ORDINANCE NO. 4348

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-2019-1).

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. The City Council has reviewed the Capital Facilities Plans submitted by the school districts.

C. The Kent, Federal Way, and Auburn School Districts have requested amendments to the text of Kent City Code to reflect proposed changes to impact fees. Highline School District has requested no impact fee for this year.
D. On September 20, 2019, 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 period has passed and by operation of law is deemed approved.

E. After a public hearing before the City Council on October 15, 2019, the City Council on November 19, 2019, approved Comprehensive Plan Amendment CPA-2019-1 to include the Capital Facilities Plans of the Kent, Federal Way, Auburn and Highline School Districts, and changes to the Kent City Code to reflect impact fees as follows: (1) for the Kent School District, increasing the school impact fee for single-family units to $5,544, and for multifamily units to $2,345; (2) for the Federal Way School District, decreasing the school impact fee for single-family units to $5,035, and for multifamily units to $9,193; (3) for the Auburn School District, increasing the school impact fee for single-family units to $6,905, and increasing the school impact fee for multifamily units to $9,193; and (4) for the Highline School District, removing impact fees for single-family and multifamily units.

F. In order to implement 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:

<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>$5,397 5,554</td>
<td>$2,279 2,345</td>
<td>0.00</td>
</tr>
<tr>
<td>Federal Way, No. 210</td>
<td>$7,221 5035</td>
<td>$8,755 9,193</td>
<td>0.00</td>
</tr>
<tr>
<td>Auburn, No. 408</td>
<td>$5,716 6,905</td>
<td>$4,488 9,193</td>
<td>0.00</td>
</tr>
<tr>
<td>Highline, No. 401</td>
<td>$2,573 0</td>
<td>$3,646 0</td>
<td>0.00</td>
</tr>
</tbody>
</table>

SECTION 2. - Amendment. Section 12.13.170 of the Kent City Code is hereby amended as follows:

Sec. 12.13.170. Maximum allowable fees. School impact fees provided by this chapter shall be assessed based on the calculation set forth in KCC 12.13.140, unless they exceed a maximum allowable fee as set forth in this section. There shall be an increase in the maximum allowable fee each year by the same percentage as the percentage change in the previous calendar year’s average monthly Engineering News Record (ENR) Seattle Area Construction Cost Index values, relative to the corresponding average monthly ENR Construction Cost Index values for the preceding year, as calculated from August 1st through July 30th.
The maximum allowable fee is set at $9,021,8,591 for single-family dwelling units and a maximum of $9,193,8,755 for multifamily dwelling units for 2020-19.

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 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.

DANA RALPH, MAYOR

November 19, 2019
Date Approved

KIMBERLEY A. KOMOTO, CITY CLERK

November 19, 2019
Date Adopted

November 22, 2019
Date Published

PAT FITZPATRICK, CITY ATTORNEY

School Impact Fees – 2019-2020