

ORDINANCE NO. 1909

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADDING A NEW CHAPTER TO TITLE 20C OF THE REDMOND MUNICIPAL CODE AND THE REDMOND COMMUNITY DEVELOPMENT GUIDE, TO ADOPT FIRE IMPACT FEES, REGULATIONS TO SET, COLLECT, EXPEND, AND ADMINISTER THESE FEES, AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the City of Redmond has adopted a new comprehensive plan to address community concerns, manage growth, and meet the requirements of the Washington State Growth Management Act, and

WHEREAS, the Growth Management Act requires that the City's development regulations be consistent with and implement the comprehensive plan, and

WHEREAS, the City's comprehensive plan includes requirements for fire impact fees, and

WHEREAS, the City desires that impact fees comply with the Growth Management Act and other applicable provisions of state law, and

WHEREAS, the imposition of impact fees is a fair and efficient method of ensuring that development bears a proportionate share of the cost of the public facilities necessary to accommodate such development, and

WHEREAS, impact fees protect applicants against high transaction costs and arbitrary decisions, and

WHEREAS, impact fees are required to be spent in conformity with an adopted capital facilities plan, contained in the comprehensive plan which meets the requirements of the Growth Management Act and the City of Redmond has adopted such a plan, and

WHEREAS, the Planning Commission has held a hearing on this ordinance and has recommended that the City Council amend the Redmond Municipal Code and Community Development Guide as provided in this ordinance, and

WHEREAS, the City Council of the City of Redmond desires to improve funding for capital facilities in Redmond, is adopting this ordinance for the purpose of complying with the Growth Management Act, and acknowledges that this ordinance bears a substantial relationship to, and is necessary for the public health, safety, and welfare of the residents and property owners of the City of Redmond, NOW, THEREFORE,

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

Section 1.     Impact Fee Regulations.     New chapter 20C.110 is hereby added to the Redmond Community Development Guide to read as follows:

**Chapter 20C.110  
Impact Fees**

**Sections:**

- 20C.110.010 Authority
- 20C.110.020 Purposes
- 20C.110.030 Definitions
- 20C.110.040 Payment of Impact Fees Required
- 20C.110.050 Exemptions to the Requirement to Pay Impact Fees
- 20C.110.060 Exemptions to the Requirement to Pay Impact Fees for Low- and Moderate-Income Housing
- 20C.110.070 Computing Required Impact Fees Using Adopted Impact Fee Schedules
- 20C.110.080 Computing Required Impact Fees Based on an Independent Fee Calculation Study
- 20C.110.090 Credits and Adjustments to Required Impact Fee Payments
- 20C.110.100 Appeals and Payments under Protest
- 20C.110.110 Impact Fee Accounts and Disbursements
- 20C.110.120 Impact Fee Refunds

- 20C.110.130 Annual Impact Fee Report
- 20C.110.140 Periodic Review of Fee Schedules
- 20C.110.150 Transportation Impact Fees,  
Coordination with Chapter 20C.100 or its successor
- 20C.110.160 Formula for Determining Fire Impact Fees
- 20C.110.170 Formula for Determining Park  
and Recreation Impact Fees
- 20C.110.180 Formula for Determining School Impact Fees

**User Guide**

This chapter includes regulations for the assessment, collection, and administration of fire impact fees. These fees are adopted pursuant to Chapter 82.02 RCW. Regulations for the assessment of transportation impact fees can be found in Redmond Community Development Guide Chapter 20C.100.

20C.110.010 Authority. This chapter is adopted under RCW 82.02.050(2) which authorizes cities planning under the Growth Management Act, primarily codified at Chapter 36.70A RCW and Chapter 82.02 RCW, to assess, collect, and use impact fees to pay for fire facilities needed to accommodate growth. The City of Redmond is required to plan under the Growth Management Act and has adopted a comprehensive plan which includes a capital facilities plan element which complies with RCW 36.70A.070(3), RCW 82.02.050(4), and all other applicable requirements. Consequently, the City of Redmond is authorized to impose, collect, and use impact fees.

20C.110.020 Purposes. The purpose of this chapter is to implement the capital facilities element of the Redmond Comprehensive Plan and the Growth Management Act by:

- (a) Ensuring that adequate fire facilities are available to serve new development.
- (b) Maintaining the high quality of life in Redmond by ensuring that adequate facilities are available to serve growth thereby providing for the needs of new growth and maintaining existing service levels for present businesses and residents.
- (c) Establishing standards and procedures whereby new development pays its proportionate share of the costs of fire facilities, reducing transaction costs for both the City and developers and ensuring the developments are not required to pay arbitrary or duplicative fees.

20C.110.030 Definitions. In addition to the definitions in Subtitle 20 H of the Redmond Community Development Guide, for the purposes of Chapter 20C.110 only the following terms shall have meanings given in this section.

(a) **Administrator:** The Director of Planning and Community Development or the position's successor. The Administrator may delegate his or her duties and authority to other City employees.

(b) **Building Permit:** Any building permit, any permit to construct tenant improvements, a mobile home hookup and foundation permit, a mobile home hookup permit, or any permit or approval to place or install mobile homes, mobile buildings, manufactured homes, or manufactured buildings.

(c) **Development Activity:** Any construction or expansion of a building, structure, or use, any change in the use of a building or structure, or any changes in the use of land, where the construction, expansion, or change, when occupied or used for its intended purpose, will create additional demand and need for public facilities.

(d) **Effective Date:** The effective date of this chapter is October 10, 1996, 1996.

(e) **Low-Income and Moderate-Income Housing:** Housing affordable under federal standards to households with annual incomes at or below 80 percent of the county median income.

(f) **Impact Fee Amount for a Facility Type:** The impact fee established for each use for each facility type. One facility type is currently addressed by Chapter 20C.110: fire. The amount of the impact fee is contained in Section 20C.110.070 and 20C.110.080.

(g) **Manufacturing Uses:** Land or structures that will have manufacturing facilities for firms or uses which have Standard Industrial Classifications (SIC) of Major Group 20 through Major Group 39, SIC Major Group 15 through Major Group 17, SIC Major Group 15 through Major Group 17, and SIC Major Groups 50 and 51, and warehouses.

(h) **Office Uses:**

(1) A structure, room or series of rooms where the affairs of a business, professional person, or branch of government are carried out. Uses which would be primarily classified as one of the other defined uses shall not be classified as office uses.

(2) Land or structures used by firms or uses that have SICs of Major Group 60 through Major Group 97, excluding Major Groups 75, 76, 78, and 88.

(i) **Project Improvements:** Site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project and are not system improvements. No improvement or facility included in a capital facilities plan approved by the governing body of a city or town shall be considered a project improvement.

(j) Retail Uses: Land or structures used by firms or uses that have SICs of Major Group 52 through Major Group 59 and SIC Major Groups 75, 76, and 78.

(k) System Improvements: Any public facilities that are included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

20C.110.040 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 Section 20C.110.070 or Section 20C.110.080 to the City of Redmond Finance Department or its designee or successor. The impact fees shall be paid before the City issues the building permit. No new building permit 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.

20C.110.050 Exemptions to the Requirement to Pay Impact Fees.

(a) The following are excluded from the requirement to pay some or all of the required impact fees:

(1) The reconstruction, remodeling, or replacement of existing buildings, structures, mobile homes, or manufactured homes which do not result, for non-residential structures, in additional floor space or, for all structures, additional dwelling units is exempt from the requirement to pay all impact fees. A complete application for a building permit to replace or reconstruct an existing structure that was removed or destroyed shall be submitted within three years after the structure was been removed or destroyed.

(2) The construction of structures accessory to a residence are exempt from the requirement to pay all impact fees. Other accessory structures are not exempt from the requirement to pay impact fees. The construction of any accessory structures which will result in additional housing units, including accessory dwelling units, require the payment of impact fees.

(3) Parking garages and building space which is constructed solely to park motor vehicles which are not owned, leased or rented by a business or part of a stock in trade are exempt from the requirement to pay all impact fees. The conversion of parking garages or vehicle parking areas to other uses requires the payment of impact fees.

(4) Temporary uses and structures authorized by Development Guide Section 20C.20.245 to be readopted and recodified as Development Guide Section 20C.80.780 are exempt from the requirement to pay all impact fees.

(5) The property on which the development activity will take place is exempt from the payment of fire impact fees under RCW 82.02.100 because the property is part of a

development activity which mitigated its impacts on the same system improvements under the State Environmental Policy Act (SEPA). To be exempt for a fee for any of the system types, a development activity shall have mitigated its system improvement impacts for that system type. For example, to be exempt from fire impact fees, the use or development activity shall have mitigated its impact on fire systems.

(6) The development activity shall not be required to pay impact fees for a facility type because (i) the impact of the development activity on fire facilities has been mitigated by a voluntary agreement, mitigated State Environmental Policy Act (SEPA) determination, SEPA EIS, permit or approval condition which requires the payment of fees for that particular system improvement, the dedication of land for that particular system improvement, or the construction or improvement of a particular system improvement and (ii) the SEPA, permit or approval condition predates the effective date of this chapter. If the condition or requirement provides that the system improvements do not substitute for impact fees, then the development activity is not exempt. To be exempt from the payment of impact fees for that particular facility type, the voluntary agreement, mitigated SEPA determination, permit or approval condition shall provide for a payment, dedication, or construction of system improvements for the that particular facility type. Where a development activity has not filed a complete building permit application before the effective date of this chapter, the development activity shall pay any payment under the same terms as an impact fee but in the amount specified by the voluntary agreement, mitigated SEPA determination, permit or approval condition as a condition of being exempt from the requirement to pay mitigation fees. Unless the voluntary agreement, permit condition or approval condition requires payment when the building permit is applied for or issued, the Technical Committee may extend the payment date from before the issuance of a building permit to some later date for development activities required to pay under this exemption.

(7) Accessory Dwellings approved by the City under Section 20C.20.012 or its successor Section 20C.20.430 are exempt from the requirement to pay all impact fees.

(b) Any claim of exemption shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.

20C.110.060 Exemptions to the Requirement to Pay Impact Fees for Low- and Moderate-Income Housing. In addition to the exemptions in Section 20C.110.050, the following shall be exempt from the requirement to pay all impact fees:

(a) Low- or moderate-income housing projects developed or owned by public housing agencies or private non-profit housing developers.

(b) Residential housing units dedicated for occupancy by low- or moderate-income households and whose rents or purchase price is affordable to low- or moderate persons under the regulations of the US Department of Housing and Urban Development or its successor.

(c) Individual low- or moderate-income home purchases (as defined in the current King County Comprehensive Housing Affordability Strategy [CHAS]) by households who are purchasing homes with prices within their eligibility limits based on standard lending criteria provided the housing unit they are purchasing has not received an exemption under Section 20C.110.050, Section 20C.110.060(a), or Section 20C.110.060(b) when the impact fees are due and payable.

(d) As a condition of receiving an exemption under this section, the owner shall execute and record in King County's real property title records a City-drafted lien, covenant, or other contractual provision against the property that provides that the proposed housing unit or development will continue to be used for low- or moderate-income housing and remain affordable to those households under the regulations of the US Department of Housing and Urban Development. The term of this provision shall be ten-years for individual owners and 15-years for private and private non-profit developers/builders. The lien, covenant, or other contractual provision shall run with the land and apply to subsequent owners and assigns. In the event that the housing unit(s) is no longer used for low- or moderate-income housing during the term of the provision, then the owner shall pay the amount of impact fees from which the housing unit(s) was exempted into the City's account for paying low- and moderate-income impact fees.

(e) Any claim or request for an exemption under this section shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.

(f) The impact fees not collected from low- and moderate-income housing shall be paid from public funds from sources other than impact fees or interest on impact fees and budgeted for this purpose by the Redmond City Council.

(g) If claims or requests for exemptions under this section exceed the funds the Redmond City Council budgeted for the payment of impact fees for low- and moderate-income housing, this section shall not apply to claims or requests for exemptions under this section made after the budgeted funds were committed or allocated until additional funds are budgeted.

20C.110.070 Computing Required Impact Fees Using Adopted Impact Fee Schedules. At the option of the person applying for the building permit or undertaking the development activity, the amount of the impact fees may be determined by the fee schedules in this section.

(a) When using the impact fee schedules, the impact fees shall be calculated by using the following formula:

$$\begin{array}{l} \text{Number of} \\ \text{units of each} \\ \text{use} \end{array} \times \begin{array}{l} \text{Impact Fee} \\ \text{amount for a} \\ \text{facility type} \end{array} = \begin{array}{l} \text{Amount of Impact Fee} \\ \text{that shall be paid for that} \\ \text{facility type for that use} \end{array}$$

(1) The number of units of each use determined as follows: (i) for residential uses it is the number of housing units for which a building permit application has been made and (ii) for office, retail, or manufacturing uses it is the gross floor area of building(s) to be used for each use expressed in square feet divided by one-thousand square feet. If uses other than parking vehicles which do not constitute a stock in trade and uses accessory to residences will take place outside of buildings, the calculations shall include the land area on which these uses will take place.

(2) Using the formula in Section 20C.110.070(a), impact fees shall be calculated separately for each use and each facility type. The impact fees that shall be paid are the sum of these calculations.

(3) If a development activity will include more than one use in a building or site, then the fee shall be determined using the above schedule by apportioning the space committed to the various uses specified on the schedule.

(4) If the type of use or development activity is not specified on the impact fee schedules in Section 20C.110.070, the Administrator shall use the impact fee applicable to the most comparable type of land use on the fee schedules. The Administrator shall be guided in the selection of a comparable type by the most recent Standard Industrial Code Manual and the Redmond Community Development Guide. If the Administrator determines that there is no comparable type of land use on the above fee schedule then the Administrator shall determine the proper fee by considering demographic or other documentation which is available from state, local, and regional authorities.

(5) In the case of a change in use, development activity, redevelopment, or expansion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee for the new development activity as compared to the previous development activity. The Administrator shall be guided in this determination by the sources and agencies listed above.

(b) Fire Facility Type Impact Fee Schedule:

Land Use	Units	Impact Fee that shall be Paid per Unit
Single-family residences (including mobile homes and detached single-family manufactured homes).	1 housing unit	\$ 78.00
Multi-family residences	1 housing unit	\$135.00
Offices	1,000 square feet of gross floor area	\$ 81.00
Retail trade	1,000 square feet of gross floor area	\$ 61.00
Manufacturing	1,000 square feet of gross floor area	\$ 14.00

20C.110.080 Computing Required Impact Fees Based on an Independent Fee Calculation Study. If a person required to pay impact fees decides not to have the impact fees determined according to Section 20C.110.070, then the person shall prepare and submit to the



Administrator an independent fee calculation study for the proposed development activity. Any person can decide to have an independent fee calculation study for one or more impact fees and use the impact fee schedules in Section 20C.110.070 for one or more impact fees.

(a) Any person submitting an independent impact fee calculation study shall include the fee set by the City Council for reviewing independent impact fee calculation studies. This fee may be set by ordinance or resolution.

(b) The independent fee calculation study shall comply with the following standards:

(1) The study shall follow accepted impact fee assessment practices and methodologies.

(2) The study shall use acceptable data sources and the data shall be comparable with the uses and intensities proposed for the proposed development activity.

(3) The study shall comply with the applicable state laws governing impact fees including RCW 82.02.060 or its successor.

(4) The study, including any data collection and analysis, shall be prepared and documented by professionals qualified in their respective fields.

(5) The study shall show the basis upon which the independent fee calculation was made.

(c) The Administrator shall consider the study and documentation submitted by the person required to pay the impact fees, but is not required to accept the study if the Administrator decides the study is not accurate or reliable. The Administrator may, in the alternative, require the person submitting the study to submit additional or different documentation for consideration. If the Administrator decides that outside experts are needed to review the study, the applicant shall be responsible for paying for the reasonable cost of a review by outside experts. If an acceptable independent fee calculation study is not presented, the person shall pay the impact fees based upon the process and schedules in Section 20C.110.070. If an acceptable independent fee calculation study is presented, the Administrator may adjust the fee to that appropriate to the particular development activity.

#### 20C.110.090 Credits and Adjustments to Required Impact Fee Payments.

(a) Credits. Required impact fees shall be reduced by the following credits where they apply:

(1) The required fire impact fees shall be reduced by the amount of any payment for fire system improvements previously made for the lot on which the development

activity will take place either as a condition of approval or under a voluntary agreement with the City entered into after the effective date of this chapter.

(2) After the effective date of this chapter, whenever a development is granted approval subject to a condition that the developer actually provide system improvement sites, facilities, or improvements for fire suppression acceptable to the City, or whenever the developer has agreed, pursuant to the terms of a voluntary agreement with the City, to provide land, system facilities, or to improve existing facilities, the developer shall be entitled to a credit for the value of the land or the actual cost of construction against the impact fee that would be chargeable under Section 20C.110.070 or Section 20C.110.080.

(i) The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation. The evidence and documentation shall be reviewed and, if acceptable, approved by the Administrator. When land is proposed for dedication, the person required to pay impact fees shall present property appraisals prepared by qualified professionals. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate credit amount is provided. If the land value or construction cost are less than the calculated fee amount, the difference remaining shall be chargeable as a impact fee for the facility for which the land, system facilities, or improved system facilities where provided.

(ii) In certain cases a system improvement may function as a project improvement. Where a system improvement functions as a project improvement, the person who is required to pay impact fees shall only receive a credit for the amount of the improvement that functions as a system improvement.

(3) The amount of the credit for a development activity shall not exceed the amount of the impact fee the development activity is required to pay.

(b) Adjustments. The Administrator may adjust the required impact fees where the Administrator determines one of the following circumstances exist and the discount included in the impact fee formula fails to adjust for the error in the calculation or to ameliorate the unfairness of the fee:

(1) The person required to pay the impact fee demonstrates that an impact fee was incorrectly computed.

(2) The person required to pay the impact fee demonstrates that unusual circumstances make the standard impact fee applied to the development unfair or unjust. These circumstances shall not be circumstances generally applicable to similar types of land uses or generally applicable to development activities in that vicinity. Unusual circumstances may include that the development activity will have substantially less impact on the system improvement than the other development activities in the category.

(c) Any claim of a credit or adjustment shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.

(d) Credits or adjustments shall not be transferable from one property, project or development activity to another without the approval of the Administrator. The Administrator may only approve a transfer to a development within a different impact fee service area or district if the Administrator finds that the dedication benefits the impact fee service area or district in which the development activity to which the credit is proposed to be transferred is located.

#### 20C.110.100 Appeals and Payments under Protest.

(a) Any decision made by the Administrator, his or her designee, or the Building Official, his or her designee, in the course of administering this chapter may be appealed in accordance with the procedures for appealing the underlying permit and shall not be subject to a separate appeal process. This shall include the requirement to pay impact fees. Where no other appeal process is provided, an appeal may be made as an appeal of an administrative decision, see Section 20F.20.200 of the Development Guide to be readopted and recodified as Section 20F.10.120 of the Development Guide. Any errors in the formula for calculating the impact fee shall be referred to the Mayor and City Council for possible modification. Every interlocal agreement made pursuant to this chapter shall specifically incorporate this appeal procedure.

(b) Impact fees may be paid under protest to obtain a building permit or other approval or permit.

#### 20C.110.110 Impact Fee Accounts and Disbursements.

(a) The City of Redmond Finance Department shall earmark the funds collected as to the person paying them, the date paid, and the type of impact fee paid. The Finance Department shall deposit the fees in special interest bearing accounts. A separate account shall be established for each type of impact fee. All interest shall be retained in the account and expended for the purposes for which the impact fee was imposed. While maintaining fees in separate accounts, pooled investments may be used.

(b) Impact fees shall only be expended on system improvements which are in conformance with the capital facilities plan element of the Comprehensive Plan and administrative costs. Impact fees shall only be expended on system improvements which are included in the capital facilities plan element of the Comprehensive Plan or which are included in a functional plan adopted by reference in the Utilities Chapter of the Comprehensive Plan or the Capital Facilities Chapter of the Comprehensive Plan. The part of the Utilities Chapter which adopts functional plans by reference shall be part of the capital facilities plan element of the Comprehensive Plan. Administrative costs shall not exceed 3/10ths of one percent of the impact fees collected.

(c) Fire impact fees shall only be used for fire system improvements within the service area in compliance with this chapter.

(d) For system improvements included in the capital facilities plan element or a functional plan adopted by reference, impact fees may be expended on facility planning, land acquisition, site improvements, application fees, necessary off-site improvements, required mitigation, construction, engineering, architectural, permitting, financing, and administrative expenses, relocatable facilities, capital equipment, repayment of system improvement costs previously incurred by the City to the extent that new growth and development will be served by the system improvements, and any other expenses which could be capitalized and are consistent with the capital facilities plan element or a functional plan adopted by reference.

(e) In the event that bonds or similar debt instruments are issued for the advanced provision of system improvements for which impact fees may be expended and where consistent with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section.

(f) Impact fees shall be expended or encumbered for a permissible use within six years of the date they are received by the City of Redmond Finance Department unless the City Council finds that there exists an extraordinary and compelling reason for fees to be held longer than six years. These findings shall be set forth in writing and be approved by the City Council.

#### 20C.110.120 Impact Fee Refunds.

(a) All requests for impact fee refunds shall be made by the owner of the property on which the impact fee was paid and shall be made in writing. The written request shall be submitted to the City of Redmond Finance Department or its successor, if the City holds the funds. The written request shall be received within one year of the date the right to the claim for the refund arises. Notwithstanding any other provision of this section, where notice of eligibility of a refund is required by Section 20C.110.120(b)(2), the written request shall be received within one year of the date on which the City mails the notice that the person may be eligible for a refund.

#### (b) Refunds of Un-Encumbered Impact Fees.

(1) The current owner of property on which impact fees have been paid may apply for and receive a refund of these fees if the impact fees have not been expended or encumbered within the time limits in Section 20C.110.110(f). Refunds of impact fees under Section 20C.110.120(b) shall include any interest earned on the impact fees by the City. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis.

(2) If the City holds impact fees beyond the time limits set in Section 20C.110.110(f), the City, shall notify potential claimants by first class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the county tax records or a commercial compendium of the tax records.

(3) Any impact fees that are not expended within the time limits in Section 20C.110.110(f) and for which no application for a refund has been made within the one-year period set by Section 20C.110.120(a) shall be retained and expended on the system improvements for which the impact fees were imposed.

(c) Refunds of Impact Fees for when Development Does Not Precede. Any person who was required to pay impact fees may request and shall receive a refund, including interest earned on the impact fees, when both of the following conditions are met:

(1) A final inspection is not requested for the building or, if no building is being constructed as part of the development activity, the use is not started.

(2) No impact has resulted on the fire facilities. "Impact" shall be deemed to include cases where the City has expended or encumbered the impact fees in good faith before the application for the refund. In the event that the City has expended or encumbered the fees in good faith no refund shall be given. However, if within a period of five years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner shall request the credit in writing by the deadline set for claiming credits and shall provide receipts for the impact fees paid by the owner for a development activity of the same or substantially similar nature on the same property or some part of the property. The Administrator shall determine whether to grant a credit, and such decisions may be appealed as an appeal of an administrative decision. See Section 20F.20.200 of the Development Guide to be readopted and recodified as Section 20F.10.120 of the Development Guide.

(d) See RCW 82.02.080 or its successor for rules on the termination of impact fee requirements.

(e) The interest due on the refund of impact fees are required by this chapter or RCW 82.02.080 or its successor shall be calculated according to the average rate received by the City on invested funds throughout the period during which the impact fees were retained by that local government.

20C.110.130 Annual Impact Fee Report. Each year, the City of Redmond Finance Department or its successor shall prepare a report on each impact fee account showing the source and amount of all moneys collected, earned, or received and the system improvements that were financed in whole or in part by the impact fees. The City departments receiving impact fee funds shall provide the information needed by the Finance Department, its successor, to prepare the annual impact fee report by the deadline set by the City of Redmond Department of Finance or its successor. This report may be part of an existing annual report or a separate report.

20C.110.140 Periodic Review of Fee Schedules. The City Council shall review the fee schedules in Section 20C.110.070 at least once every two years.

20C.110.150 Transportation Impact Fees, Coordination with Chapter 20C.100 or its successor. Transportation impact fees shall be governed and administered by Chapter 20C.100 or its successor.

20C.110.160 Formula for Determining Fire Impact Fees.

(a) The fire impact fees for Section 20C.110.070(b) shall be the developer fee obligation (F) calculated using the formula and table in this section.

(b) The impact fee service area for fire impact fees shall be the entire City of Redmond.

(c) Separate fees shall be calculated for single-family residences, multi-family residences, offices, retail trade, manufacturing, and other uses. For the purposes of this chapter, mobile homes or manufactured homes shall be treated as single-family residences. Duplexes and single-family attached dwellings shall be treated as multi-family residences.

(d) The formula in this section provides a credit for the anticipated tax contributions that would be made by the development based on historical levels of taxation.

(e) Formula for Determining Fire Impact Fees:

<u>IF:</u>	
A =	Fire Department capital facility program.
B =	City of Redmond contribution.
C =	Percentage of annual calls by land use category.
D =	Projected growth by number of units per land use category.
F =	Developer fee obligation.
<u>THEN:</u>	
$F = [(A - B) \times C] / D$	

20C.110.170 Formula for Determining Parks and Recreation Impact Fees. Reserved.

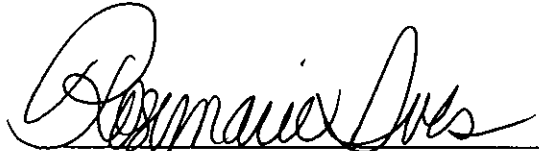
20C.110.180 Formula for Determining School Impact Fees. Reserved.

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,

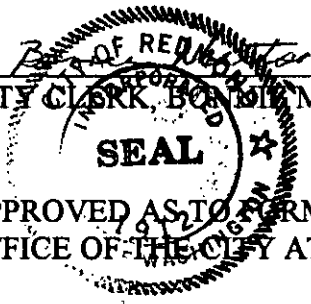
such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

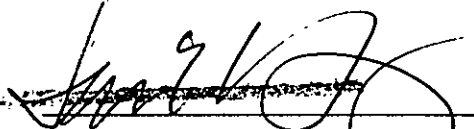
Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after the publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

  
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
CITY CLERK, BONNIE MATTSON  
SEAL  
APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK: September 26, 1996  
PASSED BY THE CITY COUNCIL: October 1, 1996  
SIGNED BY THE MAYOR: October 1, 1996  
PUBLISHED: October 5, 1996  
EFFECTIVE DATE: October 10, 1996  
ORDINANCE NO.: 1909

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