ORDINANCE NO. 15-0458

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGECWOOD, WASHINGTON, AMENDING CHAPTER 4.10 EMC SCHOOL IMPACT FEES; AMENDING SECTION 4.10.110 – IMPOSITION OF IMPACT FEES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 82.02 RCW, the City of Edgewood has adopted a school impact fee program and has codified regulations governing the calculation, assessment, collection, refund and administration of such fees at Chapter 4.10 EMC; and

WHEREAS, Section 4.10.070, EMC requires that the City of Edgewood Council review each school district’s updates to their respective Capital Facilities Plans (CFPs) in conjunction with the annual Comprehensive Plan updates; and

WHEREAS, the Sumner, Fife and Puyallup School Districts’ annual CFPs respectively provide an accounting of the recommended maximum School Impact Fee that should be assessed for each District for new residential development; and

WHEREAS, the City has adopted the Sumner, Fife and Puyallup School Districts’ most current year’s Capital Facilities Plans by reference as part of the City’s Comprehensive plan – Edgewood 2015, adopted June 9, 2015; and

WHEREAS, the City Council has previously set the maximum allowable fee collected for single family units at $3,500 per unit and multi-family units (MFUs) at $1,120 per unit; and

WHEREAS, the City desires to amend the existing fee schedule consistent with the Planning Commission’s November 16, 2015 recommendation and increase the multi-family school impact fee rate to a maximum of $1,755 per MFU and maintain the existing rate of $3,500 per single family unit; and

WHEREAS, the Fife and Sumner School Districts’ adopted fee calculations include a recommended impact fee collection that is below the maximum amount allowed by the City of Edgewood; and

WHEREAS, the City Council reviewed the recommendations of the Planning Commission on November 24, 2015, at its regular Council meeting and requested staff to forward an ordinance incorporating the changes as recommended; and

WHEREAS, the City desires to amend Chapter 4.10 EMC to reflect these annual changes and confirm the schedule of School Impact Fees imposed under said chapter;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals, together with the content of Agenda Bill No. 15-0458 are hereby adopted as legislative findings in support of this ordinance.

Section 2. Amendment of EMC 4.10.110. Section 4.10.110 of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

4.10.110 Imposition of impact fees

A. Impact fees shall be imposed upon development activity in the city as follows:

<table>
<thead>
<tr>
<th>SCHOOL DISTRICT</th>
<th>PER SINGLE-FAMILY DWELLING UNIT</th>
<th>PER MULTI-FAMILY DWELLING UNIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fife</td>
<td>$3,216</td>
<td>$3,216.00</td>
</tr>
<tr>
<td>Puyallup</td>
<td>$8,144.16</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Sumner</td>
<td>$12,749.74</td>
<td>$3,500.00</td>
</tr>
</tbody>
</table>

1. Fees are established based on the annual calculation of impact fee need as documented in each school district’s adopted Capital Facilities Plan annually.

2. The Maximum school impact fee authorized by the City of Edgewood is $3,500 per single family unit, and $1,755 per multi-family unit.

3. The Impact Fee adopted represents the fee calculations as presented by the Fife, Puyallup and Sumner School Districts in their adopted Capital Facilities Plans updated annually. Where recommended fees exceed the maximum amount authorized for collection by the City of Edgewood they are shown at the maximum amount allowed.

B. At the time of application for development activity, an applicant will be notified of the requirement to pay school impact fees to each district based on the fee schedule adopted by the city as a part of the impact fee program. Upon receipt of the impact fee payments, each district shall issue a certificate or identifying receipt to the applicant indicating that the school impact fee has been paid. Prior to approving or permitting any development activities subject to the impact fees adopted pursuant to this chapter, the city shall require that the applicant provide to the city the original of the certificate or receipt issued by the school district. Each
school district shall develop standardized forms for this purpose, showing that impact fees have been paid to the district, and that the city may proceed to issue the permit or grant the necessary approval. Impact fees may be paid to the districts under protest pursuant to the procedures set forth in EMC 4.10.120(l).

C. The city shall not issue a required building permit for any development subject to the imposition of impact fees under this chapter until the impact fees set forth in the impact fee schedule have been paid.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Presented to Council for first reading and adoption on December 8, 2015

ADOPTED BY THE CITY COUNCIL ON December 8, 2015

Daryl Eidinger, Mayor

ATTEST/AUTHENTICATED:                APPROVED AS TO FORM:

Acting City Clerk, Jane Montgomery, CMC  Zach Lell, City Attorney

Date of Publication: December 10, 2015
Effective Date: December 15, 2015
CITY OF EDGEWOOD  
2224 104th Avenue East, Edgewood, WA 98372-1513  
(253) 952-3299    Fax: (253) 952-3537

LEGAL NOTICE

December 10, 2015

NOTICE OF ORDINANCE ADOPTED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance adopted by the City of Edgewood City Council on the 8th day of December, 2015, and shall take effect and be in full force on the 15th day of December, 2015.

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The full text of the Ordinance is available at Edgewood City Hall, 2224 104th Avenue East, Edgewood, WA 98372-1513 (253) 952-3299.

Jane Montgomery
Acting City Clerk, Jane Montgomery, CMC

Published in the News Tribune on December 10, 2015