

**From:** [Debbie Tarry](#)  
**To:** [Will Hall](#); [Mark Relph](#); [John Norris](#)  
**Cc:** [Carolyn Wurdeman](#); [Julie Ainsworth-Taylor](#); [Ian Sievers](#)  
**Subject:** RE: Impact fees  
**Date:** Friday, May 09, 2014 9:49:09 AM

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Thanks Will -

We are sharing this information with Kirk and Alicia so they can be prepared to respond to these questions during the presentation. Also will have Julie and Ian take a look at the legal questions that you raise.

Debbie Tarry  
City Manager  
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-----Original Message-----

From: Will Hall  
Sent: Thursday, May 08, 2014 8:51 PM  
To: Debbie Tarry; Mark Relph; John Norris  
Cc: Carolyn Wurdeman  
Subject: Impact fees

If we adopt impact fees, to. Keep it simple, I do not favor a deferral. That just leads to more record keeping and potential issues in the event of bankruptcies and certain types of property transfers. So, I would prefer to not include 12.35.050.F - J.

I do favor a low income housing exemption, but if we are paying for it from the general fund, then it is really a subsidy, not an exemption, and I would want 50 years of affordability at 50% AMI to qualify. If I recall the presentations about property tax exemptions, affordability at 80% AMI is achievable at market rates in Shoreline. So I would like to see changes to 12.35.070.G.

I'm not keen on the language in 20.60.140.C.2.f because every building permit becomes vested once it is deemed complete and there is still some legal ambiguity about vesting building permits based on vested subdivisions, even after the Noble Manor case. In the impact fee ordinance, we say it is the building permit that triggers the impact, not the subdivision. So does this language mean that building permits don't pay if they are already vested or does it mean that building permits don't pay if the buildings were anticipated by a prior vested subdivision application? I know this won't matter for commercial or multi-family, which will be the bulk of our future residential development, but I don't want to stipulate to a court finding that extends our state's extremely generous vesting laws beyond what the legislature has put into statute already. I would prefer to tie the intent of this to a specific date. That is, "Any building permit for which an application was deemed complete prior to the effective date of this ordinance." I don't mind making this effective immediately. If staff prefer to choose a date certain in the future for an effective date, as long as we align the impact fee with the projects needed as of the effective date, I could live with that.

For the definition of rate study, do we want to add, "or as it is later amended" or something so we don't have to amend the definition if we do a new rate study?

In 12.35.070.E, is it clear that this only applies if that decision was made prior to the effective date of this ordinance?

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