

CITY OF SULTAN
Sultan, Washington

Ordinance -04

**AN ORDINANCE OF THE CITY OF SULTAN CITY COUNCIL AMENDING SMC
CHAPTER 16.10.140 B OPEN SPACE REQUIREMENTS TO PROVIDE FOR OFF-SITE
DEDICATIONS OF RECREATIONAL FACILITIES AND FINANCIAL
CONTRIBUTIONS TO THE CITY PARK SYSTEM.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN
AS FOLLOWS:**

Section 1: SMC Chapter 16.10.140 OPEN SPACE REQUIREMENTS B. in hereby amended to read as follows:

B. All PUD's shall be required to provide Open Space in the amount of 20 percent of the gross land area of the site, in the minimum types specified in Subsection C of this Section, provided however, the City, the Hearing Examiner, and the City Council may reduce the amount of required Open Space in the event that the Applicant shall offer to the City dedication of property off-site or a payment into the City Park System Improvement Fund that will provide the City comparable property, or the funds to acquire comparable Open Space. Should the City, Hearing Examiner, or City Council accept a payment into the fund, such monies shall be impaired and used, or refunded in the same manner and under the same terms as provided for in SMC Sections 16.112.110 and 16.112.120.

Section 2: Repealer: Any and all other Ordinances or parts of Ordinances of the City of Sultan inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3: Severability: In any provisions of this Ordinance or its application to any person or circumstance are held invalid, the remainder of the Ordinance or applications of the provisions of the Ordinance to other person or circumstances is not affected.

Section 4: Effective Date: This Ordinance shall be in full force and effect 5-(five) days after publication as required by law.

Regularly adopted by the Sultan City Council this _____ day of _____ 2004.

CITY OF SULTAN

By _____
Benjamin R. Tolson, Mayor

Attest:

By _____
Laura Koenig, City Clerk

Approved as to form:

By _____
Thom H. Graafstra, City Attorney

Published: