Ordinance No. 4228

(Amending or Repealing Ordinances)

CFN = 775 - Capital Improvement Program
CFN = 961 - Capital Facilities Plan
CFN = 1000 - School Impacts Fees/ECD
12/13/2016
 Adjustment of the school impact fee schedule
 Amend KCC Chapter 12.13.160

Amends Ords. 3281; 3412; 3482; 3546; 3591; 3637; 3675;
3730; 3777; 3827; 3870; 3904; 3941; 3987; 4024; 4057; 4101;
4138; 4179
ORDINANCE NO. 4228

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 12.13.160 of the Kent City Code to adjust the school impact fee schedules (CPA-2016-1).

RECITALS

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

B. Chapter 12.13 of the Kent City Code (KCC) 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 this review must 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 September 14, 2016, the City provided the required 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 Chapter 12.13 of the KCC. The 60 day notice

1 School Impact Fees – 2016-2017
period has passed and by operation of law is deemed approved.

E. After a public hearing before the City Council on October 18, 2016, the City Council on December 13, 2016, approved Comprehensive Plan Amendment CPA-2016-1 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, increasing the school impact fee for single-family units to $5,100, and for multifamily units to $2,210; (2) for the Federal Way School District, increasing the school impact fee for single-family units to $3,198, and for multifamily units to $8,386; (3) for the Auburn School District, increasing the school impact fee for single-family units to $5,469.37, and decreasing the school impact fee for multifamily units to $1,639.70; and (4) for the Highline School District, decreasing the school impact fee for single-family units to $7,528 and for multifamily units to $6,691.

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

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:


The following fee shall be assessed for the indicated types of development:

2 School Impact Fees – 2016-2017
<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>$5,104,990.00</td>
<td>$2,210,113.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Federal Way, No. 210</td>
<td>$3,192,899.00</td>
<td>$8,386,906.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Auburn, No. 408</td>
<td>$5,469,375.88</td>
<td>$1,639,792,525.01</td>
<td>0.00</td>
</tr>
<tr>
<td>Highline, No. 401</td>
<td>$7,528,229.00</td>
<td>$6,691,453.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**SECTION 2.** - *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 3.** - *Severability.* If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision will not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

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

_Suzette Cooke, Mayor_
ATTEST:

Kimberley A. Komoto
KIMBERLEY A. KOMOTO, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 13 day of December, 2016.
APPROVED: 13 day of December, 2016.
PUBLISHED: 13 day of December, 2016.

I hereby certify that this is a true copy of Ordinance No. 4228, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Kimberley A. Komoto
(SEAL)
KIMBERLEY A. KOMOTO, CITY CLERK