

ORDINANCE O-4617

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WAIVER OF UTILITY CONNECTION FEES FOR LOW INCOME HOUSING AND SHELTERS FOR PEOPLE EXPERIENCING HOMELESSNESS IN KIRKLAND.

1 WHEREAS, through Resolution R-5239 on February 21, 2017,
2 the City Council set priority goals and adopted a work program for the
3 City of Kirkland ("City") for 2017-2018; and
4

5 WHEREAS, partnering with A Regional Coalition for Housing
6 ("ARCH"), churches and non-profits to finance and construct a
7 permanent Women and Family Shelter in Kirkland is included as one of
8 the important City work program initiatives in R-5239; and
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10 WHEREAS, such shelter will further the City's priority
11 programmatic goal related to Human Services to support a regional
12 system of human services designed to meet the basic needs of our
13 community and remove barriers to opportunity; and
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15 WHEREAS, other low income housing projects will further the
16 City's priority programmatic goal related to Housing to ensure the
17 construction and preservation of housing stock that meets a diverse
18 range of incomes and needs; and
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20 WHEREAS, such projects will further various ordinance-based
21 City Comprehensive Plan goals related to affordable housing, including
22 for low income residents, as well as the generation of various housing
23 types, including shelters, as strategies to help combat homelessness,
24 including through, without limitation, Policy H-3.5, supporting housing
25 creation for low income residents, and Policy H-3.7, supporting a range
26 of housing options and services to move homeless persons and families
27 to long-term financial independence; and
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29 WHEREAS, as a member of the King County Consortium, the
30 City's shelter initiative and other low income housing projects will also
31 further the Consortium's policies in support of increasing the supply of
32 affordable housing in King County, including through, without limitation,
33 Policy SP-55, relating to the overcoming of barriers to affordable
34 housing; and
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36 WHEREAS, to meet the above-referenced policy goals it is
37 possible that additional low income housing projects or shelters may be
38 constructed in Kirkland in the future; and
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40 WHEREAS, RCW 35.92.380 authorizes cities to waive collection
41 of utility tap-in charges, connection fees, or hook-up fees for low income
42 persons or a class of low income persons in accordance with adopted
43 city programs in support thereof; and

44 WHEREAS, the Council wishes to amend its municipal code to
45 allow for the waiver of collection of such charges and fees as they relate
46 to the City's water, sewer and stormwater utilities in connection with
47 the construction and operation of the Women and Family Shelter and
48 any future low income housing projects constructed in Kirkland.
49

50 NOW, THEREFORE, the City Council of the City of Kirkland do
51 ordain as follows:
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53 Section 1. Kirkland Municipal Code Section 15.12.063 is
54 amended to read as follows:
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56 **15.12.063 Sewer capital facilities charges (SCFC)—Definitions.**

57 The sewer connection charge(s) must be paid prior to issuance of the
58 permit and shall be determined as to each requested connection by the
59 application of the criteria set forth below.

60 (1) For all sewer connections a sewer capital facilities charge will be
61 assessed and shall consist of the following:

62 (a) Each sewer connection will be assigned a "residential customer
63 equivalent" (RCE) factor. The RCE has a base of one for a three-fourths-
64 inch by five-eighths-inch water meter; i.e., a building served by a five-
65 eighths-inch by three-fourths-inch meter will be given a sewer RCE
66 factor of one.

67 (b) The RCE for each sewer connection is as follows:

Single-Family/Multifamily Sewer Fees

Single-family	(1 RCE)
2-unit multi	(1.6 RCE, 0.8 RCE per unit)
3-unit multi	(2.4 RCE)
4-unit multi	(3.2 RCE)
5 or more units	Number of units x 0.64 x 1 RCE (0.64 RCE per unit)

68 (c) Other use (commercial, office, light industrial, churches, school,
69 etc.) shall be based on the water meter size serving the property:

Meter Size	RCE
5/8" x 3/4"	1
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80

70 (d) Each property will be assessed an SCFC for each domestic water
71 meter service or as determined by the department of public works.

72 (e) Sewer connection charge(s) as provided for in this section may be
73 waived with respect to the construction of any shelter or low income
74 housing project found by the city manager to serve low income persons.

75
76 Section 2. Kirkland Municipal Code Section 15.14.020 is
77 amended to read as follows:

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79 **15.14.020 Water capital facilities charges (WCFC).**

80 The water connection charge(s) must be paid prior to issuance of
81 the permit and shall be determined as to each requested connection by
82 the application of the criteria set forth below.

83 (1) For all water connections a base local water capital facilities
84 charge (WCFC) will be assessed and will consist of the following:

85 (a) Each water connection will be assigned a "residential customer
86 equivalent" (RCE) factor;

87 (b) The water connection RCE shall be determined based on the
88 proposed water meter size;

89 (c) The water meter shall be sized in accordance with the Uniform
90 Plumbing Code as amended and adopted by Chapter 21.24 of this code;

91 (d) A water connection's RCE is based on the flow potential
92 through its meter. A five-eighths-inch by three-fourths-inch meter is
93 assigned a base factor of one;

94 (e) The base WCFC is multiplied by RCE factors based upon water
95 meter sizes as follows:

Meter Size	RCE
5/8" x 3/4"	1
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80

96 (f) The fee schedule will be adjusted periodically, but not less
97 often than every odd number year. The adjustment calculation shall use
98 an industry-standard methodology.

99 Upon determining the adjusted WCFC, the director of public works
100 shall file with the director of finance and administration three copies of
101 the adjusted fee schedule along with the values the fee schedule is
102 based on. The director of finance and administration shall file the
103 schedules and values with the city clerk to be available for use by the
104 general public and the affected city officials and departments.

105 (2) For all water connections a based regional capital facility
106 charge (RCFC) will be assessed and will consist of the following:

107 (a) Each water connection will be assigned a "cascade equivalent
108 residential unit" (CERU) factor based on the proposed meter size;

109 (b) The water meter shall be sized in accordance with the Uniform
110 Plumbing Code as amended and adopted by Chapter 21.24;

111 (c) A water connection's CERU factor is based on the flow potential
 112 through its meter. A five-eighths-inch by three-fourths-inch meter is
 113 assigned a base factor of one. The base RCFC is multiplied by CERU
 114 factors based upon water meter sizes as follows:

Meter Size	CERU
5/8" x 3/4"	1
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80
10"	115
12"	160

115 (d) The RCFC may be adjusted periodically pursuant to the terms
 116 of the interlocal agreement between the city and the Cascade Water
 117 Alliance.

118 (e) Upon receiving the adjusted RCFC, the director of public works
 119 shall file with the director of finance and administration three copies of
 120 the adjusted fee schedule. The director of finance and administration
 121 shall file the schedules with the city clerk to be available for use by the
 122 general public and the affected city officials and departments.

123 (f) Water connection charge(s) as provided for in this section may
 124 be waived with respect to the construction of any shelter or low income
 125 housing project found by the city manager to serve low income persons.

126 (3) The water connection charge required by subsections (1) and
 127 (2) of this section will be assessed against both domestic and irrigation
 128 water meter connections.

129 (4) When water meter size is increased solely to provide fire
 130 sprinkler protection, the water connection charge required by
 131 subsections (1) and (2) of this section shall be based on the size
 132 required by the Uniform Plumbing Code, as amended and adopted by
 133 Chapter 21.24.

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 135 Section 3. Kirkland Municipal Code Section 15.56.050 is
 136 amended to read as follows:

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 138 **15.56.050 Storm water capital facilities charges.**

139 The purpose of this section is to establish storm water capital facilities
 140 charges for all development activity as defined in the Kirkland Zoning
 141 Code that will include creation of new impervious surface with the
 142 exception of such charges associated with the construction of any
 143 shelter or low income housing project found by the city manager to
 144 serve low income persons, which charges may be waived upon such
 145 finding.

146 (1) The SWCFC base fee shall be adjusted periodically, but not
147 less often than every odd-numbered year. The adjustment calculation
148 shall use an industry-standard methodology.

149 Upon determining the adjusted SWCFC base fee, the director of
150 public works shall file with the director of finance and administration
151 three copies noting the adjusted fee along with the values the fee is
152 based on. The director of finance and administration shall file the
153 schedules and values with the city clerk to be available for use by the
154 general public and the affected city officials and departments.

155 (2) Criteria for Determination of Storm Water Capital Facilities
156 Charge. The storm water capital facilities charge (SWCFC) must be paid
157 prior to issuance of the building permit and shall be determined by
158 application of the criteria set forth below:

159 (a) For one new detached dwelling unit on a single lot, the SWCFC
160 shall equal the SWCFC base fee as defined in subsection (1) of this
161 section.

162 (b) For all other developments, the SWCFC charge shall equal the
163 SWCFC base fee as defined in subsection (1) of this section times the
164 number of ESU of new impervious surface to be created as part of the
165 development, except as noted in subsection (2)(c) of this section.

166 (c) The following portions of a development are exempt from
167 payment of a SWCFC charge:

168 (i) Pedestrian facilities and street improvements that will be
169 dedicated to or constructed for the public use.

170 (ii) Private access roads serving residential subdivisions.

171 (iii) Alteration or expansion of a single detached dwelling unit on
172 a single lot.

173 (iv) Existing impervious surfaces that are being removed and
174 replaced.

175

176 Section 4. If any provision of this ordinance or its application to
177 any person or circumstance is held invalid, the remainder of the
178 ordinance or the application of the provision to other persons or
179 circumstances is not affected.

180

181 Section 5. This ordinance shall be in force and effect five days
182 from and after its passage by the Kirkland City Council and publication
183 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
184 form attached to the original of this ordinance and by this reference
185 approved by the City Council.

186

187 Passed by majority vote of the Kirkland City Council in open
188 meeting this 21st day of November, 2017.

189

190 Signed in authentication thereof this 21st day of November,
191 2017.


Amy Walen, Mayor

Publication Date: November 27, 2017

Attest:

Kathi Anderson
Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond
Kevin Raymond, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4617

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WAIVER OF UTILITY CONNECTION FEES FOR LOW INCOME HOUSING AND SHELTERS FOR PEOPLE EXPERIENCING HOMELESSNESS IN KIRKLAND.

SECTION 1. Amends Kirkland Municipal Code Section 15.12.063 related to sewer capital facilities charges.

SECTION 2. Amends Kirkland Municipal Code Section 15.14.020 related to water capital facilities charges.

SECTION 3. Amends Kirkland Municipal Code Section 15.56.050 related to storm water capital facilities charges.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 21st day of November, 2017.

I certify that the foregoing is a summary of Ordinance O-4617 approved by the Kirkland City Council for summary publication.


Kathi Anderson, City Clerk