TO: Mayor Marchione and City Council

FROM: Rob Odle, Planning Director, 425-556-2417

Judd Black, Development Review Manager, 425-556-2426

Dennis Lisk, Associate Planner, 425-556-2471

DATE: October 19, 2010

SUBJECT: ORDINANCE 2501 – CORRECTION TO SCRIVENER'S ERROR

I. RECOMMENDED ACTION

Adopt the revision to Ordinance No. 2501 (Attachment A), amending section 20D.210.10-150(1) of the Redmond Community Development Guide. The amendment will correct a scrivener's error within Ordinance No. 2501 to restore five words which were originally a part of RCDG 20D.210.10-150(1) prior to the approval of the ordinance on Nov. 17, 2009. The purpose of the ordinance was to allow for the deferral of the collection of transportation impact fees for individually-permitted, single-family attached and detached residential construction from building permit issuance to drywall inspection.

As approved last year, the amendment to RCDG 20D.210.10-150(1) included the sentence:

"Transportation impact fees for all other development types shall be paid prior to the issuance of a development approval."

This sentence should have included the five words in underlined text below:

"Transportation impact fees for all other development types shall be paid prior to the issuance of a building permit consistent with a development approval."

II. LIST OF ATTACHMENTS

Attachment A: Proposed ordinance amending RCDG 20D.210.10-150(1)

City Council RE: ORDINANCE NO. 2501 – CORRECTION TO SCRIVENER'S ERROR October 19, 2010 Page 2	
/s/ Robert G. Odle, Planning Director	10/6/2010 Date
Approved for Council Agenda: /s/ John Marchione, Mayor	10/8/2010 Date

ATTACHMENT A

CITY OF REDMOND ORDINANCE NO.

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RCDG 20D.210.10-150(1) IN ORDER TO CORRECT A SCRIVENER'S ERROR AND TO PROVIDE THAT TRANSPORTATION IMPACT FEES FOR DEVELOPMENTS OTHER THAN SINGLE-FAMILY RESIDENTIAL CONSTRUCTION SHALL BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT CONSISTENT WITH DEVELOPMENT APPROVAL

WHEREAS, Ordinance No. 2501 of the City of Redmond, passed by the City Council on November 17, 2009, amended RCDG 20D.210.10-150(1) in order to specify the time at which transportation impact fees must be paid; and

WHEREAS, in adopting the amendment, certain language was inadvertently left out; and

WHEREAS, the Planning and Land Use Department has requested that the City Council enact this ordinance to add the omitted language back in.

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

<u>Section 1.</u> <u>Transportation Impact Fees.</u> RCDG 20D.210.10-150(1) is hereby amended to read as follows:

The fee payer shall pay the transportation impact fee required by this section to the Administrator, or the Administrator's designee. Transportation impact fees for individually permitted single-family attached

or detached residential construction shall be paid prior to drywall or sheetrock inspection consistent with a building permit approval. After November 28, 2011, transportation impact fees for individually single-family attached or residential construction shall be paid at the time of building permit issuance. Transportation impact fees for all other development types shall be paid prior to the issuance of a building permit consistent with a development approval. The provisions of this section the timing of shall govern payment all transportation impact fees established by this chapter.

Section 2. 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 of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary consisting of the title.

	ADOPTED	by	the	Redmond	City	Council	this		day	of
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