AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 12.13.160 of the Kent City Code to amend the school impact fee schedule (CPA-2009-2).

RECITALS

A. The City of Kent has adopted a school impact fee program as authorized by the Growth Management Act and RCW 82.02.050.

B. Chapter 12.13.070 of the Kent City Code requires that the Capital Facilities Plans of school districts be submitted to the City of Kent on an annual basis for City Council review, and that such review shall occur in conjunction with any update of the Capital Facilities Element of the City's Comprehensive Plan.

C. The Kent, Federal Way, and Auburn School Districts have requested amendments to the text of the Comprehensive Plan to reflect proposed changes to impact fees.

D. On October 7, 2009, the City provided the required sixty (60) day notification under RCW 36.70A.106 to the State of Washington of the City's proposed amendment to the Capital Facilities Element of the Comprehensive Plan and the sixty (60) day notice period has lapsed.

E. After a public hearings before the City Council on November
17, 2009, the City Council on December 8, 2009, approved Comprehensive Plan Amendment CPA-2009-2 to include the Capital Facilities Plans of the Kent, Federal Way, and Auburn School Districts, which include changes in proposed impact fees as follows: (1) for the Kent School District, an increase in the school impact fee for single-family units to $5,394, and for multifamily units to $3,322; (2) for the Federal Way School District, a decrease in the school impact fee for single-family units to $3,832, and an increase for multifamily units to $2,114; and (3) for the Auburn School District, an increase in the school impact fee for single-family units to $5,432.70, and for multifamily units to $1,184.71.

F. In order to implement the Comprehensive Plan amendment that established the new impact fee schedules referenced above, it is necessary to amend KCC 12.13.160.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - Amendment. Section 12.13.160 of the Kent City Code is hereby amended as follows:

Sec. 12.13.160. Base fee schedule. The following fee shall be assessed for the indicated types of development:

<table>
<thead>
<tr>
<th>School District</th>
<th>Single-Family</th>
<th>Multifamily</th>
<th>Multifamily Studio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kent, No 415</td>
<td>$5,304.00</td>
<td>$3,266.00</td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td>$5,394.00</td>
<td>$3,322.00</td>
<td></td>
</tr>
<tr>
<td>Federal Way, No 210</td>
<td>4,917.00</td>
<td>1,733.00</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>$3,832.00</td>
<td>$2,114.00</td>
<td></td>
</tr>
<tr>
<td>Auburn, No 408</td>
<td>5,374.64</td>
<td>877.02</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>$5,432.70</td>
<td>$1,184.71</td>
<td></td>
</tr>
</tbody>
</table>
SECTION 2. - Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 4. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 8 day of December, 2009.

APPROVED: 8 day of December, 2009.

PUBLISHED: 12 day of December, 2009.
I hereby certify that this is a true copy of Ordinance No. 3941, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOB

(Seal)

BRENDA JACOBER, CITY CLERK