

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopting Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees
DEPARTMENT:	City Attorney's Office Administrative Services
PRESENTED BY:	Margaret King, City Attorney Rick Kirkwood, Budget & Tax Manager
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On February 22, 2021, staff presented proposed Ordinance No. 920, repealing and replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, proposed Ordinance No. 921, establishing a fee schedule for Impact Fees, and proposed Resolution No. 471, adopting a fee schedule, to the City Council. The staff report is available at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport022221-9b.pdf>.

The City's Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which establishes various rates, fees, costs, and charges for City services and related items, has historically been reviewed and updated for the upcoming fiscal year through the City's budget process. As such, it has also been included with the ordinance adopting the City's budget. This has provided some challenges as various indices used to calculate changes in rates, such as much of the solid waste rate schedule in SMC 3.01.500, are not available until late in the budget process, thereby making it impossible to include such a schedule in the proposed budget book. Another challenge is the ability to amend the Fee Schedule in a timely manner, as it also requires the budget ordinance be amended, thereby making for an unnecessary and cumbersome process. Lastly, there are various provisions throughout the SMC that reference specific sections of SMC Chapter 3.01 that have not been amended to reflect the evolution of the Fee Schedule.

Amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. To accomplish this, three actions would be required by the City Council:

- Proposed Ordinance No. 920, included on tonight's agenda as a separate item, would repeal and replace SMC Chapter 3.01 to provide for adoption of a Fee

Schedule by resolution for general rates, fees, and costs and the adoption of a Fee Schedule by ordinance for impact fees as required by Revised Code of Washington (RCW) Chapter 82.02. This proposed Ordinance also provides for amendments to sections of the SMC necessary to ensure the correct citation is referenced.

- Proposed Ordinance No. 921 (Attachment A) would establish the rates and costs for all of the City's impact fees – parks, transportation, and fire. As noted above, this is required to be adopted by ordinance by state law.
- Proposed Resolution No. 471, included on tonight's agenda as a separate item, would establish the Fee Schedule for rates, fees, costs, and charges for City services and related items that were previously adopted through the budget ordinance process (last established by Ordinance No. 903).

Adoption of the above three pieces of legislation are proposed to occur concurrently.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with tonight's discussion.

RECOMMENDATION

Staff recommends that City Council adopt Ordinance No. 921, establishing a fee schedule for Impact Fees.

ATTACHMENTS:

Attachment A: Proposed Ordinance No. 921, including Exhibit A

Approved By: City Manager **DT** City Attorney **MK**

ORDINANCE NO. 921

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ESTABLISHING A FEE SCHEDULE FOR THE CITY'S PARKS, FIRE, AND TRANSPORTATION IMPACT FEES.

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, included in the ordinance adopting the City's Budget ("Budget Ordinance"), the City Council has adopted a Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which, among other things, established impact fee rates as directed by Chapters SMC 3.70 Impact Fees for Parks, Open Space, and Recreation Facilities, SMC 3.75 Impact Fees for Fire Protection Facilities, and SMC 3.80 Impact Fees for Transportation; and

WHEREAS, subsequent amendment to the Fee Schedule requires amending the Budget Ordinance solely because the Fee Schedule is adopted as part of the Budget Ordinance, making for an unnecessary and cumbersome process; and

WHEREAS, RCW Chapter 82.02, the impact fee statute, requires that when imposing impact fees, that act needs to be by local ordinance; and

WHEREAS, concurrent with the adoption of this Ordinance is Ordinance 920, repealing and replacing Chapter SMC 3.01 Fee Schedule to denote that adoption of impact fees is to be by ordinance of the City Council;

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

Section 1. Adoption of the Fee Schedule for Parks, Fire, and Transportation Impact Fees. The 2021 Fee Schedule for Parks, Fire, and Transportation Impact Fees as forth in Exhibit A to this Ordinance is adopted.

Section 2. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper and shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor, Assistant City Attorney
On behalf of Margaret King, City Attorney

Date of Publication:
Effective Date:

**City of Shoreline
Fee Schedules**

1. Transportation Impact Fees

ITE Code	Land Use Category/Description	2021 Rate	
		Impact Fee Per Unit @	
		\$7,675.28 per Trip	
A. Rate Table			
90	Park-and-ride lot w/ bus svc	3,638.09	per parking space
110	Light industrial	9.94	per square foot
140	Manufacturing	7.49	per square foot
151	Mini-warehouse	2.67	per square foot
210	Single family house Detached House	7,111.87	per dwelling unit
220	Low-Rise Multifamily (Apartment, condo, townhome, ADU)	4,608.25	per dwelling unit
240	Mobile home park	3,323.57	per dwelling unit
251	Senior housing	1,520.95	per dwelling unit
254	Assisted Living	697.10	per bed
255	Continuing care retirement	2,268.91	per dwelling unit
310	Hotel	4,754.55	per room
320	Motel	3,787.52	per room
444	Movie theater	14.91	per square foot
492	Health/fitness club	19.63	per square foot
530	School (public or private)	5.77	per square foot
540	Junior/community college	15.10	per square foot
560	Church	3.88	per square foot
565	Day care center	37.29	per square foot
590	Library	18.84	per square foot
610	Hospital	9.13	per square foot
710	General office	13.74	per square foot
720	Medical office	24.97	per square foot
731	State motor vehicles dept	120.34	per square foot
732	United States post office	28.72	per square foot
820	General retail and personal services (includes shopping center)	10.40	per square foot
841	Car sales	19.12	per square foot
850	Supermarket	28.40	per square foot
851	Convenience market-24 hr	52.77	per square foot
854	Discount supermarket	28.96	per square foot
880	Pharmacy/drugstore	16.72	per square foot
912	Bank	40.69	per square foot
932	Restaurant: sit-down	29.34	per square foot
934	Fast food	67.51	per square foot
937	Coffee/donut shop	85.65	per square foot
941	Quick lube shop	30,454.32	per service bay
944	Gas station	27,693.48	per pump
948	Automated car wash	59.20	per square foot

**City of Shoreline
Fee Schedules**

2. Park Impact Fees

		2021 Fee	
A. Rate Table			
Use Category		Impact Fee	
Single Family Residential		4,327	per dwelling unit
Multi-Family Residential		2,838	per dwelling unit

**City of Shoreline
Fee Schedules**

3. Fire Impact Fees

		2021 Fee	
A. Rate Table			
Use Category	Impact Fee		
Residential			
Single-Family Residential	2,311.00	per dwelling unit	
Multi-Family Residential	2,002.00	per dwelling unit	
Commercial			
Commercial 1	2.84	per square foot	
Commercial 2	1.83	per square foot	
Commercial 3	5.73	per square foot	

4. Impact Fee Administrative Fees - Applicable to all types of Impact Fees

A. Type of Administrative Fee

2021 Rate

- | | |
|--|-----------------------------------|
| 1. All applicable projects per building permit application | \$206.00 per hour, 1-hour minimum |
| 2. Impact fee estimate/preliminary determination | \$206.00 per hour, 1-hour minimum |
| 3. Independent fee calculation per impact fee type | \$206.00 per hour, 1-hour minimum |
| 4. Deferral program | \$206.00 per hour, 1-hour minimum |

B. Rules for Administrative Fee

1. All administrative fees are nonrefundable.
2. Administrative fees shall not be credited against the impact fee
3. Administrative fees applicable to all projects shall be paid at the time of building permit issuance.
4. Administrative fees for impact fee estimates or preliminary determination shall be paid at the time the request is submitted to the City.
5. Administrative fees for independent fee calculations shall be paid prior to issuance of the director's determination, or for fire impact fees, the fire chief's determination.