AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 12.13 of the Kent City Code to adjust the school impact fee schedules (CPA-2012-2).

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 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, Auburn and Highline School Districts have requested amendments to the text of the Comprehensive Plan to reflect proposed changes to impact fees.

D. On October 8, 2012, 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 hearing before the City Council on October 16, 2012, the City Council on December 11, 2012, approved Comprehensive Plan Amendment CPA-2012-2 to include the Capital Facilities Plans of the Kent, Federal Way, Auburn and Highline School Districts, which include changes in proposed impact fees as follows: (1) for the Kent School District, maintaining the school impact fee for single-family units at $5,486, and for multifamily units at $3,378; (2) for the Federal Way School District, maintaining the school impact fee for single-family units at $4,014, and an increase for multifamily units to $1,381; (3) for the Auburn School District, a decrease in the school impact fee for single-family units to $5,511.69, and an increase for multifamily units to $3,380.26; and (4) for the Highline School District, a new school impact fee for single-family units of $7,912 and for multifamily units of $3,101.

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 12.13.100 of the Kent City Code is hereby amended as follows:

Sec. 12.13.100. Assessment of impact fees. At the time of application for a residential building permit with the city, including an application for a manufactured home, the school impact fee shall be assessed based on the impact fee schedule then in effect using the capital facilities plan of the district adopted by the city council as part of the city’s comprehensive plan. The impact fee and the application fee shall be collected by the city, and maintained in separate accounts. All school
impact fees shall be paid to the district from the school impact fee account monthly. The city shall retain all application fees associated with the city’s administration of the impact fee program.

**SECTION 2. - 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>$5,486.00</td>
<td>$3,378.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Federal Way, No. 210</td>
<td>$4,014.00</td>
<td>$1,253,001,381,00</td>
<td>0.00</td>
</tr>
<tr>
<td>Auburn, No. 408</td>
<td>$5,557,305,511.69</td>
<td>$2,305,223,380.26</td>
<td>0.00</td>
</tr>
<tr>
<td>Highline, No. 401</td>
<td>$7,912.00</td>
<td>$3,101.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**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; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.
SECTION 4. – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and that remaining portion shall maintain its full force and effect.

SECTION 5. – Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication, as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 11th day of December, 2012.

APPROVED: 11th day of December, 2012.

PUBLISHED: 14th day of December, 2012.

I hereby certify that this is a true copy of Ordinance No. 4057, 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 JACOBER, CITY CLERK

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4 School Impact Fees – 2012-2013