

**ORDINANCE NO. 848****AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING SHORELINE MUNICIPAL CODE CHAPTER 3.80 IMPACT FEES FOR TRANSPORTATION TO PROVIDE FOR A NEW INDEX FOR PERIODIC ADJUSTMENTS OF FEES.**

WHEREAS, Chapter 3.80 of the Shoreline Municipal Code (SMC) sets forth the City of Shoreline's Transportation Impact Fee program; and

WHEREAS, periodically the impact fees need to be adjusted and SMC 3.80.130(B) states that the City is to utilize the Washington State Department of Transportation's Construction Cost Indices (CCI); and

WHEREAS, the CCI is no longer maintained and the Washington State Department of Transportation is utilizing a different index methodology that is not published in a manner readily accessible for the City's use; and

WHEREAS, Chapter 3.70 SMC sets forth the City's Parks Impact Fee program which utilizes the Construction Cost Index published in the Engineering News-Record (CCI-ENR) for the Seattle area for adjustment of fees; and

WHEREAS, amending SMC 3.80.130(B) will establish consistency as a single index will be utilized for calculating adjustments to the City's impact fees;

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

**Section 1. Amendment SMC 3.80.130.** SMC 3.80.130 shall be amended as follows:

**SMC 3.80.130 Review and adjustment of rates.**

- A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.
- B. Consistent with SMC 3.01.820, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Record (ENR) for the Seattle area. ~~at a rate adjusted in accordance with the Washington Department of Transportation's Construction Cost Indices (CCI). The city shall utilize a three-year CCI average, using the three most recent calendar years' CCI available data, to determine adjustments to the impact fees.~~

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.


**Section 3. Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or Federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. Effective Date.** This ordinance shall be in full force five days after publication of this ordinance, or a summary consisting of its title, in the official newspaper of the City, as provided by law.


**ADOPTED BY THE CITY COUNCIL ON NOVEMBER 19, 2018.**

  
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Mayor Will Hall

**ATTEST:**

  
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Jessica Simulcik Smith  
City Clerk

**APPROVED AS TO FORM:**

  
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Margaret J. King  
City Attorney

Publication Date: November 23, 2018  
Effective Date: November 28, 2018