

CITY OF REDMOND
ORDINANCE NO. 2469

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING INTERIM CODE AMENDMENTS, AMENDING RCDG 20D 60 10-030 AND RCDG 20D 210 10-130(1) IN ORDER TO PROVIDE THAT FIRE, PARK, SCHOOL, AND TRANSPORTATION IMPACT FEES FOR INDIVIDUALLY PERMITTED SINGLE FAMILY ATTACHED AND DETACHED RESIDENTIAL CONSTRUCTION SHALL BE PAID AT THE TIME OF DRYWALL INSPECTION INSTEAD OF AT THE TIME OF BUILDING PERMIT ISSUANCE, SETTING A PUBLIC HEARING ON SUCH INTERIM AMENDMENTS, PROVIDING FOR SEVERABILITY, DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, RCDG 20D 60 10-030 provides that fire, park, and school impact fees must be paid prior to building permit issuance, and

WHEREAS, RCDG 20D 210 10-130(1) provides that transportation impact fees must be paid prior to building permit issuance, and

WHEREAS, due to the recent collapse of local and national housing markets, developers and builders are under extreme financial pressure, and the requirement to pay impact fees at the time of building permit issuance, which is typically before a buyer is found, is contributing to that pressure and may be slowing recovery of the markets, and

WHEREAS, the housing market collapse has serious financial consequences for the City, including significant decreases in

permit revenue, sales tax revenue, and real estate excise tax revenue, and the potential for vacant and underutilized land and abandoned construction sites, and

WHEREAS, City staff has recommended that the City Council amend RCDG 20D 60 10-030 and RCDG 20D 210 10-130(1) in order to provide that impact fees for single-family attached and detached residential construction be due at the time of drywall inspection, rather than at building permit issuance, as drywall installation is generally not done until a buyer is found and funds are available for completion of the home, and

WHEREAS, unless the City of Redmond acts immediately, the housing market will continue to languish and the adverse consequences of decreased revenues, abandoned projects, and underutilized land will occur, and

WHEREAS, Article 11, Section 11 of the Washington State Constitution authorizes cities to adopt, on interim official land use controls an emergency basis, and RCW 36 70A 390 and RCW 35A 63 220 establish the procedure for doing so

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

Section 1 Classification This ordinance is of a temporary or interim nature and should not become part of the city code unless subsequently enacted as a permanent amendment to the Community Development Guide

Section 2 Findings adopted In support of the actions undertaken by this ordinance, the Redmond City Council adopts the recitals set forth above as its findings

Section 3 Fire, Park, and School Impact Fees RCDG
20D 60 10-030 is hereby amended on an interim basis to read as follows

20D.60.10-030 Payment of Impact Fees Required.

Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay the impact fees set in RCDG 20D 10-060 or 20D60 10-070 to the City of Redmond Finance Department, or its designee or successor The impact fees for individually permitted single family attached or detached residential construction shall be paid at the time of drywall or sheetrock inspection The impact fees for all other development types shall be paid before the City issues the building permit No drywall or sheetrock inspection shall be conducted for any individually permitted single family attached or detached residential construction until the impact fees have been paid to the City of Redmond Finance Department, or its designee or successor No new building permit for any development type other than individually permitted single family attached or detached residential construction shall be issued until the required impact fees have been paid to the City of Redmond Finance Department, or its designee or successor Where a building permit is not required for a development activity, the impact fees shall be paid to the City of Redmond Finance Department, or its designee or successor, before undertaking the development activity

130(1) is hereby amended on an interim basis to read as follows

- (1) 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 sheet rock inspection consistent with a building permit approval 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 shall govern the timing of payment of all transportation impact fees established by this chapter

Section 5 Effective period for interim amendments

The interim amendments adopted by this ordinance shall remain in effect for a period of six months from the date of its enactment and shall automatically expire on that date unless extended as provided in RCW 36 70A 390 and RCW 35A 63 220 prior to said date, or unless the same are repealed or superseded by permanent amendments prior to said date. It is the express intent of the City Council that this interim regulation will not remain in effect for more than two years from the date of its enactment and that any permanent amendments to the code contain a sunset clause automatically expiring the deferral of impact fees after two years from said date and returning to the current code

requiring all impact fees to be paid at building permit issuance

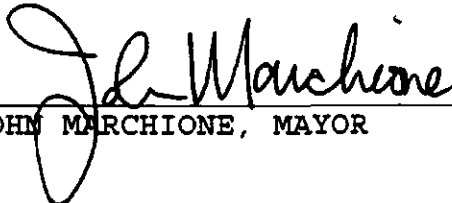
Section 6 Public hearing Pursuant to RCW 36 70A 390 and RCW 35A 63 220, the Redmond City Council hereby sets a public hearing for July 21, 2009 at 8 00 p m or as soon thereafter as the matter may be heard in order to take public testimony on the amendments adopted by this ordinance The Redmond City Council may, in its discretion, adopt additional findings justifying the interim amendment at the close of the hearing

Section 7 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 8 Effective Date The Redmond City Council hereby finds and declares that an emergency exists which necessitates that this ordinance become effective immediately in order to preserve the public health, safety and welfare This ordinance shall become effective immediately upon passage The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date

ADOPTED by the Redmond City Council this 2nd day of June,
2009

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

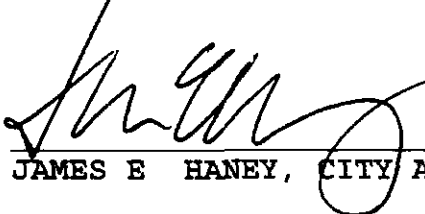
ATTEST



MICHELLE M M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY



JAMES E HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK	May 29, 2009
PASSED BY THE CITY COUNCIL	June 2, 2009
SIGNED BY THE MAYOR	June 2, 2009
PUBLISHED	June 8, 2009
EFFECTIVE DATE	June 2, 2009
ORDINANCE NO <u>2469</u>	

APPROVED (7-0) Allen, Carson, Cole, Margeson, McCormick, Myers and Vache