

0047.900000  
JZL/  
11/14/12

**ORDINANCE NO. 818**

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 3.48 CMC SCHOOL IMPACT FEES; REVISING THE CITY'S CODIFIED SCHOOL IMPACT FEE SCHEDULE BASED UPON THE UPDATED CAPITAL FACILITIES PLAN ADOPTED BY THE RIVERVIEW SCHOOL DISTRICT AND INCORPORATED BY REFERENCE INTO THE CARNATION COMPREHENSIVE PLAN; ESTABLISHING AN IMPACT FEE CLASSIFICATION FOR ACCESSORY DWELLING UNITS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

---

WHEREAS, pursuant to Chapter 3.48 CMC, the City imposes and collects school impact fees on behalf of the Riverview School District based upon the District's capital facilities plan; and

WHEREAS, the Riverview School District has updated its capital facilities plan, which in turn has been incorporated by reference into the City's Comprehensive Plan; and

WHEREAS, the City Council desires to amend the school impact fee schedule in order to reflect the District's updated capital facilities plan and the temporary discontinuance of the District's impact fee collection program; and

WHEREAS, the City Council further desires to amend Chapter 3.48 CMC in order to establish an impact fee classification for accessory dwelling units; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Amendment of CMC 3.48.020. Section 3.48.020 of the Carnation Municipal Code is hereby amended to provide in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Amendment of CMC 3.48.040. Subsection 3.48.040(B) of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

**3.48.040 Fee calculations.**

.....

B. Separate fees shall be calculated for single-family and multi-family dwelling units, and separate student generation rates must be determined by the district for each type of dwelling unit. For purposes of this chapter, mobile homes shall be treated as single-family dwelling units and Accessory Dwelling Units (ADUs) and duplexes shall be treated as multi-family dwelling units.

.....

Section 3. Amendment of CMC 3.48.045. Section 3.48.045 of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

**3.48.045 Impact fee schedule.**

Base Fee Schedule. The following fees shall be assessed for the indicated types of development:

	<u>Single-Family</u>	<u>Multi-Family</u>
Riverview School District	\$0	\$0
	Per dwelling unit*	Per dwelling unit*

\* As of December 2012, the Riverview School District has temporarily discontinued imposition of impact fees. The impact fee schedule set forth in this section has been revised to reflect the School District's decision.

Section 4. Severability. If any section, sentence, clause or phrase 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, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this 20th day of November, 2012.

  
MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:

  
CITY CLERK, MARY MADOLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
J. ZACHARY LELL

FILED WITH THE CITY CLERK: ..... 11/15/2012  
PASSED BY THE CITY COUNCIL: .... 11/20/2012  
PUBLISHED: ..... 11/28/2012  
EFFECTIVE DATE:..... 12/03/2012  
ORDINANCE NO. .... 818

## Exhibit A

### 3.48.020 - Definitions.

The following words and terms shall have the following meanings for the purposes of this chapter, unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined pursuant to RCW 82.02.090, or given their usual and customary meaning.

"Accessory Dwelling Unit (ADU)" shall have the same meaning as set forth in Title 15 CMC.

"Capital facilities plan" means the district's capital facilities plan adopted by the school board consisting of:

1. A forecast of future needs for school facilities based on the district's enrollment projections;
2. The long-range construction and capital improvements projects of the district;
3. The schools under construction or expansion;
4. The proposed locations and capacities of expanded or new school facilities;
5. At least a six-year financing plan component, updated as necessary to maintain at least a six year forecast period, for financing needed school facilities within projected funding levels, and identifying sources of financing for such purposes, including bond issues authorized by the voters and projected bond issues not yet authorized by the voters; and
6. Any other long-range projects planned by the district.

"City" means the city of Carnation, Washington.

"Classrooms" means educational facilities of the district required to house students for its basic educational program. The classrooms are those facilities the

district determines are necessary to best serve its student population. Specialized facilities as identified by the district, including but not limited to gymnasiums, cafeterias, libraries, administrative offices, and child care centers, shall not be counted as classrooms.

"Construction cost per student" means the estimated cost of construction of a permanent school facility in the district for the grade span of school to be provided, as a function of the district's design standard per grade span and taking into account the requirements of students with special needs.

"Design standard" means the space required, by grade span and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the district as identified in the district's capital facilities plan.

"Developer" means the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.

"Development activity" means any residential construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land that creates additional demand for school facilities.

"District" means the Riverview School District No. 407, King County, Washington.

"Elderly" means a person aged sixty-two or older.

"Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.

"Fee schedule" means the schedule set forth in CMC 3.48.045, indicating the standard fee amount per dwelling unit that shall be paid as a condition of residential development within the city.

"Grade span" means the categories into which a district groups its grade of students, i.e., elementary school, middle or junior high school, and high school.

"Interlocal agreement" means the interlocal agreement by and between the city of Carnation and the Riverview School District as authorized in Section 3.48.090 herein.

"Nonprofit housing organization" means a not-for-profit corporation registered as such with the Washington Secretary of State which has been determined by the Internal Revenue Service as meeting the Section 501(c)(3) requirements for the Internal Revenue Code and which is not controlled by a for-profit entity and which has a demonstrated record of housing development experience.

"Permanent facilities" means the facilities of the district with a fixed foundation which are not relocatable facilities.

"Public housing authority" means a public housing authority organized pursuant to Chapter 35.82 RCW or a public development authority organized pursuant to RCW 35.21.730 which has a demonstrated record of housing development experience.

"Relocatable facility" means any factory-built structure, transportable in one or more sections, that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within the district, or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.

"Relocatable facilities cost per student" means the estimated cost of purchasing and siting a relocatable facility in the district for the grade span or school to be provided, as a function of the district's design standard per grade span and taking into account the requirements of students with special needs.

"Site cost per student" means the estimated cost of a site in the district for the grade span of school to be provided, as a function of the district's design standard per grade span and taking into account the requirements of students with special needs.

"Standard of service" means the standard adopted by the district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve is student population, and other factors as identified by the district. The district's standard of service shall not be

adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or for any specialized facilities housed in relocatable facilities. Except as otherwise defined by the school board pursuant to a board resolution, transitional facilities shall mean those facilities that are used to cover the time required for the construction of permanent facilities, provided that, the district has the necessary financial commitments in place to complete the permanent facilities called for in the capital facilities plan.

"Student factor" means the number derived by the district to describe how many students of each grade span are expected to be generated by a dwelling unit. Student factors shall be based on district records of average actual student generation rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; provided that, if such information is not available in the district, data from adjacent districts, districts with similar demographics, or countywide averages may be used. Student factors must be separately determined for single-family and multi-family dwelling units, and for grade spans.