

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2242

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
AMENDING THE SCHOOL IMPACT FEES CHAPTER OF THE
ZONING CODE BY PROVIDING FOR REVISED IMPACT FEE
AMOUNTS CONSISTENT WITH THE SNOHOMISH SCHOOL
DISTRICT'S 2012-2017 CAPITAL FACILITIES PLAN AND AMENDING
ORDINANCE 1855 AS AMENDED AND CHAPTER 14.290 OF THE
SNOHOMISH MUNICIPAL CODE**

WHEREAS, following duly held public hearings and deliberation by the Snohomish City Council, Ordinance 1855 was adopted on December 15, 1998, enacting a new Chapter 14.17 of the Snohomish Municipal Code relating to school impact fees; and

WHEREAS, following duly held public hearings and deliberation by the Snohomish City Council, Ordinance 1855 was subsequently amended by Ordinances 1897, 2071, 2122, 2175, and 2196, applying school district impact fees to all new development, including development of residential housing on existing undeveloped lots; and

WHEREAS, Ordinance 2082 adopted a new Title 14 SMC and the City's school impact fee requirements previously contained within Chapter 14.17 SMC were codified as Chapter 14.290 SMC; and

WHEREAS, Chapter 14.290 SMC sets forth the amount of the school impact fees charged to new development in the City based upon the Snohomish School District's Capital Facilities Plan; and

WHEREAS, on November 7, 2012, a public hearing on the proposed amendments was held by the Planning Commission, and all persons wishing to be heard were heard; and

WHEREAS, a public hearing was held before the City Council on December 4, 2012, regarding proposed amendments to Chapter 14.290 SMC and all persons wishing to be heard were heard; and

WHEREAS, following a public hearing on December 4, 2012, the Snohomish City Council adopted Ordinance 2241, thereby adopting the School District's 2012-2017 Capital Facilities Plan as a sub-element of the Snohomish Comprehensive Plan's Capital Facilities Element; and

WHEREAS, the Council deems it to be in the interest of the public to revise the school impact fee amounts set forth in Chapter 14.290 SMC in order to be consistent with the Snohomish School District's 2012-2017 Capital Facilities Plan; and

WHEREAS, acting as the City of Snohomish SEPA Responsible Official, the City Planning Manager reviewed the proposed amendments to the Development Code and issued a Determination of Non-significance (DNS);

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

Section 1. The amendments to the City’s Development Code, Title 14 SMC, as contained in this Ordinance are hereby found to be:

- a. Internally consistent with the City’s Comprehensive Plan;
- b. Consistent with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW;
- c. Consistent with the Washington State Environmental Policy Act (SEPA), Chapter 43.21C RCW; and
- d. In the interest of the public health, safety, and welfare of Snohomish residents.

Section 2. Ordinance 1855 as amended and Section 14.290.040 of the Snohomish Municipal Code are hereby amended as follows:

14.290.040 Establishment of Impact Fees. As a condition of approval of all development or development activity, as defined herein, or as a condition of issuance of a building permit for existing undeveloped lots, the City will require mitigation of adverse impacts on school services pursuant to the State Growth Management Act, RCW 36.70A, RCW 82.02 and this chapter. School impact fee amounts shall be based on the Snohomish School District’s Capital Facilities Plan ~~2010-2015~~2012-2017 as follows:

Development	Per Dwelling Impact Fee
Single-Family Dwelling	\$4,731 <u>\$896</u>
Studio or one-bedroom multifamily dwelling	\$0
Multifamily dwelling with two or more bedrooms	\$463 <u>\$0</u>

Section 3. Severability. If any section, subsection, sentence, phrase, or word 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, subsection, sentence, clause, phrase, or word of this Ordinance.

Section 4. Effective date. This Ordinance shall be effective five days after publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 4th day of December, 2012.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

Attest:

By _____
TORCHIE COREY, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED, CITY ATTORNEY