

## Attachment 1

### Chapter 14.100 SCHOOL IMPACT MITIGATION

#### 14.100.030 Definitions.

*Development activity* means any residential construction or expansion of a building, structure or use of land, or any other change in use of a building, structure, or land that creates additional demand and need for school facilities, but excluding building permits for remodeling or renovation permits which do not result in additional dwelling units. Also excluded from this definition is “housing for older persons” as defined by [46 U.S.C. Section 3607](#), when guaranteed by a restrictive covenant, and new single-family detached units constructed on legal lots created prior to the effective date of the ordinance codified in this chapter.

District means any public school district whose geographic boundaries include areas within the city of Lake Stevens.

*District property tax levy rate* means the school district’s current capital property tax rate per \$1,000 of assessed value.

#### 14.100.040 Capital facilities plan required.

The ~~Lake Stevens School District~~ district shall be eligible to receive school impact fees upon approval, by the City Council, of a district capital facilities plan (SDCFP) which meets the requirements of the GMA. Approval of the SDCFP will also constitute adoption the schedule of school impact fees contained therein.

#### 14.100.130 Impact Fee Calculation Formula.

(a) The formula in this section provides the basis for the impact fee schedule for ~~Lake Stevens School District~~ districts serving the City of Lake Stevens. District capital facilities plans shall include a calculation of its proposed impact fee schedule, by dwelling unit type, utilizing this formula. In addition, a detailed listing and description of the various data and factors needed to support the fee calculation is included herein and Section [14.100.030](#), Definitions.

#### 14.100.160 Impact Fee Limitations.

(a) School impact fees shall be imposed for district capital facilities that are reasonably related to the development under consideration, shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the development, and shall be used for system improvements that will reasonably benefit the new development.

(b) School impact fees must be expended or encumbered for a permissible use within ~~six~~ 10 years of receipt by the district.

**14.100.220 Refunds.** 

(a) School impact fees not spent or encumbered within ~~six~~-10 years after they were collected by the school district shall, upon receipt of a proper and accurate claim, be refunded by the school district together with interest to the then-current owner(s) of the property(ies). In determining whether school impact fees have been encumbered, impact fees shall be considered encumbered on a first-in, first-out basis. The school district shall report annually to the City Finance Director any funds collected by the school district that have not been spent or encumbered. The City shall, based on the annual report received from the school district pursuant to Section [14.100.210](#)(d), give notice to the last known address of potential claimants of any funds collected by the school district that have not been spent or encumbered and that a claim for a refund may be made.

## Chapter 14.112 TRAFFIC IMPACT MITIGATION FEES\*

### 14.112.050 Service Areas.

For the provision of public streets, implementation of the Capital Facilities and Transportation Elements of the Comprehensive Plan and administration of this chapter, three traffic impact zones (TIZ) are established. They consist of TIZ 1 - East Lake Stevens, TIZ 2 - West Lake Stevens, and TIZ 3 - South Lake Stevens. The precise boundaries of these service areas are shown in Figure 14.112-I.

Properties within the Urban Growth Area (UGA) that are annexed into the city shall be automatically assigned the same TIZ (service area) as city properties directly contiguous to the annexation, as shown in Figure 14.112-I.

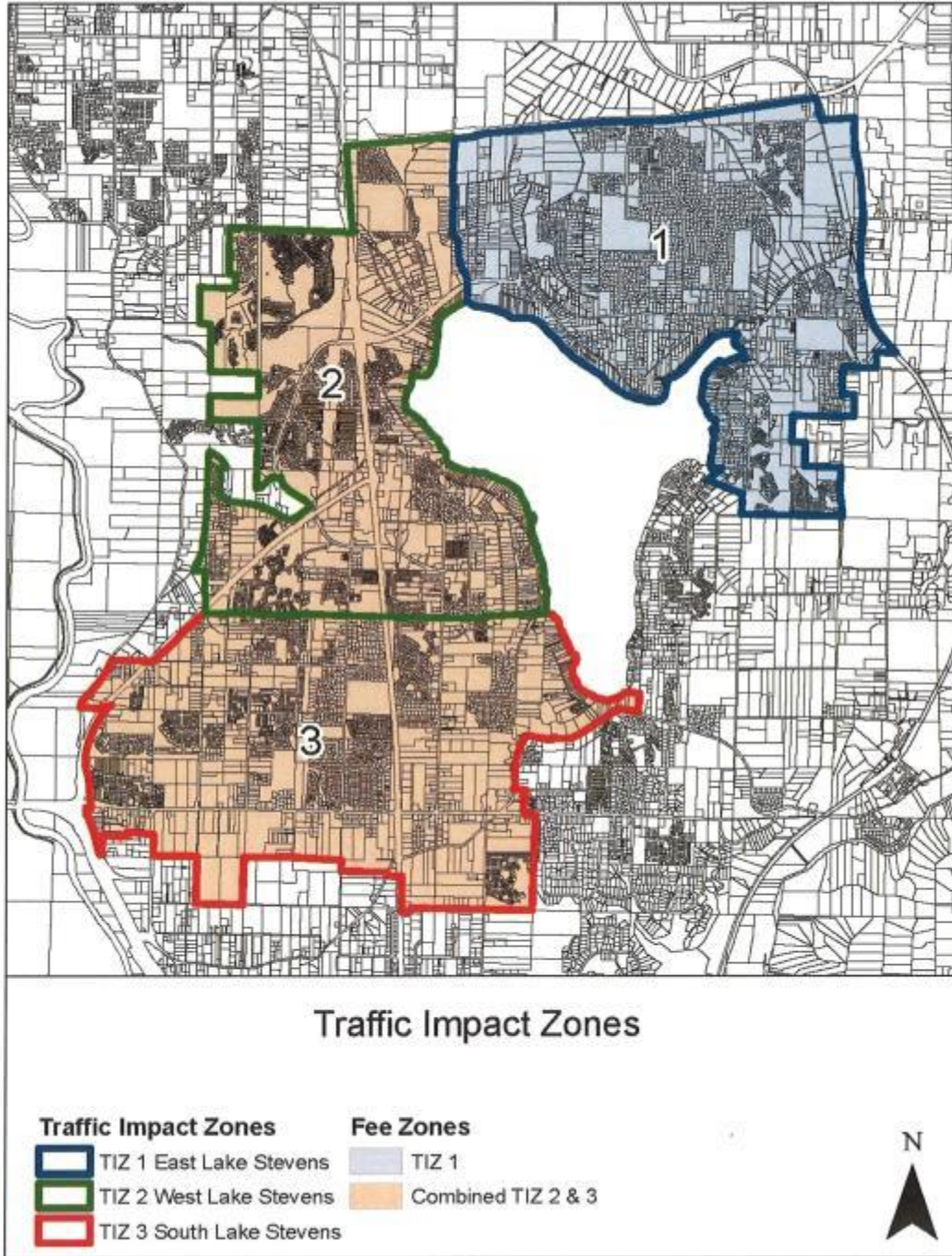


Figure 14.112-I Traffic Impact Zones ~~DELETED AND REPLACED WITH MAP ON NEXT PAGE~~

(Ord. 876, Sec. 6 (Exh. 4), 2012)

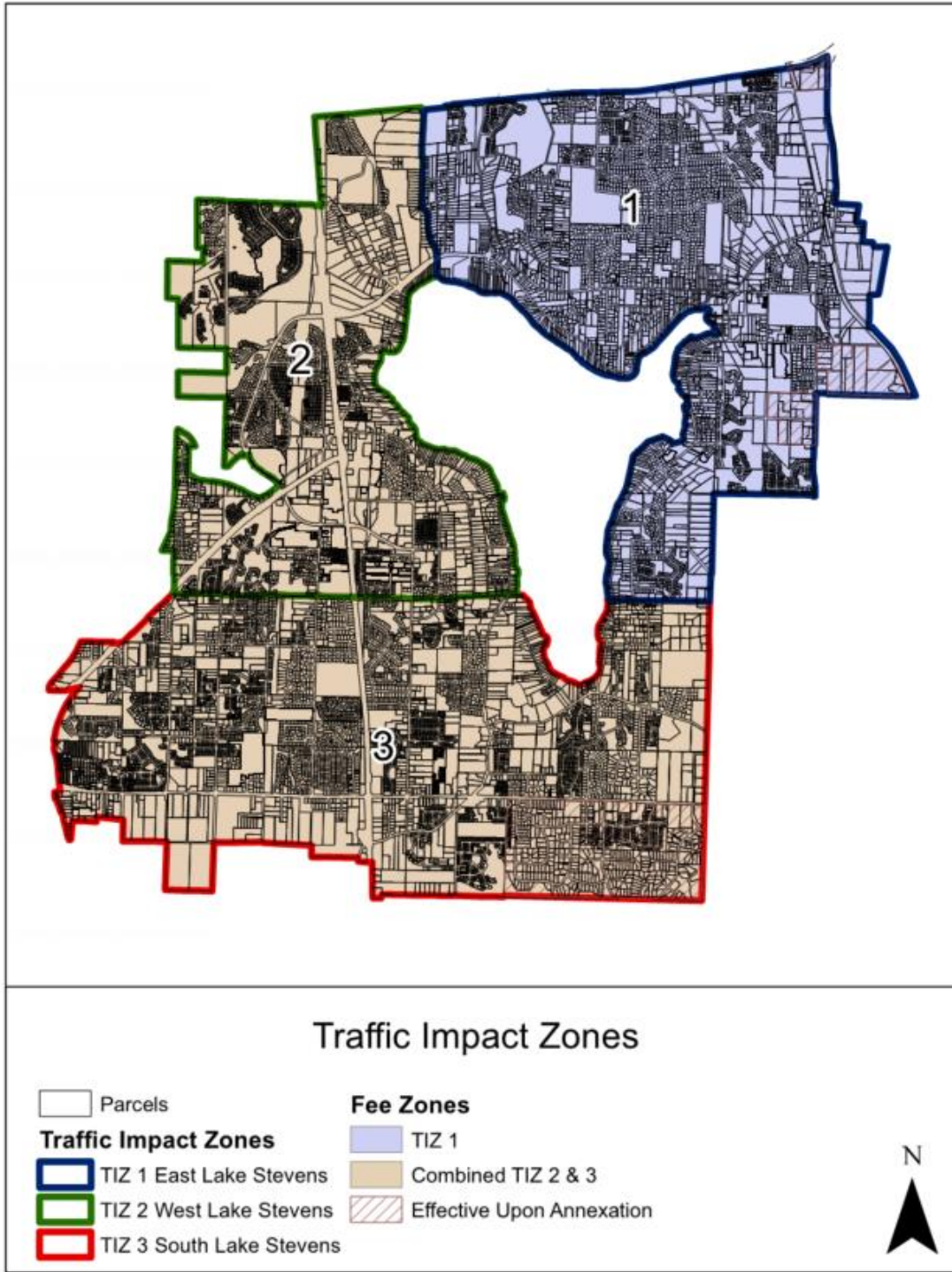


Figure 14.112-I Traffic Impact Zones [\(NEW MAP\)](#)