

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 19-0478**

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, RELATING TO SCHOOL IMPACT FEES;
AMENDING SECTION 20.47.030 OF THE KENMORE
MUNICIPAL CODE; ADDRESSING SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City has the authority to adopt impact fees to address the impact on school facilities caused by new development, pursuant to RCW 82.02.050 through 82.02.100; and

WHEREAS, the Kenmore City Council, by Ordinance No. 18-0463, passed on May 14, 2018, adopted school impact fees for the Northshore School District; and

WHEREAS, Ordinance No. 18-0463 considers townhouses, as defined in KMC 18.20.835, as single-family residential development for purposes of school impact fees; and

WHEREAS, Ordinance No. 18-0463 references Northshore School District's 2017 Capital Facilities Plan, which included an impact fee schedule for housing types "single family," "townhome," "multi-family," and "multi-family (2+ Bedroom); and

WHEREAS, the impact fee schedule in the District's 2017 Capital Facilities Plan establishes the same school impact fee for single-family and townhome housing types, and no school impact fee for multi-family and multi-family (2+ bedroom) housing types; and

WHEREAS, Northshore School District's 2018-2024 Capital Facilities Plan, adopted on June 25, 2018, includes an impact fee schedule only for "single-family" and "multi-family (2+ Bedroom)" housing types; and

WHEREAS, because Northshore School District's 2018-2024 Capital Facilities Plan does not address townhomes or townhouses, the 2018-2024 Capital Facilities Plan (when compared to the 2017 Capital Facilities Plan) implies that townhome and townhouse are to be considered as a "multi-family (2+ Bedroom)" housing type; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of February 11, 2019; and

WHEREAS, the City Council wishes to consider townhouses, as defined in KMC 18.20.835, as multifamily residential development for purposes of school impact fees;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings Adopted; Townhouses. The City Council adopts the foregoing recitals as findings, which are incorporated herein as if set forth in full. Specific to townhouses, the City will consider townhouses, as defined in KMC 18.20.835, as multifamily residential development for purposes of school impact fees.

Section 2. Amendments to Section 20.47.030 of the City of Kenmore Municipal Code. The City Council amends Section 20.47.030, as set forth in Exhibit 1, attached hereto and incorporated by reference.

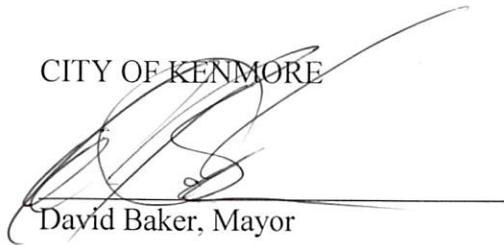
Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance 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.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
14TH DAY OF FEBRUARY, 2019.

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CITY OF KENMORE



David Baker, Mayor

ATTEST/AUTHENTICATED:



Kelly Chelin, City Clerk

Approved as to form:



Rod P. Kaseguma, City Attorney

Filed with the City Clerk: 2/25/19
Passed by the City Council: 2/25/19
Ordinance No.: 19-0478
Date of Publication: 2/28/19
Effective Date: 3/5/19