

90060 - Office of Support Enforcement - DSHS Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 Child Support	631-00-000-231-50-30-000	1,434.17
Inv Total			1,434.17

0 Total: 1,434.17

90060 - Office of Support Enforcement - DSHS Total: 1,434.17

90180 - Snoqualmie Police Association Line Item Account

62378 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 Police Union Dues	631-00-000-231-50-21-000	900.00

Inv Total			900.00
62378 Total:			900.00
90180 - Snoqualmie Police Association Total:			900.00

90040 - Teamsters Local Union #763 Line Item Account

62379 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 Teamsters Union Dues	631-00-000-231-50-21-000	1,855.50
Inv Total			1,855.50
62379 Total:			1,855.50
90040 - Teamsters Local Union #763 Total:			1,855.50

90095 - Voya Institutional Trust Company Line Item Account

0 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 Voya-Employee	631-00-000-231-50-19-000	125.00
01/19/2024	PR Batch 00001.01.2024 Voya-Employer	631-00-000-231-50-19-000	100.00
Inv Total			225.00
0 Total:			225.00
90095 - Voya Institutional Trust Company Total:			225.00

90400 - Western States Police Medical Trust Line Item Account

62380 01/22/2024

Inv

Line Item Date	Line Item Description	Line Item Account	
01/19/2024	PR Batch 00001.01.2024 W States Police Medical Trust	631-00-000-231-50-17-000	488.75
Inv Total			488.75
62380 Total:			488.75
90400 - Western States Police Medical Trust Total:			488.75

Check Number	Check Date	A	
Total:			277,123.31

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-027
February 12, 2024
Ordinance

AGENDA BILL INFORMATION

TITLE:	**AB24-027**: Ordinance Amending SMC Chapters 5.04 and 5.08 Regarding Business Licenses and Business and Occupation Tax	☐ Discussion Only ☒ Action Needed:
PROPOSED ACTION:	Approve Ordinance No. 1288 Amending SMC Chapters 5.04 and 5.08 Regarding Business Licenses and Business and Occupation Tax	☐ Motion ☒ Ordinance ☐ Resolution

REVIEW:	Department Director	Drew Bouta	1/31/2024
	Finance	Janna Walker	2/1/2024
	Legal	David Linehan	2/1/2024
	City Administrator	Mike Chambless	Click or tap to enter a date.

DEPARTMENT:	Finance	
STAFF:	Drew Bouta, Finance Director	
COMMITTEE:	Finance & Administration	**COMMITTEE DATE:** February 6, 2024
EXHIBITS:	1. Ordinance Amending SMC Chapters 5.04 and 5.08 – Clean Version 2. Ordinance Amending SMC Chapters 5.04 and 5.08 – Redline Version	

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUESTED	$ n/a

SUMMARY

INTRODUCTION

The intent of this agenda bill is to amend Snoqualmie Municipal Code (SMC) chapters 5.04 and 5.08 to reflect the latest Associated of Washington Cities (AWC) model ordinance regarding business and occupation (B&O) taxes. The model ordinance was revised in 2019 and 2023 to reflect changes in state law and to promote uniformity and foster an equitable business environment.

LEGISLATIVE HISTORY

In 2003, the Washington State Legislature adopted a bill that required 45 cities with local B&O taxes at the time to adopt a city B&O tax model ordinance (RCW 35.102). A 2008 update to the model required cities that levy the B&O tax to allow for "allocation and apportionment" to minimize concerns over multiple taxation. In 2017, the Washington State Legislature adopted EHB 2005 establishing a task force of city and business representatives to recommend changes to the two-factor apportionment formula for service income under RCW 35.102.130(3). To incorporate the changes recommended by the task force and passed by the State Legislature in HB 1403 regarding service apportionment rules and HB 1059 regarding annual tax filers, the

model ordinance was updated. The model ordinance was further revised in 2023 to account for the passage of SB 5199 which changed the definition of printing and publishing income.

ANALYSIS

This agenda bill will update SMC Chapters 5.04 and 5.08 ensuring compliance with state law and the provisions of the model B&O tax ordinance. Exhibit 2 shows the redline version of these updates. Blue text reflects the 2019 model ordinance and minor code cleanup, while the changes shown in red text are the 2023 required changes for printing and newspaper/periodical publishing.

BUDGET IMPACTS

The amendments to SMC 5.04 and5.08 regarding B&O taxes are not anticipated to have a significant effect on revenues within the 2023-24 Biennial Budget.

NEXT STEPS

This is the first reading of this ordinance. Council may choose to waive the second reading of Ordinance No. 1288 and adopt it immediately, or consider the second reading on February 26, 2024, at which time Council may choose to adopt the ordinance.

Motion to waive Council Rule of Procedure 9.6.2.2 and adopt Ordinance No. 1288 on first and final reading.

OR

Motion to authorize the first reading pertaining to adoption of Ordinance No. 1288 Amending SMC Chapters 5.04 and 5.08 Regarding Business Licenses and Business and Occupation Tax and set forth the second reading and adoption at the February 26, 2024, City Council meeting.

ORDINANCE NO. 1288

AN ORDINANCE OF THE CITY OF SNOQUALMIE, WASHINGTON, AMENDING CHAPTERS 5.04 AND 5.08 OF THE SNOQUALMIE MUNICIPAL CODE, REGARDING BUSINESS LICENSES AND BUSINESS AND OCCUPATION TAX; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 35.102 RCW requires cities that impose business and occupation taxes to coordinate with the Association of Washington Cities (AWC) to develop a model ordinance for the administration of business and occupation tax in order to promote uniformity and foster an equitable business environment; and

WHEREAS, starting in 2008, cities that levy the business and occupation tax must allow for allocation and apportionment to minimize concerns over multiple taxation; and

WHEREAS, in 2017, HB 2005 required that cities that levy business and occupation taxes form a task force to review service income apportionment; and

WHEREAS, a workgroup of cities met and recommended amendments to the model ordinance to include changes to RCW Chapter 35.102 and to reflect other changes to state law since 2013, which amendments were adopted by the 2019 legislature; and

WHEREAS, in 2023, SB 5199 changed the definition of printing and publishing income for business and occupation taxes resulting in an update to the model ordinance.

WHEREAS, the City must amend its code to reflect the changes made to the model ordinance as promulgated by AWC and authorized by state law.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Snoqualmie, Washington, as follows:

Section 1. Chapter 5.04 of the Snoqualmie Municipal Code, Business Licenses and Business and Occupation Tax, is hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Chapter 5.08 of the Snoqualmie Municipal Code, Administrative Provisions for Business Tax, is hereby amended to read as shown in Exhibit B, attached hereto and incorporated herein by this reference.

Section 3. Severability. If any one or more sections, subsections, or sentences of this ordinance or the Snoqualmie Municipal Code amendments adopted in Sections 1 and 2 herein are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the Snoqualmie Municipal Code sections, and the same shall remain in full force and effect.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and Code Revisers are authorized to make necessary corrections to this ordinance and Snoqualmie Municipal Code sections, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules or regulations; or ordinance or Snoqualmie Municipal Code section or subsection numbering.

Section 5. Effective Date. This ordinance shall be effective five (5) days after passage and publication, as provided by law.

PASSED by the City Council of the City of Snoqualmie, Washington, this 6th day of February 2024.

_____
Katherine Ross, Mayor

ATTEST:

_____
Deana Dean, City Clerk

APPROVED AS TO FORM:

_____
David Linehan, Interim City Attorney

EXHIBIT A

Chapter 5.04 – BUSINESS LICENSES AND BUSINESS AND OCCUPATION TAX

5.04.010 Exercise of revenue license power.

The provisions of this chapter shall be deemed an exercise of the power of the city to license for revenue. The provisions of this chapter are subject to periodic statutory or administrative rule changes or judicial interpretations of the ordinances or rules. The responsibility rests with the licensee or taxpayer to reconfirm tax computation procedures and remain in compliance with the city code.

5.04.015 Business license.

A. Every person engaging in any business or activity within the city during each taxable year in any business or activity, whether or not subject to taxation under this chapter, except as provided in subsection F of this section, shall apply for and obtain from the finance officer a business license for such taxable year or unexpired portion thereof. On and after the effective date of the ordinance codified in this section, no person shall engage in any business activity within the city for which a license fee or tax is imposed by this chapter without having first obtained and being the holder of a valid and subsisting license to be known as a business license, issued for such taxable year under the provisions of this chapter.

B. Except as provided otherwise herein, the fee for issuance and renewal of an annual business license shall be based on the number of employees, including the owner, engaging in any business or activity within the city during each taxable year in any business or activity as follows:

Number of Employees	Fee
0 – 2	$25.00
3 – 10	$50.00
11 – 25	$115.00
26 – 50	$250.00
51 – 100	$500.00
101 or higher	$500.00

Notwithstanding the fee schedule above, for purposes of the annual business license required by this chapter, for any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than $2,000.00 and who does not maintain a place of business within the city, the fee for the annual business license shall be $0.00.

C. The license shall expire at the end of the calendar year. Each license shall be personal and nontransferable. In case business is transacted at two or more separate places by one taxpayer, a separate license shall be required for each place, and a separate registration fee shall be paid for such license issued.

D. All business licenses shall be issued by the director on forms prescribed and furnished by the director, and the director shall keep a register thereof. Each license shall be numbered, shall show the name, place and character of business of the taxpayer, such other information as the director shall deem necessary, and shall at all times be posted in the place of business for which it is issued. When the place of business of a taxpayer is changed, the taxpayer shall return the license to the director and a new license shall be issued for the new place of business upon payment of a fee of $25.00. No person shall engage in any business for which a business license is required without being licensed, nor shall any person holding such a business license suffer or allow any other person, for whom a separate license is required, to operate under or display his license.

E. The director shall not issue any business license for a business to be conducted within premises located in the city until the planning official has certified that the business may lawfully be conducted within the zoning district within which it is located, and the building official has certified that the premises comply with applicable fire and life safety regulations. The cost of such review and certifications shall be included within the business license fee.

F. Licensing of persons engaged in business as vendors at farmers' markets, festivals and special events, roadside sales, door-to-door sales, transient merchant sales, or other similar circumstances shall be licensed as provided in Chapter 5.36 SMC, provided, such persons shall be subject to the tax imposed by this chapter if such person's sales within the city exceed the gross receipts as set forth in SMC 5.04.050(B).

5.04.020 Administrative provisions.

The administrative provisions contained in Chapter 5.08 SMC shall be fully applicable to the provisions of this chapter except as expressly stated to the contrary herein.

5.04.030 Definitions.

In construing the provisions of this chapter, the following definitions shall be applied. Words in the singular number shall include the plural, and the plural shall include the singular.

A. "Business" includes all activities engaged in with the object of gain, benefit, or advantage to the taxpayer or to another person or class, directly or indirectly.

B. “Business and occupation tax” or “gross receipts tax” means a tax imposed on or measured by the value of products, the gross income of the business, or the gross proceeds of sales, as the case may be, and that is the legal liability of the business.

C. “Commercial or industrial use” means the following uses of products, including by-products, by the extractor or manufacturer thereof:

1. Any use as a consumer; and

2. The manufacturing of articles, substances or commodities.

D. “Delivery” means the transfer of possession of tangible personal property between the seller and the buyer or the buyer’s representative. Delivery to an employee of a buyer is considered delivery to the buyer. Transfer of possession of tangible personal property occurs when the buyer or the buyer’s representative first takes physical control of the property or exercises dominion and control over the property. “Dominion and control” means the buyer has the ability to put the property to the buyer’s own purposes. It means the buyer or the buyer’s representative has made the final decision to accept or reject the property, and the seller has no further right to possession of the property and the buyer has no right to return the property to the seller, other than under a warranty contract. A buyer does not exercise dominion and control over tangible personal property merely by arranging for shipment of the property from the seller to itself. A buyer’s representative is a person, other than an employee of the buyer, who is authorized in writing by the buyer to receive tangible personal property and take dominion and control by making the final decision to accept or reject the property. Neither a shipping company nor a seller can serve as a buyer’s representative. It is immaterial where the contract of sale is negotiated or where the buyer obtains title to the property. Delivery terms and other provisions of the Uniform Commercial Code (Title 62A RCW) do not determine when or where delivery of tangible personal property occurs for purposes of taxation.

E. “Digital automated service,” “digital code,” and “digital goods” have the same meaning as in RCW 82.04.192.

F. “Digital products” means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050(2)(g) and (6)(b).

G. “Director” means the finance officer of the city or any officer, agent or employee of the city designated to act on the director’s behalf.

H. “Eligible gross receipts tax” means a tax which:

1. Is imposed on the act or privilege of engaging in business activities within SMC 5.04.050; and

2. Is measured by the gross volume of business, in terms of gross receipts, and is not an income tax or value added tax; and

3. Is not, pursuant to law or custom, separately stated from the sales price; and

4. Is not a sales or use tax, business license fee, franchise fee, royalty or severance tax measured by volume or weight, or concession charge, or payment for the use and enjoyment of property, property right or a privilege; and

5. Is a tax imposed by a local jurisdiction, whether within or without the state of Washington, and not by a country, state, province, or any other nonlocal jurisdiction above the county level.

I. Engaging in Business.

1. The term “engaging in business” means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

2. This subsection sets forth examples of activities that constitute engaging in business in the city, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimis business activities in the city without having to register and obtain a business license or pay city business and occupation taxes. The activities listed in this section are illustrative only and are not intended to narrow the definition of “engaging in business” in subsection (I)(1) of this section. If an activity is not listed, whether it constitutes engaging in business in the city shall be determined by considering all the facts and circumstances and applicable law.

3. Without being all inclusive, any one of the following activities conducted within the city by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf, constitutes engaging in business and requires a person to register and obtain a business license:

a. Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the city.

b. Owning, renting, leasing, using, or maintaining an office, place of business, or other establishment in the city.

c. Soliciting sales.

d. Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.

e. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.

f. Installing, constructing, or supervising installation or construction of real or tangible personal property.

g. Soliciting, negotiating, or approving franchise, license, or other similar agreements.

h. Collecting current or delinquent accounts.

i. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.

j. Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.

k. Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, and veterinarians.

l. Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.

m. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the city, acting on its behalf, or for customers or potential customers.

n. Investigating, resolving, or otherwise assisting in resolving customer complaints.

o. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.

p. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.

4. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the city but the following, it need not register and obtain a business license and pay tax:

a. Meeting with suppliers of goods and services as a customer.

b. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.

c. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.

d. Renting tangible or intangible property as a customer when the property is not used in the city.

e. Attending, but not participating in, a "trade show" or "multiple vendor events." Persons participating at a trade show shall review the city's trade show or multiple vendor event ordinances.

f. Conducting advertising through the mail.

g. Soliciting sales by phone from a location outside the city.

5. A seller located outside the city merely delivering goods into the city by means of common carrier is not required to register and obtain a business license; provided, that it engages in no other business activities in the city. Such activities do not include those in subsection (I)(4) of this section.

6. The city expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the tax under the law and the Constitutions of the United States and the state of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

J. “Extracting” is the activity engaged in by an extractor and is reportable under the extracting classification.

K. “Extractor” means every person who, from the person’s own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use, mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product; or fells, cuts or takes timber, Christmas trees, other than plantation Christmas trees, or other natural products; or takes fish, shellfish, or other sea or inland water foods or products. “Extractor” does not include persons performing under contract the necessary labor or mechanical services for others; or persons meeting the definition of “farmer.”

L. “Extractor for hire” means a person who performs under contract necessary labor or mechanical services for an extractor.

M. “Gross income of the business” means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

N. “Gross proceeds of sales” means the value proceeding or accruing from the sale of tangible personal property, digital goods, digital codes, digital automated services or for other services rendered, without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

O. “Manufacturing” means the activity conducted by a manufacturer and is reported under the manufacturing classification.

P. “Manufacturer,” “to manufacture.”

1. “Manufacturer” means every person who, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or for commercial or industrial use from the person’s own materials or ingredients any products. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, materials or ingredients equal to

less than 20 percent of the total value of all materials or ingredients that become a part of the finished product, the owner of the equipment or facilities will be deemed to be a processor for hire, and not a manufacturer;

2. “To manufacture” means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials or ingredients so that as a result thereof a new, different or useful product is produced for sale or commercial or industrial use, and shall include:

a. The production of special made or custom made articles;

b. The production of dental appliances, devices, restorations, substitutes, or other dental laboratory products by a dental laboratory or dental technician;

c. Crushing and/or blending of rock, sand, stone, gravel, or ore; and

d. The producing of articles for sale, or for commercial or industrial use from raw materials or prepared materials by giving such materials, articles, and substances of trade or commerce new forms, qualities, properties or combinations including, but not limited to, such activities as making, fabricating, processing, refining, mixing, slaughtering, packing, aging, curing, mild curing, preserving, canning, and the preparing and freezing of fresh fruits and vegetables.

3. “To manufacture” shall not include the production of digital goods or computer software if the computer software is delivered from the seller to the purchaser by means other than tangible storage media, including the delivery by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

Q. “Person” means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise and the United States or any instrumentality thereof.

R. “Retailing” means the activity of engaging in making sales at retail and is reported under the retailing classification.

S. “Retail service” shall include the sale of or charge made for personal, business, or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities:

1. Amusement and recreation services including but not limited to golf, pool, billiards, skating, bowling, swimming, bungee jumping, ski lifts and tows, basketball, racquet ball, handball, squash, tennis, batting cages, day trips for sightseeing purposes, and others, when provided to consumers. "Amusement and recreation services" also include the provision of related facilities such as basketball courts, tennis courts, handball courts, swimming pools, and charges made for providing the opportunity to dance. The term "amusement and recreation services" does not include instructional lessons to learn a particular activity such as tennis lessons, swimming lessons, or archery lessons;

2. Abstract, title insurance, and escrow services;

3. Credit bureau services;

4. Automobile parking and storage garage services;

5. Landscape maintenance and horticultural services but excluding (a) horticultural services provided to farmers and (b) pruning, trimming, repairing, removing, and clearing of trees and brush near electric transmission or distribution lines or equipment, if performed by or at the direction of an electric utility;

6. Service charges associated with tickets to professional sporting events; and

7. The following personal services: physical fitness services, tanning salon services, tattoo parlor services, steam bath services, Turkish bath services, escort services, and dating services.

8. The term shall also include the renting or leasing of tangible personal property to consumers and the rental of equipment with an operator.

T. "Sale," "casual or isolated sale."

1. "Sale" means any transfer of the ownership of, title to, or possession of property for a valuable consideration and includes any activity classified as a "sale at retail," "retail sale," or "retail service." It includes renting or leasing, conditional sale contracts, leases with option to purchase, and any contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It also includes the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not.

2. "Casual or isolated sale" means a sale made by a person who is not engaged in the business of selling the type of property involved on a routine or continuous basis.

U. Sale at Retail, Retail Sale.

1. “Sale at retail” or “retail sale” means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers, other than a sale to a person who presents a resale certificate under RCW 82.04.470 and who:

a. Purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person; or

b. Installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person; or

c. Purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale; or

d. Purchases for the purpose of consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon;

e. Purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in RCW 82.04.065. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a “sale at retail” or “retail sale” even though such property is resold or utilized as provided in subsection (U)(1)(a), (b), (c), (d) or (e) of this section following such use; or

f. Purchases for the purpose of satisfying the person’s obligations under an extended warranty as defined in subsection (U)(7) of this section, if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person.

2. “Sale at retail” or “retail sale” also means every sale of tangible personal property to persons engaged in any business activity which is taxable under SMC 5.04.050(A)(1).

3. “Sale at retail” or “retail sale” shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following:

a. The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin-operated laundry facilities when such facilities are situated in an apartment house, rooming house, or mobile home park for the exclusive use of the tenants thereof, and also excluding sales of laundry service to nonprofit health care facilities, and excluding services rendered in respect to live animals, birds and insects;

b. The constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture;

c. The charge for labor and services rendered in respect to constructing, repairing, or improving any structure upon, above, or under any real property owned by an owner who conveys the property by title, possession, or any other means to the person performing such construction, repair, or improvement for the purpose of performing such construction, repair, or improvement and the property is then reconveyed by title, possession, or any other means to the original owner;

d. The sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term “janitorial services” shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term “janitorial services” does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting;

e. The sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under Chapter 82.16 RCW;

f. The sale of and charge made for the furnishing of lodging and all other services, except telephone business and cable service, by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. For the purposes of this subsection, it shall be presumed that the sale of and charge made for the furnishing of lodging for a continuous period of one month or more to a person is a rental or lease of real property and not a mere license to enjoy the same;

g. The installing, repairing, altering, or improving of digital goods for consumers;

h. The sale of or charge made for tangible personal property, labor and services to persons taxable under subsections (U)(3)(a), (b), (c), (d), (e), (f) and (g) of this section when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a “sale at retail” or “retail sale” even though such property, labor and services may be resold after such use or consumption. Nothing contained in this subsection shall be construed to modify subsection (S)(1) of this section and nothing contained in subsection (S)(1) of this section shall be construed to modify this subsection.

4. “Sale at retail” or “retail sale” shall also include the providing of competitive telephone service to consumers.

5. “Sale at retail” or “retail sale” shall also include:

a. The sale of prewritten software other than a sale to a person who presents a resale certificate under RCW 82.04.470, regardless of the method of delivery to the end user. For purposes of this subsection the sale of prewritten computer software includes the sale of or charge made for a key or an enabling activation code, where the key or code is required to activate prewritten software and put the software into use. There is no separate sale of the key or code from the prewritten software, regardless of how the sale may be characterized by the vendor or by the purchaser. The term “sale at retail” or “retail sale” does not include the sale of or charge made for custom software or the customization of prewritten software.

b. The term also includes the charge made to consumers for the right to access and use prewritten computer software, where possession of the software is maintained by the seller or a third party, regardless of whether the charge for the service is on a per use, per user, per license, subscription, or some other basis. This service also includes the right to access and use prewritten software to perform data processing. For purposes of this subsection, the term "data processing" means the systematic performance of operations on data to extract the required information in an appropriate form or to convert the data to useable information. Data processing includes check processing, image processing, form processing, survey processing, payroll processing, claim processing and similar activities.

6. "Sale at retail" or "retail sale" shall also include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state, the state of Washington, or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind (public road construction).

7. "Sale at retail" or "retail sale" shall also include the sale of or charge made for an extended warranty to a consumer. For purposes of this subsection, "extended warranty" means an agreement for a specified duration to perform the replacement or repair of tangible personal property at no additional charge or a reduced charge for tangible personal property, labor, or both, or to provide indemnification for the replacement or repair of tangible personal property, based on the occurrence of specified events. The term "extended warranty" does not include an agreement, otherwise meeting the definition of extended warranty in this subsection, if no separate charge is made for the agreement and the value of the agreement is included in the sales price of the tangible personal property covered by the agreement.

8. "Sale at retail" or "retail sale" shall also include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to Chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation (government contracting).

9. "Sale at retail" or "retail sale" shall not include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a

county or city housing authority. Nor shall the term include the sale of services or charges made for cleaning up for the United States, or its instrumentalities, radioactive waste and other byproducts of weapons production and nuclear research and development. (This should be reported under the service and other classification.)

10. “Sale at retail” or “retail sale” shall not include the sale of or charge made for labor and services rendered for environmental remedial action. (This should be reported under the service and other classification.)

11. a. “Sale at retail” or “retail sale” shall also include the following sales to consumers of digital goods, digital codes, and digital automated services:

i. Sales in which the seller has granted the purchase the right of permanent use;

ii. Sales in which the seller has granted the purchase a right of use that is less than permanent;

iii. Sales in which the purchaser is not obligated to make continued payment as a condition of sale; and

iv. Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

b. A retail sale of digital goods, digital codes, or digital automated services under this subsection U(11) includes any services provided by the seller exclusively in connection with the digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

c. For purposes of this subsection U(11), “permanent” means perpetual or for an indefinite or unspecified length of time. A right of permanent use is presumed to have been granted unless the agreement between the seller and the purchaser specifies or the circumstances surrounding the transaction suggest or indicate that the right to use terminates on the occurrence of a condition subsequent.

12. “Sale at retail” or “retail sale” shall also include the installing, preparing, altering or improving of digital goods for consumers.

V. “Sale at wholesale” or “wholesale sale” means any sale of tangible personal property which is not a retail sale, and any charge made for labor and services rendered for persons who are not consumers, in

respect to real or personal property and retail services, if such charge is expressly defined as a retail sale or retail service when rendered to or for consumers. Sale at wholesale also includes the sale of telephone business to a telecommunications company as defined in RCW 80.04.010 for the purpose of resale, as contemplated by RCW 35.21.715.

W. “Services” means those activities that do not fall within one of the other tax classifications in this chapter.

X. “Taxpayer” means any person, as herein defined, required to have a business license under this chapter or liable for the collection of any tax or fee under this chapter, or who engages in any business or who performs any act for which a tax or fee is imposed by this chapter.

Y. “Value proceeding or accruing” means the consideration, whether money, credits, rights, or other property expressed in terms of money, a person is entitled to receive or which is actually received or accrued. The term shall be applied, in each case, on a cash receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer.

Z. Value of Products.

1. The value of products, including by-products, extracted or manufactured, shall be determined by the gross proceeds derived from the sale thereof whether such sale is at wholesale or at retail, to which shall be added all subsidies and bonuses received from the purchaser or from any other person with respect to the extraction, manufacture, or sale of such products or by-products by the seller.

2. Where such products, including by-products, are extracted or manufactured for commercial or industrial use; and where such products, including by-products, are shipped, transported or transferred out of the city, or to another person, without prior sale or are sold under circumstances such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale, the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers, plus the amount of subsidies or bonuses ordinarily payable by the purchaser or by any third person with respect to the extraction, manufacture, or sale of such products. In the absence of sales of similar products as a guide to value, such value may be determined upon a cost basis. In such cases, there shall be included every item of cost attributable to the particular article or article extracted or manufactured, including direct and indirect overhead costs. The city clerk may prescribe rules for the purpose of ascertaining such values.

3. Notwithstanding subsection (Z)(2) of this section, the value of a product manufactured or produced for purposes of serving as a prototype for the development of a new or improved product shall correspond to (a) the retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

AA. “Wholesaling” means engaging in the activity of making sales at wholesale, and is reported under the wholesaling classification.

5.04.050 Imposition of the tax – Tax or fee levied.

A. Except as provided in subsection B of this section, there is hereby levied upon and shall be collected from every person a tax for the act or privilege of engaging in business activities within the city, whether the person’s office or place of business be within or without the city. The tax shall be in amounts to be determined by application of rates against gross proceeds of sale, gross income of business, or value of products, including by-products, as the case may be, as follows:

1. Upon every person engaging within the city in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, extracted within the city for sale or for commercial or industrial use, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). The measure of the tax is the value of the products, including by-products, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the city.

2. Upon every person engaging within the city in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, manufactured within the city, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). The measure of the tax is the value of the products, including by-products, so manufactured, regardless of the place of sale or the fact that deliveries may be made to points outside the city.

3. Upon every person engaging within the city in the business of making sales at wholesale, except persons taxable under subsection (A)(5) of this section; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of such sales of the business without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

4. Upon every person engaging within the city in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of

such sales of the business, without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

5. Upon every person engaging within the city in the business of (a) printing, (b) both printing and publishing newspapers, magazines, periodicals, books, music, and other printed items, (c) publishing newspapers, magazines and periodicals, (d) extracting for hire, and (e) processing for hire; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

6. Upon every person engaging within the city in the business of making sales of retail services; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

7. Upon every other person engaging within the city in any business activity other than or in addition to those enumerated in the above subsections; as to such persons, the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). This subsection includes, among others, and without limiting the scope hereof (whether or not title to material used in the performance of such business passes to another by accession, merger or other than by outright sale), persons engaged in the business of developing or producing custom software or of customizing canned software, producing royalties or commissions, and persons engaged in the business of rendering any type of service which does not constitute a sale at retail, a sale at wholesale, or a retail service.

B. The gross receipts tax imposed in this section shall not apply to any person whose gross proceeds of sales, gross income of the business, and value of products, including by-products, as the case may be, from all activities conducted within the city during any calendar year is equal to or less than $20,000, or is equal to or less than $5,000 during any quarter if on a quarterly reporting basis.

5.04.060 Doing business with the city.

Repealed by Ord. 1102.

5.04.070 Multiple activities credit when activities take place in one or more cities with eligible gross receipt taxes.

A. Persons who engage in business activities that are within the purview of two or more subsections of SMC 5.04.050 shall be taxable under each applicable subsection.

B. Notwithstanding anything to the contrary herein, if imposition of the city's tax would place an undue burden upon interstate commerce or violate constitutional requirements, a taxpayer shall be allowed a credit to the extent necessary to preserve the validity of the city's tax, and still apply the city tax to as much of the taxpayer's activities as may be subject to the city's taxing authority.

C. To take the credit authorized by this section, a taxpayer must be able to document that the amount of tax sought to be credited was paid upon the same gross receipts used in computing the tax against which the credit is applied.

D. Credit for Persons That Sell in the City Products That They Extract or Manufacture. Persons taxable under the retailing or wholesaling classification with respect to selling products in this city shall be allowed a credit against those taxes for any eligible gross receipts taxes paid (1) with respect to the manufacturing of the products sold in the city, and (2) with respect to the extracting of the products, or the ingredients used in the products, sold in the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the sale of those products.

E. Credit for Persons That Manufacture Products in the City Using Ingredients They Extract. Persons taxable under the manufacturing classification with respect to manufacturing products in this city shall be allowed a credit against those taxes for any eligible gross receipts tax paid with respect to extracting the ingredients of the products manufactured in the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the manufacturing of those products.

F. Credit for Persons That Sell Within the City Products That They Print, or Publish and Print. Persons taxable under the retailing or wholesaling classification with respect to selling products in this city shall be allowed a credit against those taxes for any eligible gross receipts taxes paid with respect to the printing, or the printing and publishing, of the products sold within the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the sale of those products.

5.04.075 Deductions to prevent multiple taxation of manufacturing activities and prior to January 1, 2008, transactions involving more than one city with an eligible gross receipts tax.

A. Amounts Subject to an Eligible Gross Receipts Tax in Another City That Also Maintains Nexus Over the Same Activity. For taxes due prior to January 1, 2008, a taxpayer that is subject to an eligible gross receipts tax on the same activity in more than one jurisdiction may be entitled to a deduction as follows:

1. A taxpayer that has paid an eligible gross receipts tax, with respect to a sale of goods or services, to a jurisdiction in which the goods are delivered or the services are provided may deduct an amount equal to the gross receipts used to measure that tax from the measure of the tax owed to the city.

2. Notwithstanding the above, a person that is subject to an eligible gross receipts tax in more than one jurisdiction on the gross income derived from intangibles such as royalties, trademarks, patents, or goodwill shall assign those gross receipts to the jurisdiction where the person is domiciled (its headquarters is located).

3. A taxpayer that has paid an eligible gross receipts tax on the privilege of accepting or executing a contract with another city may deduct an amount equal to the contract price used to measure the tax due to the other city from the measure of the tax owed to the city.

B. Person Manufacturing Products Within and Without. A person manufacturing products within the city using products manufactured by the same person outside the city may deduct from the measure of the manufacturing tax the value of products manufactured outside the city and included in the measure of an eligible gross receipts tax paid to the other jurisdiction with respect to manufacturing such products.

5.04.080 Assignment of gross income derived from intangibles.

Gross income derived from the sale of intangibles such as royalties, trademarks, patents, or goodwill shall be assigned to the jurisdiction where the person is domiciled (its headquarters is located).

5.04.085 Allocation and apportionment of income when activities take place in more than one jurisdiction.

Effective January 1, 2008, gross income, other than persons subject to the provisions of Chapter 82.14A RCW, shall be allocated and apportioned as follows:

A. Gross income derived from all activities other than those taxed as service or royalties under SMC 5.04.050(A)(7) shall be allocated to the location where the activity takes place.

B. In the case of sales of tangible personal property, the activity takes place where delivery to the buyer occurs.

C. In the case of sales of digital products, the activity takes place where delivery to the buyer occurs. The delivery of digital products will be deemed to occur at:

1. The seller’s place of business if the purchaser receives the digital product at the seller’s place of business;

2. If not received at the seller’s place of business, the location where the purchaser or the purchaser’s donee, designated as such by the purchaser, receives the digital product, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

3. If the location where the purchaser or the purchaser's donee receives the digital product is not known, the purchaser's address maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

4. If no address for the purchaser is maintained in the ordinary course of the seller's business, the purchaser's address obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith; and

5. If no address for the purchaser is obtained during the consummation of the sale, the address where the digital good or digital code is first made available for transmission by the seller or the address from which the digital automated service or service described in RCW 82.04.050(2)(g) or (6)(b) was provided, disregarding for these purposes any location that merely provided the digital transfer of the product sold.

D. If none of the methods in subsection C of this section for determining where the delivery of digital products occurs are available after a good faith effort by the taxpayer to apply the methods provided in subsections (C)(1) through (C)(5) of this section, then the city and the taxpayer may mutually agree to employ any other method to effectuate an equitable allocation of income from the sale of digital products. The taxpayer will be responsible for petitioning the city to use an alternative method under this subsection. The city may employ an alternative method for allocating the income from the sale of digital products if the methods provided in subsections (C)(1) through (C)(5) of this section are not available and the taxpayer and the city are unable to mutually agree on an alternative method to effectuate an equitable allocation of income from the sale of digital products.

E. For purposes of subsections (C)(1) through (C)(5) of this section, the following definitions apply:

1. "Digital automation services," "digital codes," and "digital goods" have the same meaning as in RCW 82.04.192;

2. "Digital products" means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050(2)(g) and (6)(c);

3. "Receive" has the same meaning as in RCW 82.32.730.

F. Gross income derived from activities taxed as services and other activities taxed under SMC 5.04.050(A)(7) shall be apportioned to the city by multiplying apportionable income by a fraction, the

numerator of which is the payroll factor plus the service-income factor and the denominator of which is two.

1. The payroll factor is a fraction the numerator of which is the total amount paid in the city during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period. Compensation is paid in the city if:

a. The individual is primarily assigned within the city;

b. The individual is not primarily assigned to any place of business for the tax period and the employee performs 50 percent or more of his or her service for the tax period in the city; or

c. The individual is not primarily assigned to any place of business for the tax period, the individual does not perform 50 percent or more of his or her service in any city and the employee resides in the city.

2. The service-income factor is a fraction the numerator of which is the total service income of the taxpayer in the city during the tax period, and the denominator of which is the total service income of the taxpayer everywhere during the tax period. Service income is in the city if the customer location is in the city.

3. Gross income of the business from engaging in an apportionable activity must be excluded from the denominator of the service income factor if, in respect to such activity, at least some of the activity is performed in the city, and the gross income is attributable under subsection F(2) to a city or unincorporated area of a county within the United States or to a foreign county in which the taxpayer is not taxable. For purposes of this subsection F(3), “not taxable” means that the taxpayer is not subject to a business activities tax by that city or county within the United States or by that foreign country, except that a taxpayer is taxable in a city or county within the United States or in a foreign country in which it would be deemed to have a substantial nexus with the city or county within the United States or with the foreign country under the standards in RCW 35.102.050 regardless of whether that city or county within the United States or that foreign country imposes such a tax.

4. If the allocation and apportionment provisions of this subsection F do not fairly represent the extent of the taxpayer’s business activity in the city, the taxpayer may petition for or the tax administrators may require, in respect to all or any part of the taxpayer’s business activity, if reasonable:

a. Separate accounting;

b. The exclusion of any one or more of the factors;

c. The inclusion of one or more additional factors that will fairly represent the taxpayer's business activity in the city; or

d. The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

5. The party petitioning for, or the tax administrator requiring, the use of any method to effectuate an equitable allocation and apportionment of the taxpayer's income pursuant to subsection F(4) must prove by a preponderance of the evidence:

a. That the allocation and apportionment provisions of this subsection F do not fairly represent the extent of the taxpayer's business activity in the city; and

b. That the alternative to such provisions is reasonable.

The same burden of proof shall apply whether the taxpayer is petitioning for, or the tax administrator is requiring, the use of an alternative, reasonable method to effectuate an equitable allocation and apportionment of the taxpayer's income.

6. If the tax administrator requires any method to effectuate an equitable allocation and apportionment of the taxpayer's income, the tax administrator cannot impose any civil or criminal penalty with reference to the tax due that is attributable to the taxpayer's reasonable reliance solely on the allocation and apportionment provisions of this subsection F.

7. A taxpayer that has received written permission from the tax administrator to use a reasonable method to effectuate an equitable allocation and apportionment of the taxpayer's income shall not have that permission revoked with respect to transactions and activities that have already occurred unless there has been a material change in, or a material misrepresentation of, the facts provided by the taxpayer upon which the tax administrator reasonably relied in approving a reasonable alternative method.

G. The definitions in this subsection apply throughout this section:

1. "Apportionable income" means the gross income of the business taxable under the service classifications of a city's gross receipts tax, including income received from activities outside the

city if the income would be taxable under the service classification if received from activities within the city, less any exemptions or deductions available.

2. “Business activities tax” means a tax measured by the amount of, or economic results of, business activity conducted in a city or county within the United States or within a foreign country. The term includes taxes measured in whole or in part on net income or gross income or receipts. “Business activities tax” does not include a sales tax, use tax, or a similar transaction tax, imposed on the sale or acquisition of goods or services, whether or not denominated a gross receipts tax or a tax imposed on the privilege of doing business.

3. “Compensation” means wages, salaries, commissions, and any other form of remuneration paid to individuals for personal services that are or would be included in the individual’s gross income under the federal Internal Revenue Code.

4. “Customer” means a person or entity to whom the taxpayer makes a sale or renders services or from which the taxpayer otherwise receives gross income of the business.

5. “Customer location” means the following:

a. For a customer not engaged in business, if the service requires the customer to be physically present, where the service is performed.

b. For a customer not engaged in business, if the service does not require the customer to be physically present:

(i) The customer’s residence; or

(ii) If the customer’s residence is not known, the customer’s billing/mailing address.

c. For a customer engaged in business:

(i) Where the services are ordered from;

(ii) At the customer’s billing/mailing address if the location from which the services are ordered is not known; or

(iii) At the customer’s commercial domicile if none of the above are known.

6. “Individual” means any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.

7. “Primarily assigned” means the business location of the taxpayer where the individual performs his or her duties.

8. “Service-taxable income” or “service income” means gross income of the business subject to tax under either the service or royalty classification.

9. “Tax period” means the calendar year during which tax liability is accrued. If taxes are reported by a taxpayer on a basis more frequent than once per year, taxpayers shall calculate the factors for the previous calendar year for reporting in the current calendar year and correct the reporting for the previous year when the factors are calculated for that year, but not later than the end of the first quarter of the following year.

H. Assignment or apportionment of revenue under this section shall be made in accordance with and in full compliance with the provisions of the interstate commerce clause of the United States Constitution where applicable.

5.04.087 Allocation and apportionment of printing and publishing income when activities take place in more than one jurisdiction.

Notwithstanding RCW 35.102.130, effective January 1, 2008, gross income from the activities of printing, and of publishing newspapers, periodicals, or magazines, shall be allocated to the principal place in this state from which the taxpayer’s business is directed or managed. As used in this section until December 31, 2023, the activities of printing, and of publishing newspapers, periodicals, or magazines, have the same meanings as attributed to those terms in RCW 82.04.280(1) by the Department of Revenue. Beginning January 1, 2024, until January 1, 2034, as used in this section, the activities of printing, and of publishing newspapers and periodicals or magazines are those activities to which the exemption in RCW 82.04.759 and the tax rate in RCW 82.04.280(1)(a) apply.

5.04.090 Exemptions.

A. Nonprofit Corporations. This chapter shall not apply to nonprofit organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as hereafter amended, except with respect to the retail sales by such persons.

B. Public Utilities. This chapter shall not apply to any person in respect to a business activity with respect to which tax liability is specifically imposed under the provisions of Chapter 5.06 SMC.

C. Investments – Dividends from Subsidiary Corporations. This chapter shall not apply to amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses,

from investments or the use of money as such, and also amounts derived as dividends by a parent from its subsidiary corporations.

D. Insurance Business. This chapter shall not apply to amounts received by any person who is an insurer or their appointed insurance producer upon which a tax based on gross premiums is paid to the state pursuant to RCW 48.14.020; and provided further, that the provisions of this subsection shall not exempt any bonding company from tax with respect to gross income derived from the completion of any contract as to which it is a surety, or as to any liability as successor to the liability of the defaulting contractor.

E. Employees.

1. This chapter shall not apply to any person in respect to the person's employment in the capacity as an employee or servant as distinguished from that of an independent contractor. For the purposes of this subsection, the definition of employee shall include those persons that are defined in the Internal Revenue Code, as hereafter amended.

2. A booth renter, as defined by RCW 18.16.020, is an independent contractor for purposes of this chapter.

F. Amounts Derived from Sale of Real Estate. This chapter shall not apply to gross proceeds derived from the sale of real estate. This, however, shall not be construed to allow an exemption of amounts received as commissions from the sale of real estate, nor as fees, handling charges, discounts, interest or similar financial charges resulting from, or relating to, real estate transactions. This chapter shall also not apply to amounts received for the rental of real estate if the rental income is derived from a contract to rent for a continuous period of 30 days or longer.

G. Mortgage Brokers' Third-Party Provider Services Trust Accounts. This chapter shall not apply to amounts received from trust accounts to mortgage brokers for the payment of third-party costs if the accounts are operated in a manner consistent with RCW 19.146.050 and any rules adopted by the city clerk of financial institutions.

H. Amounts Derived from Manufacturing, Selling or Distributing Motor Vehicle Fuel. This chapter shall not apply to the manufacturing, selling, or distributing motor vehicle fuel, as the term "motor vehicle fuel" is defined in RCW 82.38.020 and exempt under RCW 82.38.280; provided, that any fuel not subjected to the state fuel excise tax, or any other applicable deduction or exemption, will be taxable under this chapter.

I. Amounts Derived from Liquor and the Sale or Distribution of Liquor. This chapter shall not apply to liquor as defined in RCW 66.04.010 and exempt in RCW 66.08.120.

J. Casual and Isolated Sales. This chapter shall not apply to the gross proceeds derived from casual or isolated sales.

K. Accommodation Sales. This chapter shall not apply to sales for resale by persons regularly engaged in the business of making retail sales of the type of property so sold to other persons similarly engaged in the business of selling such property where (1) the amount paid by the buyer does not exceed the amount paid by the seller to the vendor in the acquisition of the article and (2) the sale is made as an accommodation to the buyer to enable the buyer to fill a bona fide existing order of a customer or is made within 14 days to reimburse in kind a previous accommodation sale by the buyer to the seller.

L. Taxes Collected as Trust Funds. This chapter shall not apply to amounts collected by the taxpayer from third parties to satisfy third party obligations to pay taxes such as the retail sales tax, use tax, and admission tax.

5.04.100 Deductions.

In computing the license fee or tax, there may be deducted from the measure of tax the following items:

A. Receipts from Tangible Personal Property Delivered Outside the State. In computing tax, there may be deducted from the measure of tax under retailing or wholesaling amounts derived from the sale of tangible personal property that is received by the purchaser or its agent outside the state of Washington.

B. Cash Discount Taken by Purchaser. In computing tax, there may be deducted from the measure of tax the cash discount amounts actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extracting or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the “value of product” provisions.

C. Credit Losses of Accrual Basis Taxpayers. In computing tax, there may be deducted from the measure of tax the amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis.

D. Constitutional Prohibitions. In computing tax, there may be deducted from the measure of the tax amounts derived from business which the city is prohibited from taxing under the Constitution of the state of Washington or the Constitution of the United States.

E. Receipts from the Sale of Tangible Personal Property and Retail Services Delivered Outside the City but Within Washington. Effective January 1, 2008, amounts included in the gross receipts reported on the tax return derived from the sale of tangible personal property delivered to the buyer or the buyer's representative outside the city but within the state of Washington may be deducted from the measure of tax under the retailing, retail services, or wholesaling classification.

F. Professional Employer Services. In computing the tax, a professional employer organization may deduct from the calculation of gross income the gross income of the business derived from performing professional employer services that is equal to the portion of the fee charged to a client that represents the actual cost of wages and salaries, benefits, workers' compensation, payroll taxes, withholding, or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer agreement.

G. Interest on Investments or Loans Secured by Mortgages or Deeds of Trust. In computing tax, to the extent permitted by Chapter 82.14A RCW, there may be deducted from the measure of tax by those engaged in banking, loan, security or other financial businesses, amounts derived from interest received on investments or loans primarily secured by first mortgages or trust deeds on nontransient resident properties.

5.04.120 Tax part of overhead.

It is not the intention of this chapter that the taxes or fees herein levied upon persons engaging in business be construed as taxes or fees upon the purchasers or customer, but that such taxes or fees shall be levied upon, and collectible from, the person engaging in the business activities herein designated and that such taxes or fees shall constitute a part of the cost of doing business of such persons.

5.04.130 Severability clause.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected.

EXHIBIT B

Chapter 5.08 – ADMINISTRATIVE PROVISIONS FOR BUSINESS TAXES

5.08.010 Application.

The provisions of this chapter shall apply to business licenses required under this title and to the taxes imposed under Chapters 5.04 and 5.06 SMC, and under other titles, chapters, and sections in such manner and to such extent as indicated in each such title, chapter or section.

5.08.020 Definitions.

For purposes of this chapter the definitions contained in Chapter 5.04 SMC shall apply equally to the provisions of this chapter unless the term is defined otherwise in this chapter. In addition, the following definitions will apply:

A. “Reporting period” means:

1. A one-month period beginning the first day of each calendar month (monthly); or

2. A three-month period beginning the first day of January, April, July or October of each year (quarterly); or

3. A 12-month period beginning the first day of January of each year (annual).

B. “Return” means any document a person is required by the city to file to satisfy or establish a tax or fee obligation that is administered or collected by the city and that has a statutorily defined due date.

C. “Successor” means any person to whom a taxpayer quitting, selling out, exchanging, or disposing of a business sells or otherwise conveys, directly or indirectly, in bulk and not in the ordinary course of the taxpayer’s business, any part of the materials, supplies, merchandise, inventory, fixtures, or equipment of the taxpayer. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

D. “Tax year” or “taxable year” means the calendar year.

5.08.021 Definitions – References to Chapter 82.32 RCW.

Where provisions of Chapter 82.32 RCW are incorporated in SMC 5.08.090, “department” as used in the RCW shall refer to the “director” as defined in SMC 5.04.030(G) and “warrant” as used in the RCW shall mean “citation or criminal complaint.”

5.08.040 When due and payable – Reporting periods – Monthly, quarterly, and annual returns – Threshold provisions or relief from filing requirements – Computing time periods – Failure to file returns.

A. Other than any annual license fee or registration fee assessed under this title, the tax imposed by this chapter shall be due and payable in quarterly installments. At the director's discretion, businesses may be assigned to a monthly or annual reporting period depending on the tax amount owing or type of tax. Tax payments are due on or before the time as provided in RCW 82.32.045(1), (2), and (3)..

B. Taxes shall be paid as provided in this chapter and accompanied by a return on forms as prescribed by the director. The return shall be signed by the taxpayer personally or by a responsible officer or agent of the taxpayer. The individual signing the return shall swear or affirm that the information in the return is complete and true.

C. Tax returns must be filed and returned by the due date whether or not any tax is owed.

D. For purposes of the tax imposed by Chapter 5.04 SMC, any person whose value of products, gross proceeds of sales, or gross income of the business, subject to tax after all allowable deductions, is equal to or less than $5,000 in the current quarter shall file a return, declare no tax due on their return, and submit the return to the director. The gross receipts and deduction amounts shall be entered on the tax return even though no tax may be due.

E. A taxpayer that commences to engage in business activity shall file a return and pay the tax or fee for the portion of the reporting period during which the taxpayer is engaged in business activity.

F. Except as otherwise specifically provided by any other provision of this chapter, in computing any period of days prescribed by this chapter, the day of the act or event from which the designated period of time runs shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or city or federal legal holiday, in which case the last day of such period shall be the next succeeding day which is neither a Saturday, Sunday, or city or federal legal holiday.

G. If any taxpayer fails, neglects or refuses to make a return as and when required in this chapter, the director is authorized to determine the amount of the tax or fees payable by obtaining facts and information upon which to base the director's estimate of the tax or fees due. Such assessment shall be deemed prima facie correct and shall be the amount of tax owed to the city by the taxpayer. The director shall notify the taxpayer by mail of the amount of tax so determined, together with any penalty, interest, and fees due; the total of such amounts shall thereupon become immediately due and payable.

5.08.050 Payment methods – Mailing returns or remittances – Time extension – Deposits – Recording payments – Payment must accompany return – NSF checks.

A. Taxes shall be paid to the city in United States currency by bank draft, certified check, cashier's check, personal check, money order, cash, or by wire transfer or electronic payment if such wire transfer or electronic payment is authorized by the director. If payment so received is not paid by the bank on which it is drawn, the taxpayer, by whom such payment is tendered, shall remain liable for payment of the tax and for all legal penalties, the same as if such payment had not been tendered. Acceptance of any sum by the director shall not discharge the tax or fee due unless the amount paid is the full amount due.

B. A return or remittance that is transmitted to the city by United States mail shall be deemed filed or received on the date shown by the cancellation mark stamped by the post office upon the envelope containing it. The director may allow electronic filing of returns or remittances from any taxpayer. A return or remittance which is transmitted to the city electronically shall be deemed filed or received according to procedures set forth by the director.

C. If a written request is received prior to the due date, the director, for good cause, may grant, in writing, additional time within which to make and file returns.

D. The director shall keep full and accurate records of all funds received or refunded. The director shall apply payments first against all penalties and interest owing, and then upon the tax, without regard to any direction of the taxpayer.

E. For any return not accompanied by a remittance of the tax shown to be due thereon, the taxpayer shall be deemed to have failed or refused to file a return and shall be subject to the penalties and interest provided in this chapter.

F. Any payment made that is returned for lack of sufficient funds or for any other reason will not be considered received until payment by certified check, money order, or cash of the original amount due, plus a "nonsufficient funds (NSF)" charge of $20.00 is received by the director. Any license issued upon payment with an NSF check will be considered void, and shall be returned to the director. No license shall be reissued until payment (including the $20.00 NSF fee) is received.

G. The director is authorized, but not required, to mail tax return forms to taxpayers, but failure of the taxpayer to receive any such forms shall not excuse the taxpayer from filing returns and making payment of the taxes or fees, when and as due under this chapter.

5.08.060 Records to be preserved – Examination – Estoppel to question assessment.

A. Every person liable for any fee or tax imposed by this chapter shall keep and preserve, for a period of five years after filing a tax return, such records as may be necessary to determine the amount of any fee or tax for which the person may be liable, which records shall include copies of all federal income tax and state tax returns and reports made by the person. All books, records, papers, invoices, vendor lists, inventories, stocks of merchandise, and other data including federal income tax and state tax returns and reports shall be open for examination at any time by the director or his duly authorized agent. Every person's business premises shall be open for inspection or examination by the director or a duly authorized agent.

B. If a person does not keep the necessary books and records within the city, it shall be sufficient if such person (1) produces within the city such books and records as may be required by the director, or (2) bears the cost of examination by the director's agent at the place where such books and records are kept; provided, that the person electing to bear such cost shall pay in advance to the director the estimated amount thereof including round-trip fare, lodging, meals and incidental expenses, subject to adjustment upon completion of the examination.

C. Any person who fails, or refuses a city request, to provide or make available records, or to allow inspection or examination of the business premises, shall be forever barred from questioning, in any court action, the correctness of any assessment of taxes made by the city for any period for which such records have not been provided, made available or kept and preserved, or in respect of which inspection or examination of the business premises has been denied. The director is authorized to determine the amount of the tax or fees payable by obtaining facts and information upon which to base the estimate of the tax or fees due. Such fee or tax assessment shall be deemed prima facie correct and shall be the amount of tax owing the city by the taxpayer. The director shall notify the taxpayer by mail of the amount of tax so determined, together with any penalty, interest, and fees due; the total of such amounts shall thereupon become immediately due and payable.

5.08.070 Accounting methods.

A. A taxpayer may file tax returns in each reporting period with amounts based upon cash receipts only if the taxpayer's books of account are kept on a cash receipts basis. A taxpayer that does not regularly keep books of account on a cash receipts basis must file returns with amounts based on the accrual method.

B. The taxes imposed and the returns required hereunder shall be upon a calendar year basis.

5.08.080 Public work contracts – Payment of fee and tax before final payment for work.

The director may, before issuing any final payment to any person performing any public work contract for the city, require such person to pay in full all license fees or taxes due under this title from such person on account of such contract or otherwise, and may require such taxpayer to file with the director a verified list of all subcontractors supplying labor and/or materials to the person in connection with said public work.

5.08.090 Underpayment of tax, interest, or penalty – Interest.

A. If, upon examination of any returns, or from other information obtained by the director, it appears that a tax or penalty less than that properly due has been paid, the director shall assess the additional amount found to be due and shall add thereto interest on the tax only. The director shall notify the person by mail of the additional amount, which shall become due and shall be paid within 30 days from the date of the notice, or within such time as the city clerk may provide in writing.

B. Interest on unpaid tax shall be computed as follows:

1. For tax periods up to and including December 31, 2004, the director shall compute interest at the rate of six percent per annum, in accordance with SMC 5.04.210 as it existed prior to December 31, 2004 (Ordinance 303, Section 19).

2. For tax periods after December 31, 2004, the director shall compute interest in accordance with RCW 82.32.050 as it now exists or as it may be amended.

3. If subsection (B)(2) of this section is held to be invalid, then the provisions of RCW 82.32.050 existing at the effective date of the ordinance codified in this section shall apply.

5.08.095 Time in which assessment may be made.

The director shall not assess, or correct an assessment for, additional taxes, penalties, or interest due more than four years after the close of the calendar year in which they were incurred, except that the director may issue an assessment:

A. Against a person who is not currently registered or licensed or has not filed a tax return as required by this chapter for taxes due within the period commencing 10 years prior to the close of the calendar year in which the person was contacted in writing by the director;

B. Against a person that has committed fraud or who misrepresented a material fact; or

C. Against a person that has executed a written waiver of such limitations.

5.08.100 Overpayment of tax, penalty, or interest – Credit or refund – Interest rate – Statute of limitations.

A. If, upon receipt of an application for a refund, or during an audit or examination of the taxpayer's records and tax returns, the director determines that the amount of tax, penalty, or interest paid is in excess of that properly due, the excess amount shall be credited to the taxpayer's account or shall be refunded to the taxpayer. Except as provided in subsection B of this section, no refund or credit shall be made for taxes, penalties, or interest paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

B. The execution of a written waiver shall extend the time for applying for or making a refund or credit of any taxes paid during, or attributable to, the years covered by the waiver if, prior to the expiration of the waiver period, an application for refund of such taxes is made by the taxpayer or the director discovers that a refund or credit is due.

C. Refunds shall be made by means of vouchers approved by the director and by the issuance of a city check or warrants drawn upon and payable from such funds as the city may provide.

D. Any final judgment for which a recovery is granted by any court of competent jurisdiction for tax, penalties, interest, or costs paid by any person shall be paid in the same manner as provided in subsection C of this section, upon the filing with the director a certified copy of the order or judgment of the court.

E. Interest on overpayments of taxes shall be computed as follows:

1. For tax periods up to and including December 31, 2004, no refunds of tax nor any interest thereon shall be paid, in accordance with SMC 5.04.210 as it existed prior to December 31, 2004 (Ordinance 303, Section 19), which required claims for refunds to be made within two years from the date of the overpayment.

2. For tax periods after December 31, 2004, the director shall compute interest on refunds of credits of amounts paid or other recovery allowed a taxpayer in accordance with RCW 82.32.060, as it now exists or as it may be amended.

3. If subsection (E)(2) of this section is held to be invalid, then the provisions of RCW 82.32.060 existing at the effective date of the ordinance codified in this section shall apply.

5.08.110 Late payment – Disregard of written instructions – Evasion – Penalties.

A. If payment of any tax due on a return to be filed by a taxpayer is not received by the director by the due date, the director shall add a penalty in accordance with RCW 82.32.090(1), as it now exists or as it may be amended.

B. If the director determines that any tax has been substantially underpaid as defined in RCW 82.32.090(2), there shall be added a penalty in accordance with RCW 82.32.090(2), as it now exists or as it may be amended.

C. If a citation or criminal complaint is issued by the director for the collection of taxes, fees, assessments, interest or penalties, there shall be added thereto a penalty in accordance with RCW 82.32.090(3), as it now exists or as it may be amended.

D. If the director finds that a person has engaged in any business or performed any act upon which a tax is imposed under this title and that person has not obtained from the director a license as required by SMC 5.04.015, the director shall impose a penalty in accordance with RCW 82.32.090(4), as it now exists or as it may be amended. No penalty shall be imposed under this subsection D if the person who has engaged in business without a license obtains a license prior to being notified by the director of the need to be licensed.

E. If the director determines that all or any part of a deficiency resulted from the taxpayer's failure to follow specific written tax reporting instructions, there shall be assessed a penalty in accordance with RCW 82.32.090(5), as it now exists or as it may be amended.

F. If the director finds that all or any part of the deficiency resulted from an intent to evade the tax payable, the director shall assess a penalty in accordance with RCW 82.32.090(6), as it now exists or as it may be amended.

G. The penalties imposed under subsections A through E of this section can each be imposed on the same tax found to be due. This subsection does not prohibit or restrict the application of other penalties authorized by law.

H. For the purposes of this section, "return" means any document a person is required by the city to file to satisfy or establish a tax or fee obligation that is administered or collected by the city, and that has a statutorily defined due date.

I. The director shall not impose both the evasion penalty and the penalty for disregarding specific instructions on the same tax found to be due.

J. If incorporation into the Snoqualmie Municipal Code of future changes to RCW 82.32.090 is held to be invalid, then the provisions of RCW 82.32.090 existing at the time the ordinance codified in this section is effective shall apply.

5.08.120 Cancellation of penalties.

A. The director may cancel any penalties imposed under SMC 5.08.110(A) if the taxpayer shows that its failure to timely file or pay the tax was due to reasonable cause and not willful neglect. Willful neglect is presumed unless the taxpayer shows that it exercised ordinary business care and prudence in making arrangements to file the return and pay the tax but was, nevertheless, due to circumstances beyond the taxpayer's control, unable to file or pay by the due date. The director has no authority to cancel any other penalties or to cancel penalties for any other reason except as provided in subsection C of this section.

B. A request for cancellation of penalties must be received by the director within 30 days after the date the city mails the notice that the penalties are due. The request must be in writing and contain competent proof of all pertinent facts supporting a reasonable cause determination. In all cases the burden of proving the facts rests upon the taxpayer.

C. The director may cancel the penalties in SMC 5.08.110(A) one time if a person:

1. Is not currently licensed and filing returns;

2. Was unaware of its responsibility to file and pay tax; and

3. Obtained business licenses and filed past due tax returns within 30 days after being notified by the city.

D. The director shall not cancel any interest charged upon amounts due.

5.08.130 Taxpayer quitting business – Liability of successor.

A. Whenever any taxpayer quits a business, sells out, exchanges, or otherwise disposes of his business or his stock of goods, any tax payable hereunder shall become immediately due and payable. Such taxpayer shall, within 10 days thereafter, make a return and pay the tax due.

B. Any person who becomes a successor shall become liable for the full amount of any tax owing. The successor shall withhold from the purchase price a sum sufficient to pay any tax due to the city from the taxpayer until such time as: (1) the taxpayer shall produce a receipt from the city showing payment in full of any tax due or a certificate that no tax is due, or (2) more than six months have passed since the successor notified the director of the acquisition and the director has not issued and notified the successor of an assessment.

C. Payment of the tax by the successor shall, to the extent thereof, be deemed a payment upon the purchase price. If such payment is greater in amount than the purchase price, the amount of the difference shall become a debt due such successor from the taxpayer.

D. Notwithstanding the above, if a successor gives written notice to the director of the acquisition, and the director does not within six months of the date it received the notice issue an assessment against the taxpayer and mail a copy of that assessment to the successor, the successor shall not be liable for the tax.

5.08.140 Administrative appeal.

Any person, except one who has failed to comply with SMC 5.08.060, aggrieved by the amount of the fee or tax determined by the director to be required under the provisions of this chapter may pay the amount due and appeal from such determination by filing a written notice of appeal with the city administrator within 30 days from the date written notice of such amount was mailed to the taxpayer. The city administrator shall, as soon as practical, fix a time and place for the hearing of such appeal, and shall cause a notice of the time and place thereof to be delivered or mailed to the parties. The hearing shall be conducted according to such rules as the city administrator shall prescribe; provided, all testimony before the city administrator shall be on oath or affirmation, and all proceedings shall be recorded, and a proper record of witnesses and exhibits shall be maintained. The decision of the city administrator shall indicate the correct amount of the fee or tax owing.

5.08.150 Judicial review of administrative appeal decision.

The taxpayer may obtain judicial review of the city administrator's administrative decision by applying for a writ of review in the King County superior court within 14 days from the date of the city administrator's decision in accordance with the procedure set forth in Chapter 7.16 RCW, other applicable law, and court rules. The city shall have the same right of review from the administrative decision as does a taxpayer.

5.08.160 Director to make rules.

The director shall have the power, from time to time, to adopt, publish and enforce rules and regulations not inconsistent with this chapter or with law for the purpose of carrying out the provisions of this chapter and it shall be unlawful to violate or fail to comply with any such rule or regulation.

5.08.170 Ancillary allocation authority of director.

The director is authorized to enter into agreements with other Washington cities which impose an "eligible gross receipts tax":

A. To conduct an audit or joint audit of a taxpayer by using an auditor employed by the city, another city, or a contract auditor; provided, that such contract auditor's pay is not in any way based upon the amount of tax assessed;

B. To allocate or apportion in a manner that fairly reflects the gross receipts earned from activities conducted within the respective cities the gross proceeds of sales, gross receipts, or gross income of the

business, or taxes due from any person that is required to pay an eligible gross receipts tax to more than one Washington city;

C. To apply the city's tax prospectively where a taxpayer has no office or place of business within the city and has paid tax on all gross income to another Washington city where the taxpayer is located; provided, that the other city maintains an eligible gross receipts tax, and the income was not derived from contracts with the city.

5.08.180 Mailing of notices.

Any notice required by this chapter to be mailed to any taxpayer or licensee shall be sent by ordinary mail, addressed to the address of the taxpayer or licensee as shown by the records of the director. Failure of the taxpayer or licensee to receive any such mailed notice shall not release the taxpayer or licensee from any tax, fee, interest, or any penalties thereon, nor shall such failure operate to extend any time limit set by the provisions of this chapter. It is the responsibility of the taxpayer to inform the director in writing about a change in the taxpayer's address.

5.08.190 Tax declared additional.

The license fee and taxes levied in this title shall be additional to any license fee or tax imposed or levied under any law or any other ordinance of the city except as herein otherwise expressly provided.

5.08.200 Public disclosure – Confidentiality – Information sharing.

A. For purposes of this chapter, terms not defined in this section shall have the meanings set forth in Chapter 42.56 RCW. For purposes of this chapter, the following definitions shall apply:

1. "Disclose" means to make known to any person in any manner any tax return or tax information.

2. "Tax information" means:

    a. A taxpayer's identity;

    b. The nature, source, or amount of the taxpayer's income, payments, receipts, deductions, exemptions, credits, assets, liability, net worth, tax liability deficiencies, over-assessments, or tax payments, whether taken from the taxpayer's books and records or any other source;

    c. Whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing; or

    d. Other data received by, recorded by, prepared by, or provided to the city with respect to the determination or existence, or possible existence, of liability, or the amount thereof, of a

person under SMC Title 5 for a tax, penalty, interest, fine, forfeiture, or other imposition, or offense. However, data, material, or documents that do not disclose information related to a specific or identifiable taxpayer do not constitute tax information under this section. Nothing in this chapter requires any person possessing data, material, or documents made confidential and privileged by this section to delete information from such data, material or documents so as to permit its disclosure.

3. “City agency” means every city office, department, division, bureau, board, commission, or other city agency.

4. “Taxpayer identity” means the taxpayer’s name, address, telephone number, registration number, or any combination thereof, or any other information disclosing the identity of the taxpayer.

B. Returns and tax information are confidential and privileged, and except as authorized by this section, neither the director nor any other person may disclose any return or tax information.

C. This section does not prohibit the director from:

1. Disclosing such return or tax information in a civil or criminal judicial proceeding or an administrative proceeding:

a. In respect of any tax imposed under SMC Title 5 if the taxpayer or its officer or other person liable under this title is a party in the proceeding; or

b. In which the taxpayer about whom such return or tax information is sought and another state agency are adverse parties in the proceeding;

2. Disclosing, subject to such requirements and conditions as the director prescribes by rules adopted pursuant to this chapter, such return or tax information regarding a taxpayer to such taxpayer or to such person or persons as that taxpayer may designate in a request for, or consent to, such disclosure, or to any other person, at the taxpayer’s request, to the extent necessary to comply with a request for information or assistance made by the taxpayer to such other person. However, tax information not received from the taxpayer must not be so disclosed if the director determines that such disclosure would compromise any investigation or litigation by any federal, state, or local government agency in connection with the civil or criminal liability of the taxpayer or another person, or that such disclosure would identify a confidential informant, or that such disclosure is contrary to any agreement entered into by the department that provides for the reciprocal exchange of information with other government agencies, which agreement requires

confidentiality with respect to such information unless such information is required to be disclosed to the taxpayer by the order of any court;

3. Publishing statistics so classified as to prevent the identification of particular returns or reports or items thereof;

4. Disclosing such return or tax information, for official purposes only, to the mayor or city attorney, or to any city agency, or to any member of the city council or their authorized designees dealing with matters of taxation, revenue, trade, commerce, the control of industry or the professions;

5. Permitting the city's records to be audited and examined by the proper state officer, his or her agents and employees;

6. Disclosing any such return or tax information to a peace officer as defined in RCW 9A.04.110 or county prosecuting attorney, for official purposes. The disclosure may be made only in response to a search warrant, subpoena, or other court order, unless the disclosure is for the purpose of criminal tax enforcement. A peace officer or county prosecuting attorney who receives the return or tax information may disclose that return or tax information only for use in the investigation and a related court proceeding, or in the court proceeding for which the return or tax information originally was sought or where otherwise allowed to be disclosed under this section;

7. Disclosing any such return or tax information to the proper officer of the Internal Revenue Service of the United States, the Canadian government or provincial governments of Canada, or to the proper officer of the tax department of any state or city or town or county, for official purposes, but only if the statutes of the United States, Canada or its provincial governments, or of such other state or city or town or county, as the case may be, grants substantially similar privileges to the proper officers of the city;

8. Disclosing any such return or tax information to the United States Department of Justice, including the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Defense, the Immigration and Customs Enforcement and the Customs and Border Protection Agencies of the United States Department of Homeland Security, the United States Coast Guard, the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury, and the United States Department of Transportation, or any authorized representative of these federal agencies or their successors, for official purposes;

9. Publishing or otherwise disclosing the text of a written determination designated by the director as a precedent pursuant to RCW 82.32.410;

10. Disclosing, in a manner that is not associated with other tax information, the taxpayer name, entity type, business address, mailing address, revenue tax registration numbers and the active/closed status of such registrations, state or local business license registration identification and the active/closed status and effective dates of such licenses, reseller permit numbers and the expiration date and status of such permits, North American industry classification system or standard industrial classification code of a taxpayer, and the dates of opening and closing of business, except that this subsection may not be construed as giving authority to the city or any recipient to give, sell, or provide access to any list of taxpayers for any commercial purpose;

11. Disclosing such return or tax information that is also maintained by another Washington State or local governmental agency as a public record available for inspection and copying under the provisions of Chapter 42.56 RCW or is a document maintained by a court of record and is not otherwise prohibited from disclosure;

12. Disclosing such return or tax information to the United States Department of Agriculture, or successor department or agency, for the limited purpose of investigating food stamp fraud by retailers;

13. Disclosing to a financial institution, escrow company, or title company, in connection with specific real property that is the subject of a real estate transaction, current amounts due the city for a filed tax warrant, judgment, or lien against the real property;

14. Disclosing to a person against whom the department has asserted liability as a successor under SMC 5.08.130 a return or tax information pertaining to the specific business of the taxpayer to which the person has succeeded;

15. Disclosing real estate excise tax affidavit forms in the possession of the city, including real estate excise tax affidavit forms for transactions exempt or otherwise not subject to tax;

16. Disclosing such return or tax information to the court or hearing examiner in respect to the city's application for a subpoena if there is probable cause to believe that the records in possession of a third party will aid the director in connection with its official duties under this title or a civil or criminal investigation.

D.1. The director may disclose return or taxpayer information to a person under investigation or during any court or administrative proceeding against a person under investigation as provided in this subsection. The disclosure must be in connection with the department's official duties under this title, or a civil or criminal investigation. The disclosure may occur only when the person under investigation and the

person in possession of data, materials, or documents are parties to the return or tax information to be disclosed. The department may disclose return or tax information such as invoices, contracts, bills, statements, resale or exemption certificates, or checks. However, the department may not disclose general ledgers, sales or cash receipt journals, check registers, accounts receivable/payable ledgers, general journals, financial statements, expert's work papers, income tax returns, state tax returns, tax return work papers, or other similar data, materials, or documents.

2. Before disclosure of any tax return or tax information under this subsection, the director must, through written correspondence, inform the person in possession of the data, materials, or documents to be disclosed. The correspondence must clearly identify the data, materials, or documents to be disclosed. The director may not disclose any tax return or tax information under this subsection D until the time period allowed in subsection (D)(3) of this section has expired or until the court has ruled on any challenge brought under subsection (D)(3) of this section.

3. The person in possession of the data, materials, or documents to be disclosed by the department has 20 days from the receipt of the written request required under subsection (D)(2) of this section to petition the superior court of the county in which the petitioner resides for injunctive relief. The court must limit or deny the request of the director if the court determines that:

a. The data, materials, or documents sought for disclosure are cumulative or duplicative, or are obtainable from some other source that is more convenient, less burdensome, or less expensive;

b. The production of the data, materials, or documents sought would be unduly burdensome or expensive, taking into account the needs of the department, the amount in controversy, limitations on the petitioner's resources, and the importance of the issues at stake; or

c. The data, materials, or documents sought for disclosure contain trade secret information that, if disclosed, could harm the petitioner.

4. The director must reimburse reasonable expenses for the production of data, materials, or documents incurred by the person in possession of the data, materials, or documents to be disclosed.

5. Requesting information under this subsection that may indicate that a taxpayer is under investigation does not constitute a disclosure of tax return or tax information under this section.

E. Service of a subpoena issued by the court does not constitute a disclosure of return or tax information under this section. Notwithstanding anything else to the contrary in this section, a person served with a subpoena issued by the court may disclose the existence or content of the subpoena to that person's legal counsel.

F. Any person acquiring knowledge of any return or tax information in the course of his or her employment with the city and any person acquiring knowledge of any return or tax information as provided under subsections (C)(4) through (C)(9) of this section, who discloses any such return or tax information to another person not entitled to knowledge of such return or tax information under the provisions of this section, is guilty of a misdemeanor. If the person guilty of such violation is an officer or employee of the state, such person must forfeit such office or employment and is incapable of holding any public office or employment in this city for a period of two years thereafter.

5.08.210 Tax constitutes debt.

Any license fee or tax due and unpaid under this title, and all interest and penalties thereon, shall constitute a debt to the city and may be collected in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies.

5.08.220 Unlawful actions – Violation – Penalties.

A. It shall be unlawful for any person liable for fees under this chapter (or other chapters as listed):

1. To violate or fail to comply with any of the provisions of this chapter or any lawful rule or regulation adopted by the director;

2. To make any false statement on any license application or tax return;

3. To aid or abet any person in any attempt to evade payment of a license fee or tax;

4. To fail to appear or testify in response to a subpoena properly issued;

5. To testify falsely in any investigation, audit, or proceeding conducted pursuant to this chapter.

B. Violation of any of the provisions of this title is a gross misdemeanor. Any person convicted of a violation of this title may be punished by a fine not to exceed $1,000, imprisonment not to exceed one year, or both fine and imprisonment. Penalties or punishments provided in this chapter shall be in addition to all other penalties provided by law.

C. Any person, or officer of a corporation, convicted of continuing to engage in business after the revocation of a license shall be guilty of a gross misdemeanor and may be punished by a fine not to exceed $5,000, or imprisonment not to exceed one year, or both fine and imprisonment.

5.08.230 Suspension or revocation of business license.

A. The director, or designee, shall have the power and authority to suspend or revoke any license issued under the provisions of this title. The director, or designee, shall notify such licensee in writing by certified mail of the suspension or revocation of his or her license and the grounds therefor. Any license issued under this title may be suspended or revoked based on one or more of the following grounds:

1. The license was procured by fraud or false representation of fact.

2. The licensee has failed to comply with any provisions of this title.

3. The licensee has failed to comply with any provisions of the municipal code applicable to conduct of the business.

4. The licensee is in default in any payment of any license fee or tax under this title.

5. The licensee or employee has been convicted of a crime involving the business.

B. Any licensee may, within 14 days from the date that the suspension or revocation notice was mailed to the licensee, appeal from such suspension or revocation by filing a written notice of appeal (“petition”) setting forth the grounds therefor with the city administrator. A copy of the petition must be provided by the licensee to the director and the city attorney on or before the date the petition is filed with the city administrator. The hearing shall be conducted in accordance with such rules as the city administrator shall prescribe; provided, all testimony before the city administrator shall be on oath or affirmation, and all proceedings shall be recorded, and a proper record of witnesses and exhibits shall be maintained. The city administrator shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the city administrator shall, after appropriate findings of fact, and conclusions of law, affirm, modify, or overrule the suspension or revocation and reinstate the license, and may impose any terms upon the continuance of the license.

C. No suspension or revocation of a license issued pursuant to the provisions of this subchapter shall take effect until 14 days after the mailing of the notice thereof by the city, and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the city administrator. All licenses which are suspended or revoked shall be surrendered to the city on the effective date of such suspension or revocation.

D. The decision of the city administrator shall be final. The licensee may seek review of the decision by the superior court of Washington in and for King County within 14 days from the date of the decision. If review is sought as herein prescribed, the suspension or revocation shall be stayed pending final action by the superior court.

E. Upon revocation of any license as provided in this subchapter, no portion of the license fee shall be returned to the licensee.

5.08.240 Closing agreement provisions.

The director may enter into an agreement in writing with any person relating to the liability of such person in respect of any tax imposed by any of the chapters within this title and administered by this chapter for any taxable period(s). Upon approval of such agreement, evidenced by execution thereof by the director and the person so agreeing, the agreement shall be final and conclusive as to the tax liability or tax immunity covered thereby, and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact:

A. The case shall not be reopened as to the matters agreed upon, or the agreement modified, by the director or the taxpayer; and

B. In any suit, action or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded.

5.08.250 Charge-off of uncollectible taxes.

The director may charge off any tax, penalty, or interest that is owed by a taxpayer, if the director reasonably ascertains that the cost of collecting such amounts would be greater than the total amount that is owed or likely to be collected from the taxpayer. Charge-offs in excess of $5,000 shall require city council approval.

5.08.255 Emergency provisions.

During the pendency of an emergency or disaster declared by the mayor pursuant to SMC 2.48.050, the mayor is authorized to temporarily defer or extend the performance of any obligation or requirement imposed by this chapter, on such terms or conditions and for such time as the mayor may reasonably determine in order to respond to the emergency or disaster or protect persons and/or businesses affected thereby.

5.08.260 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SNOQUALMIE, WASHINGTON, AMENDING CHAPTERS 5.04 AND 5.08 OF THE SNOQUALMIE MUNICIPAL CODE, REGARDING BUSINESS LICENSES AND BUSINESS AND OCCUPATION TAX; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 35.102 RCW requires cities that impose business and occupation taxes to coordinate with the Association of Washington Cities (AWC) to develop a model ordinance for the administration of business and occupation tax in order to promote uniformity and foster an equitable business environment; and

WHEREAS, starting in 2008, cities that levy the business and occupation tax must allow for allocation and apportionment to minimize concerns over multiple taxation; and

WHEREAS, in 2017, HB 2005 required that cities that levy business and occupation taxes form a task force to review service income apportionment; and

WHEREAS, a workgroup of cities met and recommended amendments to the model ordinance to include changes to RCW Chapter 35.102 and to reflect other changes to state law since 2013, which amendments were adopted by the 2019 legislature; and

WHEREAS, in 2023, SB 5199 changed the definition of printing and publishing income for business and occupation taxes resulting in an update to the model ordinance.

WHEREAS, the City must amend its code to reflect the changes made to the model ordinance as promulgated by AWC and authorized by state law.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Snoqualmie, Washington, as follows:

Section 1. Chapter 5.04 of the Snoqualmie Municipal Code, Business Licenses and Business and Occupation Tax, is hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Chapter 5.08 of the Snoqualmie Municipal Code, Administrative Provisions for Business Tax, is hereby amended to read as shown in Exhibit B, attached hereto and incorporated herein by this reference.

Section 3. Severability. If any one or more sections, subsections, or sentences of this ordinance or the Snoqualmie Municipal Code amendments adopted in Sections 1 and 2 herein are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of

this ordinance or the Snoqualmie Municipal Code sections, and the same shall remain in full force and effect.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk, and the Community Development Director, code revisers are authorized to make necessary corrections to this ordinance and Snoqualmie Municipal Code sections, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules or regulations; or ordinance or Snoqualmie Municipal Code section or subsection numbering.

Section 5. Effective Date. This ordinance shall be effective five (5) days after passage and publication, as provided by law.

PASSED by the City Council of the City of Snoqualmie, Washington, this ___ day of _____, 2024.

City of Snoqualmie

_____
Katherine Ross, Mayor

Attest:

_____
Deana Dean, City Clerk

Approved as to form:

_____
David A. Linehan, Interim City Attorney

EXHIBIT A

Chapter 5.04 – BUSINESS LICENSES AND BUSINESS AND OCCUPATION TAX

5.04.010 Exercise of revenue license power.

The provisions of this chapter shall be deemed an exercise of the power of the city to license for revenue. The provisions of this chapter are subject to periodic statutory or administrative rule changes or judicial interpretations of the ordinances or rules. The responsibility rests with the licensee or taxpayer to reconfirm tax computation procedures and remain in compliance with the city code.

5.04.015 Business license.

A. Every person engaging in any business or activity within the city during each taxable year in any business or activity, whether or not subject to taxation under this chapter, except as provided in subsection F of this section, shall apply for and obtain from the finance officer a business license for such taxable year or unexpired portion thereof. On and after the effective date of the ordinance codified in this section, no person shall engage in any business activity within the city for which a license fee or tax is imposed by this chapter without having first obtained and being the holder of a valid and subsisting license to be known as a business license, issued for such taxable year under the provisions of this chapter.

B. Except as provided otherwise herein, the fee for issuance and renewal of an annual business license shall be based on the number of employees, including the owner, engaging in any business or activity within the city during each taxable year in any business or activity as follows:

Number of Employees	Fee
0 – 2	$25.00
3 – 10	$50.00
11 – 25	$115.00
26 – 50	$250.00
51 – 100	$500.00
101 or higher	$500.00

Notwithstanding the fee schedule above, for purposes of the annual business license required by this chapter, for any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than $2,000.00 and who does not maintain a place of business within the city, the fee for the annual business license shall be $0.00.

C. The license shall expire at the end of the calendar year. Each license shall be personal and nontransferable. In case business is transacted at two or more separate places by one taxpayer, a separate license shall be required for each place, and a separate registration fee shall be paid for such license issued.

D. All business licenses shall be issued by the ~~finance officer~~director on forms prescribed and furnished by the director~~him~~, and the ~~finance officer~~director shall keep a register thereof. Each license shall be numbered, shall show the name, place and character of business of the taxpayer, such other information as the ~~finance officer~~director shall deem necessary, and shall at all times be posted in the place of business for which it is issued. When the place of business of a taxpayer is changed, the taxpayer shall return the license to the ~~finance officer~~director and a new license shall be issued for the new place of business upon payment of a fee of $25.00. No person shall engage in any business for which a business license is required without being licensed, nor shall any person holding such a business license suffer or allow any other person, for whom a separate license is required, to operate under or display his license.

E. The ~~finance officer~~director shall not issue any business license for a business to be conducted within premises located in the city until the planning official has certified that the business may lawfully be conducted within the zoning district within which it is located, and the building official has certified that the premises comply with applicable fire and life safety regulations. The cost of such review and certifications shall be included within the business license fee.

F. Licensing of persons engaged in business as vendors at farmers' markets, festivals and special events, roadside sales, door-to-door sales, transient merchant sales, or other similar circumstances shall be licensed as provided in Chapter 5.36 SMC, provided, such persons shall be subject to the tax imposed by this chapter if such person's sales within the city exceed the gross receipts as set forth in SMC 5.04.050(B).

5.04.020 Administrative provisions.

The administrative provisions contained in Chapter 5.08 SMC shall be fully applicable to the provisions of this chapter except as expressly stated to the contrary herein.

5.04.030 Definitions.

In construing the provisions of this chapter, the following definitions shall be applied. Words in the singular number shall include the plural, and the plural shall include the singular.

A. "Business" includes all activities engaged in with the object of gain, benefit, or advantage to the taxpayer or to another person or class, directly or indirectly.

B. “Business and occupation tax” or “gross receipts tax” means a tax imposed on or measured by the value of products, the gross income of the business, or the gross proceeds of sales, as the case may be, and that is the legal liability of the business.

C. “Commercial or industrial use” means the following uses of products, including by-products, by the extractor or manufacturer thereof:

1. Any use as a consumer; and

2. The manufacturing of articles, substances or commodities.

D. “Delivery” means the transfer of possession of tangible personal property between the seller and the buyer or the buyer’s representative. Delivery to an employee of a buyer is considered delivery to the buyer. Transfer of possession of tangible personal property occurs when the buyer or the buyer’s representative first takes physical control of the property or exercises dominion and control over the property. “Dominion and control” means the buyer has the ability to put the property to the buyer’s own purposes. It means the buyer or the buyer’s representative has made the final decision to accept or reject the property, and the seller has no further right to possession of the property and the buyer has no right to return the property to the seller, other than under a warranty contract. A buyer does not exercise dominion and control over tangible personal property merely by arranging for shipment of the property from the seller to itself. A buyer’s representative is a person, other than an employee of the buyer, who is authorized in writing by the buyer to receive tangible personal property and take dominion and control by making the final decision to accept or reject the property. Neither a shipping company nor a seller can serve as a buyer’s representative. It is immaterial where the contract of sale is negotiated or where the buyer obtains title to the property. Delivery terms and other provisions of the Uniform Commercial Code (Title 62A RCW) do not determine when or where delivery of tangible personal property occurs for purposes of taxation.

E. “Digital automated service,” “digital code,” and “digital goods” have the same meaning as in RCW 82.04.192.

F. “Digital products” means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050(2)(g) and (6)(b).

G. “Director” means the finance officer of the city or any officer, agent or employee of the city designated to act on the director’s behalf.

H. “Eligible gross receipts tax” means a tax which:

1. Is imposed on the act or privilege of engaging in business activities within SMC 5.04.050; and

2. Is measured by the gross volume of business, in terms of gross receipts, and is not an income tax or value added tax; and

3. Is not, pursuant to law or custom, separately stated from the sales price; and

4. Is not a sales or use tax, business license fee, franchise fee, royalty or severance tax measured by volume or weight, or concession charge, or payment for the use and enjoyment of property, property right or a privilege; and

5. Is a tax imposed by a local jurisdiction, whether within or without the state of Washington, and not by a country, state, province, or any other nonlocal jurisdiction above the county level.

I. Engaging in Business.

1. The term “engaging in business” means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

2. This subsection sets forth examples of activities that constitute engaging in business in the city, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimis business activities in the city without having to register and obtain a business license or pay city business and occupation taxes. The activities listed in this section are illustrative only and are not intended to narrow the definition of “engaging in business” in subsection (I)(1) of this section. If an activity is not listed, whether it constitutes engaging in business in the city shall be determined by considering all the facts and circumstances and applicable law.

3. Without being all inclusive, any one of the following activities conducted within the city by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf, constitutes engaging in business and requires a person to register and obtain a business license:

a. Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the city.

b. Owning, renting, leasing, using, or maintaining an office, place of business, or other establishment in the city.

c. Soliciting sales.

d. Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.

e. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.

f. Installing, constructing, or supervising installation or construction of real or tangible personal property.

g. Soliciting, negotiating, or approving franchise, license, or other similar agreements.

h. Collecting current or delinquent accounts.

i. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.

j. Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.

k. Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, and veterinarians.

l. Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.

m. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the city, acting on its behalf, or for customers or potential customers.

n. Investigating, resolving, or otherwise assisting in resolving customer complaints.

o. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.

p. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.

4. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the city but the following, it need not register and obtain a business license and pay tax:

a. Meeting with suppliers of goods and services as a customer.

b. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.

c. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.

d. Renting tangible or intangible property as a customer when the property is not used in the city.

e. Attending, but not participating in, a "trade show" or "multiple vendor events." Persons participating at a trade show shall review the city's trade show or multiple vendor event ordinances.

f. Conducting advertising through the mail.

g. Soliciting sales by phone from a location outside the city.

5. A seller located outside the city merely delivering goods into the city by means of common carrier is not required to register and obtain a business license; provided, that it engages in no other business activities in the city. Such activities do not include those in subsection (I)(4) of this section.

6. The city expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the tax under the law and the Constitutions of the United States and the state of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

J. “Extracting” is the activity engaged in by an extractor and is reportable under the extracting classification.

K. “Extractor” means every person who, from the person’s own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use, mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product; or fells, cuts or takes timber, Christmas trees, other than plantation Christmas trees, or other natural products; or takes fish, shellfish, or other sea or inland water foods or products. “Extractor” does not include persons performing under contract the necessary labor or mechanical services for others; or persons meeting the definition of “farmer.”

L. “Extractor for hire” means a person who performs under contract necessary labor or mechanical services for an extractor.

M. “Gross income of the business” means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

N. “Gross proceeds of sales” means the value proceeding or accruing from the sale of tangible personal property, digital goods, digital codes, digital automated services or for other services rendered, without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

O. “Manufacturing” means the activity conducted by a manufacturer and is reported under the manufacturing classification.

P. “Manufacturer,” “tTo mManufacture.”

1. “Manufacturer” means every person who, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or for commercial or industrial use from the person’s own materials or ingredients any products. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, materials or ingredients equal to

less than 20 percent of the total value of all materials or ingredients that become a part of the finished product, the owner of the equipment or facilities will be deemed to be a processor for hire, and not a manufacturer;

2. “To manufacture” means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials or ingredients so that as a result thereof a new, different or useful product is produced for sale or commercial or industrial use, and shall include:

a. The production of special made or custom made articles;

b. The production of dental appliances, devices, restorations, substitutes, or other dental laboratory products by a dental laboratory or dental technician;

c. Crushing and/or blending of rock, sand, stone, gravel, or ore; and

d. The producing of articles for sale, or for commercial or industrial use from raw materials or prepared materials by giving such materials, articles, and substances of trade or commerce new forms, qualities, properties or combinations including, but not limited to, such activities as making, fabricating, processing, refining, mixing, slaughtering, packing, aging, curing, mild curing, preserving, canning, and the preparing and freezing of fresh fruits and vegetables.

3. “To manufacture” shall not include the production of digital goods or computer software if the computer software is delivered from the seller to the purchaser by means other than tangible storage media, including the delivery by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

Q. “Person” means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise and the United States or any instrumentality thereof.

R. “Retailing” means the activity of engaging in making sales at retail and is reported under the retailing classification.

S. “Retail service” shall include the sale of or charge made for personal, business, or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities:

1. Amusement and recreation services including but not limited to golf, pool, billiards, skating, bowling, swimming, bungee jumping, ski lifts and tows, basketball, racquet ball, handball, squash, tennis, batting cages, day trips for sightseeing purposes, and others, when provided to consumers. "Amusement and recreation services" also include the provision of related facilities such as basketball courts, tennis courts, handball courts, swimming pools, and charges made for providing the opportunity to dance. The term "amusement and recreation services" does not include instructional lessons to learn a particular activity such as tennis lessons, swimming lessons, or archery lessons;

2. Abstract, title insurance, and escrow services;

3. Credit bureau services;

4. Automobile parking and storage garage services;

5. Landscape maintenance and horticultural services but excluding (a) horticultural services provided to farmers and (b) pruning, trimming, repairing, removing, and clearing of trees and brush near electric transmission or distribution lines or equipment, if performed by or at the direction of an electric utility;

6. Service charges associated with tickets to professional sporting events; and

7. The following personal services: physical fitness services, tanning salon services, tattoo parlor services, steam bath services, Turkish bath services, escort services, and dating services.

8. The term shall also include the renting or leasing of tangible personal property to consumers and the rental of equipment with an operator.

T. "Sale," "cCasual or iIsolated sSale."

1. "Sale" means any transfer of the ownership of, title to, or possession of property for a valuable consideration and includes any activity classified as a "sale at retail," "retail sale," or "retail service." It includes renting or leasing, conditional sale contracts, leases with option to purchase, and any contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It also includes the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not.

2. "Casual or isolated sale" means a sale made by a person who is not engaged in the business of selling the type of property involved on a routine or continuous basis.

U. Sale at Retail, Retail Sale.

1. “Sale at retail” or “retail sale” means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers, other than a sale to a person who presents a resale certificate under RCW 82.04.470 and who:

a. Purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person; or

b. Installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person; or

c. Purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale; or

d. Purchases for the purpose of consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon;

e. Purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in RCW 82.04.065. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a “sale at retail” or “retail sale” even though such property is resold or utilized as provided in subsection (U)(1)(a), (b), (c), (d) or (e) of this section following such use; or

f. Purchases for the purpose of satisfying the person’s obligations under an extended warranty as defined in subsection (U)(7) of this section, if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person.

2. “Sale at retail” or “retail sale” also means every sale of tangible personal property to persons engaged in any business activity which is taxable under SMC 5.04.050(A)(1).

3. “Sale at retail” or “retail sale” shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following:

a. The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin-operated laundry facilities when such facilities are situated in an apartment house, rooming house, or mobile home park for the exclusive use of the tenants thereof, and also excluding sales of laundry service to nonprofit health care facilities, and excluding services rendered in respect to live animals, birds and insects;

b. The constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture;

c. The charge for labor and services rendered in respect to constructing, repairing, or improving any structure upon, above, or under any real property owned by an owner who conveys the property by title, possession, or any other means to the person performing such construction, repair, or improvement for the purpose of performing such construction, repair, or improvement and the property is then reconveyed by title, possession, or any other means to the original owner;

d. The sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term “janitorial services” shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term “janitorial services” does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting;

e. The sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under Chapter 82.16 RCW;

f. The sale of and charge made for the furnishing of lodging and all other services, except telephone business and cable service, by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. For the purposes of this subsection, it shall be presumed that the sale of and charge made for the furnishing of lodging for a continuous period of one month or more to a person is a rental or lease of real property and not a mere license to enjoy the same;

g. The installing, repairing, altering, or improving of digital goods for consumers;

h. The sale of or charge made for tangible personal property, labor and services to persons taxable under subsections (U)(3)(a), (b), (c), (d), (e), (f) and (g) of this section when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a “sale at retail” or “retail sale” even though such property, labor and services may be resold after such use or consumption. Nothing contained in this subsection shall be construed to modify subsection (S)(1) of this section and nothing contained in subsection (S)(1) of this section shall be construed to modify this subsection.

4. “Sale at retail” or “retail sale” shall also include the providing of competitive telephone service to consumers.

5. “Sale at retail” or “retail sale” shall also include:

a. The sale of prewritten software other than a sale to a person who presents a resale certificate under RCW 82.04.470, regardless of the method of delivery to the end user. For purposes of this subsection the sale of prewritten computer software includes the sale of or charge made for a key or an enabling activation code, where the key or code is required to activate prewritten software and put the software into use. There is no separate sale of the key or code from the prewritten software, regardless of how the sale may be characterized by the vendor or by the purchaser. The term “sale at retail” or “retail sale” does not include the sale of or charge made for custom software or the customization of prewritten software.

b. The term also includes the charge made to consumers for the right to access and use prewritten computer software, where possession of the software is maintained by the seller or a third party, regardless of whether the charge for the service is on a per use, per user, per license, subscription, or some other basis. This service also includes the right to access and use prewritten software to perform data processing. For purposes of this subsection, the term "data processing" means the systematic performance of operations on data to extract the required information in an appropriate form or to convert the data to useable information. Data processing includes check processing, image processing, form processing, survey processing, payroll processing, claim processing and similar activities.

6. "Sale at retail" or "retail sale" shall also include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state, the state of Washington, or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind (public road construction).

7. "Sale at retail" or "retail sale" shall also include the sale of or charge made for an extended warranty to a consumer. For purposes of this subsection, "extended warranty" means an agreement for a specified duration to perform the replacement or repair of tangible personal property at no additional charge or a reduced charge for tangible personal property, labor, or both, or to provide indemnification for the replacement or repair of tangible personal property, based on the occurrence of specified events. The term "extended warranty" does not include an agreement, otherwise meeting the definition of extended warranty in this subsection, if no separate charge is made for the agreement and the value of the agreement is included in the sales price of the tangible personal property covered by the agreement.

8. "Sale at retail" or "retail sale" shall also include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to Chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation (government contracting).

9. "Sale at retail" or "retail sale" shall not include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a

county or city housing authority. Nor shall the term include the sale of services or charges made for cleaning up for the United States, or its instrumentalities, radioactive waste and other byproducts of weapons production and nuclear research and development. (This should be reported under the service and other classification.)

10. “Sale at retail” or “retail sale” shall not include the sale of or charge made for labor and services rendered for environmental remedial action. (This should be reported under the service and other classification.)

11. a. “Sale at retail” or “retail sale” shall also include the following sales to consumers of digital goods, digital codes, and digital automated services:

i. Sales in which the seller has granted the purchase the right of permanent use;

ii. Sales in which the seller has granted the purchase a right of use that is less than permanent;

iii. Sales in which the purchaser is not obligated to make continued payment as a condition of sale; and

iv. Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

b. A retail sale of digital goods, digital codes, or digital automated services under this subsection U(11) includes any services provided by the seller exclusively in connection with the digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

c. For purposes of this subsection U(11), “permanent” means perpetual or for an indefinite or unspecified length of time. A right of permanent use is presumed to have been granted unless the agreement between the seller and the purchaser specifies or the circumstances surrounding the transaction suggest or indicate that the right to use terminates on the occurrence of a condition subsequent.

12. “Sale at retail” or “retail sale” shall also include the installing, preparing, altering or improving of digital goods for consumers.

V. “Sale at wholesale” or “wholesale sale” means any sale of tangible personal property which is not a retail sale, and any charge made for labor and services rendered for persons who are not consumers, in

respect to real or personal property and retail services, if such charge is expressly defined as a retail sale or retail service when rendered to or for consumers. Sale at wholesale also includes the sale of telephone business to a telecommunications company as defined in RCW 80.04.010 for the purpose of resale, as contemplated by RCW 35.21.715.

W. "Services." [Reserved.]means those activities that do not fall within one of the other tax classifications in this chapter.

X. "Taxpayer" means any person, as herein defined, required to have a business license under this chapter or liable for the collection of any tax or fee under this chapter, or who engages in any business or who performs any act for which a tax or fee is imposed by this chapter.

Y. "Value proceeding or accruing" means the consideration, whether money, credits, rights, or other property expressed in terms of money, a person is entitled to receive or which is actually received or accrued. The term shall be applied, in each case, on a cash receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer.

Z. Value of Products.

1. The value of products, including by-products, extracted or manufactured, shall be determined by the gross proceeds derived from the sale thereof whether such sale is at wholesale or at retail, to which shall be added all subsidies and bonuses received from the purchaser or from any other person with respect to the extraction, manufacture, or sale of such products or by-products by the seller.

2. Where such products, including by-products, are extracted or manufactured for commercial or industrial use; and where such products, including by-products, are shipped, transported or transferred out of the city, or to another person, without prior sale or are sold under circumstances such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale, the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers, plus the amount of subsidies or bonuses ordinarily payable by the purchaser or by any third person with respect to the extraction, manufacture, or sale of such products. In the absence of sales of similar products as a guide to value, such value may be determined upon a cost basis. In such cases, there shall be included every item of cost attributable to the particular article or article extracted or manufactured, including direct and indirect overhead costs. The city clerk may prescribe rules for the purpose of ascertaining such values.

3. Notwithstanding subsection (Z)(2) of this section, the value of a product manufactured or produced for purposes of serving as a prototype for the development of a new or improved product shall correspond to (a) the retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

AA. “Wholesaling” means engaging in the activity of making sales at wholesale, and is reported under the wholesaling classification.

5.04.050 Imposition of the tax – Tax or fee levied.

A. Except as provided in subsection B of this section, there is hereby levied upon and shall be collected from every person a tax for the act or privilege of engaging in business activities within the city, whether the person’s office or place of business be within or without the city. The tax shall be in amounts to be determined by application of rates against gross proceeds of sale, gross income of business, or value of products, including by-products, as the case may be, as follows:

1. Upon every person engaging within the city in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, extracted within the city for sale or for commercial or industrial use, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). The measure of the tax is the value of the products, including by-products, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the city.

2. Upon every person engaging within the city in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, manufactured within the city, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). The measure of the tax is the value of the products, including by-products, so manufactured, regardless of the place of sale or the fact that deliveries may be made to points outside the city.

3. Upon every person engaging within the city in the business of making sales at wholesale, except persons taxable under subsection (A)(5) of this section; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of such sales of the business without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

4. Upon every person engaging within the city in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of

such sales of the business, without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

5. Upon every person engaging within the city in the business of (a) printing, (b) both printing and publishing newspapers, magazines, periodicals, books, music, and other printed items, (c) publishing newspapers, magazines and periodicals, (d) extracting for hire, and (e) processing for hire; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

6. Upon every person engaging within the city in the business of making sales of retail services; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015).

7. Upon every other person engaging within the city in any business activity other than or in addition to those enumerated in the above subsections; as to such persons, the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent (multiplier of 0.0015). This subsection includes, among others, and without limiting the scope hereof (whether or not title to material used in the performance of such business passes to another by accession, merger or other than by outright sale), persons engaged in the business of developing or producing custom software or of customizing canned software, producing royalties or commissions, and persons engaged in the business of rendering any type of service which does not constitute a sale at retail, a sale at wholesale, or a retail service.

B. The gross receipts tax imposed in this section shall not apply to any person whose gross proceeds of sales, gross income of the business, and value of products, including by-products, as the case may be, from all activities conducted within the city during any calendar year is equal to or less than $20,000, or is equal to or less than $5,000 during any quarter if on a quarterly reporting basis.

5.04.060 Doing business with the city.

Repealed by Ord. 1102.

5.04.070 Multiple activities credit when activities take place in one or more cities with eligible gross receipt taxes.

A. Persons who engage in business activities that are within the purview of two or more subsections of SMC 5.04.050 shall be taxable under each applicable subsection.

B. Notwithstanding anything to the contrary herein, if imposition of the city's tax would place an undue burden upon interstate commerce or violate constitutional requirements, a taxpayer shall be allowed a credit to the extent necessary to preserve the validity of the city's tax, and still apply the city tax to as much of the taxpayer's activities as may be subject to the city's taxing authority.

C. To take the credit authorized by this section, a taxpayer must be able to document that the amount of tax sought to be credited was paid upon the same gross receipts used in computing the tax against which the credit is applied.

D. Credit for Persons That Sell in the City Products That They Extract or Manufacture. Persons taxable under the retailing or wholesaling classification with respect to selling products in this city shall be allowed a credit against those taxes for any eligible gross receipts taxes paid (1) with respect to the manufacturing of the products sold in the city, and (2) with respect to the extracting of the products, or the ingredients used in the products, sold in the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the sale of those products.

E. Credit for Persons That Manufacture Products in the City Using Ingredients They Extract. Persons taxable under the manufacturing classification with respect to manufacturing products in this city shall be allowed a credit against those taxes for any eligible gross receipts tax paid with respect to extracting the ingredients of the products manufactured in the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the manufacturing of those products.

F. Credit for Persons That Sell Within the City Products That They Print, or Publish and Print. Persons taxable under the retailing or wholesaling classification with respect to selling products in this city shall be allowed a credit against those taxes for any eligible gross receipts taxes paid with respect to the printing, or the printing and publishing, of the products sold within the city. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to the sale of those products.

5.04.075 Deductions to prevent multiple taxation of manufacturing activities and prior to January 1, 2008, transactions involving more than one city with an eligible gross receipts tax.

A. Amounts Subject to an Eligible Gross Receipts Tax in Another City That Also Maintains Nexus Over the Same Activity. For taxes due prior to January 1, 2008, a taxpayer that is subject to an eligible gross receipts tax on the same activity in more than one jurisdiction may be entitled to a deduction as follows:

1. A taxpayer that has paid an eligible gross receipts tax, with respect to a sale of goods or services, to a jurisdiction in which the goods are delivered or the services are provided may deduct an amount equal to the gross receipts used to measure that tax from the measure of the tax owed to the city.

2. Notwithstanding the above, a person that is subject to an eligible gross receipts tax in more than one jurisdiction on the gross income derived from intangibles such as royalties, trademarks, patents, or goodwill shall assign those gross receipts to the jurisdiction where the person is domiciled (its headquarters is located).

3. A taxpayer that has paid an eligible gross receipts tax on the privilege of accepting or executing a contract with another city may deduct an amount equal to the contract price used to measure the tax due to the other city from the measure of the tax owed to the city.

B. Person Manufacturing Products Within and Without. A person manufacturing products within the city using products manufactured by the same person outside the city may deduct from the measure of the manufacturing tax the value of products manufactured outside the city and included in the measure of an eligible gross receipts tax paid to the other jurisdiction with respect to manufacturing such products.

5.04.080 Assignment of gross income derived from intangibles.

Gross income derived from the sale of intangibles such as royalties, trademarks, patents, or goodwill shall be assigned to the jurisdiction where the person is domiciled (its headquarters is located).

5.04.085 Allocation and apportionment of income when activities take place in more than one jurisdiction.

Effective January 1, 2008, gross income, other than persons subject to the provisions of Chapter 82.14A RCW, shall be allocated and apportioned as follows:

A. Gross income derived from all activities other than those taxed as service or royalties under SMC 5.04.050(A)(7) shall be allocated to the location where the activity takes place.

B. In the case of sales of tangible personal property, the activity takes place where delivery to the buyer occurs.

C. In the case of sales of digital products, the activity takes place where delivery to the buyer occurs. The delivery of digital products will be deemed to occur at:

1. The seller’s place of business if the purchaser receives the digital product at the seller’s place of business;

2. If not received at the seller’s place of business, the location where the purchaser or the purchaser’s donee, designated as such by the purchaser, receives the digital product, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

3. If the location where the purchaser or the purchaser's donee receives the digital product is not known, the purchaser's address maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

4. If no address for the purchaser is maintained in the ordinary course of the seller's business, the purchaser's address obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith; and

5. If no address for the purchaser is obtained during the consummation of the sale, the address where the digital good or digital code is first made available for transmission by the seller or the address from which the digital automated service or service described in RCW 82.04.050(2)(g) or (6)(b) was provided, disregarding for these purposes any location that merely provided the digital transfer of the product sold.

D. If none of the methods in subsection C of this section for determining where the delivery of digital products occurs are available after a good faith effort by the taxpayer to apply the methods provided in subsections (C)(1) through (C)(5) of this section, then the city and the taxpayer may mutually agree to employ any other method to effectuate an equitable allocation of income from the sale of digital products. The taxpayer will be responsible for petitioning the city to use an alternative method under this subsection. The city may employ an alternative method for allocating the income from the sale of digital products if the methods provided in subsections (C)(1) through (C)(5) of this section are not available and the taxpayer and the city are unable to mutually agree on an alternative method to effectuate an equitable allocation of income from the sale of digital products.

E. For purposes of subsections (C)(1) through (C)(5) of this section, the following definitions apply:

1. "Digital automation services," "digital codes," and "digital goods" have the same meaning as in RCW 82.04.192;

2. "Digital products" means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050(2)(g) and (6)(c);

3. "R~~r~~eceive" has the same meaning as in RCW 82.32.730.

F. Gross income derived from activities taxed as services and other activities taxed under SMC 5.04.050(A)(7) shall be apportioned to the city by multiplying apportionable income by a fraction, the

numerator of which is the payroll factor plus the service-income factor and the denominator of which is two.

1. The payroll factor is a fraction the numerator of which is the total amount paid in the city during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period. Compensation is paid in the city if:

a. The individual is primarily assigned within the city;

b. The individual is not primarily assigned to any place of business for the tax period and the employee performs 50 percent or more of his or her service for the tax period in the city; or

c. The individual is not primarily assigned to any place of business for the tax period, the individual does not perform 50 percent or more of his or her service in any city and the employee resides in the city.

2. The service-income factor is a fraction the numerator of which is the total service income of the taxpayer in the city during the tax period, and the denominator of which is the total service income of the taxpayer everywhere during the tax period. Service income is in the city if~~:~~ the customer location is in the city.

~~a. The customer location is in the city; or~~

~~b. The income-producing activity is performed in more than one location and a greater proportion of the service-income-producing activity is performed in the city than in any other location, based on costs of performance, and the taxpayer is not taxable at the customer location; or~~

~~c. The service-income-producing activity is performed within the city, and the taxpayer is not taxable in the customer location.~~

3. Gross income of the business from engaging in an apportionable activity must be excluded from the denominator of the service income factor if, in respect to such activity, at least some of the activity is performed in the city, and the gross income is attributable under subsection F(2) to a city or unincorporated area of a county within the United States or to a foreign county in which the taxpayer is not taxable. For purposes of this subsection F(3), “not taxable” means that the taxpayer is not subject to a business activities tax by that city or county within the United States or by that foreign country, except that a taxpayer is taxable in a city or county within the United States or in a foreign country in which it would be deemed to have a substantial nexus with the city or county

within the United States or with the foreign country under the standards in RCW 35.102.050 regardless of whether that city or county within the United States or that foreign country imposes such a tax.

43. If the allocation and apportionment provisions of this subsection F do not fairly represent the extent of the taxpayer's business activity in the city ~~or cities in which the taxpayer does business~~, the taxpayer may petition for or the tax administrators may ~~jointly~~ require, in respect to all or any part of the taxpayer's business activity, ~~that one of the following methods be used jointly by the cities to allocate or apportion gross income,~~ if reasonable:

a. Separate accounting;

b. The ~~use of a single~~exclusion of any one or more of the factors;

c. The inclusion of one or more additional factors that will fairly represent the taxpayer's business activity in the city; or

d. The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

5. The party petitioning for, or the tax administrator requiring, the use of any method to effectuate an equitable allocation and apportionment of the taxpayer's income pursuant to subsection F(4) must prove by a preponderance of the evidence:

a. That the allocation and apportionment provisions of this subsection F do not fairly represent the extent of the taxpayer's business activity in the city; and

b. That the alternative to such provisions is reasonable.

The same burden of proof shall apply whether the taxpayer is petitioning for, or the tax administrator is requiring, the use of an alternative, reasonable method to effectuate an equitable allocation and apportionment of the taxpayer's income.

6. If the tax administrator requires any method to effectuate an equitable allocation and apportionment of the taxpayer's income, the tax administrator cannot impose any civil or criminal penalty with reference to the tax due that is attributable to the taxpayer's reasonable reliance solely on the allocation and apportionment provisions of this subsection F.

7. A taxpayer that has received written permission from the tax administrator to use a reasonable method to effectuate an equitable allocation and apportionment of the taxpayer's income shall not have that permission revoked with respect to transactions and activities that have already occurred unless there has been a material change in, or a material misrepresentation of, the facts provided by the taxpayer upon which the tax administrator reasonably relied in approving a reasonable alternative method.

G. The definitions in this subsection apply throughout this section:

1. "Apportionable income" means the gross income of the business taxable under the service classifications of a city's gross receipts tax, including income received from activities outside the city if the income would be taxable under the service classification if received from activities within the city, less any exemptions or deductions available.

2. "Business activities tax" means a tax measured by the amount of, or economic results of, business activity conducted in a city or county within the United States or within a foreign country. The term includes taxes measured in whole or in part on net income or gross income or receipts. "Business activities tax" does not include a sales tax, use tax, or a similar transaction tax, imposed on the sale or acquisition of goods or services, whether or not denominated a gross receipts tax or a tax imposed on the privilege of doing business.

32. "Compensation" means wages, salaries, commissions, and any other form of remuneration paid to individuals for personal services that are or would be included in the individual's gross income under the federal Internal Revenue Code.

4. "Customer" means a person or entity to whom the taxpayer makes a sale or renders services or from which the taxpayer otherwise receives gross income of the business.

5. "Customer location" means the following:

a. For a customer not engaged in business, if the service requires the customer to be physically present, where the service is performed.

b. For a customer not engaged in business, if the service does not require the customer to be physically present:

(i) The customer's residence; or

(ii) If the customer's residence is not known, the customer's billing/mailing address.

c. For a customer engaged in business:

(i) Where the services are ordered from;

(ii) At the customer's billing/mailing address if the location from which the services are ordered is not known; or

(iii) At the customer's commercial domicile if none of the above are known.

63. "Individual" means any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.

~~4. "Customer location" means the city or unincorporated area of a county where the majority of the contacts between the taxpayer and the customer take place.~~

75. "Primarily assigned" means the business location of the taxpayer where the individual performs his or her duties.

86. "Service-taxable income" or "service income" means gross income of the business subject to tax under either the service or royalty classification.

97. "Tax period" means the calendar year during which tax liability is accrued. If taxes are reported by a taxpayer on a basis more frequent than once per year, taxpayers shall calculate the factors for the previous calendar year for reporting in the current calendar year and correct the reporting for the previous year when the factors are calculated for that year, but not later than the end of the first quarter of the following year.

~~8. "Taxable in the customer location" means either that a taxpayer is subject to a gross receipts tax in the customer location for the privilege of doing business, or that the government where the customer is located has the authority to subject the taxpayer to a gross receipts tax regardless of whether, in fact, the government does so.~~

H. Assignment or apportionment of revenue under this section shall be made in accordance with and in full compliance with the provisions of the interstate commerce clause of the United States Constitution where applicable.

5.04.087 Allocation and apportionment of printing and publishing income when activities take place in more than one jurisdiction.

Notwithstanding RCW 35.102.130, effective January 1, 2008, gross income from the activities of printing, and of publishing newspapers, periodicals, or magazines, shall be allocated to the principal place in this state from which the taxpayer's business is directed or managed. As used in this section until December 31, 2023, the activities of printing, and of publishing newspapers, periodicals, or magazines, have the same meanings as attributed to those terms in RCW 82.04.280(1) by the Department of Revenue. Beginning January 1, 2024, until January 1, 2034, as used in this section, the activities of printing, and of publishing newspapers and periodicals or magazines are those activities to which the exemption in RCW 82.04.759 and the tax rate in RCW 82.04.280(1)(a) apply.

5.04.090 Exemptions.

A. Nonprofit Corporations. This chapter shall not apply to nonprofit organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as hereafter amended, except with respect to the retail sales by~~of~~ such persons.

B. Public Utilities. This chapter shall not apply to any person in respect to a business activity with respect to which tax liability is specifically imposed under the provisions of Chapter 5.06 SMC.

C. Investments – Dividends from Subsidiary Corporations. This chapter shall not apply to amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such, and also amounts derived as dividends by a parent from its subsidiary corporations.

D. Insurance Business. This chapter shall not apply to amounts received by any person who is an insurer or their appointed insurance producer upon which a tax based on gross premiums is paid to the state pursuant to RCW 48.14.020; and provided further, that the provisions of this subsection shall not exempt any bonding company from tax with respect to gross income derived from the completion of any contract as to which it is a surety, or as to any liability as successor to the liability of the defaulting contractor.

E. Employees.

1. This chapter shall not apply to any person in respect to the person's employment in the capacity as an employee or servant as distinguished from that of an independent contractor. For the purposes of this subsection, the definition of employee shall include those persons that are defined in the Internal Revenue Code, as hereafter amended.

2. A booth renter, as defined by RCW 18.16.020, is an independent contractor for purposes of this chapter.

F. Amounts Derived from Sale of Real Estate. This chapter shall not apply to gross proceeds derived from the sale of real estate. This, however, shall not be construed to allow an exemption of amounts received as commissions from the sale of real estate, nor as fees, handling charges, discounts, interest or similar financial charges resulting from, or relating to, real estate transactions. This chapter shall also not apply to amounts received for the rental of real estate if the rental income is derived from a contract to rent for a continuous period of 30 days or longer.

G. Mortgage Brokers' Third-Party Provider Services Trust Accounts. This chapter shall not apply to amounts received from trust accounts to mortgage brokers for the payment of third-party costs if the accounts are operated in a manner consistent with RCW 19.146.050 and any rules adopted by the city clerk of financial institutions.

H. Amounts Derived from Manufacturing, Selling or Distributing Motor Vehicle Fuel. This chapter shall not apply to the manufacturing, selling, or distributing motor vehicle fuel, as the term "motor vehicle fuel" is defined in RCW ~~82.36.010~~ 82.38.020 and exempt under RCW ~~82.36.440~~82.38.280; provided, that any fuel not subjected to the state fuel excise tax, or any other applicable deduction or exemption, will be taxable under this chapter.

I. Amounts Derived from Liquor and the Sale or Distribution of Liquor. This chapter shall not apply to liquor as defined in RCW 66.04.010 and exempt in RCW 66.08.120.

J. Casual and Isolated Sales. This chapter shall not apply to the gross proceeds derived from casual or isolated sales.

K. Accommodation Sales. This chapter shall not apply to sales for resale by persons regularly engaged in the business of making retail sales of the type of property so sold to other persons similarly engaged in the business of selling such property where (1) the amount paid by the buyer does not exceed the amount paid by the seller to the vendor in the acquisition of the article and (2) the sale is made as an accommodation to the buyer to enable the buyer to fill a bona fide existing order of a customer or is made within 14 days to reimburse in kind a previous accommodation sale by the buyer to the seller.

L. Taxes Collected as Trust Funds. This chapter shall not apply to amounts collected by the taxpayer from third parties to satisfy third party obligations to pay taxes such as the retail sales tax, use tax, and admission tax.

5.04.100 Deductions.

In computing the license fee or tax, there may be deducted from the measure of tax the following items:

A. Receipts from Tangible Personal Property Delivered Outside the State. In computing tax, there may be deducted from the measure of tax under retailing or wholesaling amounts derived from the sale of tangible personal property that is received by the purchaser or its agent outside the state of Washington.

B. Cash Discount Taken by Purchaser. In computing tax, there may be deducted from the measure of tax the cash discount amounts actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extracting or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the “value of product” provisions.

C. Credit Losses of Accrual Basis Taxpayers. In computing tax, there may be deducted from the measure of tax the amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis.

D. Constitutional Prohibitions. In computing tax, there may be deducted from the measure of the tax amounts derived from business which the city is prohibited from taxing under the Constitution of the state of Washington or the Constitution of the United States.

E. Receipts from the Sale of Tangible Personal Property and Retail Services Delivered Outside the City but Within Washington. Effective January 1, 2008, amounts included in the gross receipts reported on the tax return derived from the sale of tangible personal property delivered to the buyer or the buyer’s representative outside the city but within the state of Washington may be deducted from the measure of tax under the retailing, retail services, or wholesaling classification.

F. Professional Employer Services. In computing the tax, a professional employer organization may deduct from the calculation of gross income the gross income of the business derived from performing professional employer services that is equal to the portion of the fee charged to a client that represents the actual cost of wages and salaries, benefits, workers’ compensation, payroll taxes, withholding, or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer agreement.

G. Interest on Investments or Loans Secured by Mortgages or Deeds of Trust. In computing tax, to the extent permitted by Chapter 82.14A RCW, there may be deducted from the measure of tax by those engaged in banking, loan, security or other financial businesses, amounts derived from interest received on investments or loans primarily secured by first mortgages or trust deeds on nontransient resident properties.

5.04.120 Tax part of overhead.

It is not the intention of this chapter that the taxes or fees herein levied upon persons engaging in business be construed as taxes or fees upon the purchasers or customer, but that such taxes or fees shall be levied upon, and collectible from, the person engaging in the business activities herein designated and that such taxes or fees shall constitute a part of the cost of doing business of such persons.

5.04.130 Severability clause.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected.

EXHIBIT B

Chapter 5.08 – ADMINISTRATIVE PROVISIONS FOR BUSINESS TAXES

5.08.010 Application.

The provisions of this chapter shall apply to business licenses required under this title and to the taxes imposed under Chapters 5.04 and 5.06 SMC, and under other titles, chapters, and sections in such manner and to such extent as indicated in each such title, chapter or section.

5.08.020 Definitions.

For purposes of this chapter the definitions contained in Chapter 5.04 SMC shall apply equally to the provisions of this chapter unless the term is defined otherwise in this chapter. In addition, the following definitions will apply:

A. “Reporting period” means:

1. A one-month period beginning the first day of each calendar month (monthly); or

2. A three-month period beginning the first day of January, April, July or October of each year (quarterly); or

3. A 12-month period beginning the first day of January of each year (annual).

B. “Return” means any document a person is required by the city to file to satisfy or establish a tax or fee obligation that is administered or collected by the city and that has a statutorily defined due date.

C. “Successor” means any person to whom a taxpayer quitting, selling out, exchanging, or disposing of a business sells or otherwise conveys, directly or indirectly, in bulk and not in the ordinary course of the taxpayer’s business, any part of the materials, supplies, merchandise, inventory, fixtures, or equipment of the taxpayer. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

D. “Tax year” or “taxable year” means the calendar year.

5.08.021 Definitions – References to Chapter 82.32 RCW.

Where provisions of Chapter 82.32 RCW are incorporated in SMC 5.08.090, “department” as used in the RCW shall refer to the “director” as defined in SMC 5.04.030(G) and “warrant” as used in the RCW shall mean “citation or criminal complaint.”

5.08.040 When due and payable – Reporting periods – Monthly, quarterly, and annual returns – Threshold provisions or relief from filing requirements – Computing time periods – Failure to file returns.

A. Other than any annual license fee or registration fee assessed under this title, the tax imposed by this chapter shall be due and payable in quarterly installments. At the ~~finance~~ director's discretion, businesses may be assigned to a monthly or annual reporting period depending on the tax amount owing or type of tax. Tax payments are due on or before the ~~last day of the next month following the end of the assigned reporting period covered by the return~~time as provided in RCW 82.32.045(1), (2), and (3)..

B. Taxes shall be paid as provided in this chapter and accompanied by a return on forms as prescribed by the ~~finance officer~~director. The return shall be signed by the taxpayer personally or by a responsible officer or agent of the taxpayer. The individual signing the return shall swear or affirm that the information in the return is complete and true.

C. Tax returns must be filed and returned by the due date whether or not any tax is owed.

D. For purposes of the tax imposed by Chapter 5.04 SMC, any person whose value of products, gross proceeds of sales, or gross income of the business, subject to tax after all allowable deductions, is equal to or less than $5,000 in the current quarter shall file a return, declare no tax due on their return, and submit the return to the ~~finance officer~~director. The gross receipts and deduction amounts shall be entered on the tax return even though no tax may be due.

E. A taxpayer that commences to engage in business activity shall file a return and pay the tax or fee for the portion of the reporting period during which the taxpayer is engaged in business activity.

F. Except as otherwise specifically provided by any other provision of this chapter, in computing any period of days prescribed by this chapter, the day of the act or event from which the designated period of time runs shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or city or federal legal holiday, in which case the last day of such period shall be the next succeeding day which is neither a Saturday, Sunday, or city or federal legal holiday.

G. If any taxpayer fails, neglects or refuses to make a return as and when required in this chapter, the ~~finance officer~~director is authorized to determine the amount of the tax or fees payable by obtaining facts and information upon which to base the ~~finance officer~~director's estimate of the tax or fees due. Such assessment shall be deemed prima facie correct and shall be the amount of tax owed to the city by the taxpayer. The ~~finance officer~~director shall notify the taxpayer by mail of the amount of tax so determined, together with any penalty, interest, and fees due; the total of such amounts shall thereupon become immediately due and payable.

5.08.050 Payment methods – Mailing returns or remittances – Time extension – Deposits – Recording payments – Payment must accompany return – NSF checks.

A. Taxes shall be paid to the city in United States currency by bank draft, certified check, cashier's check, personal check, money order, cash, or by wire transfer or electronic payment if such wire transfer or electronic payment is authorized by the ~~finance officer~~director. If payment so received is not paid by the bank on which it is drawn, the taxpayer, by whom such payment is tendered, shall remain liable for payment of the tax and for all legal penalties, the same as if such payment had not been tendered. Acceptance of any sum by the ~~finance officer~~director shall not discharge the tax or fee due unless the amount paid is the full amount due.

B. A return or remittance that is transmitted to the city by United States mail shall be deemed filed or received on the date shown by the cancellation mark stamped by the post office upon the envelope containing it. The ~~finance officer~~director may allow electronic filing of returns or remittances from any taxpayer. A return or remittance which is transmitted to the city electronically shall be deemed filed or received according to procedures set forth by the ~~finance officer~~director.

C. If a written request is received prior to the due date, the ~~finance officer~~director, for good cause, may grant, in writing, additional time within which to make and file returns.

D. The ~~finance officer~~director shall keep full and accurate records of all funds received or refunded. The ~~finance officer~~director shall apply payments first against all penalties and interest owing, and then upon the tax, without regard to any direction of the taxpayer.

E. For any return not accompanied by a remittance of the tax shown to be due thereon, the taxpayer shall be deemed to have failed or refused to file a return and shall be subject to the penalties and interest provided in this chapter.

F. Any payment made that is returned for lack of sufficient funds or for any other reason will not be considered received until payment by certified check, money order, or cash of the original amount due, plus a "nonsufficient funds (NSF)" charge of $20.00 is received by the ~~finance officer~~director. Any license issued upon payment with an NSF check will be considered void, and shall be returned to the ~~finance officer~~director. No license shall be reissued until payment (including the $20.00 NSF fee) is received.

G. The ~~finance officer~~director is authorized, but not required, to mail tax return forms to taxpayers, but failure of the taxpayer to receive any such forms shall not excuse the taxpayer from filing returns and making payment of the taxes or fees, when and as due under this chapter.

5.08.060 Records to be preserved – Examination – Estoppel to question assessment.

A. Every person liable for any fee or tax imposed by this chapter shall keep and preserve, for a period of five years after filing a tax return, such records as may be necessary to determine the amount of any fee or tax for which the person may be liable, which records shall include copies of all federal income tax and state tax returns and reports made by the person. All books, records, papers, invoices, vendor lists, inventories, stocks of merchandise, and other data including federal income tax and state tax returns and reports shall be open for examination at any time by the ~~finance officer~~director or his duly authorized agent. Every person's business premises shall be open for inspection or examination by the ~~finance officer~~director or a duly authorized agent.

B. If a person does not keep the necessary books and records within the city, it shall be sufficient if such person (1) produces within the city such books and records as may be required by the ~~finance officer~~director, or (2) bears the cost of examination by the ~~finance officer~~director's agent at the place where such books and records are kept; provided, that the person electing to bear such cost shall pay in advance to the ~~finance officer~~director the estimated amount thereof including round-trip fare, lodging, meals and incidental expenses, subject to adjustment upon completion of the examination.

C. Any person who fails, or refuses a city request, to provide or make available records, or to allow inspection or examination of the business premises, shall be forever barred from questioning, in any court action, the correctness of any assessment of taxes made by the city for any period for which such records have not been provided, made available or kept and preserved, or in respect of which inspection or examination of the business premises has been denied. The ~~finance officer~~director is authorized to determine the amount of the tax or fees payable by obtaining facts and information upon which to base the estimate of the tax or fees due. Such fee or tax assessment shall be deemed prima facie correct and shall be the amount of tax owing the city by the taxpayer. The ~~finance officer~~director shall notify the taxpayer by mail of the amount of tax so determined, together with any penalty, interest, and fees due; the total of such amounts shall thereupon become immediately due and payable.

5.08.070 Accounting methods.

A. A taxpayer may file tax returns in each reporting period with amounts based upon cash receipts only if the taxpayer's books of account are kept on a cash receipts basis. A taxpayer that does not regularly keep books of account on a cash receipts basis must file returns with amounts based on the accrual method.

B. The taxes imposed and the returns required hereunder shall be upon a calendar year basis.

5.08.080 Public work contracts – Payment of fee and tax before final payment for work.

The ~~finance officer~~director may, before issuing any final payment to any person performing any public work contract for the city, require such person to pay in full all license fees or taxes due under this title from such person on account of such contract or otherwise, and may require such taxpayer to file with the ~~finance officer~~director a verified list of all subcontractors supplying labor and/or materials to the person in connection with said public work.

5.08.090 Underpayment of tax, interest, or penalty – Interest.

A. If, upon examination of any returns, or from other information obtained by the ~~finance officer~~director, it appears that a tax or penalty less than that properly due has been paid, the ~~finance officer~~director shall assess the additional amount found to be due and shall add thereto interest on the tax only. The ~~finance officer~~director shall notify the person by mail of the additional amount, which shall become due and shall be paid within 30 days from the date of the notice, or within such time as the city clerk may provide in writing.

B. Interest on unpaid tax shall be computed as follows:

1. For tax periods up to and including December 31, 2004, the director shall compute interest at the rate of six percent per annum, in accordance with SMC 5.04.210 as it existed prior to December 31, 2004 (Ordinance 303, Section 19).

2. For tax periods after December 31, 2004, the director shall compute interest in accordance with RCW 82.32.050 as it now exists or as it may be amended.

3. If subsection (B)(2) of this section is held to be invalid, then the provisions of RCW 82.32.050 existing at the effective date of the ordinance codified in this section shall apply.

5.08.095 Time in which assessment may be made.

The ~~finance officer~~director shall not assess, or correct an assessment for, additional taxes, penalties, or interest due more than four years after the close of the calendar year in which they were incurred, except that the ~~finance officer~~director may issue an assessment:

A. Against a person who is not currently registered or licensed or has not filed a tax return as required by this chapter for taxes due within the period commencing 10 years prior to the close of the calendar year in which the person was contacted in writing by the ~~finance officer~~director;

B. Against a person that has committed fraud or who misrepresented a material fact; or

C. Against a person that has executed a written waiver of such limitations.

5.08.100 Overpayment of tax, penalty, or interest – Credit or refund – Interest rate – Statute of limitations.

A. If, upon receipt of an application for a refund, or during an audit or examination of the taxpayer's records and tax returns, the ~~finance officer~~director determines that the amount of tax, penalty, or interest paid is in excess of that properly due, the excess amount shall be credited to the taxpayer's account or shall be refunded to the taxpayer. Except as provided in subsection B of this section, no refund or credit shall be made for taxes, penalties, or interest paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

B. The execution of a written waiver shall extend the time for applying for or making a refund or credit of any taxes paid during, or attributable to, the years covered by the waiver if, prior to the expiration of the waiver period, an application for refund of such taxes is made by the taxpayer or the ~~finance officer~~director discovers that a refund or credit is due.

C. Refunds shall be made by means of vouchers approved by the ~~finance officer~~director and by the issuance of a city check or warrants drawn upon and payable from such funds as the city may provide.

D. Any final judgment for which a recovery is granted by any court of competent jurisdiction for tax, penalties, interest, or costs paid by any person shall be paid in the same manner as provided in subsection C of this section, upon the filing with the ~~finance officer~~director a certified copy of the order or judgment of the court.

E. Interest on overpayments of taxes shall be computed as follows:

1. For tax periods up to and including December 31, 2004, no refunds of tax nor any interest thereon shall be paid, in accordance with SMC 5.04.210 as it existed prior to December 31, 2004 (Ordinance 303, Section 19), which required claims for refunds to be made within two years from the date of the overpayment.

2. For tax periods after December 31, 2004, the director shall compute interest on refunds of credits of amounts paid or other recovery allowed a taxpayer in accordance with RCW 82.32.060, as it now exists or as it may be amended.

3. If subsection (E)(2) of this section is held to be invalid, then the provisions of RCW 82.32.060 existing at the effective date of the ordinance codified in this section shall apply.

5.08.110 Late payment – Disregard of written instructions – Evasion – Penalties.

A. If payment of any tax due on a return to be filed by a taxpayer is not received by the director by the due date, the director shall add a penalty in accordance with RCW 82.32.090(1), as it now exists or as it may be amended.

B. If the director determines that any tax has been substantially underpaid as defined in RCW 82.32.090(2), there shall be added a penalty in accordance with RCW 82.32.090(2), as it now exists or as it may be amended.

C. If a citation or criminal complaint is issued by the director for the collection of taxes, fees, assessments, interest or penalties, there shall be added thereto a penalty in accordance with RCW 82.32.090(3), as it now exists or as it may be amended.

D. If the director finds that a person has engaged in any business or performed any act upon which a tax is imposed under this title and that person has not obtained from the director a license as required by SMC 5.04.015, the director shall impose a penalty in accordance with RCW 82.32.090(4), as it now exists or as it may be amended. No penalty shall be imposed under this subsection D if the person who has engaged in business without a license obtains a license prior to being notified by the director of the need to be licensed.

E. If the director determines that all or any part of a deficiency resulted from the taxpayer's failure to follow specific written tax reporting instructions, there shall be assessed a penalty in accordance with RCW 82.32.090(5), as it now exists or as it may be amended.

F. If the director finds that all or any part of the deficiency resulted from an intent to evade the tax payable, the director shall assess a penalty in accordance with RCW 82.32.090(6), as it now exists or as it may be amended.

G. The penalties imposed under subsections A through E of this section can each be imposed on the same tax found to be due. This subsection does not prohibit or restrict the application of other penalties authorized by law.

H. For the purposes of this section, "return" means any document a person is required by the city ~~of Snoqualmie~~ to file to satisfy or establish a tax or fee obligation that is administered or collected by the city, and that has a statutorily defined due date.

I. The director shall not impose both the evasion penalty and the penalty for disregarding specific instructions on the same tax found to be due.

J. If incorporation into the Snoqualmie Municipal Code of future changes to RCW 82.32.090 is held to be invalid, then the provisions of RCW 82.32.090 existing at the time the ordinance codified in this section is effective shall apply.

5.08.120 Cancellation of penalties.

A. The ~~finance officer~~director may cancel any penalties imposed under SMC 5.08.110(A) if the taxpayer shows that its failure to timely file or pay the tax was due to reasonable cause and not willful neglect. Willful neglect is presumed unless the taxpayer shows that it exercised ordinary business care and prudence in making arrangements to file the return and pay the tax but was, nevertheless, due to circumstances beyond the taxpayer's control, unable to file or pay by the due date. The ~~finance officer~~director has no authority to cancel any other penalties or to cancel penalties for any other reason except as provided in subsection C of this section.

B. A request for cancellation of penalties must be received by the ~~finance officer~~director within 30 days after the date the city mails the notice that the penalties are due. The request must be in writing and contain competent proof of all pertinent facts supporting a reasonable cause determination. In all cases the burden of proving the facts rests upon the taxpayer.

C. The ~~finance officer~~director may cancel the penalties in SMC 5.08.110(A) one time if a person:

1. Is not currently licensed and filing returns;

2. Was unaware of its responsibility to file and pay tax; and

3. Obtained business licenses and filed past due tax returns within 30 days after being notified by the city.

D. The ~~finance officer~~director shall not cancel any interest charged upon amounts due.

5.08.130 Taxpayer quitting business – Liability of successor.

A. Whenever any taxpayer quits a business, sells out, exchanges, or otherwise disposes of his business or his stock of goods, any tax payable hereunder shall become immediately due and payable. Such taxpayer shall, within 10 days thereafter, make a return and pay the tax due.

B. Any person who becomes a successor shall become liable for the full amount of any tax owing. The successor shall withhold from the purchase price a sum sufficient to pay any tax due to the city from the taxpayer until such time as: (1) the taxpayer shall produce a receipt from the city showing payment in full of any tax due or a certificate that no tax is due, or (2) more than six months have passed since the

successor notified the ~~finance officer~~director of the acquisition and the ~~finance officer~~director has not issued and notified the successor of an assessment.

C. Payment of the tax by the successor shall, to the extent thereof, be deemed a payment upon the purchase price. If such payment is greater in amount than the purchase price, the amount of the difference shall become a debt due such successor from the taxpayer.

D. Notwithstanding the above, if a successor gives written notice to the ~~finance officer~~director of the acquisition, and the ~~finance officer~~director does not within six months of the date it received the notice issue an assessment against the taxpayer and mail a copy of that assessment to the successor, the successor shall not be liable for the tax.

5.08.140 Administrative appeal.

Any person, except one who has failed to comply with SMC 5.08.060, aggrieved by the amount of the fee or tax determined by the ~~finance officer~~director to be required under the provisions of this chapter may pay the amount due and appeal from such determination by filing a written notice of appeal with the city administrator within 30 days from the date written notice of such amount was mailed to the taxpayer. The city administrator shall, as soon as practical, fix a time and place for the hearing of such appeal, and shall cause a notice of the time and place thereof to be delivered or mailed to the parties. The hearing shall be conducted according to such rules as the city administrator shall prescribe; provided, all testimony before the city administrator shall be on oath or affirmation, and all proceedings shall be recorded, and a proper record of witnesses and exhibits shall be maintained. The decision of the city administrator shall indicate the correct amount of the fee or tax owing.

5.08.150 Judicial review of administrative appeal decision.

The taxpayer may obtain judicial review of the city administrator's administrative decision by applying for a writ of review in the King County superior court within 14 days from the date of the city administrator's decision in accordance with the procedure set forth in Chapter 7.16 RCW, other applicable law, and court rules. The city shall have the same right of review from the administrative decision as does a taxpayer.

5.08.160 ~~Finance officer~~Director to make rules.

The ~~finance officer~~director shall have the power, from time to time, to adopt, publish and enforce rules and regulations not inconsistent with this chapter or with law for the purpose of carrying out the provisions of this chapter and it shall be unlawful to violate or fail to comply with any such rule or regulation.

5.08.170 Ancillary allocation authority of ~~finance officer~~director.

The ~~finance officer~~director is authorized to enter into agreements with other Washington cities which impose an "eligible gross receipts tax":

A. To conduct an audit or joint audit of a taxpayer by using an auditor employed by the city ~~of Snoqualmie~~, another city, or a contract auditor; provided, that such contract auditor's pay is not in any way based upon the amount of tax assessed;

B. To allocate or apportion in a manner that fairly reflects the gross receipts earned from activities conducted within the respective cities the gross proceeds of sales, gross receipts, or gross income of the business, or taxes due from any person that is required to pay an eligible gross receipts tax to more than one Washington city;

C. To apply the city's tax prospectively where a taxpayer has no office or place of business within the city and has paid tax on all gross income to another Washington city where the taxpayer is located; provided, that the other city maintains an eligible gross receipts tax, and the income was not derived from contracts with the city.

5.08.180 Mailing of notices.

Any notice required by this chapter to be mailed to any taxpayer or licensee shall be sent by ordinary mail, addressed to the address of the taxpayer or licensee as shown by the records of the ~~finance officer~~director. Failure of the taxpayer or licensee to receive any such mailed notice shall not release the taxpayer or licensee from any tax, fee, interest, or any penalties thereon, nor shall such failure operate to extend any time limit set by the provisions of this chapter. It is the responsibility of the taxpayer to inform the ~~finance officer~~director in writing about a change in the taxpayer's address.

5.08.190 Tax declared additional.

The license fee and taxes levied in this title shall be additional to any license fee or tax imposed or levied under any law or any other ordinance of the city ~~of Snoqualmie~~ except as herein otherwise expressly provided.

5.08.200 Public disclosure – Confidentiality – Information sharing.

A. For purposes of this chapter, terms not defined in this section shall have the meanings set forth in Chapter 42.56 RCW. For purposes of this chapter, the following definitions shall apply:

1. "Disclose" means to make known to any person in any manner any tax return or tax information.

2. "Tax information" means:

    a. A taxpayer's identity;

b. The nature, source, or amount of the taxpayer's income, payments, receipts, deductions, exemptions, credits, assets, liability, net worth, tax liability deficiencies, over-assessments, or tax payments, whether taken from the taxpayer's books and records or any other source;

c. Whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing; or

d. Other data received by, recorded by, prepared by, or provided to the city with respect to the determination or existence, or possible existence, of liability, or the amount thereof, of a person under SMC Title 5 for a tax, penalty, interest, fine, forfeiture, or other imposition, or offense. However, data, material, or documents that do not disclose information related to a specific or identifiable taxpayer do not constitute tax information under this section. Nothing in this chapter requires any person possessing data, material, or documents made confidential and privileged by this section to delete information from such data, material or documents so as to permit its disclosure.

3. "City agency" means every city office, department, division, bureau, board, commission, or other city agency.

4. "Taxpayer identity" means the taxpayer's name, address, telephone number, registration number, or any combination thereof, or any other information disclosing the identity of the taxpayer.

B. Returns and tax information are confidential and privileged, and except as authorized by this section, neither the director nor any other person may disclose any return or tax information.

C. This section does not prohibit the director from:

1. Disclosing such return or tax information in a civil or criminal judicial proceeding or an administrative proceeding:

a. In respect of any tax imposed under SMC Title 5 if the taxpayer or its officer or other person liable under this title is a party in the proceeding; or

b. In which the taxpayer about whom such return or tax information is sought and another state agency are adverse parties in the proceeding;

2. Disclosing, subject to such requirements and conditions as the ~~finance officer~~director prescribes by rules adopted pursuant to this chapter, such return or tax information regarding a taxpayer to such taxpayer or to such person or persons as that taxpayer may designate in a request for, or

consent to, such disclosure, or to any other person, at the taxpayer's request, to the extent necessary to comply with a request for information or assistance made by the taxpayer to such other person. However, tax information not received from the taxpayer must not be so disclosed if the director determines that such disclosure would compromise any investigation or litigation by any federal, state, or local government agency in connection with the civil or criminal liability of the taxpayer or another person, or that such disclosure would identify a confidential informant, or that such disclosure is contrary to any agreement entered into by the department that provides for the reciprocal exchange of information with other government agencies, which agreement requires confidentiality with respect to such information unless such information is required to be disclosed to the taxpayer by the order of any court;

3. Publishing statistics so classified as to prevent the identification of particular returns or reports or items thereof;

4. Disclosing such return or tax information, for official purposes only, to the mayor or city attorney, or to any city agency, or to any member of the city council or their authorized designees dealing with matters of taxation, revenue, trade, commerce, the control of industry or the professions;

5. Permitting the city's records to be audited and examined by the proper state officer, his or her agents and employees;

6. Disclosing any such return or tax information to a peace officer as defined in RCW 9A.04.110 or county prosecuting attorney, for official purposes. The disclosure may be made only in response to a search warrant, subpoena, or other court order, unless the disclosure is for the purpose of criminal tax enforcement. A peace officer or county prosecuting attorney who receives the return or tax information may disclose that return or tax information only for use in the investigation and a related court proceeding, or in the court proceeding for which the return or tax information originally was sought or where otherwise allowed to be disclosed under this section;

7. Disclosing any such return or tax information to the proper officer of the Internal Revenue Service of the United States, the Canadian government or provincial governments of Canada, or to the proper officer of the tax department of any state or city or town or county, for official purposes, but only if the statutes of the United States, Canada or its provincial governments, or of such other state or city or town or county, as the case may be, grants substantially similar privileges to the proper officers of the city;

8. Disclosing any such return or tax information to the United States Department of Justice, including the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Defense,

the Immigration and Customs Enforcement and the Customs and Border Protection Agencies of the United States Department of Homeland Security, the United States Coast Guard, the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury, and the United States Department of Transportation, or any authorized representative of these federal agencies or their successors, for official purposes;

9. Publishing or otherwise disclosing the text of a written determination designated by the director as a precedent pursuant to RCW 82.32.410;

10. Disclosing, in a manner that is not associated with other tax information, the taxpayer name, entity type, business address, mailing address, revenue tax registration numbers and the active/closed status of such registrations, state or local business license registration identification and the active/closed status and effective dates of such licenses, reseller permit numbers and the expiration date and status of such permits, North American industry classification system or standard industrial classification code of a taxpayer, and the dates of opening and closing of business, except that this subsection may not be construed as giving authority to the city or any recipient to give, sell, or provide access to any list of taxpayers for any commercial purpose;

11. Disclosing such return or tax information that is also maintained by another Washington State or local governmental agency as a public record available for inspection and copying under the provisions of Chapter 42.56 RCW or is a document maintained by a court of record and is not otherwise prohibited from disclosure;

12. Disclosing such return or tax information to the United States Department of Agriculture, or successor department or agency, for the limited purpose of investigating food stamp fraud by retailers;

13. Disclosing to a financial institution, escrow company, or title company, in connection with specific real property that is the subject of a real estate transaction, current amounts due the city for a filed tax warrant, judgment, or lien against the real property;

14. Disclosing to a person against whom the department has asserted liability as a successor under SMC 5.08.130 a return or tax information pertaining to the specific business of the taxpayer to which the person has succeeded;

15. Disclosing real estate excise tax affidavit forms in the possession of the city, including real estate excise tax affidavit forms for transactions exempt or otherwise not subject to tax;

16. Disclosing such return or tax information to the court or hearing examiner in respect to the city's application for a subpoena if there is probable cause to believe that the records in possession of a third party will aid the director in connection with its official duties under this title or a civil or criminal investigation.

D.1. The director may disclose return or taxpayer information to a person under investigation or during any court or administrative proceeding against a person under investigation as provided in this subsection. The disclosure must be in connection with the department's official duties under this title, or a civil or criminal investigation. The disclosure may occur only when the person under investigation and the person in possession of data, materials, or documents are parties to the return or tax information to be disclosed. The department may disclose return or tax information such as invoices, contracts, bills, statements, resale or exemption certificates, or checks. However, the department may not disclose general ledgers, sales or cash receipt journals, check registers, accounts receivable/payable ledgers, general journals, financial statements, expert's work papers, income tax returns, state tax returns, tax return work papers, or other similar data, materials, or documents.

2. Before disclosure of any tax return or tax information under this subsection, the ~~finance officer~~director must, through written correspondence, inform the person in possession of the data, materials, or documents to be disclosed. The correspondence must clearly identify the data, materials, or documents to be disclosed. The director may not disclose any tax return or tax information under this subsection D until the time period allowed in subsection (D)(3) of this section has expired or until the court has ruled on any challenge brought under subsection (D)(3) of this section.

3. The person in possession of the data, materials, or documents to be disclosed by the department has 20 days from the receipt of the written request required under subsection (D)(2) of this section to petition the superior court of the county in which the petitioner resides for injunctive relief. The court must limit or deny the request of the director if the court determines that:

a. The data, materials, or documents sought for disclosure are cumulative or duplicative, or are obtainable from some other source that is more convenient, less burdensome, or less expensive;

b. The production of the data, materials, or documents sought would be unduly burdensome or expensive, taking into account the needs of the department, the amount in controversy, limitations on the petitioner's resources, and the importance of the issues at stake; or

c. The data, materials, or documents sought for disclosure contain trade secret information that, if disclosed, could harm the petitioner.

4. The director must reimburse reasonable expenses for the production of data, materials, or documents incurred by the person in possession of the data, materials, or documents to be disclosed.

5. Requesting information under this subsection that may indicate that a taxpayer is under investigation does not constitute a disclosure of tax return or tax information under this section.

E. Service of a subpoena issued by the court does not constitute a disclosure of return or tax information under this section. Notwithstanding anything else to the contrary in this section, a person served with a subpoena issued by the court may disclose the existence or content of the subpoena to that person's legal counsel.

F. Any person acquiring knowledge of any return or tax information in the course of his or her employment with the city and any person acquiring knowledge of any return or tax information as provided under subsections (C)(4) through (C)(9) of this section, who discloses any such return or tax information to another person not entitled to knowledge of such return or tax information under the provisions of this section, is guilty of a misdemeanor. If the person guilty of such violation is an officer or employee of the state, such person must forfeit such office or employment and is incapable of holding any public office or employment in this city for a period of two years thereafter.

5.08.210 Tax constitutes debt.

Any license fee or tax due and unpaid under this title, and all interest and penalties thereon, shall constitute a debt to the city ~~of Snoqualmie~~ and may be collected in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies.

5.08.220 Unlawful actions – Violation – Penalties.

A. It shall be unlawful for any person liable for fees under this chapter (or other chapters as listed):

1. To violate or fail to comply with any of the provisions of this chapter or any lawful rule or regulation adopted by the ~~finance officer~~director;

2. To make any false statement on any license application or tax return;

3. To aid or abet any person in any attempt to evade payment of a license fee or tax;

4. To fail to appear or testify in response to a subpoena properly issued;

5. To testify falsely in any investigation, audit, or proceeding conducted pursuant to this chapter.

B. Violation of any of the provisions of this title is a gross misdemeanor. Any person convicted of a violation of this title may be punished by a fine not to exceed $1,000, imprisonment not to exceed one year, or both fine and imprisonment. Penalties or punishments provided in this chapter shall be in addition to all other penalties provided by law.

C. Any person, or officer of a corporation, convicted of continuing to engage in business after the revocation of a license shall be guilty of a gross misdemeanor and may be punished by a fine not to exceed $5,000, or imprisonment not to exceed one year, or both fine and imprisonment.

5.08.230 Suspension or revocation of business license.

A. The ~~finance officer~~director, or designee, shall have the power and authority to suspend or revoke any license issued under the provisions of this title. The ~~finance officer~~director, or designee, shall notify such licensee in writing by certified mail of the suspension or revocation of his or her license and the grounds therefor. Any license issued under this title may be suspended or revoked based on one or more of the following grounds:

1. The license was procured by fraud or false representation of fact.

2. The licensee has failed to comply with any provisions of this title.

3. The licensee has failed to comply with any provisions of the municipal code applicable to conduct of the business.

4. The licensee is in default in any payment of any license fee or tax under this title.

5. The licensee or employee has been convicted of a crime involving the business.

B. Any licensee may, within 14 days from the date that the suspension or revocation notice was mailed to the licensee, appeal from such suspension or revocation by filing a written notice of appeal (“petition”) setting forth the grounds therefor with the city administrator. A copy of the petition must be provided by the licensee to the ~~finance officer~~director and the city attorney on or before the date the petition is filed with the city administrator. The hearing shall be conducted in accordance with such rules as the city administrator shall prescribe; provided, all testimony before the city administrator shall be on oath or affirmation, and all proceedings shall be recorded, and a proper record of witnesses and exhibits shall be maintained. The city administrator shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the city administrator shall, after

appropriate findings of fact, and conclusions of law, affirm, modify, or overrule the suspension or revocation and reinstate the license, and may impose any terms upon the continuance of the license.

C. No suspension or revocation of a license issued pursuant to the provisions of this subchapter shall take effect until 14 days after the mailing of the notice thereof by the city, and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the city administrator. All licenses which are suspended or revoked shall be surrendered to the city on the effective date of such suspension or revocation.

D. The decision of the city administrator shall be final. The licensee may seek review of the decision by the superior court of Washington in and for King County within 14 days from the date of the decision. If review is sought as herein prescribed, the suspension or revocation shall be stayed pending final action by the superior court.

E. Upon revocation of any license as provided in this subchapter, no portion of the license fee shall be returned to the licensee.

5.08.240 Closing agreement provisions.

The ~~finance officer~~director may enter into an agreement in writing with any person relating to the liability of such person in respect of any tax imposed by any of the chapters within this title and administered by this chapter for any taxable period(s). Upon approval of such agreement, evidenced by execution thereof by the ~~finance officer~~director and the person so agreeing, the agreement shall be final and conclusive as to the tax liability or tax immunity covered thereby, and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact:

A. The case shall not be reopened as to the matters agreed upon, or the agreement modified, by the ~~finance officer~~director or the taxpayer; and

B. In any suit, action or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded.

5.08.250 Charge-off of uncollectible taxes.

The ~~finance officer~~director may charge off any tax, penalty, or interest that is owed by a taxpayer, if the ~~finance officer~~director reasonably ascertains that the cost of collecting such amounts would be greater than the total amount that is owed or likely to be collected from the taxpayer. Charge-offs in excess of $5,000 shall require city council approval.

5.08.255 Emergency provisions.

During the pendency of an emergency or disaster declared by the mayor pursuant to SMC 2.48.050, the mayor is authorized to temporarily defer or extend the performance of any obligation or requirement imposed by this chapter, on such terms or conditions and for such time as the mayor may reasonably determine in order to respond to the emergency or disaster or protect persons and/or businesses affected thereby.

5.08.260 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected.

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-021
February 12, 2024
Committee Report

AGENDA BILL INFORMATION

TITLE:	**AB24-021:** Snoqualmie Housing Target	☐ Discussion Only ☒ Action Needed:
PROPOSED ACTION:	Motion to Approve Resolution No. 1680 declaring a revised 2044 Snoqualmie Housing Target and Request King County Reconciliation of Established Target	☐ Motion ☐ Ordinance ☒ Resolution

REVIEW:	Department Director	Emily Arteche	1/22/2024
	Finance	n/a	Click or tap to enter a date.
	Legal	David Linehan	1/22/2024
	City Administrator	Mike Chambless	1/30/2024

DEPARTMENT:	Community Development	
STAFF:	Emily Arteche	
COMMITTEE:	Community Development	**COMMITTEE DATE:** February 5, 2024
EXHIBITS:	1. Resolution No. 1680	

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUESTED	$ n/a

SUMMARY

INTRODUCTION
This proposed resolution is to approval a revised 2044 Snoqualmie Growth Target for Housing.

LEGISLATIVE HISTORY
N/A

BACKGROUND
In December of 2021 the King County Council adopted assigned growth targets for the City of Snoqualmie including 1500 units of housing. On June 12, 2023, the City Council held a Roundtable meeting to discuss a Housing Policy Strategy to address the housing growth target. At that time, the City discussed the desire to complete current housing efforts including a Valley wide Housing Needs Analysis, City-wide Housing Needs Analysis, a Middle Housing Analysis, a lands capacity analysis (buildable lands), a Housing Strategy Plan and a draft Housing Element.

ANALYSIS

Upon completing a Valley wide Housing Needs Analysis, City-wide Housing Needs Analysis, a Middle Housing Analysis, a lands capacity analysis (buildable lands), a Housing Strategy Plan and a draft Housing Element and nearing the completion of a Comprehensive Plan periodic update the City and King County are working jointly to reconcile the City's assigned 2044 growth target for housing.

A recently completed land capacity analysis, Exhibit 1, demonstrates that the City has sufficient capacity for employment growth but insufficient capacity for high, very low, and extremely low-income housing growth projections. This shortage is due to the lack of available developable land for single-family housing and low-income serving housing solutions and would require the City to plan to provide an additional 1,118 residential units by 2044.

The majority of land in the City is either built-out or undevelopable due to the presence of environmentally sensitive areas; including the floodplain. The analysis found that approximately 49% of land in the City is impacted by local regulations governing and protecting environmentally sensitive areas. Additionally, existing lots associated within the Ridge Owners Association are unlikely to see future development, including Accessory Dwelling Units (ADUs), given regulations against such development set forth in their Covenants, Conditions, and Restrictions.

BUDGET IMPACTS

N/A

NEXT STEPS

The next steps are for the Council to consider and adopt the proposed resolution at the February 12, 2024 Council meeting.

PROPOSED ACTION

Move to adopt Resolution No. 1680 declaring a revised 2044 growth target for housing and requesting a King County reconciliation of the establish target.

RESOLUTION NO. 1680

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SNOQUALMIE, WASHINGTON, DECLARING A REVISED 2044 GROWTH TARGET FOR HOUSING AND REQUESTING A KING COUNTY RECONCI1LIATION OF THE ESTABLISH TARGET.

WHEREAS, the City exceeded its assigned 2035 King County growth target for housing by achieving growth of 1,873 units by the year 2018 with development of Snoqualmie Ridge I and II; and

WHEREAS, the City was assigned a 2044 King County growth target for housing of 1,500 units in December of 2021; and

WHEREAS, the City met with the King County Growth Management Planning Council (GMPC) on options for new land capacity, including potential use of provisions of Engrossed Substitute Senate Bill 5593 that allow, under certain circumstances, an equal exchange of land inside and outside of the urban growth area, and through use of the County's Four-to-One Program; and

WHEREAS, the City conducted various land use and housing studies and reports to inform a desired growth target for housing, including a Snoqualmie Valley-wide housing needs analysis, a Citywide Housing Needs Analysis, a Middle Housing Analysis including a land capacity analysis (buildable lands), and a Housing Strategy Plan (collectively referred to hereafter as the "Land Use and Housing Studies"); and

WHEREAS, the Land Use and Housing Studies demonstrate that the assigned growth target of 1,500 housing units is not feasible, and that only 719 housing units can feasible be developed within the City of Snoqualmie's current urban growth boundary; and

WHEREAS, the City Council met in June 2023 and discussed necessary steps forward to identify a new desired housing growth target to replace the infeasible target of 1,500 unit established by the Countywide Planning Policies; and

WHEREAS, based on the analysis shown in the City's Land Use and Housing Studies, the City Council of the City of Snoqualmie desires to amend the King County 2044 growth target for housing, as previously adopted by King County in Countywide Planning Policy DP-14 and Table DP-1: King County Jurisdiction Growth Targets 2019-2044;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Snoqualmie, Washington, as follows:

Section 1. The City of Snoqualmie desired growth target for 2044 is 719 units.

Section 2. The aforementioned Land Use and Housing Studies and other analyses of housing and current land capacity demonstrate the 1,500 units of new housing established by the King County Jurisdiction Growth Targets 2019-2044 are not feasible, and that the King County growth target for the City of Snoqualmie should be adjusted to match the City's housing desired growth target of 719 new units.

Section 3. The City of Snoqualmie requests to reconcile the 2044 housing target in accordance with Countywide Planning Policy, D-13 (C).

PASSED by the City Council of the City of Snoqualmie, Washington, this 12th day of February 2024.

_____

Katherine Ross, Mayor

Attest:

_____

Deana Dean, City Clerk

Approved as to form:

_____

David Linehan, Interim City Attorney

2044 Growth Targets Analysis

To: Emily Arteche, AICP, Community Development Director, City of Snoqualmie

From: Dane Jepsen, Associate Planner, LDC Inc.
Thomas Carter, Associate Planner, LDC Inc.

CC: Kim Mahoney, Principal Planner, LDC Inc.

Date: February 1, 2024

Re: City of Snoqualmie 2044 Growth Targets Analysis

Executive Summary

During the City of Snoqualmie's (City) 2024 Comprehensive Plan update, LDC, Inc. (LDC) performed a Land Capacity Analysis (LCA) to assess the City's capacity to serve the projected housing and employment needs for the 2019-2044 planning period. Projected housing needs for the City are informed by the King County Countywide Planning Policies (CPPs), which allocated a need for the City to provide 1,500 residential units throughout the 2019-2044 planning period. The LCA (Appendix A) found that the City lacks capacity to meet these projected housing needs; the purpose of this Growth Targets Analysis is to document the City's efforts to address this lack of housing capacity, present achievable growth targets based on the LCA, and request an amendment of the adopted housing growth targets.

The LCA identified that the City had sufficient capacity for employment growth but insufficient capacity for high, very low, and extremely low-income housing growth projections. This shortage is due to the lack of available developable land for single-family housing and low-income serving housing solutions and would require the City to plan to provide an additional 1,118 residential units by 2044. The majority of land in the City is either built-out or undevelopable due to the presence of critical areas. Critical areas analysis conducted for the LCA found that approximately 49% of land in the City is impacted by local regulations governing and protecting critical areas and flood hazard regulations impact an additional 935 acres (21%) of the City (Appendix B). Additionally, existing lots associated with Residential Owners Associations (ROAs) (sometimes called Home Owner's Associations [HOAs]) are unlikely to see future development, including Accessory Dwelling Units (ADUs), given regulations against such development set forth in their Covenants, Conditions, and Restrictions. The LCA identified that approximately 86% of single-family lots are associated with ROAs and these lots constitute approximately 10% of the City's land area (Appendix A).

Per RCW 36.70A (the Growth Management Act [GMA]), the City is required to identify and implement corrective actions that will accommodate the adopted housing growth target; the City has done so, and its evaluation of numerous potential corrective actions to accommodate its housing target is documented in this memo. Based on the findings of the City's analyzed potential corrective actions described herein, it is infeasible and unreasonable for the City to plan for the currently adopted target. The City is requesting the amendment of its currently adopted housing target to reflect its projected housing capacity on the grounds that the previously adopted target was ill-founded and was not based on the capacity identified in the 2021 Urban Growth Capacity Report (UGCR) or any other capacity analysis. The LCA (Appendix A) demonstrates the City has capacity for an additional 719 residential units by 2044. The City is requesting its existing housing target of 1,500 residential units be amended to 719 residential units with specific adjustments to each income bracket and to the Emergency Housing target.

This memorandum further details the background, corrective actions considered, achievable growth targets, and growth strategy supporting the City's request for its housing growth target to be amended.

Background

In 2019, the King County Growth Management Planning Council (GMPC) published the county-wide UGCR as a study of buildable lands in King County; this report was later adopted in 2021 and ratified in 2022. The results of this report were favorable for the City, showing it had greatly exceeded its previous 2006-2035 targets for employment and housing growth.

In addition to reviewing the City's progress towards its targets, the UGCR evaluated the remaining land capacity the City had to facilitate future development and serve housing and employment needs. In total, the UGCR found that the City had capacity for 372 new housing units and 4,079 jobs:

	Zoned Capacity	Pipeline Capacity	Total Capacity 2021 UGCR
Residential units	167	204	372
Jobs	620	3459	4,079

2019-2044 Growth Targets

Following the 2021 UGCR, King County CPPs were adopted to guide expected growth throughout King County. The CPPs assigned Snoqualmie the following housing and employment targets to plan for during the 2024 Comprehensive Plan update:

- Housing Target: 1,500 residential units
- Employment Target: 4,425 jobs

The 2019-2044 housing growth target is much larger than the capacity that was reported in the 2021 UGCR, roughly 404% of that capacity. There is little explanation for how this dramatically increased target was proposed. The most logical explanation is that the current target was proposed based on the City's past growth target; previously, the City needed to produce 65 residential units per year to achieve their 2006-2035 housing target, and the currently adopted target of 1,500 residential units would require the City to produce just 60 residential units per year. Following linear growth, the City could have accommodated this target, but following the build-out of the Snoqualmie Ridge Master Plan including both Snoqualmie Ridge 1 and Snoqualmie Ridge II, the City did not have sufficient land to maintain the previous rate of development.

Additionally, the City currently does not have an approved Water System (Comprehensive Plan) pursuant to RCW 70.116.050. During their review in 2021, King County identified that the City did not have sufficient water available water to serve the 2044 projected housing growth target of 1,500 units; the plan has yet to be approved and is still under separate review.

Lastly, due to State law changes initiated by House Bill 1220, the King County CPPs were amended August 15, 2023, to include targets for individual income brackets and targets for the provision of Emergency Housing. The City was allocated the following permanent and emergency housing targets for 2019-2044 growth:

Permanent Housing Growth Targets (Units) by Affordability (AMI[1])								Emergency Housing (Beds)
0-30% Non-PSH	0-30% PSH	>30-<50%	>50-<80%	>80-<100%	>100-<120%	>120%	Total	

[1] Area Median Income

472	248	233	82	61	69	335	1,500	287

Land Capacity Analysis

In partnership with LDC, the City has analyzed housing and employment capacity for the 2024-2044 planning period against the City's progress towards its 2019-2044 growth targets (Appendix A). This process combined LCA methodologies of the Washington Department of Commerce (Commerce) and the King County UGCR, along with considerable coordination and involvement with the City Council and the City's Community Development Department staff to project the City's housing and employment capacity.

The LCA identified that the City had sufficient capacity to serve projected employment needs and the housing needs of moderate to low-income households, and had insufficient housing capacity for those within the high, very low, and extremely low-income households. The housing capacity deficit would require the City to plan for an additional 1,118 residential units by 2044. This shortage is due to the lack of available developable land for single-family housing and low-income serving housing solutions.

Income Level	Extremely Low Income (PSH[1])	Extremely Low Income (Non-PSH)	Very Low Income	High Income
Capacity Surplus (or Deficit)	(805)			(313)

[1]Permanent Supportive Housing

Corrective Actions

Following a Regional Housing Needs Assessment (Appendix E) performed in 2023 analyzing the housing needs of cities throughout Snoqualmie Valley, a housing deficit of 383 residential units was identified in the City. Resultingly, the City immediately began searching for potential actions to address this projected deficit and particularly studied use of its Urban Growth Area (UGA) for additional residential development. The City petitioned King County for an amendment of the CPPs to include provisions of Engrossed Substitute Senate Bill 5593 that would allow for the expansion of the UGA through the Four-to-One Program[2] and the subsequent annexation of that land to allow the City to accommodate its adopted growth targets. This petition was rejected, and proposed corrective actions related to it were abandoned. Additional corrective actions required to be considered by the City to address lacking capacity identified in the LCA are documented in this section of the Growth Targets Analysis memo.

The City has evaluated corrective actions through an analysis of proposed projects, zoning changes, and annexation strategies, and found that their total additional capacity was not sufficient to meet the outstanding housing capacity deficit. Evaluation of corrective actions followed the same format and assumptions that were utilized in the LCA; these actions were evaluated by the City throughout the 2024 Comprehensive Plan update, which resulted in the City's sought amendment of its housing growth target.

Proposed Projects

Due to the constrained land supply of the City, proposed projects were considered for effectiveness as corrective actions addressing the lack of housing capacity. Outside the LCA methodology, specific sites which had proposed projects associated with them were evaluated using LCA assumptions and taken into

[2] For more information on the King County Four-to-One Program go to: https://kingcounty.gov/en/legacy/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/4to1

consideration by the City. The proposed projects discussed in this subsection demonstrate the City's due diligence for considering the developability of potential project sites to align its housing capacity with its growth target. Evaluation of proposed projects did not yield considerable increases in housing capacity beyond what was identified in the LCA; as such, none of these proposed projects were identified as effective corrective actions. Evaluation of these projects is provided below:

Kimbal Creek Feasibility

The Kimbal Creek site is composed of a pair of city-owned parcels in the center of Snoqualmie, south of Snoqualmie Park Way. Desktop analysis had mapped 24.5 acres of critical acres on the site distributed across both parcels with approximately 5.64 acres of developable land primarily located on the western parcel. The City commissioned a site-specific wetland analysis to confirm the potential capacity on this site; the report found the site was more encumbered by wetland and wetland buffer than the desktop analysis identified, resulting in only 0.99 acres of land available for development.

Initial evaluation of the proposed project was promising, showing potential capacity for 58 residential units, including up to 13 affordable units. Following the site-specific wetland report, the potential capacity was reduced to 11 units with no provision for affordable housing. The proposed project was deemed infeasible and was dropped from the City's consideration.

Gross Acres	28.66	**Site Status**	Vacant
Critical Area Acres	23.02- 27.63	**Parcels**	2

	Zoning	**Deductions**	**Net Acres**	**Density**	**Initial Residential Capacity**	**Displaced Units**	**Final Residential Capacity**
Desktop Wetlands	MU	16%	4.74	12.32	58	0	58
Wetland Analysis	MU	16%	0.87	12.32	11	0	11

Parcel S-21

The Parcel S-21 site is composed of two parcels in western Snoqualmie adjacent to the Snoqualmie Valley Hospital. The site was identified as one of the few parcels in the Mixed-Use zone to have development capacity. Desktop critical areas analysis found approximately 5.8 acres of critical acres on the site, leaving a little less than half of the site available for development.

Initial evaluation of the proposed project estimated that the site could provide capacity for 50 residential units with up to 11 affordable units. After the site had been considered by the City Council, it was discovered that the Snoqualmie Valley Hospital intended to use these vacant parcels for future hospital expansion. The proposed project to develop the site with housing was deemed infeasible and was dropped from the further consideration.

Gross Acres	10.64	**Site Status**	Vacant
Critical Areas	5.82	**Parcels**	2

	Zoning	**Deductions**	**Net Acres**	**Density**	**Initial Residential Capacity**	**Displaced Units**	**Final Residential Capacity**
Existing	MU	16%	4.05	12.32	50	0	50

Diverging Diamond

The proposed project is located on three parcels north of the interchange of Snoqualmie Parkway (State Route 18) and Interstate-90. The site is in the County, outside the City's UGA; this site was included in the City's corrective action evaluation because a proposal to incorporate the site into the UGA through a "UGA swap" and has been considered between the City and the County, after which, the site would be annexed and zoned Planned Residential for residential development.

Initial evaluation of the proposed project estimated that the site could provide up to 113 residential units. The proposed project was deemed infeasible and was dropped from the City's consideration due to King County's disapproval for the potential UGA swap and the City Council's finding that the location would be unfavorable for housing provisions.

Gross Acres		10.92	**Site Status**	Vacant			
Critical Areas		0.00	**Parcels**	3			
	Zoning	**Deductions**	**Net Acres**	**Density**	**Initial Residential Capacity**	**Displaced Units**	**Final Residential Capacity**
Existing	RA5	10%	9.83	0.2	2	0	2
Proposed	PR	16%	9.17	12	113	0	113

Zoning Changes

Rezones are a corrective action recommended by Commerce to address housing capacity deficits. Commerce recommends evaluating proposed rezones by prioritizing the addition of capacity in "areas with the greatest opportunity"[3] which is associated with public transportation, job centers, schools, and amenity clusters. The following rezone was considered for corrective action.

East Fork Kimbal Creek R2 Rezone

The site is composed of a redevelopable parcel located south of Old-Downtown Snoqualmie and west of Railroad Avenue. The site is encumbered with critical areas, and portions of the site are in the 100-year floodplain; still, approximately 2.45 acres of the site are developable according to the critical areas analysis performed in conjunction with the LCA. The site is the appropriate size for redevelopment and in an ideal location for a rezone to a higher density; as such, a rezone to the Residential-2 zone was proposed and used to evaluate potential capacity.

Initial evaluation of the rezone estimated that it could yield an additional 49 residential units of capacity; current zoning has capacity for 5 residential units, and the proposed rezone would yield a total of 54 units.

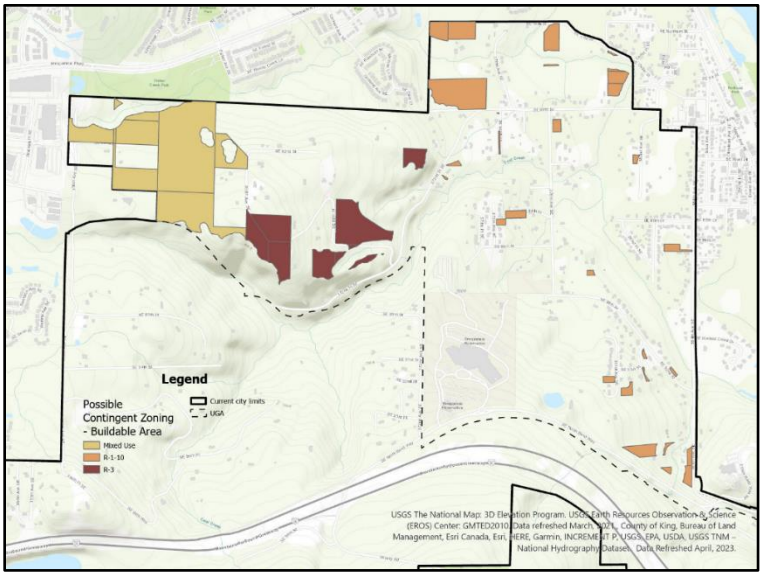
Though the proposed rezone would reduce the deficit in Snoqualmie's residential capacity, it would inherently develop high-density residential units in the floodplain and amidst high-value critical areas directly adjacent to rural/low-density land uses in direct conflict with local and state regulations protecting valuable and diminishing critical area resources. Given the impact of anthropogenic development proximal to critical areas and the potential public health and safety risk of encouraging residential development within the floodplain, the rezone was determined to be infeasible and was dropped from the City's consideration.

Gross Acres		11.37	**Site Status**	Developed			
Critical Areas		8.92	**Parcels**	1			
	Zoning	**Deductions**	**Net Acres**	**Density**	**Initial Residential Capacity**	**Displaced Units**	**Final Residential Capacity**
Existing	R-1-10	45%	1.35	4.15	6	1	5
Proposed	R2	11%	2.18	25	55	1	54

[3] HB 1220 Book 2 Housing Element Update, p.40

Urban Growth Area Annexation

In the process of evaluating corrective actions to address the housing capacity shortfall, the City evaluated the potential capacity that could be yielded through annexation of the UGA. A portion of the City's UGA, located between the existing City limits and Interstate 90, had its land capacity evaluated based on theoretical zoning proposed by the Community Development Department; Mixed Use zone area was proposed to provide a buffer between the commercial area to the west and the proposed housing.



This area is part of the City's Potential Annexation Area (PAA) and encompasses local planning areas of "Snoqualmie Hills West" and "Snoqualmie Hills East", this analysis will refer to the collective area as "the Snoqualmie Hills".

Capacity analysis for land in this area considered land status, land ownership, and critical areas. A considerable amount of the developable land in the Snoqualmie Hills area is owned by the Snoqualmie Tribe, which has the stated goal of preserving these lands for cultural reasons; therefore, these lands were excluded from the capacity analysis to respect the tribal cultural significance of the land.

Zone	Buildable Area	Projected Capacity
Mixed Use (MU)	51.7 acres	1,576 Jobs
R-3	23.8 acres	500 Units
R-1-10	22.7 acres	52 Units

The capacity identified in the Snoqualmie Hills still falls short of the total housing capacity needed to accommodate the existing housing growth target. There are also considerable challenges in the manner of the City annexing and appropriately serving this area's public and infrastructural needs. Among these challenges is lack of support from land owners, lack of capital facilities and capacity for service, and widespread presence of critical areas; these challenges threaten the viability of such a rezone that already involves costly public infrastructure improvements and potential loss of valuable open-space and wildlife habitat.

The City Council expressed concern over focusing capacity deficits within the Snoqualmie Hills since the majority of the capacity deficit (72%) was for housing affordable to households with income less than 50% AMI. To concentrate the housing capacity deficit within the UGA would result in an isolated portion of the City that disproportionately housed the majority of the City's low-income residents. Correspondence between the City and the King County Growth Management Planning Council also confirmed that designating housing capacity in the UGA would not be accepted. This corrective action was deemed infeasible.

Achievable Growth Targets

Given the findings of the LCA and the infeasibility of addressing the capacity deficit with corrective actions, the City is requesting to amend its adopted housing growth targets for the 2019-2044 planning period from 1,500 to 719.

Permanent Housing Growth Targets

The proposed amendment to the City's Permanent Housing target is based on the available capacity and the City's existing need for affordable housing. The table below outlines the proposed amendment in relation to the existing targets. The proposed targets differ from the currently adopted targets due to the context of the City's available housing capacity. Per the LCA, the City is unable to support a target of 22% of future housing for High Income households as this bracket is primarily served by detached single-family housing, requiring more raw land than the City has available. Additionally, the bulk of the City's current housing capacity is in the form of pipeline projects which have set market rates inconsistent with extremely low and very low-income market needs.

Proposed Amendment of Adopted Housing Targets				
	Adopted		**Proposed Amendment**	
Affordable Housing Needs (AMI[4])	**Housing Units**	**% of Total Target**	**Housing Units**	**% of Total Target**
0-30% Non-PSH	472	31%	82	11.5%
0-30% PSH	248	17%	65	9%
>30-<50%	233	16%	98	13.5%
>50-<80%	82	5%	129	18%
>80-<100%	61	4%	158	22%
>100-<120%	69	5%	165	23%
>120%	335	22%	22	3%
Total	**1,500**		**719**	

[4] Area Median Income

The table below outlines how the City would meet an amended target of 719 housing units. The pipeline project "Panorama Apartments" has already been built, but the building management has indicated they would be open to adjusting their income restrictions to meet the City's needs. These proposed targets would be met by shifting 97 of the existing 191 units restricted to 50-80% Area Median Income (AMI) in Panorama to 30-50% AMI income restriction.

Income Housing Target Capacity Summary

Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	Pipeline Projects	Total Zoned Capacity	Capacity Surplus (or Deficit)
Extremely Low Income (PSH)	83	245	Low-Rise Multifamily	0	148	(97)
Extremely Low Income (Non-PSH)	66					
Very Low Income	97					
Low Income	129	129		226		97
Moderate Income (80-100% AMI)	158	323	Moderate Density + ADUs	182	141	0
Moderate Income (100-120% AMI)	165					
High Income	22	22	Low Density	13	9	0
Total	**719**	**719**		**421**	**298**	**0**

Permanent Housing Needs

The projected housing needs methodology (as outlined in Commerce Guidance Book 1[5]) incorporates the housing needs of existing residents experiencing housing-cost burden or homelessness as well as needs from projected population growth. These considerations are calculated at the County level and are used to create Countywide targets that are allocated to jurisdictions in each County.

As identified in the LCA and in this analysis, it is not feasible for the City to support the existing allocation of projected population growth. In amending its housing target, the City still seeks to serve the housing needs of its residents and allow for population growth. Following Commerce guidance, the following analysis demonstrates the permanent housing target proposed by the City could support the permanent housing needs of existing residents (including cost-burdened and homeless residents) and also provide for 437 units of housing to serve projected population growth.

Housing needed to eliminate baseline renter cost burden

Housing needed to eliminate renter-housing cost-burden was calculated based on Commerce guidance and the results of the 2023 Snoqualmie Housing Needs Assessment (Appendix D).

The below table estimates the number of new affordable housing units that would be required to eliminate renter housing cost burden. The analysis performed in this table estimates the affordable housing needed to provide for the lowest income bracket, and then applies units vacated by one income

[5] HB 1220 Book1 Establishing Housing Targets, p.27-36,

bracket to affordable housing stock for the next lowest income bracket; the analysis ends when there are no more cost-burdened households. Assumptions include a 6% vacancy rate for newly constructed affordable units, as aligned with Commerce practice.

This analysis found that an additional 159 residential units would need to be constructed to eliminate cost-burden among existing renters.

Housing needed to eliminate renter cost burden				
Income level (% of AMI)	**Cost-burdened renter households, 2019[6]**	**+ 6% for vacancy rate**	**New production to address need**	**Units vacated that address need**
0-30%	38	40	40	0
>30-<50%	60	64	24	40
>50-<80%	30	32	8	24
>80-<100%	90	95	87	8
Total			**159**	

Housing needed for the population experiencing homelessness

Housing needed for the existing homeless population was calculated based on Commerce guidance and Unsheltered Point-in-Time homeless persons counts performed by the King County Regional Homelessness Authority (KCRHA)[7]. Using reasonable assumptions, it was estimated that approximately 102 persons across 87 households could be assumed to be existing homeless residents in the City. The table below shows how many residential units serving very low and low income levels would likely be needed to accommodate these residents.

Housing needed for population experiencing homelessness			
Income level (% of AMI)	**Total estimated households experiencing homelessness**	**Assumed percentage by income level**	**Total households by income level experiencing homelessness**
0-30%		90%	78
>30-<50%		10%	9
Total	87		

[6] Source: HUD-CHAS Tabulations of 2015-2019 ACS 5-Year Estimates.
[7] KCRHA 2019 PIT, https://kcrha.org/data-overview/king-county-point-in-time-count/

Remaining Housing for Projected Growth

Based on this analysis, the following table shows how the proposed permanent housing targets for the City will meet the needs of cost-burdened and homeless residents as well as the needs of future residents as the City's population grows.

Proposed Housing Target Break-down				
Affordable Housing Needs (AMI)	**Amended Housing Target**	**Housing Needed for:**		
		Cost-Burden Residents	**Homeless Residents**	**Projected Growth**
0-30%	148	40	78	30
>30-<50%	97	24	9	64
>50-<80%	129	8	0	121
>80-<100%	158	87	0	71
>100-<120%	165	0	0	165
>120%	22	0	0	22
Total	**719**	**159**	**87**	**473**

Emergency Housing Growth Targets

The proposed amendment to the City's Emergency Housing target is relative to the proposed Permanent Housing target per Commerce guidance for allocation of Emergency Housing needs[8]. Need for Emergency Housing is established at the county level and then distributed among jurisdictions within each County. Commerce guidance outlines two methods for allocating Emergency Housing needs:

> ***Method A*** *allocates net new emergency housing need based on each jurisdiction's percentage share of countywide housing growth.*
>
> ***Method B*** *allocates net new emergency housing need based on each jurisdiction's percent share of countywide target housing units in the projection year of 2045.*

Each method relies on the individual jurisdiction's planned growth of permanent housing stock to allocate Emergency Housing needs. The City proposes the reduction of its existing Emergency Housing target of 287 beds under the same context.

The Emergency Housing target of 287 beds allocated to the City is approximately 0.49% of the County's net growth target (58,983 beds), which aligns with the ratio yielded from both Methods A and B as outlined by Commerce.

The table below outlines the possible Emergency Housing allocations based on the proposed Permanent Housing Target of 695 units:

Allocation Method	Allocation %	2044 Target	Net Growth Needed
Method A	0.23%	146	115
Method B	0.42%	275	244

[8] HB 1220 Book1 Establishing Housing Targets July 2023, p.59-70

Based on the proposed Permanent Housing growth targets, the City's limited land capacity, and the City's awareness of local Emergency Housing needs the City is requesting the currently adopted target of 287 beds for Emergency Housing be amended to 115 beds, according to Commerce's allocation "Method A."

Growth Strategy

As a part of the 2024 Comprehensive Plan update, the City has undertaken numerous studies to assess the City's housing needs and housing capacity to appropriately plan for its projected growth. Through state grants offered to aid implementation of the City's planning requirements, the following studies were conducted:

Housing Action Plan Implementation (HAPI) Grant:

- Snoqualmie Valley Regional Housing Needs Assessment, (Appendix E)
- City of Snoqualmie Housing Needs Assessment, (Appendix D)
- City of Snoqualmie Housing Strategy Plan, (Appendix C)

HB 1110 Middle Housing Grant:

- Racial Equity And Displacement Analysis
- Menu of Strategies for Middle Housing
- Land Capacity Analysis, (Appendix A)
- Critical Areas Analysis, (Appendix B)

All of the previous studies pertaining to the City's housing growth were based on the projected deficit identified first in the Snoqualmie Valley Housing Needs Assessment (HNA, Appendix E) and again in the City's LCA (Appendix A). It is reasonable to infer that the City's approach to planning for growth would change given the proposed amendment of the City's housing growth targets. The City would like to clarify that it is not opposed to growth and that it fully intends to provide housing to serve its existing and future residents. The City has planned for growth in the 2019-2044 planning period and will continue to periodically update their Comprehensive Plan based on projected needs and analysis of capacity.

To ensure the City can provide the housing needed to meet its proposed amended housing growth target, the City may implement strategies identified in its HSP which compiled strategies and actions proposed for the City to implement that would help it achieve its housing growth targets and address housing needs and racial disparities identified in other studies performed during the 2024 Comprehensive Plan update.

Housing Strategy Plan

In May of 2023, LDC prepared an HSP for the City outlining the City's projected housing needs and policy strategies to address identified gaps in the current housing market. The HSP provided a list of actions the City could take to address its project housing need; all actions are categorized into one or two of the following growth-oriented strategies:

- Strategy 1, Incentivize New Rental Housing
- Strategy 2, Bring down the cost of development
- Strategy 3, Encourage a wide variety of housing types
- Strategy 4, Prevent and Mitigate Displacement
- Strategy 5, Improve the regulatory environment for permits

Though the strategies in this plan were conceived to address the housing target deficit with the currently adopted housing target of 1,500 units and 298 beds, the application of these strategies is still applicable to the City in its effort to facilitate its housing needs. Below is a discussion of the impact of the amendment of the housing growth targets on each of the strategies outlined in the HSP. Some individual actions proposed under these strategies have been ruled out or since modified, but all of the strategies remain applicable to the City in the context of the proposed change.

Growth Strategy	Discussion
Strategy 1, Incentivize New Rental Housing – The City has expressed interest in policy options to increase incentives available for creating new affordable and market rate rental housing. The HNA demonstrates that additional rental housing, particularly for low- to moderate-income households, is needed to reduce the cost burden of their housing expenses. Incentives for rental housing can include the Multi-Family Tax Exemption, waiving or reducing impact fees, and density bonuses to incentivize affordable housing options.	This strategy aims to provide more permanent housing for low to moderate income households through new development. Given the lack of developable land available in the City, the effort to provide low-income housing through new housing production will need to be focused. The revised housing growth target will not prevent the City from implementing this strategy but will require a focused approach.
Strategy 2, Bring down the cost of development – The cost of developing new housing, regardless of type, includes labor and materials, the costs of permitting (including impact and mitigation fees), and the time and cost of permit processes. Several actions included in the HSP address the elements of this calculation most within the City's control, namely permit efficiency, fees, and time and process required to approve development.	This strategy aims to lower barriers to the development of new housing that is needed in the City. Specifically, actions in this strategy call-out ADUs and affordable housing organizations. The revised housing growth target will not prevent the City from implementing this strategy. Targeting ADUs and affordable housing is preferable with the existing land capacity and low-income housing needs.
Strategy 3, Encourage a wide variety of housing types – The City can make progress on this strategy through several actions, including changes to its Zoning Code to make various types of housing more widely allowed and demonstrate programs for fee reductions. This includes senior housing, ADUs, and Missing Middle housing types.	This strategy aims to develop a wider variety of housing types to better serve a variety of housing needs. The strategy is broadly focused on all new development, and some actions proposed under this strategy seek to prioritize new housing solutions that can help address the need for low-income housing. The revised housing growth target does not affect the implementation of actions within this strategy.
Strategy 4, Prevent and Mitigate Displacement – This addresses both rent-restricted and non-rent-restricted rental housing. This can be done through rehabilitation of existing units or a waiver of certain fees that would allow a new development to offer new units whose rents approximately match housing that was displaced. Actions include public-private partnerships with neighborhood associations and landlords to bring down the cost of upkeep.	This strategy aims to protect existing affordable housing stock and provide increased protections for renters. Considering the revised projection for limited housing growth, demand for housing may be likely to increase as the rate of production decreases. Protection for existing affordable housing and other rental housing are necessary to ensure the City can serve all residents. The revised housing growth target creates an emphasis on the importance of actions in this strategy.
Strategy 5, Improve the regulatory environment for permits – The regulatory environment for new development and redevelopment varies by jurisdiction. The regulatory environment heavily influences what gets built, and where it gets built. Additionally, having a good regulatory environment impacts how long it takes to issue permits and how much it costs. Creating a smooth regulatory process for obtaining approvals on development proposals will incentivize development in the city.	This strategy aims to lower barriers to the development of new housing that is needed in the City. The actions related to this strategy are broadly focused on all new development and do not prioritize specific housing needs. All new development will benefit from improvements proposed under this strategy, resulting in better planned and more efficiently provided housing. The revised housing growth target will not impact implementation of actions within this strategy.

Conclusion

The LCA identified that the City's housing capacity falls short of adopted targets for those within the high, very low, and extremely low-income households due to the lack of available developable land. According to the GMA, the City is required to plan for an additional 1,118 residential units to accommodate its target.

The City's existing housing growth targets adopted in the King County CPPs were not adopted in consideration of the City's capacity for development and it is not possible for the City to accommodate the current targets. The City bases this finding on the lack of developable land found in both the 2021 UGCR and the LCA, and their evaluation of potential corrective actions to accommodate the target. The City also finds that their proposed amendment to the adopted housing target does not interfere with the City's ability to serve current or future residents and is in-line with the guidance provided by Commerce on establishing housing growth targets[6].

The City is requesting to amend its currently adopted housing target from 1,500 residential units to 719 residential units, as is supported by the findings of the City's LCA and the discussion in this memorandum.

[6] HB 1220 Book 1 Establishing Growth Targets, https://deptofcommerce.app.box.com/s/chqj8wk1esnnranyb3ewzgd4w0e5ve3a

Appendices

(2024). *Appendix A - Land Capacity Analysis Memo*

(2024). *Appendix B - Critical Areas Analysis Memo*

(2023). *Appendix C - City of Snoqualmie Housing Strategy Plan*

(2023). *Appendix D - City of Snoqulamie Housing Needs Assessment*

(2023). *Appendix E - Snoqualmie Valley Regional Housing Needs Assessment*

Appendix A - Land Capacity Analysis Summary

To: Emily Arteche, AICP, Community Development Director, City of Snoqualmie

From: Dane Jepsen, Associate Planner, LDC Inc.
Thomas Carter, Associate Planner, LDC Inc.

CC: Kim Mahoney, Principal Planner, LDC Inc.

Date: February 1, 2024

Re: City of Snoqualmie 2044 Growth Targets Analysis

Executive Summary

This Land Capacity Analysis (LCA) assesses an inventory of the developable and redevelopable land within a city's jurisdiction and determines whether the city can accommodate its projected growth targets. This assessment allows the city to gain a better understanding of how much land is available for development, how the city can utilize the available land to meet the projected growth targets, and highlights potential changes needed to achieve the land capacity necessary to accommodate all housing and employment needs projected for the city.

This LCA identified the City of Snoqualmie's (City) housing capacity is deficient for those within the high, very low, and extremely low-income households. This shortage is due to the lack of available developable land for single-family housing and low-income serving housing solutions and would require the City to plan to provide an additional 1,118 residential units by 2044. Given the shortfall in housing capacity, the City has evaluated many potential corrective actions to accommodate its housing target; these are outlined in the Growth Targets Analysis memorandum and support the City's request for amendment of its existing housing growth target.

This memorandum further details the background, methodology, and findings that inform an update to the City's capacity for housing and employment previously established by the Urban Growth Capacity Report (UGCR).

Background

The City is required to estimate its land capacity to support anticipated growth over the planning period in the land use element of its Comprehensive Plan (WAC 365-196-405).

In cities within King County, the LCA relies on findings from the UGCR. The UGCR is an assessment completed by King County that helps determine the amount of land suitable for development within the County, evaluates each city's capacity for growth, and projects the future housing and employment capacity for each city. The UGCR bases its findings on recent development activity data provided by the cities within King County.

King County and the cities within the county work together to create the UGCR. This report, last updated in 2021[1], evaluated the amount of land suitable for urban development and capacity for growth within each jurisdiction, and was based on a measurement of recent actual development activity; this is known as the Buildable Lands program (RCW 36.70A.215). The County uses data provided by each city to

[1] The 2021 Buildable Lands Report is based on an inventory of permits and property status as of January 2020 (Pierce County Buildable Lands Report – Fourth Edition, Revised Version pg. 17).

conduct an inventory of land that is vacant or underutilized and uses that data to estimate housing and employment capacity per zone within each jurisdiction. These data form the basis for updating the analysis of land capacity.

Land Capacity Analysis Overview

An LCA identifies the remaining developable and redevelopable land within the city's jurisdiction that may be used to achieve the city's growth targets. An LCA utilizes data available from the County Assessor, County Buildable Lands Report (King County UGCR), local permitting activities, and other available reports and resources to quantify the city's development potential for employment and housing and implement necessary changes to achieve the land capacity necessary to accommodate all housing and employment needs.

Washington Department of Commerce (Commerce) has developed guidance on conducting LCAs; see Evaluating Land Capacity to Meet All Housing Needs, which is specific to housing capacity related to House Bill (HB) 1220, and Urban Growth Area Guidebook, which addresses both housing and employment capacity in relation to the Growth Management Act (GMA).

In partnership with LDC, the City has analyzed development capacity for the 2024-2044 planning period according to Commerce guidance. In this LCA Summary, findings from the LCA are reported according to Commerce guidance with underlying analysis performed according to the King County UGCR methodology[2].

Land Capacity Analysis Methodology

The 2021 King County UGCR performed capacity analysis through the following steps:

- Phase One – Achieved Densities
- Phase Two – Land Supply
- Phase Three – Initial Capacity
- Phase Four – Final Capacity

This LCA incorporated these phases into its analysis as indicated below:

Phase One – Achieved Densities

Between 2021 and 2023, little development activity occurred in Snoqualmie. No changes were made to the density assumptions applied in the 2021 UGCR. Density assumptions used in the LCA are reported in Table 1.

Phase Two – Land Supply

Parcels in the City were assessed for development potential. Parcels determined to have capacity were either vacant or evaluated to be redevelopable[3]. The following assessments were included to determine available land supply:

1. Critical Areas – The City is heavily encumbered with numerous environmentally critical areas; these areas are valuable to the City and limit development potential. Assessment of critical areas in Snoqualmie was performed through desktop analysis of publicly available GIS data and

[2] Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 16-27)
[3] For definitions of vacant and redevelopable parcels, see Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 20)

assumptions of development limitations based on the Snoqualmie Municipal Code's (SMC) Critical Area Ordinance. The acreage of critical areas on lands determined to be developable were removed from the total land supply considered in the LCA. Documentation of the analysis methods and assumptions can be found in Appendix B to the 2044 Growth Targets Analysis (LDC, 2024).

2. Pipeline Projects – Parcels associated with development projects that were permitted after 2021, or are currently in the permitting process, were removed from the analysis and their proposed residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.
3. Improvement Value and Density – Most of the City's housing stock was built between the years of 2000 and 2009 as a part of the Snoqualmie Ridge development agreement; this included both residential and non-residential developments. Properties with a low improvement value to land value ratio (ILVR) were considered as likely to be redeveloped. Additionally, properties that have a built density lower than what is allowed by their implementing zone were analyzed as likely to develop. For this LCA, properties with capacity were assessed to one of the following designations:
    a. Vacant
        i. ILVR of 0 (residential and non-residential uses)
    b. Vacant Single Unit
        i. ILVR of 0 and parcel area smaller than twice the minimum lot size (residential uses)
    c. Redevelopable
        i. non-vacant having an ILVR less than 1.0 (residential and non-residential uses)
        ii. zoned density twice that of their built density (residential uses)
4. Displacement Risk – Some parcels identified to be in the floodplain (as identified via the aforementioned critical areas analysis) were included as redevelopable due to potential displacement risk; if a parcel in the floodplain was occupied by a nonconforming use, it was considered redevelopable.

Phase Three – Initial Capacity

Data of parcels with identified capacity were combined and attributed by zone; these data include: number of Vacant Single Unit Parcels, Gross Acres, Critical Areas (Acres), existing residential units, and existing commercial building square-footage. Net developable acres (Gross Acres – Critical Areas) were then calculated for each zone, and zoning assumptions (including metrics such as assumed density, percent of right-of-way, etc.; see Appendix C to the 2044 Growth Targets Analysis) were applied to calculate the maximum build potential in residential units and commercial building square-footage.

Phase Four – Final Capacity

The existing residential units or commercial building square-feet were subtracted from maximum build potential to yield the net capacity (this can result in negative numbers due to non-conforming uses being displaced). Finally, residential units and/or commercial building square-feet from pipeline projects were added to their respective zones; this yields Final Capacity.

This Final Capacity becomes the input for Step 1 of the Commerce LCA guidance (discussed on page 6 of this memorandum).

Land Capacity Analysis Results

The LCA produced projections of future capacity for housing and employment. The remainder of this memo will review the LCA's outcomes and options related to the Snoqualmie 2024 Comprehensive Plan Update.

Housing and Employment Targets 2020-2044

According to the King County Countywide Planning Policies (amended August 15, 2023), Snoqualmie has the following housing and employment targets to plan for during the 2024 Comprehensive Plan update:

- Housing Target: 1,500 residential units
- Employment Target: 4,425 jobs

Employment Capacity

Employment capacity is provided by vacant and redevelopable land, and pipeline projects. Assumptions of Floor-Area-Ratio (FAR) are applied to developable land to estimate potential commercial building square-footage, and then assumptions of employment density are applied to estimate the potential jobs yielded by development.

Commercial Capacity	**Commercial Capacity (Approximate Jobs)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
Business General	26	(10)	0	16
Business Office	33	0	0	33
Business Retail 1	14	(2)	0	12
Business Retail 2	13	0	0	13
Office Park	415	(15)	0	400
Planned Commercial/Industrial	152	(16)	3,778[4]	3,914
Resource Extraction	0	0	0	0
MU Commercial	249	0	0	249
MU Commercial - Office Park	0	0	0	0
FBMU Commercial	33	0	0	33
Total	**935**	**(43)**	**3,778**	**4,670**

Employment capacity in Snoqualmie is more than sufficient to satisfy its employment growth targets. The Office Park and Mixed-Use Commercial zones have the most initial capacity, but the bulk of the City's growth target is achieved in the Planned Commercial/Industrial zone with a mixed/use pipeline project called the Snoqualmie Mill Site, estimated to develop 1,851,448 square-feet of commercial space.

With developable land providing approximately 892 jobs and the Mill Site providing approximately 3,778 jobs, the City is expected to exceed its adopted growth target by 245 jobs.

[4] An estimated 1,851,448 square-feet of commercial building space will be constructed as a part of the Snoqualmie Mill Site: https://www.snoqualmiewa.gov/888/Snoqualmie-Mill-PCI-Plan

Employment	Jobs
Target 2019-2044	*4,425*
Pipeline projects (Mill Site)	3,778
Employment capacity per 2023 LCA	892
Total Employment Capacity	**4,670**
Employment Capacity Surplus (or deficit)	**245**

Housing Capacity

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Per the Growth Management Act (GMA) the LCA needs to take into consideration capacity for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing[5]. These special needs housing types will be referenced throughout the LCA, their definitions from the GMA are available in the table below:

[5] RCW 36.70A.070(2)(c)

The City has adopted targets to add an additional 1,500 residential units and 287 emergency beds by 2044. These targets incorporate needs for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing. King County ordinance 19660, adopted August 15th, 2023, establishes the City's housing growth target allocations; the table below outlines permanent housing targets by income and emergency housing target in beds.

Permanent Housing (Units) by Affordability (AMI)								Emergency Housing (Beds)
0-30% Non-PSH	0-30% PSH	>30-<50%	>50-<80%	>80-<100%	>100-<120%	>120%	Total	
472	248	233	82	61	69	335	1500	287

To demonstrate compliance with HB 1220, housing capacity is reported according to Commerce guidance[6]; this guidance outlines the demonstration of housing capacity through the following steps:

1. Summarize land capacity by zone
2. Categorize zones by allowed housing types and density level
3. Relate zone categories to potential income levels and housing types served
4. Summarize capacity by zone category
5. Compare projected housing needs to capacity
6. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then, re-assess capacity (Step 1) based on actions.

1. Summarize land capacity by zone

In the context of recent HBs (HB 1220 and HB 1337), the City has identified capacity for all housing needs in three areas:

1. Zoned capacity – Capacity from vacant and redevelopable land or from pipeline development projects
2. Accessory Dwelling Unit Capacity (HB 1337) – Potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates
3. Emergency Housing Capacity (HB 1220) – Capacity for the City to provide for emergency housing needs based on available land and other opportunities

Zoned Capacity

Residential Capacity	Residential Capacity (Units)			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
Business Retail 2	0	0	11	11
Constrained Residential	0	0	0	0
Planned Residential	0	0	0	0
R-1-10	9	0	0	9
R-2	6	0	0	6
Planned Commercial/Industrial	0	0	160	160

[6] HB 1220 Book 2 Housing Element Update, https://deptofcommerce.app.box.com/s/1d9d5l7g509r389f0mjpowh8isjpirlh

MU Residential	112	(1)	250	361
MU Residential	0	0	0	0
FBMU Residential	149	(1)	0	148
Total	**276**	**(2)**	**421**	**695**

Accessory Dwelling Unit Capacity (House Bill 1337)

Recent changes to state law require cities to allow up to two Accessory Dwelling Units (ADUs) on all lots[7] zoned to allow single-family homes.

In Snoqualmie, the RC, R1, R2, PR, MU, and FMBU zoning districts allow single-family detached homes, representing 4,288 tax parcels. After excluding various current uses that would be highly unlikely to add ADUs to the site and excluding parcels with the presence of critical areas, 2,917 lots would meet this threshold.

The majority of Snoqualmie's housing stock are part of Residential Owners Associations (ROAs) (sometimes called Home Owner's Associations [HOAs]) which impose their own restrictions on improvement of members' properties, including whether the development or addition of ADUs is allowed. Existing lots associated with ROAs are unlikely to see future development, including Accessory Dwelling Units (ADUs), given regulations against such development set forth in their Covenants, Conditions, and Restrictions (CC&Rs). Approximately 86% of single-family lots in the City are associated with ROAs and these lots constitute approximately 10% of the City's land area. This LCA identified three ROAs in Snoqualmie City Limits:

Snoqualmie Residential Associations	
Organization	Single-Family Lots
Snoqualmie Ridge ROA	3,490
Kimball Creek Village HOA	66
Kimball Creek HOA	16

HB 1337 does not require existing ROAs (or HOAs) to amend their CC&Rs to allow ADUs within their communities; therefore, this LCA does not consider lots allowing single-family development in ROAs as part of the City's capacity for ADU-developable land. After removing all parcels associated with an ROAs, there are 236 lots available for ADU siting.

Commerce recommends basing estimated ADU production on an estimated participation rate based on the Real-Estate market of the jurisdiction[8]. Estimated participation rate was gathered from an analysis of existing ADUs in the City using King County Assessor data[9]. LDC identified parcels in the City with existing ADUs that were recorded to have been built in recent years and used this to estimate the current production of ADUs on a year-by-year basis. Eight total parcels with ADUs (attached and detached) were found in the City; of these, only five could be tracked to a date of construction and only three were constructed within the last five years. Three ADUs constructed over five years (between 2018 and 2023) equates to approximately 0.6 ADUs per year. Extrapolated out over the next 20 years, and assuming

[7] Lots with critical areas or their buffers are exempt from the requirements of HB 1337.
[8] WA Commerce, HB 1220 Book 2 Housing Element Update, p.28, https://deptofcommerce.app.box.com/s/1d9d5l7g509r389f0mjpowh8isjpirlh
[9] Data available for download here: https://info.kingcounty.gov/assessor/datadownload/default.aspx

twice the ADU production (1.2 ADUs per year) required by recent change in state law, Snoqualmie could plan for an additional 24 ADUs by 2044.

Based on an analysis of ADUs built in the last five years, the City assumed an 8% participation rate; this accounts for owners who do not have the means or the desire to build ADUs. Additionally, the City assumed an average of 1.25 ADUs per lot; currently, there are no lots identified in the City that have more than one ADU, but considering the new requirements of HB 1337, lots with two ADUs could exist in the future. Applying this analysis, the City has capacity for 24 ADUs on 19 lots (five of which would have two ADUs).

ADU Development Capacity				
Available Lots	Participation Rate	Potential ADU Lots	ADUs per Lot	2044 ADU Capacity
236	8%	19	1.25	24

Emergency Housing Capacity (House Bill 1220)

HB 1220 included requirements for Emergency Needs Housing capacity. These requirements are applicable to all jurisdictions that have been assigned Emergency Needs Housing targets, of which Snoqualmie has been assigned 278 beds. The bill requires that jurisdictions allow for siting of indoor emergency housing or indoor emergency housing shelters where hotels are allowed or within "a majority of zones within a one-mile proximity to transit."

The City conditionally allows hotels in the following zones: BR-1, BR-2, FMBU, BO, BG, and OP; the City is required to demonstrate land capacity for emergency housing, in addition to permanent housing, if emergency housing is not allowed outright in all of these zones. Currently, the City does not have land use regulations for Emergency Housing as defined in RCW 36.70A.030. The City does have regulations for "Special Needs Housing" which includes "Shelters for temporary placement" and is similar to the definition of Emergency Housing; this is only allowed as an outright permitted use in one zone (see table below comparing the land use regulation of "Hotels" and "Special Needs Housing").

Land Use	R-C	R-1	R-2	PR	BR-1	BR-2	FMBU	BO	BG	OP	PCI	I	OS-1	OS-2	OS-3	UP
Special Needs Housing	C	C	C	C	X	X	C	X	X	P	X	X	X	X	X	X
Hotels and Motels	X	X	X	X	C	C	C	C	C	C	X	X	X	X	X	X

P - Permitted
C - Conditional
X - Not Permitted

To comply with the requirements of HB 1220, the City will need to codify a definition of "Emergency Housing," and either update its land use table to allow Emergency Housing as a permitted use in all zones that allow Hotels (including conditional uses), or demonstrate emergency housing capacity through an emergency housing LCA as outlined in Sections 3 and 4 of HB 1220.

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU production contributes toward the City's total 2044 housing target of 1,500 residential units. Without considering housing needs for income

brackets, the City has capacity for 719 residential units and has a remaining housing target of 781 residential units that it cannot demonstrate capacity for.

Housing	Units
Target 2019-2044	*1,500*
Pipeline projects	421
Housing capacity per 2023 LCA	274
ADU Capacity	24
Total Housing Capacity	**719**
Housing Capacity Surplus (or deficit)	**(781)**

2. Categorize zones by allowed housing types and density level

Commerce has developed a framework for determining potential housing affordability. The framework requires the compilation of permitted housing types and maximum allowed density in each zone to assign zones into "Zone Categories" which can be used to better understand how effective the capacity identified in the LCA is at serving "all housing needs."

Zoning and other local development regulations limit what type of housing and what density levels are allowed to be constructed on available land. Housing costs and affordability can vary significantly by housing type. Additionally, subsidized affordable housing projects are most feasible to produce in low-rise or mid-rise zones that allow for multi-unit housing production, such as apartment buildings.[10]

The table to the right shows zone categories from Commerce guidance that are applicable to zones in Snoqualmie.

Zone Category	Typical Housing Types Allowed
Low Density	Detached single-family homes
Moderate Density	Townhomes, duplex, triplex, quadplex
Low-Rise Multifamily	Walk-up apartments or condominiums (up to 3 floors)

Based on this framework, the City's residential zones can be classified into the following categories:

Snoqualmie Zone Categories			
Zone	**Housing Types Allowed**	**Max Density Level Allowed**	**Assigned Zone Category**
Constrained Residential	Detached single-family homes	0.2 Residential units (Du)/Acre (Ac)	Low Density
Planned Residential	Detached single-family homes, triplex, quadplex, and apartments	12 Du/Ac	Moderate Density
R-1-10	Detached single-family homes	4.25 Du/Ac	Low Density
R-2	Detached single-family homes, duplex, triplex and quadriplex	25 Du/Ac	Moderate Density

[10] DRAFT GUIDANCE FOR LAND CAPACITY ANALYSIS (DECEMBER 2022), p.12, https://deptofcommerce.app.box.com/s/k14gbqe7z8d7ek6z8ibui79zb7bo9vpa

R-3	Multi-family housing, triplex, quadplex, apartments, and townhouses	30 Du/Ac	Low-Rise Multifamily
MU Residential	Single-family homes, triplex, quadplex, and apartments	12 Du/Ac	Moderate Density
MU Residential	Detached single-family homes, triplex, quadplex, and apartments	12 Du/Ac	Moderate Density
FBMU	Detached single-family homes, triplex, quadplex, apartments, and second-story residential	130 Du/Ac	Low-Rise Multifamily

3. Relate zone categories to potential income levels and housing types served

Depending on the housing types permitted in a zone, different income levels' housing needs are more likely to be served. The table below outlines the potential income levels served depending on housing type and market rate or subsidized housing; this is based on a standard table provided by Commerce[11]. Income levels are based on the Area Median Income (AMI), see table to right for details.

Income Levels	
Income Level	**Relative AMI**
Extremely Low Income	<=30% AMI
Very Low Income	>30% and <=50% AMI
Low Income	>50% and <=80% AMI
Moderate Income	>80% and <=120% AMI
High Income	>120% AMI

Zone Category Incomes Served				
Zone Category	Housing Types Served	Lowest Potential Income Level Served		Assumed Affordable Income Level for LCA
		Market Rate	With Subsidies	
Low Density	Single-Family Detached	High Income	Not feasible at scale	High Income
Moderate Density	Townhomes, duplex, triplex, quadplex	Moderate Income	Not feasible at scale	Moderate Income
Low-Rise Multifamily	Walk-up apartments, condominiums, PSH (2-3 floors)	Low Income	Extremely Low - Very Low Income	Low - Extremely Low Income and PSH
ADUs (all zones)	ADUs on developed residential lots	Moderate Income	N/A	Moderate Income

[11] DRAFT GUIDANCE FOR LAND CAPACITY ANALYSIS (DECEMBER 2022) – Exhibit 9, p.16, https://deptofcommerce.app.box.com/s/k14gbqe7z8d7ek6z8ibui79zb7bo9vpa

4. Summarize capacity by zone category

The table below shows zoned capacity from the LCA and compiles it based on the zone category.

Land Capacity by Zone Categories			
Zone	**Unit Capacity**	**Assigned Zone Category**	**Capacity in Zone Category**
Constrained Residential	0	Low Density	9
R-1-10	9	Low Density	
Planned Residential	0	Moderate Density	141
R-2	6	Moderate Density	
MU Residential	111	Moderate Density	
MU Residential	0	Moderate Density	
ADUs (Any Zone)	24	Moderate Density	
R-3	0	Low-Rise Multifamily	148
FBMU	148	Low-Rise Multifamily	

Pipeline projects are not included in this categorization; specific knowledge about the built condition or the proposed projects in the pipeline lends a more accurate measure of what income levels are being served. The table below summarizes recent projects in the permitting pipeline by housing type and income level. Two projects, Panorama Apartments and the Mill Site, include income restrictions that guarantee the provision of housing for lower income levels.

Pipeline Projects by Housing Type and Income Level					
Project	**Housing Type**	**Incomes Served**	**Total Units**	**Income Level**	**Total Units by Income Level**
Panorama Apartments	Apartments (Income Restricted)	Low Income	191	Low Income	226
Mill Site (Residential component)	Apartments (Partially Income Restricted)	Low Income (<60% AMI)	19		
		Low Income (<80% AMI)	16		
		Moderate Income	125	Moderate Income	182
Timber Trails	Apartments	Moderate Income	46		
The Rails	Apartments	Moderate Income	11		
Cascade Pointe	Single-Family Detached	High Income	13	High Income	13

5. Compare projected housing needs to capacity

The City's projected housing needs by income bracket were compared to the LCA findings to determine if there is sufficient capacity to accommodate needs at all income levels. The first two columns are a column-to-row flip of the table on the previous page; the remaining columns show the calculations based on the category capacity established on the previous page.

Income Housing Target Capacity Summary

Income Level	Projected Housing Need	Projected Housing Needs (Aggregated)	Zone Categories Serving These Needs	Pipeline Projects	Total Zoned Capacity	Capacity Surplus (or Deficit)
Extremely Low Income (PSH)	472	953	Low-Rise Multifamily	0	148	(805)
Extremely Low Income (Non-PSH)	248					
Very Low Income	233					
Low Income	82	82		226		144
Moderate Income (80-100% AMI)	61	130	Moderate Density + ADUs	182	141	193
Moderate Income (100-120% AMI)	69					
High Income	335	335	Low Density	13	9	(313)
Total	**1,500**	**1,500**		**421**	**298**	**(1,113)**

Sufficient Capacity

The current zoned and pipeline capacity is sufficient to meet the needs of low to moderate income households (incomes greater than 50% AMI). Pipeline projects providing moderate-to-low-income housing have exceeded the adopted housing need in those income brackets. There are two pipeline projects that include income restricted housing for low-income households (Panorama Apartments and the Mill Site) to the point that no additional zoned capacity is needed to meet the needs of moderate-to-low-income households.

Insufficient Capacity

Current housing capacity falls short of the housing needs for high, very low, and extremely low (PSH and non-PSH) income households. There is not enough land available for the City to develop more single-family housing to serve high income households, and the shortfall of 805 units serving very low and extremely low income (less than 50% AMI) housing is staggering, as it completely eclipses the total capacity available in the City as identified in this LCA.

Income Level	Extremely Low Income (PSH)	Extremely Low Income (Non-PSH)	Very Low Income	High Income	Total
Capacity Surplus (or Deficit)	(805)			(313)	**(1,113)**

The surplus of residential units of housing capacity for moderate-to-low-income households does not impact the outstanding shortfall for housing capacity in the other income brackets. To address the capacity shortfall, the City would need to plan to provide an additional 1,118 residential units by 2044 that addressed the housing needs of high, very low, and extremely low (PSH and non-PSH) income households.

6. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

The City has demonstrated sufficient capacity to accommodate its 2044 housing target for moderate-to-low-income households but falls short of its 2044 housing target for high, very low, and extremely low-income households. In response to this housing capacity deficit, the City has evaluated many potential corrective actions to accommodate its housing target; these are outlined in the Growth Targets Analysis memorandum that is included as an appendix to the Snoqualmie Comprehensive Plan Housing Element, currently being amended as part of the Comprehensive Plan's 2024 update.

Conclusion

In partnership with LDC, the City has analyzed development capacity for the 2024-2044 planning period according to King County UGCR methodology and Commerce guidance applicable to new State regulations implementing HB 1220. The LCA updates the capacity reported in the 2021 UGCR and documents the City's progress towards its Housing and Employment growth targets.

This LCA identified the City had sufficient employment capacity for the 2024-2044 planning period but had insufficient capacity to serve the projected housing needs for high, very low, and extremely low-income households. Housing capacity provided by pipeline projects was enough to serve moderate-to-low-income households, but zoned capacity was not sufficient to serve the remaining projected housing needs. This shortage is due to the lack of available developable land for single-family housing and low-income serving housing solutions and would require the City to plan to provide an additional 1,118 residential units by 2044.

Appendix B - Critical Areas Analysis

To: Emily Arteche, AICP, Community Development Department, City of Snoqualmie

From: Dane Jepsen, Associate Planner, LDC Inc.

CC: Kim Mahoney, Principal Planner, LDC Inc.

Date: February 1, 2024

Re: City of Snoqualmie 2044 Growth Targets Analysis

Executive Summary

During the City of Snoqualmie's (City) 2024 Comprehensive Plan update, LDC, Inc. (LDC) performed a Land Capacity Analysis (LCA) to assess the City's capacity to serve the projected housing and employment needs for the 2019-2044 planning period. This LCA evaluated land in the City's jurisdiction for development potential based on assessor parcel data, the City's permitting data, and publicly available critical area data.

The City is heavily encumbered with numerous environmentally critical areas; these areas are valuable to the City and limit development potential. Through desktop analysis[1] of publicly available Geographic Information Systems (GIS) data, based on assumptions of development limitations based on the Snoqualmie Municipal Code's (SMC) Critical Area Ordinance, this assessment found that approximately 49% of all land in the City is affected by critical areas and the local regulations related to them. The acreage of critical areas on lands determined to be developable was deducted from the total land supply considered in the LCA.

Background

The critical areas (and associated buffers) that were assessed in this analysis are deemed unsupportive of capacity for future development due to the application of SMC. This analysis is not final; site-specific analysis may find different sizes, metrics, and extents of critical area (or find none at all), but it is assumed that the broad application of these assumptions will represent the approximate impact of the analyzed critical areas on development capacity.

The output of this analysis is a .shp file showing the extent of critical areas (and associated buffers) within the City. The extent of these areas was joined to all parcels in the City and utilized in the LCA as a factor reducing developable land for the purposes of estimating the City's land capacity for housing and employment.

Critical Areas Considered

Critical Areas defined within SMC are:

[1] "Desktop Analysis" refers to analysis computer aided analysis using GIS as opposed to site-visit based analysis.

Critical Area	SMC Definition	Consideration
1. Geologically hazardous areas	"Geologically hazardous areas" means areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, may pose hazards to the siting of commercial, residential, or industrial development consistent with public health or safety concerns, without appropriate mitigation.	Sub-categories of this hazardous area shall be consulted for this analysis.
1.a Erosion hazard areas	"Erosion hazard area" means those areas of the city containing soils which, according to the USDA Soil Conservation Service, King County Soils Survey, dated 1973, and any subsequent revisions or additions thereto, and the USDA Soil Conservation Service, Soils Survey for Snoqualmie Pass Area, Parts of King and Pierce Counties, WA, dated December 1992, may experience severe to very severe erosion hazard, and which occur on slopes of 15 percent or greater. This group of soils includes: Alderwood Gravelly Sandy Loam (AgD), Alderwood-Kitsap (AkF), Beausite Gravelly Sandy Loam (BeD and BeF), Kitsap Silt Loam (KpD), Ovall Gravelly Sandy Loam (OvD and OvF), Ragnar Fine Sandy Loam (RaD), Ragnar-Indianola Association (RdE), Riverwash (Rh), or Coastal Beaches (Cb), and any soil type that could be subject to erosion when disturbed.	There is GIS data published by King County available for these areas: Erosion Hazards / erode area These areas were not included in this analysis.
1.b Landslide hazard areas	"Landslide hazard area" means those areas of the city subject to a risk of landslide, including the following areas: 1. Any area with slopes greater than 15 percent and impermeable soils (typically silt and clay) frequently interbedded with granular soils (predominantly sand and gravel) and springs or groundwater seepage; 2. Any area that includes areas with significant visible evidence of groundwater seepage, and which also includes existing landslide deposits regardless of slope; 3. Any area which has shown movement during the Holocene epoch (from 10,000 years ago to present) or which is underlain by mass wastage debris of that epoch as determined by a geologist; 4. Any area potentially unstable as a result of rapid stream incision or stream bank erosion; 5. Any area located on an alluvial fan, presently or potentially subject to inundation by debris flow or deposition of stream-transported sediments.	There is GIS data published by King County available for these areas, but it is incomplete within the limits of Snoqualmie: Landslide hazards; incorporated KC 1990 / annexed landslide sao1990 area These areas were not included in this analysis.
1.c Steep slope hazard areas	"Steep slope hazard area" means those areas of the city where the ground rises at an inclination of 40 percent or more within a vertical elevation change of at least 10 feet (a vertical rise of 10 feet or more for every 25 feet of horizontal distance). A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 feet of vertical distance.	GIS data for these areas provided by the City of Snoqualmie was utilized in this analysis.
1.d Seismic hazard areas	"Seismic hazard area" means those areas of the city subject to severe risk of earthquake damage as a result of seismically induced landslides, earth adjustments, settlement or soil liquefaction.	There is GIS data published by King County available for these areas: Seismic Hazards / seism area

		These areas have limited implications for housing development and were not included in this analysis.
2. Channel Migration Zone	"Channel migration zone (CMZ)" means the area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings as delineated on the Snoqualmie River Channel Migration Area Map, contained in Channel Migration in the Three Forks Area of the Snoqualmie River (King County Department of Natural Resources, Surface Water Management Division, Seattle, WA, 1996), which is hereby incorporated herein by this reference.	There is GIS data published by King County available for these areas: Channel Migration Areas / chnlmigr area These areas have great legal implications and were included in this analysis.
3. Frequently flooded areas	SMC 15.12.040: "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as the "regulatory floodway." "Floodplain" or "flood-prone area" means a land area susceptible to being inundated by water from any source.	There is GIS data published by King County available for these areas: FEMA Floodways in King County / fema floodway area SMC code specifically prohibits encroachments on the floodway (SMC 19.12.150).
4. Streams	"Stream" means any area of the city where surface waters produce a defined channel or bed which demonstrates clear evidence of the passage of water. The channel or bed need not contain water year-round. The term does not include irrigation ditches, canals, engineered storm or surface water runoff devices or other entirely artificial watercourses unless they are used by salmonids, or unless the created conveyances contain the waters from a stream which was naturally occurring prior to construction/alteration of the conveyance system.	There is GIS data published on the Washington Open Data portal available for these areas: DNR Hydrography - Watercourses - Forest Practices Regulation To apply specific buffer to the Snoqualmie River, GIS data published by King County was used: Waterbodies with History and Jurisdictional detail / wtrbdy det area These areas have clearly defined limitations to development in SMC 19.12.160 and were included in this analysis.
5. Wetlands	"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and	GIS data for these areas is provided by the City of Snoqualmie. These areas have clearly defined limitations to development in SMC 19.12.170 and were included in this analysis.

	landscape amenities. Wetlands do not include areas that were unintentionally created as a result of blockage of drainage from the construction of a road, street, or highway after July 1, 1990. Wetlands may include those areas intentionally created from non wetland areas as compensatory mitigation for impacts to wetlands.	
6. Fish and Wildlife Habitat Conservation Areas	"Fish and wildlife habitat conservation area" means an area that provides essential habitat for maintaining listed species of endangered, threatened or critical populations.	The legal implications of these areas on the development of Middle Housing are minimal. These areas were not included in this analysis.
7. Critical aquifer recharge areas	"Critical aquifer recharge area" means the recharge areas of aquifers which serve as a source of drinking water for which there is no feasible alternative source and which, due to prevailing geologic conditions characterized by high infiltration rates, are susceptible to contamination from activities on the surface.	The legal implications of these critical areas on the development of Middle Housing are minimal. These areas were not included in this analysis.

Assumptions

Data was collected and categorized, then modified through a filter, buffer, or combination of GIS tools to appropriately portray the area affected by land development restrictions related to each critical area. The below table identifies the range of legal extents for each critical area as well as the assumptions that were made in this analysis to portray these extents.

Critical Area	Restrictions/Buffers	Assumptions
Steep slope hazard areas	Slopes greater than 40% must experience greater than 10-feet of relief to qualify as steep slopes, but development and alteration are permitted on applicable slopes that experience up to 20-feet of relief so long as they provide a critical areas study (SMC 19.12.120). 15-feet is the smallest buffer for any development or alteration adjacent to a steep slope.	For this analysis, steep slopes were limited to greater than 40% slopes that experienced more than 20-feet of relief. This analysis displayed all steep slopes with a 15-foot buffer to convey the extent of their restriction.
Channel Migration Zone	Channel Migration Zones are classified as either: potential, moderate, or severe. All housing development is prohibited in the severe channel migration zone. Development within the moderate channel migration zone is limited to	For this analysis, the Channel Migration Zone layer was reduced to only the moderate and severe zones, as these contain restrictions affecting housing development. Potential channel migration zones were excluded from this analysis.

<table>
<tr><td></td><td>existing legal lots. Subdivision of land is prohibited in moderate and severe zones.</td><td></td></tr>
<tr><td>Frequently flooded areas</td><td>Development within the floodway is regulated by SMC 15.12 which includes design standards and review processes to minimize the potential effects of flood damage.</td><td>Due to the site-by-site complexities of development within the floodway, the housing development potential is difficult to estimate. These areas have been excluded from this analysis.</td></tr>
<tr><td>Streams</td><td>SMC classifies streams by class 1, 2, 3, 4, and type C. These classes are defined based on DNR stream types: S, F, and N.
The table below shows the relation of SMC classes to DNR types and the SMC defined buffer widths associated with those streams:
<table>
<tr><td>SMC Class</td><td>DNR Type</td><td>Buffer</td></tr>
<tr><td>Class 1</td><td>Type S</td><td>100'</td></tr>
<tr><td>Class 2</td><td>Type F</td><td>Salmonids:100'
Else: 75’</td></tr>
<tr><td>Class 3</td><td>Type N - perennial</td><td>50'</td></tr>
<tr><td>Class 4</td><td>Type N - seasonal</td><td>25'</td></tr>
</table>
Additionally, the Snoqualmie River is assigned its own buffer widths for specified sections:
• A buffer of 25 feet is applied to the Urban Riverfront Environment on the left bank of the river.
• A buffer of 200 feet is applied to the Natural Shoreline Environment and the right bank of the river.
SMC identified no buffers for type C streams.</td><td>For this analysis, stream buffers were applied to DNR stream layers according to the below table:
<table>
<tr><td>SMC Class</td><td>Buffer</td></tr>
<tr><td>Class 1</td><td>100’</td></tr>
<tr><td>Class 2</td><td>100’</td></tr>
<tr><td>Class 3</td><td>50’</td></tr>
<tr><td>Class 4</td><td>25’</td></tr>
</table>
Class 2 streams were assumed to contain salmonids for the purposes of this analysis.

Snoqualmie River buffers defined in SMC were applied to the Natural Shoreline and Urban Riverfront according to SMC 19.12.160(D) and the Snoqualmie Shoreline Master Program.</td></tr>
<tr><td>Wetlands</td><td>SMC categorizes wetlands as; I, II, III, and IV. Wetland buffers are determined based on category, habitat, and habitat</td><td>For this analysis, a mid-point buffer of 105’ was selected and</td></tr>
</table>

	score; buffer widths range from 40'-225'. Wetland mitigation is also provided within SMC.	applied to all wetlands in the City of Snoqualmie.

Methodology

Slope Analysis

To determine the extent of applicable steep slope hazard areas, steep slope areas had to be vectorized from a raster and then filtered to slopes with greater than 20' of relief. First, a raster layer depicting slopes greater than 40% was vectorized into polygons without using shape simplifications. Then, a geographic analysis comparing the polygons representing slopes over 40% to a raster Digital Elevation Model (DEM) calculated statistics for raster cells falling within slope polygons; statistics included count and range.
The polygon data was filtered to remove any slopes which had less than 20' of range. This failed to remove some short artificial slopes, such as a ditch or culvert; in such a case, the ditch itself may only have 10 feet of relief but the road may have a greater relief while having a lower slope.
Another measure was used to filter out extremely short slopes that represent fragments in the underlying DEM data; a calculation of the polygons range divided by its count provided context for the area the slope was being felt over. Raster cells that were summarized in these polygons measured 25 square feet, so especially low cell counts indicated that a very steep slope was found over an isolated area. Polygons that yielded values greater than four from this calculation were removed from the dataset due to the unlikelihood that they would be recognized on the ground.

Buffer Analysis

Prior to any buffering, all layers were reprojected in to NAD83(HARN) / Washington North (ftUS) (EPSG:2926) to ensure buffer operations were accurate.

The following layers were buffered according to the measures defined in the table of assumptions and then clipped to the boundaries of the City:

- Steep slope hazard areas
  - Buffer of 15'.
- Streams
  - The streams buffers were based on the classifications in the assumptions. The extent of the buffer associated with the Snoqualmie River was manually modified to reflect the varied buffers related to the Urban Riverfront Environment and the Natural Shoreline Environment based on buffers from the King County GIS water bodies layer.
- Wetlands
  - Buffer of 105'.

The Frequently flooded areas and Channel Migration Zone were clipped to the boundaries of the City of Snoqualmie. Additionally, channel migration areas categorized as "potential" hazard were removed from the layer.

Union/Mosaic Creation

To create the final mosaic representing the total extent of the analyzed critical areas, all the layers had to be joined together through a series of geospatial unions. Layers unionized in such a way that the final

product contained all the geometries of the involved critical areas with areas of overlap being expressed by a new polygon. To accomplish this, one must perform a union between two layers, then perform a union between the output of the last union and another layer, and so-on. Once the final layer has been incorporated into this union, the layer is referred to as a mosaic.
The attribute table of this mosaic was simplified into 3 fields:

- Label
  - This field contains a string of critical area types that were present in that feature. There are approximately 30 combinations of this field if it is used for symbology.
- AreaTypLis
  - This field contains a comma delimited array of critical area types that has been converted to text, array positions correspond to the array in the SorceList field.
- SourceList
  - This field contains a comma delimited array of data providers for the critical area layers that has been converted to text, array positions correspond to the array in the AreaTypLis field.

Conclusion

Having applied the abovementioned methodology and having reviewed its results, the City is heavily encumbered with numerous environmentally critical areas. These areas are valuable to the City and limit development potential. This critical areas analysis assessed the coverage of local regulations related to critical areas, including: wetlands, streams, steep slopes, floodways, and the channel migration zone related to the Snoqualmie River. The analysis employed the data, assumptions, and methodology documented in this memorandum and found that approximately 49% of the area in the City is affected by local critical area regulations found in SMC 19.12. The Floodway alone accounts for 24% of the City's area. The total area assessed for each critical area is shown in the table below:

City-wide Critical Areas		
Critical Area	**Acres[2]**	**% of City Area**
Wetlands	974	22%
Streams	540	12%
Steep Slopes	459	10%
Floodway	1,091	24%
Channel Migration Zone	625	14%
All	**2,208**	**49%**

It is noteworthy that many areas in the City have more than one critical area present, thus the sum of all the individual areas would exceed the area in the City; the total area covered by critical areas (and their buffers) is approximately 2,208 acres. This analysis did not include the coverage of regulations related to SMC 15.12 Flood Hazard Regulations; in addition to the floodway, the floodplain accounts for an additional 935 acres (21%) of the City.

[2] Acreages based on GIS may differ from Assessor data

City of Snoqualmie

Housing Strategy Plan

May 2023

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Photo credit (cover page and chapter titles): LDC, Inc.

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C. EXECUTIVE SUMMARY

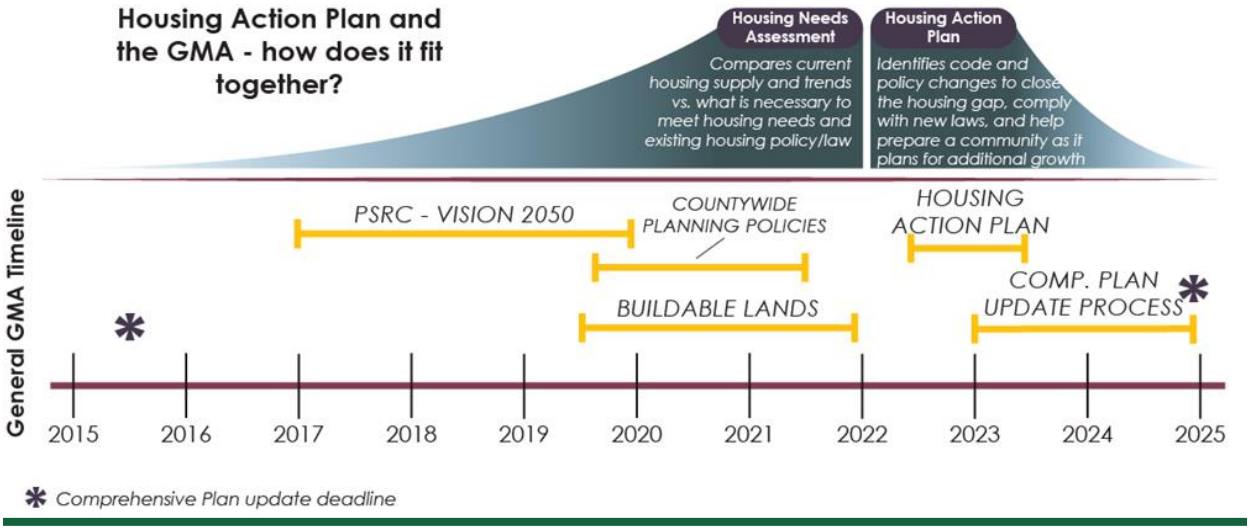
Introduction

The high costs/rent of housing is a major issue facing our region. As the four-county region (Pierce, King, Snohomish, and Kitsap) continues to grow, adding 1.8 million more people between 2017- 2050, action must be taken so that everyone in communities across the region can find a place to live that is affordable to them and meets their needs.

*Recognizing the need to focus on housing, the Washington State Legislature passed House Bill (HB) 1923, enacted as RCW 36.70A.600, which provides grant funds to help cities develop a Housing Action Plan (HAP). The cities of Snoqualmie, North Bend, Duvall, and Carnation jointly applied for and received HAP funding through the Department of Commerce. The regional approach provides an opportunity for the City to compare housing issues facing the four communities, through the development of a regional Housing Needs Assessment (HNA). City-specific strategies and actions to address identified housing issues are then developed in the individual HAP for each community. Snoqualmie has chosen to call their document the "**Snoqualmie Housing Strategy Plan**," referred to as such or abbreviated "HSP" when speaking specifically about this plan. The grant program more generally will continue to be referred to as Housing Action Plan or HAP.*

Overall, this project provides the opportunity to study the existing and future housing needs for the community, engage the community on these important issues, and develop strategies and actions the City can consider in the future.

The timing for this project is ideal as the City is beginning the required 2024 periodic update to the comprehensive plan and development regulations. As part of this process, the City will be evaluating how to accommodate additional population and employment growth, and plan for a variety of housing types and various income levels.



The HSP plays an even more important role in the update given recent legislative changes. In 2021, the Washington State Legislature amended the Housing Element requirements of the Growth Management Act (GMA) through HB 1220.

HB 1220 strengthened the GMA Housing Element in a variety of ways. This includes new language that encourages the availability of affordable housing and requires cities and counties to plan for and accommodate housing that is affordable to all economic segments of the population. This puts a greater responsibility on local government to plan for housing for low- and moderate-income households. The HSP will assist in providing options to do this that Snoqualmie can consider as part of the periodic update.

Snoqualmie's housing targets and the Housing Strategy Plan

The HSP provides several code and policy options the City of Snoqualmie can consider to help address its housing issues. Some of the actions and strategies outlined in the plan will help the City make progress toward planning for its housing target, which is an essential component of the Comprehensive Plan periodic update. However, code and policy options within city limits are unlikely to lead to full accommodation of the City's housing target. Additional ways to accommodate the housing targets, including but not limited to annexation and planning for the City's Potential Annexation Areas (PAA), may need to be considered. A fuller range of options with which the City could accommodate its housing targets will be further explored as part of the Comprehensive Plan periodic update process.

Housing is top of mind for region's residents

In 2022, the Department of Commerce and Puget Sound Regional Council (PSRC) conducted a survey on twelve different state-wide issues ranging from transportation, climate change, healthcare to housing. What they found is that Washington residents are most concerned with housing costs/rents, homelessness, and overall cost of living. This is not news to state authorities, although it is important to gather input on top-of-mind issues from a large portion of the state population.

The survey's key findings include[1]*:*

- *78% of respondents say they want more housing options for people in their communities, including seniors, teachers, firefighters, childcare workers, and healthcare workers.*
- *Housing costs are a top issue for four times as many respondents (39%), compared*

[1] Puget Sound Regional Council & Washington State Department of Commerce Housing Survey, December 2022

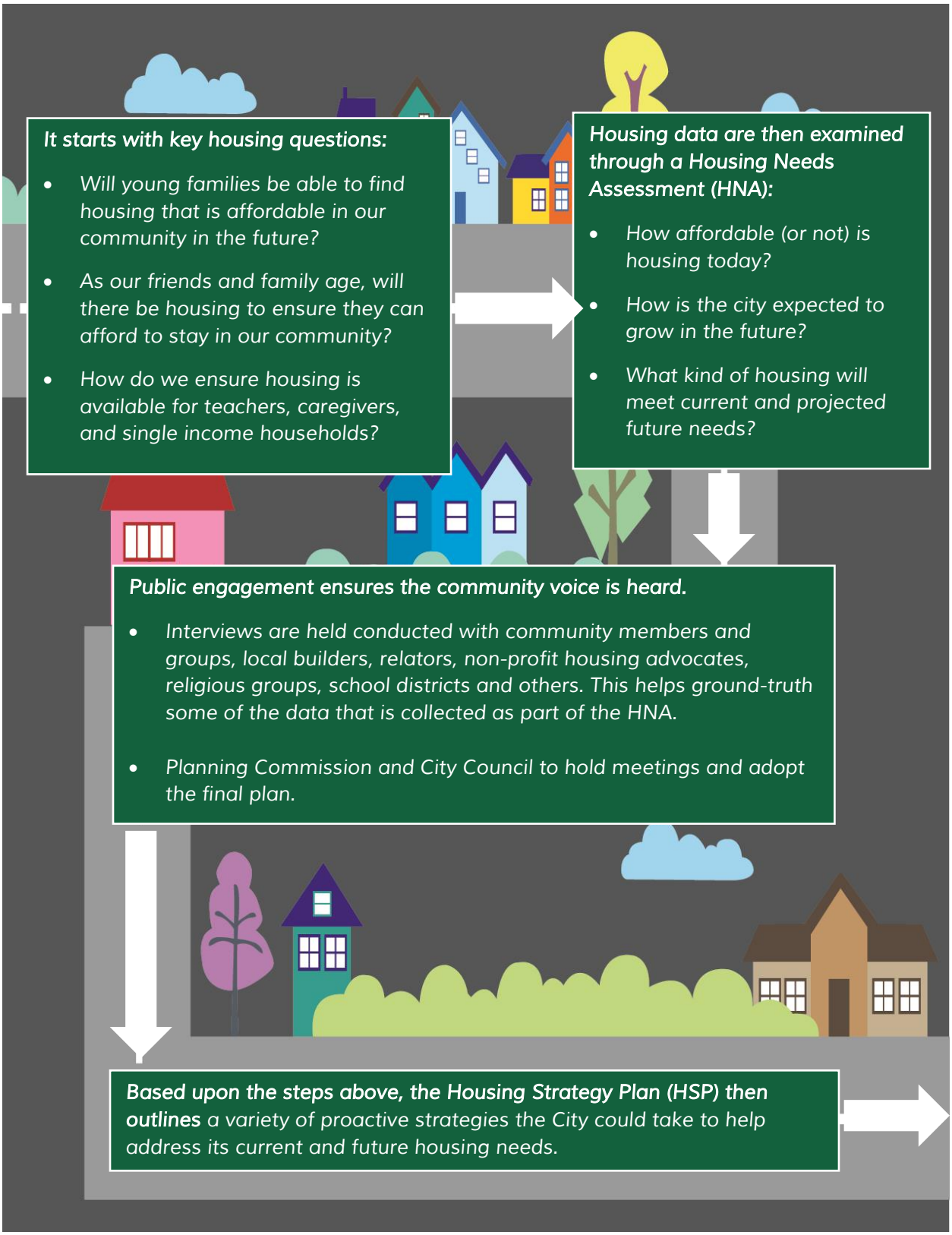
to traffic and transportation (8%).

- 74% of respondents have experienced one of more difficulties finding or affording housing.
- 83% of respondents say government agencies should work together to address the need for housing.

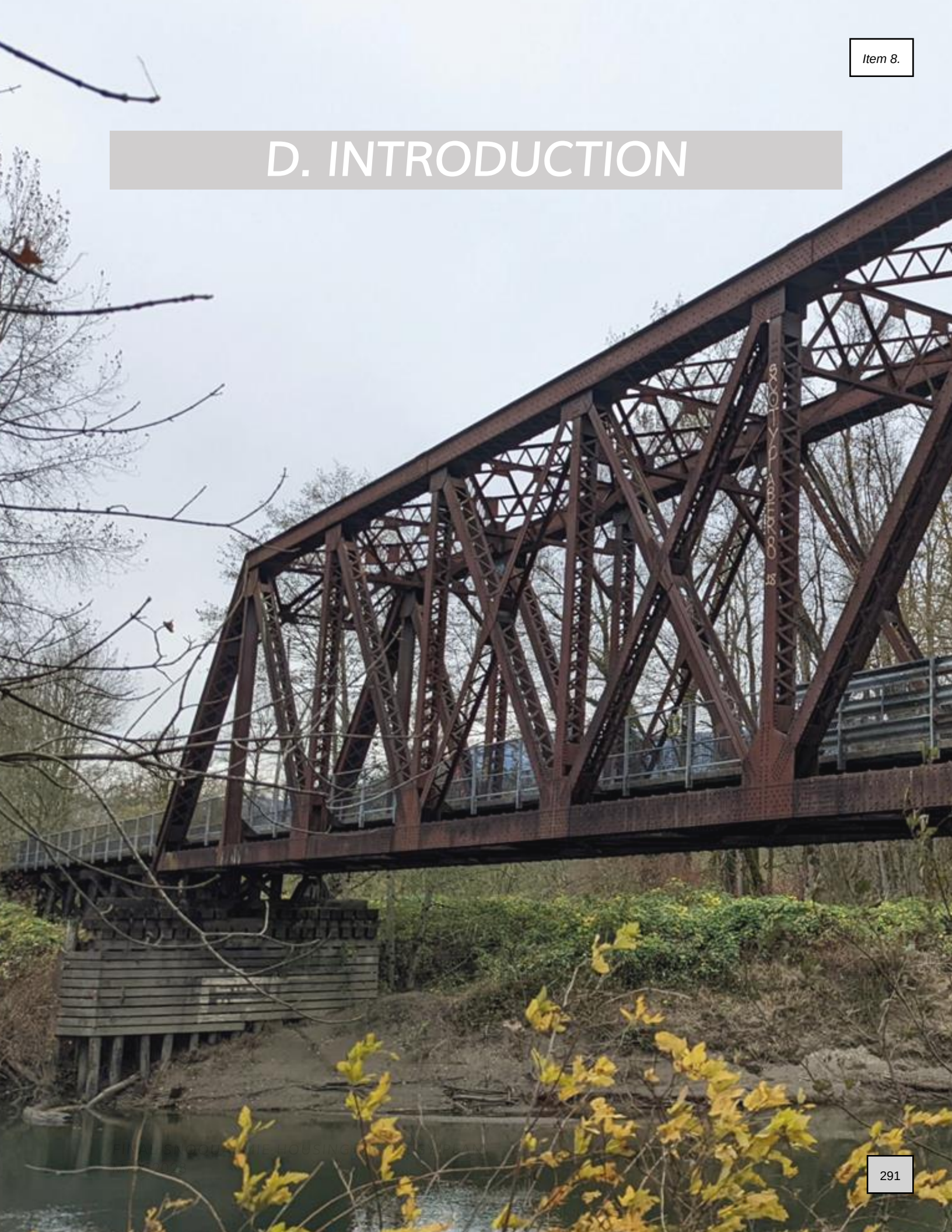
The Comprehensive Plan, Housing Action Plan, and Middle Housing Analysis are all efforts made by multiple agencies (state, city, regional organization, community members) to help address the housing issues Washington State residents are facing. Each of these projects gives elected officials tools and solutions to begin moving in the right direction. The state has acted on housing-related issues and over the coming years, we should begin to see the benefits of this work.

Photo credit: LDC, Inc.

Figure 1. How the Housing Strategy Plan (HSP) works

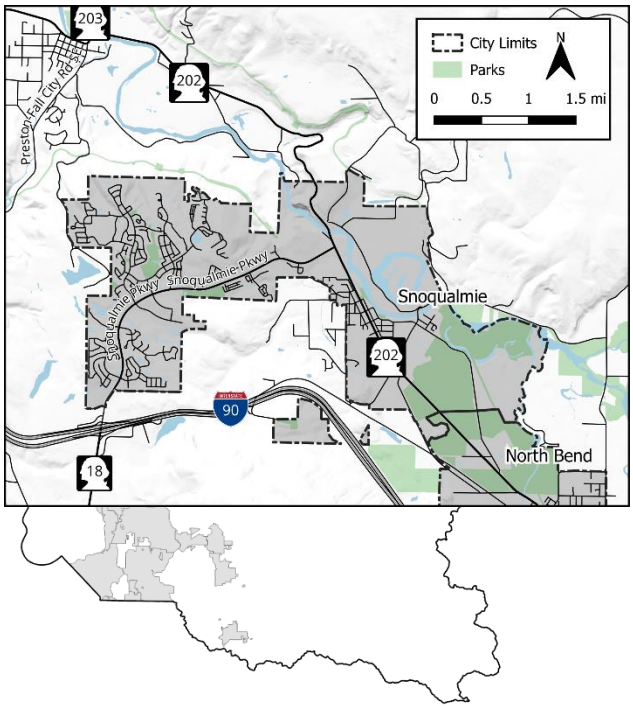


D. INTRODUCTION



COMMUNITY PROFILE

Snoqualmie, located in central King County, is home to just over 14,000 people. Situated 28 miles east of



Seattle, the community is best known regionally for Snoqualmie Falls and access to outdoor recreation. Snoqualmie is a bedroom community for the greater Seattle area but has been growing rapidly in population and local employment opportunities.

Above: Snoqualmie in relation to King County.

Below: Vicinity map of Snoqualmie.

The city is located on ancestral territory of the Snoqualmie Tribe, a group of Native American peoples from the southern Salish Sea region of Washington State. The region is rich in deer, elk, and salmon and sustained Indigenous populations since time immemorial. The Snoqualmie Tribe originally lived along the Snoqualmie River from North Bend to the junction of the Skykomish and Snoqualmie Rivers. Today, the city of Snoqualmie is approximately 6.5 square miles located in the Snoqualmie Valley between North Bend and Fall City.

Snoqualmie has grown by nearly 60 percent since 2010 for an average annual growth rate of 3.99 percent. This reflects the dichotomy of Snoqualmie's history – the older core of the small city in the floodplain of the Snoqualmie River, and the Snoqualmie Ridge master-planned community to its west, which grew rapidly after 2000, eclipsing the older core of the city in size.

Snoqualmie's median age is 36.3 years, and median household income is more than $159,000 per year. Nearly 8 in 10 housing units are single-family detached homes. The median home is worth $1,131,037. The city will need 1,079 new housing units to account for its projected growth out to 2044 but only has capacity for 167.

PROJECT OVERVIEW

The development of this plan has engaged the community in an important conversation about housing. Key questions include:

- *Will there be enough housing that is affordable to all households?*
- *Do the homes being built today meet the needs and means of current and future residents?*
- *How will the City meet the housing needs of an aging population?*

To begin to answer these important questions, Snoqualmie, North Bend, Carnation, and Duvall commissioned an analysis of housing data. The so-called Regional Housing Needs Assessment (Appendix 1) looked at a range of metrics across all four cities, including demographics, workforce, housing market, and land capacity. An individual HNA looked more in-depth at city-specific data and issues. The HNA summary, located in Chapter E (with full individual HNA located in Appendix 2) provide important insights on issues like:

- *How affordable (or not) is housing today?*
- *How is the city expected to grow in the future?*
- *What kind of housing is necessary to meet current and future needs?*

The intersection between key housing issues identified by the community and data highlighting current and

House Bill 1923 Requirements for a Housing Action Plan

- *Quantify existing and projected housing needs for all income levels, including extremely low-income households*
- *Develop strategies to increase the supply of housing, and variety of housing types*
- *Analyze population and employment trends, with documentation of projections*
- *Consider strategies to minimize displacement of low-income residents resulting from redevelopment*
- *Review and evaluate the current housing policies*
- *Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups*
- *Include a schedule of programs and actions to implement the recommendations of the housing action plan*

future housing needs leads to the development of a HAP (in this case, HSP). The HSP, located in Chapter F, outlines strategies and actions to ensure the City offers the appropriate supply and type of housing to meet future demand for all income levels.

Housing strategies are focused on important topics such as:

- *Providing a wider variety of housing types*
- *Providing incentives for new rental housing*
- *Bringing down the cost of development*
- *Preventing and mitigating displacement*
- *Improving the permit process*

The actions identified within the HSP are regulatory and policy changes focused on implementing the strategies listed above. A variety of options have been identified for the City to consider moving forward. Pros and cons for adopting certain code changes, and the identification of other jurisdictions who have considered similar changes, assist in making this a user-friendly document for Snoqualmie moving forward.

House Bill (HB) 1923

In 2019, the legislature passed HB 1923, encoded as RCW 36.70A.600, to assist cities in developing a HAP that will encourage construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes. The cities of Snoqualmie, North Bend, Carnation, and Duvall applied for and received a grant to develop a regional HNA and individual HAPs in accordance with HB 1923.

The Washington State Department of Commerce ("Commerce") deadline for the adoption of a HAP is June 30, 2023. A copy of the statute created by HB 1923 is available for reference in this Plan in Appendix 5.

Plan Impact on Housing Prices

Housing affordability (or lack thereof) is a big issue in the region. There are many reasons why housing has become so expensive, and cities can only address certain aspects of the problem. While the City could reduce fees for certain housing types, consider additional areas to allow for higher density housing, or provide more options for senior housing, they do not control fluctuating economic costs such as labor shortages or the rising cost of lumber, for example.

This Plan is a piece of a larger puzzle that aims to help address important housing issues in our region. If many communities in our region takes the steps that Snoqualmie is taking as part of this Plan, it will have a positive overall impact on housing affordability issues in the region.

GOALS AND OBJECTIVES

As noted in the Snoqualmie's Comprehensive Plan, almost half of the city's homeowner and renter households are classified as cost-burdened by rising housing costs, meaning they pay more than 30 percent of their income toward their housing. The City has developed the HSP to address this and other housing issues.

Goals

- *Assess Snoqualmie's housing needs*
- *Through a public engagement process, develop strategies addressing housing needs for the residents of Snoqualmie*
- *Prepare a HSP that is consistent with the housing element of the City's Comprehensive Plan and addresses goals and policies*

Objectives

- *Develop strategies and recommendations to increase the supply and types of housing needed in Snoqualmie*
- *Develop zoning, regulatory, and incentive strategies to support housing that meets the needs of Snoqualmie*
- *Evaluate and refine existing housing policies and actions*
- *Develop recommendations based on HNA data*
- *Identify a schedule of actions to implement the recommendations of the HSP*
- *Craft potential solutions for Snoqualmie in light of actions and issues elsewhere in the valley*

PUBLIC PARTICIPATION

The HSP was developed with a range of public engagement. The intent of engaging the public is to better understand what the people of Snoqualmie envision for their housing future.

Interviews

Interviews were conducted with groups identified by City staff. This involves interviewing community-based organizations (CBOs), including non-profit housing advocates, local builders and/or realtors, faith-based organizations, and general community groups to better understand their values and priorities and to hear any recommendations they have for how best to engage people who live, work, and play in Snoqualmie. Ten interviews were conducted in total, representing various community groups or individual community members.

The project team asked questions about community engagement and housing, which can be read in THE Summary of Engagement Results in Appendix 8. The overarching themes that were revealed through the interviews were the high cost of housing, need for more housing options for seniors, support for and

concern surrounding some proposed changes, and more.

Website

The City and project team developed a section on the City's Affordable Housing webpage and a press release and hosted the Draft Housing Action Plan and final Individual Housing Needs Assessment on the Konveio web platform. This allows the public to comment on interactive documents.

PLAN ELEMENTS

The goals and objectives described in the previous section are implemented through the development of this plan as well as the regional and individual HNAs.

Housing Needs Assessment (HNA) – High Level Findings

Snoqualmie is a highly desirable place to live, offering unique character and beautiful natural surroundings. As the city and surrounding region have grown, the demand for a limited supply of housing has also grown. The following are high-level findings.

- Rents and home values in Snoqualmie are rising faster than incomes. This makes affordability a challenge, especially difficult for households earning below the median annual income.
- Snoqualmie has a median age of 36.3 (up from 32.5 in 2010) and an average household size of 3.04 people per household.
- As of 2019, 2,900 people employed in the city lived outside the city and 5,067 people lived in the city and worked elsewhere. Only 322 people both worked and lived in the city.
- Snoqualmie has grown 60 percent since 2010. Roughly 421 units have entered the permitting pipeline since 2019.
- In addition to the lack of overall available housing, the portion of Snoqualmie's population that is aged 65 and older. This will create added pressure as well as a need for more accessible housing. Therefore, providing a variety of housing types will ensure there is housing for all.

Housing Strategy Plan (HSP) – High Level Approach

The HSP pairs the HNA findings with community goals to bring forward an identifiable set of actions and strategies the City can consider. The HSP is organized in the following sections:

- Review of Snoqualmie's existing housing policies
- Development of strategies to address the housing goals
- Actions to implement each of the housing strategies

The strategies in this Plan are:

- *Provide a wider variety of housing types*
- *Provide incentives for new housing*
- *Bring down the cost of development*
- *Prevent and mitigate displacement*
- *Improve the regulatory environment for permits*

Each of the actions identified and developed to implement these strategies includes the following:

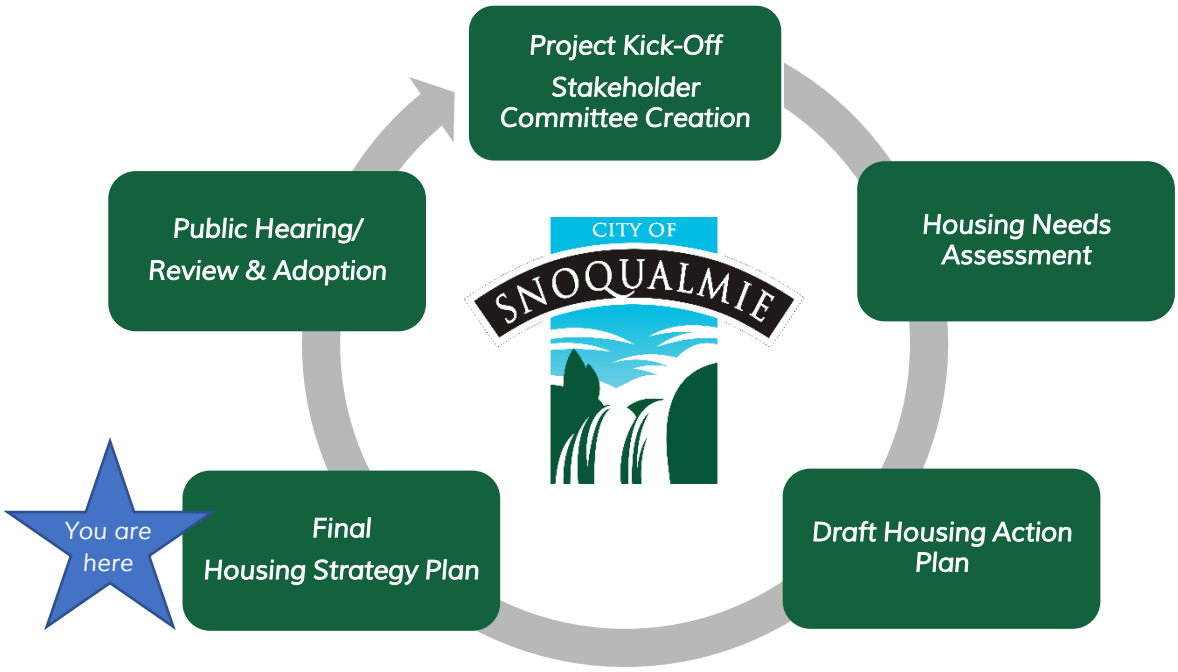
- *Specific description of the actions or options being studied and recommended*
- *Highlight the strategy this action addresses*
- *The pros/cons of the action*
- *Outline areas of code or policy that could be modified.*

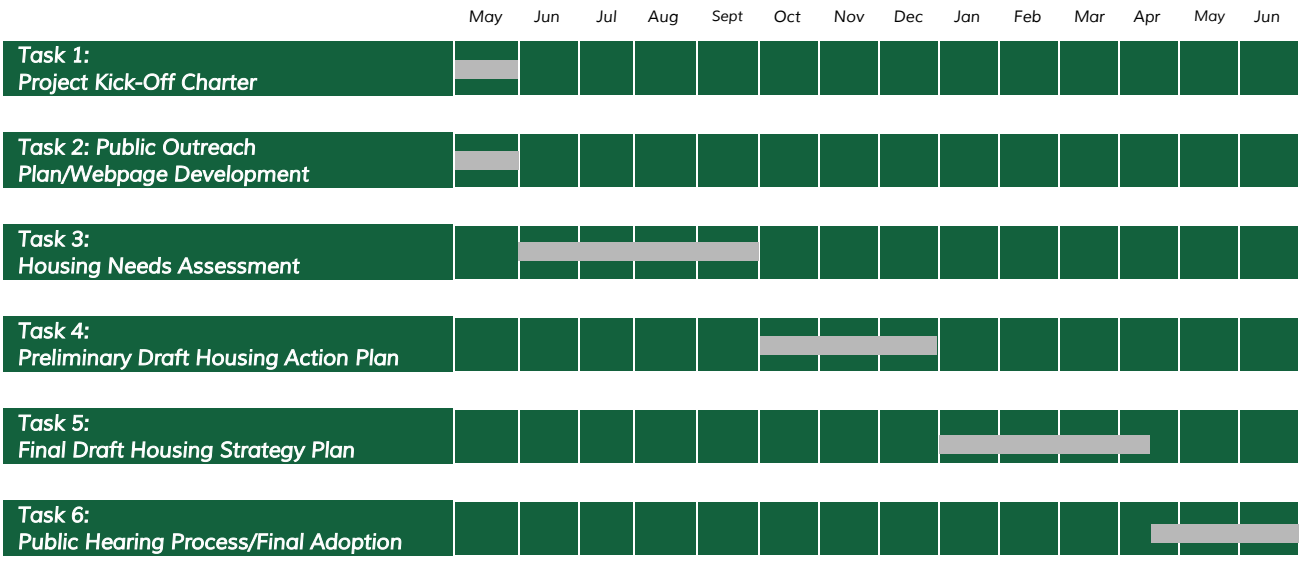
Photo credit: LDC, Inc.

PROJECT TIMELINE

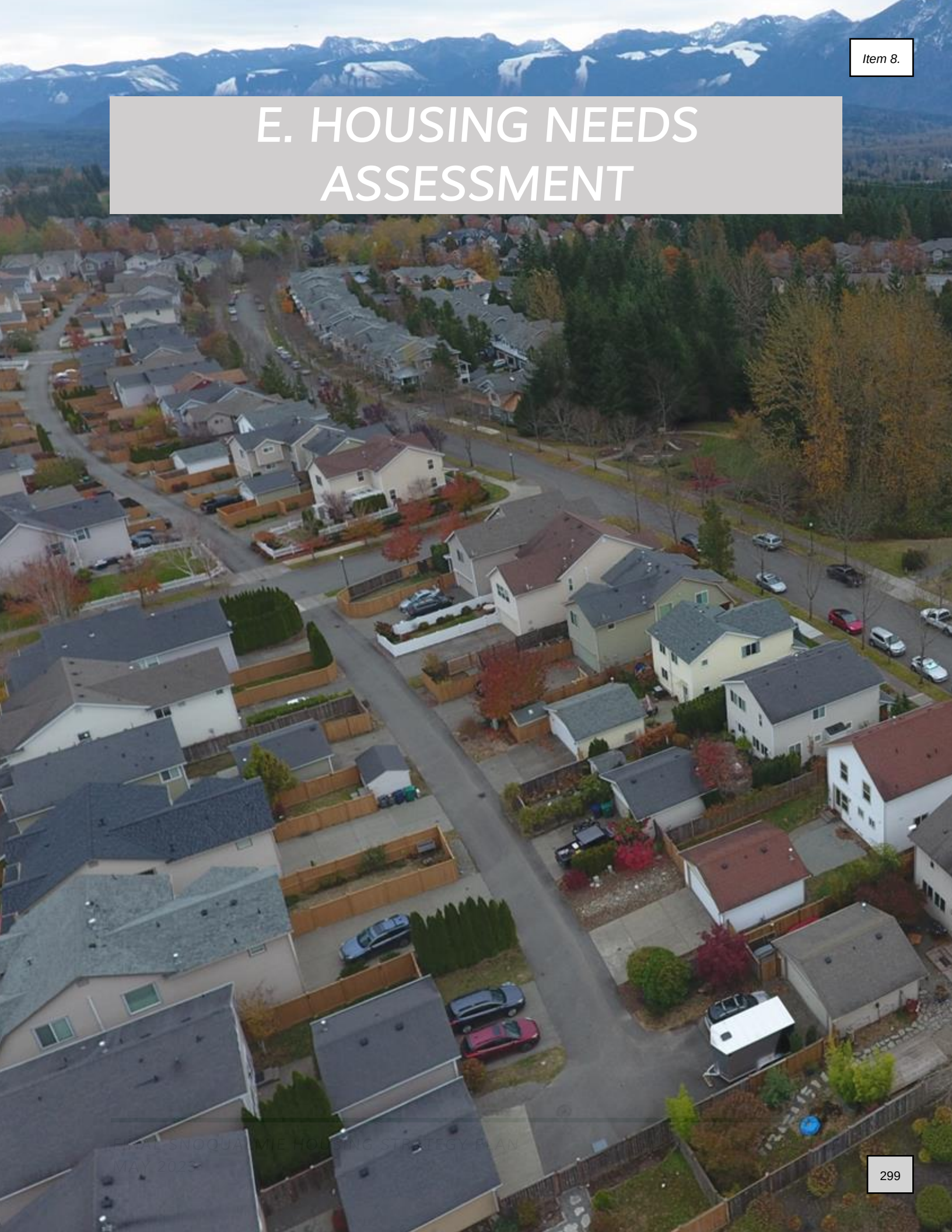
The Commerce deadline for adoption of a HAP is June 30, 2023. The following process and schedule were followed to ensure state requirements and project goals were met for the HSP.

Figure 2. Timeline and Process Graphic





E. HOUSING NEEDS ASSESSMENT



HOUSING NEEDS ASSESSMENT

This section contains a summary of the HNA's findings. The full Regional HNA and individual HNA can be found in Appendix 1 and Appendix 2, respectively.

Introduction

The need for housing in Snoqualmie is challenging, and these needs will broaden as the community changes over the next few decades. A key initial step to address housing challenges is to analyze the best available data that help accurately define the range of unmet housing needs and the depth of affordability needs. This analysis should answer questions about the availability of different housing, who lives and works in the community, and what range of housing is needed to address housing needs and demands into the future. Housing analysis is an important exercise because housing needs tend to evolve based on changes in the broader economy, local demographics, and regulatory environment.

Snoqualmie has grown over the past couple decades as Snoqualmie Ridge has been built. While Snoqualmie Ridge has little capacity remaining, growth pressure and home prices in Snoqualmie remain high.

Analyzing housing is complex since it represents a bundle of services that people are willing or able to pay for, including shelter and proximity to daily household needs (job, grocery shopping, healthcare), access to public services (quality of schools, parks, etc.), and lifestyle amenities (type and quality of home fixtures and appliances, landscaping, views). It is difficult for households to maximize all these services and minimize costs. As a result, many families make tradeoffs and sacrifices between needed services and what they can afford.

Housing markets tend to function at a regional scale, which makes it a challenge for jurisdictions to adequately address issues individually. This also presents a prime opportunity for cities like Snoqualmie to broadly meet their housing needs. The following section helps frame the broader context associated with key housing trends.

Photo credit: LDC. Inc.

Broader Demographic Trends

Several demographic changes have emerged since the mid-20th century that have influenced housing demand. These trends help explain forces shifting the housing landscape that are beyond the local purview.

- *Nationally, family households with children and*

parents/guardians shrank from 40 percent in 1970 to 20 percent in 2018, while the share of single-person households increased from 15 to 28 percent over that time.[2] *Persons living alone have become the most prevalent household type, which could result in smaller household sizes and increased housing unit demand.*

- *Around one-third of Americans between 18 and 34 are now living in their parents' homes, possibly delaying their household formation.*
- *The population is aging, and the number of U.S. seniors will continue to grow over the next twenty years as the Baby Boomer generation exits the workforce. National estimates suggest that around 22 percent of Americans will be over 65 years of age by 2050. Seniors are projected to outnumber children for the first time ever by 2035. This is significant considering that currently, the over 65 age group is about 13 percent of the population in Snoqualmie. The aging Baby Boomer generation (born 1946 to 1964) could result in greater demand for smaller housing for those wishing to "downsize" and greater demand for assisted living housing situations*[3].
- *Nationwide, the Hispanic/Latino population is predicted to be the fastest growing racial/ethnic group over the next few decades. The growing diversity of American households will have a large impact on domestic housing markets. Over the coming decade, minorities will make up a larger share of young households and constitute an important source of demand for rental housing and small homes.*
- *Another factor affecting housing is the COVID-19 pandemic. Since its emergence, the pandemic has slowed the production of housing in many regions, first due to supply chain snarls, then due to inflation. However, work-from-home and other pressures have increased demand in cities like Snoqualmie. These types of trends should be monitored as communities adjust.*
- *Another factor crucial for estimating housing needs is population growth. The growth around Puget Sound has been intense, with the region welcoming one million new people (total of 4.3 million) since 2000 and a forecast showing a similar population surge through 2040.*[4] *Snoqualmie has, in fact, grown even faster than King County or the state as a whole, growing by 3.99 percent between 2010 and 2022.*

[2] Sources: AARP (2018) Making Room for a Changing America, U.S. Census Bureau Annual Social and Economic Supplements 1950 and 1970, 2015 U.S. Census ACS, PSRC Draft 2050 Forecast of People and Jobs.

[3] AARP (2019) "2018 Home and Community Preferences: A National Survey of Adults Ages 18-Plus

[4] Puget Sound Regional Council (PSRC). 2017. Land Use Vision Dataset. Retrieved from: https://www.psrc.org/projections-cities-and-other-places.

Snoqualmie Housing Needs Assessment Results Summary

Snoqualmie Housing Gap and Housing Production Target

Using the 2015-2019 HUD-CHAS data on cost burden, Snoqualmie was during that period home to 214 households who rent their housing unit who are cost burdened (paying more than 30 percent of their incomes in rent). There are also 324 households making 80 percent or below of the AMI who own their unit who are cost burdened. There are **188** *units of subsidized affordable housing at the Panorama Apartments project aimed at low-income households that did not exist during the survey period. Therefore, the current gap between what is affordable and available for households making under 80 percent of the median income and the current demand is* **350 units.** *If a more restrictive threshold of paying more than 50 percent of income toward housing is used, there are 14 renting households and 39 owning households who are paying at least 50 percent of their incomes toward rent, for a total gap (after deducting subsidized units) of* **164 units.** *These cost burden figures are illustrated in Figure 38 of the individual HNA.*

Snoqualmie is majority white, but the primary language spoken is English.

Of the Snoqualmie residents of one race, 81% are White, 13% are Asian, 0.5% are Black or African American, and 0.1% are American Indian and Alaska Native alone. When compared against King County, Snoqualmie has a similar but lower level of population diversity.

According to the U.S. Census Bureau, the dominant language spoken at home by Snoqualmie's residents who are 5 years of age and above is English (84.7 percent). The second most spoken language is other Indo-European languages (7.9 percent). Smaller percentages of households speak Asian and other Pacific Island languages and Spanish.

Snoqualmie has many young families living in the city.

Since housing needs change over a person's lifetime, it is important to track shifts among age cohorts to anticipate expected demand.

Snoqualmie's age makeup is concentrated first in adults ages 35 to 44, and then in children ages 5 to 14. This age distribution could indicate Snoqualmie has a large number of families at their peak reproduction years with school-aged children.

The age breakdown dominance by early middle-aged adults with young children means that if today's residents age in the community, by 2040, around a quarter of Snoqualmie's current residents would be 65 or older.

As noted earlier, the dominant housing available in Snoqualmie is larger single-family structures. This in large part reflects the dominance of people aged 35 to 49 and the children of that age group. A comparatively small fraction of the city's current population is at or near retirement age. However, the Housing Strategy Plan should include strategies to

address the increased housing needs for other cohorts as demographic change occurs.

Homeownership rates tend to increase as age increases, and older people are more likely to live in single-person households that tend to be smaller in size. The aging of the Baby Boomer generation (born 1946 to 1964) could also generate greater demand for housing offering living assistance, multigenerational accommodations, and opportunities for residents to age-in-place or age elsewhere in their community. Overall, these trends indicate high demand for "missing middle" housing (e.g., ADUs, townhomes, triplexes, duplexes, quad homes, and cottages), which allows more seniors and couples to downsize and remain in their community. [5]

Increased demand, housing scarcity, rising costs and lagging household incomes particularly for households who own their home.

According to the OFM, between 2010 and 2022, Snoqualmie constructed 1,110 new housing units. During this time the city's population grew by 3,820. Since 2010, 334 new structures with 2+ units have been built, versus only 792 one-unit structures.

Both median rents and house values have increased dramaically between 2010 and 2020. The median rent in Snoqualmie increased from $1,552 in 2010 to $2,224 in 2020, while house values increased from $477,000 (2010) to $640,700 (2020). According to Zillow, the median home value has risen at an even raster rate between the years 2020 and 2022. The median home value in August of 2020 was at $697,735 and has risen to $1,011,912. This is an increase of more than 45 percent in two years. These numbers are in line with the extremely rapid run-up in house prices and values region-wide. The market has softened in recent months due to rapidly rising interest rates, but significant erosion in value is unlikely.

Alongside housing cost increases, the median household income in Snoqualmie was $116,020 in 2010 and $159,450 in 2020, for a growth of 37 percent over that time and an average annual growth rate of 3.2 percent. Median income for households who own their unit grew from $123,795 in 2011 to $167,768 in 2021, an increase of 35 percent. Median income for households who rent their housing unit rose from $66,744 in 2010 to $95,896 in 2021, an increase of 44 percent.

This means that the incomes for both renters and owners have largely kept up with the rising cost of homes to buy and rent. Home prices have risen by 34 percent and the incomes of homeowners have risen by 35 percent. Rental rates have risen by 43 percent and the incomes of renters have increased by 44 percent.

Where feasible, additional home ownership opportunities should be provided for households earning less than 80 percent of the area median

[5] "Missing middle" housing referred generally herein as middle housing primarily includes single-family attached housing with two or more units (duplexes, triplexes, quad homes, townhomes, courtyard cottages, accessory dwelling units, etc.) or other housing bridging a gap between single family and more intensive multifamily housing.

income. Given the high incomes in King County, less than 80 percent of the AMI is less than roughly $95,300 per year for a family of four. Housing serving this income bracket tends to be rental housing, with some smaller-sized middle density housing (i.e. duplex, triplexes, condos). Demand for middle housing and rentals, especially 1- to 2-person households, is increasing mostly due to aging baby boomers. However, as noted previously, capacity is limited under current zoning and city boundaries. As a result, strategies should be developed to support middle housing production, including within the unincorporated urban growth area. The Snoqualmie renter population tends to include households at the moderate to lower income levels, and the rising cost of housing has disproportionate impacts for units priced at these levels. Consequently, additional production of apartments, multiplexes and middle housing, and subsidized housing should be further supported.

Snoqualmie residents commute outside the city for work, and people who work in Snoqualmie do not live there.

Understanding Snoqualmie's workforce profile and commuting trends will help plan for workers' housing needs. Factors such as job sector growth and the city's commuting patterns may have implications for how many people are able to both live and work within the city. If such factors indicate many people are commuting into the city for work, it could be possible that the city does not have enough housing to accommodate its workforce or enough housing that matches their needs and affordability levels.

As of 2019, (the most recent year for which these data are available), Snoqualmie is home to 5,053 jobs and 6,473 employed people. Approximately 91 percent of employed people (5,883 out of 6,473) who live in Snoqualmie are employed outside of the city limits, and they commute largely to communities like Redmond, Seattle, Issaquah, and Bellevue. The Census also estimates that of Snoqualmie's 5,053 jobs, approximately 88 percent (4,463 jobs) are filled by workers who live outside of the city limits.

Of Snoqualmie's employed residents in the civilian labor force, 6,186 are private wage and salary workers, 973 work for some level of government, and 219 are self-employed or unpaid family workers.

Snoqualmie continues to be a high-income community. When considering the after-effects of the COVID-19 pandemic as well as planned future employment growth in Snoqualmie, the City will need to focus both on providing more space for opportunities for entry-level homeownership as well as ensuring that workforce housing forms a significant part of future housing construction.

Snoqualmie's housing stock is relatively new and mostly single-family.

The vast majority of Snoqualmie's housing stock (79.3 percent) are single family homes. Most of Snoqualmie's housing units have 3 or

more bedrooms and most of the housing stock was built between 2000 and 2009.

Growth pressure is high in Snoqualmie, but with the housing stock being young overall, redevelopment pressure is not high. However, with much of its housing stock in relatively good condition, conversion of existing single-family homes to middle housing could be considered. Other options include amending the development agreements for Snoqualmie Ridge to add more opportunity for infill.

The low supplies of single-family attached housing such as townhomes, triplexes, duplexes, and cottage courtyard apartments and multifamily housing should be addressed to provide broader housing options. In addition, demand is expected to increase for single-family attached housing mostly due to aging baby boomers and young households forming.

Racial and ethnic disparities merit a targeted approach to relieving cost burden.

Among households who own their housing units, 26 percent of white, non-Hispanic households (head of household) who own their homes face some level of cost burden. 47 percent of white households who rent their units face cost burden. While most racial groups report low numbers due to sampling error and data disaggregation performed by HUD and the census bureau for privacy reasons, 63 percent of renter Hispanic households and 47 percent of white non-Hispanic households who rent their housing unit face some level of cost burden.

Despite the limitations of these data due to margins of error and sample size, it is clear that cost burden is not just a problem facing renters.

Snoqualmie faces a significant gap in housing unit capacity within current city limits.

The City's growth target, as adopted in the King County Countywide Planning Policies, is 1,500 housing units between 2021 and 2044. Given 421 units of pipeline projects since then, the current gap is 1,079 units. According to the Buildable Lands Report (Urban Growth Capacity) produced by King County, the City has roughly 167 units of existing capacity within current city limits.

Photo credit: LDC. Inc.

F. HOUSING STRATEGY PLAN

Overview

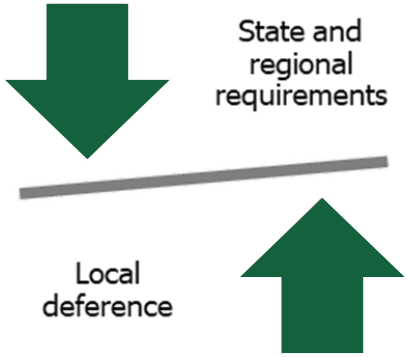
Our region has and will continue to face great challenges as we grow. This includes the ability to provide affordable housing. Housing element requirements under the Growth Management Act (GMA) outline requirements to "…ensure the vitality and character of established residential neighborhoods…". This includes provisions for protections of housing "… for existing and projected needs of all economic segments of the community" (RCW 36.70A.070(2)). At the same time, cities are growing, and redevelopment pressures will continue to occur. As redevelopment occurs, the key is focusing on policies and regulations that minimize displacement and preserve affordable housing options. These are difficult planning challenges, and it takes a proactive approach to meet these challenges head on.

In addition, Snoqualmie faces some unique challenges and opportunities due to its housing types and development patterns, somewhat isolated physical location, and geographical constraints (Snoqualmie River floodplain and a mostly built-out footprint). This HSP presents analysis, strategies, and a range of actions to consider.

Connection to Comprehensive Plan Process

Snoqualmie will update its Comprehensive Plans no later than December 31, 2024. As part of that process, the City will be planning for growth out to 2044. The amount of growth the City decides to plan for is linked to the types of actions necessary to meet housing goals. The more growth expected, the more creative the City must be in order to accommodate that growth. The elements and objectives of the HSP will help support the implementation of growth and housing strategies as the City moves forward.

Planning is a balance between state and regional requirements, and substantial local deference is afforded to Snoqualmie so it can plan in a way that is best for its community.



While broad housing requirements are outlined within the Growth Management Act (RCW 36.70A.070(2)), policies are also developed at the regional and countywide levels. The Puget Sound Regional Council (PSRC) is a regional body that develops policies around transportation, economic development, and growth (including

housing). VISION 2050's multicounty planning policies and regional growth strategy guide planning at the countywide level and comprehensive plans done by cities and counties.

The Growth Management Planning Council (GMPC) facilitates the development of King County's Countywide Planning Policies (CPPs), which help ensure King County and the cities within the county coordinate on growth issues. The policies contained in the CPPs are further refined at the local level as the City completes its Comprehensive Plan update. The HSP provides an opportunity to proactively look at housing issues and identify possible solutions that can be implemented as this planning takes place.

Definitions of Income Ranges Used to Define Affordability

Several of the recommended actions and strategies in this HSP address housing affordability. The following definitions of income ranges are based on King County's Area Median Income, or AMI (updated annually, used interchangeably here with HUD's definition of Median Family Income). The actual makeup of household incomes in Snoqualmie specifically may differ from that of King County more broadly, but AMI is the baseline for measuring affordability using the best available data. The income ranges and their definitions are as follows:

- *Extremely Low Income – 30% AMI and below*
- *Very Low Income – 30-50% AMI*
- *Low Income – 50-80% AMI*

King County's median family income for fiscal year 2022 is $134,600 for a family of four. The income ranges for this Plan for the City of Snoqualmie translates as follows depending on family size.

- *Extremely Low Income - $27,200 - $51,250 per year and below*
- *Very Low Income - $45,300 - $85,450 per year*
- *Low Income - $66,750 - $125,800 per year*

Long-Term Impacts of COVID-19 on Housing

The COVID-19 pandemic and the associated health and economic consequences continue to affect everyone in Western Washington and around the world. While the full story of the effects of COVID-19 on housing is still being written, several trends are emerging or likely to gain importance in the years to come.

First, for many of those whose employment can occur remotely, physical proximity to the workplace is a less important factor when choosing a place to live. Factors including access to parks, great schools, and being closer to family, may increase in importance. This is of particular relevance to Snoqualmie, as its location, natural amenities, and less expensive housing compared to many central Puget Sound communities could make it an increasingly popular relocation option for people from those communities whose work can be done remotely.

Second, the demand for new housing is continuing to outstrip supply, leading to continued upward pressure on prices. Labor and material shortages continue to make building housing expensive, and the locational decisions discussed above are leading to many more households with continued employment looking to change their housing situation.

Third, aftereffects from the periods of unemployment during the pandemic and the continuing period of high inflation and interest rates may lead to increasing evictions, with serious consequences for those households unable to afford their housing coupled with a spike in vacancies and continued financial stress for landlords and housing providers.

Housing Policy Analysis and Current Policy Conditions

Snoqualmie's Comprehensive Plan contains many housing policies in its Housing Element. Appendix 3 contains an analysis of the Comprehensive Plan policies that relate to housing.

The City should consider additions and revisions to its policies that support future actions in line with what is provided in this plan. Such policy additions should strengthen and support the actions recommended here, including (but not limited to) strengthening policy support for more diverse housing options, developing code and policies that mitigate the risk of displacement, and placing equity front and center when crafting future housing code and policy.

Housing Types Considered

Photo credits, following section: LDC, Inc.

Single-Family Housing

RCW 36.70A.600 specifically calls for the development of policies and strategies to increase the availability of single-family homes that are affordable to a wider range of households. This could include both detached and attached single-family dwellings. The HSP presents strategies and actions that can increase the availability and affordability of single-family homes.

Missing Middle Housing

The Revised Code of Washington (RCW) defines middle housing as, "buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or

clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing." (RCW 36.70A.030 as revised in 2023) The HSP includes actions that address various facets of this form of housing.

Accessory Dwelling Units

Accessory Dwelling Units, or ADUs, are small housing units attached to or separate from and accessory to a single-family home. These smaller dwellings, sometimes envisioned as homes for older parents or other relatives, hold promise as a way of providing basic, affordable accommodations for households that do not need much space while potentially providing a source of rental income for homeowners. Jurisdictions region-wide have recently pursued changes to their land use regulations to allow or further encourage ADUs as a way of addressing the housing affordability issue. Various actions are detailed in the following plan that could help incentivize construction of ADUs. Recent state law changes have changed how cities can regulate ADUs, and the HSP reflects this.

Multifamily Housing

Larger multifamily developments (five-plus units in a structure) make up roughly 20 percent of housing units in Snoqualmie. Some of these developments are a key part of Snoqualmie's inventory of naturally occurring affordable housing. Additionally, because of their construction techniques and economies of scale, new developments with affordable units tend to be this type of housing. Several of the actions in the plan involving incentivizing new rental housing and mitigating displacement address multifamily housing in some dimension.

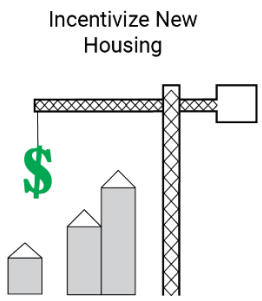
Senior Housing

Assisted living facilities, retirement communities, adult family homes, and other forms of senior housing will be increasingly needed as the population within the region ages. ADUs and missing middle housing can also play an important role in providing housing options for seniors that are affordable. Providing these housing options within the city allows current residents the ability to age in place.

Strategies

All actions proposed in this HSP can be categorized by their implementation of one of the strategies as outlined below. Each strategy is assigned its own icon and incorporated into the following action writeups according to which strategy or strategies each action addresses.

Incentivize New Rental Housing



The City has expressed interest in policy options to increase incentives available for creating new affordable and market rate rental housing. The HNA demonstrates that additional rental housing, particularly for low- to moderate-income households, is needed to reduce the cost burden of their housing expenses.

Incentives for rental housing can include the Multi-Family Tax Exemption (MFTE), waiving or reducing impact fees, and density bonuses to incentivize affordable housing options.

Bring Down the Cost of Development

The cost of developing new housing, regardless of type, includes labor and materials, the costs of permitting (including impact and mitigation fees), and the time and cost of permit processes. Several actions included in the HSP address the elements of this calculation most within the City's control, namely permit efficiency, fees, and time and process required to approve development.

Provide Wide Variety of Housing Types

The City can make progress on this strategy through several actions, including changes to zoning code to make various types of housing more widely allowed and demonstration programs for fee reductions. This includes senior housing, ADUs, and Missing Middle housing.

Prevent and Mitigate Displacement

This addresses both rent-restricted and non-rent-restricted rental housing. This can be done through rehabilitation of existing units or a waiver of certain fees that would allow a new development to offer new units whose rents approximately match housing that was displaced. Actions include public-private partnerships with neighborhood associations and landlords to bring down the cost of upkeep.

Improve The Regulatory Environment for Permits

The regulatory environment for new development and redevelopment varies by jurisdiction. The regulatory environment heavily influences what gets built, and where it gets built. Additionally, having a good regulatory environment impacts how long it takes to issue permits and how much it costs. Creating a smooth regulatory process for obtaining approvals on development proposals will incentivize development in the city.

Photo credit: LDC, Inc.

Housing Strategies and Actions Outline

The following strategies represent collections of actions that address a particular housing issue in a targeted way. The specific actions that fall under each strategy are listed below the strategies. Many actions appear under more than one strategy because they address multiple issues.

Strategy 1, Incentivize New Housing

- *Expand options for senior housing especially assisted living*
- *Expand temporary emergy and permanent supportive housing options*
- *Prioritze potential annexations and UGA swaps that could add residential capacity*
- *Recruit and partner with affordable housing specialists*
- *Multi-Family Tax Exemption – city wide use*
- *Encourage room rentals in existing homes*

Strategy 2, Bring down the cost of development

- *SEPA exemption options*
- *Options to improve ADUs*
- *Recruit and partner with affordable housing specialists*

Strategy 3, Encourage a wide variety of housing types

- *Implement R-3 zone*
- *Implement Planned Residential district*
- *Options to improve ADUs*
- *Clarify townhome definitions and standards*
- *Encourage room rentals in existing homes*

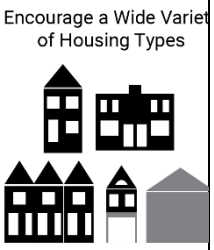
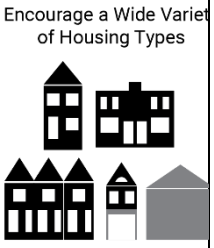
Strategy 4, Prevent and Mitigate Displacement

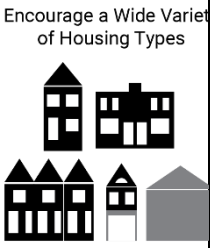
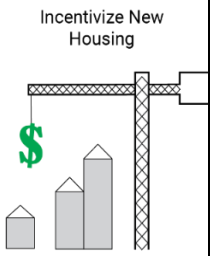
- *Multi-Family Tax Exemption – city wide use*
- *Tenant protections*

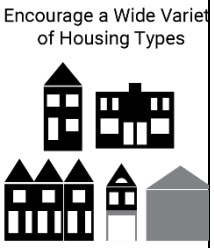
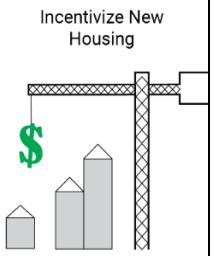
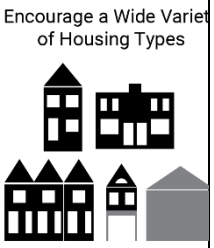
Strategy 5, Improve the regulatory environment for permits

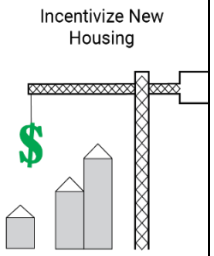
- *SEPA exemption options*

Action Schedule and Summary Table

Action	Primary Strategy	Target Group	Area of Applicability	Scale of Potential Impact	Timeline	When Snoqualmie Could See Results
Clarify townhome definitions and standards		Moderate to High Income Households	MU R-2 R-3, potentially Planned Residential	Small	Prior to comprehensive plan update deadline	Within 5 years
Expand options for senior housing, especially assisted living		Very Low to High Income Households	Business, office park, planned commercial/industrial, R-3, PRD	Small to moderate	Prior to comprehensive plan update deadline	Within 2 years
Expand temporary emergency and permanent supportive housing options		Very Low to Low Income Households	All residential zones, FBMU, MU	Small to moderate	Concurrent with Comprehensive Plan update	Within 20 years

Action	Primary Strategy	Target Group	Area of Applicability	Scale of Potential Impact	Timeline	When Snoqualmie Could See Results
Implement R-3 zone		Very Low to Moderate Income Households	Potentially large area of city depending on implementation	Moderate to large	After Comprehensive Plan update	Within 20 years
Increase flexibility for ADUs		Moderate Income Households	All residential zones, especially Snoqualmie Ridge and the R-1 zones	Small to moderate	Within 6 months of comprehensive plan update deadline (June 30, 2025)	Within 3 years
Balance short-term rentals and other housing needs		Moderate Income Households	City-wide	Small to moderate	After Comprehensive Plan update	Within 5 years

Action	Primary Strategy	Target Group	Area of Applicability	Scale of Potential Impact	Timeline	When Snoqualmie Could See Results
Encourage room rentals in existing homes		Low to Moderate Income Households	Single-family zones	Moderate	After Comprehensive Plan update	Within 5 years
MFTE – City wide use		Very Low to Moderate Household Incomes	City-wide	Moderate to large	Concurrent with Comprehensive Plan update	Within 3 years
Implement Planned Residential District		Low to Moderate Household Incomes	Potentially to various areas of city	Moderate to large	Concurrent with Comprehensive Plan update	Within 20 years

Action	Primary Strategy	Target Group	Area of Applicability	Scale of Potential Impact	Timeline	When Snoqualmie Could See Results
Prioritize potential annexations and UGA swaps that could add residential capacity		Very Low to High Household Incomes	City-wide	Large	Concurrent with Comprehensive Plan update	Within 20 years
Recruit and partner with affordable housing specialists		Very Low to Low Household Incomes	City-wide	Small to moderate	After Comprehensive Plan update	Within 5 years
SEPA exemption options		Very Low to High Household Incomes	City-wide	Small to moderate	After Comprehensive Plan update	Within 5 years

Action	Primary Strategy	Target Group	Area of Applicability	Scale of Potential Impact	Timeline	When Snoqualmie Could See Results
Tenant protections		Low to extremely low income households	City-wide	Moderate	Any time	Within 3 years

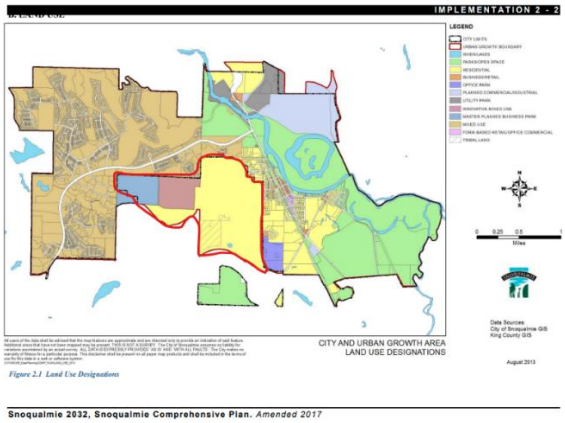
HOUSING ACTIONS

Prioritize potential annexations that could add residential capacity and housing options

The City of Snoqualmie does not currently have enough housing unit capacity to meet its projected housing need. According to the Housing Needs Assessment, the city has capacity for 167 housing units with a remaining growth target of 1,079 households, meaning it is short 912 units worth of land capacity for housing. While other actions in this HSP could work to close this gap, the greatest opportunity for new residential capacity that could help Snoqualmie successfully plan for its housing target lies within the unincorporated Urban Growth Area (UGA).

There are two primary areas outside city limits that could make compelling annexation areas and meaningfully contribute to the city's housing capacity and diversity: the current unincorporated urban growth area (UGA), located between the historic older portion of town and Snoqualmie Ridge, and the area around the I-90 diverging diamond interchange, in the southwest corner of the city.

Current unincorporated Urban Growth Area (outlined in red below left)



Diverging diamond interchange (above right)

The land within the Potential Annexation Area between Snoqualmie Ridge and the older portion of the city contains 98.31 acres of buildable land after accounting for critical areas, buffers, and existing residential uses or lands owned by the Snoqualmie Tribe.

A substantial part of that acreage can be found in the west of the PAA near a portion of Snoqualmie Ridge developed as a business park under the mixed-use zone. This might be a good location for a mix of mixed use, R-3, and R-2 zoning from west to east. R-3 appears in the zoning code but not on the zoning map. Given that it is described as being a good transition between nonresidential uses and other residential areas, R-3 could be a good fit near current residential areas in the city. Another potential option, particularly for the largest parcels just east of the current city boundary, would be the Planned

Residential zone (see PR zone action sheet). The Middle Housing analysis should examine potential capacity using these zones more in depth.

This area is currently designated as "Master Planned Business Park" and "Innovative Mixed Use" on the Comprehensive Plan Land Use Map, so at least a portion of this area would have to be redesignated during the Comprehensive Plan update or in an annual docket request in order to enter into an interlocal agreement with King County.

An alternative, which might be preferable, would be to adopt an ordinance establishing contingent zoning for specific areas in accordance with whatever land use designation is adopted as part of the Comprehensive Plan update. If the City chooses R-3 or Planned Residential for all or some of the land currently designated Master Planned Business Park and Innovative Mixed Use,

The rest of the UGA would be a good fit for a mix of R-1-4, R-1-7.5, and R-2 to enable more middle housing.

The other major area the City is considering potentially adding to the UGA and the city is a nearly 85-acre area on the north side of the diverging diamond interchange between Snoqualmie Parkway and Interstate 90 in the southwest corner of the city. This could be a good location to add workforce housing, permanent supportive housing, or assisted living, in addition to commercial uses closest to the interchange. This would have to be done via a UGA swap. Given that state law changes that would have enabled this did not pass in the 2023 session, it is unclear whether this swap will be possible.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. Depending on the action taken and the zoning applied to annexation areas, this could help the City encourage affordable housing if density incentives are provided (planned residential zone, for example). If MFTE is expanded to include the potential annexation areas or any area zoned the intended zones, for example, this could definitely assist the City in meeting its housing targets by income bands.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. Given the city's documented lack of enough capacity for 20 years of housing targets, annexation areas will be crucial to meeting housing targets.*
Cities that have taken the same or similar actions	*Not many communities in the Puget Sound region are as dependent as Snoqualmie is on using potential annexation areas in its UGA to meet its housing targets.*
Advantages	• *Annexation areas are one of the only areas of untapped and developable land remaining in the urban growth area.* • *The legislature may consider renewing and updating the annexation tax incentives*

	contained in RCW 82.14.415 that expired in 2015, which could provide an additional incentive to annex the areas.
Disadvantages	• *Annexation processes can be time consuming and expensive.* • *Truly developable properties in the unincorporated urban growth area are not grouped or contiguous in such a way as to make denser development straightforward, especially in the eastern portion of the UGA.* • *Straight residential annexations do not bring in sales tax revenue, which could make it difficult to make some of these annexations pencil.* • *Annexations and/or UGA swaps can take years, if not decades, to realize, so capacity would be unlikely to be realized within a short timeframe.*
Strategies implemented	

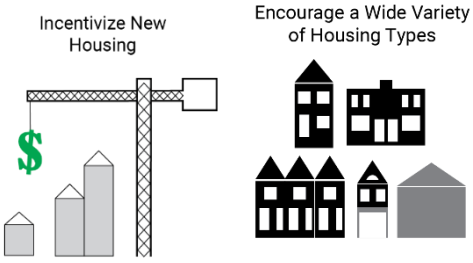
Implement R-3 zoning

A review of Snoqualmie's zoning code has revealed that its densest residential zone, R-3, is not implemented in code or assigned to any areas on the zoning map.

This represents an opportunity to improve the consistency of the City's comprehensive plan and development regulations, while also adding a diverse range of housing types.

Below are several options or considerations for the City to consider when implementing the R-3 zone.

- *Implement R-3 zone (see writeup on annexations). R-3 allows a wide range of housing types that are under-represented in Snoqualmie, but it does not appear to be implemented anywhere on the zoning map and does not appear in the use table in SMC 17.55.020.*
- *This would also include deciding whether to implement separate design standards for R-3, apply the R-2 design standards contained in SMC 17.55.055, or not require design standard compliance in the R-3 zone.*
- *Since the R-3 zone would be one of Snoqualmie's main tools to create more middle housing on a large scale, the City should consider changes to definitions and use regulations to more closely align the zone with the intent of the Housing Element of the comprehensive plan and the Middle Housing grant program. For example, RCW 36.70A.070(2)(b) specifically mentions duplexes, triplexes, and townhomes, while the Commerce Middle Housing grant requires recipients to look at ways to encourage more of certain forms of housing, including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, cottage housing, and stacked flats". If the City wishes to use this zone to encourage particular forms of middle housing, it should add definitions for some or all of these housing forms in Title 17.*
- *One action in this Housing Strategy Plan discusses expanding where the Multi-Family Tax Exemption, or MFTE, program can be used. R-3, regardless of where it is implemented, would be a good candidate for being able to utilize the MFTE program to enable more affordable housing units to be built.*
- *Consider making permanent supportive housing a conditional or even permitted use in the R-3 zone. See the action sheet on transitional and permanent supportive housing for more.*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. The housing types encouraged in the R-3 zone could go a long way toward meeting housing element requirements.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. The R-3 zone encourages and allows many denser housing options that can help the City meet its housing targets.*
Cities that have taken the same or similar actions	*Many cities around the region have the equivalent of an R-3 zone. This is not a new idea, but rather correcting a discrepancy between different sections of code.*
Advantages	• *Implementing R-3 would lead to better consistency between the comprehensive plan and the development regulations.* • *R-3 is intended to serve as a transition between higher intensity nonresidential uses and other residential districts. This could make it useful for potential annexation areas, which border on higher-intensity mixed or nonresidential uses.*
Disadvantages	• *Bigger-impact code changes increase in complexity, and some of the other actions in the plan (like townhouses) might not be as effective if R-3 is not implemented, for example.* • *Implementing the R-3 zone in a portion of the potential annexation area may not help the City meet its 2044 growth targets.*
Strategies implemented	

Implement Planned Residential zoning

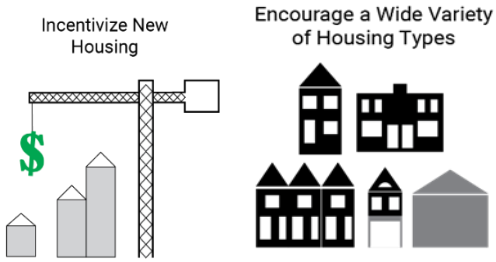
The PR, or Planned Residential, zone appears to only be implemented in the very far north end of the city and is not currently developed. This is an area that has been discussed for swapping with the diverging diamond at I-90 and being removed from the Urban Growth Area (UGA) in the future if that option becomes available.

Whether at this location or potentially in the Potential Annexation Area, Planned Residential as defined in the code would be a good way to provide more housing options. It provides for a wide variety of housing types (in fact, it requires a variety) and includes some limited non-residential uses that

The following are some considerations as the City prepares to implement or improve this district to maximize its benefits for housing issues when implemented:

- *The PR zone could potentially be a good fit for portions of the UGA just east of the industrial park off Douglas and Center, Roads as the large parcels would not risk running afoul of the acreage provisions (see below).*
- *The PR zone has acreage provisions whereby a mix of housing types is required for projects larger than 2 acres. Parcels less than two acres are limited to the uses allowed in the R-1-4 district.*
- *Consider making residential units above commercial space a permitted use in the Planned Residential zone. Neighborhood commercial developments are allowed already, this type of development should be encouraged as it would also accomplish the housing diversity goals of the PR zone. This would require updating the use table in SMC 17.55.020.*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Not directly.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2026 Comprehensive Plan?	*Yes. The planned residential district, if implemented over a broad area, could allow for a diverse range of housing types that meaningfully helps the City make progress toward its housing target.*
Cities that have taken the same or similar actions	*Many other communities have a planned residential zone, or something similar, including the following:* • *Pierce County* • *Blaine* • *Marysville (Whiskey Ridge subarea)*

Advantages	• *The PR zone is underutilized in the city and seems a good fit for the variety of housing types the City needs to meet housing goals.*
Disadvantages	• *The development standards of the PR zone might be an impediment to doing affordable development (there is no built-in affordability mechanism either).* • *Given the time it takes to undertake an annexation, implementing the PR zone in potential annexation areas will not help the City meet growth targets for the upcoming comprehensive plan update.*
Strategies implemented	

Multi-Family Tax Exemption – citywide use

The City of Snoqualmie is currently considering a multi-family tax exemption for the Weyerhauser Mill site. Those provisions would require each mixed-use building in Planning Area 1 to set aside 10 percent of the total number of units as affordable to those making 80 percent AMI and 12 percent of the total number of units as affordable to those making 60 percent AMI.

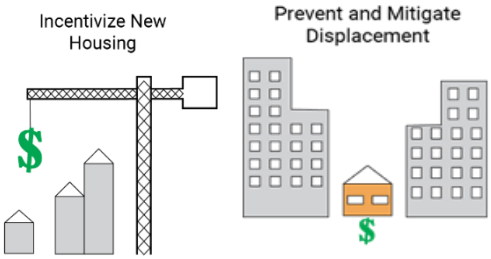
An additional provision requires a 50-year affordability covenant, and the number of affordable units of each unit type (# of bedrooms) must be proportional to the number of market rate units of each type.

The City should consider broadening the applicability of the MFTE program and allow its use in the mixed-use zones and, potentially, the R-3 and Planned Residential zones if the City chooses to implement those latter zones.

Things to consider include:

- **Reduce the terms of providing affordable units in some circumstances.** *In their current form, the MFTE rules for the Mill site require that the affordable units being built stay as affordable units for 50 years from the date of initial owner occupancy. Reducing the term of affordability could increase use of the program, but it would also pull units out for the affordability range faster. Most cities in King County require the units to stay as affordable units in perpetuity, although the percentage of units devoted to affordable units is often smaller.*
- **Reduce or incentivize the eligibility requirements.** *There could be ways to tweak eligibility requirements without compromising the standards for development the City would like to see. This could include fast-tracking projects, ensuring design standards are easy to implement, reducing fees, or other project elements that could incentivize the program and its utilization.*
- **Areas or zones where this could be used.** *The City has discussed using the MFTE program on the city-owned property on Snoqualmie Parkway near Kimball Creek. This would be a good option. Other good options to consider would be allowing development in the R-3 or Planned Residential zones, if they are implemented elsewhere in the city,*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. While the City already has a strong program on deck for the Mill site, expanding that program city-wide could increase utilization of the program and assist the City in meeting housing affordability goals.*

Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. Expanding the applicability area for the program, like allowing its use in other zones, including all mixed-use zoned land, or potentially PR or R-3 if those are further/better implemented per the actions presented in this plan, would certainly increase capacity for meeting housing targets.*
Cities that have taken the same or similar actions	*Numerous jurisdictions have enacted MFTE programs. Please see ARCH information on King County programs. Here are some other programs:* • *Bellingham* • *Tacoma* • *Spokane*
Advantages	• *Given that MFTE has already been introduced in draft form for the Mill site, the focus on strategic changes in rolling out the program to broader areas in the city can encourage the use of the program to assist the City in meeting housing affordability goals.*
Disadvantages	• *MFTE results in less revenue from property taxes than would otherwise be the case.* • *When meeting affordable housing targets using MFTE, cities may have to plan for significantly more housing than their housing targets to ensure the correct amount of affordable housing gets built, since the exemption works as a percentage of total units in a project.*
Strategies implemented	

Clarify townhome definitions and standards

Townhouses are an important housing option that can serve as a single-family ownership opportunity, as condominiums, or as rental units. Snoqualmie allows townhouses in the Form-Based Mixed-Use District (FBMU) and the R-2 and R-3 zones. However, it is unclear if the R-3 zone has been implemented yet (see R-3 implementation action writeup).

The City allows fee simple townhouse lots, also known as zero lot line or unit lot subdivisions, to be created in the R-2 zone that have lots that are narrower and smaller than the minimum in the zone.

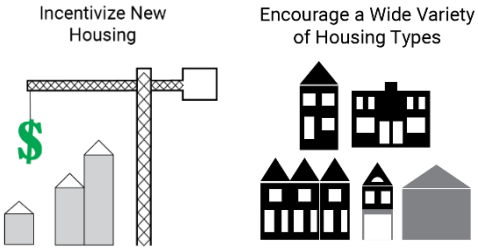
However, it is not clear from the use table in SMC 17.55.020 where zero lot line subdivisions would be allowed. Zero lot line subdivided townhomes are single-family attached dwelling units, but several pieces of code seem to contradict this:

- *The definition for multiple-family (SMC 17.10.020.YY), which says multifamily is any building with two or more dwelling units;*
- *The definition for single-family (SMC 17.10.020.SSS), which defines a single-family home as a detached dwelling unit, other than a mobile home, containing one dwelling unit.*
- *There is no separate definition for townhouses, although they can be considered a single-family or multi-family dwelling depending on the situation.*

The establishment of districts in SMC 17.15.020 calls out townhouses specifically in the R-3 district as an intended housing type. The R-2 district is established as a low-rise multiple-family district intended to be developed with duplexes, triplexes, and quadplexes, but not specifically townhouses. R-3 does not even appear in the use table and is not implemented anywhere on the map, and planned residential (which does specifically call out townhouses as a potential use) is only designated on the zoning map in an area that could be potentially swapped out of the urban growth area. Unless R-3 and planned residential are implemented, townhouses are not actually permitted anywhere in the city that was not constructed under the master plans for Snoqualmie Ridge. Given that land in the R-2 zone in the eastern part of the city has recently become available, the City should consider allowing townhouses in the R-2 zone.

The City should consider adding a definition for townhouses to SMC 17.10.020 as well as a definition for townhouse subdivisions (zero lot line, unit lot, and fee simple townhouse subdivisions are all possibilities).

The City's fee-simple townhouse subdivision dimensional regulations allowing for zero-foot internal side setbacks are good, but the City could also consider establishing provisions in the subdivision code (Title 16) to make fee-simple townhouses more feasible, like eliminating the open space dedication requirement below a certain threshold, requiring shared maintenance covenants for buildings and access, and other technical details specific to townhome subdivisions.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*No.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. Townhouses can provide an important (and often more affordable) home ownership opportunity at densities that can help the City meet its housing target.*
Cities that have taken the same or similar actions	• *Sumner* • *Snohomish County* • *Redmond*
Advantages	• *Additional definitions could provide code clarity.* • *Revising standards could encourage additional townhome development.*
Disadvantages	• *Updating the code will take staff resources*
Strategies implemented	

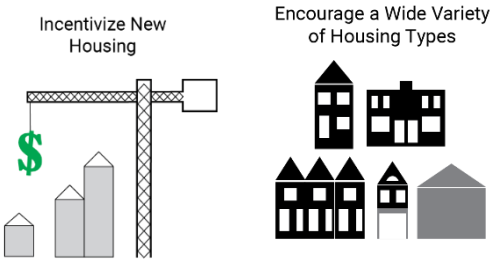
Expand options for senior housing

The City of Snoqualmie, like the other cities in the valley, has few housing options for seniors who are looking to downsize or age in the community. Mt. Si Senior Center in North Bend is the only organization in the valley currently that owns and manages affordable housing. Service providers report an increasing number of newly homeless seniors, for example, unable to keep pace with rising housing costs but wanting to keep close ties with their community in the valley.

Given the demographics of the valley and the demographic realities of Snoqualmie in particular, where, according to the HNA, the percent of the population 65 and over will increase dramatically over the next 20 years, making it all the more important that the City act soon to make more housing options increasingly feasible for older residents.

Options for the City to consider that could increase the supply and diversity of housing for older residents include:

- *Currently, the use regulations in the zoning code only allow assisted living facilities in the business, office park, and planned commercial/industrial zones. As it considers whether to implement the R-3 or planned residential zone in different areas of the city or potential annexation areas, the City could consider allowing assisted living facilities with special performance standards or via a conditional use process in those zones.*
- *Consider developing performance standards and a definition for cottage housing. Cottage housing can make a good option for seniors looking to age in place. Cottage housing is mentioned in SMC 17.15.040 in terms of how density is calculated, but there is no definition and no performance standards for cottage housing (nor does it show up in the use table). The City should undertake an effort to develop a cottage housing code to specify performance standards, where cottage housing is allowed, and how it is defined.*
- *Consider a density bonus in the form of increased height or units per acre in the mixed-use zone or increased FAR in the form-based mixed-use zone, for affordable units.*
- *Improving and expanding upon townhomes and ADUs as recommended elsewhere in this HSP. These can make good options for downsizing and aging in place for older residents who don't yet need higher levels of care.*
- *Focusing outreach efforts on senior service providers and developers with specific expertise in senior housing. Engaging with the Snoqualmie Valley Senior Center on lessons learned at their project in Carnation will help Snoqualmie learn about potential pitfalls and solutions.*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. Streamlining or otherwise supporting additional affordable units or units that would make a lot of sense for aging households with changing housing needs would help provide the range of housing options and price points to help meet housing element requirements.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Not necessarily. Focusing on senior housing might lead to more units that are affordable or more of a particular type of housing (assisted living, for example), but wouldn't necessarily result in enough new units being built overall to meet the City's housing targets.*
Cities that have taken the same or similar actions	• *Kenmore (currently considering cottage code)* • *Redmond (ADUs)* • *Oak Harbor (studied in Housing Action Plan - density-based incentives for affordable housing)*
Advantages	• *Ways for seniors to age in place is one of the most pressing social and housing issues facing the entire Snoqualmie Valley.* • *Providing additional senior housing options would open up housing for families.*
Disadvantages	• *Focusing on senior housing can potentially distract from other affordable housing targets.* • *Developing new codes would take staff time and resources to develop and implement.*
Strategies implemented	

Expand temporary emergency and permanent supportive housing options

As part of new Housing Element requirements, the City of Snoqualmie will be expected to plan for and accommodate not just an overall housing target, but also certain amounts of specific housing types and housing affordable to specific household income ranges. The Department of Commerce will be providing guidance and figures on specific units communities will be required to provide for in various categories, including "Emergency housing, emergency shelters, and permanent supportive housing;"(RCW 36.70A.070(2)). According to the Countywide Planning Policies, Snoqualmie must plan for 282 units of permanent supportive housing targeted at 0-30 percent of the Area Median Income by 2044.

In addition, the state passed a law in 2021, codified as RCW 35.21.683, that prohibits local governments from prohibiting permanent supportive housing or transitional housing in any zones in which residential dwellings or hotels are allowed. The law also outlines that "Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety."

The City of Snoqualmie will need to update its use matrix for all the residential zones, the MU and FBMU zone, and the office park zone to allow transitional housing and permanent supportive housing. As mentioned in the action sheet for the R-3 and Planned Residential zones, if those will be implemented through contingent zoning or some other measure in the PAA, the City will need to ensure those zones permit and contain appropriate use standards for transitional housing and permanent supportive housing. The City could even consider offering incentives, like reduced parking standards, fee deferrals, or a low-cost ground lease on city-owned land for these uses in order to meet the income band allocation requirements.

The City should also consider adding a definition for permanent supportive housing to SMC 17.10.020. This could include adding it as a subtype of special needs housing.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. The City will be required to plan specifically for the above-mentioned types of housing, including transitional housing and permanent supportive housing.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. This action could assist with meeting housing targets focused on permanent supportive housing.*

Cities that have taken the same or similar actions	• *All cities are now subject to the new state law requirements.* • *Renton* • *Everett* • *Prosser (considering as part of Housing Action Plan)*
Advantages	• *Required to plan for these housing types.* • *Many examples exist of how to develop specific use standards for these housing types that can be challenging to site.*
Disadvantages	• *Implementing permanent supportive housing can be very challenging beyond just permitting it and developing regulations for it. Having community partners and service providers is extremely important.*
Strategies implemented	

Options to improve ADUs

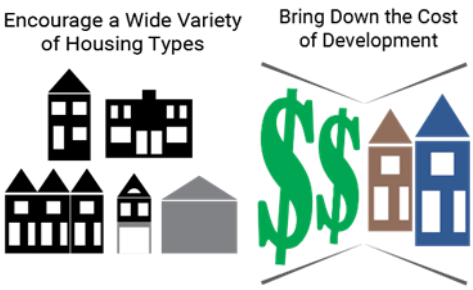
The City of Snoqualmie currently allows ADUs. Recent changes to state law require the City to update several elements of its code relative to ADUs within 6 months of the comprehensive plan update deadline (June 30, 2025). Beyond this, there are several additional ways the City could improve regulation of ADUs and encourage their further adoption:

- *Address the requirements of HB 1337, especially:*
    - *Change the provision in SMC 17.55.070(F) to allow ADUs up to 1,000 square feet. Consider also adopting a provision whereby this size could be exceeded by a certain amount or percentage if the ADU is an attached ADU that occupies a full floor of an existing primary home (like a basement, for example).*
    - *Allow at least 2 ADUs in the configurations noted in the law on all lots that allow for single-family homes (will require modifying SMC 17.55.070(A));*
    - *Eliminate or modify the provision in SMC 17.55.070(D) to ensure that any lot that meets the minimum lot size can build the correct number of ADUs, irrespective of lot coverage;*
    - *Eliminate the provision in SMC 17.55.070(E) that requires owner occupancy; and*
    - *Add a provision allowing a setback of zero feet for an ADU when the lot line abuts an alley.*
    - *The provisions of HB 1337 will enable ADUs to assist the city in meeting its housing unit targets. This requires developing a reasonable assumption for the number of ADUs one might expect given local constraints. The following are factors the City will want to keep in mind as it develops regulations and capacity estimates for ADUs:*
        - *Many of the single-family lots in Snoqualmie Ridge likely do not have space on the lot where a detached ADU would be feasible, but an internal/attached ADU might be possible. Much of the Ridge is also subject to Covenants, Conditions, and Restrictions (CC&Rs)*
        - *Additionally, many of the larger lots in the older part of the city in the floodplain of the Snoqualmie River would be better candidates for detached ADUs dimensionally speaking, but building a base flood elevation compatible ADU might be cost prohibitive for many.*
        - *The requirements of HB 1337 also do not apply to lots designated with critical areas or their buffers, so if the floodplain (not just the floodway) is considered a critical area this would obviously affect the capacity that could be generated by HB 1337 application, although the code changes and incentives discussed below could still help provide some capacity via ADUs.*

  - *If the city makes changes to code or incentives, like setbacks or fee waivers, this could increase their adoption and thus increase the amount of the housing targets they could address.*
  - *A sensible filtering process to getting an estimate of capacity might be to start with all single-family lots in the city, remove lots that intersect critical areas or known buffers and apply different rates of adoption for small lots in Snoqualmie Ridge than older lots in the eastern part of the city. A benchmark may be helpful: The City of Seattle estimates that some 4,400 ADUs would be created over 10 years as a result of their adoption of codes much like what is now required under state law. Projected out to 20 years, this would result in roughly 6.3 percent of Seattle's single-family lots having ADUs within the planning period. Given the dominance of Snoqualmie Ridge and its CC&Rs versus Seattle's old plats without CC&Rs, between 1 and 2 percent of lots in Snoqualmie within the planning period might be a sensible assumption, but this would need to be developed further during the comprehensive plan periodic update.*
- **Create a permit ready ADU program/expedited review program.** *The City of Renton offers ADU model base plans for residential property owners. The model base plans and Permit Ready ADU Program (PRADU) simplify the building permit application and review process. Applicants utilizing the City's pre-approved plans will work with staff one-on-one to design their ideal site plan and go through an expedited review process, providing the applicant with significant cost savings that can be applied toward construction. Renton currently offers seven different plan sets with units ranging from 624-1,000 square feet. The City of Snoqualmie could consider implementing a similar program with ready building designs that meet the City's design standards.*
- *Consider eliminating the* **maximum** *side yard setback for accessory uses when it comes to ADUs (SMC 17.15.040(10)) 5 or 3 feet may be unnecessarily restrictive for an ADU, particularly if a primary residence also has another accessory building like a garage.*
- *Currently, the dimensional standards in SMC 17.15.040 are unclear on whether an attached ADU built as an addition to a primary residence would have to meet the* **rear setback standard** *for a principal use or accessory structure or use (15 or 20 feet vs. 10 or 3 feet). For lots where detached ADUs are impractical or impossible (like many small lots in Snoqualmie Ridge), attached ADUs built as additions to the back of a house may be the only feasible option, and ensuring that they do not have to meet the rear setback standard of the primary house could help incentivize them.*
- *Consider allowing ADUs on lots where* **duplexes or triplexes** *are located. This might require moving ADUs out of the single-family category on the use matrix in SMC 17.55.020, changing the definition for ADUs in SMC 17.10.020, as well as changing SMC 17.55.070 to reflect that one ADU may be created on lots containing a 2- or 3-unit building.*

- *Consider* **ADU incentives** *for affordable housing. The City could consider options, such as waiving permit fees in exchange for providing affordable housing units for a certain period. This could substantially reduce upfront costs but ensure an affordable unit is provided if the unit is rented. As an example, ensure rent does not exceed 60 percent AMI for X years in exchange for fee waivers. A cost-benefit analysis to determine AMI targets and length of time would vs. fees waived would need to be conducted. The HUD 50 percent (Very Low Income) income limit for 2-person households in King County in 2022 was $51,800, and the maximum affordable rent for those households was $1,213 per month. This does not seem out of step with what a small ADU could rent for with incentives.*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. RCW 36.70A.070(2)(d)(iv) specifically calls out "Consideration of the role of accessory dwelling units in meeting housing needs" as part of meeting GMA Housing Element requirements. Options to further promote ADUs would certainly assist in meeting these provisions.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes. Depending on changes to ADU regulations or fees, encouraging ADU development could provide some options to provide housing at or below 120 percent AMI. The City could potentially reach below 50 percent AMI affordable housing requirements provided as an incentive for building ADUs.*
Cities that have taken the same or similar actions	• *Sumner* • *Renton* • *Everett*
Advantages	• *Would promote additional ADU development in the city.* • *Would help provide more affordable housing options for households making below 80 percent AMI.*
Disadvantages	• *Permit-ready program or expediting review could create capacity and pipeline issues for other permits or processes.* • *Large areas of the city, like the single-family areas of Snoqualmie Ridge, have lots that are too small to allow detached ADUs, so impact may be limited.*

Strategies implemented	

Recruit and partner with affordable housing specialists

The City of Snoqualmie has one marquee development that is affordable to lower-income households – the 191-unit Panorama Apartments project in western Snoqualmie Ridge.

However, it is likely that as part of the update to the Comprehensive Plan, the City will be required to plan for substantially more affordable housing units. The current housing target recommendations of the King County Council would see Snoqualmie needing to plan for 749 more units of housing affordable to those making 30 percent or less of the area median income (including 282 units of permanent supportive housing) and 232 units affordable to households making between 30 and 50 percent of the area median income over the next 20 years.

Planning for almost 1,000 units of housing affordable to households making below 50 percent AMI ($67,300 as of 2022 numbers), including some permanent supportive housing, will only be possible if the City has strong relationships with affordable housing developers and service providers.

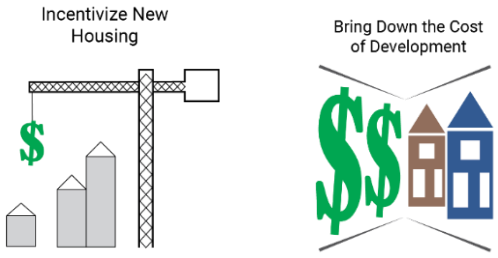
The City should consider preparing and compiling, at regular intervals (perhaps annually) maps and assessor data identifying land that can accommodate affordable housing in the short term (within a year, perhaps) and in the long term (up to five years out). Factors to consider include zoning/future land use category, land value over time, presence of critical areas, scheduled expiration/lapsing of any affordability window from Section 42 (LIHTC) funding or other federal requirements, age of existing structures, and proximity to current or future transit corridors/routes, and water/sewer feasibility. This mapping effort would be further enhanced by an effort to create a land use dataset (distinct from zoning districts), updated perhaps halfway through every Buildable Lands/Land Capacity Analysis cycle. This should be a partnership with King County and would help the City and County identify areas that are not built to zoned capacity or that could take advantage of new code provisions to add additional housing that is affordable.

The City should consider using this feasibility mapping information, along with information on a potentially expanded MFTE program, to conduct targeted outreach to affordable housing developers with experience in the rest of the Puget Sound region.

The Snoqualmie community, and the broader Snoqualmie Valley, has a network of faith-based and nonprofit organizations with missions to address community needs. Faith-based organizations and nonprofit organizations can be important partners for housing efforts, particularly housing that serves vulnerable groups and residents with lower incomes. Faith-based and nonprofit organizations are partners with a unique set of resources and an inherent focus on serving the needs of those who are most vulnerable. The City can collaborate to identify solutions that fit within regulatory requirements while providing flexibility for innovation. The City should convene and connect with these organizations to stay in touch with community issues. Since the City has a substantial target of permanent supportive housing units, top on its priority of outreach targets should be nonprofits that provide services in a permanent supportive housing context, like Catholic Community Services, Compass, and community health center organizations.

Examples of potential partner organizations already active in the Snoqualmie Valley include Reclaim, the Mt. Si Senior Center, the Sno-Valley Senior Center, Hopelink Sno-Valley, Habitat for Humanity, and Carepoint.

Any future Affordable Housing Investment Funds should be established prior to engaging seriously with developers to demonstrate availability of local resources and support.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. Providing feasibility info for builders experienced in affordable housing and building relationships with service providers will help the City meet its housing element targets and requirements, especially for those households making 30 percent or less of the area median income (including those in need of permanent supportive housing).*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Potentially. The City preparing feasibility information for affordable housing developers could also help developers more broadly speaking get a head start on the data collection and analysis required to move forward with development projects, which could help get more housing generally to market faster.*
Cities that have taken the same or similar actions	*Oak Harbor* *Lynnwood*
Advantages	• *Relies on deep experience of affordable housing providers rather than trying to reinvent the wheel.* • *Mapping and inventory efforts are likely to yield myriad benefits for planning work in the city and county more broadly.*
Disadvantages	• *Staff and resource intensive.* • *Will take time to build relationships.*
Strategies implemented	

SEPA Exemption options

The State Environmental Policy Act (SEPA), adopted May 1971, is codified in RCW 43.21C and implemented through the Department of Ecology's administrative code under WAC 197-11. The purpose of SEPA, as outlined in RCW 43.21C.010, is to "(1) ...encourage productive and enjoyable harmony between humankind and the environment; (2) to promote efforts which will prevent or eliminate damage to the environment...; (3) [to] stimulate the health and welfare of human beings; and (4) to enrich the understanding of the ecological systems and natural resources...".

In the decades since SEPA has become law, many other state laws have been adopted that require jurisdictions to enact regulations that protect the environment. This includes, but is not limited to, the 1990 Growth Management Act (GMA), which requires local governments to enact critical areas regulations, the 1971-72 Shoreline Management Act, which requires all counties and most towns and cities to prepare and implement shoreline master programs, and stormwater regulations and permitting which implements requirements under the Clean Water Act. In most cases around the state, cities and counties have adopted regulations covering almost every element covered under the SEPA.

In 1984, SEPA Rules were adopted to provide categorical exemptions from SEPA for certain types of development projects (WAC 197-11-800). Since then, both the SEPA rules and statutes have been updated to broaden opportunities to exempt certain projects from requiring SEPA where it can be demonstrated that local, state, and federal laws and regulations are in place to mitigate project impacts. In fact, the maximum SEPA exemption levels contained in the State Rules were increased again in December 2022 by the Department of Ecology.

Snoqualmie has currently adopted higher than the minimum residential exemptions (12 units), but nowhere near the maximum (Ecology now allows up to 200 units to be exempt as minor new construction). Additionally, the City has adopted the minimum or close to the minimum for the non-residential categories of exemptions, including parking and commercial square footage.

There are three ways to increase SEPA exemptions. Each option requires analysis to ensure that impacts of development can be adequately mitigated by adopted codes.

- *WAC 197-11-800(d) allows substantial increases to the SEPA categorical exemptions where it can be demonstrated that the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment have been adequately addressed for the development exempted.*
- *RCW 43.21C.229 permits nearly all developments the ability to be exempt from SEPA when the City determines that specific impacts are adequately addressed by the development regulations or other local, state, or federal rules or laws and when the comprehensive plan was subjected to an Environmental Impact Statement (EIS).*

- *RCW 43.21.440 may exempt projects within areas subjected to a Planned Action Ordinance when it is determined that the project is consistent with that ordinance.*

The City should consider raising its SEPA minor new construction exemptions as found in SMC 19.04.110. WAC 197-11-800(1) now allows cities to exempt up to 30 single-family units, 100 small (under 1,500 square foot) single-family units, or 200 multifamily units as minor new construction. The City's current exemption for all residential is 12 units. Up to 30,000 square feet of office, school, recreational, service, or storage building development and up to 90 parking spaces are allowed to be exempted, while the City currently exempts only 10,000 square feet and up to 20 parking spaces. Up to 1,000 cubic yards of fill or excavation are allowed to be exempted, while currently the City exempts only up to 100 cubic yards. Parking and excavation in particular are valuable exemptions because projects that don't trigger SEPA based on residential units can still trigger it based on parking or excavation even if City critical areas and parking codes are sufficient to mitigate impacts.

In addition to raising the thresholds for minor new construction, the City could consider conducting an environmental review as part of planned annexations using either the .229 or .440 state statute sections that would enable projects within those areas that fell under the threshold studied in the area-wide environmental review to forgo individual project-level SEPA review. Portions of the PAA, for example, could be good candidates for a Planned Action EIS conducted as part of a subarea planning process, which would help make permitting more streamlined within those areas and help keep a lid on costs and timelines for housing development within those areas.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*This action would have minimal impact on the ability to meet Housing Element requirements as part of the 2024 update.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*This action would have minimal impact on the ability to meet housing targets.*
Cities that have taken the same or similar actions	*Many jurisdictions have adopted increased SEPA exemption levels. The following are example cities.* • *Lynnwood* • *Mountlake Terrace* • *Redmond* • *Kirkland*

Advantages	• *Reduce redundant permit processes* • *Reduce permit costs and timeframes*
Disadvantages	• *Perception that raising SEPA exemptions might reduce opportunities to comment on or appeal projects*
Strategies implemented	Improve the Regulatory Environment for Permits Bring Down the Cost of Development

Balance short-term rentals and other housing needs

A major trend in the housing market over the past decade has been the proliferation of homes, especially single-family houses and accessory dwelling units, being rented out as short-term rentals. Short-term rentals, often offered through services like AirBnB or Vacation Rental by Owner (VRBO), are a relatively straightforward way for homeowners to make some extra income from their property. They can also serve a valuable public purpose in many communities whose tourism industry values their flexibility. However, they can also pose challenges due to highly irregular and punctuated issues with parking and noise as well as more broadly speaking to the ongoing housing market.

It is challenging for cities to strike the right balance in regulating short-term rentals to manage these issues while still providing an opportunity for homeowners and visitors. Bans on short-term rentals have not fared well in court (for example, New York City and Santa Monica, CA), and prohibiting them in single-family zones, even if upheld in court, can force short-term rentals "underground," making them even more difficult to regulate. It is not in Snoqualmie's interest to contemplate banning short-term rentals.

There are ways to regulate short-term rentals in a way that raises the bar, caps the total number of short-term rentals, and grandfathers existing uses. The City should consider an approach to short-term rentals that adopts a mix of the following approaches:

- *Requirement that short-term rental owners acquire a City business license and pay business taxes (the City already requires short-term rental owners to have a City business lincense and should continue to do so)*
- *Pay for software service that tracks short-term rentals within the city (for example, Granicus or AirDNA)*
- *Limit the number of short-term rentals new applicants for licenses can operate to one (not including their primary residence)*
- *Consider capping the total number of new licenses above grandfathered units that can be issued in the city*
- *Require the owner of a short-term rental to maintain a primary residence on the lot*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*No, this action is unlikely to help meet Housing Element requirements directly. However, placing limitations on ADUs being used as short-term rentals may make them more palatable in parts of the city concerned about the impacts of short-term rentals and increase the availability of these units, which can often provide rental units more affordable to households making below 80 percent and even below 50 percent of the median.*

Could this action provide an option to assist with meeting any new housing targets associated with the 2026 Comprehensive Plan?	*Not directly, but the ability to add more ADUs in existing neighborhoods can add "gentle density" that can help the City meet its housing target, although this action on its own is unlikely to make a significant dent.*
Cities that have taken the same or similar actions	• *Seattle* • *Everett* • *Kirkland*
Advantages	• *Opposition to and skepticism of ADUs in Snoqualmie Ridge could be at least partially mitigated by tightly regulating short-term rental market*
Disadvantages	• *Software services that monitor short-term rentals is expensive* • *Processing and regulating short-term rentals can take staff time and resources away from other priorities*
Strategies implemented	

Encourage room rentals in existing homes

An important source of housing historically, particularly for single-person households (individuals who would otherwise be living alone), has been single rooms for rent inside existing homes. Households unwilling or unable to finance the construction of an ADU yet willing to serve as a small-scale landlord can gain some income to partially offset the cost of their housing. In return, small households, for example, traveling nurses or other members of the workforce in the Snoqualmie area, gain access to a housing option that may be very affordable and offer many of the amenities one would expect from a single-family home.

While the decision to rent out a room in an existing home is theoretically possible for both renters who seek a roommate and add someone to a lease or for homeowners who effectively become small-scale landlords, City regulations and policy may in some cases stand in the way. For example, Snoqualmie defines a dwelling unit as "any building or portion of a building which contains complete housekeeping facilities for one family [...] physically separated from any other dwelling unit which may be in the building", "family" is in turn defined as "one person, two or more related persons, or not more than five unrelated persons living together as a single housekeeping unit." Depending on the size of the household occupying a home, the decision to rent out a room may run afoul of this definition.

Other jurisdictions in the region and across the country dealing with the definition of families as it relates to land use regulation include:

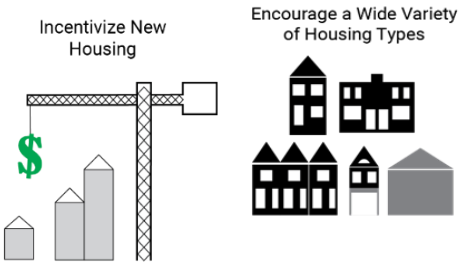
- *Kitsap County, which in 2022 amended its definition of "family" as follows: "'Family' means two or more persons customarily living together as a single housekeeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding or lodging house, or other group living."*
- *Seattle defines households as: "'Household' means a housekeeping unit consisting of any number of non-transient persons composing a single living arrangement within a dwelling unit as provided in Section 23.42.048, not otherwise subject to occupant limits in group living arrangements regulated under state law, or on short-term rentals as provided in Section 23.42.060."*
- *Bellevue defines a "family" as, "**Family.** One or more persons, either related or unrelated, living together as a single housekeeping unit."*

The precise extent of the number of rooms for rent in this manner is not known, as it is not currently regulated. Additionally, when considering risk of displacement, people who may be from marginalized communities or who may be undocumented (or their landlords) would be unlikely to volunteer this information to a survey sponsored by the City. Currently, the room listing website "Roomies" lists four rooms for rent in existing homes in the City of Snoqualmie, but the actual number including informal arrangements is likely much higher.

The City should consider a couple different ways it can support individual rooms for rent, including:

- *Changing its definitions of dwelling unit and family to ensure this is not precluded by the zoning code.*
- *Ensure that renting a room does not require designation of an additional parking space. This would require consideration of potential parking issues, such as what areas a room renter would have access to as far as parking is concerned (this could be an element of the education described below).*
- *Work with King County and housing organizations to help inform people of their rights and responsibilities as tenants and as landlords. This could involve a public education campaign, offering resources when potential ADU customers inquire about process from the Community Development Department, or partnering with other cities in the Snoqualmie Valley to host small landlord trainings.*

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes, assuming even a small fraction of existing homes renting single rooms at affordable rates could help the City make progress on its income band allocation targets, particularly for small households (particularly one-person households) making 31 to 50 percent of the AMI. It is not likely to make a huge dent in this target.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Yes, assuming a small fraction of existing homes will offer rooms for rent could add "gentle density" to existing residential areas and help the City meet its housing target.*
Cities that have taken the same or similar actions	• *Kitsap County* • *Seattle* • *Bellevue* • *Bellingham (considered, not yet adopted)* • *Madison, WI (in process of considering)*
Advantages	• *Many households probably do this already or have done this in the past, so it will make intuitive sense to many.* • *Helps more fully use existing housing, which could be especially helpful for people living in large houses who no longer have children at home, for example.* • *Does not require new construction or tenant improvements the way ADUs might.*
Disadvantages	• *Some may associate this with overcrowding of housing even when occupancy standards are being met.*

	• *May generate confusion between this and ADUs.*
Strategies implemented	

Tenant protections

According to MRSC, "... the University of Washington Center for Real Estate Research, in spring 2009, stated the average rent for an apartment in Washington State was $939 and the vacancy rate was 6.3%. By fall 2021, average rent had risen to $1,547 and the vacancy rate had dipped to 3.6%..."

While rent control is not currently allowed under Washington State Law, as a result of drastic rent increases, the legislature and some cities and counties have enacted various tenant protection measures, including just this year.

State measures (from MSRC):

- *Just cause eviction: In 2021 the legislature adopted RCW 59.18.650, which requires landlords to specify a reason for refusing to continue a residential tenancy, subject to certain limited exceptions.*
- *Managing initial deposits and fees: In 2020 the legislature adopted RCW 59.18.610, which provides that a tenant may request deposits, nonrefundable fees, and last month's rent in installments.*
- *A 60-day notice of rent increase: In 2019 the legislature amended RCW 59.18.140 to provide 60-day notice of a rent increase, and increases may not take effect until the completion of the term of the current rental agreement.*
- *A 120-day notice of demolition: In 2019, the legislature amended RCW 59.18.200 to require 120-day notice to tenants of demolition or substantial rehabilitation of premises.*
- *Prohibition on source of income discrimination: In 2018, the legislature adopted RCW 59.18.255, which prohibits source of income discrimination against a tenant who uses a benefit or subsidy to pay rent.*
- *COVID-19 measures: In 2021, the legislature adopted RCW 59.18.620 through RCW 59.18.630, which prohibit assessment of late fees for nonpayment of rent due between March 1, 2020, and six months following the expiration of the COVID-19 eviction moratorium. Pursuant to RCW 59.18.630, landlords are also required to offer repayment plans to tenants with unpaid rent.*

2023 legislation: In 2023, the legislature passed, and Governor Inslee signed into law, two different bills related to tenant-landlord relations.

- *The first, HB 1074, limits the ability of landlords to withhold deposits after move-out for ordinary wear and tear, requires landlords to show documentation to substantiate claims of damages, and makes changes to the timeline in which landlords must provide documentation as well as the statute of limitations for landlords to sue tenants when trying to recover damages above the deposit.*
- *SB 5197 modifies eviction processes and makes changes to eviction notice forms.*

Several cities have codified the above measures and created enforcement processes for ensuring they are met. The City could consider looking for ways to reflect these requirements in code and provide resources to renters and landlords to ensure renters are aware of their expanded rights and landlords are aware of changes to requirements and rights. Landlord education is an especially important piece of this, as more ADUs and rooms for rent means more small-scale landlords who may not be aware of the rights and responsibilities of both parties in the rental arrangement. The City would want to help ensure to the greatest degree possible that increased tenant protections are coupled with landlord education to ensure tenant protections are not a disincentive for small-scale landlords. This could be done in partnership with a public education and outreach effort targeting rooms for rent. This could also be reflected in policy change in the comprehensive plan's Housing Element that would encourage the city to support tenant and landlord education and outreach.

Could this action provide an option to assist with meeting the new Housing Element requirements associated with the 2024 Comprehensive Plan update?	*Yes. Changes to the Housing Element (RCW 36.70A.070(f-g)) requires the City to develop policies and regulations to address displacement. Developing tenant protection policies and codes would certainly highlight consistency with these new requirements.*
Could this action provide an option to assist with meeting any new housing targets associated with the 2024 Comprehensive Plan?	*Although this action may assist with getting housing to market faster, this action would not be related to new housing target requirements associated with the 2024 Comprehensive Plan update.*
Cities that have taken the same or similar actions	• *Seattle* • *Auburn* • *Burien* • *Tacoma* • *RCW 59.18 – Residential Landlord – Tenant Act*
Advantages	• *Increase tenant protection within the city.* • *Codify recent state law changes.* • *Directly address new Growth Management Act – Housing Element requirements.*
Disadvantages	• *Developing new codes and implementing new programs will take resources.* • *Implementing new programs beyond what the statute requires could be met with resistance from those who rent single family and multi-family residences.*

Strategies implemented	

G. APPENDICES

HOUSING NEEDS ASSESSMENT

CITY OF SNOQUALMIE, WASHINGTON

PROJECT OVERVIEW

WHAT IS A HOUSING NEEDS ASSESSMENT, AND WHY IS THE CITY OF SNOQUALMIE CREATING ONE?

Washington State House Bill 1923, passed in 2020 and codified as RCW 36.70A.600, granted the Washington State Department of Commerce (Commerce) $5 million in the 2019 Legislative Session to provide grant funds to local governments for activities to increase residential building capacity, streamline development, or develop a Housing Action Plan (HAP). Another round of grant funding was made available in 2021.

The City of Snoqualmie received a grant from Commerce in 2022 to develop a HAP, the goal of which will be to assess current and future housing needs and identify actions and strategies to help the city provide a wider range of housing options available to all income levels.

A Housing Needs Assessment (HNA) is a comprehensive study that will be used to inform the HAP. A Regional HNA was completed for the four-city region of Snoqualmie, Carnation, Duvall, and North Bend. This document presents the individual data, further analysis, and findings for Snoqualmie.

ELEMENTS OF A HOUSING NEEDS ASSESSMENT

1. *Community Profile*
2. *Workforce Profile*
3. *Housing Inventory*
4. *Gap Analysis*

QUESTIONS THE HOUSING NEEDS ASSESSMENT WILL HELP ANSWER

1. *Who lives and works here, and what are their socioeconomic characteristics?*
2. *What types of housing are available?*
3. *How much does housing cost, and what types of housing are needed to meet current and future housing needs?*

HOUSING NEEDS ASSESSMENT OUTLINE

1. Community Profile
    a. Population Characteristics
    b. Household Characteristics
    c. Special Housing Needs

2. Workforce Profile
    a. Local Workforce Characteristics
    b. Jobs to Housing Ratio
    c. Employment Trends & Projections

3. Housing Market
    a. General Housing Inventory
    b. Housing Market Conditions
    c. Special Housing Inventory

4. Housing Affordability

5. Gap Analysis

Data Sources:

2020 Decennial Census (US Census Bureau)

American Community Survey (ACS)
- Roughly 3.5 million households are surveyed every month, every year
- Explores topics not asked by decennial Census

Washington State Office of Financial Management (OFM)
- Obtains data from state and federal agencies, and private businesses

United States Department of Housing and Urban Development (HUD)
- Special tabulations of ACS data
- Tax credit affordable housing

OnTheMap (OTM)
- Web Application provided by the U.S. Census Bureau
- Maps jurisdictions based on workforce characteristics

Employment Security Department (ESD)
- Labor Market and Economic Analysis

U.S. Bureau of Labor Statistics
- Quarterly Census of Employment and Wages

City of Snoqualmie
- Building permits
- Comprehensive Plan

Zillow
- Tracks home values, rental units and market changes on a monthly basis

1. COMMUNITY PROFILE

2. WORKFORCE

3. HOUSING MARKET

4. HOUSING AFFORDABILITY

5. HOUSING GAPS

6. LAND CAPACITY

Community Profile

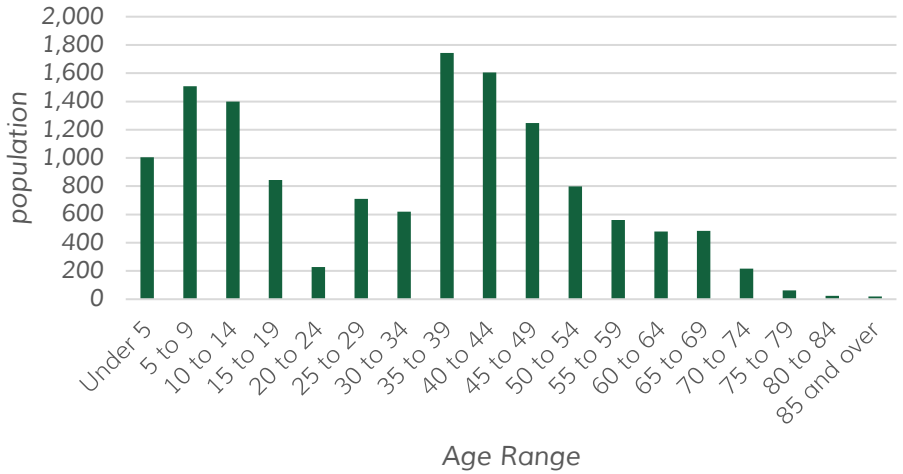
Population

The Washington State Office of Financial Management (OFM) estimates that ***in 2022, Snoqualmie has a population of 14,490 people****. Between 2010 and 2022, Snoqualmie has grown by 3,820 people, an increase of 36 percent over that period (average annual growth rate of 2.58 percent). This is faster than King County's overall rate. Snoqualmie's Comprehensive Plan projects that the* ***City's population will grow to 15,552 people by 2032****.*

As shown in Figure 2, Snoqualmie's population growth over the past several decades was slow from 1980 through 2000 but marked by a big spurt of growth between 2000 and 2020 due to the development of Snoqualmie Ridge. Snoqualmie has grown by only 369 people over the past three years according to OFM as Snoqualmie Ridge has approached full build-out.

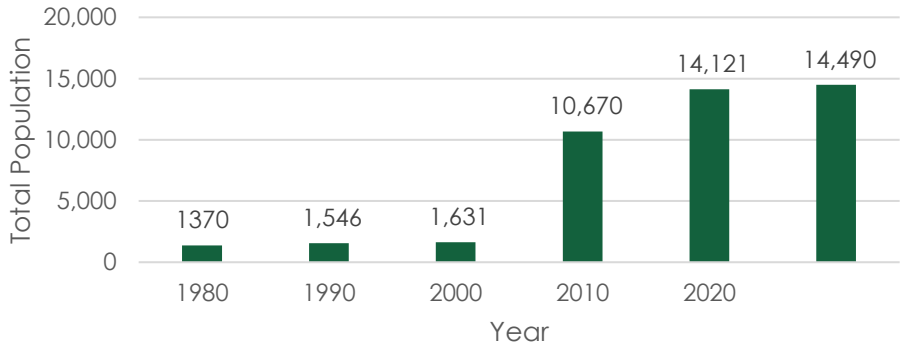
Figure 1 shows that ***Snoqualmie's age makeup is concentrated first in adults ages 35 to 44, and then in children ages 5 to 14****. This age distribution could indicate the City has a large number of families at their peak reproduction years with school-aged children. There is a small older population in the City, with only 6.3% of residents over the age of 65. Snoqualmie's median age is 36.3. While not a significant demographic factor currently, the age breakdown dominance by early middle-aged adults with young children means that if today's residents age in the community, by 2040, around a quarter of Snoqualmie's current residents would be 65 or older.*

Figure 1. Snoqualmie population by age range



Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S0101

Figure 2. Snoqualmie population growth 1980-2022



Source: OFM, April 1 Population Estimates and Historical Intercensal Estimates of Population and Housing

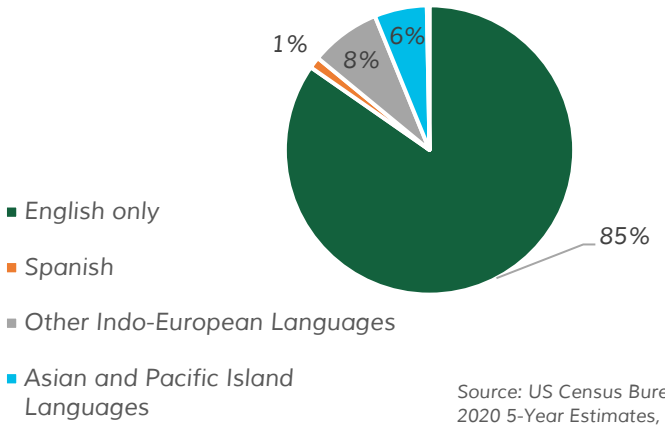
Community Profile

Race and Ethnicity

Of the Snoqualmie residents of one race, 81% are White, 13% are Asian, 0.5% are Black or African American, and 0.1% are American Indian and Alaska Native alone. When compared against King County, the City of Snoqualmie has a similar but lower level of population diversity.

As identified in Figure 5, the ***dominant language spoken at home by Snoqualmie's residents who are 5 years of age and above is English (84.7 percent).*** *The second most spoken language is other Indo-European languages (7.9 percent). Smaller percentages of households speak Asian and other Pacific Island languages and Spanish.*

Figure 5. Languages spoken at home, population 5 years and over



Source: US Census Bureau, ACS 2020 5-Year Estimates, Table DP05

Figure 3. Race, 2020		
	Population	Percent of Population
White	11,005	81.2%
Black or African American	69	0.5%
American Indian and Alaska Native	10	0.1%
Asian	1,792	13.2%
Native Hawaiian and Other Pacific Islander	0	0.0%
Some other race	64	0.5%
Two or more races	610	4.5%

Source: US Census Bureau, ACS 2020 5-Year Estimates, Table B02001

Figure 4. Ethnicity in Snoqualmie, 2020

	Population	Percent
Hispanic or Latino, any race	661	5%
Not Hispanic or Latino	12,889	95%

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates (Table DP05)

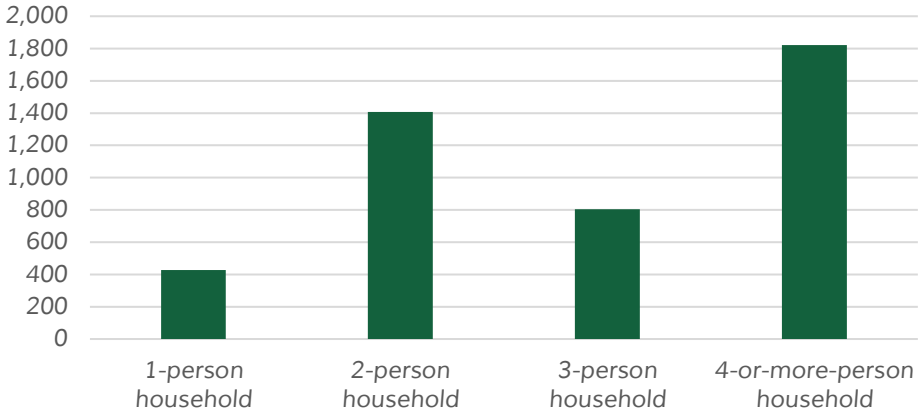
Community Profile

Household Size and Tenure

In 2020, there were approximately 4,462 households in Snoqualmie with an average household size of 3.04 people. This is an increase from 3,044 households with an average household size of 2.98 in 2010. 84% of the households in 2020 are owner-occupied while 13% of them are renter-occupied. When comparing against the other jurisdictions in the four-city region, the City of Snoqualmie has the largest number of households. However, when comparing the number of households with population as part of the equation, we see that Snoqualmie actually has a lower percentage of households meaning the average household size is larger than the others.

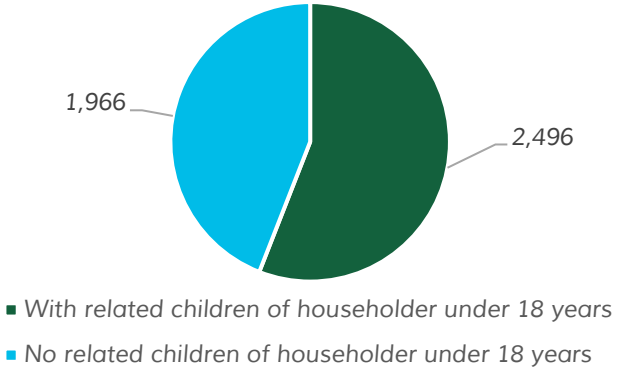
As, identified in Figure 8, ***the majority of the Snoqualmie's households (84 percent) own the home that they live in****. This is higher than the overall figure for the state (69 percent).*

Figure 6. Persons per Household



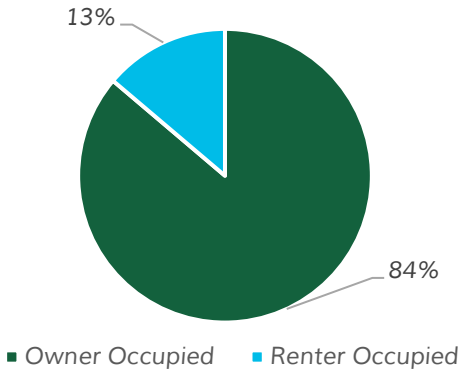
Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S2501

Figure 7. Households with related children



Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S2501

Figure 8. Housing tenure in occupied units



Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S2501

Community Profile

Household Financials

As, identified in Figure 9, **Snoqualmie's median household income for 2020 was $159,450**, which is higher than the median household income for King County and Washington State. The breakdown of incomes in the City of Snoqualmie tends to fall on the higher end of the spectrum. According to the US Census Bureau, 1 percent of the households in Snoqualmie make less than $25,000 per year, 2 percent make between $25,000 and $49,000 per year, 16 percent make between $50,000 and $99,999, and 80 percent are making over $100,000 per year. Between the years 2010 and 2020, the median household income in Snoqualmie increased by 3.2 percent per year from $116,020 to $159,450.

The household income distribution in Snoqualmie reveals that the modal value of income ranges is above $100,000, which broadly tracks the median household income value. Roughly 16 percent of Snoqualmie's households make under $50,000 per year (Figure 10).

Figure 9. Median household income, 2020

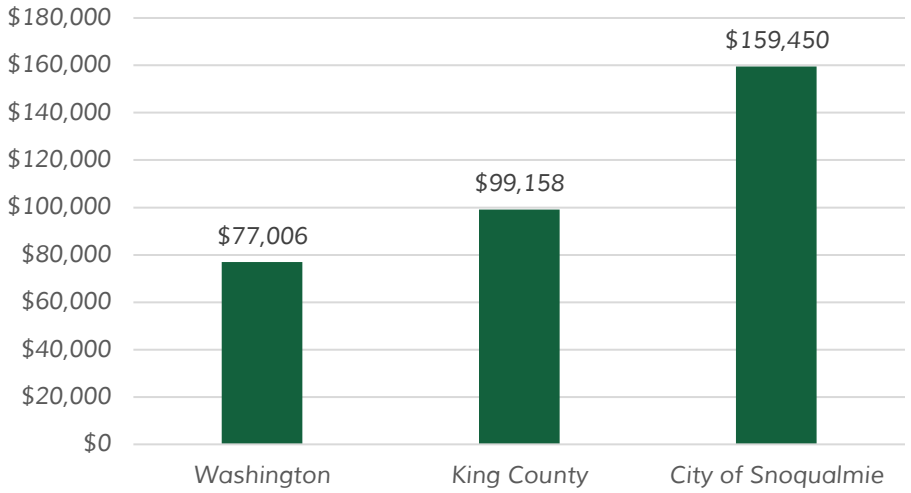
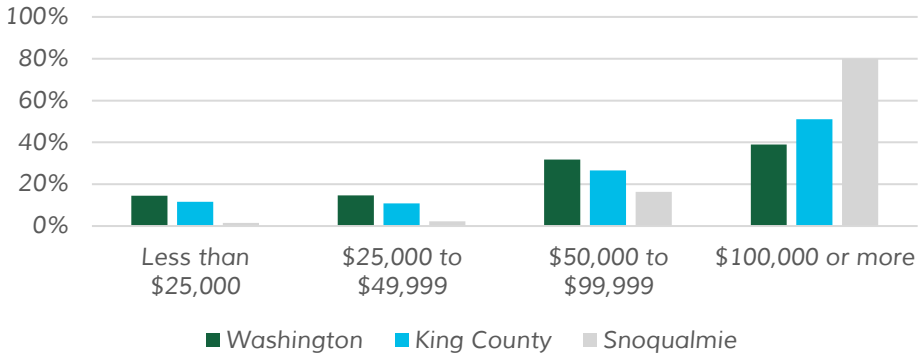
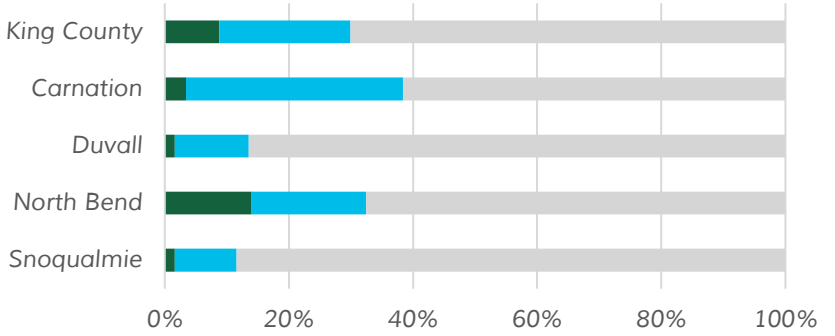


Figure 10. Household income ranges, 2020



Source: US Census Bureau, ACS 2021 5-Year Estimates, Table S1901

Figure 11. ALICE Data, King County, Select Cities, 2018



Source: United for Alice, Alice Report, 2020

Community Profile

Household Characteristics – HUD Income Limits

The US Department of Housing and Urban Development (HUD) publishes Consolidated Planning/CHAS data, which group households by income level relative to MFI. These data include adjustments to account for differences in household size relative to living expenses. The 2022 Income Limits published for the Seattle-Bellevue, WA HUD Metro FMR Area, shown below, calculate eligibility for housing assistance like Section 8 vouchers. To read this table, a family of four making $38,800 or less per year would be considered extremely low income and may qualify for Section 8 housing vouchers. An extremely low-income two-person household, meanwhile, makes no more than $31,050 per year in the Seattle-Bellevue metro area. These data are not available specifically for Snoqualmie.

Figure 12. Housing and Urban Development Income Limits

FY 2022 Income Limit Area	Median Family Income	FY 2022 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Seattle-Bellevue, WA HUD Metro FMR Area	$134,600	Very Low (50%) Income Limits ($)	45,300	51,800	58,250	64,700	69,900	75,100	80,250	85,450
		Extremely Low Income Limits*	27,200	31,050	34,950	38,800	41,950	45,050	48,150	51,250
		Low (80%) Income Limits ($)	66,750	76,250	85,800	95,300	102,950	110,550	118,200	125,800

Source: HUD FY 2022 Income Limits

** Extremely low income was defined in the 2014 Consolidated Appropriations Act as the greater of 60 percent of the Section 8 very low-income limit or the poverty guideline established by HHS, provided it does not exceed the 50 percent very low-income limit.*

+ MFI, or Median Family Income, is a special tabulation of the 2015-2019 5-Year ACS prepared by the Census Bureau for HUD to use as the basis for calculating fair market rents. MFI is reported as being higher than median household income as cited on the previous page because MHI includes all households (including 1-person households), while MFI is family households only.

1. COMMUNITY PROFILE

2. WORKFORCE

3. HOUSING MARKET

4. HOUSING AFFORDABILITY

5. HOUSING GAPS

WORKFORCE

Snoqualmie's Jobs

As of 2019, the most recent year for which detailed Census job data are available, **Snoqualmie was home to 6,473 workers and 5,053 jobs.** As shown in Figure 13, These jobs are clustered in the historic downtown along SR 202 and adjacent to Snoqualmie Ridge on Snoqualmie Parkway. The **industries that employ the most people in Snoqualmie are Educational Services, Manufacturing, and Accommodation and Food Services** (Figure 14).

Figure 13. Snoqualmie Jobs Distribution

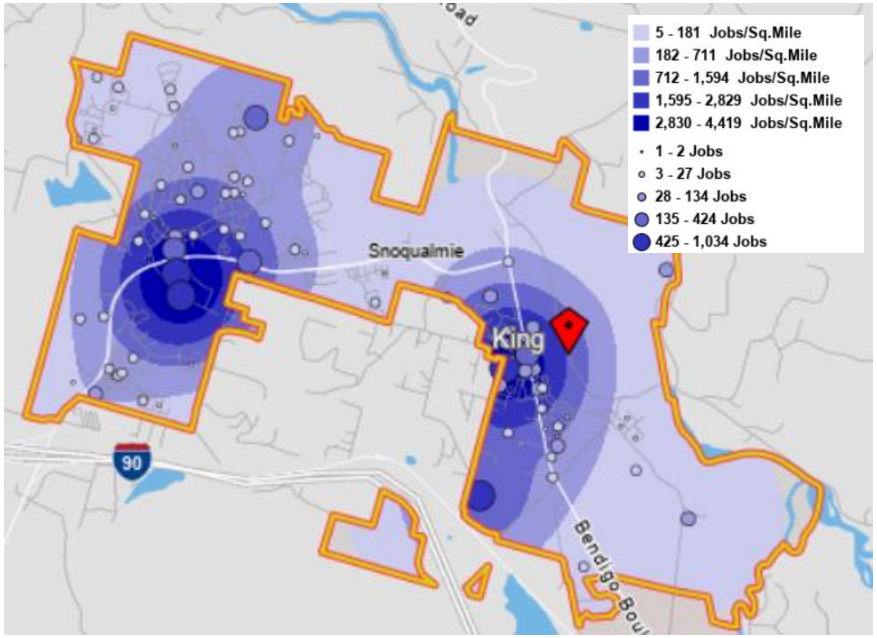


Figure 14. Snoqualmie Jobs by NAICS Industry Sector, 2019

	Jobs	Percent
Agriculture, Forestry, Fishing and Hunting	0	0.0%
Mining, Quarrying, and Oil and Gas Extraction	32	0.6%
Utilities	19	0.4%
Construction	228	4.5%
Manufacturing	842	16.7%
Wholesale Trade	209	4.1%
Retail Trade	104	2.1%
Transportation and Warehousing	29	0.6%
Information	319	6.3%
Finance and Insurance	63	1.2%
Real Estate and Rental and Leasing	28	0.6%
Professional, Scientific, and Technical Services	185	3.7%
Management of Companies and Enterprises	0	0.0%
Administration & Support, Waste Management and Remediation	96	1.9%
Educational Services	1,070	21.2%
Health Care and Social Assistance	526	10.4%
Arts, Entertainment, and Recreation	234	4.6%
Accommodation and Food Services	584	11.6%
Other Services (excluding Public Administration)	139	2.8%
Public Administration	346	6.8%

Source for both Figures 13 and 14: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2002-2019).

WORKFORCE

Job Inflow-Outflow

According to an inflow-outflow analysis from the US Census Bureau from 2019 (the most recent year for which these data are available), Snoqualmie is home to 5,053 jobs and 6,473 employed people. ***Approximately 91 percent of employed people (5,883 out of 6,473) who live in Snoqualmie are employed outside of the city limits*** *(Figure 15), meaning they commute largely to communities like Redmond, Seattle, Issaquah, and Bellevue (Figure 16). The Census also estimates that* ***of Snoqualmie's 5,053 jobs, approximately 88 percent (4,463 jobs) are filled by workers who live outside of the city limits.*** *Many of the workers that commute to Snoqualmie come from the west, from communities like Issaquah (Figure 17). This combination of a high percentage of workers who live in Snoqualmie, but work outside of Snoqualmie, and a high percentage of Snoqualmie's jobs being filled by workers who don't live in Snoqualmie, is an important housing-related issue that the Housing Action Plan will help address.*

Figure 15. Inflow-Outflow Map

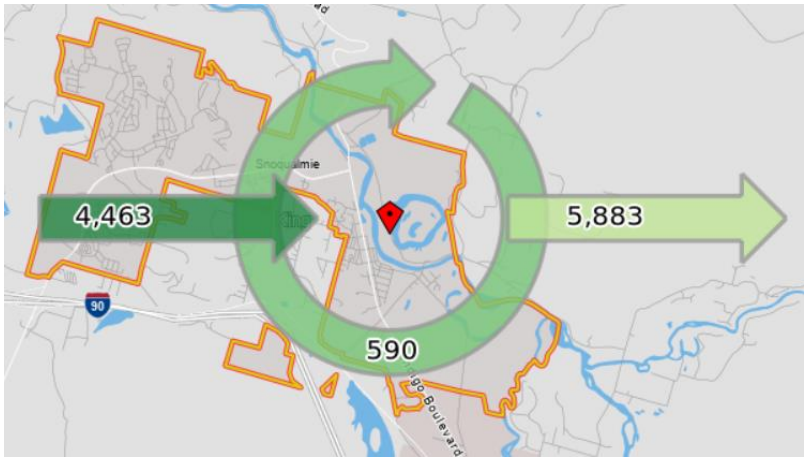


Figure 16. Commute Direction – Workers who live in Snoqualmie

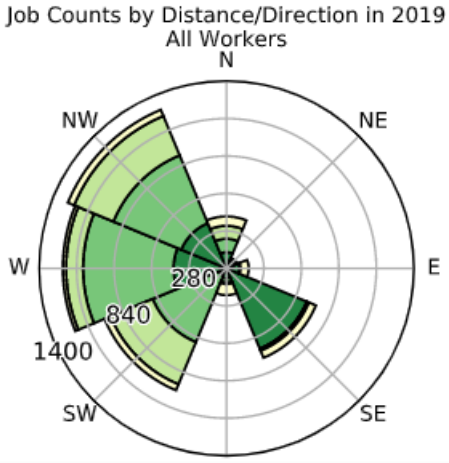
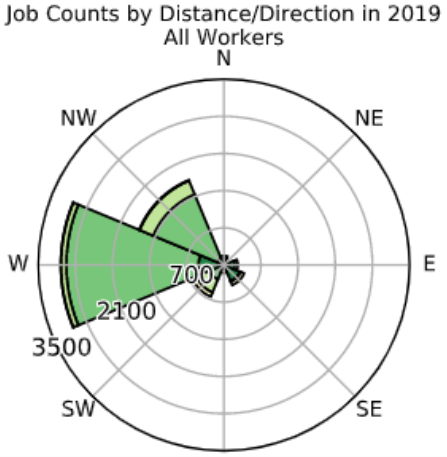


Figure 17. Commute Direction – Workers who live outside of Snoqualmie



Source for Figures 15-17: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2002-2019).

WORKFORCE

Earnings

Of the 9,349 people aged 16 years and over in Snoqualmie, 7,574 are in the labor force, for a labor force participation rate of 81 percent. Of those participating in the labor force, 7,378 were employed as of the 2020 American Community Survey, for an unemployment rate of 2.4 percent.

Of Snoqualmie's employed residents in the civilian labor force, 6,186 are private wage and salary workers, 973 work for some level of government, and 219 are self-employed or unpaid family workers.

The median household income in Snoqualmie in 2020 is $159,450, higher than King County and two of the four cities in the region. Of the 4,462 households in the city, 4,270 report earnings through employment (96 percent). 576 report Social Security or Supplemental Security income (13 percent), 508 report retirement income (11 percent), and 78 report using cash public assistance and/or food stamp/SNAP benefits in the past 12 months (2 percent). Figure 18 at right shows counts and average (mean) annual individual wages across select occupation categories as defined by the Census Bureau and Bureau of Labor Statistics.

Figure 18. Occupation and Wages, Civilian Employed Population 16+

Occupation	Count[1]	Average Annual Wages[2]
Management	1,394	$119,130
Business and financial operations	509	$84,593
Computer and mathematical	962	$156,618
Architecture and engineering	439	$115,886
Life, physical, and social sciences	30	$164,545
Community and social services	115	$43,077
Legal	50	$150,074
Educational instruction and library	466	$72,885
Art, design, entertainment, sports, and media	226	$45,694
Health diagnosing and treating practitioners	458	$67,426
Health technologists and technicians	52	$56,250
Health care support	42	$33,150
Protective services (fire, law enforcement)	224	$86,369
Food preparation and serving	202	$25,285
Building and grounds clearing and maintenance	46	$n/a*
Sales and related	937	$51,350
Office and administrative support	450	$66,010
Personal care and service occupations	175	$54,048
Farming, fishing, and forestry	20	$n/a*
Construction and extraction	276	$63,942
Installation, maintenance, and repair	33	$100,833
Production	111	$88,808
Transportation	109	$51,607
Material moving	52	$9,069*

1 – ACS 2020 5-Year Estimates Table S2401
2 – ACS 2021 5-Year Estimates Table B24011
* - no data or large margin of error

WORKFORCE

Future Job Estimates

Job growth forecasts by the Washington State Employment Security Department suggest that industries in the King County region are expected to increase in employment by between 0.2% and 2.5% annually over the next ten years. Using countywide growth projections as a basis, local employment in the four cities of the Snoqualmie Valley Region is projected to increase by 2,277 jobs by 2030. The majority of job growth is projected to occur in the services sector followed by the retail sector (Figure 20). The King County Countywide Planning Policies, in adopting housing and employment growth targets to implement Vision 2050, identifies Snoqualmie as needing to plan for 4,425 additional jobs in addition to the 1,500 housing units.

Figure 19. Projected Employment, Seattle-King County	
2020 Employment Estimate	1,401,300
2021 Employment Estimate	1,389,300
2023 Employment Estimate	1,478,500
2025 Employment Estimate	1,547,200
2030 Employment Estimate	1,678,000
Average Annual Growth Rate 2020-2023	1.8%
Average Annual Growth Rate 2023-2025	2.3%
Average Annual Growth Rate 2025-2030	1.64%

Source: Employment Security Department/LMEA; U.S. Bureau of Labor Statistics, Quarterly Census of Employment and Wages (QCEW)

Figure 20. Employment Forecast in the Snoqualmie Valley Region

Sector	2019 Emp.	Regional Projected AGR	Projected 2030 Emp.	Change
Industrial	2,394	0.2%	2,453	59
Retail	1,046	2.5%	1,374	328
Service	6,540	2.4%	8,474	1,934
Government	463	1.1%	519	56
Total	**10,443**	**1.8%**	**12,820**	**2,377**

Source: U.S. Census On the Map data, Washington ESD Industry Growth Projections

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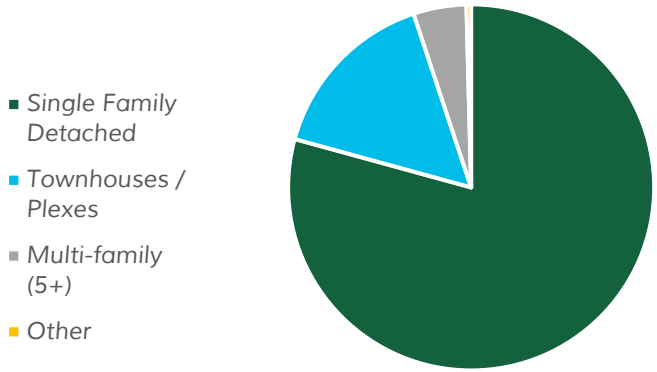
HOUSING MARKET

Housing Supply

OFM estimates that **Snoqualmie had approximately 4,674 housing units in 2020.** As shown in Figure 21, the ACS determined that the **vast majority of Snoqualmie's housing stock (79.3 percent) are single-family homes.** Most of Snoqualmie's housing units have 3 or more bedrooms (Figure 22). Also, **approximately 86 percent of the housing units in Snoqualmie are owner occupied. Additionally, as shown below, most of Snoqualmie's housing stock was built between 2000 and 2009.** (Note that this does not account for projects in the permitting pipeline, as these survey data were collected over a 5-year span from 2016 to 2020.)

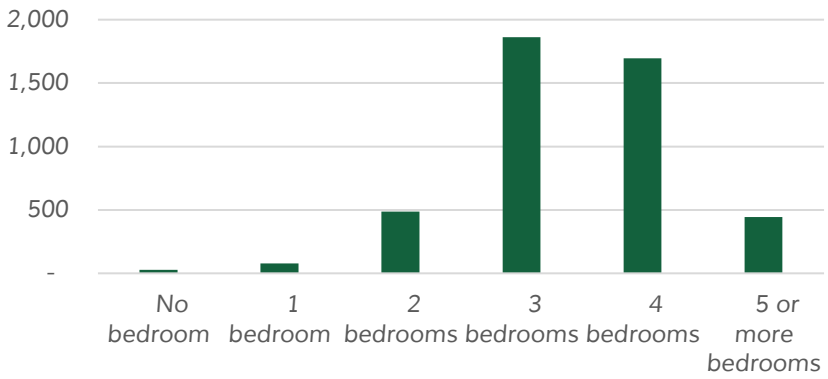
The 2020 ACS estimates that the **overall vacancy rate in Snoqualmie was 2.9 percent during the survey period.** Vacancy rates are said to represent a healthy balance between supply and demand when rates are 5 to 6 percent. This indicates a potential for upward pressure on prices and therefore new construction. More recent data are needed to fully understand the price pressure on supply but rising prices and relatively slow new construction indicate that supply may not be keeping pace with demand.

Figure 21. Housing units by type, 2020



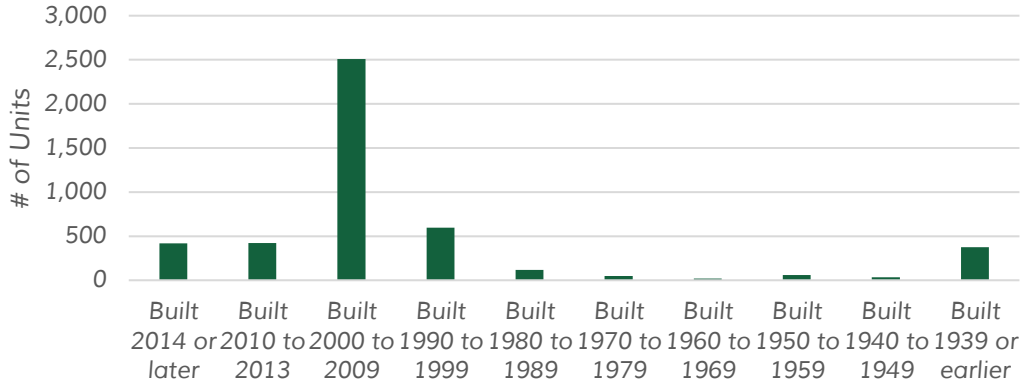
Source: U.S. Census Bureau, American Community Survey 5-Year Estimates (Table B25024)

Figure 22. Number of bedrooms in housing units, 2020



Source for Figures 21-23: US Census Bureau, ACS 2020 5-Year Estimates, Table DP04

Figure 23. Year structure built

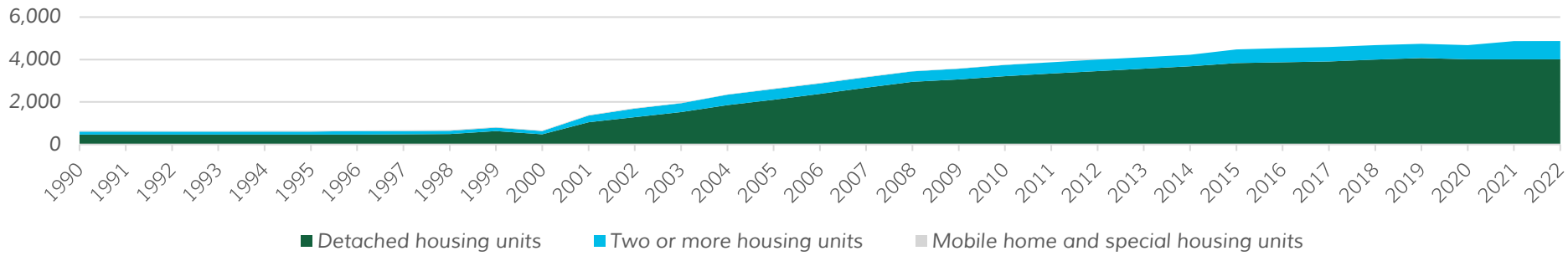


HOUSING MARKET

Housing Construction

As shown in Figure 24, according to the state Office of Financial Management, **the majority of the housing units constructed in Snoqualmie since 1990 have been single-family homes, with a steep rise after 2000 with the development of Snoqualmie Ridge.** There has been far less construction of multi-family units than single-family, with only **10 net new multi-family units being constructed between 1990 and 2022.** Similarly, the number of mobile homes or other housing units fell prior to 2000 and came back up to previous levels in 2010, but the overall trend is flat.

Figure 24. Permitted housing units by type, 1990-2022



Source: Office of Financial Management Postcensal estimates of housing, 1980, 1990-present

According to data submitted by the cities for the Regional Housing Needs Assessment, Snoqualmie has actually issued building permits for a total of 47 new residential units between 2019 and 2021, which is not yet reflected in the OFM totals.

note: this will be updated with new permits not counted in the city's initial response to the data request.

Figure 25. New Building Permits Issued 2019-22

Residential New Building Permits Issued: 2019-22	2019	2020	2021
Snoqualmie	4	-	-
Carnation	11	19	17
Duvall	40	208	26
North Bend	85	142	143
Total	140	369	186

Source: Building permit data provided by cities.

HOUSING MARKET

Housing Demand

The 2018 Snoqualmie Comprehensive Plan anticipates that **Snoqualmie will grow from 10,670 people in 2010 to 15,552 people by 2032, a growth of 4,882 people in 12 years.** *The adopted King County Countywide Planning Policies, in implementation of the regional growth strategy outlined in PSRC's Vision 2050, identify a housing target of 1,500 new housing units by 2044. The city has 421 units in the permitting pipeline since the baseline data were collected, meaning that if Snoqualmie meets its housing targets,* **1,079 new housing units will be needed by 2044.**

The demographic breakdown for Snoqualmie shows that 60 percent of the city's population is a member of the Millennial generation or Generation Z (younger than 40). Importantly, Snoqualmie has a higher percentage of its population in the Millennial generation than the other cities in the region. This is important because while Millennials are the most likely generation to have young children, this means Millennial households with children will likely be empty nesters nearing retirement in 20 years. Furthermore, Millennials have less accumulated wealth and are less likely than previous generations were at this stage to own homes or have retirement savings. Also, **while only 6 percent of the city is currently aged 65 and over, if current adults age in place, the city will be 23 percent over the age of 65 by 2040.**

Additionally, Snoqualmie has a high proportion of its population making 120 percent or more of the area median income. While housing is expensive in Snoqualmie, households here are likely to have more buying power than some other peer communities.

Figure 26. Population by generation, 2020

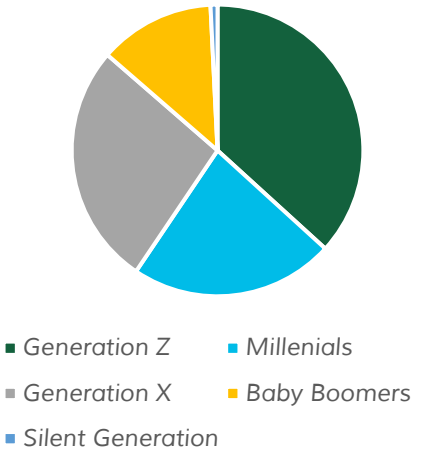


Figure 27. Households by HUD Income Threshold, 2020

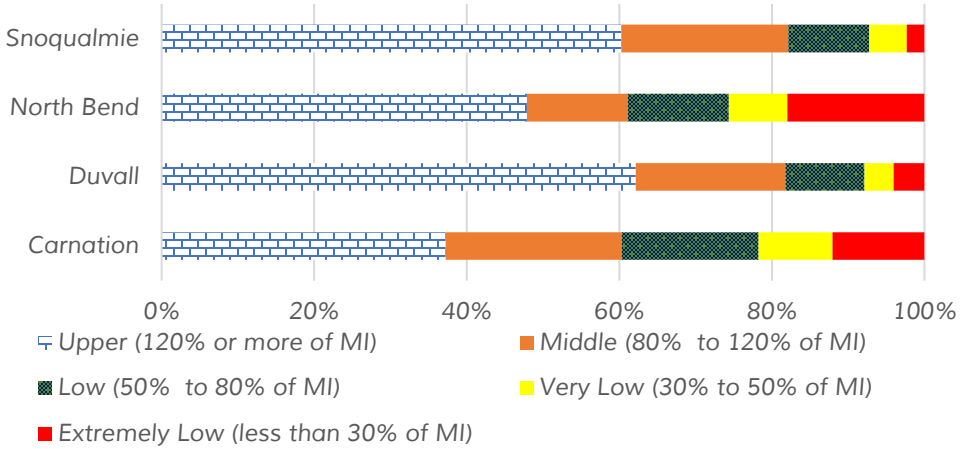


Figure 26 Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S0101

Figure 27 Source: US Census Bureau, ACS 2020 5-Year Estimates, Table S2503

HOUSING MARKET

Housing Demand

One way of examining how well Snoqualmie's housing stock matches with its demand is by comparing the size of units with the number of people in households. While there are certainly many reasons why a household might choose to live in a housing unit with more bedrooms than they might technically need, starting with the largest housing units for the largest families can help determine whether there is a supply and demand mismatch for smaller households.

Figure 28. Number of bedrooms in occupied housing units, 2020

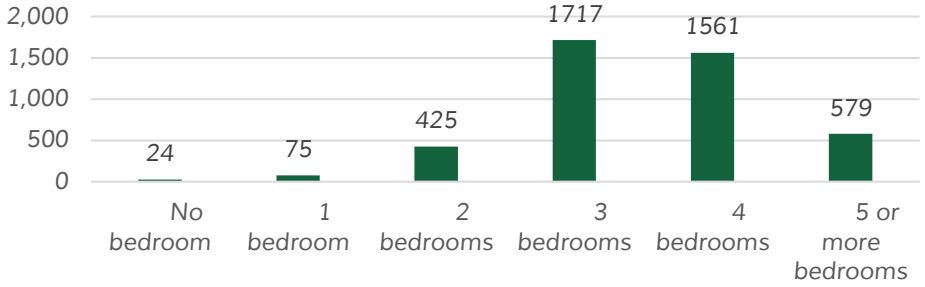
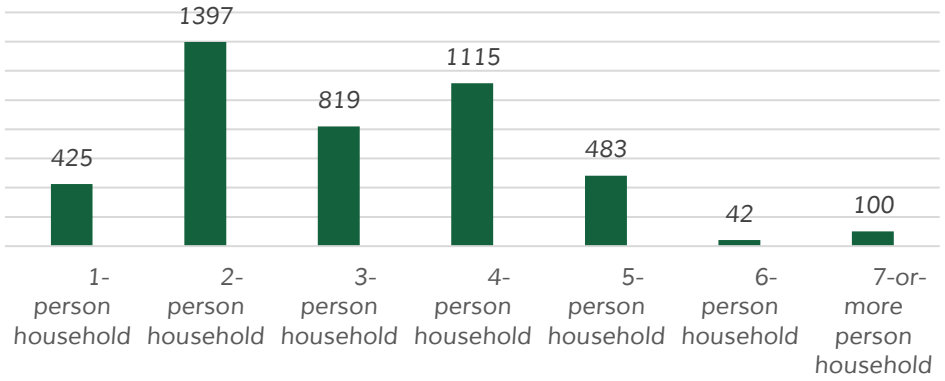


Figure 29. People per household, 2020



Sources: ACS 2020 5-Year Estimates, Table B25009 (right) and B25042 (left)

Based on these data, we can assign households to their likeliest housing unit size starting with the largest households as seen below. Orange highlight means households that could be over-housed. This analysis shows that as many as 2,461 households in Snoqualmie may be over-housed, indicating a lack of supply of units more appropriate to smaller households.

Figure 30. Analysis of Household Size and Housing Unit Size

Bedrooms, Occupied Housing Units	Total	7-person HH	6-person HH	5-person HH	4-person HH	3-person HH	2-person HH	1-person HH
No bedroom (studio)	24							24
1 bedroom	75							75
2 bedrooms	425						99	326
3 bedrooms	1,717					419	1,298	
4 bedrooms	1,561			46	1,115	400		
5 + bedrooms	579	100	42	437				

Sources: ACS 2020 5-Year Estimates, Tables B25009 and B25042. Analysis by LDC, Inc.

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Rents and housing prices have increased substantially between 2010 and 2020 in Snoqualmie, King County, and Washington State as a whole. As shown in Figure 31, median rent prices in Snoqualmie between 2010 and 2020 have risen by approximately 43 percent, which is less than both King County (69 percent increase) and Washington State (51 percent increase), although the raw values are much higher. Median home prices have grown more slowly than median monthly rents at a rate of 34 percent (Figure 32).

As shown in Figure 33 (next page), Zillow estimates that the median home price in Snoqualmie has risen from $697,735 in August 2020 to $1,011,912 in August 2022 (a 45 percent increase). The vacancy rate for owner-occupied homes is about 2.2 percent and is effectively 0 percent for rental homes, which indicates that demand for both owner-occupied homes and rental homes greatly exceeds supply.

Figure 31. Median monthly rent, 2010 and 2020

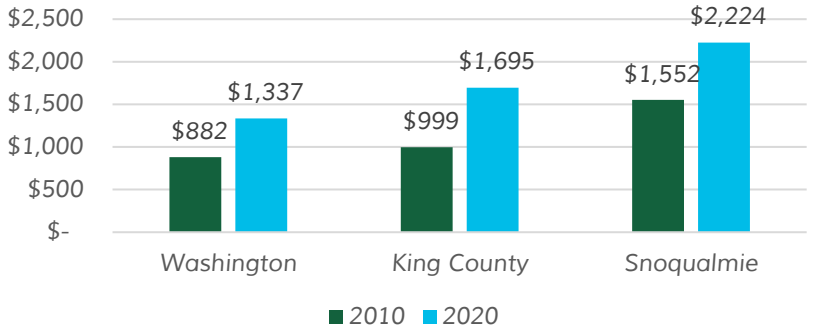
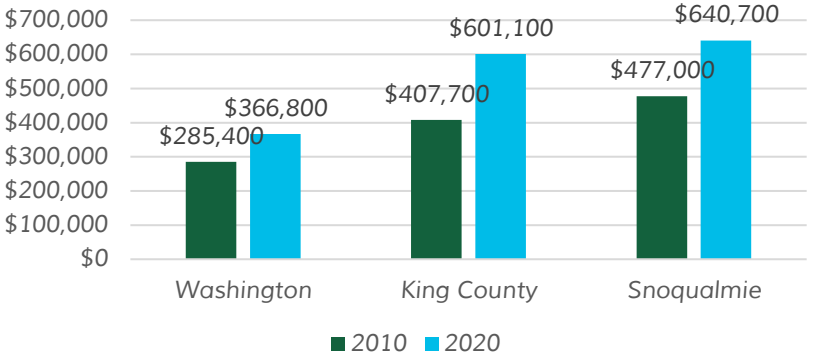


Figure 32. Median home value, 2010 and 2020

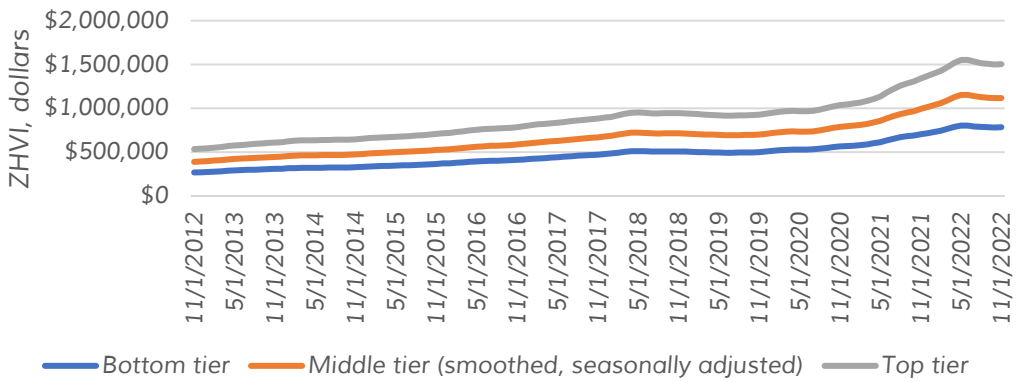


Source: US Census Bureau, ACS 2020 5-Year Estimates, Table D404

Housing Affordability

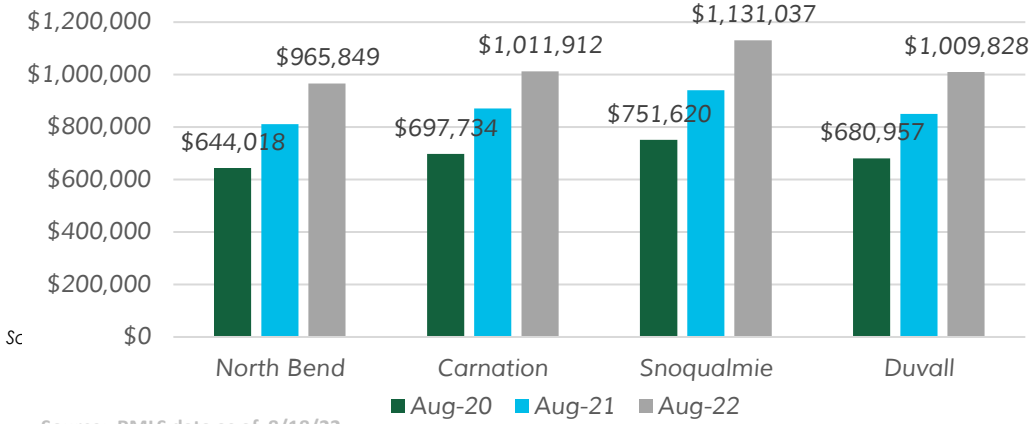
The price of single-family homes has risen extremely quickly since 2020. *The "mid-tier" home value as estimated by the real estate data company Zillow near the end of 2022 was $1,116,641, up 42 percent from two years ago. Top-tier homes (top third of estimated home values) rose 45 percent over that time, while bottom-tier (bottom one-third of values) homes rose 39 percent as shown in Figure 33 below. The median home sales price, as reported from RMLS data via the Regional Housing Needs Assessment, rose even faster over the past two years, from $751,620 in 2020 to $1,131,037 in 2022, an increase of 50 percent (Figure 35).*

Figure 33. Snoqualmie home value estimates, 2012-2022



Source: Zillow ZHVI All Homes (SFR, Condo/Co-op) Bottom, Mid, and Top Tier

Figure 35. Median home sales price, select cities, 2020-2022



Source: RMLS data as of 8/18/22

By comparing the median household income to the median home price, we can better understand home ownership attainability in the Snoqualmie Valley Region. As shown Figure 34 below, a household would need to earn at least 183% of the regional median household income level to be able to "afford" a median priced home of $1,050,000 (assuming they have 10% down payment and allocate no more than 30% of income to housing). Fewer than 34 percent of Snoqualmie's households could afford the median home under these conditions.

Figure 34. Housing Attainability Calculations

Snoqualmie Valley Region Housing Attainability

Regional Median Household Income (2022)*	$134,600
Regional Housing Cost (median price, 2022)	$1,029,657
Downpayment (@10%)	$102,966
Mortgage Amount (Principal and interest only)	$926,691
Monthly Housing Payment**	($6,161)
Annual Qualifying Income (@30% of income)	$246,433
Percent of MHI for qualifying households	183%

** based on current U.S. Housing and Urban Development data for FY 2022.*

*** assumes 10% down payment on 30-yr mortgage @ 6.9% APR interest.*

Source: FCS Analysis from Regional Housing Needs Assessment

Housing Affordability

Many of Snoqualmie's households, especially renters are burdened by the cost of their housing and pay more than a third of their annual income towards the cost of their housing*. For instance, as of 2019 (the latest year for which detailed estimates are available), approximately 23 percent (1,000 households) of Snoqualmie's households were cost burdened. Of these cost burdened households, renter households are much more likely to pay more than a third of their income toward housing, with 32 percent of renter households being cost burdened, compared to 21 percent of households who live in owner-occupied units.*

Figure 36. Cost Burdened Households, 2015-2019						
	Renter Households		Owner Households		Total Households	
Cost Burden	> 30%	> 50%	> 30%	> 50%	> 30%	> 50%
Household Income <= 30% HAMFI	34	4	4	4	45	15
Household Income >30% to <=50% HAMFI	60	0	100	60	160	60
Household Income >50% to <=80% HAMFI	30	0	220	85	255	85
Household Income >80% to <=100% HAMFI	90	0	125	0	215	0
Household Income >100% HAMFI	0	0	325	15	325	15
Total	214	4	774	164	1,000	168

Source: HUD-CHAS Tabulations of 2015-2019 ACS 5-Year Estimates. Note that the renter plus owner numbers do not necessarily add up to the total due to low-number rounding by HUD.

Using the more stringent "severe cost burden" threshold (households paying more than 50 percent of their income in rent or housing costs, only 1 percent of Snoqualmie residents are severely cost burdened, according to the most recent data.

All told, according to the HUD-CHAS data, as of 2019, there were 214 households who rent their unit and pay more than 30 percent of their incomes toward rent or housing. There were 774 households who own their unit who were cost burdened.

RACIAL AND ETHNIC DISPARITIES MERIT A TARGETED APPROACH TO RELIEVING COST BURDEN

Among households who own their housing units, 21 percent of white, non-Hispanic households (head of household) who own their homes face some level of cost burden. 34 percent of white households who rent their units face cost burden. While some racial groups report low numbers due to sampling error and data disaggregation performed by HUD and the census bureau for privacy reasons, 17 percent of Asian-headed homeowner households, 41 percent of Hispanic-headed homeowner households, and 38 percent of Hispanic-headed renter households face some level of cost burden.

Despite the limitations of these data due to margins of error and sample size, it is clear that cost burden is not just a problem facing renters.

Figure 37. Cost Burdened Households by Race

	Owner Occupied				Renter Occupied			
	Not Cost Burdened	Cost Burdened	Severely Cost Burdened	Not Computed (No/Negative income)	Not Cost Burdened	Cost Burdened	Severely Cost Burdened	Not Computed (No/Negative income)
White, Non-Hispanic	2,460	490	170	0	295	155	4	20
Black or African-American, Non-Hispanic	20	0	0	0	0	0	0	0
Asian, Non-Hispanic	340	70	0	0	50	0	0	0
American Indian or Alaska Native, Non-Hispanic	0	0	0	0	0	0	0	0
Pacific Islander, Non-Hispanic	0	0	0	0	0	0	0	0
Hispanic, Any Race	50	35	0	0	25	15	0	0
Other (including Multiple Races), Non-Hispanic	40	20	0	0	60	45	0	0

Source: HUD-CHAS Tabulations of 2015-2019 ACS 5-Year Estimates; Table 9

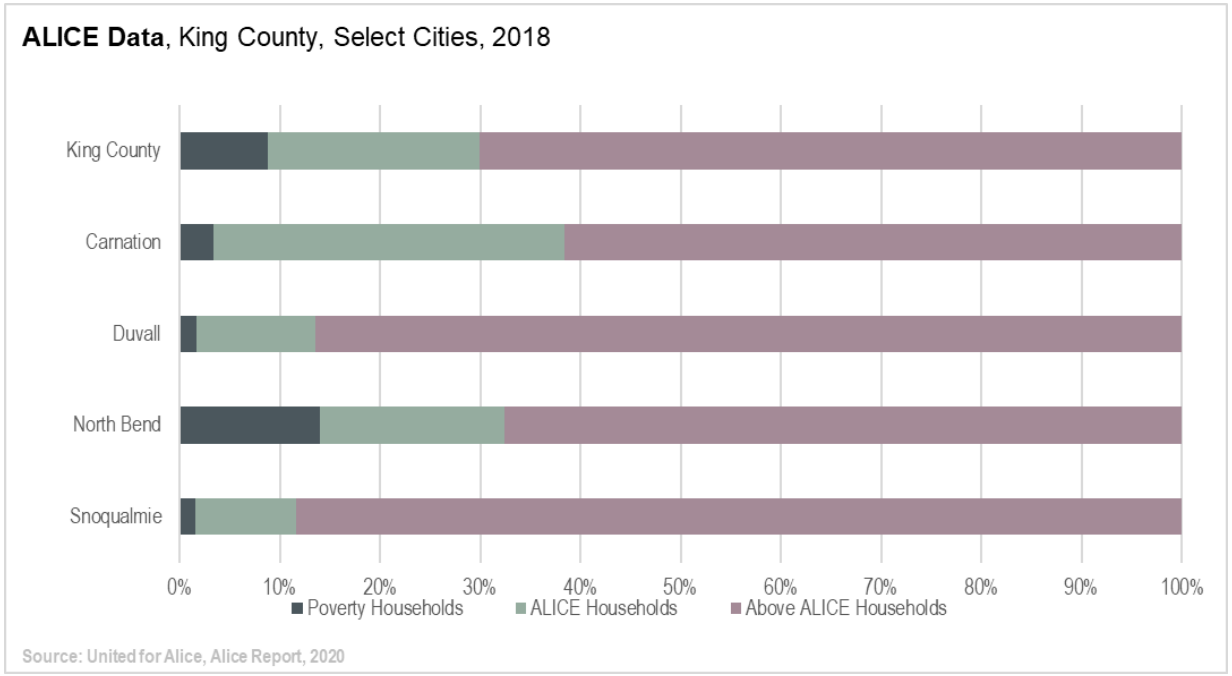
Housing Affordability

ASSET LIMITED AND INCOME CONSTRAINED & EMPLOYED RESIDENTS (ALICE)

The Snoqualmie Valley Regional Housing Needs Assessment (included as Appendix B of the Housing Action Plan) presents data by city on the proportion of residents facing overall economic hardship as measured by the United Way through its ALICE framework. ALICE, which stands for Asset Limited, Income Constrained, Employed, considers the total cost of household essentials, including housing, childcare, food, transportation, technology, and health care, plus taxes and a 10 percent contingency. Colloquially, it can be useful to think of the ALICE threshold as defining working class or the working poor.

Using this methodology, the Regional HNA finds that around 10 percent of Snoqualmie households can be described by the ALICE threshold. This, plus, the roughly 2 percent of households who meet the federal definition of poverty, give Snoqualmie a lower combined poverty share than the county and the lowest in the region.

Figure 38. Asset-Limited, Income-Constrained, Employed Data



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5. HOUSING GAPS

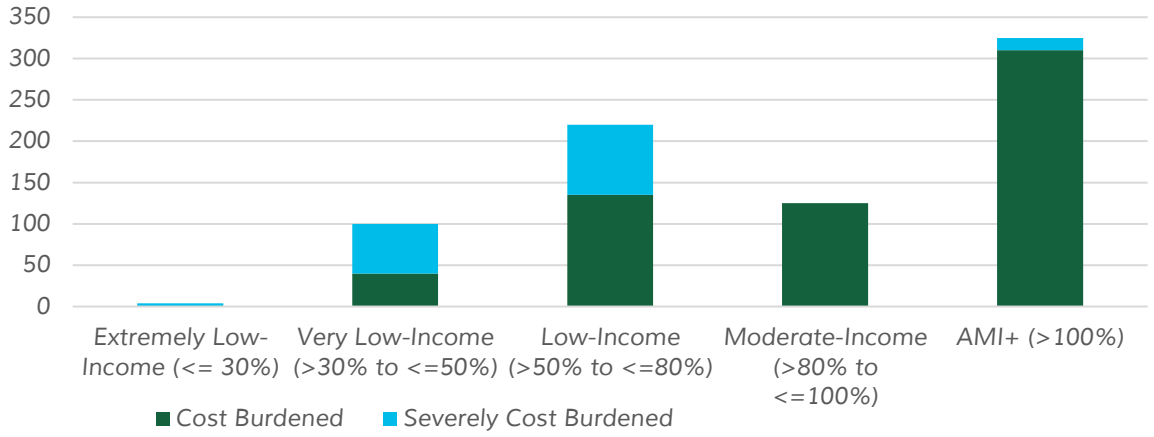
There are two primary components to the analysis of housing gaps: the current gap between the supply and demand of housing units that are affordable to Snoqualmie's current households, and an estimate of how many more units (and what kinds of units) are needed to accommodate the projected growth over the planning horizon.

CURRENT GAP

Using the 2015-2019 HUD-CHAS data on cost burden, Snoqualmie was during that period home to 214 households who rent their housing unit who are cost burdened (paying more than 30 percent of their incomes in rent). There are also 324 households making 80 percent or below of the AMI who own their unit who are cost burdened. There are **188** *units of subsidized affordable housing at the Panorama Apartments project aimed at low-income households that did not exist during the survey period. Therefore, the current gap between what is affordable and available for households making under 80 percent of the median income and the current demand is* **350 units.** *If a more restrictive threshold of paying more than 50 percent of income toward housing is used, there are 14 renting households and 39 owning households who are paying at least 50 percent of their incomes toward rent, for a total gap (after deducting subsidized units) of* **164 units.** *These cost burden figures are illustrated in Figure 38 below.*

Another way of examining the current housing gap can be illustrated by comparing the size of current housing units and the sizes of households. As shown in Figure 30 on page 19, Snoqualmie may have 326 one-person households potentially living in 2-bedroom housing

Figure 39. Household income distribution by level of cost burden



Source: HUD-CHAS Tabulations of 2015-2019 ACS 5-Year Estimates

Figure 40. Income ranges for affordability calculations

Income Grouping for Cost Burden Analysis	Income Range
Less than 30% Area Median Family Income	Less than $38,800
30 - 50% Area Median Income	$38,800- $64,700
50 - 80% Area Median Income	$64,700- $95,300
80 - 100% Area Median Income	$95,300- $134,600
100% Area Median Income and Above	$134.600 and above

Source: HUD Fiscal Year 2022 Income Limits

Housing Gaps Continued

units, 1,298 two-person households likely living in 3-bedroom housing units, 400 three-person households likely living in 4-bedroom housing units, and 437 five-person households living in 5+ bedroom homes. Another way of describing the current housing gap, therefore, might be that **up to 2,461 households** *in Snoqualmie are living in dwelling units that may be too large for their needs in part because not enough smaller units are available. While this figure cannot be directly compared to the gaps identified above based on cost burden, it provides a useful window into the types of housing that the city currently lacks in sufficient numbers.*

PROJECTED GAP

The housing target for 2019-2044 for Snoqualmie, per the adopted King County Countywide Planning Policies, is 1,500 units. The city has 421 net new units in the permitting pipeline between January 1, 2019 and June 2022. After subtracting the pipeline projects, as documented in the Regional HNA, the city needs to account for 1,079 additional housing units (the city has remaining capacity for 696 housing units, for a deficit of 383 units).

The city currently is short 350 housing units that are affordable to current households making less than 80 percent of the area median income. Around 1,079 units are needed to account for projected growth. This means **the total gap is 1,429 units, or 65 units per year through 2044.**

SNOQUALMIE HOUSING GAP CALCULATIONS

Projected gap

Housing target, 2019 – 2044: 1,500 units

Net new units in pipeline, 2019- 2022: 421

Remaining housing units needed: **1,079 units**

Total gap

Current affordability gap: 350 units

Projected Gap: 1,079 units

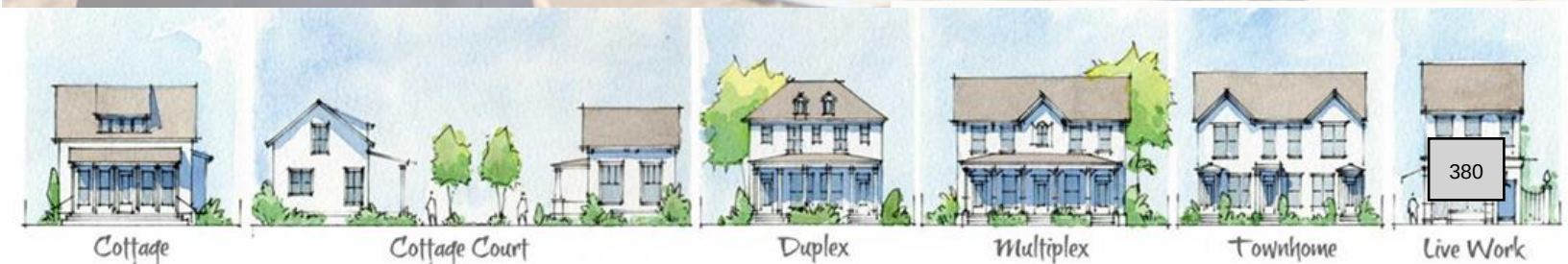
Total Gap: 350 + 1,079 = **1,429 units**

Number of new housing units needed per year, on average, 2023 -2044: **65 units per year**

Snoqualmie Valley
Regional Housing Needs Assessment

REPORT

January 10, 2023
revised



ACKNOWLEDGEMENTS

The Snoqualmie Valley Region is focused on creating new opportunities focused on creating housing options that better align with need and demand based on income, life stage and housing preference. This work is made possible from funding made available through HB 1406.

The findings reflect current trends and forecasts of housing needs throughout the region. This Housing Needs Assessment also reflects input received from project stakeholders with analysis by FCS GROUP, Blue Line and LDC (project consultants).

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GLOSSARY

Accessory Dwelling Unit (ADU): A small living space located on the same lot as a single-family house.

Affordable For-Sale Housing: An owner-occupied dwelling with an annual housing cost (mortgage payments, utilities, property taxes, etc.) that equates to no more than 30% of household income. *

Affordable Rental Housing: A dwelling that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30% of the household's monthly income. If income-restricted or government supported, U.S. Housing and Urban Development (HUD) income restrictions vary by family size. *

**A healthy housing market includes a variety of housing types that are affordable to a range of household income levels. However, the term "affordable housing" is often used to describe income-restricted housing available only to qualifying low-income households. Income-restricted housing can be in public, non-profit or for-profit developments. It can also include housing vouchers to help pay for market-rate housing (see "Vouchers" below for more details).*

American Community Survey (ACS): This is an ongoing nationwide survey conducted by the U.S. Census Bureau. It is designed to provide communities with current data about how they are changing.

Area median income (AMI): This term refers to area-wide median family income calculations provided by the federal Department of Housing and Urban Development (HUD) for a county or region. Income limits to qualify for affordable housing are often set relative to AMI in this report, unless otherwise indicated.

Buildable Lands Inventory (BLI): An assessment of the capacity of land to accommodate forecasted housing and employment needs.

Buildable Residential Land: Includes land that is designated for residential development that is vacant and part-vacant and not constrained by existing buildings or environmental issues.

Cost Burdened: Defined by US Department of Housing and Urban Development (HUD) as households who spend over 30% of their income on housing.

Cottages: Small, single-level, detached units, often on their own lots and sometimes clustered around pockets of shared open space.

Density: Defined by the number of housing units on one acre of land. Based on the 2021 King County Buildable Land Report, housing development density assumptions are as follows:

- **Very Low Density**: 0-4 dwelling units per net acre
- **Low Density:** 4-10 dwelling units per net acre
- **Medium Low:** 10-24 dwelling units per net acre

- **Medium High Density:** 24-48 dwelling units per net acre
- **High Density:** 48+ dwelling units per net acre

Development density: Expected number of dwelling units (per acre) based on current zoning designations.

Employment Sectors: This report includes an analysis of current employment trends for the following employment sectors: Industrial (includes manufacturing, warehousing, distribution, transportation, communications, utilities, construction trades, wholesale trade); Retail (includes businesses that sell end products to consumers); Government (includes local, state and federal workers); Services (includes all other occupations such as business and personal services).

Fair market rent (FMR): HUD determines what a reasonable rent level should be for a geographic area and sets this as the areas FMR. Housing choice voucher program holders are limited to selecting units that do not rent for more than fair market rent.

Family: A group of two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together.

Group Quarters: People living in shared housing facilities, such as a college dormitory, military barrack, nursing home or temporary shelter are not considered households and are counted as group quarters population.

Housing Affordability Index: The Housing Affordability Index (HAI) is calculated and maintained by the Washington Center for Real Estate Research (WCRER) at the University of Washington. It measures the ability of a middle-income family to make mortgage payments on a median price resale home. WCRER assumes the following terms: a median priced home of an area, a 20% down-payment, a 30-year fixed mortgage, and the purchaser with a median household income for the area. Critical to the notion of affordability, a household does not spend more than 25% of its income on principal and interest payments. When the HAI is exactly 100, the household pays exactly 25% of its income to principal and interest. When the index lies above 100, a household will spend less than 25% of its income on mortgage principal and interest. A HAI score of less than 100 indicates housing is not affordable at the assumed terms listed above.

Housing Unit (or Dwelling Unit): A house, an apartment or other group of rooms, or a single room is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live and eat with any other person in the structure and there is direct access from the outside or common hall.

Household: Consists of all people that occupy a housing unit. The people can be related, such as a family or unrelated. A person living alone is also a household.

HUD: Acronym for US Department of Housing and Urban Development, the federal agency dedicated to strengthening and supporting the housing market.

Low-Income: Families designated as low-income may qualify for subsidized housing and/or income-based deed-restricted housing units. HUD classifies families based on median family income levels as shown below:

Income Category	Household Income*
Extremely low-income	30% of MFI or less
Very-low income	30-50% of MFI
Low income	50-80% of MFI
Moderate income	80-100% of MFI
Above median income	> 100% of MFI

** Median Family Income (MFI) for the HUD defined market area.*

Manufactured Housing: A type of prefabricated home that is assembled off site and then transported to sites of use. The definition of the term in the United States is regulated by federal law (Code of Federal Regulations, 24 CFR 3280): "Manufactured homes are built as dwelling units of at least 320 square feet in size, usually with a permanent chassis to assure the initial and continued transportability of the home. The requirement to have a wheeled chassis permanently attached differentiates "manufactured housing" from other types of prefabricated homes, such as modular homes.

Median Family Income (MFI): The median sum of the income of all family members 15 years and older living in the household. Families are groups of two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family. Median income of non-family households tends to be lower than for family households. In this report both MFI and AMI refer to the U.S. Department of Housing and Urban Development Area Median Family Income (AMI) unless otherwise specified.

Middle Housing: Housing types that are attainable for households earning less than 120% of the area median income level. Typically includes plexes (2-4 units per structure), townhomes, apartments, accessory dwellings, cottage homes and manufactured homes.

Mixed Use: Characterized as two or more residential, commercial, cultural, institutional, and/or industrial uses into one combined building or building(s) on the same parcel of land.

Multi-Family Housing: Stacked flats in a single buildings or groups of buildings on a single lot typically with 5 or more units per structure. Parking is shared, and entrance to units is typically accessed through a shared lobby.

Part-vacant land: Unconstrained land that has some existing development but can be subdivided to allow for additional residential development.

Permanent Resident Population: This refers to the count of all people (citizens and noncitizens) who are living in the location at the time of the census. People are counted at their usual residence, which is the place where they live and sleep most of the time.

Plexes: two to four separate dwelling units within one structure on a single lot. In most instances each duplex, triplex or quadplex unit has its own separate entry.

Residual Land Value: The amount a developer would typically be willing to pay for the land/site to build a specific real estate improvement based on underlying assumptions and market conditions.

Seasonal dwellings: The owner intends these units to be occupied during only certain seasons of the year. They are not anyone's usual residence. A seasonal unit may be used in more than one season: for example, for both summer and winter sports. Published counts of seasonal units also include housing units held for occupancy by migratory farm workers. While not currently intended for year-round use, most seasonal units could be used year-round.

Severely Cost Burdened: Defined US Department of Housing and Urban Development (HUD) as households who spend over 50% of their income on housing.

Single Family Attached: Residential structures comprised of two to four housing units with a shared wall that separates each unit. "Attached" duplexes require a single building permit for both dwelling units.

Single Family Detached: Free standing residential building**,** unattached, containing separate bathing, kitchen, sanitary, and sleeping facilities designed to be occupied by not more than one family, not including manufactured and mobile homes.

Subsidized Housing: Public housing, rental assistance vouchers, and developments that use Low-Income Housing Tax Credits (LIHTC) area examples of subsidized housing. Subsidized housing lowers overall housing costs for its occupants. Affordable housing and subsidized housing are different even though the terms are sometimes used interchangeably.

Subsidized Units: Subsidized dwelling units funded in part or in whole by one or more of the following sources: low-income housing tax credits (LIHTC), Section 8, USDA, other HUD, or state grants.

Tenure: Tenure refers to the ownership of the housing unit in relation to its occupants. According to the U.S. Census Bureau, a housing unit is "owned" if the owner or co-owner(s) live in the unit, even if it is mortgaged or not fully paid for. A cooperative, condominium or mobile home is "owned" only if the owner or co-owner lives in it. All other occupied housing units are classified as "rented."

Townhome (also known as duplexes, rowhouse, etc.): Attached housing units, each on a separate lot, and each with its own entry from a public or shared street or common area.

Vacant housing unit: A housing unit is vacant if no one is living in it at the time of enumeration unless its occupants are only temporarily absent. Units temporarily occupied at the time of enumeration entirely by people who have a usual residence elsewhere are also classified as vacant.

Vacant land: Vacant and part-vacant land identified within the local buildable land inventory that is not developed and unconstrained for future planned residential development.

Vouchers (Tenant-based and Project-based): HUD provides housing vouchers to qualifying low-income households to off-set a portion of their rents. These are typically distributed by local housing authorities. Vouchers can be "tenant-based," meaning the household can use them to help pay for market-rate housing in the location of their choice. The tenant pays the difference between the fair market rent and 30% of the tenant's income. Or vouchers can be "project-based," meaning they are assigned to a specific building.

Workforce Housing: Affordable workforce housing means housing for a single person, family, or unrelated persons living together and earning 80% or less of the county median income,

INTRODUCTION

PURPOSE

Communities across the nation are facing unprecedented challenges with providing housing that better aligns with need and demand based on income, life stage, and housing preference. In response, the cities of the Snoqualmie Valley Region (Carnation, Duvall, North Bend, and Snoqualmie) continue to pursue policies and planning activities aimed at understanding housing needs and implementing local actions to preserve affordable housing and foster additional housing development.

The Snoqualmie Valley Housing Needs Assessment (HNA) examines current housing conditions; forecasts long-term housing needs; and identify potential policies that support a fair and equitable housing environment. The HNA process included a review of current land use and public facility plans, and local development regulations to determine existing conditions and perceived barriers to new development.

The overall goal of the Housing Needs Assessment is to help focus community efforts on the most critical local housing issues.

The Snoqualmie Valley Housing Needs Assessment is intended to identify long-term housing needs and to analyze and recommend housing policy strategies that will help foster new housing opportunities for households of all income The policies and practices discussed in this Memorandum are intended to build upon the efforts already undertaken by the cities of the region.

The four primary objectives of the Housing Needs Assessment aim to:

1. **Evaluate housing options and recommend housing needs that will inform the Housing Chapter of the Comprehensive plans of cities of the region and identify the highest needs for affordable housing.**
2. **Inform the community on its housing needs for households that are low and very low income.**
3. **Aid officials in assigning priority and resources to the housing needs identified.**
4. **Provide a necessary guide in developing appropriate housing policies, programs, and strategies.**

Regional Context

Because housing markets are rarely contained within a single jurisdiction, a regional perspective is necessary to understand market dynamics. For example, if safe and affordable housing is not sufficient in one community, people are likely to search for housing in nearby jurisdictions rather than leave the region altogether.

The focus of this HNA is on four cities within the Snoqualmie River Valley, with housing needs focused on the municipal boundaries and urban growth areas (UGA) of Carnation, Duvall, North Bend and Snoqualmie.

While the area surrounding these cities is rural in nature, the proximity to the greater Seattle/Bellevue Metropolitan Region makes the Snoqualmie Valley Region an attractive destination for people to live and work outside large urban settings. As discussed later in this report, the Snoqualmie Valley Region has seen an influx of new residents and second-home buyers since the beginning of the global Covid pandemic (2020+) which has led to a record level of new residents.

APPROACH

The process used to create this HNA report included:

- **Demographic Assessment** of historic population growth patterns, household sizes, income growth, age, and other factors that impact the nature of housing demand growth.
- **Housing Market Analysis** with a review of existing housing conditions in each community including housing type and tenure, home value, average rents and rent cost burden.
- **Housing Needs and Land Capacity for each city and UGA** based on the latest housing target recommendations the capacity analysis of buildable lands provided by King County.
- **Identification of Local Policy Considerations** and best practices that cities across the Washington area are implementing to address their housing needs. These policies will be further evaluated during the subsequent Housing Action Plan that will be prepared for each city.

With the completion of this Regional Housing Needs Assessment, each of these four cities intends to utilize the findings contained herein to prepare a specific Housing Action Plan and Comprehensive Plan updates.

It should be noted that the findings contained in this Regional Housing Needs Analysis are based on current planning assumptions and state requirements as of December 2022, and do not reflect any additional housing requirements that may result from implementation of pending King County Affordable Housing Task Force recommendations per House Bill 1220 for affordable housing.

REGIONAL OVERVIEW

Population and Households

The cities of the Snoqualmie Valley Region are growing and continue to set record population levels every year. Combined, the four cities of Snoqualmie, Carnation, Duvall, and North Bend have an estimated 32,905 residents (July 1, 2022, estimate). These four cites added nearly 10,000 residents between 2010 and 2022 (**Exhibit 1**). Three of the four cities are far outpacing the state and county-wide population growth rate, with the City of Snoqualmie setting the highest annual population growth rate of 5.71% since 2010.

Exhibit 1: Population Trends (2010-2022)

	2010	2020	2021	2022	2010-2022 AGR
Washington	6,561,297	7,706,310	7,766,975	7,864,400	1.52%
King County	1,879,189	2,269,675	2,287,050	2,317,700	1.76%
City of Snoqualmie	9,058	14,121	14,490	14,490	3.99%
City of Carnation	2,081	2,158	2,150	2,160	0.31%
City of Duvall	6,271	8,034	8,125	8,320	2.38%
City of North Bend	5,688	7,461	7,685	7,915	2.79%
Four-city Region	**23,098**	**31,774**	**32,450**	**32,885**	**2.99%**

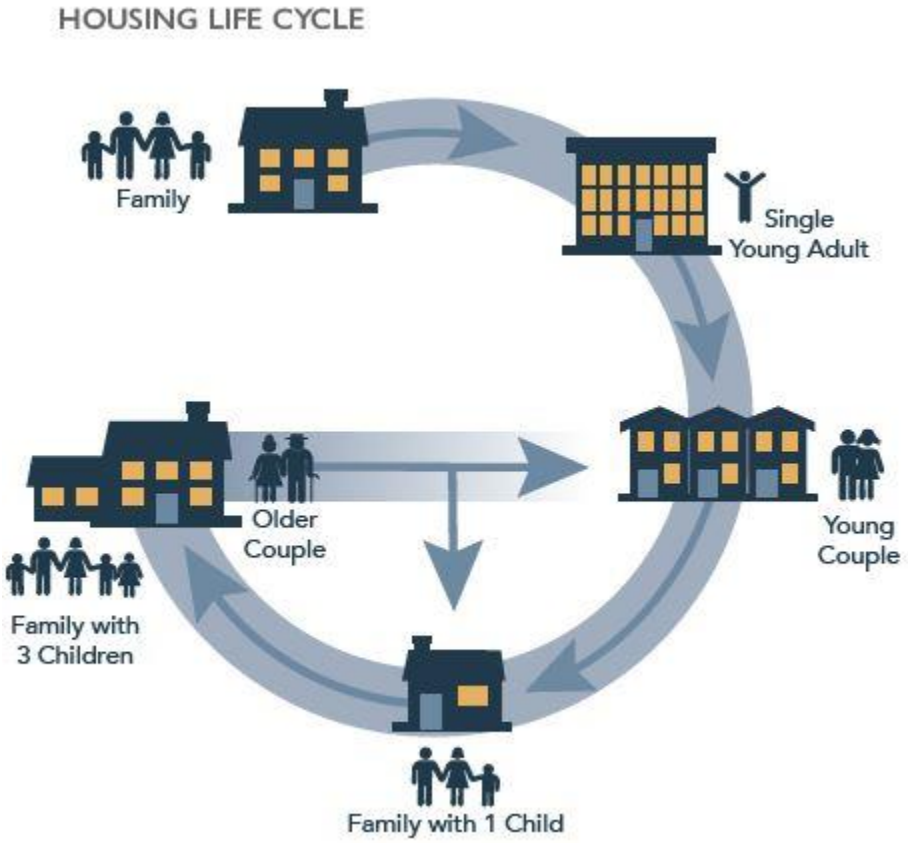
***Source** : Washington State Office of Financial Management*
AGR = average annual growth rate.

Factors affecting housing needs

There is a linkage between demographic characteristics and housing choice. As shown in **the figure below**, housing needs change over a person's lifetime.

Other factors that influence housing include:

- Homeownership rates increase as income rises.
- Single family detached homes are the preferred housing choice as income rises.
- Renters are much more likely to choose multifamily housing options (such as apartments or plexes) than single-family housing.
- Very low-income households (those earning less than 50% of the median family income) are most at-risk for becoming homeless if their economic situation worsens.



The relationship between demographic changes, income levels and housing preferences can shed light on future housing needs for the Snoqualmie Valley Region.

Population by demographic age cohort is shown in **Exhibit 2**. Overall, the cities of the Snoqualmie Valley Region have more young families than the county and state average with a higher share of Generation Z and Generation X residents.

Silent Generation (age 75 and over)

This includes retirees over age 75, who were raised during the Great Depression, Word War I or World War II. This cohort currently accounted for just 2% of the Snoqualmie Valley Regional population in 2020. As they reach their 80s some desire to move into assisted living facilities with nearby health care services and transit access.

Baby Boom Generation (age 55 to 74)

Baby boomers accounted for 16% of the Snoqualmie Valley Region residents in 2020. The boomer population segment has been growing more rapidly than the other cohorts over the past 10 years and many are now entering their retirement years. Boomers usually prefer to "age in place" until after age 80, then may downsize or move in with family members (sometimes opting to reside in accessory dwellings off the main house).

Generation X (age 40 to 54)

Gen X is the demographic cohort following the baby boomers and preceding the Millennials. This cohort accounted for 26% of the Snoqualmie Valley Region residents. GenX households often include families with children, and many prefer to live in single family detached dwellings at various price points.

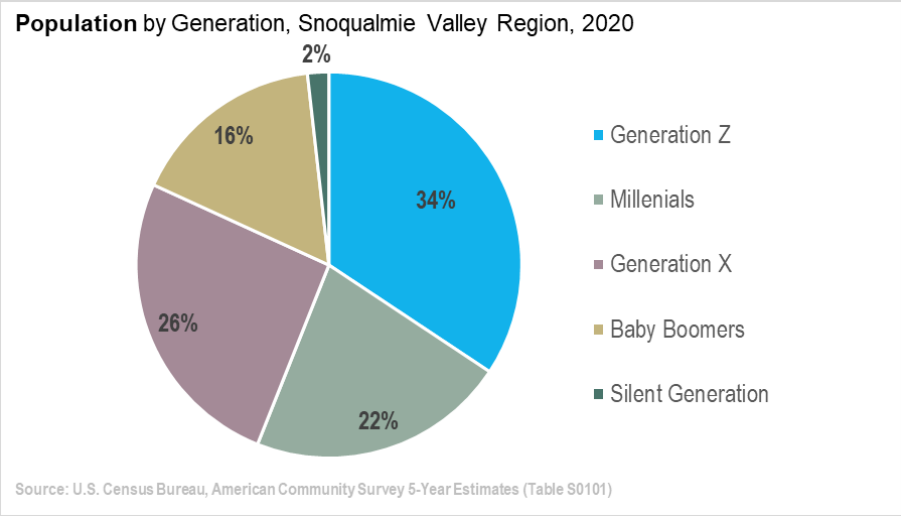
Millennials (age 25 to 39)

Millennials (currently in their twenties or thirties) accounted for 22% of the Snoqualmie Valley Region residents in 2020. Younger millennials tend to rent as they establish their careers and/or payback student loans. Working millennials often become first-time homebuyers, opting to purchase smaller single family detached homes or townhomes. Millennials in their 30s often include high tech or higher income earners that can afford market rate detached homes or townhomes.

Generation Z (under age 24)

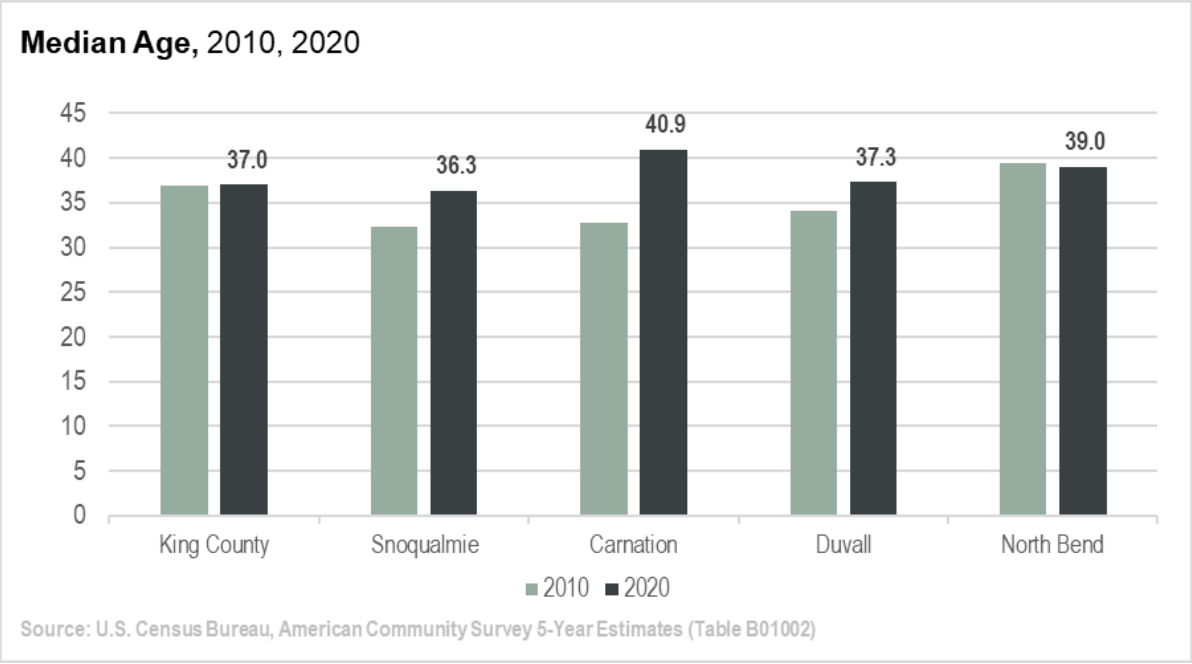
This is one of the largest demographic segments and accounted for 34% of the residents in the Snoqualmie Valley Region. It includes children living primarily with Millennials and GenXers. This segment has been increasing over the past several years, but this growth may slow in the future as GenXers are delaying starting families and tend to have fewer children than past generations.

Exhibit 2: Population by Age Cohort Generation



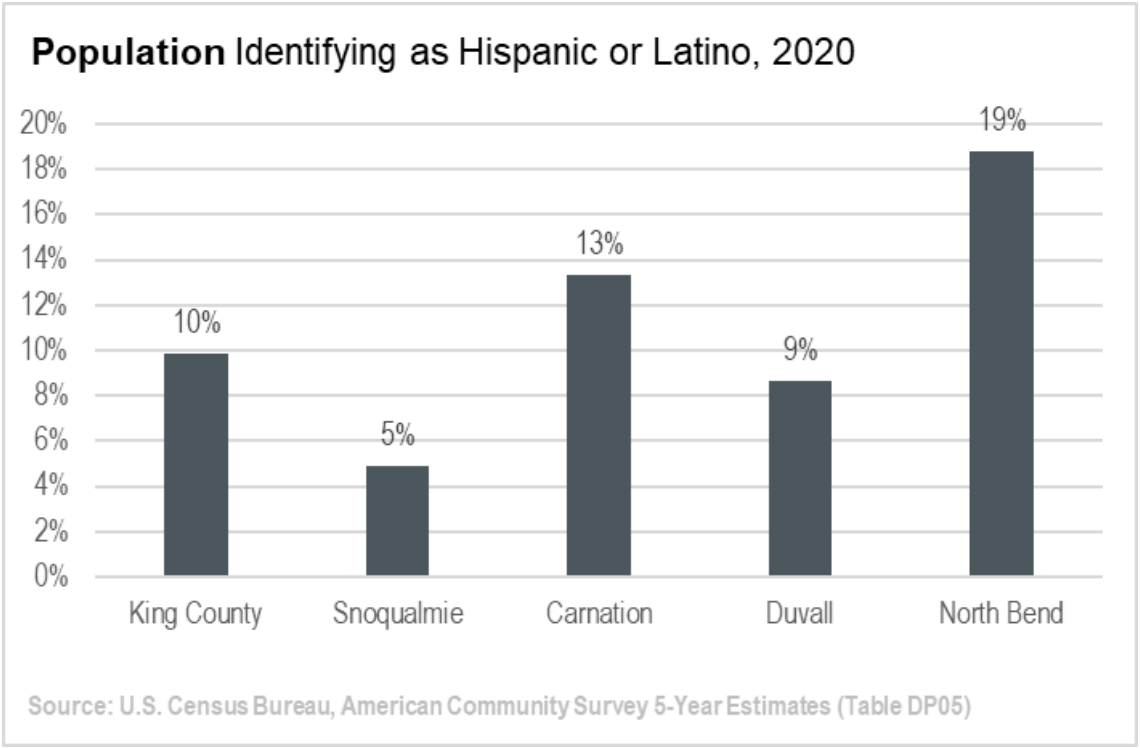
The median age of Snoqualmie Valley Region residents ranges from 36.3 (City of Snoqualmie) to 40.9 (City of Carnation). Overall, the median age of the residents within the region is in line with the countywide median age of 37 as of 2020 (**Exhibit 3**).

Exhibit 3: Median age, 2010 & 2020



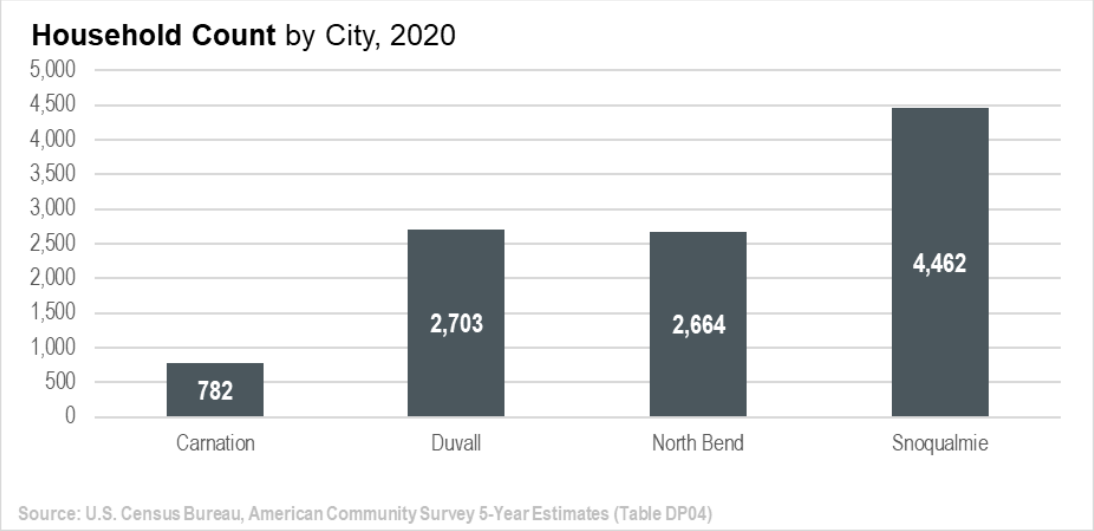
Ethnic diversity in the Region is primarily represented by the Hispanic/Latino population segment. This segment accounts for between 5% (City of Snoqualmie) and 19% (City of North Bend) residents (**Exhibit 4**).

Exhibit 4: Population Identifying as Hispanic or Latino, 2020



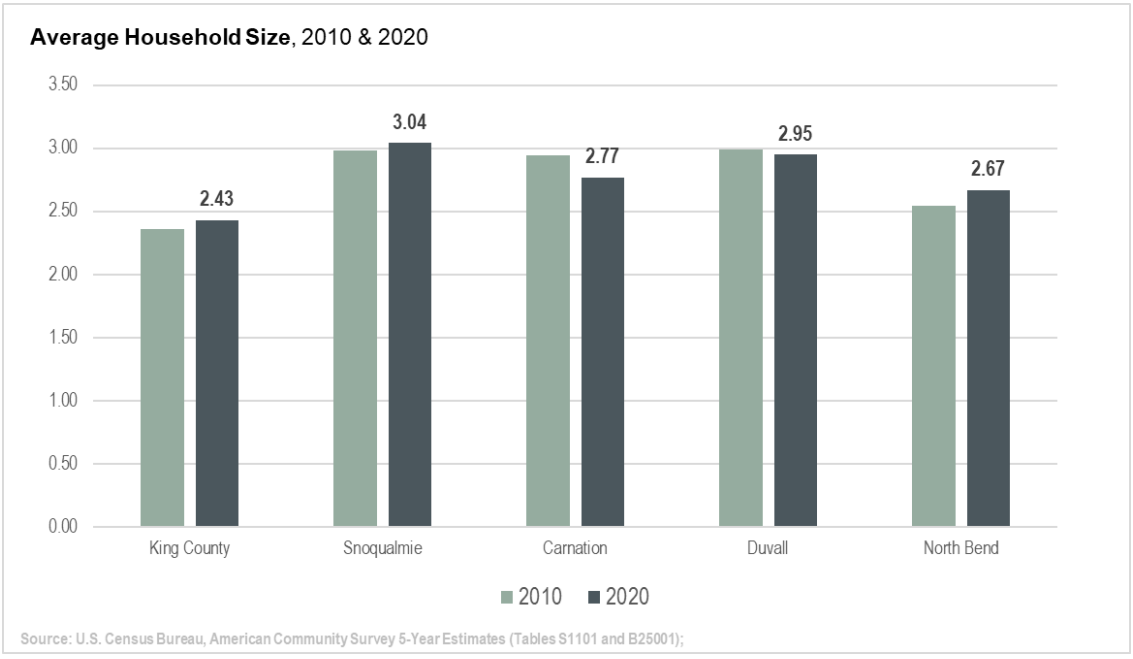
There were an estimated 10,611 households living within the four Cities of the Snoqualmie Valley Region in 2020. As shown in **Exhibit 5**, the greatest concentration is to be found in the City of Snoqualmie (4,462) and the lowest concentration is found in the City of Carnation (782 households). As indicated later in this report, these four cities have added approximately 200 additional housing units since 2020.

Exhibit 5: Household Counts



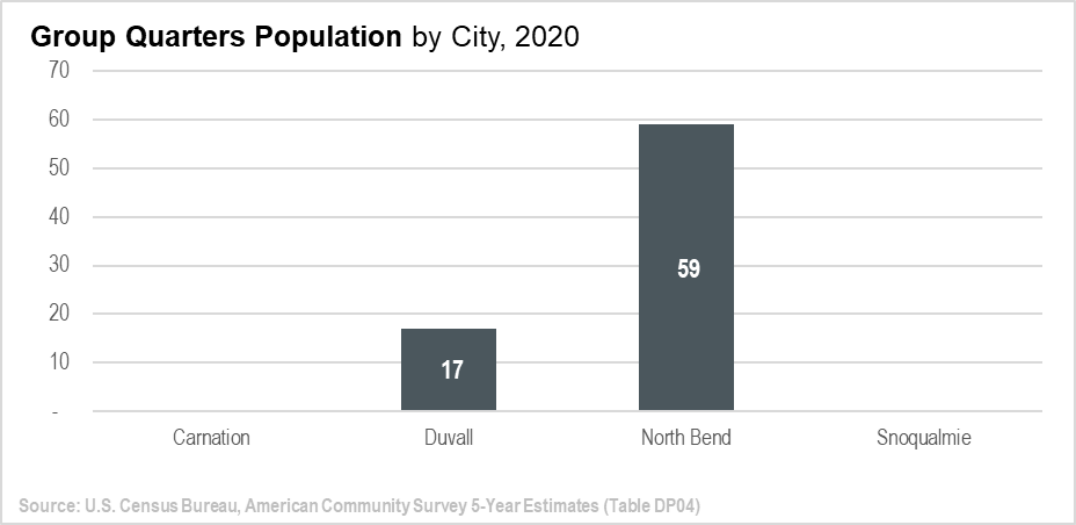
The average household size in the Snoqualmie Valley continues to exceed the King County average as shown in **Exhibit 6**. Larger households tend to represent families with school-age children and tend to prefer detached single-family homes.

Exhibit 6: Average Household Size



People that reside in group quarters are not included in the household counts. They typically reside in shared living arrangements such as senior care facilities, treatment centers, group homes and other living arrangements managed by an organization rather than the residents themselves. As of 2020, only Duvall and North Bend had measurable group quarters population, with 17 and 59 group quarters residents, respectively (**Exhibit 7**).

Exhibit 7: Group Quarters Population, 2020



Income and Employment

Household income in the Region is much higher than the state and county-wide income levels as shown in **Exhibit 8.** The U.S. Housing & Urban Development utilizes median household income as the primary measure for area income and housing affordability. Average income levels tend to be higher than median income because there tends to be a high share of income concentrated in a small number of very high income households.

Exhibit 8: Median Household Income

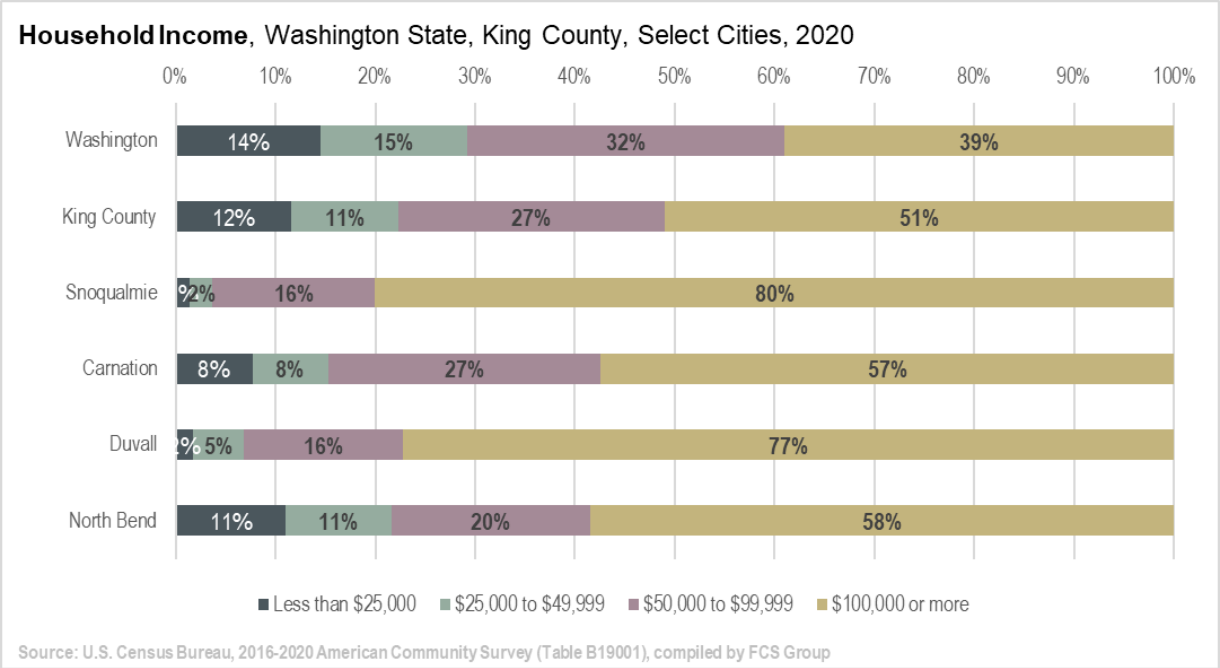
Median Household Income, 2010-2020			
	2010	2020	AGR
Washington	$57,244	$77,006	3.0%
King County	$68,065	$99,158	3.8%
City of Snoqualmie	$116,020	$159,450	3.2%
City of Carnation	$70,769	$112,647	4.8%
City of Duvall	$105,763	$162,622	4.4%
City of North Bend	$77,462	$119,392	4.4%

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates (Table B25119)

AGR: average annual growth rate.

Over half of the households in the Region earn more than $100,000 per year. However, the share of households earning less than $50,000 ranges from 3% in the City of Snoqualmie to 22% in the City of North Bend (**Exhibit 9**).

Exhibit 9: Median Household Income by Household Type, 2020



Employment (as measured by at-place-of-work jobs covered by unemployment insurance) within the Snoqualmie Valley Region has been increasing across all job sectors. Total employment within the four cities of the region increased from 4,713 in 2002 to 10,443 in 2019 (an increase of 5,730 jobs) as shown in **Exhibit 10.** The service sector added the most jobs during this time followed by the industrial sector (which includes construction, manufacturing, distribution, and wholesale trade).

Exhibit 10: Employment Trends in the Snoqualmie Valley Region

Sector	2002 Emp.	2009 Emp.	2019 Emp.	Change: 2002-2019	AGR
Industrial	974	1,931	2,394	1,420	5.4%
Retail	853	692	1,046	193	1.2%
Service	2,790	4,179	6,540	3,750	5.1%
Government	96	107	463	367	9.7%
Total	**4,713**	**6,909**	**10,443**	**5,730**	**4.8%**

Source: U.S. Census On the Map data . AGR: average annual growth rate.

Improvements in the ratio of jobs to housing can help reduce the need for long-distance commutes by workers within the region. The ratio of jobs to households within the Snoqualmie Valley Region (four cities) has been increasing over the past decade. In 2020 there were 1.03 jobs for every household, up from 0.9 in 2010.

Job growth forecasts by the Washington State Employment Security Department suggest that industries in the King County region are expected to increase in employment by between 0.2% and 2.5% annually over the next ten years. Using countywide growth projections as a basis, local employment in the four cities of the Snoqualmie Valley Region is projected to increase by 2,277 jobs by 2030. The majority of job growth is projected to occur in the services sector followed by the retail sector (**Exhibit 11**).

Exhibit 11: Employment Forecast in the Snoqualmie Valley Region

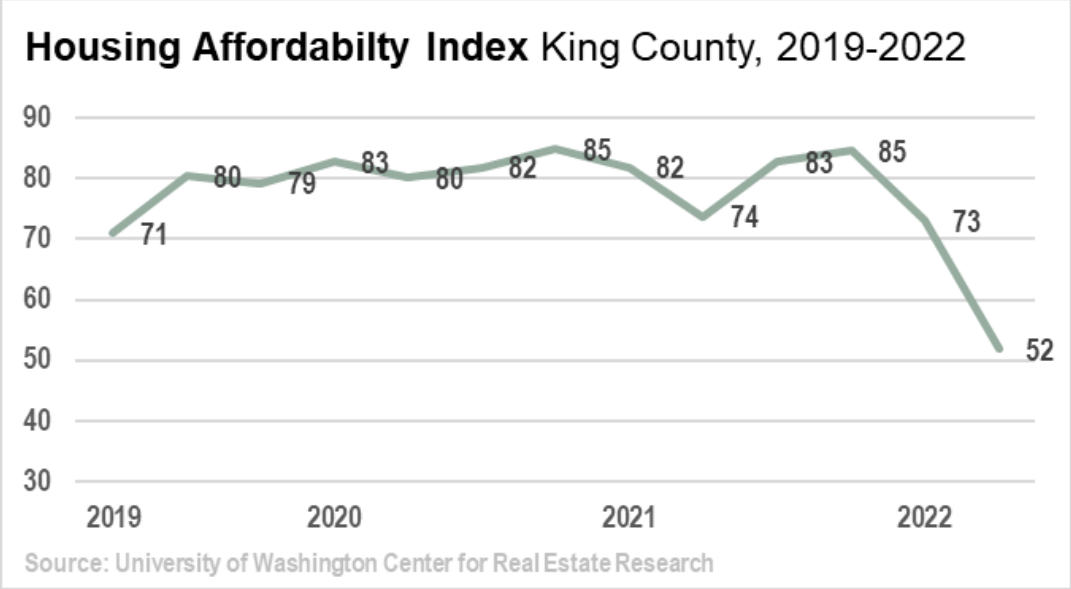
Sector	2019 Emp.	Regional Projected AGR	Projected 2030 Emp.	Change
Industrial	2,394	0.2%	2,453	59
Retail	1,046	2.5%	1,374	328
Service	6,540	2.4%	8,474	1,934
Government	463	1.1%	519	56
Total	**10,443**	**1.8%**	**12,820**	**2,377**

Source: U.S. Census On the Map data, Washington ESD Industry Growth Projections

Housing Cost Burdens

With the recent increase in mortgage interest rates and rising home prices there is increasing concern that many households are being priced out of the market. The Housing Affordability Index for King County has consistently remained below 100 and has recently dipped to the lowest level in several years at 52. An index of 100 or higher means that households earning the median income for the area should be able to afford a median priced home (**Exhibit 12**).

Exhibit 12: King County Housing Affordabilty Tends

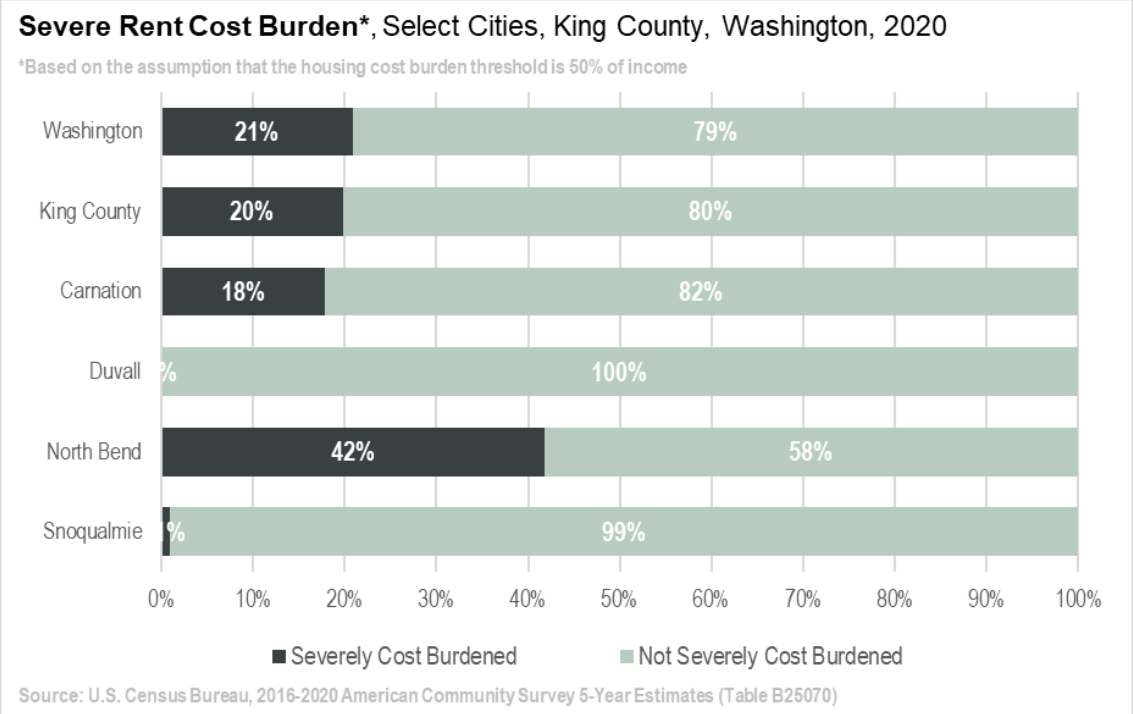


According to the U.S. Housing and Urban Development (HUD), households are considered to be "cost burdened" if they pay over 30% of their income on housing. Households are "severely cost burdened" when they pay over 50% of their income on housing.[1]

As shown in **Exhibit 13**, the share of renter households with severe rent burdens varies broadly within the Region. As indicated previously, in North Bend 22% of households have an annual income of less than $50,000 per year. This relatively high share of lower-income households combined with a significant rental housing inventory influence rental housing cost burdens. As a result, over 4 in 10 renter households (42%) in the City of North Bend experienced severe rent burden. In comaprision, the City of Carnation is near the county and statewide average at 18%.

Within the cities of Duvall and Snoqualmie, where income levels are relatively high and rental housing inventory is low, severe rent burdens were less prevalant. However, the housing within these communities is not attainable to many of the households that have low paying service or retail jobs.

Exhibit 13: Severe Rent Cost Burden, 2020



1 Housing costs reflect annual income for rent and utilities for renters, and loan principal, interest, utilities, property taxes and insurance for homeowners. FCS estimates that the average cost of utilities, property taxes and home insurance add between $387 (utilities only) and $1,084 per month for homeowners.

It should be noted that there are other factors referenced by HUD that impact "affordability" more than just house rent/price and number of bedrooms. Costs also account for neighborhood school quality, public safety, and access to jobs and amenities. The percentage of income standard for housing affordability may not fully consider the effects of housing and neighborhood quality. Housing that may appear affordable based on cost alone, for example, might be far from employment centers, increasing the percentage of income a household dedicates to transportation. A household may also choose a low-quality housing unit or a low-opportunity neighborhood to reduce housing costs. As a result, the conventional measure of affordable housing underestimates the number of households who are burdened by combined housing and transportation costs as well as the number of households in need of quality affordable housing.

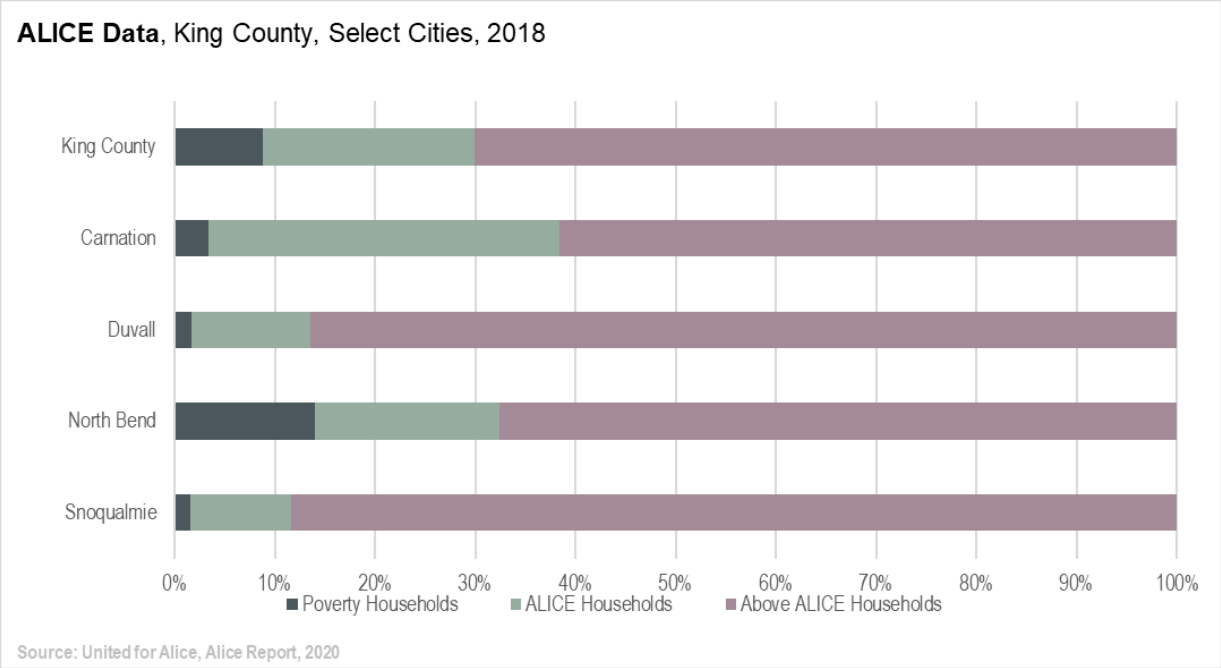
Asset Limited Income Constrained & Employed Residents (ALICE)

Like many communities across the U.S., an increasing share of households are experiencing economic hardship as the overall cost of living rises faster than income levels. Since 1965, the Federal Poverty Level (FPL) has provided a standard for determining the proportion of people living in poverty in the U.S. Despite the FPL's benefit of providing a nationally recognized income threshold for determining who is poor, its shortcomings include the fact that the FPL is not based on the current cost of basic household necessities, and except for Alaska and Hawaii, it is not adjusted to reflect cost of living differences across the U.S. In fact, federal poverty statistics indicate that the number of King County households living in poverty decreased by 5.1% since 2010.

In recognition of the shortcomings associated with federal poverty statistics, the United Way now provides a new framework to measure households that do not earn enough to afford basic necessities, with a segment titled ALICE (Asset Limited, Income Constrained, Employed). The ALICE methodology considers the total cost of household essentials – housing, childcare, food, transportation, technology, and health care, plus taxes and a 10 percent contingency. ALICE data are calculated separately for each county, and for six different household types. For more information, please check out: https://www.unitedforalice.org/methodology

In 2018, 30% of the households in King County were classified as living in poverty or in the ALICE category, which is below the Washington state average of 33% (**Exhibit 14**). The cities of Carnation and North Bend were slightly above the combined county-wide poverty and ALICE rate average. Duvall and Snoqualmie have lower combined rates of poverty and ALICE households.

Exhibit 14: Asset Limited Income Constrained Households, 2018



Displacement Risk

Displacement is a phenomenon in which residents and businesses can no longer afford escalating rents or property taxes. As economic growth in the Puget Sound region continues, the risk of displacement for existing residents increases.

The Puget Sound Regional Council has developed a displacement risk tool which assesses the risk of displacement by geographic area. **Exhibit 15** depicts areas most at risk of displacement. In this map, orange shaded areas are at higher risk of displacement (a displacement risk score of 3) than the yellow shaded areas (a risk score of 2) and the green shaded areas (a risk score of 1). This map shows that all the communities in the Snoqualmie Valley Region have a displacement risk score of 1 (low risk). Displacement risk indicators are summarized below.

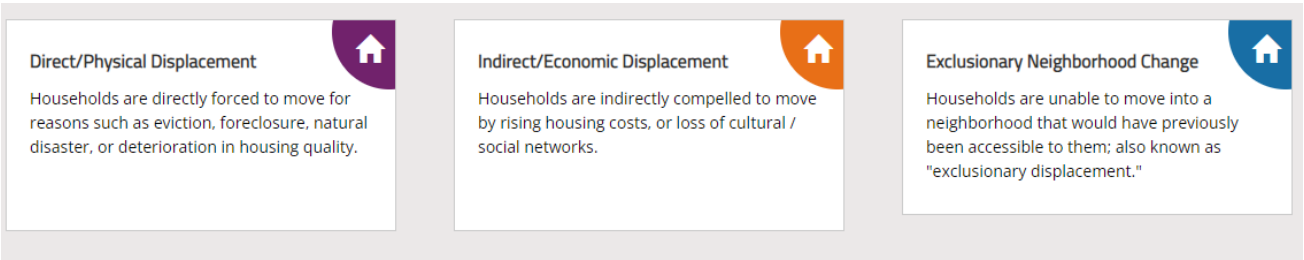
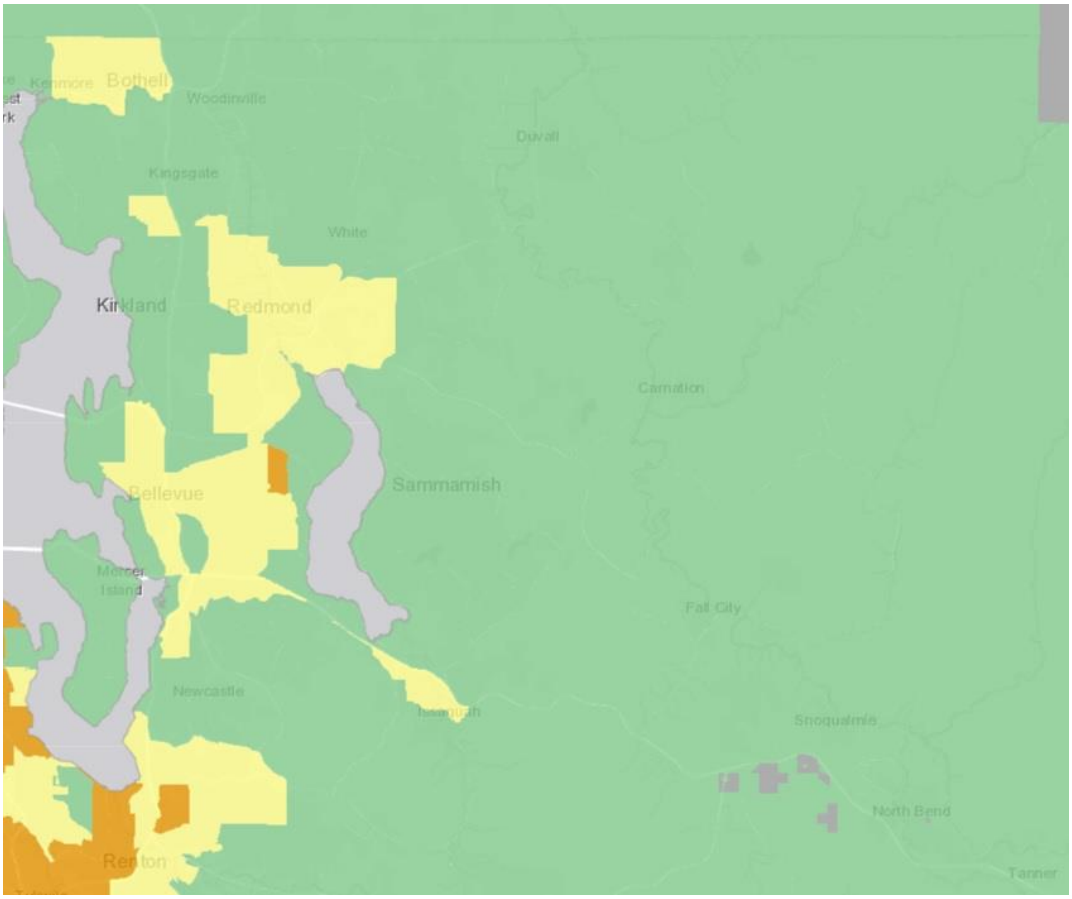


Exhibit 15: Displacement Risk Map



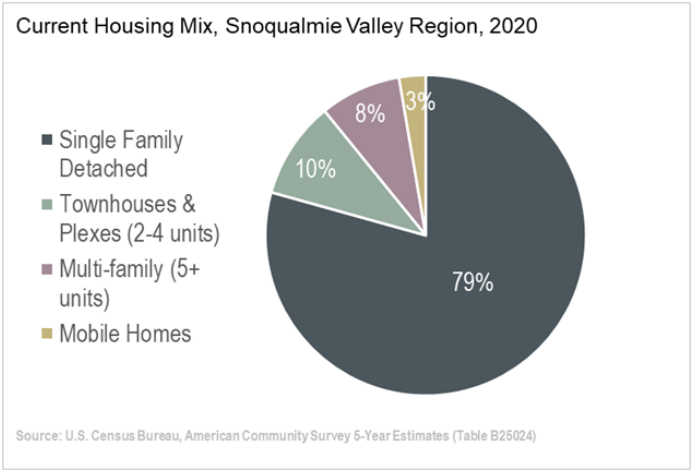
While PSRC indicates that the overall displacement risk in the Snoqualmie Valley region is low, communities that have a relatively high share of poverty and ALICE households, such as North Bend could face greater displacement risk in the future if home prices continue to outpace income levels.

HOUSING CONDITIONS AND NEEDS

Local housing conditions and development trends shed light on housing conditions and demand preferences. In 2020, there were nearly 11,000 exiting housing units within the four Snoqualmie Valley cities (area excludes UGAs outside city limits). Among those, 10,611 units were occupied and 328 were classified as vacant.

Like most communities in Washington, single-family detached housing is the most prevalent housing type representing 79% of the overall housing mix. As shown in **Exhibit 16**, approximately 10% of the housing inventory includes townhomes and plexes (with 2 to 4 units per structure). Multifamily housing (including apartments and condominiums with 5 or more units per structure) represents approximately 8% of the Region's housing inventory. Mobile homes and manufactured dwellings represent the remaining 3% of the housing inventory.

Exhibit 16: Existing Housing Inventory

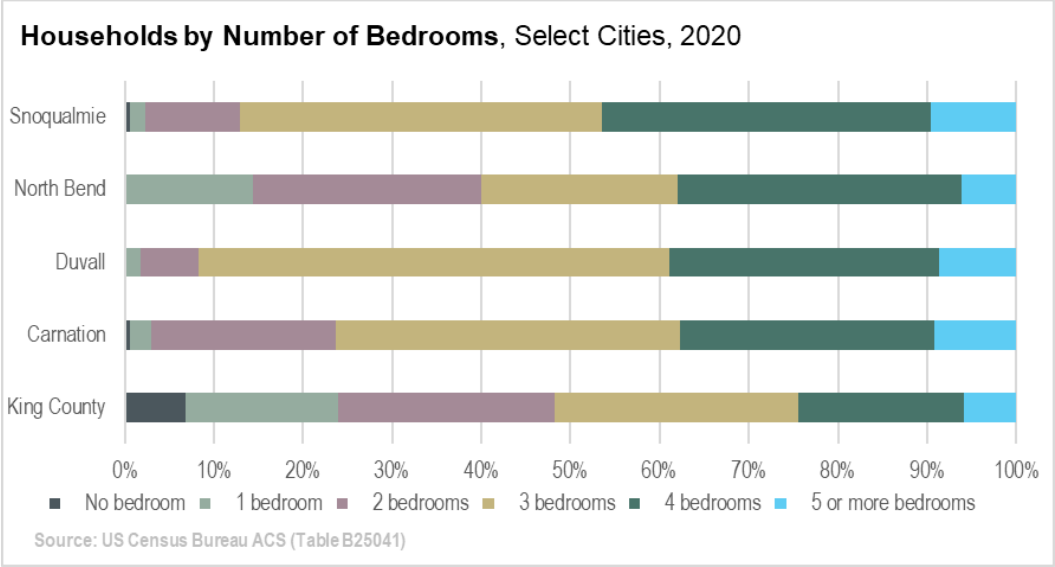


The share of households residing in single family detached dwellings ranges from a low of 66% in North Bend to a high of 92% in Duvall (**Exhibit 17**).

Exhibit 17: Occupied Households by Dwelling Type

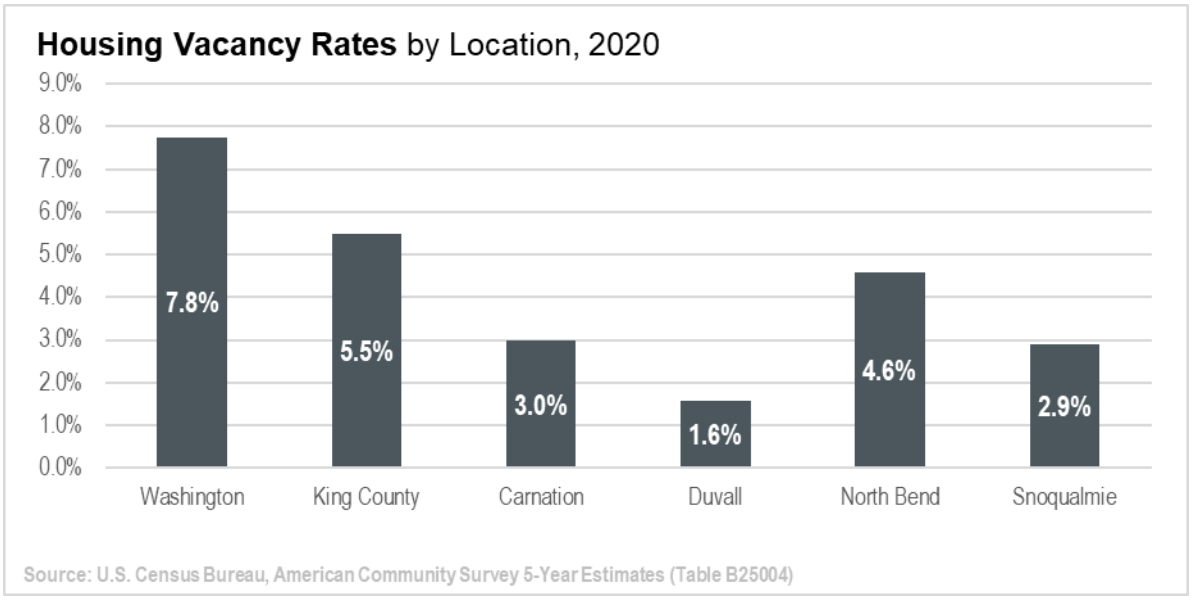
Most the Snoqualmie Valley Region's housing units have between 2 and 4 bedrooms (**Exhibit 18)**.

Exhibit 18: Housing Units by Number of Bedrooms



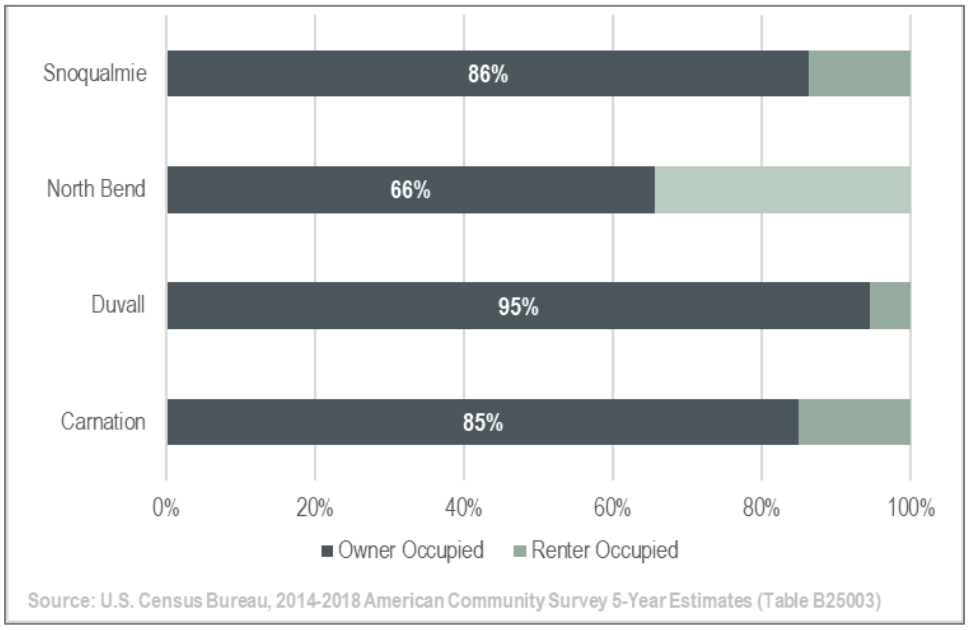
The overall housing vacancy rate within the Snoqualmie Valley Region was approximately 3.1% in 2020 and is reported to be much lower today. The vacancy rate in all the Snoqualmie Valley cities is lower than the county and state averages (**Exhibit 19**). Vacant units would also include short-term rentals and second homes.

Exhibit 19: Vacant Housing Units



Home ownership varies widely within the Snoqualmie Valley Region. Owner-occupied housing units represent between 66% and 95% of the total housing inventory in these four cities while renter-occupied units account for between 5% and 34% of the inventory (**Exhibit 20**).

Exhibit 20: Existing Housing Tenancy, 2020



There are currently six significant government subsidized housing developments within the Snoqualmie Valley Region that offer assisted living arrangements. Using the National Housing Preservation Database tool, these five facilities are listed in **Exhibit 21**.

Exhibit 21: Facilities with Subsidized Dwelling Units

Development Name	Location	Subsidized Units	Total Units
SI View	North Bend	20	20
Sno Ridge Apartments	North Bend	39	40
Cascade Park	North Bend	28	28
Panorama Apartments	Snoqualmie	188	191
Pickering Court	Snoqualmie	30	30
Duvall Family Housing	Duvall	8	8
Total		**313**	**317**

Source: NHPD Mapping Tool

New housing construction activity for each of the four cities within the Snoqualmie Valley Region has resulted in 695 homes being added over the last three years (2019-2021). The most significant level of development activity has been occurring in the cities of North Bend and Duvall (**Exhibit 22**).

Exhibit 22: Recent Home Construction Activity, 2019-2021

Residential New Building Permits Issued: 2019-22	2019	2020	2021
Snoqualmie	4	-	-
Carnation	11	19	17
Duvall	40	208	26
North Bend	85	142	143
Total	140	369	186

Source: Building permit data provided by cities.

HOUSING VALUES AND RENTS

Home values in the Snoqualmie Valley Region have increased significantly in recent years. As indicated in **Exhibit 23**, the median home value in all four cities has increased by over 17% annually over the last two years. Recent home values peaked in July 2022 and began to decline slightly during the remainder of that year as interest rates increased. Currently, the median home sales price in all four cities is now near or above $1,000,000.

Exhibit 23: Home Value Price Index in Select Markets

	Aug-20	Aug-21	Aug-22	Nov-22	Avg. Annual Change %
North Bend	$644,018	$811,441	$965,849	$961,385	19.5%
Carnation	$697,734	$870,365	$1,011,912	$1,000,051	17.3%
Snoqualmie	$751,620	$940,260	$1,131,037	$1,116,641	19.2%
Duvall	$680,957	$850,109	$1,009,828	$990,834	18.1%

Source: Zillow.com; analysis by FCS 1/10/23

By comparing the median household income to the median home price, we can better understand home ownership attainability in the Snoqualmie Valley Region. As shown **Exhibit 24**, a household would need to earn at least 183% of the regional median household income level to be able to "afford" a median priced home of $1,050,000 (assuming they have 10% down payment and allocate no more than 30% of income to housing). Based on current income levels in the Snoqualmie Valley Region, it is estimated that less than one in four households can now afford a median priced home.

Exhibit 24: Home Ownership Attainability Analysis

Snoqualmie Valley Region Housing Attainability	
Regional Median Household Income (2022)*	**$134,600**
Regional Housing Cost (median price, 2022)	**$1,029,657**
Downpayment (@10%)	**$102,966**
Mortgage Amount (Principal and interest only)	**$926,691**
Monthly Housing Payment**	**($6,161)**
Annual Qualifying Income (@30% of income)	**$246,433**
Percent of MHI for qualifying households	**183%**

** based on current U.S. Housing and Urban Development data for FY 2022.*

*** assumes 10% down payment on 30-yr mortgage @ 6.9% APR interest.*

Currently, the HUD fair market rents within King County range from $1,829 for an efficiency unit to $3,446 for a four-bedroom unit, as shown below. Fair market rents have been increasing between 3.6% and 4.6% per year over the past few years.

The median family income (MI) in King County was $113,300, which was high compared with the statewide median family income of $89,800. Housing attainability is typically measured at the following levels:

- Upper income (120% of MI)
- Middle income (80% and 120% of MI)
- Low income (50% and 80% of MI)
- Very-low income (30% and 50% of MI)
- Extremely low income (0% and 30% of MI)

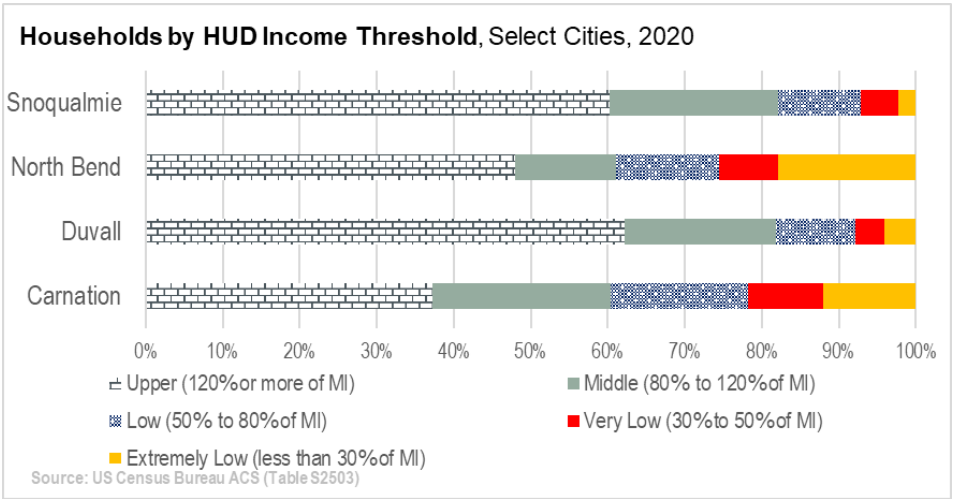
Exhibit 25 depicts HUD qualifying income thresholds for those levels.

Exhibit 25: Median Income Thresholds, King County, 2020

HUD Qualifying Income Level	Lower-end	Upper-End
Upper (120% or more of MI)	$135,960	or more
Middle (80% to 120% of MI)	$90,640	$135,960
Low (50% to 80% of MI)	$56,650	$90,640
Very Low (30% to 50% of MI)	$33,990	$56,650
Extremely Low (less than 30% of MI)	$33,990	or less

Based on these housing thresholds, **Exhibit 26** reflects the share of households that would meet HUD income thresholds within each city. These calculations assume that no more than 30% of income is allocated to housing per HUD standards.

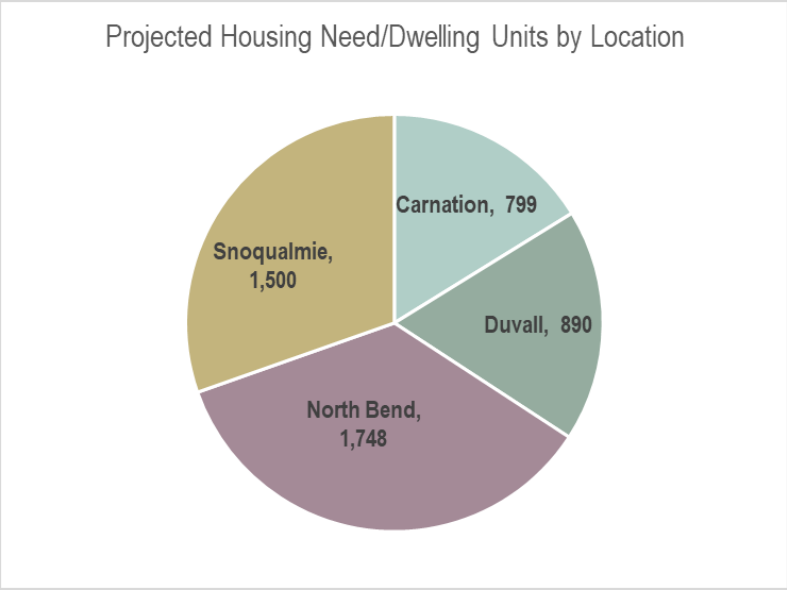
Exhibit 26: Households by Income HUD Income Threshold, 2020



LONG-TERM HOUSING NEEDS

Based on the long-term housing targets that were adopted as part of the 2044 Urban Growth Buildable Land Capacity Report (report by King County dated June 2021) and current housing trends discussed above, the four-city Region has a housing target of adding 4,937 housing units (dwellings) over the 2021–2044-time frame. The allocation of the current housing targets is shown in **Exhibit 27**.

Exhibit 27: Housing Targets by Location, 2021-2044



As a manner of enhancing housing attainability, cities should consider providing opportunities for development of a variety of housing types. If each city in the Snoqualmie Valley Region equally addresses the projected market demand for housing types based on emerging trends and income attainability issues identified herein, the overall housing target in the Region would consist of 3,900 single family dwellings and approximately 1,037 "middle housing" units (**Exhibit 28**). In this HHA document, middle housing is intended to reflect housing types other than single family detached or attached townhomes. For example, this could include opportunities to develop duplexes, apartments, cottages, or accessory dwellings that tend to be more attainable to rent or own.

The forecasts shown in **Exhibit 28** are provided for local consideration only. It is recommended that during the Housing Action Plan phase of work, cities consider how local regulations can be amended to permit (but not require) additional middle housing development to occur.

Exhibit 28: Projected Market Demand by Housing Type

Location	Total	Single Family	Middle Housing
Carnation	799	631	168
Duvall	890	703	187
North Bend	1,748	1,381	367
Snoqualmie	1,500	1,185	315
Total	**4,937**	**3,900**	**1,037**

Review of Housing Capacity Based on Current Zoning

The *Urban Growth Buildable Land Capacity Report* (BLR) by King County dated June 2021 provides 2044 housing and employment capacity targets for each city. In addition to the housing targets, the report provides an analysis of the land capacity for each city (see **Exhibit 27**).

The land use analysis identified below is intended to enable each City within the Snoqualmie Valley Region to provide sufficient "zoned" land capacity for new development over the next 20+ years (by year 2044). The recommended growth targets provide a context for complying with the PSRC VISION 2050 and the King County BLR.

The growth targets indicate the amount of growth each jurisdiction is expected to plan for in its comprehensive plan. The process for complying with these growth targets provides flexibility for jurisdictions in interpreting the regional growth strategies and must consider local input on the community vision, market conditions, and infrastructure investments.

As shown in **Exhibit 29,** the 2044 housing target for the four-cities combined is 4,937 net new dwellings. After accounting for development that has been identified in the planning pipeline (2,498 dwellings (includes revisions to reflect recent pipeline developments in the City of Snoqualmie), the four cities combined have the current planned capacity to accommodate another 4,937 dwelling units.

While these findings demonstrate an overall housing capacity surplus for the region, these findings also indicate that there is likely to be a housing capacity shortfall (based on current zoning for remaining buildable land area) for the cities of Carnation and Snoqualmie. More detailed findings for each city are described in the following sections.

Exhibit 29: 2044 Targets and Capacity, Snoqualmie Valley Cities

	Units in Pipeline	Remaining Capacity	Total Capacity	2044 Housing Target	Surplus (Deficit)
King County	43,561	362,563	406,124	307,277	98,847
Snoqualmie	421	167	588	1,500	(912)
Carnation	223	481	704	799	(95)
Duvall	647	696	1,343	890	453
North Bend	1,207	891	2,098	1,748	350
Four-city Region	2,498	2,235	4,733	4,937	(204)

***Source**: June 2021 King County Buildable Lands Report; with updates to the "pipeline projects" by city planning staff as of 3/20/2023.*

It should be noted that the findings contained in this Regional Housing Needs Analysis are based on current planning assumptions and state requirements as of November 2022, and do not reflect any additional housing requirements that may result from implementation of pending King County Affordable Housing Task Force recommendations per House Bill 1220 for affordable housing.

Carnation

As shown below in **Exhibit 30**, Carnation has a 2044 housing target of 799 net new dwellings. The city has 223 net new units in the pipeline between January 1, 2019, and June 2022. After subtracting the committed lands, Carnation has remaining housing capacity for about 480 dwelling units. This results in a projected capacity shortfall of approximately 95 dwelling units under current zoning.

Remaining uncommitted residential land is mostly in low- and medium-density zoning. It is recommended that the City explore various policy and code amendments such as some limited up-zoning or minimum densities in Planned Unit Developments to address the housing shortfall.

Exhibit 30: 2044 Targets and Capacity, City of Carnation, 2022 est.

	Net Buildable Acres	Net Capacity	Assummed Achieved Density
Very Low	2.2	1	3.9
Low	13.5	84	5.2/9.7
Medium Low	29.1	396	12.0/17.0
Medium High	-	-	-
High	-	-	-
Total	44.8	481	-

2044 Target	Units in Pipeline	2044 Target Less Units in Pipeline	Remaining Capacity	Net Deficit/ Surplus
799	223	576	481	(95)

***Source**: June 2021 King County Buildable Lands Report*

Duvall

As shown below in **Exhibit 31,** Duvall has a 2044 housing target of 890 net new dwellings. The city has 647 units in the pipeline since January 1, 2019. After subtracting committed lands, Duvall has a remaining capacity for about 696 dwelling units. This results in a potential housing capacity surplus of about 450 units.

Remaining uncommitted residential land is mostly in the lower density zones. There is no expected housing shortfall to rectify currently.

Exhibit 31: 2044 Targets and Capacity, City of Duvall, 2022 est.

	Net Buildable Acres	Net Capacity	Assummed Achieved Density
Very Low	31.8	70	3
Low	56.2	237	4.5/8.0
Medium Low	23.2	389	12.0/21.0
Medium High	-	-	-
High	-	-	-
Total	111.1	696	-

2044 Target	Units in Pipeline	2044 Target Less Units in Pipeline	Remaining Capacity	Net Deficit/ Surplus
890	647	243	696	453

***Source** : June 2021 King County Buildable Lands Report*

North Bend

As shown below in **Exhibit 32**, North Bend has a 2044 housing target of 1,748 net new dwellings. The city has 1,207 units in the pipeline since January 1, 2019. After subtracting the committed lands, North Bend has remaining housing capacity for 891 dwelling units. This results in a potential housing capacity surplus of 350 dwelling units.

While there is no expected housing shortfall to rectify, the city could explore ways to create additional "middle housing" development opportunities for housing types, such as townhomes and duplexes which are more attainable for owners and renters than single family detached homes.

Recent mixed-use development in North Bend with housing above commercial

Exhibit 32: 2044 Targets and Capacity, City of North Bend, 2022 est.

	Net Buildable Acres	Net Capacity	Assummed Achieved Density
Very Low	59.0	62	2.0
Low	65.3	188	4
Medium Low	27.4	414	15.0/21.0
Medium High	7	227	32
High	-	-	-
Total	159.1	891	-

2044 Target	Units in Pipeline	2044 Target Less Units in Pipeline	Remaining Capacity	Net Deficit/ Surplus
1,748	1,207	541	891	350

***Source**: June 2021 King County Buildable Lands Report*

Snoqualmie

As shown below in **Exhibit 33,** Snoqualmie has a 2044 target of 1,500 net new dwellings. The city has 421 dwelling units in the pipeline as of January 10, 2023. After accounting for development in the planning pipeline (421 dwellings) and future capacity on remaining buildable lands (696 dwellings), Snoqualmie has a remaining housing capacity shortfall of 912 units.[2]

It is likely that annexations will be necessary to fully accommodate the planned housing capacity shortfall. Hence, it is recommended that the city consider new polices that would guide future growth and development. This would entail an UGA alternatives analysis, transportation and water/sewer master planning and planned action EIS to fully address the 2044 growth targets.

Exhibit 33: 2044 Targets and Capacity, City of Snoqualmie, 2022 est.

	Net Buildable Acres	Net Capacity	Assummed Achieved Density
Very Low	6.7	1.0	0
Low	6.7	27.0	4
Medium Low	-	-	-
Medium High	-	-	-
High	1	139	130
Total	14.5	167	-

2044 Target	Units in Pipeline*	2044 Target Less Units in Pipeline	Remaining Capacity	Net Deficit/ Surplus
1,500	421	1,079	167	(912)

***Source**: June 2021 King County Buildable Lands Report; with updates to the "pipeline projects" by city planning staff as of 3/20/2023.*

[2] Current estimates for planning pipeline housing are based on the *2021 King County Buildable Land Report (BLR*) finding (204 units) plus additional development being planned on tax lots not included in the vacant land estimates contained in the BLR (217 units). Additional pipeline development projects reflect the following:
Timber Trails (aka Snoqualmie Ridge II Plat 30, on Parcel S-14): 46 lot townhome subdivision;
The Rails: 11-unit mixed-use building (apartments over retail/office);
Snoqualmie Mill: Up to 160 multifamily units. Under the development agreement, this would include either 10% of the units @ 80% AMI and 12% @ 60% AMI (if the Council adopts an MFTE program), OR 15% @ 80% AMI (if the Council does not adopt an MFTE program).

POLICY CONSIDERATIONS

Cities have a wide range of latitude in how they address housing needs. There are a number of local policy measures and financial incentives that can be considered to help address the need for low-income households. A list of various funding resources available to local jurisdictions and non-profit housing developers is provided in **Exhibit 34. Appendix A** includes a list of land use policies used in WA state to encourage housing production. Such policies will be further evaluated and discussed during the next phase of work on the Housing Needs Assessment.

Exhibit 34: Affordable Housing Programs in Washington

Funding Source	Funding Focus	Required Use of Funds	Income Restrictions
Low Income Housing Tax Credits (LIHTC)	Affordable Housing & Homelessness	Creation of new units	60% of the Area Median Income (AMI) or below
Washington State Housing Trust Fund	Affordable Housing & Homelessness	Preservation, creation of new units, and supportive services	80% of the AMI or below with special focus on those at 30% of AMI or below
State Authorized Sales Tax	Affordable Housing	Development of new units & housing-related services	60% of the AMI or below
Housing Choice Voucher (Section 8)	Affordable Housing	Subsidizing rents	50% of the AMI or below
Community Development Block Grants (CDBG)	Affordable Housing	Renovations to housing stock & affordable home ownership opportunities	80% of the AMI or below
HOME Investment and Partnership Program	Affordable Housing	Development and maintenance of affordable units, subsidized rents	50% of the AMI or below
Affordable Housing Property Tax Levy	Affordable Housing	Programs identified in local affordable housing plans	50% of the AMI or below
HB 1406 Funds	Affordable Housing	Local investments in affordable housing	60% of city median family income
HUD Continuum of Care Program	Homelessness	Housing and wrap-around services for the homeless	N/A
Document Recording Fees	Homelessness	Development of homeless housing units, homelessness prevention activities	N/A
Mental Illness and Drug Dependency Tax	Homelessness	Housing and wrap-around services for mentally ill or drug addicted residents	N/A
Real Estate Excise Tax (REET)	Affordable Housing & Homelessness	Development, planning, property acquisition, maintenance of affordable housing, especially for the homeless	N/A
Lodging Tax (Hotel/Motel Tax)	Workforce Housing	Paying down debt issued to fund transit adjacent workforce housing.	N/A
Public Private Partnerships	Workforce Housing & Business Development	Usually entails private construction of housing or commercial on public land	Varies

Source: Association of Washington Cities and Muncipal Research Service Center; and FCS GROUP.

During the next work phase, each city will evaluate their current land use regulations and consider actions they can take to help lower barriers to providing a wider mix of housing in their communities. A list of potential policy measures is provided in **Appendix A**.

Resources for affordable housing are listed in **Appendix B**.

APPENDIX A: LIST OF HOUSING POLICY MEASURES AVAILABLE IN WA STATE

Action Number	Description
Revising Zoning Strategies	
Z-1: Reduce Minimum Lot Sizes	Amend lot characteristic standards, such as setback requirements, lot size averaging, etc. to remove barriers to the development of a wider range of housing.
Z-2: Require a Minimum Density	Create a minimum density standard in all residential zones. Example: minimum density standard of at least 70% of maximum density permitted in any residential zone.
Z-3: Up-zoning	Develop criteria and a process for identifying land to up-zone (or rezone) to meet the deficit of land for multifamily development. The criteria may include considerations of location, transportation access, access to and capacity of infrastructure, site size, development constraints, and other relevant criteria.
Z-4: Increase Building Height	Evaluate removing maximum density standards and building height limitations.
Z-5: Integrate or Adjust FAR Standards	Floor area ratio (FAR) is the ratio of a building's total floor area (gross floor area) to the size of the piece of land upon which it is built. Since FAR focuses entirely on building massing, it is often seen as a viable alternative to density regulations (maximum number of lots or dwelling units per acre) in multifamily and mixed-use zones.
Z-5a: Increase Allowed Housing Types	Encouraging a larger variety of housing types including plexes and smaller scale multifamily development.
Z-6a: Cottage Housing	Allow cottages to be developed in clusters with shared central amenities (such as open spaces) to allow for the development of small single-family detached housing.
Z-6b: Duplexes, Triplexes and Fourplexes	Allow triplexes and quadplexes in single-family zones, using a form-based code approach to regulate the development of these units.
Z-6c: Townhouses	Allow townhomes in single-family zones, using a form-based code approach to regulate the development of these units.
Z-6d: Courtyard Apartments	Allow courtyard apartments in single-family zones, using a form-based code approach to regulate the development of these units.
Z-6e: Micro-housing	Allow micro-housing in single-family zones, using a form-based code approach to regulate the development of these units.
Z-7: Increase or Remove Density Limits	Evaluate removing maximum density standards.
Z-8: Revise ADU Standards	Evaluate changing development standards for accessory dwelling units, including changing the size limit.
Z-9: Offer Density and/or Height Incentives for Desired Housing	Density bonuses for development of deed-restricted affordable housing.

Additional Regulatory Standards	
R-1: Reduce Off-Street Parking Requirements	Evaluate reductions to off-street parking requirements for multifamily housing, including housing serving seniors and other populations that may have lower car ownership.
R-2: Relax Ground Floor Retail Requirements	Relax or eliminate requirements for ground floor retail in mixed use developments.
R-3: Reduce Setbacks, Lot Coverage and/or Impervious Standards	Amend lot characteristic standards, such as setback requirements, lot size averaging, etc. to remove barriers to the development of a wider range of housing.
R-4: Adopt Design Standards	Communities adopt design standards on a neighborhood or citywide basis to promote design consistent with their vision. Design standards in themselves do not create additional housing but are helpful to assist new forms or high-density housing fit in communities.
R-5: Use a Form-Based Approach	Adopt a form-based code approach to regulate the development of small apartments, cottages, tiny houses, and desired multifamily housing types in more zones.
R-6: PUD/PRD and Cluster Subdivisions	Identify opportunities to streamline the process and standards for designing and approving planned developments
R-7: Manufactured Home and Tiny House Communities	Manufactured homes must be allowed on all single-family lots and must not be regulated differently than site-built housing, but jurisdictions may require certain standards.
Economic Displacement Mitigation Strategies	
ED-1: Community Land Trusts	A community land trust (CLT) is a non-profit organization, owned by a collective of community members, which buys and holds land within a neighborhood. It may raise funds through public or private sources to build structures on this land to be used for community purposes or to be sold to low- or moderate-income residents.
ED-2: Need-based Rehabilitation Assistance	Need-based rehabilitation assistance helps low-income, disabled, or senior residents make needed home repairs and safety upgrades by offering favorable financing terms or time-limited tax abatements to qualified homeowners.
ED-3: Down Payment Assistance	Down payment or assistance programs proactively address barriers to home ownership by offering no-interest or low-interest capital for qualified buyers.
ED-4: Property Tax Assistance Programs	Provide limited property tax exemption for low-income households.
Cultural Displacement Mitigation Strategies	
CD-1: Grants/Loans to Directly Support Small Businesses	Washington state law establishes local governments' authority to support businesses by using a variety of programs.
CD-2: Financing Ground Floor Commercial	Cities and counties can use federal and private funds to finance ground floor commercial space.
CD-3: Preservation Development Authorities (PDA) and Ports	PDAs, as quasi-public corporations, serve and are accountable to the public and administer public funds, while having the flexibility of a corporation. PDAs are particularly useful for developing and maintaining the ground floor space for commercial and arts activities and leasing to businesses and nonprofits.
CD-4: Commercial Community Land Trust	Nonprofit corporations secure and maintain access to land for public benefit, in this case, to preserve affordable commercial space.

CD-5: Community Benefits/Development Agreements	Development agreements, or community benefits agreements, are voluntary, negotiated contracts between a developer and a city/county that specify the public benefits the development will provide and each parties' responsibilities. They can achieve affordable housing, affordable commercial space, community gathering space and other public amenities
CD-6: Micro-retail and Flexible Cultural Space Design	Preservation of existing affordable space is typically most effective for maintaining affordability, but if you must build new or adapt a space, design the ground floor with nontraditional commercial uses in mind.
CD-7: Business Incubators, Co-working Spaces and Artisan/Makers Spaces	These types of shared workspaces allow businesses, artists/artisans, and nonprofits to pool resources in a shared space and spark collaboration.
Urban Planning Procedures	
P-1: SEPA Threshold Exemption	Flexible thresholds in SEPA rules allow local governments to increase the number of dwelling units exempt from SEPA review.
P-2: SEPA Infill Exemption	RCW 43.21C.229 allows a city or county planning under GMA to adopt an infill exemption if the comprehensive plan was already subject to environmental analysis through an environmental impact statement (EIS).
P-3: Subarea Plan with Non-Project EIS	A sub-area plan can attract higher density housing to a community that desires to increase development in its urban center or by a major transit stop.
P-4: Planned Action EIS	A community planning under GMA can develop a planned action EIS or threshold determination18 to facilitate development consistent with local plans and mitigation measures (see more under "When and Where Applicable").
P-5: Protection from SEPA Appeals on Transportation Impacts	RCW 43.21C.500 provides an option to protect SEPA decisions from appeal for impacts to transportation elements of the environment when the approved residential, multifamily or mixed-use project in a GMA city or town is consistent with the locally adopted transportation plan, subject to locally adopted impact fees, and If Washington State Department of Transportation (WSDOT) determines the project would not present significant adverse impacts to the state-owned transportation system.
P-6: Permitting Process Streamlining	Providing an efficient, predictable, and user-friendly permitting process can encourage new housing construction by reducing potential confusion or perception of risk among developers as well as lowering their administrative carrying costs.
P-7: Subdivision Process Streamlining	Identify opportunities to streamline the process and standards for designing and approving subdivisions.
Affordable Housing Development Incentives	
A-1: Multifamily Tax Exemption	Provide limited multifamily tax exemptions to incentivize the development of higher density housing
A-2: Density Bonuses for Affordable Housing	Density bonuses for development of deed-restricted affordable housing.
A-3: Alternative Development Standards for Affordable Housing	Relax development regulations in return for affordable housing development as an incentive. (ex. reduce minimum parking requirements (see R-1 Reduce Off-Street Parking) for projects that include affordable housing.)
A-4: Fee Waivers for Affordable Housing	Waiving some, or all, fees (ex. impact fees, utility connection fees and project review fees) for income-restricted units can be a valuable incentive for encouraging the creation of income-restricted affordable units.

A-5: Inclusionary Zoning	Requires a portion of the units within a new development be set aside as affordable housing. This tool will often be combined with property tax exemptions, fee waivers, or development bonuses to offset the cost of affordable housing units. Careful consideration should be employed when enacting inclusionary zoning. Note: A number of studies, including those analyzing the IZ Ordinance in Portland, have shown that IZ suppresses, rather than increases, the creation of new housing. If IZ is proposed, the financial components need to be calculated to ensure that the inclusionary rate is not too high for the offsets provided and that overall housing production increases as a result
Funding Options for Affordable Housing Development	
F-1: Local Option Taxes, Fees, and Levies	Jurisdictions may provide direct project funding, through grants or loans, to encourage the production of income-restricted affordable housing (ex. local housing tax levy, sales and use tax, Real Estate Excise Tax (REET2)).
F-2: Local Housing Trust Fund	Create affordable housing fund to accumulate and dedicate funding for housing purposes.
F-3: "Found Land": Surplus Land and Other Opportunities	Local agencies my designate surplus property for housing and mixed-use development that includes an affordable element.
F-4: Partner with Local Housing Providers	A partnership with a housing nonprofit can be established to acquire naturally occurring affordable housing such as foreclosures and expansion of vacant property registration program for housing rehabilitation or purchase.
Other Strategies	
0-1: Strategic Infrastructure Investment	Ensure that the City's Capital Improvement Plan includes funding for infrastructure improvements and maintenance necessary to support residential development.
0-2: Simplify Land Use Designation Maps	One way to make it easier to amend zoning and encourage a variety of housing types is to simplify the land use map and the implementing zoning map.
0-3: Local Programs to Help Build Missing Middle Housing	Offer homeowners a combination of financing, design, permitting or construction support to build ADUs or to convert a single-family home into a duplex, triplex or fourplex where those housing types are authorized. The idea is that a city may help property owners by identifying lenders, providing stock designs, and helping property owners develop housing.
0-4: Strategic Marketing of Housing Incentives	Actively promoting the type of development, the community desires can include communicating the intention for new and innovative affordable housing, defining the benefits and development potential within the community, and collecting data that helps to tell the story and addresses perception issues.
0-5: Temporary Emergency Housing	Review the local demographics for the lowest income segments and assess strategies to plan for those. Are regulations needed to ensure this housing is safe and healthy? Do they respond to strategies in countywide plans for reducing homelessness?
Strategies to Mitigate Physical Displacement	
PD-1: Strategic Acquisition and Financing of Existing Multifamily Development	To better retain affordable housing, cities, counties, and housing authorities can catalog naturally occurring affordable housing and housing with income restrictions or covenants that are about to expire.

PD-2: Support Third-party Purchases of Existing Affordable Housing	Using public resources to empower trusted institutions can preserve or create affordable housing and space for community-serving organizations and businesses.
PD-3: Notice of Intent to Sell/ Sale Ordinance	A “Notice of Intent to Sell” ordinance requires owners of multifamily buildings to provide official notification to tenants and local housing officials. The notice gives public authorities the opportunity to plan for a potential purchase in the interest of preserving housing that serves low- or moderate-income residents.
PD-4: Foreclosure Intervention Counseling	Foreclosure intervention counselors serve as intermediaries between homeowners and financial institutions to advocate for at-risk homeowners in need of budgeting assistance, refinanced loan terms or repaired credit scores. Cities can use affordable housing funds to support these programs.
PD-5: Mobile Home Park Preservation and Relocation Assistance	The Washington State Department of Commerce offers a manufacture/mobile home relation assistance program that provides financial resources to assist displaced residents, particularly those who meet low-income thresholds.
PD-6: Mobile Home Park Conversion to Cooperative	The Washington State Housing Finance Commission, in partnership with Resident Owned Communities (ROC) Northwest and ROC USA, offers the financial tools and expert guidance for manufactured-housing (“mobile-home”) communities to become self-owned cooperatives.
PD-7: Tenant Relocation Assistance	Local governments, authorized by WAC 365-196-835 and detailed in RCW 59.18.440, can pass an ordinance that requires developers, public funds, or a combination of the two to provide relocation funds for those displaced by development of new housing in upzoned areas.
PD-8: Just Cause Eviction Protections	Local jurisdictions can pass just cause eviction protections that mandate that proprietors provide tenants a legally justifiable reason when being asked to vacate.
PD-9: "Right to Return" Policies for Promoting Home Ownership	A "right to return" policy works to reverse the effects of past physical displacement by providing down payment assistance for first-time homebuyers who can prove that they have been victims of displacement. Programs may prioritize cases of displacement by direct government action.
PD-10: Regulation Short-term Rentals	A first step is to track STR activity by requiring registration and reporting from owners of these units. Policy regulations should prioritize actions that reduce the likelihood of converting long-term rentals into STRs.

APPENDIX B. RESOURCES FOR AFFORDABLE HOUSING

Agency	Program	Description
Washington State Department of Commerce (Commerce)	Housing Trust Fund	Provides state and federal funds for affordable housing construction and preservation. HOME Investment and Partnership Program funds are also awarded through the Housing Trust Fund Process.
Commerce	Connecting Housing to Infrastructure Program (CHIP)	The program helps affordable housing projects connect to water, sewer, and stormwater infrastructure by paying for waived connection fees, the infrastructure to connect to regional water, sewer, or stormwater systems, or for on-site stormwater facilities. Up to $1M in funding per project. Applications outside Seattle/King County are given priority.
Commerce	Weatherization	Commerce contracts with local agencies that weatherize low-income homes and apartments.
Commerce	Washington (WA) Foreclosure Fairness Program	Provides homeowner foreclosure assistance for offering free housing counseling, civic legal aid, and foreclosure mediation.
Commerce	Mobile/ Manufactured Home Relocation Assistance Program	Reimburses costs of mobile and manufactured home relocation up to $7,500 for a single-section home and $12,000 for a multi section home. Also reimburses for demolition, removal, and down payment for another manufactured home.
Commerce	Consolidated Homeless Grant (CHG)	The CHG provides resources to fund homeless crisis response systems to support communities in ending homelessness. Grants are provided to local governments and nonprofits. Funding is from document recording fees authorized through the Homeless Housing and Assistance Act.
Commerce	Brownfield Revolving Loan Fund (BRLF)	Provides technical assistance and low interest loans for cleanup activities on contaminated properties for redevelopment activities, including affordable housing development.
WA Department of Archeology and Historic Preservation (DAHP)	Federal historic tax credit program	A 20% Federal income tax credit on the qualified amount of private investment spent on certified rehabilitation of a National Register listed historic buildings.
Washington State Housing Finance Commission (WSHFC)	Low Income Housing Tax Credits (LIHTC)	The nine percent Low-Income Housing Tax Credit Program (LIHTC) allocates federal income tax credit to developers to encourage the construction and rehabilitation of affordable multifamily housing. Housing credit is allocated through an annual competitive process in which projects are evaluated and scored according to the Commission's established criteria.
WSHFC	Multifamily bond programs	Multifamily Housing Bonds with 4% Low Income Housing Tax Credit provides access to bond and tax credit financing for affordable housing developers.

WSHFC	Bond financing for non-profit facilities	Helps 501(c)(3) nonprofits save money through lower-interest loans for construction, capital improvements and equipment.
WSHFC	Manufactured home community investment program	The Commission helps preserve manufactured home communities by allowing them to purchase and manage their communities.
WSHFC	Land acquisition (for housing non- profits)	The Land Acquisition Program assists eligible nonprofit organizations in Washington state to purchase land suited for either multifamily or single-family affordable housing development.
WSHFC	Home mortgage loan programs	The Commission currently operates two mortgage loan programs: Home Advantage and House Key Opportunity and eleven down payment assistance programs. The Commission works through a network of participating lenders who originate and close the loans.
WSHFC	Down payment assistance	Programs vary, but the Commission offers down payment assistance loans for homebuyers who use the Commission's programs.
WSHFC	Homeowner-ship education programs	Through local partnerships, WSHFC helps homebuyers learn how to purchase and maintain a home. Commission-sponsored homebuyer education seminars are free; open to the public; and include information about the Commission's first mortgage programs, down payment assistance, and other loan programs. Seminars are accepted by all affordable housing loan programs as meeting or exceeding educational requirements.
WSHFC	Sustainable Energy Programs	The Commission offers several ways to affordably develop energy-efficient buildings, upgrade existing buildings and create or conserve energy. Smaller loans are available through the Energy Spark home loan program. The Sustainable Energy Trust (SET) provides low interest loans for energy efficiency or renewable energy projects and a tax-exempt or tax credit bond for larger projects (over $1 Million).
US Department of Housing and Urban Development (HUD)	Section 8, Public Housing	The "Section 8" housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants can find their own housing, including single family homes, townhouses, and apartments. Public (site-based) housing provides decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. Public housing comes in all sizes and types, from scattered single-family houses to high rise apartments for elderly families.

HUD	Home Rehabilitation Loan Program (HRLP) (2018)	Provides deferred loans to rural, low-income households that need repairs and improvements on their primary residence for health, safety, or durability. Funding for the loan program comes from the Washington Capital Budget.
HUD	Continuum of Care (CoC) Program	The CoC program provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families.
HUD	Emergency Solutions Grants (ESG)	Grants of federal funds to provide street outreach, emergency shelter, rental assistance, and related services.
HUD	Section 811 Project Rental Assistance (PRA) demonstration	Federal funds provide project- based rental assistance. The program creates collaboration between Commerce and Department of Social and Health Services (DSHS) that will increase rental housing units for persons with disabilities by integrating Section 811 PRA assisted units within existing, new, or rehabilitated multifamily properties.
HUD	Tenant-Based Rental Assistance (TBRA)	Uses federal funds to support communities providing utility, deposit, and ongoing rental assistance. Eligible households are referred to TBRA through local coordinated entry systems.
HUD	Community Development Block Grant (CDBG)	Provides federal funds for the following activities: housing rehabilitation, homeownership assistance, local connections to sewers and affordable housing plans. Can NOT fund new housing construction but can fund infrastructure in support of new affordable housing.
HUD	Indian Community Development Block Grant (ICDBG) Program	Provides direct grants for use in developing viable Indian Communities, including decent housing, a suitable living environment and economic opportunities, primarily for low- and moderate-income persons.
US Department of Agriculture (USDA) Rural Development	Single Family Housing Guaranteed Loan Program	Assists approved lenders in providing loans to low- and moderate-income households for adequate, modest, decent, safe, and sanitary dwellings as their primary residence in eligible rural areas. The program provides a 90% loan note guarantee to approved lenders to reduce the risk of extending 100% loans to eligible rural homebuyers.
USDA Rural Development	Single Family Housing Direct Home Loans (Section 502 Direct Loan Program)	This program, also known as the Section 502 Direct Loan Program, assists low- and very- low-income applicants to obtain decent, safe, and sanitary housing in eligible rural areas by providing payment assistance to increase an applicant's repayment ability. Payment assistance is a type of subsidy that reduces the mortgage payment for a brief time. The amount of assistance is determined by the adjusted family income.
USDA Rural Development	Single Family Housing Repair (Section 504 Home Repair) Loans and grants	This program provides loans to very-low-income homeowners to repair, improve or modernize their homes, or grants to elderly very-low-income homeowners to remove health and safety hazards.
USDA Rural Development	Rural Community Development Initiative (RCDI) Grants	RCDI grants are awarded to help support housing, community facilities and community and economic development projects in rural areas. Can be used to provide training, such as homeownership education, or technical assistance, such as strategic plan development.

Community Development Financial Institution	New Market Tax Credit Program	Permits taxpayers to receive a credit against federal income taxes for making qualified equity investments in designated Community Development Entities (CDEs) in low-income communities. All the qualified equity investments must in turn be used by the CDE to provide investments in low- income communities. Investors may not redeem their investments in CDEs prior to the conclusion of the seven-year period.
Rural Community Assistance Cooperation (RCAC)	Housing Development (non-profits)	RCAC provides support to develop rental or for sale affordable housing and community facilities in the rural west. Support includes technical assistance in LIHTC, USDA Rural Development 515, 514/516, HOME, CDBG, AHP, tax-exempt bonds, state housing trust funds, project-based Section 8, local and state resources, and conventional financing
RCAC	Section 523 Mutual Self-Help Housing	Low-income borrowers work together under the guidance of a non-profit public housing entity (self-help grantee) to build each other's homes. With a construction supervisor on site, building groups perform at least 65% of the construction work required (known as "sweat equity"). In most cases, the grantee also manages the construction loans, develops the building site, provides homeownership training, offers building plans, qualifies the borrower for his/her mortgage and markets the program in the service area.
Local	Sales and use tax for affordable housing	A local vote, or council approval (as of 2020), would authorize a local sales and use tax of up to 0.1 percent per dollar spent. Funds must be used for construction of affordable housing or behavioral health- related facilities for named groups with incomes of 60% or less of county median income.
Local	Free or discounted public land	Public agencies (local government or utility) can discount or gift land they own for "public benefit," defined as affordable housing for households up to 80% AMI.
Local	Affordable housing property tax levy	A local vote may authorize a levy of up to $0.50 per $1,000 assessed value for up to ten years to finance affordable housing for very low-income households (equal to or under 50 % AMI). Must declare an affordable housing emergency and have an affordable housing financing plan. Program was expanded in 2020 to allow the use of revenues to include affordable homeownership, owner-occupied home repair, and foreclosure prevention programs for "low-income" households up to 80% of median income.
Local	Affordable and Supportive Housing Sales and Use Tax	RCW 82.14.540 created a revenue-sharing partnership between the state and counties and cities for affordable and supportive housing investments. It authorized a local sales tax option that is a credit against the state sales tax rate of 6.5%. Housing and services may be provided only to persons whose income is at or below 60% of the median income of the city or county imposing the tax.
Local	Sales and Use Tax for Chemical Dependency, Mental Health Services or Therapeutic Courts	RCW 82.14.460 authorized counties to levy a one-tenth of one percent sales and use tax to fund new mental health, chemical dependency, or therapeutic court service. Any county may impose a mental health and chemical dependency sales tax up to 0.1% for mental health and drug treatment purposes.

Local	Real Estate Excise Tax 2 (REET 2)	A 0.25% REET which may be imposed by any city, town or county fully planning under the Growth Management Act (GMA), to be used for "capital projects" specified in the capital facilities plan element of the jurisdiction's comprehensive land use plan, including affordable housing projects through January 1, 2026. Jurisdictions may only use a portion of REET funds on affordable housing.
Local	Impact fee waivers	Impact fee waiver for up to one of fees for permanently restricted affordable housing (for rental or purchase) for households earning less than or equal to 80% AMI. 80% may be waived; but if 100% of fees are waived, 20% must be paid with other public money. A school district receiving impact fees must approve any exemption.
Local	Multifamily tax exemption program	12-year property tax exemption on the value of improvements for 4+ new or rehabilitated, rental or ownership housing units if at least 20% of units are affordable to households earning 115% AMI or less. Must define a "residential targeted area" within an urban center within which the exemption would apply.
Local	Fee waivers for water or sewer connection	Waiver or delay of tap-in charges, connection, or hook-up fees for low-income persons for water, sanitary or storm sewer, electricity, gas, or other utility.
Local	Sewage and solid waste fees	Assistance for sewer and solid waste fees.
Local	Affordable Housing Incentive Programs	Any GMA city or county may enact or expand affordable housing incentive programs through development regulations or conditions on rezoning or permit decisions, or both, on residential, commercial, industrial, or mixed-use development. The program may include mandatory or optional elements, such as density bonuses within the urban growth area, height, and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting, or mandatory amount of affordable housing provided by each development.
Local	Community Revitalization Financing (CRF)	The CRF authorizes creation of tax increment areas where community revitalization projects and programs are financed by diverting a portion of the regular property taxes imposed by local governments within the tax increment area.
Local	Local Infrastructure Financing Tool Program (LIFT)	Provides funding for local infrastructure using sales tax, property tax and selected other excise tax increases generated by an economic development project as part of a revenue development area designated by

		the sponsoring local government.
Local	Local Revitalization Tool (LRF)	Authorizes cities and counties to create "revitalization areas" and allows certain revenues to be used for payment of bonds issued for financing local public improvements within the revitalization area.
Local	Deferral of property tax	A claimant may apply to defer payment of 50% of special assessments or real property taxes, or both, provided the household's combined disposable income is $57,000 or less and the claimant must have paid one-half of the total assessments and taxes for the year.
Local	Tax deferral for retired persons	Allows eligible agencies to provide tax relief to eligible households (less than 75% AMI).
Local	Tax deferral for certain people	Property tax exemption for seniors or veterans with certain qualifications.

BUSINESS OF THE CITY COUNCIL
CITY OF SNOQUALMIE

AB24-030
February 13, 2023
Discussion

AGENDA BILL INFORMATION

TITLE:	**AB24-030**: Motion to Bid the 2025 Solid Waste Collection Contract	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
PROPOSED ACTION:	Motion for Parks and Public Works Staff to prepare the Request for Bid package for the 2025 Solid Waste Collection Contract	

REVIEW:	Department Director	Jeff Hamlin	2/7/2024
	Finance	n/a	Click or tap to enter a date.
	Legal	n/a	Click or tap to enter a date.
	City Administrator	Mike Chambless	Click or tap to enter a date.

DEPARTMENT:	Parks & Public Works	
STAFF:	Patrick Fry, Project Engineer	
COMMITTEE:	Parks & Public Works	**COMMITTEE DATE:** February 6, 2024
EXHIBITS:	1. AB24-030x1 (“Status Quo Contract”) 2. AB24-030x2 (Presentation)	

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUESTED	$ n/a

SUMMARY

INTRODUCTION

The current Solid Waste Handling Contract with Waste Management (WM) was implemented in 2012 and is set to expire May 31st, 2025. After three, 2-year extensions, the contract cannot be extended again, and must be renegotiated with WM or the City must go through a procurement process to select a new hauler and generate a new contract. Snoqualmie Municipal Code limits new contracts to a maximum of 7 years.

Staff recommend pursuing the Request for Bid procurement method for the Solid Waste Collection contract, leading to a new 7-year contract beginning June 1st , 2025.

LEGISLATIVE HISTORY

The Comprehensive Garbage, Recyclables, and Compostables Collection Agreement with WM went into effect on June 1, 2012. The contract has been amended Four times on the following dates:
First Amendment: 5/16/2012
Second Amendment: 9/10/2012
Third Amendment: 6/11/2019

Fourth Amendment: 8/28/2023

BACKGROUND

The standard Request for Proposal (RFP) process for selecting a hauler is not tenable given the current contract expiration date of May 31st, 2025, roughly 14 months out. Due to protracted lead times on garbage trucks, a recommended 18-month mobilization period is now the industry standard. As such the City is pursuing alternative methods of procurement.

Two feasible options of procurement exist:

Option 1 - Request for Proposal (RFP): The first step is to sign a 1-year "status quo contract" with WM that has the same terms and conditions as the City's current contract, but with updated rates that reflect the current market. The 1-year contract would provide the City ample time to go with the Request for Proposal (RFP) process and provide prospective bidders the requisite 18-month mobilization period. After negotiations with WM, a 52% rate increase for residential service was settled on for the 1 year "Status Quo Contract". The rate for the 7-year contract that would begin June 1st, 2026 would not be known until sealed bids are opened in January of 2025.

Option 2 - Request for Bid (RFB): The second option is to issue a Request for Bid (RFB) for the waste collection contract, and award the 7-year contract to the lowest bidder. Qualifications would be pass/fail and could not be weighed in the decision of selection of the hauler. This method would lead to the new contract starting June 1, 2025 but would leave haulers with roughly 12-month mobilization period.

ANALYSIS

Option 1 would lead to an initial 52% residential rate increase, which while in-line with nearby jurisdictions, is a major cost increase to the citizens of Snoqualmie. However, Option 1 does provide more opportunity for industry review from prospective bidders and more time to acquire vehicles and equipment upgrades, thus typically leading to more interested bidders and associated competitive bids.

Option 2, may have the risk of some potential bidders not having the ability to provide the needed labor and equipment to support the Snoqualmie contract, typically leading to fewer bidders. However, due to softening market conditions, a more competitive environment exists currently. After discussions with the major service providers in the area, 3 out of the 4 potential bidders are

interested in bidding on the Snoqualmie waste collection contract, despite the shorter mobilization period. Based on discussions with our consultant, staff believes the bid prices will be similar for either option.

NEXT STEPS

Following Council approval, staff will complete the new 7-year draft contract. When the draft is complete, council will be provided approximately 1 month to review and comment on the contract terms. After council input, the contract will be put out to bid. Bid advertisement will be targeted for April 15th, with bids closing mid-May.

PROPOSED ACTION

Motion for Parks and Public Works staff to pursue the Request for Bid option for the June 1st, 2025 Solid Waste Collection Contract

COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION CONTRACT

City of Snoqualmie
and
Waste Management of Washington, Inc.

June 1, 2025 – May 31, 2026

COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION CONTRACT

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COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION CONTRACT

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Attachment A: Service Area Map
Attachment B: Contractor Initial Rates
Attachment C: Rate Modification Example

This solid waste collection Contract is entered into by and between the City of Snoqualmie, a municipal corporation of the State of Washington ("City"), and Waste Management of Washington, Inc., a Washington corporation ("Contractor") to provide for collection of Garbage, Compostables, and Recyclables from Single-Family Residences, Multi-Family Complexes and Commercial Customers located within the City Service Area. (Each capitalized term is hereinafter defined.)

The parties, in consideration of the promises, representations and warranties contained herein, agree as follows:

RECITALS

WHEREAS, the Contractor has performed well under its contract with the City since 2012 and the City and Contractor have negotiated this successor agreement acceptable to both parties; and

WHEREAS, the Contractor represents that it has the experience, resources and expertise necessary to perform the contract services; and

WHEREAS, the City desires to enter into this Contract with the Contractor for the Garbage, Recyclables and Compostables collection services;

NOW, THEREFORE, in consideration of the mutual covenants, agreements and promises herein contained, the City and Contractor do hereby agree as follows:

DEFINITIONS

Change in Control: Change in Control means any sale, merger, policy of assets, the issuance of new shares, any change in the voting rights of existing shareholders, or other change in ownership which transfers the 25% or more of the beneficial interest therein from one entity to another. Provided, however, that intracompany transfers, such as transfers between different subsidiaries or branches of the parent corporation of the Contractor, or transfers to corporations, limited partnerships, or any other entity owned or controlled by the Contractor upon the Effective Date of this Contract shall not constitute a change in control.

City: The word "City" means the City of Snoqualmie, King County, Washington. As used in the Contract, it includes the official of the City holding the office of the City Manager or her/his designated representative, such as the City's Director of Public Works.

City Service Area: The initial City Service Area shall be the corporate limits of the City as of the execution date of this Contract.

Commercial Customer: The term "Commercial Customer" means non-residential Customers including businesses, institutions, governmental agencies and all other users of commercial-type Garbage collection services.

Commercial Recyclables: The term "Commercial Recyclables" means aluminum cans and foil; corrugated cardboard; glass containers; recyclable plastic containers that have contained non-

hazardous products, Mixed Paper; newspaper; polycoated cartons; tin cans; and such other materials that the City and Contractor determine to be recyclable

Compostables: The word "Compostables" means Yard Debris and Food Scraps separately or combined.

Compostables Cart: The term "Compostables Cart" means a Contractor-provided 20/21-, 32/35-, 64- or 96-gallon wheeled cart provided to Compostables collection Customers for the purpose of containing and collecting Compostables.

Container: The word "Container" means any Micro-Can, Cart, Detachable Container or Drop-Box Container owned and provided by the Contractor.

Contractor: The word "Contractor" means Waste Management of Washington, Inc.**,** which has contracted with the City to collect and dispose of Garbage and to collect, process, market and transport Recyclables and Compostables.

Curb or Curbside: The words "Curb" or "Curbside" mean on the homeowners' property, within five (5) feet of the Public Street or Private Road without blocking sidewalks, driveways or on-street parking. If extraordinary circumstances preclude such a location, Curbside shall be considered a placement suitable to the resident, convenient to the Contractor's equipment, and mutually agreed to by the City and Contractor.

Customer: The word "Customer" means all users of solid waste services, including property owners, mangers and tenants.

Detachable Container: The term "Detachable Container" means a watertight metal or plastic Container equipped with a tight-fitting cover, capable of being mechanically unloaded into a collection vehicle, and that is not less than one (1) cubic yard or greater than eight (8) cubic yards in capacity.

Drop-Box Container: The term "Drop-Box Container" means an all-metal Container with ten (10) cubic yards or more capacity that is loaded onto a specialized collection vehicle, transported to a disposal or recycling site, emptied and transported back to the Customer's site.

Extra Unit: The term "Extra Unit" means excess material which does not fit in the Customer's primary Container. In the case of Can/Cart services, An Extra Unit is shall be 32-gallons in volume, and may be loose or contained in either a plastic bag or Garbage Can. In the case of Garbage Containers one cubic yard or more in capacity, and Extra Unit is one cubic yard.

Food Scraps: The term "Food Scraps" mean all Compostable pre- and post-consumer organic wastes placed in a Compostables Cart, such as whole or partial pieces of produce, meats, bones, cheese, bread, cereals, coffee grounds or egg shells, and food-soiled paper such as paper napkins, paper towels, paper plates, coffee filters, paper take-out boxes, pizza boxes, or other paper or biodegradable products specifically accepted by the Contractor's selected composting site. Food Scraps shall not include large dead animals, plastics, diapers, cat litter, liquid wastes, pet wastes or other materials prohibited by the selected composting facility. The range of materials handled by the Compostables collection program may be changed from time to time upon the approval of

the City to reflect those materials allowed by the Seattle-King County Health Department for the frequency of collection provided by the Contractor.

Garbage: The word "Garbage" means all putrescible and nonputrescible solid and semi-solid wastes, including, but not limited to, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, and discarded commodities that are placed by Customers of the Contractor in appropriate bins, bags, cans or other receptacles for collection and disposal by the Contractor. The term Garbage shall not include Hazardous Wastes, Special Wastes, Source-Separated Recyclables or Compostables.

Garbage Can: The term "Garbage Can" means a City-approved Container that is a water-tight galvanized sheet-metal or sturdy plastic Container not exceeding four (4) cubic feet or thirty-two (32) gallons in capacity; fitted with two (2) sturdy looped handles, one on each side; and fitted with a tight cover equipped with a handle. All Containers shall be rodent and insect proof.

Garbage Cart: The term "Garbage Cart" means a Contractor-provided 20/21-, 32/35-, 64- or 96-gallon wheeled cart suitable for household deposit, storage and Curbside placement and collection of Garbage. Garbage Carts shall be rodent and insect proof and kept in sanitary condition at all times.

Hazardous Waste: The term "Hazardous Waste" means any substance that is:

A. Defined as hazardous by 40 C.F.R. Part 261 and regulated as Hazardous Waste by the United States Environmental Protection Agency under Subtitle C of the Resource Conservation and Recovery Act ("RCRA") of 1976, 42 U.S.C. § 6901 et seq., as amended by the Hazardous and Solid Waste Amendments ("HSWA") of 1984; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or any other federal statute or regulation governing the treatment, storage, handling or disposal of waste imposing special handling or disposal requirements similar to those required by Subtitle C of RCRA.

B. Defined as dangerous or extremely hazardous by Chapter 173-303 WAC and regulated as dangerous waste or extremely Hazardous Waste by the Washington State Department of Ecology under the State Hazardous Waste Management Act, Chapter 70.105 RCW, or any other Washington State statute or regulation governing the treatment, storage, handling or disposal of wastes and imposing special handling requirements similar to those required by Chapter 70.105 RCW.

King County Disposal System: The term "King County Disposal System" means the real property owned, leased or controlled by the King County Solid Waste Division, King County, Washington for the disposal of Garbage, or such other site as may be authorized by the then current King County Comprehensive Solid Waste Management Plan.

Micro-Can: The term "Micro-Can" means a water-tight plastic Container not exceeding ten gallons in capacity; fitted with two sturdy handles, one on each side; and fitted with a tight cover.

Mixed Paper: The term "Mixed Paper" means magazines, junk mail, phone books, bond or ledger grade paper, cardboard, paperback books, paperboard packaging, paper cups and other fiber-based materials meeting industry standards. Tissue paper, paper towels, food-contaminated paper or

paper packaging combined with plastic, wax or foil are excluded from the definition of Mixed Paper.

Mixed-Use Building: The term "Mixed-Use Building" means a structure inhabited by both Residential and Commercial Customers.

Multi-Family Complex: The term "Multi-Family Complex" means a multiple-unit Residence with two or more attached or unattached dwellings billed collectively for collection service.

Private Road: The term "Private Road" means a privately owned and maintained way that allows for access by a service truck and that serves multiple Residences.

Public Street: The term "Public Street" means a public right-of-way used for public travel, including public alleys.

Recycling: The word "Recycling" means pertaining to the preparation, collection, process and marketing of Recyclables.

Recycling Cart: The term "Recycling Cart" means a Contractor-provided 35-, 64- or 96-gallon wheeled cart suitable for household collection, storage and Curbside placement of Source-Separated Recyclables.

Recycling Container: The term "Recycling Container" means a Contractor-provided Container suitable for on-site collection, storage and placement of Source-Separated Recyclables at Multi-Family Complexes and Commercial Customer locations.

Residence/Residential: The words "Residence" or "Residential" mean a living space, with a kitchen, individually rented, leased or owned.

Residential Recyclables: The term "Residential Recyclables" means aluminum cans and foil; corrugated cardboard; glass Containers; Mixed Paper; motor oil, newspaper; recyclable plastic Containers that have contained non-hazardous products; polycoated or aseptic cartons; scrap electronics, Scrap Metals and tin cans.

Scrap Metals: The term "Scrap Metals" means ferrous and non-ferrous metals, not to exceed two (2) feet in any direction and thirty-five (35) pounds in weight per piece. Scrap metal shall include small appliances such as microwave ovens and toasters provided that the appliances meet size and weight requirements.

Single-Family Residence: The term "Single-Family Residence" means all one-unit houses, duplexes, triplexes and 4-plexes that are billed for collection service individually and located on a Public Street or Private Road.

Source-Separated: The term "Source-Separated" means certain reclaimable materials that are separated from Garbage by the generator for recycling or reuse, including, but not limited to Recyclables, Compostables and other materials.

Special Pick-Up: The term "special pick-up" means a pick up requested by the Customer at a time other than the regularly scheduled pickup time that requires the special dispatch of a truck.

Special Waste: The term "Special Waste" means polychlorinated biphenyl ("PCB") wastes, industrial process wastes, asbestos containing materials, petroleum contaminated soils, treated/de-characterized wastes, incinerator ash, medical wastes, demolition debris and other materials requiring special handling in accordance with applicable federal, state, county or local laws or regulations.

Yard Debris: The term "Yard Debris" means leaves, grass and clippings of woody, as well as fleshy, plants. Unflocked, undecorated holiday trees are acceptable. Materials larger than four (4) inches in diameter or four (4) feet in length are excluded. Bundles of Yard Debris up to two feet by two feet by four feet (2'x2'x4') in dimension shall be allowed and shall be secured by degradable string or twine, not nylon or other synthetic materials.

WUTC: The term WUTC means the Washington Utilities and Transportation Commission.

COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION CONTRACT

This agreement (hereafter, "Contract") is made and entered into this _____ day of _____ 2024 (the "Effective Date"), by and between the City of Snoqualmie, a municipal corporation (hereafter, "City"), and Waste Management of Washington, Inc., a Washington corporation (hereafter, "Contractor").

1. TERM OF CONTRACT

The term of this Contract is one year, starting June 1, 2025, and expiring May 31, 2026.

2. SCOPE OF WORK

2.1 General Collection System Requirements

The Contractor shall collect, transfer and dispose of Garbage, Recyclables and Compostables according to the terms and conditions of this Contract; provided, that the Contractor shall not knowingly or as a result of gross negligence collect or dispose of Hazardous Waste or Special Waste as those terms are defined herein. The Contractor shall indemnify the City for any City damages cause by violation of this Section. To the extent identifiable, Customers shall remain responsible for any Hazardous Waste or Special Waste inadvertently collected and identified by Contractor.

2.1.1 City Service Area

The Contractor shall provide all services pursuant to this Contract throughout the entire City Service Area.

2.1.2 Annexation

If additional territory is added to the City through annexation or other means within which the Contractor has an existing WUTC certificate or other franchise for solid waste collection at the time of annexation, the Contractor shall make collection in such annexed area in accordance with the provisions of this Contract at the unit prices set forth in this Contract. The City acknowledges that equipment, such as trucks, carts and Containers, may take time to procure, and therefore, shall not penalize the Contractor for reasonable delays in the provision of services to annexed areas due to procurement delays that are not within the control of the Contractor. This Contract is in lieu of a franchise as provided in RCW 35A.14.900. The Contractor agrees that their certificate applicable to those annexation areas shall be cancelled effective the date of annexation by the City. The Contractor expressly waives and releases its right to claim any damages or compensation from the City, its officers, agents, or assigns arising out of the cancellation of any pre-existing permit or franchise held by the Contractor

prior to annexation, and further specifically waives the right to receive any additional compensation or any rights of collection in the newly annexed territory. The term during which the Contractor will service any future annexation areas shall be seven (7) years, notwithstanding the term set forth in Section 1 of this Contract.

If, during the life of the Contract, additional territory is added to the City through annexation within which the Contractor does not have an existing WUTC certificate or other franchise for Garbage or other collections, then, upon written notice from the City, Contractor agrees to make collections in such annexed areas in accordance with the provisions of this Contract at the unit price set forth in this Contract. The City acknowledges that equipment, such as trucks, carts and Containers, may take time to procure for distribution, and therefore, shall not penalize the Contractor for reasonable delays in the provision of services to annexed areas covered by this paragraph due to procurement delays that are not within the control of the Contractor. The City will indemnify, hold harmless and defend the Contractor from any and all claims, actions, suits, liability, loss, costs, expenses and damages, including costs and attorney fees, arising out of Contractor's service in that annexed territory under this Contract.

Annexed areas Customers shall receive the same Containers as used elsewhere in the City, in accordance with the provisions of this Contract. In the event where an annexed area is being serviced with Containers different from the City's program, the Contractor shall be responsible for timely Customer notification, removal and recycling of existing Containers and delivery of appropriate Containers to those Customers.

2.1.3 Unimproved Public Streets and Private Roads

Residences located in an area that does not allow safe access, turn-around or clearance for service vehicles will be provided service if materials are set out adjacent to the nearest Public Street or shared Private Road that provides safe access.

In the event that the Contractor believes that a shared Private Road cannot be safely negotiated or that providing walk-in service for Single-Family Customers is impractical due to distance or unsafe conditions, the Contractor shall work with the Customer to negotiate the nearest safe and mutually convenient pick up location.

If the Contractor believes that there is a probability of Private Road damage, the Contractor shall inform the respective Customers. Contractor may require a damage waiver agreement or decline to provide service on those Private Roads. The City shall review and approve the damage waiver form prior to its use with the Contractor's Customers.

2.1.4 Hours/Days of Operation

All regular collections from Customers shall be made on Monday through Thursday, between the hours of 7:00 a.m. and 7:00 p.m. during normal operations, with Friday or Saturday collections allowed for Commercial Customers (with a starting time of 8:00 AM for Saturday collections) and in the case of weeks with holidays or inclement weather events. Friday collection of bulky waste items shall be allowed within the regular hours listed above. The City may authorize an extension of hours or days to accommodate specific Customers or sections of routes. Saturday collection is allowed to the extent consistent with the needs of Commercial Customers, special bulky waste collections, make-up collections, and holiday and inclement weather schedules. City code noise restrictions, as amended from time to time, shall be applicable to collection services provided under this Contract.

2.1.5 Employee Conduct

The Contractor's employees collecting Garbage, Recyclables and Compostables shall at all times be courteous, refrain from loud, inappropriate or obscene language, exercise due care, perform their work without delay, minimize noise, and avoid damage to public or private property. If on private property, employees shall follow the regular pedestrian walkways and paths, returning to the street after replacing empty Containers. Employees shall not trespass or loiter, cross flower beds, hedges or property of adjoining premises, or meddle with property that does not concern them or their task at hand. While performing work under the Contract, employees shall wear a professional and presentable uniform with an identifying badge with photo and company emblem visible to the average observer.

If any person employed by the Contractor to perform collection services is, in the opinion of the City, incompetent, disorderly or otherwise unsatisfactory, the City shall promptly document the incompetent, disorderly or unsatisfactory conduct in writing and transmit the documentation to the Contractor with a demand that such conduct be corrected. The Contractor shall investigate any written complaint from the City regarding any unsatisfactory performance by any of its workers. If the offending conduct is repeated, the City may require that the person be removed from all performance of additional work under this Contract. Removal shall be addressed by the Contractor immediately, and related documentation shall be provided to the City.

2.1.6 Disabled Persons Service

The Contractor shall offer carry-out service for Garbage, Recyclables and Compostables to households lacking the ability to place Containers at the

Curb, at no additional charge. The Contractor shall use qualification criteria that are fair and meet the needs of the City's disabled residents. These criteria shall comply with all local, state and federal regulations, and shall be subject to City review and approval prior to program implementation.

2.1.7 Holiday Schedules

The Contractor shall observe the same holiday schedule as do King County Transfer Stations (New Years Day, Thanksgiving Day, and Christmas Day).

When the day of regular collection is a King County Transfer Station holiday, the Contractor shall reschedule the remainder of the week of regular collection to the next succeeding workday, which shall include Saturdays. The Contractor shall not collect Residential Garbage, Recyclables or Compostables earlier than the regular collection day due to a holiday. Commercial collections shall be made one day early only with the consent of the Commercial Customer.

2.1.8 Inclement Weather and Other Service Disruptions

When weather or flooding conditions are such that continued operation would result in danger to the Contractor's staff, area residents or property, the Contractor shall collect only in areas that do not pose a danger. The Contractor shall notify the City of its collection plans and outcomes for each day that severe inclement weather is experienced as soon as practical that same business day.

In the event of a flood event, the Contractor shall provide Drop-Boxes for flood debris within twenty-four hours at two locations designated by the City. The number of boxes and servicing schedule shall be sufficient to handle the volume of delivered debris without overflow. The Contractor shall be reimbursed for this service at Contract Drop-Box rates.

The Contractor shall collect Garbage, Recyclables and Compostables from Customers with interrupted service on the Friday of the same week, or, if inclement weather persists, on the first day that regular service to a Customer resumes and shall collect reasonable accumulated volumes of materials equal to what would have been collected on the missed collection day(s) from Customers at no extra charge. Following notification to the City, the Contractor will be provided temporary authorization to perform collection services after 7:00 pm and/or on Fridays following disruptions due to weather in order to finish collection routes.

If successive weather events occur on the same scheduled collection day(s) two collection cycles in a row for a single collection day (i.e., Tuesday Customers), an additional collection will be made on the next possible business day that same week, (i.e. not waiting for the regularly scheduled collection day for the missed area.) If multiple days are missed due to

inclement weather in multiple weeks, collections shall be made on the next regularly scheduled collection day. In the event of successive service disruptions impacting entire neighborhoods, the Contractor shall provide temporary Residential Garbage collection sites using driver-staffed Drop Box Containers or other suitable equipment, with no extra charge assessed for such temporary service.

The inclement weather/disruption in service requirements in the preceding paragraph may be changed upon mutual written agreement of the Contractor and City at any time during the term of this Contract to better serve Customers.

All holiday and weather policies shall be included in program information provided to customers. On each inclement weather day, the Contractor shall release notices to the local newspapers and radio stations (including the *Seattle Times* newspaper and KING AM, KIRO, and KOMO radio stations) notifying residents of the modification to the collection schedule. The Contractor shall use automated dialing services to inform Customers at the route level about service changes, provided that Customers shall be provided the option of opting out of automated calls.

When closure of roadways providing access or other non-weather related events beyond the Contractor's control prevent timely collection on the scheduled day, the Contractor shall make collections on the first day that regular service to a Customer resumes, collect reasonable accumulated volumes of materials equal to what would have been collected on the missed collection day(s) from Customers at no extra charge. Following notification to the City, the Contractor will be provided temporary authorization to perform collection services after 6:00 pm and/or on Saturdays following such disruptions in order to finish collection routes. Delayed or interrupted collections as described in this Section are not considered service failures for purposes of Section 4.1.

2.1.9 Suspending Collection from Problem Customers

The City and Contractor acknowledge that, from time to time, some Customers may cause disruptions or conflicts that make continued service to that Customer unreasonable. Those disruptions or conflicts may include, but not be limited to, repeated damage to Contractor-owned Containers, repeated refusal to position Garbage, Recycling and Compostables Carts properly, repeated suspect claims of timely set-out followed by demands for return collection at no charge, repeated claims of Contractor damage to a Customer's property, or other such problems.

The Contractor shall make every reasonable effort to provide service to those problem Customers. However, the Contractor may deny or discontinue service to a problem Customer if reasonable efforts to accommodate the

Customer and to provide services fail. If the Customer submits a written letter to the City appealing the Contractor decision, the City may, at its discretion, intervene in the dispute. In this event, the decision of the City shall be final. The City may also require the denial or discontinuance of service to any Customer who is abusing the service or is determined to be ineligible

2.1.10 Missed Collections

If Garbage, Recyclables or Compostables Containers are set out inappropriately, improperly prepared or contaminated with unacceptable materials, the Contractor shall place in a prominent location a notification tag that identifies the specific problem(s) and reason(s) for rejecting the materials for collection. Failure to provide proper notification to Customers of the reason for rejecting materials for collection shall be considered a missed collection and/or subject to performance fees due to lack of proper Customer notification.

The failure of the Contractor to collect Garbage, Recyclables or Compostables that has been set out by a Customer in the proper manner shall be considered a missed pick-up, and the Contractor shall collect the materials from the Customer on the same day if notified by 12:00 p.m. Monday through Friday, otherwise the collection shall occur on the next business day. The Contractor shall maintain an electronic database of all missed pick-ups (whether reported by telephone call or e-mail) and Contractor shall routinely note and provide corrective action to those Customers who experience repeated missed pick-ups. Such records shall be made available for inspection upon request by the City and shall be included with monthly reports unless otherwise directed by the City.

In the event that the Contractor fails to collect the missed pick-up within twenty-four (24) hours of receipt of notice (or on Monday in the event of notification after 12:00 p.m. on Friday), the Contractor shall collect the materials that day and shall be subject to performance fees. If the Contractor is requested by the Customer to make a return trip due to no fault of the Contractor, the Contractor shall be permitted to charge the Customer an additional fee for this service (a "return trip fee" at the rate specified in Attachment B), provided the Contractor notifies the Customer of this charge in advance.

2.1.11 Same Day Collection

Garbage, Recyclables and Compostables collection shall occur on the same regularly scheduled day of the week for Single-Family Residence Customers. The collection of Garbage, Recyclables and Compostables from Multi-Family Complexes and Commercial Customers need not be scheduled on the same day.

2.1.12 Requirement to Recycle and Compost

The Contractor shall recycle or compost all loads of Source-Separated Recyclables and Compostables collected, unless express prior written permission is provided by the City. The disposal of contaminants separated during processing is acceptable to the extent that it is unavoidable and consistent with industry standards. The Contractor's residuals from the overall processing operations at the facility (including both City and non-City material) shall not exceed 5%. If more than 5% of inbound materials are found to be contaminants, the Contractor will develop a plan to determine which Customers are adding contaminants in their Recyclables and then provide a public education program to remedy the situation.

The Contractor shall process Recyclables in such a manner as to meet market specifications and to minimize out-throws and prohibitives in baled material. The Contractor shall remove 90% or more of the inbound contaminants for disposal.

City staff shall be provided access to the Contractor's processing facilities at any time for the purposes of periodically monitoring the facilities' performance under this Section. Monitoring may include, but not limited to, taking samples of unprocessed Recyclables, breaking selected bales and measuring the out-throws and prohibitives by weight, taking samples of processed glass and metals, reviewing actual markets and use of processed materials, and other activities to ensure the Contractor's performance under this Section and to ensure that misdirected Recyclables and contamination are minimized.

Obvious contaminants included with either Source-Separated Recyclables or Compostables shall not be collected, and shall be left in the Customer's Container with a prominently displayed notification tag (per Section 2.1.10) explaining the reason for rejection.

2.1.13 Routing, Notification and Approval

The Contractor shall indicate, on a detailed map acceptable to the City, the day of the week Garbage, Recyclables and Compostables shall be collected from each Single-Family Residence.

The Contractor may change the day of collection by giving notice at least twenty-one (21) days prior to the effective date of the proposed change and must obtain advance written approval from the City. On the City's approval, the Contractor shall provide affected Customers with at least fourteen (14) days written notice of pending changes of collection day. The Contractor shall obtain the prior written approval from the City of the notice to be given to the Customer, and such approval shall not be unreasonably withheld.

2.1.14 Equipment Age/Condition

The Contractor shall use vehicles that meet model year 2012 or later model year emissions standards. Back-up vehicles used fewer than thirty (30) operating days per calendar year shall not be subject to the age and emission standards that apply to regularly-used vehicles, but shall be presentable, in safe working order and shall be subject to all other conditions of this Section. The accumulated annual use of individual back-up vehicles shall be reported in the Contractor's monthly report.

All vehicles used in the performance of this Contract shall be maintained in a clean and sanitary manner, and shall be thoroughly washed at least once each week and shall be repainted as necessary.

All collection equipment shall have appropriate safety markings, including all highway lighting, flashing and warning lights, clearance lights, and warning flags, all in accordance with current statutes, rules and regulations. Equipment shall be maintained in good condition at all times. All parts and systems of the collection vehicles shall operate properly and be maintained in a condition satisfactory to the City. The Contractor shall maintain collection vehicles to ensure that no liquid wastes (such as Garbage or Compostables leachate) or oils (lubricating, hydraulic or fuel) are discharged to Customer premises or City streets. Any equipment not meeting these standards shall not be used within the City until repairs are made. All liquid spills will be immediately cleaned to the City's and Customer's satisfaction. Unremediated spills and failure to repair vehicle leaks shall be subject to performance fees as provided in Section 4.1.

All collection vehicles shall be labeled with signs on both the front and driver's side door and the rear of the vehicle which clearly indicate the vehicle inventory number. The Customer service telephone number shall be labeled on the side of the vehicle. Signs shall use lettering not less than four (4) inches high and shall be clearly visible from a minimum distance of twenty (20) feet. Signs, sign locations and the telephone number shall be subject to approval by the City. No advertising shall be allowed on Contractor vehicles other than the Contractor's name, logo and Customer service telephone number and website address. Special promotional messages may be permitted, upon the City's prior written approval. In addition, any vehicle regularly used in the City shall include a placard clearly visible at the rear of the vehicle. This placard will show, in lettering at least 12" high, an abbreviated truck designation number specific to the Contractor's operating division, for example K-1, K-2, etc., limited to a two digit numeral to aid in rapid identification of vehicles to allow more precise reporting and correction of any unsatisfactory condition related to specific vehicles. All Contractor route, service and supervisory vehicles shall be equipped with properly licensed two-way communication equipment. The Contractor shall maintain a base station or have communication equipment capable of reaching all collection areas.

2.1.15 Container Requirements and Ownership

The Contractor shall procure and maintain a sufficient quantity of Containers to service the City's Customer base, including seasonal and economic variations in Container demand. Failure to have a Container available when required by a Customer shall subject the Contractor to performance fees, as provided in Section 4.1.

Customers may elect to own or secure Containers from other sources, and shall not be subject to discrimination by the Contractor in collection services on that account. However, Containers owned or secured by Customers must be capable of being serviced safely by the Contractor's collection vehicles to be eligible for collection. The Contractor shall provide labels and collection service for compatible Customer-owned Containers. The Contractor is not required to service Customer Containers that are not compatible with the Contractor's equipment.

2.1.15.1 Micro-Cans and Garbage Cans

Customers shall use a Contractor-owned Micro-Can or Garbage Cart, or a Customer-owned wildlife (bear)-resistant cart, for small Container Garbage collection service. Such wildlife resistant carts must be capable of being serviced safely by Contractor/s collection vehicles. Customer-owned wildlife (bear)-resistant carts are subject to the same fees as Contractor-owned wildlife (bear)-resistant carts pursuant to Attachment B of the thisContract. Permission to add Customer-owned wildlife (bear)-resistant carts to a customer account is granted for a set term of thirty (30) days, from June 1, 2012 – June 30, 2012. No other customer accounts will be allowed to add a Customer-owned wildlife (bear)-resistant carts post June 30, 2012. Plastic bags and Garbage Cans may be used for overflow volumes of Garbage, but not as a Customer's primary Container.

If a Customer uses their own Container for excess Garbage, Contractor crews shall be expected to handle the Container in such a way as to minimize undue damage. The Contractor shall be responsible for unnecessary or unreasonable damage to Customer-owned Containers, wear and tear excepted.

2.1.15.2 Garbage, Recyclables and Compostables Carts

The Contractor shall provide Micro-Cans and 20/21-, 32/35-, 64- and 96-gallon Garbage Carts for the respective level of Garbage collection; 35-, 64- or 96-gallon Recyclables Carts; and 35, 64- and 96-gallon Compostables Carts. All Carts shall be manufactured from a minimum of 10 percent (10%) post-

consumer recycled plastic, with a lid that will accommodate a Contractor affixed instructional label. Carts shall be provided to requesting Customers within seven (7) days of the Customer's initial request. Failure to do so will result in performance fees as provided in Section 4.1. All wheeled cart manufacturers, styles and colors shall be approved in writing by the City prior to the Contractor ordering a cart inventory. All Carts must have materials preparation instructions and telephone and website contact information that visually depicts allowed and prohibited materials suitable for the designated Cart either screened or printed on a sticker affixed to the lid.

All Contractor-owned wheeled carts shall: be maintained by the Contractor in good condition to allow material storage, handling, and collection; contain no jagged edges or holes; be equipped with functional wheels or rollers for movement; be equipped with functional lid; and be equipped with an anti-skid device or sufficient surface area on the bottom of the Container to prevent unwanted movement. The carts shall be labeled with instructions for proper use, including any Customer actions that would void manufacture warranties (such as placement of hot ashes in the Container causing the Container to melt or burn).

Contractor personnel shall note any damaged hinges, holes, poorly functioning wheels and other similar repair needs on Contractor-owned carts (including those for Garbage, Recycling and Compostables) and forward repair notices to the Contractor's service personnel. Cart repairs shall then be made within seven (7) days at the Contractor's expense. Any Cart that is damaged or missing on account of accident, act of nature or the elements, fire, or theft or vandalism by other members of the public shall be replaced no later than three (3) business days after notice from the Customer or City. Replacement Carts may be new or used and reconditioned, and *all* Carts shall be clean and appear presentable when delivered. Unusable carts shall be retrieved by Contractor, cleaned (if necessary) and recycled to the extent possible.

In the event that a particular Customer repeatedly damages a Cart or requests more than one replacement Cart during the term of the Contract due solely to that Customer's negligence or intentional misuse, the Contractor shall forward in writing the Customer's name and address to the City. The City shall then attempt to resolve the problem. In the event that the problem continues and upon City-approval, the Contractor may charge the Customer a City-approved Cart destruction fee no greater than half of the current new Cart replacement cost.

2.1.15.3 Detachable and Drop-Box Containers

The Contractor shall furnish, deliver, and properly locate 1-, 2-, 3-, 4-, 6- and 8-cubic yard Detachable Containers, and 10-, 20-, 30- or 40-cubic yard uncompacted Drop-Box Containers to any Customer who requires their use for storage and collection of Garbage, Recyclables or Compostables within three (3) days of the request.

Containers shall be located on the premises in a manner satisfactory to the Customer and for collection by the Contractor. Containers shall not be placed by Contractor, or kept for use by Customer, in any City Public Street. Any Container located in any City Public Street at any time is at the Contractor's risk and not the City's. Any Container located in City Public Right of Way is in violation of this section, and shall immediately be removed upon request by the City.

Detachable Containers shall be: watertight and equipped with tight-fitting metal or plastic covers, which covers shall be closed by Contractor after every service; have four (4) wheels for Containers 2-cubic yards and under; be in good condition for Garbage, Recyclables or Compostables storage and handling; and, have no leaks, jagged edges or holes. Drop-Box Containers shall be all-metal, and if requested by a Customer, equipped with a tight-fitting screened or solid cover operated by a functional winch system that is maintained in good repair. Each type of Detachable Container (i.e. Recyclables, Compostables or Garbage) shall be painted a color consistent with the program it is used for, subject to the requirements of Section 2.1.15.6, with color changes subject to the City's prior written approval. Containers shall be repainted as needed, or upon notification from the City.

Detachable Containers shall be cleaned, reconditioned and repainted (if necessary) before being initially supplied, or returned after repair or reconditioning, to any Customer. The Contractor shall provide an on-call Container cleaning service to Customers. The costs of on-call cleaning shall be billed directly to the Customer in accordance with Attachment B.

Containers on Customers' premises are at the Contractor's risk and not the City's. The Contractor shall repair or replace within twenty-four (24) hours any Container that was supplied by the Contractor if the City or a Health Department inspector determines that the Container fails to comply with reasonable

standards or in any way constitutes or contributes to a health or safety hazard.

In the event that a particular Customer repeatedly damages a Container due to that Customer's negligence or intentional misuse, the Contractor shall forward in writing the Customer's name and address to the City. The City shall then attempt to resolve the problem. In the event that the problem continues, the Contractor may discontinue service to that Customer, on the City's prior approval.

2.1.15.4 Recycling Carts

The Contractor shall provide Recycling Carts to Customers within the City Service Area, including new Residences and annexation areas, as well as replacement Carts to existing Customers who request them because of loss, theft or damage. Carts shall be provided within seven (7) days of a Customer request.

All distributed Recycling Carts shall include information materials describing material preparation and collection requirements. Any materials published by the Contractor must be reviewed and approved by the City prior to printing and distribution by the Contractor. All Recycling Carts shall be labeled with materials preparation instructions that visually depict allowed and prohibited materials suitable for the designated Cart either screened or printed on a sticker affixed to the lid, along with telephone and website contact information. All Recycling Carts shall be provided at the Contractor's sole expense.

In the event that a Customer intentionally damages or misuses their Recycling Cart, the Contractor may discontinue recycling service to that Customer, on the City's prior approval and/or may charge the Customer a City-approved Cart destruction fee no greater than half of the current new Cart replacement cost.

2.1.15.5 Ownership

On the termination of this Contract for any reason, all Contractor-supplied Garbage Carts, Recycling Carts and Compostables Carts purchased or obtained by the Contractor in performance of this Contract, shall, at the option of the City, revert to City ownership without further compensation to the Contractor. Upon written notice, the City may elect to assign this ownership option to a third party.

Detachable Containers and Drop-Box Containers shall be purchased, delivered and maintained by the Contractor during the term of this Contract. On the termination of this Contract for any reason, the City may, at its option, purchase or assign the right to purchase the Contractor's in-place inventory of Detachable Containers or Drop-Box Containers for use by the successive contractor. In the event that Contractor's Containers are purchased or assigned, the sale price shall equal fifty percent (50%) of the average new price for each Container, based on the average price from three (3) manufacturers at the time of the termination. For the purposes of this transaction, the average prices shall include transportation from the manufacturer to the Contractor's closest service yard, but shall exclude sales or use taxes.

2.1.15.6 Container Colors and Labeling

New and replacement Contractor-provided Recycling Carts shall be blue, Compostables Carts shall be green, and Garbage Carts shall be grey or black, to be decided by the City. Detachable Containers used for Garbage shall be green and all Detachable Containers used for Recyclables shall be blue. The color requirements apply to Cart bodies and lids, but not Commercial Container lids.

The City may direct changes to cart colors at any time prior to the Contractor ordering initial or replacement carts provided the new direction from the City does not require replacement of existing inventories and the cost per unit does not increase to the Contractor. Specific Container colors shall be approved by the City prior to the Contractor's order of new Containers.

All Containers shall be labeled with up-to-date instructional information and contact information prior to delivery, including both a customer service phone number and a website address. All label designs shall be approved by the City prior to ordering by the Contractor. The location of the label on the Containers shall be subject to the City's prior approval. Labels shall be replaced by the Contractor at no additional charge when faded, damaged, out-of-date, or upon City or Customer request.

2.1.15.7 Container Weights

Micro-Cans shall not exceed twenty 20 pounds, 20-gallon Garbage Carts shall not exceed forty 40 pounds and Garbage Cans shall not exceed sixty (60) pounds in weight. Cart weights shall not exceed sixty (60) pounds for the 35-gallon size, one

hundred-twenty (120) pounds for the 64-gallon size and one hundred-eighty (180) pounds for the 96-gallon size. No specific weight restrictions are provided for Detachable Containers, however, the Contractor shall not be required to lift or remove materials from a Detachable Container exceeding the safe working capacity of the collection vehicle. The combined weight of Drop-Box and contents must not cause the collection vehicle to exceed legal road weights.

2.1.16 Spillage

All loads collected by the Contractor shall be completely contained in collection vehicles at all times, except when material is actually being loaded. Hoppers and tippers on all collection vehicles shall be operated so as to prevent any blowing or spillage of materials. Any blowing or spillage of materials either caused by Contractor or that occurs during collection shall be immediately cleaned up by the Contractor at Contractor's expense. Prior to any collection vehicle leaving a collection route and/or operating on any roads with a speed limit higher than 25 miles per hour, Contractor shall completely close any collection vehicle openings where materials may blow out, and thoroughly inspect for and contain any collected materials inadvertently spilled on top of the collection vehicle to prevent release or littering this material. Spillage not immediately cleaned up shall be cause for performance fees, as described in Section 4.1.

All vehicles used in the performance of this Contract shall be required to carry regularly-maintained and fully-functional spill kits. At a minimum, spill kits shall include absorbent pads or granules, containment booms, storm drain covers, sweepers and other similar materials sufficient to contain, control and, for minor events, appropriately clean-up any spillage or release of wind-blown materials, litter, or leaks of Contractor vehicle fluids or leachate. The Contractor shall notify the City via e-mail within two hours of any major spill or any spill that leaves a noticeable stain on City Roads or private property. Spill kits shall also include employee spill containment instructions and procedures as well as a regularly updated list of emergency contacts. The Contractor shall develop spill response procedures for review and approval by the City before initiating any work under this Contract. Prior to operating any vehicle in the City, all Contractor vehicle drivers shall be provided with hands-on training on the location, maintenance, and use of spill kits and associated containment and notification procedures. Such training shall be provided to all vehicle drivers at least annually.

All Drop-Box loads (both open and compactor) shall be properly and thoroughly covered or tarped to prevent any spillage of material prior to Contractor vehicle entering any Private Road or Public Street.

2.1.17 Pilot Programs

The City may wish to test and/or implement one or more changes to waste stream segregation, materials processing or collection technology, promotion of services, or collection frequency at some point during the term of the Contract. The City shall notify the Contractor in writing at least ninety (90) days in advance of its intention to implement a pilot program or of its intentions to utilize a new technology system on a City-wide basis. The costs (or savings) accrued by any City-initiated pilot programs shall be negotiated prior to implementing any City-directed pilot or proceeding with City Service Area-wide full implementation. The Contractor shall coordinate with the City and participate fully in the design, roll-out, operation and troubleshooting of such pilot programs.

Contractor-initiated pilot programs shall require prior written notification and approval by the City. Contractor-initiated pilot programs shall be performed at no additional cost to the City or the Contractor's Customers; however, savings accrued may be subject to negotiations prior to City-wide implementation at the City's request.

Contractor-initiated surveys are allowed of businesses and/or Residences to gather information about generic service preferences or to access pilot program options or outcomes, provided that all related data and analysis is shared with the City.

2.1.18 Disruption Due to Construction

The City reserves the right to construct any improvement or to permit any such construction in any street or alley in such manner as the City may direct, which may have the effect for a time of preventing the Contractor from traveling the accustomed route or routes for collection. However, the Contractor shall, by the most expedient manner, continue to collect Garbage, Recyclables and Compostables to the same extent as though no interference existed upon the streets or alleys normally traversed. This collection shall be done at no extra expense to the City or the Contractor's Customers.

2.1.19 Contractor Planning Assistance

The Contractor shall, upon request and without additional cost, make available site planning assistance to either the City and/or property owners or their representatives. The site planning assistance shall be available for all new construction or remodeling of buildings and structures within the City Service Area, and shall address the design and planning of Garbage, Recyclables and Compostables removal areas and their location upon the site of the proposed construction or remodeling project. Contractor planning assistance for optimizing loading docks, enclosures, compactor equipment, and other similar structures or areas shall also be available for existing Customers when adjusting Garbage, Recyclables and Compostables

services. Contractor planning assistance shall be provided within two working days of the Contractor receiving a written request for assistance.

2.1.20 Safeguarding Public and Private Facilities

The Contractor shall be obligated to protect all public and private improvements, facilities and utilities whether located on public or private property, including street Curbs. If such improvements, facilities, utilities or Curbs are damaged and such damage is primarily attributable to the Contractor's operations, the Contractor shall notify the City immediately in writing of all damage, and the Contractor shall repair or replace the same. If the Contractor fails to do so promptly, as determined by the City, the City shall cause repairs or replacement to be made, and the cost of doing so shall be billed to and become the responsibility of the Contractor.

2.1.21 Company Name

The Contractor shall not use a firm name containing any words implying municipal ownership without prior written permission from the City.

2.1.22 Ongoing Coordination with City and Performance Review

The Contractor's supervisory staff shall be available to meet with the City at the City's offices on request as well as on a quarterly schedule to discuss and resolve operational and Contract issues. The City may, at its option, conduct periodic performance reviews of the Contractor's performance under this Contract. The City may perform the review to confirm various aspects of the Contractor's operations and compliance with this Contract. City staff or contracted consultants may provide the review at the City's direction. The Contractor shall fully cooperate and assist with all aspects of the performance review, including access to Contractor's route and Customer service data, billing information, safety records, equipment, facilities and other applicable items. The City's scope of review under this provision is intended to focus on analysis of the Contractor's performance and Contract compliance.

The results of the performance review shall be presented to the Contractor and a plan for addressing any deficiencies shall be provided to the City within two (2) weeks of the Contractor's receipt of the review. The Contractor shall analyze and correct in good faith any deficiencies found in its performance under this Contract, including broader implementation of corrections that extend beyond the limited data or scope of a performance review to bring Contractor into more complete Contract compliance.

The Contractor's corrective plan shall address all identified deficiencies and include a timeline for corrective actions. The Contractor's corrective plan

shall be subject to review and approval by the City. Upon approval of the plan, the Contractor shall implement and sustain actions that correct deficiencies. Failure to complete correction of deficiencies as outlined in the plan and/or failure to initiate good faith corrective actions within thirty (30) days shall constitute a failure to perform subject to performance fees as defined in 4.1.

The Contractor shall continually monitor and evaluate all operations to ensure compliance with this Contract. At the request of the City, the Contractor shall report its own findings from internal monthly performance measures for collection, customer service and maintenance functions. The City shall determine which of the Contractor internal performance management measures are relevant to addressing any particular deficiencies and the Contractor shall continue to report those measures until notified in writing by the City.

2.1.23 Disposal Restrictions and Requirements

All Garbage collected under this Contract, as well as residues from processing Recyclables and Compostables, shall be delivered to the King County Disposal System, unless otherwise directed in writing by the City.

Garbage containing obvious amounts of Yard Debris shall not knowingly be collected and instead prominently tagged with a notice informing the Customer that King County does not accept Yard Debris mixed with Garbage for collection. Contractor's knowing collection of Garbage mixed with visible Yard Debris shall be grounds for performance fees as provided in Section 4.1.

The Contractor shall not be required to collect hazardous materials that are either restricted from disposal or would pose a danger to collection crews. If materials are rejected for this reason, the Contractor shall leave a written notice with the rejected materials listing why they were not collected and providing the Customer with a contact for further information about proper disposal options. The Customer shall remain responsible for all costs associated with handling and disposal of hazardous materials inadvertently collected by Contractor.

Garbage collected by the Contractor may be processed to recover Recyclables, provided that the residual is disposed in accordance with the City's Interlocal Agreement with King County. In the event the Contractor elects to haul Garbage to a private processing facility, the Contractor shall charge the Customer no more than the equivalent Garbage disposal fee at a King County Disposal System transfer station and shall charge hauling fees no higher than provided for in Attachment B.

2.1.24 Direct Payment of Disposal Fees by City

Upon 180 days written notice, the City may elect to pay disposal fees directly to King County. If the City elects to pay disposal fees directly, the Contractor shall:

(1) Ensure that Garbage routes serving City Customers handle only City Garbage and not Garbage from Customers in other jurisdictions;

(2) Properly train and supervise its collection crews to properly use City disposal cards at County facilities, and to reconcile loads delivered by Contractor's crews with the disposal invoice provided by King County

(3) Track and report disposal quantities by route and average Container weights by Container size each month;

(4) Formalize a separate billing agent addendum to this Contract which details the financial and legal relationship between the Contractor (billing agent) and the City (client), including how receivables are handled and how the City handles disbursement to the Contractor and the County; and

(5) Reduce its overall compensation for each service level by 110% of the amount of the disposal fee component plus the then-current business and occupation tax, based on the unit weights listed in the then-current Attachment B of this Contract.

If the City elects to pay disposal directly, the City shall release and indemnify the Contractor from financial and legal responsibility for disposal payments for City Garbage, provided that the Garbage has been collected only from applicable City Customers in accordance with this Contract.

Independent of the City's decision on disposal cost payment, the Contractor shall participate upon request in a City-funded and managed Container weight study to be conducted no more than once every three years of the Contract. At the City's option, the container weight study results may be used to update the disposal components listed in Attachment B of this Contract.

2.1.25 [INTENTIONALLY OMITTED.]

2.1.26 Violation of Ordinance

The Contractor shall report in writing immediately to the City any observed violation of the City's ordinances providing for and regulating the Containerization, collection, removal and disposal of Garbage, Recyclables and Compostables.

2.2 Collection Services

2.2.1 Single-Family Residence Garbage Collection

2.2.1.1 Subject Materials

The Contractor shall collect all Garbage placed Curbside for disposal by Single-Family Residence Customers in and adjacent to Micro-Cans, Garbage Cans or plastic bags (for Extra Units) and/or Contractor-owned Garbage Carts. The Contractor shall offer carry-out service to disabled Customers at no charge (per Section 2.1.6) and to all other Customers for the appropriate service level rate, plus the carry-out surcharge, in accordance with Attachment B. If a Customer is either eligible for, or subscribes to, carry-out service, carry-out service shall be provided for all three collection streams (Garbage, Recyclables, and/or Compostables) without duplicate surcharges.

2.2.1.2 Collection Containers

The Customer's primary Container must be a Micro-Can or Garbage Cart. Plastic bags and Garbage Cans may only be used for Extra Units, not as the Customer's primary Container. Micro-Can and Cart rental fees shall be embedded in the respective rate charged for the level of service and not separately charged or itemized.

The Contractor shall provide wildlife (bear)-resistant Carts of the Customer specified size to any Customer upon request, and may charge the Customer the wildlife resistant surcharge provided for in Attachment B.

Micro-Cans and Garbage Carts shall be delivered by the Contractor to Single-Family Residence Customers within seven (7) days of the Customer's initial request.

2.2.1.3 Specific Collection Requirements

The Contractor shall offer regular weekly collection of the following service levels:

(1) One 10-gallon Micro-Can

(2) One 20/21-gallon Garbage Cart;

(3) One 32/35-gallon Garbage Cart;

(4) One 64-gallon Garbage Cart; and

(5) One 96-gallon Garbage Cart.

On request, the Contractor shall also offer Customers monthly collection of one 32/35-gallon Garbage Cart with no putrescible wastes, at a rate equal to the weekly Micro-Can service level. Customers subscribing at this service level will continue to receive regularly scheduled Curbside recycling service.

Carry-out charges shall be assessed only to those Customers who choose to have the Contractor move Containers to reach the collection vehicle at its nearest point of access. An Extra Unit charge may be assessed for materials loaded so as to lift a Cart lid in excess of six (6) inches from the normally closed position. The Contractor may charge for an overweight Container at the Extra Unit rate, provided that the Customer agrees in advance to pay for the Extra Unit rate, otherwise, the Container shall be left at the Curb with Customer notification as to why it was not collected. The Contractor shall maintain route lists in sufficient detail to allow accurate recording and charging of all Extra Unit fees. All Extra Units from Customers with a history of disputed charges shall be documented with a date and time stamped photograph. Customers shall be allowed to specify that no Extra Units be collected without prior Customer notification, which shall be provided by the Customer no less than twenty-four (24) hours prior to that Customer's regular collection.

Collections shall be made from Single-Family Residences on a regular schedule on the same day and as close to a consistent time as possible. Customers shall place Containers on or abutting Public Streets or Private Roads. The Contractor may tag inappropriately placed Containers and may discontinue service in the event of persistent inappropriate Container placement. The Contractor's crews shall make collections in an orderly and quiet manner, and shall return Containers, in an upright position, with lids closed and attached, to their set out location and will not place Containers on streets, sidewalks, public pathways, or in places that block vehicle access to any driveways, mailboxes, or similar structures.

2.2.2 Single-Family Residence Recyclables Collection

2.2.2.1 Subject Materials

The defined list of Residential Recyclables shall be collected from all participating Single-Family Residences as part of basic Garbage collection services, without extra charge. The Contractor shall collect all Residential Recyclables from Single-Family Residences that are placed in Contractor

owned Carts or are boxed or placed in a paper bag next to the Customers' Recycling Cart. Recyclables containing obvious amounts of Compostables or Garbage shall not knowingly be collected and instead prominently tagged with a notice informing the Customer of Recyclables contamination. Customers shall be contacted and provided the opportunity to either remove the contamination and have the materials collected the following collection cycle or, alternatively, have the materials collected as Garbage at the regular extra fee. Recyclables must be prepared as follows and uncontaminated with food or other residues:

Aluminum Cans:	All clean aluminum cans, pie "tins", and foil that are placed in the Recycling Cart.
Corrugated Cardboard:	All corrugated cardboard boxes smaller than three (3) feet square, and placed in or next to the Customer's Recycling Cart. Corrugated cardboard boxes larger than three (3) feet square must be flattened by Customer prior to collection.
Glass Containers:	All colored or clear jars and bottles that are rinsed and have lids removed. Fluorescent and incandescent light bulbs, ceramics and window glass are excluded.
Mixed Paper:	All Mixed Paper
Motor Oil:	Up to three gallons of motor oil that is free from contaminants and placed in clear screw-top plastic jugs, labeled with the Customer's address and placed next to the Customer's Recycling Cart.
Newspaper:	All newspaper and advertising supplements that are delivered.
Coated paper:	All clean paper cups, milk cartons, other coated food packaging, and Tetra Paks/aseptic container placed in the Recycling Cart.
Plastic Containers:	All plastic bottles, cups, jugs and tubs. Other plastics, automotive or other hazardous product Containers, and lids are excluded.
Other Plastic:	Clean plastic food containers and trays, clean LDPE stretch plastic film such as

	Saran Wrap, Polypropylene and PET plastic soda and water bottles; cleaned plastic buckets such as 5-gallon pails; and clean Plant pots.
Polycoated Cartons and Boxes:	All plastic coated cartons and boxes that are flattened.
Scrap Metal:	All ferrous and non-ferrous Scrap Metal that has no more than market-acceptable levels of wood, plastic, rubber and/or other contaminants; and meets the size requirements defined for Scrap Metals.
Tin Cans:	All food and beverage tin cans with labels removed.
Garbage Cans:	The Contractor shall also collect and recycle unwanted Garbage Cans from Customer. Customers shall label unwanted cans with a "Take" label and the Contractor shall collect those empty unwanted Garbage Cans on its Recycling collection route.

2.2.2.2 Containers

The Contractor shall be responsible for ordering, assembling, affixing instructional information onto, maintaining adequate inventories of, and distributing and maintaining Recycling Carts. The default Recycling Cart size shall be 64-gallons for new Customers, provided that the Contractor shall offer and provide 32/35- or 96-gallon Recycling Carts on request to those Customers requiring either less or additional capacity than provided by the standard 64-gallon Recycling Cart. Recycling Carts shall include a recycling/program brochure when distributed.

Recycling Carts shall be delivered by the Contractor to new Customers or those Customers requesting replacements, within seven (7) days of the Customer's initial request.

2.2.2.3 Specific Collection Requirements

Single-Family Residence Recyclables collection shall occur weekly on the same day as each household's Garbage collection. Single-Family Residence Recyclables collection shall occur during the hours and days specified in Section 2.1.4. Collections

shall be made from Residences on a regular schedule on the same day and as close to a consistent time as possible. The Contractor shall collect on Public Streets and Private Roads in the same location as Garbage collection service is provided. The Contractor's crews shall make collections in an orderly and quiet manner, and shall return Containers with their lids closed and attached to their set out location in an orderly manner.

The Contractor shall collect all properly prepared Single-Family Residence Recyclables from Garbage Customers. No limits shall be placed on set-out volumes, except in the case when extremely large quantities of commercially-generated materials are consistently set out at a Single-Family Residence. In this case, the Contractor shall request the resident to use a larger Recycling Cart or use commercial recycling services for the excess volumes. If the resident continues to set out commercial quantities of Recyclables, the Contractor shall notify the City for further action. In the event that large quantities of Residentially-generated cardboard (e.g. moving boxes) are set out for collection, the Contractor may collect the excess materials the following day in a separate truck, provided that clear written notification of the collection delay is provided to the Customer.

The Contractor shall collect properly packaged used motor oil from Single-Family Residential Customers. The Contractor may refuse to collect used motor oil from any Customer for any one of the following reasons: 1) the oil was not packaged in a clear, leak proof, plastic jug or bottle, securely sealed with a screw-cap; 2) the packaged oil contained substances other than used motor oil; 3) the packaged oil leaks in any way 4); or 5) there is spillage at the Customer location which is not caused by the Contractor's employees. Should the Contractor reject used motor oil for any of these reasons, a tag outlining the reason for rejection shall be left with the oil.

The City and Contractor shall cooperate on monitoring the quality of Recyclables set out for collection. Either party may inspect or sample set-out or collected Recyclables. Any deficiencies in Recyclables quality observed by City or Contractor's staff shall require educational follow-up by the Contractor to encourage maximum quality and marketability. Educational follow-up shall range from a minimum of a notice ticket or "oops tag" to involvement of management staff from either the City or Contractor as appropriate.

2.2.3 Compostables Collection

2.2.3.1 Subject Materials

Compostables shall be collected each collection cycle from all Single-Family Customers.

Compostables containing obvious amounts of Recyclables or Garbage shall not knowingly be collected and instead prominently tagged with a notice informing the Customer of Compostables contamination. Customers shall be contacted and provided the opportunity to either remove the contamination and have the materials collected the following collection cycle or, alternatively, have the materials collected as Garbage at the regular extra fee.

Contaminated or oversized Compostables materials rejected by the Contractor at the Curb shall be tagged in a prominent location with an appropriate problem notice explaining why the material was rejected.

2.2.3.2 Containers

A 96-gallon Compostables Cart shall be provided to all Single-family Customers, unless a Customer specifically requests a smaller Compostables Cart. The Contractor shall be responsible for ordering, assembling, affixing instructional information onto, maintaining inventories of, and distributing and maintaining Compostables Carts. Compostables Carts shall be labeled with instructional information, in accordance with Section 2.1.15.6. The default Compostables Cart size shall be 96-gallons, with 32/35- and 64-gallon sizes available upon request.

Extra Yard Debris material that does not fit in the initial Compostables Cart shall be bundled or placed in Kraft bags or Customer-owned Garbage Cans labeled for Yard Debris. Customers choosing to use their own Containers for excess Yard Debris shall be provided durable stickers by the Contractor that clearly identify the Container's contents as Yard Debris.

Compostables Carts shall be delivered by the Contractor to Customers within seven (7) days of the Customer's initial request. Redelivery fees shall be charged only to those Residential Customers that cancel and then restart Compostables Cart collection service within seven months of cancellation. In order for this fee to be applicable, Contractor must notify each Customer at the time they request service cancellation. The Contractor may charge a Compostables Cart cleaning and

deodorizing fee at rates listed in Attachment B, per occurrence, for each Compostables Cart cleaned and redelivered to existing Compostables collection subscribers upon their request.

2.2.3.3 Specific Collection Requirements

Compostable materials shall be collected weekly at no additional cost on the same scheduled service day as Garbage collection. Compostables in excess of 128 total gallons (e.g. one 96-gallon cart and one 32-gallon extra can, bag or bundle) may be charged as Compostables Extra Units in 32 gallon increments in accordance with Attachment B, except during the two collection cycles immediately following a storm event, when up to 96 additional gallons of storm debris shall be accepted with regular quantities of Compostables without extra charge.

Unflocked, undecorated, natural holiday trees (Christmas Trees) will be collected at no additional cost on the first two full weeks of scheduled Compostable materials collection each year from all Single-Family and Multifamily Residences in the City if prepared as 2x2x4 feet sections or bundles.

The Contractor shall collect on Public Streets and Private Roads, in the same location as Garbage collection is provided. The Contractor's crews shall make collections in an orderly and quiet manner, and shall return Containers in an upright position, with lids attached, to their set out location and will not place Containers on streets, sidewalks, public pathways, or in places that block vehicle access to any driveways, mailboxes, or similar structures.

2.2.4 Single Family Bulky Waste Collection

2.2.4.1 Subject Materials

On-call Bulky Waste collection shall be offered, and shall be provided at the rates listed in Attachment B. Collected oversized items shall be recycled by the Contractor to the extent possible. The Contractor shall maintain a separate log listing service date, materials collected, Customer charges, weights, and whether the item was recycled or disposed. This log shall be provided to the City on a monthly basis.

2.2.4.2 Specific Collection Requirements

On-call collection services of bulky waste such as couches, mattresses, white goods and other oversized materials must occur during the hours and days specified in Section 2.1.4, with the exception that Friday collection is permissible. The Contractor's crews shall make collections in an orderly and quiet manner.

2.2.5 Multi-Family Complex and Commercial Customer Garbage Collection

2.2.5.1 Subject Materials

The Contractor shall collect all Garbage set out for disposal by Multi-Family Complex and Commercial Customers in acceptable Containers as designated in Section 2.2.5.2.

2.2.5.2 Containers

The Contractor shall provide Containers meeting the standards described in Section 2.1.15. Multi-Family Complex and Commercial Customers shall be offered a full range of Containers and service options, including Garbage Carts, one (1) through six (6) cubic yard compacted and one (1) through eight (8) cubic-yard non-compacted Detachable Containers, and compacted or non-compacted Drop-Box Containers. The Contractor may also lease or sell compacted Drop-Box Containers and Drop-Box and Detachable Container Compactors to Customers outside of this Contract at rates negotiated between the Customer and the Contractor.

Materials in excess of Container capacity or the subscribed service level shall be collected and properly charged as Extra Units at the rates listed in Attachment B. The Contractor shall develop and maintain route lists in sufficient detail to allow accurate recording and charging of all Extra Units and documentation of service irregularities such as damaged or blocked Containers. All Extra Units and service irregularities shall be documented with a date and time stamped photograph.

The Contractor may use either or both front-load or rear-load Detachable Containers to service Multi-Family Complex and Commercial Customers. However, not all collection sites within the City Service Area may be appropriate for front-load collection due to limited maneuverability or overhead obstructions. The Contractor shall provide Containers and collection services capable of servicing all Customer sites, whether or not front-load collection is feasible at that Customer's site.

Contractor-owned Containers shall be delivered by the Contractor to requesting Multi-Family Complex and Commercial Customers within three (3) days of the Customer's initial request. Customers shall properly care for Containers on the Customer's property, shall use reasonable efforts to protect such Containers from graffiti or negligent misuse, and shall not use such Containers for other than their intended purpose.

2.2.5.3 Specific Collection Requirements

Commercial Garbage collection shall be made available to Multi-Family Complex and Commercial Customers daily, Monday through Saturday, during the times specified in Section 2.1.4. Collection at Multi-Family sites shall be limited to the same hours as Single-Family Residence collection. Collections shall be made on a regular schedule on the same day and as close to a consistent time as possible to minimize Customer confusion. The Contractor shall collect from areas mutually agreed upon by the Contractor and Customer with the least slope and best truck access possible. Containers shall be replaced after emptying in the same location as found.

Extra charges may be assessed for materials loaded so as to lift the Garbage Can, Garbage Cart of Detachable Container lid in excess of six (6) inches from the normally closed position.

Customers may request extra collections and shall pay a proportional amount (e.g. one pick-up per week rate divided by 4.33 weeks per month) of their regular monthly rate for that service.

2.2.5.4 Premium Services

Premium services for Commercial and Multifamily Customers include Contractor-provided locks, lockboxes to hold customer keys, opening and closing gates, and rolling out containers more than 10 (ten) feet. The charges for premium services are specified in Attachment B.

2.2.6 Multi-Family Complex Recyclables Collection

2.2.6.1 Subject Materials

The Contractor shall provide adequate Container capacity and collect all Recyclables from Multi-Family Complexes that are prepared in a manner similar to that described for Single-Family Residence Recyclables in Section 2.2.2.1, with the exception of used motor oil. This embedded Recyclables collection shall

occur at no extra charge from base Garbage collection. The Contractor shall tag contaminated Containers, but will not collect the contaminated load as Garbage and not charge the resident or property manager a fee for contamination unless notification and correction procedures as specified by the City are completed.

2.2.6.2 Containers

The Contractor shall use Detachable Containers for recycling collection at Multi-Family sites wherever practicable and shall use Recycling Carts only at duplexes, tri-plexes, four-plexes and other sites where site constraints limit the use of Detachable Containers. Upon notice, Contractor shall equip Detachable Containers with special slotted recycling lids approved by the City.

The Contractor shall be responsible for ordering, assembling, affixing instructional information onto, maintaining inventories of, and distributing and maintaining Detachable Containers and Recycling Carts. The default Recycling Cart size shall be 96-gallons, provided that the Contractor shall offer and provide 32- or 64-gallon Recycling Carts on request to those complexes requiring either less or additional capacity than provided by the standard 96-gallon Recycling Cart. Recycling Carts shall be labeled with recycling collection requirements in accordance with Section 2.1.15.6 when distributed. The City may require that combination or common-keyed locks and multiple keys be provided by Contractor at no extra charge to limit contamination of Recycling Carts or Recycling Detachable Containers.

Recycling Carts and Containers shall be delivered by the Contractor to requesting Customers within three (3) days of the Customer's initial request. Multi-Family Complex Recycling Carts shall be relabeled periodically in accordance with Section 2.1.15.6.

2.2.6.3 Specific Collection Requirements

Multi-Family Complex recycling collection shall occur weekly or more frequently, as needed, during the hours and days specified in Section 2.1.4 for Multi-Family Complex collection. Collections shall be made on a regular schedule on the same day(s) of the week to minimize Customer confusion. The Contractor shall collect from areas mutually agreed upon by the Contractor and Customer with the least slope and best truck access possible. After emptying Containers shall be replaced in

the same location as found. Multi-Family Complex Recycling Customers shall not be charged lock, gate or roll-out fees.

When space constraints limit the provision of Containers appropriately-sized for weekly collection, the Contractor shall provide more frequent collection, as necessary, of smaller Containers to provide adequate total recycling capacity for the Multi-Family Complex site.

2.2.6.4 Multi-Family Recycling Outreach and Incentives

The Contractor shall provide ample copies of current recycling guidelines upon request of the City or Customer. The Contractor shall assist the City in the development and implementation of an annual recycling outreach and incentive plan. The plan shall include, at a minimum, a description of planned programs, tasks assignments between the City and Contractor and support costs where appropriate.

Public Education will play an important role in this process. The Contractor and the City shall work together to conduct workshops, visit with Customers, and develop and implement a high quality public education campaign. The outcomes and results of these efforts will be tracked and reported to the City by the Contractor.

2.2.7 Commercial Recycling Collection

The defined list of Commercial Recyclables shall be collected from all participating Commercial Customers as part of basic Garbage collection services, without extra charge.

The Contractor shall collect all Commercial Recyclables from Commercial Customers that are prepared in a manner similar to that described for Single Family Residential Recyclables in Section 2.2.2.1.

2.2.7.1 Subject Materials

The defined list of Commercial Recyclables shall be collected from all participating Commercial Customers as part of basic Garbage collection services, without extra charge subject to the limitations in Sections 2.2.7 and 2.2.7.3.

The Contractor shall collect all Commercial Recyclables from Commercial Customers that are prepared in a manner similar to that described for Single Family Residential Recyclables in

Section 2.2.2.1. In the event of contaminated materials, the driver shall notify the Contractor, and the Contractor shall contact the Customer with specific instructions for Customer to prepare the rejected materials for collection service or authorization to collect the material as Garbage for the regular Garbage collection fee. Contractor shall notify the City immediately, through use of dispatch or route management staff, if repeated contamination occurs in Recyclables set out by any Commercial or Multi-Family Customer.

2.2.7.2 Containers

Contractor-supplied Recycling Containers shall be used for collecting Commercial Recyclables. Recycling Carts and Recycling Detachable Containers shall be distinguished from Compostables or Garbage Container colors per Section 2.1.15.6 and shall include prominent identifying labels that provide directions for the preparation of the materials to be placed in the Cart or Container.

At larger businesses, the Contractor may use Detachable Containers or Drop-Box Containers for Recyclables collection provided that they are distinguished from Containers used for Garbage collection and are equipped with prominent identifying labels.

Contractor-owned Containers shall be delivered by the Contractor to requesting Customers within three (3) days of the Customer's initial request.

2.2.7.3 Specific Collection Requirements

Commercial Recyclables collection shall be provided weekly during the hours and days specified in Section 2.2.5.3. Collections shall be made on a regular schedule on a consistent day and as close to a consistent time as possible to minimize Customer confusion. The Contractor shall collect in alleys where practical, and on streets where no alleys are present. Containers shall be replaced in the same location after emptying.

When providing weekly Commercial Recyclables collection to a particular Customer, the Contractor shall not be required to provide Recycling Container capacity greater than one hundred fifty percent (150%) of that Customer's weekly Garbage collection volume. For example, a Customer with a weekly four (4) cubic yard Garbage container would be provided up to six (6) cubic yards of weekly Recyclables Container capacity. Any

additional recycling may be fee-based as negotiated between the Customer and Contractor.

Commercial Recyclables collection Containers and service may be ordered by the Commercial Customer, the City, or the City's contracted technical assistance consultant, provided that the Contractor shall not be required to provide Commercial Recyclables collection to an unwilling party.

2.2.8 Multi-Family Complex and Commercial Customer Compostables Collection

2.2.8.1 Subject Materials

The Contractor shall provide Cart-based Compostables collection services to requesting Multifamily Complexes and Commercial Customers on a subscription fee basis. If additional capacity is required, the Customer may arrange for that service privately, either through the Contractor or another party. The provision of fee-based Commercial Compostables collection in Detachable Containers by the Contractor shall comply with the service and billing standards of this Contract, even through rates are not regulated by this Contract.

Contaminated or oversized Compostables materials rejected by the Contractor shall be tagged in a prominent location with an appropriate problem notice explaining why the material was rejected. The Contractor will contact Customers with specific instructions for Customer to make the rejected materials suitable for collection service.

2.2.8.2 Containers

The Contractor shall be responsible for ordering, assembling, affixing instructional information onto, maintaining inventories of, and distributing and maintaining Compostables Carts and Detachable Containers.

Compostables Carts and Detachable Containers shall be delivered by the Contractor to new Multi-Family Complexes or Commercial Customers within three (3) days of the City's request, following the City's provision of technical assistance to the Customer to set up the program.

2.2.8.3 Specific Collection Requirements

Compostables shall be collected weekly from Multi-Family Complex and Commercial Customers. Collections shall be made on a regular schedule on the same day(s) and as close to a

consistent time as possible. Carts shall be lined by the Contractor upon initial delivery as well as after each collection cycle. The liners shall be approved by the Contractor's composting facility and shall be provided at no additional cost to the Customer. The Contractor shall also provide free cleaning of containers for each customer at least once per year.

The Contractor shall collect Containers at defined Multi-Family Complex or Commercial Customer Container spaces. The Contractor's crews shall make collections in an orderly and quiet manner, and shall return Containers with their lids closed and attached to their set out location.

Commercial and Multi-Family Customers using Compostables Collection service and the Contractor shall comply with Seattle-King County regulations for Commercial Food Scraps collection.

2.2.9 Drop-Box Container Garbage Collection

2.2.9.1 Subject Materials

The Contractor shall provide Drop-Box Container Garbage collection services to Multi-Family Complex and Commercial Customers, in accordance with the service level selected by the Customer.

2.2.9.2 Containers

The Contractor shall provide Containers meeting the standards described in Section 2.1.15. Both Customer-owned and Contractor-owned Drop-Box Containers shall be serviced, including Customer-owned compactors.

Contractor-owned Containers shall be delivered by the Contractor to requesting Customers within three (3) days of the Customer's initial request.

2.2.9.3 Specific Collection Requirements

Single-Family Residence, Multi-Family Complex and Commercial Customer Drop-Box Container collection must occur during the hours and days specified in 2.2.5.3. Collection of Drop-Box Containers in Single-Family Residence and Multi-Family Complex areas and multi-use buildings containing Multi-Family Complexes shall be limited to the same hours as Single-Family Residence collection.

The Contractor shall provide service and equipment capability to collect full Drop-Box Containers no later than the next business day after the Customer's initial call. The Contractor shall maintain a sufficient Drop-Box Container inventory to provide empty Containers to new and temporary Customers within three (3) business days after the Customer's initial call.

Mileage fees shall be assessed only when Customer-directed disposal/recycling sites are more than ten (10) road miles by the shortest route from a particular Customer's location, and then only on the additional mileage above twenty (20) miles round-trip. The Contractor shall obtain prior permission from the Customer to use disposal/recycling sites which would result in additional mileage charges.

2.2.10 Temporary Container Customers

The Contractor shall provide temporary 2-, 4-, and 8-cubic yard Detachable Containers and 10-, 20-, 30-, and 40-cubic yard Drop-Boxes to Single-Family Residence, Multi-Family Complex and Commercial Customers on an on-call basis. Temporary service shall include all Customers requesting Container service of less than ninety (90) days duration, including existing Customers on permanent service who temporary request an extra Container for less than ninety (90) days. The charges for temporary Detachable Container service listed in Attachment B shall include delivery, collection and disposal. Disposal charges for temporary Drop-Box Containers shall be billed in addition to the delivery, rental and hauling charges listed in Attachment B. Rental charges shall be itemized and charged separately, at the rates listed in Attachment B. The Contractor may charge a deposit to be paid in advance of service equal to the average disposal fee for the size of temporary Container ordered if the creditworthiness of the individual Customer is in doubt.

2.2.11 Municipal Services

The Contractor shall provide weekly Garbage, Recyclables and Compostables collection to all City-owned municipal facilities without charge.

Additional municipal facilities added during the term of the Contract shall also be provided collection, including new facilities developed within the City Service Area, as well as municipal facilities in future annexation areas covered by this Contract.

On occasion, the City will pay the Contractor in accordance with charges listed in Attachment B for services that involve a third party, when such third

party accumulates Garbage as part of performing services for the City. For example, the City would pay Contractor for the disposal of roof replacement debris removed from a City facility. Regular Garbage generated on an ongoing basis at all City facilities will otherwise be collected by the Contractor without charge to the City.

In the event that the City is restricted from accepting the services described in this section at no charge, the Contractor shall be separately and specifically paid for these services at the Contract rates set forth in Attachment B and the Contractor shall increase the city fee by $84,000 per year, as adjusted by the provisions of Section 3.3.1, in exchange for no longer providing these services at no additional cost. In that case, the Contractor shall provide the same level of service to the City, at a rate paid by the City equivalent to the amount added to the city fee.

2.2.12 City-Sponsored Community Events

The Contractor shall provide Garbage and Recycling services for City-sponsored special events at no charge to the City or users. Container capacity shall be coordinated with event staff to ensure that sufficient Container capacity and collection frequency is provided by the Contractor. This event shall initially include Snoqualmie Railroad Days.

At any time during the term of this Contract, the City may add City-Sponsored Community Events in addition to those listed above, provided that if the City adds more than one event every year, the Contractor may negotiate compensation for those additional events. In the event that the total volume of materials collected by Contractor from City-Sponsored Community Events increases by more than 20% above the baseline volume for such events established in the first year of this Contract, then Contractor's rates shall be adjusted to reflect the increased cost to Contractor in providing such services.

2.2.13 Other Solid Waste Collection Services

The Contractor may occasionally provide other regularly scheduled or one-time services related to solid waste collection in the City not specifically delineated under this Contract. In that event, the Contractor shall notify the City and propose a Customer rate for the service. Upon prior approval of the City, the Contractor may proceed to offer that service.

2.3 Management

2.3.1 Responsibility of Participants

2.3.1.1 Contractor's Responsibilities

Consistent with the responsibilities set forth otherwise in this Contract, the Contractor shall be responsible for:

- Collecting Garbage in the City Service Area and delivering the Garbage to the King County Disposal System, unless otherwise directed by the City, and shall ensure that the Contractor handles Garbage in accordance with the City's interlocal agreements governing solid waste management.

- Collecting construction/demolition waste in the City Service Area and delivering the waste to fully permitted recycling, disposal or transfer sites in compliance with King County's Comprehensive Solid Waste Management Plan.

- Collecting, processing and marketing Recyclables and Compostables collected by the Contractor in the City Service Area.

- Providing cart and Container assembly, maintenance, painting, stickering/labeling and re-stickering/labeling and delivery services listed or required in this Contract.

- Performing customer service, including answering telephone calls and e-mails, providing information on services, establishing Customer accounts and providing appropriate Customer support.

- Billing, receiving, posting Customer payments and deposits, and adding educational information to bills, if requested by the City.

- Procuring all equipment and bearing all start-up, operating maintenance, and transition costs for collection and processing or disposal of Garbage, Recyclables and Compostables, including proper safety equipment and insurance for vehicles and workers.

- Providing and supervising all labor to accomplish the scope of services required under this Contract, including labor to collect materials, maintain and distribute equipment and related customer service functions.

- Operating a maintenance facility to house and service collection equipment and acquiring all necessary land use, building, operating, and business permits and licenses.

- Submitting all informational materials for public release to the City for review and approval prior to release.

- Complying with all applicable laws.

- Meeting all non-discrimination and OSHA (Federal Occupational Safety and Health Act of 1970)/WISHA (Washington Industrial Safety and Health Act of 1973) standards, and all environmental standards and regulations.

- Providing a safe working environment and comprehensive liability insurance coverage as set forth in Section 6.4, and providing proof of this insurance to the City annually.

- Providing a valid Contractor's performance and payment bond in accordance with Section 6.5, and providing proof of this bond to the City annually.

- Securing the prior written approval of the City and surety before assigning or pledging money, or assigning, subcontracting or delegating duties.

- Providing route maps to the City indicating the day of week for each service.

- Submitting collection day changes to the City for review and approval prior to notice being provided to Customers and the change taking place.

- Submitting prompt notices to the media regarding modifications to the collection schedule due to inclement weather.

- Maintaining Containers, vehicles and facilities in a clean, properly labeled and sanitary condition.

- Meeting all City reporting, inspection and review requirements.

- Providing outreach materials and programs, and assistance with distribution and outreach as required in this Contract.

- Providing operating and safety training for all personnel, including spill response training for all drivers.

- Notifying the City of intended changes in management not less than sixty (60) days prior to the date of change. New management shall also attend an introductory meeting scheduled by the City during the sixty (60) day notification period. Exception shall be made for termination for cause or voluntary termination, in which case the Contractor shall notify the City within twenty-four (24) hours of the termination.

2.3.1.2 City's Responsibilities

Consistent with the responsibilities set forth otherwise in this Contract, the City shall be responsible for:

- Overall project administration and final approval of Contractor services and activities.

- Reviewing and approving Contractor compensation adjustments due to changes in County disposal fees or price indices.

- Directing and overseeing public education and outreach with the cooperation and assistance of the Contractor.

- Monitoring and evaluating collection operations with the cooperation and assistance of the Contractor.

- Reviewing and approving all assignment, pledging, subcontracting or delegation of money or duties.

- Reviewing and approving collection days and rate changes.

- Reviewing and approving holiday schedule changes.

- Reviewing and approving all written or other informational materials used in the City by the Contractor.

- Conducting performance reviews of the Contractor with the Contractor's cooperation and assistance.

- Holding periodic operations meetings with the Contractor, as necessary.

2.3.2 Customer Service and Billing

The Contractor shall be responsible for providing all customer service functions, including: answering Customer telephone calls and e-mail requests, informing Customers of current services and charges, handling Customer subscriptions and cancellations, receiving and resolving Customer complaints, dispatching Drop-Box Containers and special collections, correlating service levels to current invoices, all Customer billing, and maintaining and regularly updating a user-friendly website. These functions shall be provided at the Contractor's sole cost, with such costs included in the Customer charges (see Attachment B).

2.3.2.1 Office Location

The Contractor shall maintain a principal office in King or Pierce County within thirty (30) miles of the City limits. The Contractor's office and customer service assistance shall be accessible by a local area code and phone number, specifically for use during this contract as the Contractor's primary customer service line. The Contractor's office hours shall be open at a minimum from 8 a.m. to 5 p.m. daily, except Saturdays, Sundays and recognized holidays. Representatives shall be available at the Contractor's local office during office hours for communication with the public and City representatives. Customer calls shall be taken during office hours by a person, not by voice mail.

The Contractor shall maintain an emergency telephone number for use by City staff outside normal office hours. The Contractor shall have a representative, or an answering service to contact such representative, available at said emergency telephone number during all hours other than normal office hours.

2.3.2.2 Customer Service Requirements

2.3.2.2.1 Customer Service Representative Staffing

During office hours, the Contractor shall maintain sufficient staff to answer and handle complaints and service requests from multiple incoming telephone calls simultaneously. If incoming telephone calls necessitate, the Contractor shall increase staffing levels as necessary to meet Customer service demands. The Contractor shall also maintain sufficient staff to answer and handle complaints and service requests made by letter or e-mail. If staffing is deemed to be insufficient by

the City based on agreed-upon performance measures in Section 2.3.2.2, the Contractor shall increase staffing levels to meet contract performance criteria

2.3.2.2.2 Service Recipient Complaints and Requests

The Contractor shall record all complaints and service requests, regardless of how received, including date, time, Customer's name and address (if the Customer is willing to give this information), method of transmittal, and nature, date and manner of resolution of the complaint or service request in a computerized daily log. Any telephone calls received via the Contractor's non-office hours answering service shall be recorded in the log the following business day. The Contractor shall make a conscientious effort to resolve all complaints within twenty-four (24) hours of the original call or e-mail, and service requests within the times established throughout this Contract for various service requests. If a longer response time is necessary for complaints or requests, the reason for the delay shall be noted in the log, along with a description of the Contractor's efforts to resolve the complaint or request.

The customer service log shall be available for inspection by the City, or its designated representatives, during the Contractor's office hours, and shall be in a format approved by the City. The Contractor shall provide a copy of this log in an electronic format to the City with the monthly report.

The Contractor shall provide sufficient field service/sales staff and route manager personnel to accurately set-up accounts and visit Customers at their service location as needed – for example during roll-out of service changes that impact multiple accounts, or during establishment of new Recycling or Compostables collection service changes. The Contractor's field service/sales staff shall be able to describe to Customers any related service procedures and Container or equipment

needs, and be able to calculate any related rate impacts that would arise from implementing service change options. The Contractor's field service/sales staff shall also be responsible for completion of outreach and tracking specified in Section 2.3.5, including related required annual reporting.

2.3.2.2.3 Handling of Customer Calls

All incoming telephone calls shall be answered promptly and courteously, with an average speed of answer of less than thirty (30) seconds. For calls placed in the queue, no greater than five percent overall shall abandon (ABA%) on a monthly basis. A summary of these discrete performance measures will be provided as part of required monthly reporting. A Customer shall be able to talk directly with a customer service representative when calling the Contractor's Customer service telephone number during office hours. An automated voice mail service or phone answering system may be used when the office is closed.

2.3.2.2.4 Corrective Measures

Upon the receipt of Customer complaints in regards to busy signals or excessive delays in answering the telephone, the City may request and the Contractor shall submit a plan to the City for correcting the problem. Once the City has approved the plan, the Contractor shall have thirty (30) days to implement the corrective measures. Corrective measures shall be implemented without additional compensation to the Contractor. Failure to provide corrective measures shall be subject to performance fees.

2.3.2.2.5 Internet Website

The Contractor shall provide a Customer-friendly Internet website accessible twenty-four (24) hours a day, seven (7) days a week, containing information specific to the City's collection programs, including at a minimum, contact information, collection schedules, material preparation requirements, available services and

options, rates, inclement weather service changes and other relevant service information for its Customers. The website shall include an email function for Customer communication with the Contractor, and the ability for Customers to submit service requests on-line. E-mailed Customer service requests shall be answered the next business day after receipt. The website shall offer Customers the option to pay their service bills on-line through a secured bill payment system. Website content and design shall be submitted for City approval a minimum of three (3) days prior to planned roll-out of website changes, and website content and design shall continue to be subject to the City's approval throughout the term of this Contract. The Contractor shall update the website monthly, and more often if necessary, and provide links to the City's website. The website shall include contact information translated into Spanish. The Contractor's website shall minimize "pop-up" windows, and not include adware, spyware or third party tracking "cookies."

2.3.2.2.6 Full Knowledge of Programs Required

The Contractor's customer service representatives shall be able to accurately describe all collection services available to City Customers, including the various services available to Single-Family Residence, Multi-Family Complex and Commercial Customers. For new Customers, customer service representatives shall explain all Garbage, Recyclables, Compostables and Food Scrap collection options available depending on the sector the Customer is calling from. For existing Customers, the representatives shall explain new services and options, and resolve recycling issues, collection concerns, missed pickups, Container deliveries, and other Customer concerns. Customer service representatives shall be trained to inform Customers of all Recyclables, Compostables and Food Scrap preparation specifications. Policy questions resolvable by the City shall be immediately forwarded to the City for response. The Contractor's customer service representatives shall have real-time electronic access to customer service data and history to

provide efficient and high-quality customer services.

2.3.3 Contractor's Customer Billing Responsibilities

The Contractor shall be responsible for all billing functions related to the collection services provided under this Contract. All Single-Family Residence Customers shall be billed at least quarterly, and Multi-Family Complex and Commercial Customers shall be billed monthly. Customers may be billed prior to receiving service, but the due date (or past due date) shall be no sooner than the last day of service provided under that billing cycle. The bill's due date shall be no sooner than fifteen (15) business days after the date the bill is mailed. The Contractor may make account adjustments for over- or under-charges, provided that under-charges may only be charged for services provided within ninety (90) days of the bill date.

Billing and accounting costs associated with Customer invoicing shall be borne by the Contractor, and are included in the service fees in Attachment B. The Contractor may bill to Customers late payments and NSF ("bounced") check charges, as well as the actual third party costs of bad debt collection. Late fees shall not exceed one percent (1%) per month and NSF charges shall not exceed twenty dollars ($20.00) per NSF check or actual bank charges, whichever is greater.

All Single-Family Residence Recyclables collection costs and revenues shall be included in the Garbage collection rate and shall not be charged or itemized separately. Subscription Compostables services shall be itemized separately. All Multi-Family Complex Recyclables collection costs and revenues shall be included in the Garbage collection rate and shall not be charged or itemized separately, except as directed at the City's sole discretion. Commercial Customer and Multi-Family Complex Compostables services shall be itemized and charged separately. No surcharges (such as environmental or fuel surcharges) shall be added to invoices for Garbage, Recyclables or Compostables collection, including Commercial Recycling collection, unless specifically authorized in writing by the City.

The Contractor shall be responsible for the following:

- Generating combined Garbage, Recyclables and Compostables collection bills. Bills must include a statement indicating the Customer's current service level, current charges and payments, and appropriate taxes and fees as well as the Contractor's customer service contact information. Space shall be made available on bills for including City contact information at the City's request.

- Accepting, processing and posting payment data each business day.

- Maintaining a system to monitor and report Customer subscription levels, record Extra Unit Garbage and Compostables collected, place an additional charge on the Customer's bill for the excess collection, and charge for additional services requested and delivered. This system shall maintain a Customer's historical account data for a period of not less than two years.

- Accepting and responding to Customer requests for service level changes, missed or inadequate collection services, and additional services.

- Collecting unpaid charges from Customers for collection services.

- Implementing rate changes as specified in Section 3.1 and 3.3.

- Including lines/space for customer service messages on Customer bills.

- Including Contractor phone numbers for customer service on Customer bills.

- Providing a discount to Single Family Customers that choose to use a paperless invoicing and bill paying process. The Customer discount shall be $6.00 per year for Single Family Customers and $10.00 per year for Multi-family/Commercial Customers and shall be applied once each year after the Customer has maintained paperless billing for the previous twelve months. The Contractor shall electronically notify the Customer of their invoice and then accept payment either through a pre-authorized autopay arrangement or a single-event credit card or debit payment feature on the Contractor's website. The Contractor shall not charge additional fees for credit or debit transactions. Customers may choose to use the autopay function, but retain paper billing, in which case no discount shall be provided.

- Managing published information so that all Customers in any grouping targeted for receipt of printed educational or outreach materials shall be included in Contractor's mass-mailings of such materials regardless of Customer's billing method status (such as web-based invoicing) or Customer's mail receipt method (such as use of a Post Office Box rather than standard curbside mail service).

The Contractor shall be required to have procedures in place to backup and minimize the potential for the loss or damage of the account servicing (customer service, service levels and billing history) database. The Contractor shall ensure that a daily backup of the account servicing database is made and securely stored off-site. The Contractor shall also provide the City with a copy of the customer service database via e-mail or other electronic medium on a quarterly basis. The City shall have unlimited rights

to use the customer service database to develop targeted educational and outreach programs, analyze service level shifts or rate impacts, and/or to provide information to successor contractors.

Upon five (5) business days written notice, the Contractor shall provide the City with a paper and/or electronic copy at the City's discretion of the requested Customer information and history, including but not limited to Customer names, service and mailing addresses, contact information, service levels and current account status. City requests for information pertaining to five or fewer accounts shall be provided within one business day.

As set forth in detail below, the Contractor shall provide monthly and annual reports to the City. In addition, the Contractor shall allow the City access to pertinent operations information related to compliance with the obligations of this Contract, such as vehicle maintenance logs, disposal, Compostables and recycling facility certified weight slips, and Customer charges and payments.

2.3.4 Reporting

The Contractor shall provide monthly and annual reports to the City. In addition, the Contractor shall allow City staff access to pertinent operations information such as disposal facility certified weight slips and vehicle maintenance logs.

2.3.4.1 Monthly Reports

On a monthly basis, by the 15th of each month, the Contractor shall provide a report containing information for the previous month. Reports shall be submitted in electronic format approved by the City and shall be certified to be accurate by the Contractor. At a minimum, reports shall include:

(1) A log of complaints and resolutions for all collection services and sectors. At a minimum, the complaint log shall include Customer name and/or business name, Customer's service address, contact telephone number, date of complaint, a description of the complaint, a description of how the complaint was resolved, the date of recovery/resolution and any additional driver's notes or comments.

(2) A tabulation of the number of single family, commercial and multi-family accounts by service level/Container size and service frequency.

(3) A compilation of program participation statistics including: a summary of multi-family and commercial participation in recycling programs, set-out statistics for Residential Garbage, Compostables and Recyclables collection services, and log of bulky items.

(4) A compilation of total monthly and year-to-date summaries of Garbage, Recyclables and Compostables quantities by collection sector.

(5) A summary of Recyclables quantities by collection sector and by commodity, including processing residues disposed and market prices.

(6) A summary of disposal or tipping facility locations and associated quantities for Garbage, Recyclables and Compostables as well as any changes in processing procedures, locations or tipping fees.

(7) A description of any vehicle accidents infractions, or insurance claims against Contractor.

(8) A description of any changes to collection routes, Containers, vehicles (including the identification of back-up vehicles not meeting contract standards with the truck number and date of use), customer service or other related activities affecting the provision of services; and

(9) Call Center performance as outlined in Section 2.3.2.2.

If collection vehicles are used to service more than one Customer sector or jurisdiction, the Contractor shall develop an apportioning methodology that allows the accurate calculation and reporting of collection quantities. The apportioning methodology shall be subject to prior review and approval by the City and shall be periodically verified through field testing by the Contractor.

2.3.4.2 Annual Reports

On an annual basis, by the last working day of January, the Contractor shall provide an electronic report containing the following information:

(1) A consolidated summary and tabulation of the monthly reports, described above.

(2) A discussion of highlights and other noteworthy experiences, along with measures taken to resolve problems, increase efficiency, and increase participation in Compostables and Recyclables collection programs.

(3) A discussion of promotion and education efforts and accomplishments.

(4) An inventory of current collection, delivery, spare and other major equipment, including make, model, year, and accumulated miles.

(5) A list of multi-family and commercial recycling sites pursuant to Section 2.3.5.

2.3.4.3 Ad Hoc Reports

The City may request from the Contractor up to six (6) ad-hoc reports each year, at no additional cost to the City. These reports may include customer service database tabulations to identify specific service level or participation patterns or other similar information. Reports shall be provided in the City-defined format and software compatibility. These reports shall not require the Contractor to expend more than one hundred (100) staff hours per year to complete.

If requested by the City, the Contractor shall provide daily route information for all service sectors and collection streams for the purpose of evaluating potential collection system changes during the term of the Contract. Information received by the City and in the Contractor's possession shall be subject to existing laws and regulations regarding disclosure, including the *Public Records Act,* Chapter 42.56 RCW and shall be subject to the provisions of Section 6.8 below.

2.3.5 Promotion and Education

The Contractor shall have primary responsibility for providing service-oriented information and outreach to Customers and implementing on-going recycling promotion, at the direction of the City. The Contractor shall also incorporate general waste reduction, minimization and reuse elements in its promotion and education program.

The Contractor shall maintain a complete list of all Multi-Family Complex sites within the City Service Area, and the status of each site's participation in Contractor-provided services. The Contractor shall annually contact, by telephone or site visit, the manager or owner of each site to encourage participation and inform the manager or owner of all available services and

ways to decrease Garbage generation. Printed informational materials discussing waste prevention and recycling service options shall be prepared and distributed to support contact with Multi-Family Complex and Commercial Customer sites. This contact shall be coordinated with City and King County promotional efforts. The Contractor shall include with its annual report the list of Multi-Family Complex and Commercial Customer sites; Garbage, recycling and Compostables status; Container sizes, service frequency, and types; Customer contact dates and outcome of such contacts; and suggestions for increasing participation or other program improvements.

The Contractor shall keep the public informed of programs and encourage participation through an annual service update. Each fall, the Contractor shall provide an annual service update for each service sector, the format, content and timeframe of which shall be subject to prior review and approval by the City. The annual service update shall be mailed to all Customers and, at a minimum, shall include an informational brochure indicating rates, all services available, preparation and other service requirements, contact information, inclement weather and other policies, a collection schedule calendar applicable to each recipient's routes and other useful Customer information.

The Contractor shall develop, print, periodically update and maintain sufficient quantities of new Customer information materials, the format and content of which shall be subject to prior review and approval by the City. Upon approval, materials shall be mailed to every new Customer prior to the Customer's first billing and shall, at a minimum, include a statement of applicable rules and service policies, rates, services and preparation requirements, collection days in calendar format, Contractor customer service information and City contact information. Contractor's materials shall be TTY accessible and Contractor shall provide alternative language formats upon request.

The Contractor's welcome packet and annual service update may be e-mailed to Customers instead of paper materials, upon Customers' request.

The Contractor shall permit the City to insert, at no charge, single-sheet information bulletins into Customer bills. When the insert is beyond one page and increases Contractor cost, the City shall pay the incremental difference. The City and Contractor shall work cooperatively for timely inclusion of such materials.

2.3.6 Field Monitoring

The City may periodically monitor collection system parameters such as participation, Container condition, Container weights, waste composition and Customer satisfaction. The Contractor shall assist the City by

coordinating the Contractor's operations with the City's field monitoring to minimize inconvenience to Customers, the City and the Contractor.

2.3.7 Transition to Next Contractor

The Contractor shall be expected to work with the City and any successive contractor(s) in good faith to ensure a minimum of Customer disruption during the transition period. Container removal and replacement shall be coordinated between the Contractor and a successive contractor to occur simultaneously in order to minimize Customer inconvenience.

The Contractor shall provide a detailed updated Customer list, including Customer name, service address, mailing address, and collection and Container rental service levels to the successive contractor within seven (7) days request of the City.

The parties recognize that a failure to comply with this provision will damage the City, but that determination of such damage will be difficult and burdensome; therefore, the parties agree that in the event of a breach of this provision the Contractor, or the Contractor's surety, shall pay the City one hundred thousand dollars ($100,000.00) for the material breach of this contract provision. Payment shall be made within twenty (20) business days of the end of this contract.

3. COMPENSATION

3.1 Compensation to the Contractor

3.1.1 Rates

The Contractor shall be responsible for billing and collecting funds from Single-Family Residence, Multi-Family Complex and Commercial Customers in accordance with the charges for services listed in Attachment B. The Contractor may reduce or waive at its option, but shall not exceed, the charges listed in Attachment B. The Contractor shall charge Drop-box Customers the Annual CCR (as described in Section 3.3.2) based upon the applicable Drop-box Container weight plus ten percent (10%) to reflect the Contractor's costs and margin related to handling the pass-through disposal component of that service. These payments shall comprise the entire compensation due to the Contractor. In no event shall the City be responsible for money that the Contractor, for whatever reason, is unable to collect.

3.1.2 Itemization on Invoices

City, King County and Washington State solid waste, utility and/or sales taxes shall be itemized separately on Customer invoices and added to the charges listed in Attachment B. The Contractor shall not charge separately for the collection of Source-Separated Recyclables other than Commercial

Recyclables above the limit of the included embedded Commercial Recyclables program as defined in Section 2.2.7.3. The City administrative fee shall not be itemized separately on Customer invoices. The Annual CCR shall be itemized separately on Drop-box Customer invoices only.

3.1.3 Mandatory Collection Enforcement

The Contractor shall assist the City with enforcing mandatory collection for all Customers. Contractor materials, website and customer service representatives shall provide a consistent message informing City residents of this requirement. In the event a resident refuses to subscribe for collection, the Contractor shall provide that customer the minimum service level for that Customer class, and shall continue to provide service (even if not used) and bill the customer.

If a Customer becomes seventy-five (75) days delinquent on a Contractor invoice, Contractor may reduce the service level to the minimum service level for that Customer class. The Contractor may then make arrangements for a third party collection and/or lien the property for the debt. The Contractor may reduce the service level to the minimum service level for that Customer class. The Contractor shall be allowed to charge a cart redelivery fee should the customer request to reinstate their higher level of service after paying all overdue balances. The cart redelivery fee in Attachment B covers the redelivery of all three carts for Single-family Customers.

3.2 Compensation to the City

The Contractor shall also pay to the City a twelve percent (12%) city fee, applied to 89.3% of the Contractor's gross receipts received from Snoqualmie Collection Contract customers, excluding the listed taxes and Drop-Box disposal fees, during the prior month on or before the twentieth (20^{th}) day of each month during the term of this Contract. The Contractor shall remit the city fee received on all payments received under this Contract, including Customer payments received after the termination date of this Contract.

The rates included in Attachment B, as modified during the term of this Contract, include the city fee and Customers shall not be separately charged an itemized city fee.

The Contractor shall fully participate with any City billing audit to confirm the Contractor's actual receipts during any accounting period during the term of the Contract. The audit shall be confined to confirming customer billing rates, Contractor receipts for services provided under this Contract, and bad debt recovery.

The administrative fee may be changed by the City in any year, provided that the change is synchronized with the annual Contractor rate modification described in Section 3.3. The City shall notify the Contactor of the new administrative fee for the following year by September 1^{st}, and the Contractor shall itemize and include the

appropriate adjustment in its Rate Adjustment Statement provided October 1st of each year. In the event that the administrative fee is adjusted, either up or down, the Contractor shall add or subtract an amount equivalent to the state excise tax (1.75% in 2024), as may be adjusted from time to time by the State of Washington.

In addition, the Contractor shall be responsible for payment of all applicable permits, licenses, fees and taxes as described in Section 6.13, Permits and Licenses.

3.3 Compensation Adjustments

3.3.1 Annual Rate Adjustment

The Contractor's collection service charges, excluding waste disposal fees, for each level of service shall increase or decrease once every year by the percentage change in the Consumer Price Index CWURA423SAO for the Seattle-Tacoma-Bremerton Metropolitan Area for Urban Wage Earners and Clerical Workers, all items (Revised Series) (CPI-W 1982-1984) prepared by the United States Department of Labor, Bureau of Labor Statistics, or a replacement index (the "CPI Index").

Adjustments to the Contractor's collection service charge shall be made in units of one cent ($0.01). Fractions less than one cent ($0.01) shall not be considered when making adjustments. Annual CPI adjustments shall never be negative. In the event the CPI index series decreases year-on-year, there shall be no CPI adjustment that year.

An initial adjustment of the Attachment B rates shall be performed in January 2025, based on the twelve (12) month period ending June 30, 2024. The adjusted rates shall be in effect from the date of commencement of service through December 31, 2025. The rate modification notification to Customers shall be provided in informational materials as part of the new Contract roll-out.

Rates shall be adjusted annually, beginning January 1, 2026 (the "Adjustment Date"). The Contractor shall submit to the City for review and approval a Rate Adjustment Statement, calculating the new rates for the next year, by calculating the percentage change in the CPI Index for the most recent twelve (12) month period ending on June 30th. The Contractor's calculations shall be provided to the City no later than October 1st prior to the Adjustment Date and the City shall have thirty (30) days to confirm the Contractor's rate modification calculations. On City approval, which shall not be unreasonably withheld or delayed, the new rates shall take effect on January 1st of the next year, and Customers shall be notified in November, at least forty-five (45) days prior to the date adjusted rates become effective. Should ratepayers not receive timely notification due to missed deadlines, rate calculation errors by the Contractor, or rate disapproval by the City,

implementation of the new rates shall be delayed by one month without opportunity for recovery of lost revenue.

3.3.2 Disposal Fee Adjustments

The Contractor shall annually adjust the disposal fee component of rates to reflect increases or decreases in the County Tipping Fee and King County Fixed Annual Charge ("FAC"). The Contractor shall utilize the Annual Composite Commercial Rate ("Annual CCR") methodology to annually adjust the disposal fee component of Customer rates to incorporate the FAC as follows:

a. On or before September 1st of each year, the County shall notify the City and Contractor of the County Tipping Fee, FAC, and estimated commercial Garbage tonnage for the next calendar year. The FAC shall be divided by the County's estimated commercial Garbage tonnage which shall be expressed as a per-ton charge (the "Per-Ton FAC")

b. The Per-Ton FAC shall be added to the County Tipping Fee that will be applicable during the next year, the sum of which shall be the Annual CCR for each ton of City Garbage during the next year.

c. Adjustments to the disposal fee component of rates charged to Customers shall be based on percentage increase or decrease in the Annual CCR from the previous year, and further adjusted by the excise tax on the change in the disposal fee component.

Specific examples of rate modifications due to Annual CCR (and due to Consumer Price Index changes) are provided in Attachment C.

Adjustments to the disposal fee component shall be made in units of one cent ($0.01). Fractions less than one cent ($0.01) shall not be considered when making adjustments.

On or before October 1st of each year, the Contractor shall submit to the City for review and approval a Rate Adjustment Statement, calculating the new rates and the Annual CCR for the next year. Notwithstanding the foregoing, in the event that the County notifies the City and the Contractor of the County Tipping Fee, FAC, and estimated commercial Garbage tonnage for the next calendar year after September 1st, the Contractor shall submit to the City for review and approval a Rate Adjustment Statement no later than thirty (30) days after receipt of such notice from the County. The City shall have thirty (30) days to approve or disapprove the calculcations. If the City disapproves the Contractor's calculations, the Parties shall meet immediately thereafter to resolve any disagreement as to the correct calculation of the rate adjustment under subsection (b) above or the Annual CCR. Upon approval of the calculations, the Contractor shall provide 45 days' notice of the new rates to its Customers, and the new rates shall be effective (i) on January 1st,

or (ii) on the first day of the calendar month following the end of the 45-day notice period, whichever is later. Any delays in City approval or disapproval shall not be cause for a delay in implementation of the new rates and the Annual CCR.

The business and occupation tax shall be applied to King County disposal fees.

3.3.3 Changes in Disposal/Processing Sites and Tipping Fees

The Contractor assumes all risk for the processing and marketing of Recyclables and Compostables other than the changes in Section 2.1.26. If the Contractor is required by the City to use processing sites or markets other than those being used at the initiation of this Contract, the Contractor may submit a detailed proposal for a rate adjustment to reflect any additional costs or savings to the Contractor. The City and Contractor agree to negotiate in good faith any changes to the rates to offset these costs or savings.

If the County's Factoria Transfer Station becomes unavailable for more than one week or if its hours of operation are changed to limit access and as a result the Contractor is required to haul Garbage to an alternative County disposal location in excess of fifteen (15) miles from the intersection of Snoqualmie Parkway and Fisher Avenue, the Contractor shall be allowed a temporary surcharge on Customer bills equivalent to $2.50 per mile per truck trip above the ten (10) mile limit. The eligible distance shall be based on measuring the road distance between the referenced intersection and the transfer section, minus ten (10) miles. The result shall be multiplied by $2.50 and shall be the compensation for each truck load of Garbage delivered to the alternative site by the Contractor. The Contractor's allocation of the surcharge to each service level shall be reviewed and approved by the City prior to implementation.

3.3.4 Other Modifications

The Contractor shall not adjust or modify rates due to employee wage increases, the value of Recyclables, Garbage collection service level shifts, or other changes affecting the collection system. At the time of the City's decision to extend this Contract through invoking contract extension options, the Contractor can present a request for relief for any adverse market changes that have occurred during the previous period of the Contract. The City is under no obligation to give consideration for those adverse changes as a condition for invoking the contract extension option.

If new City, King County, Washington State or Federal taxes are imposed or the rates of existing taxes are changed after the execution date of this Contract, and the impact of these changes results in increased or decreased Contractor costs in excess of five thousand dollars ($5,000) annually, the

Contractor and City shall enter into good faith negotiations to determine whether compensation adjustments are appropriate and if so, to determine the amount and the method of adjustment. Any adjustment in Contractor charges will coincide with the annual rate adjustment process described in this Section 3.3.

3.4 Change in Law

Changes in federal, state or local laws or regulations or a continuing Force Majeure event that results in a detrimental change in circumstances or a material hardship for the Contractor in performing this Contract may be the subject of a request by the Contractor for a rate adjustment, subject to review and approval by the City, at the City's reasonable discretion. If the City requires review of the Contractor's financial or other proprietary information in conducting its rate review, at the request of the Contractor, the City shall retain a third-party to review such information at the Contractor's expense, and may take any other steps it deems appropriate to protect the confidential nature of the Contractor's documents and preserve the Contractor's ongoing ability to remain competitive.

4. FAILURE TO PERFORM, REMEDIES, TERMINATION

The City expects high levels of Customer service and collection service provision. Performance failures shall be discouraged, to the extent possible, through automatic performance fees for certain infractions and through Contract default for more serious lapses in service provision. Section 4.1 details infractions subject to automatic or performance fees, and Section 4.2 details default provisions and procedures.

4.1 Performance Fees

The Contractor may be subject to performance fees for the following acts or omissions if documented in an incident report presented by the City to the Contractor. The City reserves the right to make periodic, unscheduled inspection visits or use other means to determine the Contractor's compliance with the Contract. Deductions for misses will not be applied for collections prevented by weather or holiday rescheduling or collections missed due to labor disruptions during the first week of the disruption. Performance fees are as follows:

ACTION OR OMISSION	AMOUNT
Collection before or after the times specified in Section 2.1.4, except as expressly permitted by the City.	Two Hundred Fifty Dollars ($250) per truck route (each truck on each route is a separate incident).
Repetition of complaints on a route after notification, including, but not limited to, failure to replace Containers in designated	Twenty-Five dollars ($25) per incident, not to exceed thirty (30) complaints per truck per day.

ACTION OR OMISSION	AMOUNT
locations, spilling, not closing gates, not replacing lids, use of profanity, creation of excessive noise, collection of Commercial Containers in Residential areas outside hours specified herein for Residential areas, crossing or driving over planted areas, observed reckless driving, or similar violations.	
Failure to collect spilled materials.	Twice the cost of cleanup to the City or King County, plus Five Hundred Dollars ($500) per incident.
Failure to maintain placards on service vehicles as required by Section 2.1.14	Two Hundred Fifty Dollars ($250) per vehicle, per day.
Curable Leakage from Contractor vehicles or vehicle contents, observed by the City, its agents or photographed by Customers.	Two Hundred Fifty Dollars ($250) per vehicle, per day, plus clean up costs.
Failure to collect missed materials within one (1) business day after notification.	One Hundred Dollars ($100) per incident to a maximum of Five Hundred Dollars ($500) per truck per day on Single-Family Residence routes and no maximum for Multi-Family Complex and Commercial Customer routes.
Missed collection of entire block segment of Single-Family Residences (excluding collections prevented by inclement weather).	One Hundred Fifty Dollars ($150) per block segment if collection is performed the following day; Five Hundred Dollars ($500) if not collected by the following day.
Collection as Garbage or disposal as Garbage of Source-Separated Recyclables or Compostables in clearly identified Containers, bags or boxes.	One Hundred Dollars ($100) per incident, up to a maximum of One Thousand Dollars ($1,000) per truck, per day.
Collection of Garbage containing visible quantities of Yard Debris.	Twenty-Five Dollars ($25) per incident.
Rejection of Garbage, Recyclables or Yard Debris without providing documentation to the Customer of the reason for rejection.	Twenty-Five Dollars ($25) per incident.

ACTION OR OMISSION	AMOUNT
Failure to deliver Detachable Containers to new Commercial Customers within three (3) business days.	Fifty Dollars ($50) per Container per day.
Failure to deliver carts, Detachable Containers, or Drop-Box Containers within three (3) business days of request to Multi-Family Complex or Commercial Customers.	Fifty Dollars ($50) per Container per day.
Failure to deliver Garbage, Recycling or Compostables Carts within seven (7) days of request to Single-Family Residence Customers.	Fifteen Dollars ($15) per Container per day.
Delivery or use of incorrectly labeled or colored Container	Twenty-five Dollars ($25) per Container per day.
Substantial misrepresentation by Contractor in records or reporting.	Five Thousand Dollars ($5,000) per incident.
Failure to provide required reports on time.	Two Hundred Fifty Dollars ($250) per incident.
Failure to maintain clean and sanitary inventory Containers distributed to Customers, vehicles, and facilities.	Fifty Dollars ($50) per incident, up to maximum of One Thousand Dollars ($1,000) per inspection.
Landfilling or incineration of Recyclables or Compostables in violation of Section 2.1.12 without the express written permission of the City.	One Thousand Dollars ($1,000) per vehicle, per incident.
Failure to meet recycling processing performance requirements of Section 2.1.12.	One Thousand Dollars ($1,000) per month, for any occurrence during that month.
Failure to meet customer service ring and on-hold time performance customer service requirements.	Two Hundred Fifty Dollars ($250) per incident.
Failure to include instructional/promotional materials when Garbage, Recycling and/or Compostables Carts are delivered.	Fifty Dollars ($50) per incident.

The parties acknowledge the difficulty in anticipating actual damages to remedy the damage. The parties further agree that the performance fees listed in this Section represent a reasonable estimate of the loss likely to result from the remedy for the damage.

Nothing in this Section shall be construed as providing an exclusive list of the acts or omissions of the Contractor that shall be considered violations or breaches of the Contract and, except for those listed breaches set forth above, the City reserves the right to exercise any and all remedies it may have with respect to these and other violations and breaches. The performance fees schedule set forth here shall not affect the City's ability to terminate this Contract as described in Section 4.2.

Performance fees, if assessed during a given month, shall be invoiced by the City to the Contractor. Performance fees may be levied only if documented in an incident report presented by the City to the Contractor. Performance fees shall only be assessed after the Contractor has been given the opportunity, but has failed to rectify the deficiencies of which it has been notified. The Contractor shall pay the City the invoiced amount within thirty (30) days of billing. Failure to pay performance fees shall be considered a breach of this Contract.

Any performance fees imposed under this Section may be appealed by the Contractor to the City. The Contractor shall be allowed to present evidence as to why the amount of performance fees should be lessened or eliminated. The decision of the City shall be final.

4.2 Contract Default

The Contractor shall be in default of this Contract if it violates any provision of this Contract. In addition, the City reserves the right to declare the Contractor to be in default in the event of any violation, which shall include, but not be limited to, the following:

(1) The Contractor fails to commence the collection of Garbage, Recyclables or Compostables, or fails to provide any portion of service under the Contract on June 1, 2025 or for a period of more than five (5) consecutive days at any time during the term of this Contract.

(2) The Contractor fails to obtain and maintain any permit required by the City, King County, or any federal, state or other regulatory body in order to collect materials under this Contract.

(3) The Contractor’s noncompliance creates a hazard to public health or safety.

(4) The Contractor repeatedly or persistently acts or fails to act in a manner that is subject to performance fees in excess of ten thousand dollars ($10,000.00) during any consecutive twelve (12) month period.

(5) The Contractor fails to maintain, in good standing, surety and insurance required by this Contract.

The City reserves the right to pursue any remedy available at law for any default by the Contractor. In the event of default, the City shall give the Contractor ten (10) days prior written notice of its intent to exercise its rights, stating the reasons for such action. However, if an emergency shall arise that does not allow ten (10) days prior written notice, the City shall immediately notify the Contractor of its intent to exercise its rights immediately. If the Contractor cures the stated reason within the stated period, or initiates efforts satisfactory to the City to remedy the stated reason and the efforts continue in good faith, the City may opt to not exercise its rights for the particular incident. If the Contractor fails to cure the stated reason within the stated period, or does not undertake efforts satisfactory to the City to remedy the stated reason, then the City may at its option terminate this Contract.

If the Contractor abandons or violates any portion of this Contract, fails to fully and promptly comply with all its obligations, or fails to give any reason satisfactory to the City for noncompliance, and fails to correct the same, the City, after the initial ten (10) days notice, may declare the Contractor to be in default of this Contract and notify the Contractor of the termination of this Contract. A copy of said notice shall be sent to the Contractor and surety on its performance bond.

Upon receipt of such notice, the Contractor agrees that it shall promptly discontinue the services provided under this Contract. The surety may, at its option, within ten (10) days from such written notice, assume the services provided under this Contract that the City has ordered discontinued and proceed to perform same, at its sole cost and expense, in compliance with the terms and conditions of the Contract, and all documents incorporated herein. Pending consideration by the surety of said option to assume the services provided under this Contract, the City may employ such work force and equipment as it may deem advisable to continue the services provided under this Contract. The cost of all labor, equipment and materials necessary for such services provided under this Contract shall be paid by the Contractor in full.

In the event that the surety fails to exercise its option within the ten (10) day period, the City may complete the services provided under this Contract or any part thereof, either through its own work force or by contract, and to procure other vehicles, equipment and facilities necessary for the completion of the same, and to charge the same to the Contractor and/or surety, together with all reasonable costs incidental thereto.

The City shall be entitled to recover from the Contractor and its surety as damages all expenses incurred, including reasonable attorney's fees, together with all such additional sums as may be necessary to complete the services provided under this Contract, together with any further damages sustained or to be sustained by the City.

If City employees provide Garbage, Compostables and/or Recyclables collection, the actual incremental costs of City labor, overhead and administration shall serve as the basis for a charge to the Contractor.

5. NOTICES

All notices required or contemplated by this Contract shall be personally served or mailed (postage prepaid and return receipt requested), addressed to the parties as follows:

To City: Director of Public Works
City of Snoqualmie
38624 SE River Street
Snoqualmie, WA 98065

To Contractor: Public Sector Services Director
Waste Management of Washington Inc.
720 4th Avenue Suite 400
Kirkland, WA 98033

6. GENERAL TERMS

6.1 Collection Right

The Contractor shall be the exclusive provider with which the City shall contract to collect Garbage, Compostables and Recyclables and construction/demolition materials placed in Contractor-owned Containers and set out in the regular collection locations within the City Service Area. When asked by the Contractor, the City shall make a good faith effort to protect this right of the Contractor; however, the City shall not be obligated to join or instigate litigation to protect the right of the Contractor. The Contractor may independently enforce its rights under this Contract against third party violators, including but not limited to seeking injunctive relief, and the City shall use good faith efforts to cooperate in such enforcement actions brought by Contractor (without obligating the City to join any such litigation). Such efforts may include but not be limited to cease and desist letters, assistance with documenting violations and other activities as City staff time allows.

This contract provision will not apply to: Garbage, Recyclables or Compostables self-hauled by the generator; Source-Separated Recyclables hauled by common or private carriers (including drop-off recycling sites) from Commercial premises that contain at least eighty percent 80%) recyclable materials; construction/demolition waste hauled by self-haulers or construction contractors in the normal course of their business; Garbage, Recyclables or Compostables handled by retailers or maintenance services who provide ancillary services unrelated to Curb collection services (e.g. carpet installers, furniture delivery/pick-up, site clean-up services which include loading/sweeping, etc.); Compostables generated and hauled by private landscaping services; or Compostables hauled by common or private carriers from Commercial

premises that contain at least eighty percent (80%) Compostable materials. The eighty percent standard described in this paragraph may be increased administratively by the City to reflect reduced contamination levels in recyclables, changed industry standards and/or to address the City and Contractor's need to ensure the viability of contract services.

The Contractor shall retain responsibility for Garbage, Recyclables, construction/demolition materials and Compostables once these materials are placed in Contractor-owned Containers and the Contractor shall have no responsibility for these materials prior to the time they are placed in Contractor-owned Containers. The Contractor shall retain revenues it gains from the sale of Recyclables, construction/demolition materials or Compostables. Likewise, a tipping or acceptance fee charged for Recyclables, construction/demolition materials or Compostables shall be the financial responsibility of the Contractor.

The City shall work with the Contractor, other haulers and processors, and other regional governments to develop a reasonable definition of what constitutes legitimate construction/ demolition recycling for the purposes of interpreting collection authorities. Once a reasonable recycling threshold or "test" is developed with King County, the City and Contractor shall negotiate and amend this Contract accordingly.

6.2 Access to Records

The Contractor shall maintain in its local office full and complete operations, Customer, financial and service records that at any reasonable time shall be open for inspection and copying for any reasonable purpose by the City. In addition, the Contractor shall, during the Contract term, and at least five (5) years thereafter, maintain in an office in Washington State reporting records and billing records pertaining to the Contract that are prepared in accordance with Generally Accepted Accounting Principles, reflecting the Contractor's services provided under this Contract. Those Contractor's accounts shall include but shall not be limited to all records, invoices and payments under the Contract, as adjusted for additional and deleted services provided under this Contract. The City shall be allowed access to these records for audit and review purposes.

The Contractor shall make available copies of certified weight slips for Garbage, Recyclables and Compostables on request within two (2) business days of the request. The weight slips may be requested for any period during the term of this Contract.

The Contractor shall allow the City to interview any person and to review any evidence in the Contractor's possession or control that may assist the City in determining whether and by what amount: (1) the Contractor is entitled to reimbursement or increased rates under the contract; (2) the City is entitled to a reduction in rates under the contract; or (3) the Contractor is in compliance with the contract.

6.3 Contractor to Make Examinations

The Contractor has made its own examination, investigation and research regarding proper methods of providing the services required under this Contract, and all conditions affecting the services to be provided under this Contract, and the labor, equipment and materials needed thereon, and the quantity of the work to be performed as set forth by the Contract. The Contractor agrees that it has satisfied itself based on its own investigation and research regarding all of such conditions, that its conclusion to enter into this Contract is based upon such investigation and research, and that it shall make no claim against the City because of any of the estimates, statements or interpretations made by any officer or agent of the City that may be erroneous.

With the exception of Force Majeure events or as otherwise provided in this Contract, the Contractor assumes the risk of all conditions foreseen and unforeseen, and agrees to continue to provide services under this Contract without additional compensation under whatever circumstances may develop other than as provided herein.

6.4 Insurance

The Contractor shall procure and maintain, for the duration of the Contract, insurance against claims for injuries to persons or damage to property that may arise from or in connection with the performance of the services provided under this Contract hereunder by the Contractor, their agents, representatives, employees or subcontractors. The cost of such insurance shall be paid by the Contractor. Failure to make insurance payments and to keep policies current shall be cause for contract default in accordance with Section 4.2.

No Limitation. Contractor's maintenance of insurance as required by the Contract shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

6.4.1 Minimum Scope of Insurance

Contractor shall obtain insurance that meets or exceeds the following of the types described below:

(1) Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. The policy shall be endorsed to provide contractual liability coverage. The City shall be named as an additional insured under the Contractor's Automobile Liability insurance policy with respect to the work performed for the City, using ISO additional insured endorsement CG 20 48 02 99 or a substitute endorsement providing equivalent coverage.

(2) Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, products-completed

operations, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate per Project Endorsement ISO form CG 25 03 11 85. There shall be no endorsement or modification of the Commercial General Liability insurance for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City, using ISO additional insured endorsement CG 20 10 11 85 or a substitute endorsement providing equivalent coverage.

(3) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

(4) Contractor's Pollution Liability Pollution Legal Liability insurance covering losses caused by pollution conditions that arise from the operations of the Contractor.

(5) Hazardous Waste Hauling. To the Automobile Liability Minimum Scope of Insurance, add Pollution Liability coverage at least as broad as that provided under ISO Pollution Liability-Broadened Coverage for Covered Autos Endorsement CA 99 48 and the Motor Carrier Act Endorsement (MCS 90) shall be attached.

6.4.2 Minimum Amounts of Insurance

Contractor shall maintain the following insurance limits:

(1) Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $5,000,000 per accident.

(2) Commercial General Liability insurance shall be written with limits no less than $5,000,000 each occurrence, $5,000,000 general aggregate and a $2,000,000 products-completed operations aggregate limit.

(3) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

(4) Contractor's Pollution Liability The Pollution Legal Liability insurance shall be written in an amount of at least $3,000,000 per loss, with an annual aggregate of at least $3,000,000. Coverage may be written on a claims-made basis.

6.4.3 Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City. In the event the deductibles or self-insured retentions are not acceptable to the City, the City reserves the right to negotiate with the

Contractor for changes in coverage deductibles or self-insured retentions; or alternatively, require the Contractor to provide evidence of other security guaranteeing payment of losses and related investigations, claim administration and defense expenses.

6.4.4 Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Commercial General Liability, and Contractor's Pollution Liability coverage:

(1) The Contractor's insurance coverage shall be the primary insurance with respect to the City, its officials, employees and volunteers. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be in excess of the Contractor's insurance and shall not contribute with it.

(2) Coverage shall state that the Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(3) The Contractor's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

6.4.5 Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VIII.

6.4.6 Verification of Coverage

The Contractor shall furnish the City with original certificates including, but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of the Contractor before commencement of the work.

6.4.7 Subcontractors

The Contractor shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor before commencement of the work. All coverages for subcontractors shall be subject to all of the same insurance requirements as stated herein for the Contractor.

6.4.8 ACORD Form

The policy shall be endorsed to provide the following revised language at the bottom of the ACORD Form:

Replace: "Should any of the above described policies be canceled before the expiration date thereof, the issuing company shall endeavor to mail thirty (30) days written notice to the below named Certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company."

With the following: "Should any of the above described policies be canceled, lapse, or be reduced as to coverage before the expiration date thereof, the issuing company shall mail thirty (30) calendar days prior written notice to the below named Certificate holder and Additional Insured, the City of Snoqualmie, by certified mail."

6.5 Performance Bond

The Contractor shall provide and maintain at all times a valid Contractor's Performance and Payment Bond or bonds, letter of credit or other similar instrument acceptable to and approved in writing by the City in the amount of five hundred thousand dollars ($500,000.00). The bond, letter of credit or other similar instrument shall be issued for a period of not less than one year, and the Contractor shall provide a new bond, letter of credit or similar instrument, and evidence satisfactory to the City of its renewability, no less than sixty (60) calendar days prior to the expiration of the bond, letter of credit or other similar instrument then in effect. The City shall have the right to call the bond, letter of credit or other similar instrument in full in the event its renewal is not confirmed prior to five (5) calendar days before its expiration. Failure to make bond payments and to keep the bond current shall be cause for contract default in accordance with Section 4.2.

6.6 Indemnification

6.6.1 Indemnify and Hold Harmless

The Contractor shall indemnify, hold harmless and defend the City, its elected officials, officers, employees, volunteers, agents and representatives, from and against any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, including costs and attorney's fees in defense thereof, or injuries, sickness or death to persons, or damage to property, which is caused by or arises out of the Contractor's exercise of duties, rights and privileges granted by the Contract, provided, however, that the Contractor's obligation to indemnify, defend and hold harmless for injuries, sickness, death or damage caused by or resulting from concurrent willful or negligent acts or actions of the Contractor and the City shall apply only to the extent of the Contractor's negligence.

6.6.2 Notice to Contractor; Defense

In the event an action is brought against the City for which indemnity may be sought against the Contractor, the City shall promptly notify the Contractor in writing. The Contractor shall have the right to assume the investigation and defense, including the employment of counsel and the payment of all expenses. On demand of the City, the Contractor shall at its own cost and expense defend, and provide qualified attorneys acceptable to the City under service contracts acceptable to the City to defend, the City, its officers, employees, agents and servants against any claim in any way connected with the events described in Section 6.6.1. The City shall fully cooperate with the Contractor in its defense of the City, including consenting to all reasonable affirmative defenses and counterclaims asserted on behalf of the City. The City may employ separate counsel and participate in the investigation and defense, but the City shall pay the fees and costs of that counsel unless the Contractor has agreed otherwise. The Contractor shall control the defense of claims (including the assertion of counterclaims) against which it is providing indemnity under this Section, and if the City employs separate counsel the City shall assert all defenses and counterclaims reasonably available to it.

6.6.3 Industrial Insurance Immunity Waiver

With respect to the obligations to hold harmless, indemnify and defend provided for herein, as they relate to claims against the City, its elected officials, officers, employees, volunteers, agents and representatives, the Contractor agrees to waive the Contractor's immunity under industrial insurance, Title 51 RCW, for any injury, sickness or death suffered by the Contractor's employees that is caused by or arises out of the Contractor's negligent exercise of rights or privileges granted by the Contract. This waiver is mutually agreed to by the parties.

6.7 Payment of Claims

The Contractor agrees and covenants to pay promptly as they become due all just claims for labor, supplies and materials purchased for or furnished to the Contractor in the execution of this contract. The Contractor shall also provide for the prompt and efficient handling of all complaints and claims arising out of the operations of the Contractor under this contract.

6.8 Confidentiality of Information

Under Washington State law, the documents (including but not limited to written, printed, graphic, electronic, photographic or voice mail materials and/or transcriptions, recordings or reproductions thereof) prepared in performance of this Contract (the "documents") and submitted to the City are public record subject to mandatory

disclosure upon request by any person, unless the documents are exempted from public disclosure by a specific provision of law.

If the City receives a request for inspection or copying of any such documents, it shall promptly notify the Contractor at the notice address set forth in Section 5 herein and shall give the Contractor ten (10) working days from the date of the mailing of such notice to obtain an injunction prohibiting or conditioning the release of the documents. The City assumes no contractual obligation to enforce any exemption.

6.9 Assignment of Contract

6.9.1 Assignment or Pledge of Moneys by the Contractor

The Contractor shall not assign or pledge any of the moneys due under this Contract without securing the written approval of the surety on the performance bond and providing at least thirty (30) calendar days prior notice to the City of such assignment or pledge together with a copy of the surety's approval thereof. Such assignment or pledge, however, shall not release the Contractor or its sureties from any obligations or liabilities arising under or because of this Contract.

6.9.2 Assignment, Subcontracting, Delegation of Duties and Change in Control

The Contractor shall not assign or subcontract any of the work or delegate any of its duties under this Contract without the prior written approval of the City and submittal of proof of insurance coverage.

When requested, approval by the City of a subcontract or assignment shall not be unreasonably withheld. In the event of an assignment, subcontracting or delegation of duties, the Contractor shall remain responsible for the full and faithful performance of this Contract and the assignee, subcontractor, or other obligor shall also become responsible to the City for the satisfactory performance of the work assumed. The City may condition approval upon the delivery by the assignee, subcontractor or other obligor of its covenant to the City to fully and faithfully complete the work or responsibility undertaken.

In addition, the assignee, subcontractor or obligor shall sign a separate statement agreeing to abide by all terms and conditions of this Contract. The City may terminate this Contract if the assignee, subcontractor or obligor does not comply with this clause. Furthermore, the assignee, subcontractor or obligor shall be subject to a one (1) year evaluation period during which the City may terminate this Contract on the basis of any material breaches of the terms binding the Contractor.

For the purposes of this contract, any Change in Control of the Contractor shall be considered an assignment subject to the requirements of this section. Nothing herein shall preclude the City from executing a novation, allowing

the new ownership to assume the rights and duties of the contract and releasing the previous ownership of all obligations and liability. Assignment of this Contract to a subsidiary or affiliate of the Contractor shall not require the City's consent.

6.10 Laws to Govern/Venue

This Contract shall be governed by the laws of the State of Washington both as to interpretation and performance. Venue shall be in Superior Court in the State of Washington for King County.

6.11 Compliance With Law

The Contractor, its officers, employees, agents and subcontractors shall comply with applicable federal, state, county, regional or local laws, statutes, rules, regulations or ordinances, including those of agencies having jurisdiction over the subject matter of this Contract, in performing its obligations under the Contract. Such compliance shall include abiding by all applicable federal, state and local policies to ensure equal employment opportunity and non-discrimination. The Contractor shall comply with all applicable laws pertaining to employment practices, employee treatment and public contracts.

Conditions of the Federal Occupational Safety and Health Act of 1970 (OSHA), the Washington Industrial Safety and Health Act of 1973 (WISHA), and standards and regulations issued under these Acts from time-to-time must be complied with, including ergonomic and repetitive motion requirements. The Contractor must indemnify and hold harmless the City from all damages assessed for the Contractor's failure to comply with the Acts and Standards issued therein. The Contractor is also responsible for meeting all pertinent local, state and federal health and environmental regulations and standards applying to the operation of the collection and processing systems used in the performance of this Contract.

The Contractor is specifically directed to observe all weight-related laws and regulations in the performance of these services, including axle bridging and loading requirements.

6.12 Non-Discrimination

The Contractor will not discriminate against any employee or applicant for employment because of age, race, religion, creed, color, sex, marital status, sexual orientation, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their creed, religion, race, color, sex, national origin, or the presence of any sensory, mental or physical handicap. Such action shall include, but not be limited to the following: employment upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and, selection for training, including

apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, any required notices setting forth the provisions of this non-discrimination clause.

The Contractor understands and agrees that if it violates this non-discrimination provision, this Contract may be terminated by the City and further that the Contractor shall be barred from performing any services for the City now or in the future, unless a showing is made satisfactorily to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

6.13 Permits and Licenses

The Contractor and subcontractors shall secure a City business license if required and pay fees and taxes levied by the City. The Contractor shall have or obtain all permits and licenses necessary to provide the services herein at its sole expense.

The Contractor shall be solely responsible for all taxes, fees and charges incurred, including, but not limited to, license fees and all federal, state, regional, county and local taxes and fees, including income taxes, property taxes, permit fees, operating fees, surcharges of any kind that apply to any and all persons, facilities, property, income, equipment, materials, supplies or activities related to the Contractor's activities under the Contract, business and occupation taxes, workers' compensation and unemployment benefits.

6.14 Relationship of Parties

The City and the Contractor expressly agree that the full extent of the relationship between the Contractor and the City is that the Contractor is at all times an independent contractor of the City with respect to this Contract. The implementation of services shall lie solely with the Contractor. No agent, employee, servant or representative of the Contractor shall be deemed to be an employee, agent, servant or representative of the City.

6.15 Contractor's Relationship with Customers

The Contractor shall not separately contract with Customers for any services covered under this contract. The Contractor is specifically allowed to negotiate separate agreements with Customers for compactor leasing, Commercial Recyclables collection, Commercial Compostables collection, or other related services not included in this contract, provided that Customers are provided separate invoices for those services and that the Contractor makes it clear to Customers that those services are not provided under this City contract. These separate agreements must be in writing and shall in no way supersede this contract. These separate agreements cannot have durations any longer than the final date of this contract's term, since the City may, at its sole option, regulate similar or identical services in the successor to this contract.

6.16 Bankruptcy

It is agreed that if the Contractor is adjudged bankrupt, either voluntarily or involuntarily, then this Contract, at the option of the City, may be terminated effective on the day and at the time the bankruptcy petition is filed.

6.17 Right to Renegotiate/Amendment

The City shall retain the right to renegotiate this Contract or negotiate contract amendments based on City policy changes, state statutory changes or rule changes in King County, Washington State or federal regulations regarding issues that materially modify the terms and conditions of the Contract. The City may also renegotiate this Contract should any Washington State, King County or City rate or fee associated with the Contract be held illegal or any increase thereof be rejected by voters. In addition, the Contractor agrees to renegotiate in good faith with the City in the event the City wishes to change disposal locations or add additional services to the Contract and to provide full disclosure of existing and proposed costs and operational impacts of any proposed changes.

This Contract may be amended, altered or modified only by a written amendment, alteration or modification, executed by authorized representatives of the City and the Contractor.

6.18 Force Majeure

Provided that the requirements of this Section are met, Contractor shall not be deemed to be in default and shall not be liable for failure to perform under this Contract if Contractor's performance is prevented or delayed by acts of terrorism, acts of God including landslides, lightning, forest fires, storms, floods, freezing and earthquakes, civil disturbances, wars, blockades, public riots, explosions, unavailability of required materials or disposal restrictions, governmental restraint or other causes, whether of the kind enumerated or otherwise, that are not reasonably within the control of the Contractor ("Force Majeure"). If as a result of a Force Majeure event, Contractor is unable wholly or partially to meet its obligations under this Contract, it shall promptly give the City written notice of the Force Majeure event, describing it in reasonable detail. The Contractor's obligations under this Contract shall be suspended, but only with respect to the particular component of obligations affected by the Force Majeure event and only for the period during which the Force Majeure event exists.

6.19 Illegal Provisions/Severability

At the discretion of the City, if any provision of this Contract shall be declared illegal, void, or unenforceable, the other provisions shall not be affected, but shall remain in full force and effect.

6.20 Waiver

No waiver of any right or obligation of either party hereto shall be effective unless in writing, specifying such waiver, and executed by the party against whom such waiver is sought to be enforced. A waiver by either party of any of its rights under this Contract

on any occasion shall not be a bar to the exercise of the same right on any subsequent occasion or of any other right at any time.

6.21 Entirety

This Contract and the attachments attached hereto and incorporated herein by this reference, specifically Attachments A-C, represent the entire agreement of the City and the Contractor with respect to the services to be provided under this Contract. No prior written or oral statement or proposal shall alter any term or provision of this Contract.

WITNESS THE EXECUTION HEREOF on the day and year first herein above written.

WASTE MANAGEMENT OF WASHINGTON, INC.

By: _____

CITY OF SNOQUALMIE

By: _____
Katherine Ross, Mayor

Snoqualmie, WA

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

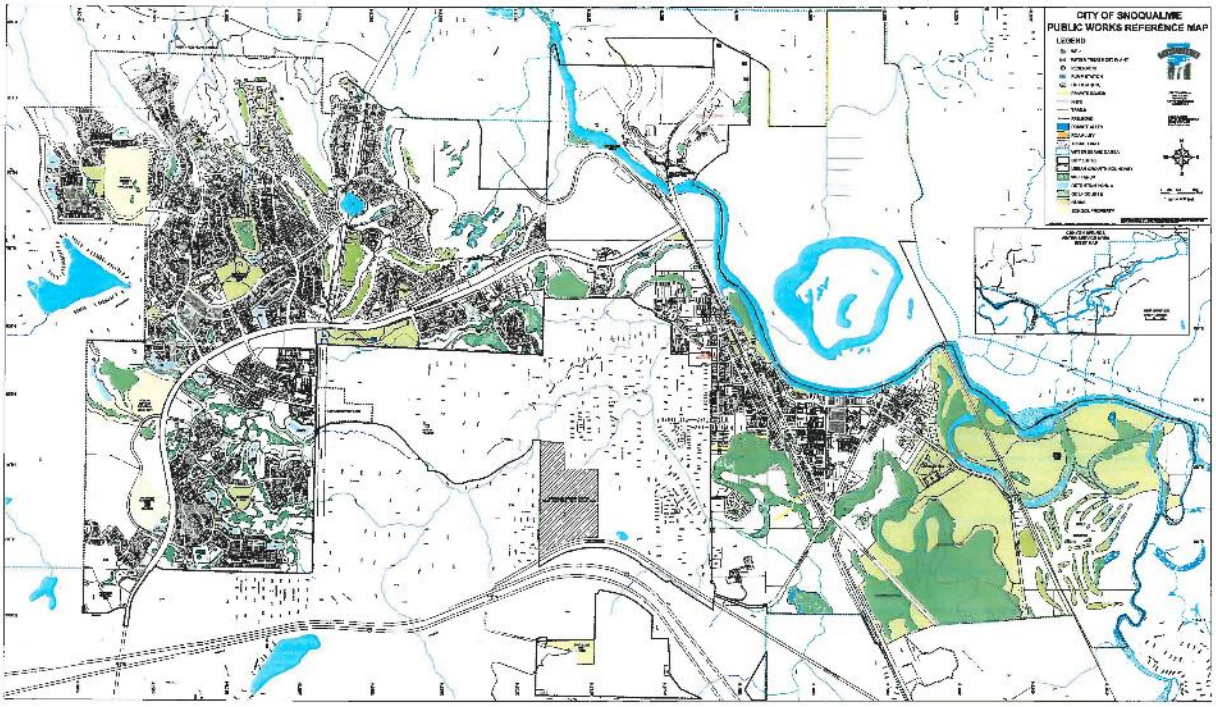
_____
City Attorney

Attachments:

A. Service Area Map
B. Contractor Rates
C. Rate Modification Examples

Attachment A

Service Area Map



Attachment B

Contractor Rates

Residential	Service Level	Container Count	Container Weight	Disposal Fee	Collection Fee	Total Service Fee
Monthly	One 32 gallon Garbage Cart	32	14.04	$ 1.45	$ 25.36	$ 26.81
Weekly Residential Curbside Service	One 10 gallon Micro-Can/Cart	72	4.39	$ 1.97	$ 23.58	$ 25.55
	One 20 gallon Mini-Cart	410	8.78	$ 3.95	$ 35.78	$ 39.73
	One 32 gallon Garbage Cart	1967	14.04	$ 6.32	$ 44.51	$ 50.83
	One 64-gallon Garbage Cart	1614	28.08	$ 12.64	$ 64.07	$ 76.71
	One 96-gallon Garbage Cart	256	42.12	$ 18.97	$ 83.63	$ 102.60
	Extras (32 gallon equivalent)		14.04	$ 1.45	$ 8.55	$ 10.00
	Miscellaneous Fees:					
	96 Gallon Extra Yard Waste Cart Rental					$ 3.25
	Yard Waste Extra					$ 6.42
	Wildlife Resistant Container, per month					$ 5.40
	Return Trip					$ 10.88
	Carry-out Charge, per 25 ft, per month					$ 7.24
	Drive-in Charge, per month					$ 10.88
	Overweight/Oversize container (per p/u)					$ 5.40
	Redelivery of containers					$ 18.20
	Cart Cleaning (per cart per event)					$ 18.20
	Sunken Can Surcharge per month					$ 13.64
On-Call Bulky Waste Collection	White Goods, except refrigerators		150.00	$ 15.59	$ 89.83	$ 105.42
	Refrigerators/Freezers		250.00	$ 25.98	$ 132.86	$ 158.84
	Sofas, Chairs		200.00	$ 20.78	$ 88.04	$ 108.82
	Mattresses		100.00	$ 10.39	$ 95.23	$ 105.62

Commercial	Service Level	Container Count	Container Weight	Disposal Fee	Collection Fee	Total Service Fee
Weekly Commercial Can and Cart	One 20 gallon Mini-Cart		8.78	$ 3.95	$ 21.55	$ 25.50
	One 32 gallon Garbage Cart	9	14.04	$ 6.32	$ 30.15	$ 36.47
	One 64-gallon Garbage Cart	49	28.08	$ 12.64	$ 53.54	$ 66.18
	One 96-gallon Garbage Cart	20	42.12	$ 18.97	$ 73.12	$ 92.09
	Extras (32 gallon equivalent)		14.04	$ 1.45	$ 8.55	$ 10.00
Weekly Commercial Detachable Container (compacted)	1 Cubic Yard Container		173.03	$ 77.92	$ 368.56	$ 446.48
	1.5 Cubic Yard Container		259.54	$ 116.89	$ 625.17	$ 742.06
	2 Cubic Yard Container		346.05	$ 155.85	$ 881.74	$ 1,037.59
	3 Cubic Yard Container		519.08	$ 233.78	$ 1,180.88	$ 1,414.66
	4 Cubic Yard Container		692.10	$ 311.71	$ 1,441.50	$ 1,753.21
	6 Cubic Yard Container	1	1,038.15	$ 467.57	$ 1,813.64	$ 2,281.21

	Service Level	Container Count	Container Weight	Disposal Fee	Collection Fee	Total Service Fee
Commercial Detachable Container (loose)	1 Cubic Yard, 1 pickup/week	21	115.35	$ 51.95	$ 134.93	$ 186.88
	1 Cubic Yard, 2 pickups/week		115.35	$ 103.90	$ 270.06	$ 373.96
	1 Cubic Yard, 3 pickups/week		115.35	$ 155.85	$ 405.08	$ 560.93
	1 Cubic Yard, 4 pickups/week		115.35	$ 207.80	$ 540.17	$ 747.97
	1 Cubic Yard, 5 pickups/week		115.35	$ 259.75	$ 675.28	$ 935.03
	2 Cubic Yard, 1 pickups/week	30	230.70	$ 103.90	$ 245.95	$ 349.85
	2 Cubic Yard, 2 pickups/week	1	230.70	$ 207.80	$ 492.04	$ 699.84
	2 Cubic Yard, 3 pickups/week	1	230.70	$ 311.70	$ 738.12	$ 1,049.82
	2 Cubic Yard, 4 pickups/week		230.70	$ 415.60	$ 984.21	$ 1,399.81
	2 Cubic Yard, 5 pickups/week		230.70	$ 519.50	$ 1,230.30	$ 1,749.80
	3 Cubic Yard, 1 pickup/week	9	346.05	$ 155.85	$ 348.01	$ 503.86
	3 Cubic Yard, 2 pickups/week	4	346.05	$ 311.70	$ 696.19	$ 1,007.89
	3 Cubic Yard, 3 pickups/week		346.05	$ 467.55	$ 1,044.31	$ 1,511.86
	3 Cubic Yard, 4 pickups/week		346.05	$ 623.40	$ 1,392.50	$ 2,015.90
	3 Cubic Yard, 5 pickups/week		346.05	$ 779.25	$ 1,740.67	$ 2,519.92

Service Level	Container Count	Container Weight	Disposal Fee	Collection Fee	Total Service Fee
4 Cubic Yard, 1 pickup/week	9	461.40	$ 207.81	$ 431.85	$ 639.66
4 Cubic Yard, 2 pickups/week	8	461.40	$ 415.62	$ 863.82	$ 1,279.44
4 Cubic Yard, 3 pickups/week	4	461.40	$ 623.43	$ 1,295.77	$ 1,919.20
4 Cubic Yard, 4 pickups/week		461.40	$ 831.24	$ 1,727.72	$ 2,558.96
4 Cubic Yard, 5 pickups/week	2	461.40	$ 1,039.05	$ 2,159.66	$ 3,198.71
6 Cubic Yard, 1 pickup/week	7	692.10	$ 311.71	$ 621.30	$ 933.01
6 Cubic Yard, 2 pickups/week	3	692.10	$ 623.42	$ 1,242.83	$ 1,866.25
6 Cubic Yard, 3 pickups/week		692.10	$ 935.13	$ 1,864.30	$ 2,799.43
6 Cubic Yard, 4 pickups/week		692.10	$ 1,246.84	$ 2,485.76	$ 3,732.60
6 Cubic Yard, 5 pickups/week		692.10	$ 1,558.55	$ 3,107.19	$ 4,665.74
8 Cubic Yard, 1 pickup/week	4	922.80	$ 415.62	$ 786.11	$ 1,201.73
8 Cubic Yard, 2 pickups/week	2	922.80	$ 831.24	$ 1,572.31	$ 2,403.55
8 Cubic Yard, 3 pickups/week	1	922.80	$ 1,246.86	$ 2,358.54	$ 3,605.40
8 Cubic Yard, 4 pickups/week	1	922.80	$ 1,662.48	$ 3,144.73	$ 4,807.21
8 Cubic Yard, 5 pickups/week		922.80	$ 2,078.10	$ 3,930.95	$ 6,009.05
Extra loose cubic yard, per pickup		115.35	$ 11.99	$ 33.19	$ 45.18

Commercial Other Fees (per occurrence):					
Extra pickups (Monthly rate for 1 pickup/week/container size above divided by 4.33)					
Weekly Yard Debris/Foodwaste service					$ 15.49
64/96 Gallon Yard Extra Waste Cart Rental					$ 2.66
Yard Waste Extra					$ 5.98
Return Trip (Cart)					$ 10.88
Return Trip (Container)					$ 18.20
Gate Opening (per p/u)					$ 2.66
Roll-out Container over 10 feet (per p/u)					$ 5.40
Unlock Container (per p/u)					$ 2.66

	Commercial Other Fees (per occurrence):					
	Carry-out Charge, per 25 ft, per p/u					$ 7.24
	Drive-in Charge, per month (per p/u)					$ 10.88
	Overweight/Oversize container (per p/u)					$ 18.20
	Redelivery of container					$ 18.20
	Cart Cleaning (per cart per event)					$ 18.20
	Service Level (based on pick ups)			**Monthly Rent**	**Delivery Charge**	**Haul Charge**
Commercial	Non-compacted 10-15 cubic yard Drop-box			$ 76.84	$ 208.59	$ 255.09
Drop-box	Non-compacted 20 cubic yard Drop-box			$ 89.70	$ 208.59	$ 255.09
Collection	Non-compacted 25 cubic yard Drop-box			$ 115.31	$ 208.59	$ 255.09
	Non-compacted 30 cubic yard Drop-box			$ 128.16	$ 208.59	$ 255.09
	Non-compacted 40 cubic yard Drop-box			$ 140.99	$ 208.59	$ 255.09
	Compacted 10 cubic yard Drop-box				$ 208.59	$ 388.63
	Compacted 20 cubic yard Drop-box				$ 208.59	$ 388.63
	Compacted 25 cubic yard Drop-box				$ 208.59	$ 388.63
	Compacted 30 cubic yard Drop-box				$ 208.59	$ 388.63
	Compacted 40 cubic yard Drop-box				$ 208.59	$ 388.63
	Service Level	**Container Count**	**Container Weight**	**Disposal Fee**	**Collection Fee**	**Total Service Fee**
Temporary/	2 Yard detachable container		230.70	$ 23.98	$ 60.84	$ 84.82
Pickup	4 Yard detachable container		461.40	$ 47.96	$ 106.86	$ 154.82
Collection	6 Yard detachable container		692.10	$ 71.94	$ 152.70	$ 224.64
Hauling	8 Yard detachable container		922.80	$ 95.92	$ 191.40	$ 287.32
	Non-compacted 10 cubic yard Drop-box					$ 314.05
	Non-compacted 20 cubic yard Drop-box					$ 314.05
	Non-compacted 30 cubic yard Drop-box					$ 314.05
	Non-compacted 40 cubic yard Drop-box					$ 314.05

	Service Level			Delivery Fee	Daily Rental	
Temporary Collection Container Rental and Delivery	2 Yard detachable container			$ 212.12	$ 1.93	
	4 Yard detachable container			$ 212.12	$ 2.28	
	6 Yard detachable container			$ 212.12	$ 2.66	
	8 Yard detachable container			$ 212.12	$ 3.04	
	Non-compacted 10 cubic yard Drop-box			$ 208.59	$ 3.14	
	Non-compacted 20 cubic yard Drop-box			$ 208.59	$ 3.68	
	Non-compacted 30 cubic yard Drop-box			$ 208.59	$ 4.79	
	Non-compacted 40 cubic yard Drop-box			$ 208.59	$ 5.31	
	Miscellaneous Fees:					**Per Event**
	Return Trip (Drop-box)					$ 45.61
	Stand-by Time (per minute)					$ 2.82
	Drop-box turn around charge					$ 18.20
	Service					**Per Hour**
Hourly Rates	Rear/Side-load packer + driver					$ 200.00
	Front-load packer + driver					$ 200.00
	Drop-box Truck + driver					$ 200.00
	Additional Labor (per person)					$ 90.00

Attachment C

Rate Modification Examples

Collection Component Adjustment

The collection component listed in Attachment B will be increased or decreased by the amount of the CPI change: NCC = PCC x [1 + (nCPI - oCPI) / oCPI

Where

NCC	=	The new collection charge component of the Customer rate for a particular service level
PCC	=	The previous collection charge component of the Customer rate for a particular service level
nCPI	=	The most recent CPI value
oCPI	=	The previous period's CPI value

Using a collection component rate of $15.00 as an example, if the previous CPI is 143.2, the new CPI is 149.3 the collection component of the rate will increase from $15.00 to $15.64 on January 1, 2026.

New Collection Component = $15.00 x [1 + (149.3 - 143.2) / 143.2] = **$15.64**

Annual CCR Component Adjustment

The Annual CCR component of the Customer charges listed in Attachment B reflects the combination of the Per-Ton FAC and the County Tipping Fee. Any increase or decrease in the Annual CCR will not become effective until the new Annual CCR charges become effective and are actually charged to the Contractor. The Annual CCR component of each service level will be adjusted as follows:

Step 1: nFAC = FAC / TONS

Step 2: nCCR = nFAC + NTF

Step 3: A = ODC x (nCCR / oCCR)

Step 4: NDC = A + [(A-ODC) x CETR

Where

nFAC	=	The new Per-Ton FAC
FAC	=	The new overall King County FAC
TONS	=	The King County estimated commercial garbage tonnage for the upcoming year

nCCR	=	The new Annual CCR for the upcoming year, dollars per ton
NTF	=	The new County Tipping Fee, dollars per ton
A	=	The new pre-excise tax adjusted Annual CCR component
ODC	=	The old Annual CCR component of the Customer rate for a particular service level;
oCCR	=	The old Annual CCR, dollars per ton
NDC	=	The new Annual CCR component of the Customer rate for a particular service level
CETR	=	Current excise tax rate (the current State excise tax rate; 0.0175 used for this example).

For example, using an arbitrary one 35-gallon cart rate of $20.00 per month with a collection component of $15.00 and a disposal component of $5.00:

If the 2026 King County FAC is $22,614,181 and the estimated 2026 tonnage is 656,580, then the new Per-Ton FAC would be $34.44. If the new County Tipping Fee is $150.83 per ton, then the new Annual CCR would be $185.27 per ton starting January 1, 2026.

If the old disposal component is $5.00, the old Annual CCR is $168.68 per ton, and the State Excise Tax rate is 1.75%, the new Annual CCR component of the Customer rate will be $5.50.

New Per-Ton FAC = $22,614,181 / 656,580 = $34.44 per ton

New Annual CCR = $34.44 + $150.83 = $185.27 per ton

New Pre-Excise Tax Adjusted Annual CCR Component = $5.00 x ($185.27 / $168.68) = $5.49

New Annual CCR Component = $5.49 + [($5.49 - $5.00) x 1.75%] = **$5.50**

Thus, the new Customer charge for one 35-gallon cart per week Residential Curbside would be $15.64 plus $5.50, equaling $21.14 per month.

Solid Waste Collection Contract Update

Parks & Public Works Council Committee
January 17, 2024

PURPOSE

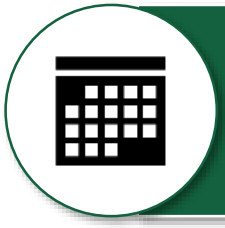
Update the Committee and receive direction on the procurement process for the City's new ten-year solid waste collection contract.

SOLID WASTE CONTRACT BACKGROUND

•Solid waste is typically managed by a city or the Utilities and Transportation Commission (UTC).

Contracts cover residential garbage, recycling, and compostables, and commercial garbage.
Commercial recycling and compostables are open market.

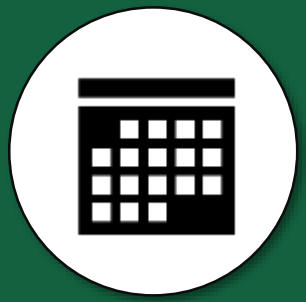
Contracts may be acquired through direct negotiation, request-for-proposal (RFP), request-for-bid (RFB), etc.



Procurement process typically takes one year, then another 1.5 years are needed for mobilization (and order new trucks).

SNOQUALMIE'S CURRENT CONTRACT

City currently contracts with WM for garbage, recyclables, and compostables collection.



Current contract is 7-years with three, two-year extensions, expiring May 31, 2025.

City does not allow any additional extensions to the existing contract, or direct negotiations for a new 7-year contract.

PROCUREMENT TIMING

It takes longer to get trucks since the pandemic, requiring procurement processes to start earlier.

<1.5 years before end of current contract.

Staff turnover can delay procurement process.

Non-incumbent haulers cannot be as competitive unless provided enough time to buy new trucks.

NEW CONTRACT OPTIONS

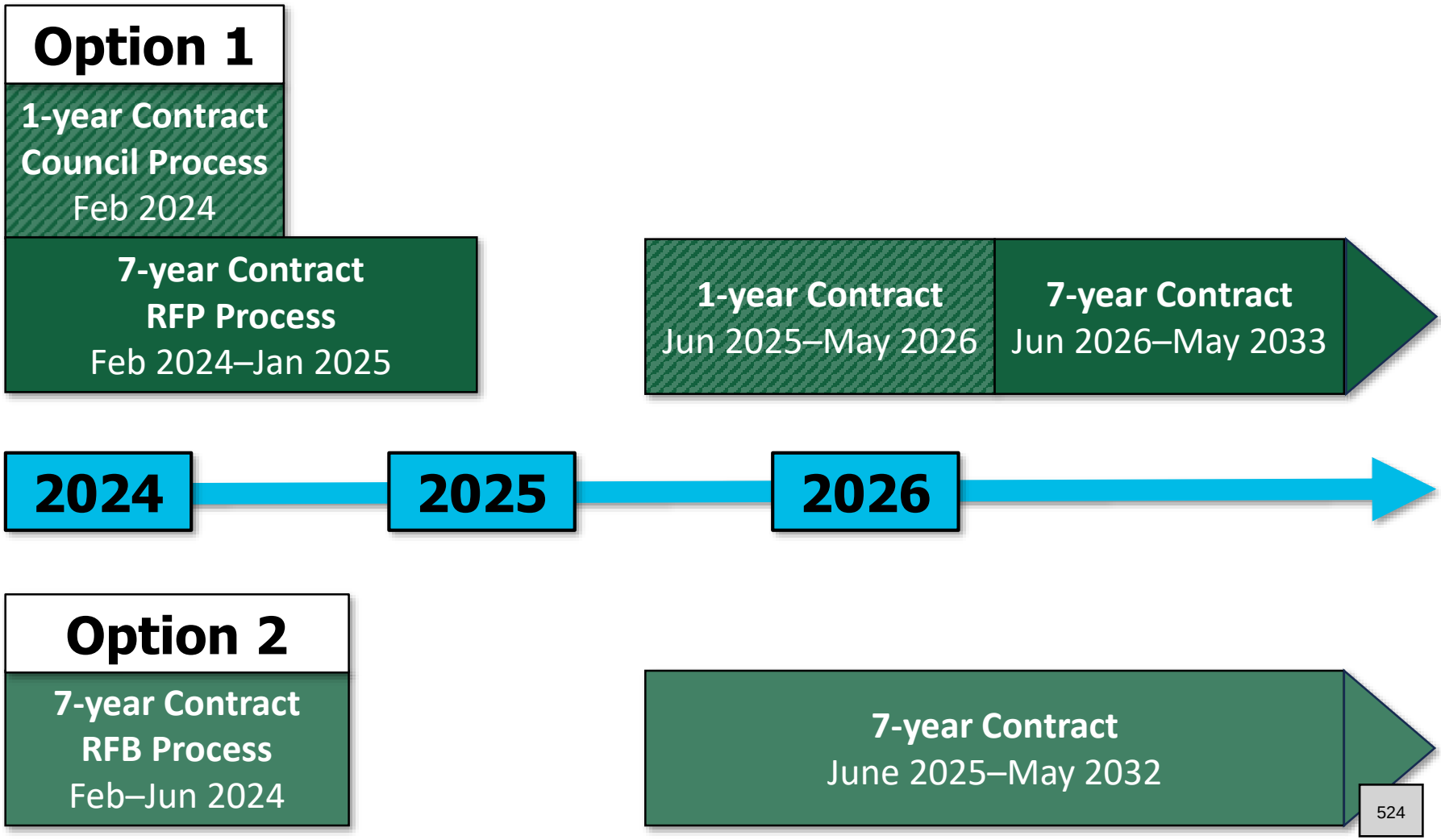
1 1-year "status quo" contract with WM + Request-for-Proposal for new 7-year contract

- Time for full RFP process.
- Opportunity for haulers' questions and comments on the new contract.
- Provides more time to acquire trucks.
- RFP considers both rates and hauler in selection process.
- 1-year contract increases rates in short term, but may save money long-term.

2 Request-for-Bid for new 7-year contract

- Quick process with less staff time.
- New hauler is selected based upon rates only.
- New contract features start earlier.
- Decreases number of rate increases.

TIMELINE


Option 1
1-year Contract
Council Process
Feb 2024
7-year Contract
RFP Process
Feb 2024–Jan 2025
1-year Contract
Jun 2025–May 2026
7-year Contract
Jun 2026–May 2033
2024
2025
2026
Option 2
7-year Contract
RFB Process
Feb–Jun 2024
7-year Contract
June 2025–May 2032

Proposed 1-yr Rate Comparison

City	32-Gallon Cart Rate	2-Yard Dumpster Rate	Embedded Services	Hauler
Current Snoqualmie	$33.44	$291.54	Weekly Recycling Weekly Compostables	WM
Proposed Snoqualmie	$50.83 (52% incr.)	$349.85 (20% incr.)	Weekly Recycling Weekly Compostables	WM
Sammamish	$47.56	$297.44	Weekly Recycling Weekly Compostables	Republic
North Bend	$53.59	$362.11	Weekly Recycling EOW Compostables	Recology
Unincorporated King County	$43.97	$269.45	EOW Recycling EOW Compostables	Republic
Non-Snoqualmie Average	*$48.37*	*$309.67*	-	-

Option 1 Pros & Cons

1 Option 1 Pros

- Most competitive rates from haulers
- Time for full RFP Process
- Industry Review
- Plenty of time for Council to review and comment
- RFP considers both rates and hauler in selection
- Known 52% price increase for 1 year

1 Option 1 Cons

- Known 52% Price Increase for 1 year
- Costs could rise by end of RFP process
- 5 Rate increases in 24 months 1/1/25; 6/1/25 (52%); 1/1/26; 6/1/26 (7 year contract); 1/1/27

Option 2 Pros & Cons

2 Option 2 Pros

- Pricing is currently competitive based on other contracts
- 3 of 4 haulers are interested and are currently equipped to bid
- Fewer rate increases
- Less drawn-out process
- No single year contract extension

2 Option 2 Cons

- New hauler selected strictly based on rates
- At least 1 of 4 haulers could not bid
- No industry review period
- Council will have 1 month to review contract and make changes

Where to go from here?

Option 1

"Status Quo" Contract

- 52% price increase
- Time for full RFP process.
- Opportunity for haulers' questions and comments on the new contract.
- Provides more time to acquire trucks. Highest number of bidders possible
- RFP considers both rates and hauler in selection process.

Option 2

Bids this year

- Quick process. Council will receive ~1 month of review and comments
- No single year contract
- New hauler is selected based upon rates only.
- 3 of 4 haulers are interested in bidding
- Decreases number of rate increases.

QUESTIONS?

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Project Engineer

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pfry@snoqualmiewa.gov

Jeanette Jurgensen

Owner

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Jeanette@EpicenterServices.net

Department Reports
January 2024

Communications Division

Danna McCall, Communications Coordinator
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Social Media

- Facebook reach: 174.6K; 6866 followers (270 new)
- Twitter – 3744 followers (32 new)
- Instagram – 1.9K reach; 2802 followers (16 new).
- Top Posts: 90/18 project update (148K reach); Snowy Snoqualmie historical photo; New Year's sunrise photo.

Website

- Website users: 20.9K; website sessions: 27.2K; pageviews: 43.3K.
- Top pages: Twin Peaks; Snoqualmie Falls; Jobs.
- Community Center Expansion page was top 20 destination.
- Police Blotter was top 10 page destination.

Engagement, Initiatives & Support

- Mayor: Q1 Newsletter; Ross Report; *new* Council meeting recap graphics.
- Parks & Public Works: Green Snoqualmie transfer; Community Center Expansion open house planning and execution; snow and ice storm comms support.
- Fire/OEM: public education class support; Chat with Chiefs event planning; ongoing FD blotter.
- Police: Chat with Chiefs event planning; ongoing PD blotter.
- HR: position recruitment fliers.

E-News

- Sent 3,810 e-news emails.
- 765 subscribers (5 new)
- 58% open rate; 5.8% click through rate.
- Industry average: 40% open rate; 6.5% click through rate.
- Coming Soon: Green Snoqualmie E-News.

Community Development Department

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January 2024 Monthly Report

Permit Activity

Permit applications remain relatively average.

Building	January 2024	YTD
Permit Applications	31	31
Permits Issued	33	33
Total Inspections	50	50

Planning	January 2024	YTD
Pre-Applications	1	1
Sign Permits	0	0

Boards and Commissions:

- Arts Commission did not meet in January.
- Economic Development Commission did not meet in January.
- Community Development Committee did not meet in January.
- Planning Commission 1/2 and 1/16 – Continued work on the Capital Facilities and Utilities and Environmental Elements.

Land Use Planning Projects:

NWRM: The applicant would like to clear and grade the property to expand the existing museum to include a roundhouse.

Timber Trails (Plat 30): Clearing and Grading permit was submitted to being preparing the parcel for a 46 single-family residential (duplexes and townhomes) lots.

Model Train Museum: No updates.

The Rails: Continued review of a building permit from Tracy Hovinga for the vacant parcel, 784920-1430. The proposed project would construct a 3-story mixed use building including 11 apartments, approximately 2,000 square feet of retail/office space, and associated parking and other site improvements.

Crabb Commercial: City Staff are reviewing a building permit for a commercial building on Railroad Avenue. The proposed development is a 2-story building, 2632 square feet. The planning permit was approved October 2023 and the building permit is ready.

Mixed-Use Final Plan Amendment: Continued review of Snoqualmie Ridge 1 permit and amend conditions of the SR-I Mixed Use Final Plan to allow for more retail.

Community Engagement, Events, Marketing, and Tourism

The City of Snoqualmie and SnoValley Chamber of Commerce hosted a booth at the Seattle Wedding Show, January 27 and 28. Snoqualmie has wedding venue and hotel options, also a popular destination for out-of-town wedding guests looking to explore.

The City of Snoqualmie provided support for the production and printing of the 2024 Wedding Guide, available at the Wedding Show, and the Chamber website.

Finance Department

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January 2024

Enterprise Resource Planning System (ERP) Project – Tyler/Munis

Phase 1 – General Finance (General Ledger, Accounts Payable, Accounts Receivable, etc.)
The Finance Department is nearing the completion of Phase 1 which focused on several essential modules including the General Ledger, Accounts Payable, Accounts Receivable, General Billing, Tyler Cashiering, and Budget. Several of the proposed modules included initially within Phase 1 such as Project and Grant Accounting, Contract Management, and Purchasing have been deferred for future consideration of their necessity and expense. These modules currently do not have an equivalent within the current legacy system (i.e., Springbrook) and therefore would be overall new to the operations and management of the Department. Activities during the month included processing mapping the eventual decentralization of accounts payable.

Phase 2 – Human Capital Management (i.e., Payroll, Human Resources, etc.)
To ensure that the Department meets the new April go-live date, the Finance Director has been working to restructure and reshuffle the Department's available resources to achieve this high priority for the City. Employees have generally received their new roles and responsibilities in order to build towards a successful go-live date that will include multiple parallel processing runs and the complete validation of the solution. Activities during the month included a mini-payroll processing attempt, a configuration audit of Munis, and setting up the appropriate code tables.

Tax Proposals Adopted
Thanks to the tremendous and tireless work of the Budget team, Council adopted a 0.1% Transportation Benefit District (TBD) sales tax and sent to the voters on August 6, 2024, a 0.1% public safety sales tax. Both taxes are designed to sustain multiple departments following historic pandemic-driven inflationary pressures.

Start-of-Year Transitions
The start of the year is usually very busy for the Finance Department. W-2's and 1099's were distributed. In addition, the Accounting team has been working fiercely to account for the new Teamsters contract and the recently adopted non-represented Management and Professional salary schedule and retention pay system, making sure that everyone receives their correct pay, and starting the process of calculating retroactive pay.

Monthly Finance Metrics – Payments, Receipts & Licenses
Vendor Payments Processed – 243
Payroll ACH Processed – 106
Business License Applications/Business License Renewals - 93

2024 Finance Department Project Update

#	Project	Lead Division	Joint Department	2024 Schedule/Timeline: Previous Year Start Quarter	Q1	Q2	Q3	Q4	Future Year End Quarter	Deliverables/Goals	Status Update
1	ERP Phase 1 - Finance	Accounting/ Revenue		Q3 2023						The successful completion of all necessary modules and the usage of modules by end users outside department.	The Accounting team has mapped a decentralized AP process that will be shared with an implementation consultant with the goal of designing and integrating workflow business rules. Following this work, the Accounting team will be educating end users on the new AP process.
2	ERP Phase 2 - Human Capital Management	Accounting	Admin (HR)	Q4 2023						The successful completion of all necessary modules and the usage of modules by end users outside department.	The Accounting team conducted a mini-payroll processing event which did not go as desired. As a result, the team completed a configuration audit that lead to the design of a six-step review process that will be completed during the month of February. The team will be having a mandatory "Munifest" on February 17, 2024 to work through some of the audit items.
3	ERP Phase 3 - Utility Billing & Revenue	Revenue	Parks & Public Works							The successful completion of all necessary modules and the usage of modules by end users outside department.	No implementation consultant (Tyler) has been assigned to this phase.
4	2021-2022 Financial & Accountability Audit	Accounting		Q3 2023						The completion of 2021 and 2022 audit with no adverse opinion due to work within department.	The Accounting team continues to facilitate the 2021 Financial & Accountability Audit fulfilling the data requests of the State Auditor's Office.
5	2023 Financial Statements	Accounting								Submission of the 2023 Financial Statements by May 30, 2024.	The Accounting team is working to close out 2023 before preparing the financial statements.
6	Revenue Options	Budget		Q4 2023						The consideration of several tax proposals out of the options selected, voted or councilmanic	Council recently approved a 0.1% TBD sales tax and voter-submitted 0.1% public safety sales tax proposition. The Department of Revenue has been notified and is implementing the 0.1% TBD sales tax. The City will need to establish pro/con committees and submit an explanatory statement by May for the public safety sales tax.
7	Utility Rate Study	Budget/ Revenue	Parks & Public Works	Q4 2023						Approval of new utility rates.	The Finance Department received and is currently fulfilling a data request from the consultant before their analysis commences.
8	Comprehensive Fee Study	Revenue	All Departments							Approval of new fee amounts and automatic inflationary increases.	The Revenue team is developing an RFP to send to potential consultants.
9	B&O Tax Audit/Square Footage Tax Proposal	Revenue								Consideration of a square footage tax proposal and the successful analysis and collection of audited B&O taxes.	The Finance Department has hired a contractor to conduct a 3 to 6 month audit of the City's B&O taxes. The Revenue team is expected to finalize a square footage tax presentation in February and provide to the Administration.
10	Snoqualmie Tribe Fee for Service	Budget	Police, Fire & Emergency Management	Q2 2023						Approval of an agreement with the Tribe.	Discussions continue.
11	2025-2030 Capital Improvement Plan	Budget	Parks & Public Works	Q4 2023						Adoption of the 2025-2030 CIP.	The Budget team has been crafting the Mayor's Proposed 2025-2030 CIP. Council can expect to see the updated CIP sometime tenatively between March and May.
12	Community Center Expansion Project Funding Plan	Budget	Parks & Public Works	Q3 2023						Consideration of a funding plan.	The Administration has had several conversations recently regarding the project funding plan, including preliminary discussions regarding the possible issuance of a bond, and the submission of a $5.0M appropriation request to the State Legislature. The completion of this plan is dependent on the adoption of the 2025-2030 CIP.
13	2025-2026 Biennial Budget	Budget	All Departments							Adoption of the 2025-2026 Biennial Budget.	The Budget team is creating a calendar for the 2025-2026 Biennial Budget process.
14	Labor Agreement Support & Implementation	Budget/ Accounting	All Departments	Q4 2023						Approval of any CBA and salary schedule, corrections successfully applied, and retroactive pay completed.	Council recently adopted the 2024 salary schedule and retention pay system for non-represented staff. The Accounting team continues to update the payroll system with the new wage tables (Teamsters and M&P) and completing retroactive pay.

Fire Department

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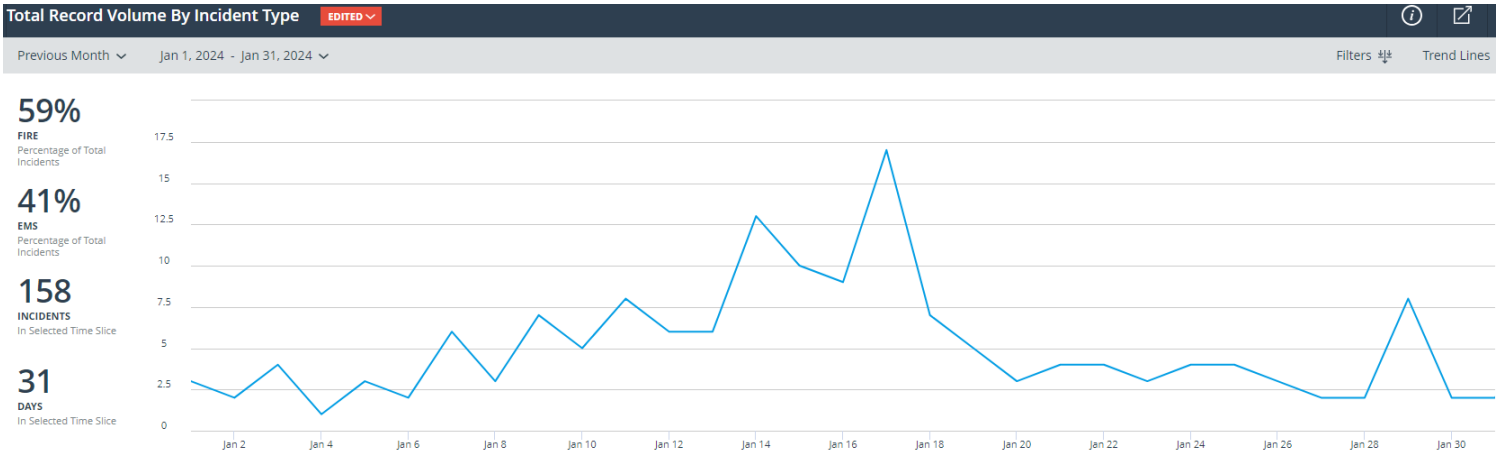
mbailey@snoqualmiewa.gov
(425) 888-1551

Fire Department Activity January 2024

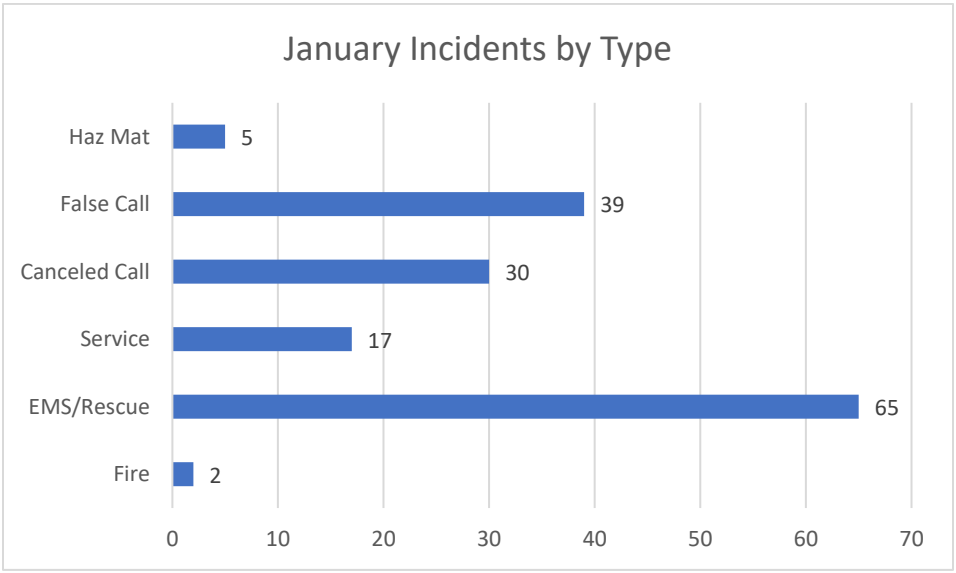
Incident Count December

The Fire Department responded to 158 incidents in January. 41% of the incidents were emergency medical services and 59% were fire related incidents. The following chart displays incident count per day. The larger percent of fire calls can be attributed to the ice storm and an increase in false alarm and water calls the 14th through the 18th.



Incident Count by Type:

The following is a count breakdown of incidents by type. As mentioned earlier, there is a large jump in false calls/alarm activations For comparison purposes, false calls for the last 6 months of 2023 averaged 14.5 per month.



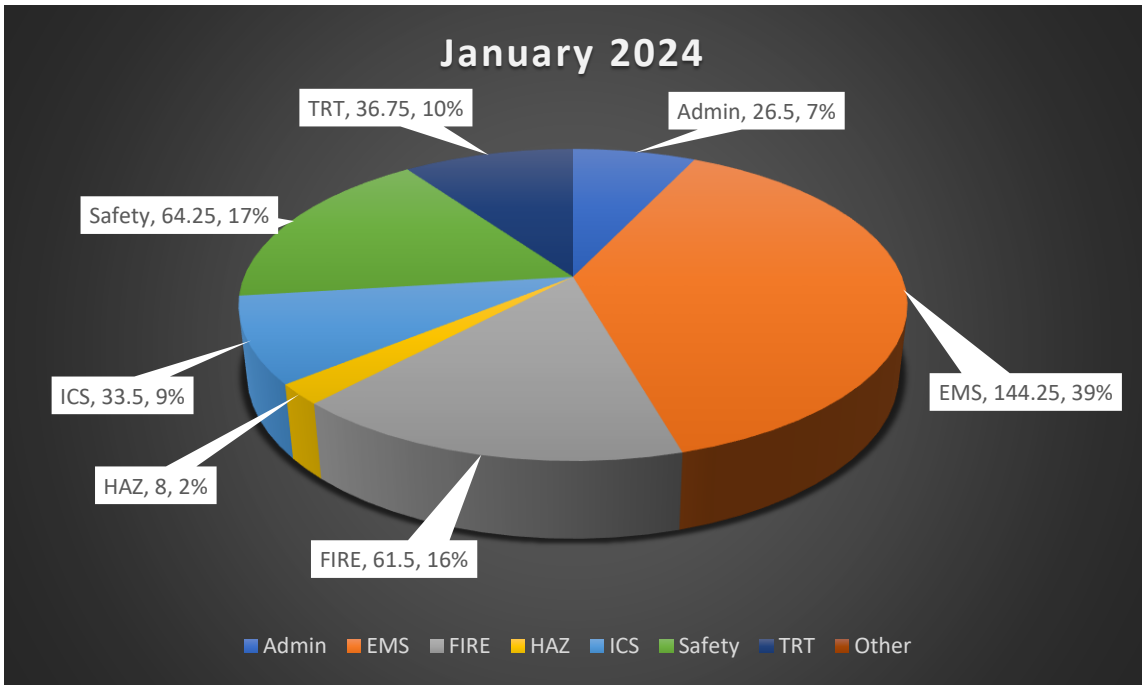
EMS Transports

The Fire Department responded to 65 EMS incidents in January and transported 30 patients to local hospitals. Patients were transported to Swedish Issaquah 57% of the time and Snoqualmie Valley Hospital 37% of the time.

Hospital	Week 1	Week 2	Week 3	Week 4	Week 5	Total
Overlake Hospital	0	1	1	0	0	2
Snoqualmie Valley Hospital	4	1	3	3	0	11
Swedish/Issaquah	3	2	6	3	3	17
Other	0	0	0	0	0	0
Total	7	4	10	6	3	30

Training:

Firefighters trained over 375 hours in January, primarily focusing on the state-mandated training as outlined in WAC 296-305, the vertical standards for firefighting. The training covered all different categories with the majority being Emergency Medical Services response (39%) followed closely by Safety Training (17%), and fire suppression response (16%). The following chart compares the training hours by type:



(Admin=Administrative; Haz=Hazmat; ICS=incident command systems; TRT=Technical Rescue Training)

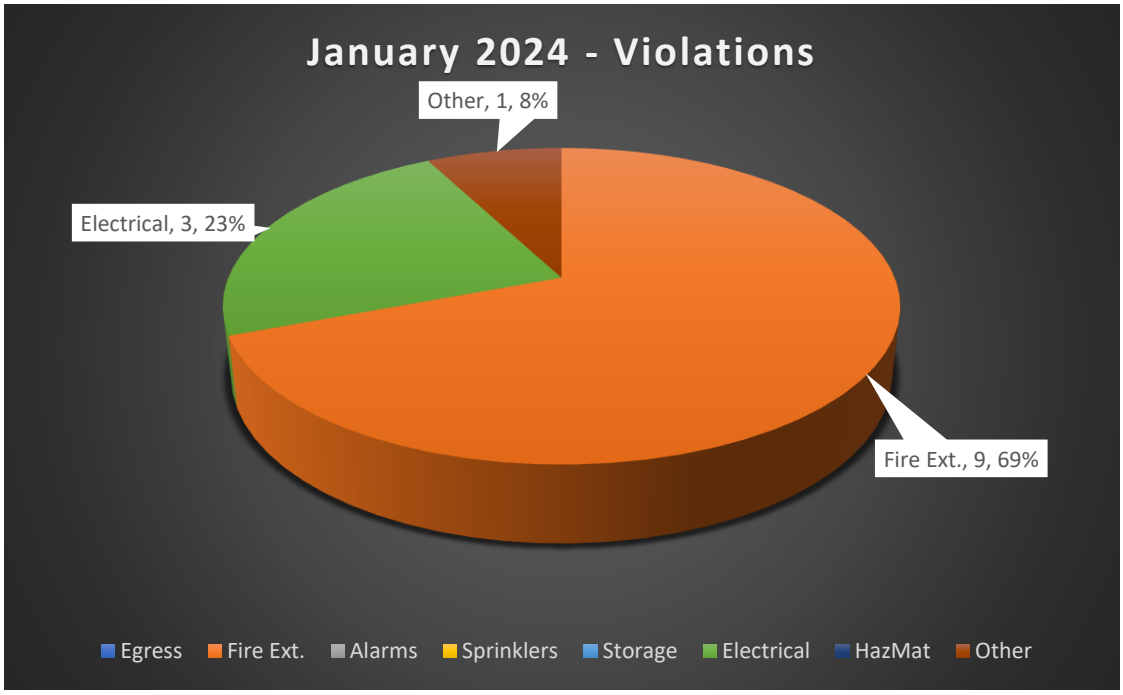
Training – Highlights/Major Topics:

- Asbestos identification and awareness
- Technical Rope Rescue – anchors/knots/hitches/hardware
- Medical – Annual CPR, advanced airway, epinephrine, naloxone
- Firefighter – Company evolutions and forcible entry
- Safety – Driver safety, firefighter line of duty death reviews
- FEMA/National Fire Academy – Unified Command for All Hazard Incidents

Community Risk Reduction

Inspections

Fire crews conducted fire and life safety occupancy inspections in January, focusing on missed or off-cycle inspections. Ten (10) inspections were completed noting 13 violations. The violations were a direct reflection of a continued inspection practice and keeping occupants informed of what constitutes a code violation. Most infractions were resolved within 14 days and some others being remedied while crews were onsite. The following chart is a view of the monthly inspection violations:



Public Education

January public education and outreach reported the following activities:

- Mount Si High School CPR program – 3 days, 21 hours, 200 students
- Renewed King County CPR grant for $3500 in reimbursement
- (1) Station Tour
- Stop the Bleed and Opioid Education class planning (coming in February and March)

Volunteer Activity

During the month of January, the following activity was recorded for the volunteer group

- 25 Duty Shifts
- 65 Calls responded to
- 288.5 Total hours spent volunteering.

Human Resources Department

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January 2024

Enterprise Resource Planning System (ERP) Project – Tyler/Munis
The human resources implementation team continues to work on human resource modules setup as well as assist with payroll implementation modules.

HUMAN RESOURCES

Recruitment
The City continues to focus heavily on staffing and to recruit for several critical positions across multiple departments, including but not limited to, the Parks & Public Works Director, IT Director, a number of key utility positions, as well as a HR Analyst and Deputy City Clerk. There is currently one Police Officer opening and the Administrative Sergeants position. The candidate selected for Police Captain is undergoing the background process. The Fire department is currently recruiting for a Lateral Firefighter and the recruitment for a Deputy Chief will begin soon.

Class & Compensation Study/Union Negotiations
The implementation of the newly approved compensation schedule for non-represented employees is in place, coupled with the new M&P review form and performance-based step increases. Negotiations are continuing with the Snoqualmie Police Association (SPA).

Wellness Committee
The City has completed the application for Well City status in February 2024. Notification on achievement of Well City status will be known around March 2024 and premium discount to start in January 2025.

Employee Recognition
City employees continue to participate in “Thank you Thursdays” in which an employee thanks a fellow employee for their service via email and then in turn continues and thanks another employee to keep the chain of gratitude going.

Personnel Policy Handbook
The HR department is continuing work with Summit Law to review and update the city Personnel Policies to be in compliance with updated employment and leave laws and to combine all policies to be in one handbook.

Snoqualmie Police Department

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January 2024

Calls for Service

	Dec. 2023	Jan. 2024	Jan. 2023
Snoqualmie	567	567	585
North Bend	378	470	444

Average Response Times (in minutes & seconds)

January	Priority 1	Priority 2	Priority 3
Snoqualmie	4:51	4:46	5:57
North Bend	6:54	4:53	6:15
December			
Snoqualmie	3:46	4:14	4:12
North Bend	5:00	6:28	4:46

Priority 1: Weapons Offense / DV Physical / Aslt/Burg In-Prog
Priority 2: Calls that require immediate response that could result in death if not responded to.
Priority 3: High priority but not an immediate threat.

January	Thefts	Vehicle Prowls	Vehicle Thefts
Snoqualmie	14	11	3
North Bend	15	6	2
December	**Thefts**	**Vehicle Prowls**	**Vehicle Thefts**
Snoqualmie	18	7	1
North Bend	21	5	1

Year to Date Theft Comparison

Jan. 1 – 31

Snoqualmie	2024	2023
Thefts	14	10
Vehicle Prowls	11	9
Vehicle Thefts	3	3

North Bend	2024	2023
Thefts	15	17
Vehicle Prowls	6	5
Vehicle Thefts	2	2

Crisis Intervention Contacts

	2024		2023	
	Jan	YTD	Jan	YTD
Snoqualmie	31	31	12	12
North Bend	1	1	1	1

Items of Importance

Command Staff – Captain position screening interviews and Chief's meetings took place in late Jan. Vacancies: Admin Sergeant.

Patrol – Sergeant Assessment Center of 6 internal candidates took place 1/19. 1 officer cadet ongoing FTO. 2 officer recruits start academy 2/7 with 2 more to follow 3/5. Vacancies: 1 Patrol Officer.

Administrative Staff – Vacancies: Records Technician position opened 1/15, closed 2/2, screening interviews 2/8 and 2/9, oral board interviews 2/12.

Community Events

Mental Health Professional Contacts

	2024		2023	
	Jan	YTD	Jan	YTD
Snoqualmie	15	15	18	18
North Bend	7	7	5	5

Public Records Requests

Jan. 2024	51
2024 YTD	51