

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: C-11

DATE: October 23, 2008

SUBJECT: Sultan Municipal Code (SMC) Amendments Section 16.116.110

CONTACT PERSON: Robert Martin, Community Development Director



ISSUES:

Set Public Hearing Date for hearing on amendments to SMC 16.116.110, School Impact Fees.

1. Set November 13, 2008 meeting as the date for a public hearing to take public comment on the Planning Board's recommendation regarding amendment of Sultan Municipal Code 16.116.110 to:
 - a. Remove "Appendix A" of Section 16.116.110 A. which specifies fees in the code and provide for the fee to be set by resolution through the Annual Fee Schedule adopted by the City Council.
 - b. Modify the language of 16.116.110 A. to refer to the School Impact Fees as specified in the City of Sultan Fee Schedule

BACKGROUND:

This is a house-keeping measure that continues to implement the policy of removing fees from the Sultan Municipal Code and placing the specific fees in the Annual Fee Schedule. The Code remains as the authorizing authority for the collection of this and other fees, but the Fee Schedule is the document that is used to specify the fees authorized by the Code.

As the Sultan School District has come to the city with a proposal for updated School Impact Fees, it was noted that fees were located in this section of the code as well as in the Annual Fee Schedule.

Commensurate with consideration of the proposal for updated School Impact Fees, the City is addressing this code amendment to implement the above-stated policy on specification of fees in the Fee Schedule.

The Planning Board held a public hearing on this proposed amendment on October 21, 2008. Recommendations will be forwarded to the Council in the November 13, 2008 council packet.

RECOMMENDATION:

Set November 13, 2008 as the date for a public hearing to Remove "Appendix A" of Section 16.116.110 A. from the Sultan Municipal Code, and amend Section 16.116.110 A. to refer to the Sultan Fee Schedule for School Impact Fees..

ATTACHMENTS:

Sultan Municipal Code Chapter 16.116

16.116.100 Use of funds.

A. Pursuant to this chapter, impact fees:

1. Shall be used for school improvements of District No. 311 that will reasonably benefit the new development; and

2. Shall not be imposed to make up for deficiencies in District No. 311 school facilities serving existing development; and

3. Shall not be used for maintenance or operation.

B. Impact fees may be spent for District No. 311 improvements, including but not limited to school planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, applicable impact fees or mitigation costs, capital equipment pertaining to educational facilities, and any other expenses which can be capitalized.

C. Impact fees may also be used to recoup District No. 311 school facilities improvement costs previously incurred by the district to the extent that new residential growth and development will be served by the previously constructed improvements or incurred costs.

D. In the event that bonds or similar debt instruments are or have been issued for the advanced provision of District No. 311 school improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the new development. (Ord. 814-03 § 1)

16.116.110 School impact fees and administrative fees.

A. The school impact fees set forth in Appendix A are generated from the formula for calculating impact fees set forth in District No. 311's capital facilities plan. Except as otherwise provided in SMC 16.116.040, 16.116.050, or 16.116.130, all land use and building permits issued by the city will be charged the school impact fee in Appendix A and an administrative fee as set forth in the annual fee schedule of the city.

Appendix A

School Impact Fees (Applies to residential development only)

Housing Type (per unit):	
Single-Family Detached Dwellings and each unit in a Duplex (including mobile homes)	\$1,673
One Bedroom Multiple-Family Units	0
Two + Bedroom Multiple-Family Units	1,221

B. The city's cost of administering the impact fee program, as set forth in the city's fee schedule, shall be per dwelling unit and shall be paid by the applicant to the city as part of the development/building permit fee.

(Ord. 814-03 § 1)

16.116.120 Existing authority unimpaired.

Nothing in this chapter shall preclude the city from requiring the fee-payer or the