

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

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**ITEM NO:** A-11

**DATE:** December 11, 2008

**SUBJECT:** Amendments Section 16.116.110 Sultan Municipal Code (SMC)

**CONTACT PERSON:** Robert Martin, Community Development Director

**ISSUES:**

Conduct first reading of Ordinance No. 1010-09 amendments to SMC 16.116.110, School Impact Fees to:

1. Remove "Appendix A" of Section 16.116.110 A. which specifies fees in the Municipal Code
2. 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.

The Planning Board held a public hearing on this proposed amendment on October 21, 2008 and recommended approval of this code amendment to the City Council. There was no public comment at the hearing. Similar to the City Council, the Planning Board discussed the School District's proposal for a fee change, but that is not the subject of this action.

The City Council held a public hearing on this proposed amendment on November 11, 2008. There was no public comment. Staff is returning with the ordinance that enacts the proposed change.

This action does not adopt or change any fees. At the November 11<sup>th</sup> meeting, Council also held a public hearing on the fees proposed by the School District in the 2008 to 2013 Capital Facilities Plan. The Council deferred action on adoption of those fees at that meeting. This action only moves the location where the fees are published once Council determines what the school impact fees will be.

**RECOMMENDATION:**

Conduct first reading of Ordinance 1010-09

**ATTACHMENTS:**

Ordinance 1010-09

**CITY OF SULTAN**  
**Sultan, Washington**

**ORDINANCE NO. 1010-09**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON  
AMENDING SULTAN MUNICIPAL CODE SECTION 16.116.110,  
REMOVING “APPENDIX A, SCHOOL IMPACT FEES”  
AND  
TRANSFERRING SCHOOL IMPACT FEES TO  
THE ANNUAL FEE SCHEDULE**

**WHEREAS**, Chapter 16.116 of the Sultan Municipal Code, as authorized by RCW Chapter 82.02.060, provides for assessment of School Impact Fees:

**WHEREAS**, Section 16.116.110 of the Sultan Municipal Code specifies the amount of School Impact Fees: and

**WHEREAS**, it is the policy of the City to consolidate fees in the Annual Fee Schedule and to remove them from the Municipal Code:

**WHEREAS**, Sultan School District #311 has requested the City of Sultan to increase the School District’s Impact Fees for multi-family units and a reduction of the fee for single family units as recommended by the District’s 2008-2013 Capital Facility Plan; and

**NOW, THEREFORE**, it is ordained by the City Council of the City of Sultan, Washington as follows:

**Section 1.** The Sultan Municipal Code Section 16.116.110 is hereby amended to read as follows:

**16.116.110 School impact fees and administrative fees.**

A. The school impact fees set forth in [Appendix A- the City of Sultan Annual Fee Schedule](#) are generated from the formula for calculating impact fees set forth in District No. 311’s capital facilities plan [\(this section was formerly “Appendix A” of this Chapter\)](#). 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 [City of Sultan Annual Fee Schedule of the city](#).

<i>Appendix A</i>	
<i>School Impact Fees (Applies to residential development only)</i>	
<i>Housing Type (per unit)</i>	<i>-</i>
<i>Single Family Detached Dwellings and each unit in a Duplex (including mobile homes)</i>	<i>\$1,673</i>
<i>One Bedroom Multiple-Family Units</i>	<i>0</i>
<i>Two + Bedroom Multiple-Family Units</i>	<i>1,221</i>

B. The city's cost of administering the impact fee program, as set forth in the ~~city's fee schedule~~ Annual 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.

**Section 2.** Severability. Should any provision of this Ordinance be determined unlawful, the balance of this Ordinance shall be unaffected and shall remain in full force and effect.

**PASSED** by the City Council and **APPROVED** by the Mayor this    day of            , 2008.

By \_\_\_\_\_  
CAROLYN ESLICK, MAYOR

ATTEST:

By \_\_\_\_\_  
LAURA KOENIG, City Clerk

Approved as to form:

By \_\_\_\_\_  
MARGARET KING, CITY ATTORNEY