CITY COUNCIL

AGENDA BILL # AB23-0069

City of Algona
200 Washington Blvd.
Algona, WA 98001

ITEM INFORMATION

SUBJECT:

Sidewalk In-Lieu Fees

Cost Impact:

Fund Source:

Timeline: 1st review – 3/13/23

Agenda Date: March 13th, 2023

Department/Committee/Individual	Created	Reviewed
Mayor		
City Administrator		X
City Attorney	X	X
City Clerk		
Finance Dept		
PW/Utilities		X
Planning Dept		
Community Services		
Police Dept		
Finance Committee		
Planning Commission		
Civil Service Committee		

Staff Contact: Russ Avery, Public Works Director

Attachments: Draft Ordinance

SUMMARY STATEMENT:

This ordinance allows developers to pay the City for the cost of sidewalk installation instead of installing the sidewalks themselves. This would provide the City the opportunity to decide where the sidewalks are needed and complete one street at a time systematically.

The current version of the ordinance has the Council setting the fee amount on an annual basis. Pending Zach's input, it is suggested the fee be based off estimates obtained by the developer so the amount reflects current costs for sidewalk installations. Here is the formula Stacey did in 2021, the prices have changed since then:
"The typical sidewalk cost is about $80/square yard which for a 5-foot wide sidewalk, equates to about $45/LF.
The typical curb and gutter cost is $40/linear feet. Adding the two together gives $85/LF (= $45/LF sidewalk cost plus $40/LF curb and gutter cost)"

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

Meeting Date:	*Action:*	*Vote:*

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. 1201-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, AMENDING CHAPTER 12.05 OF THE ALGONA MUNICIPAL CODE RELATING TO A FEE IN LIEU OF SIDEWALK WHERE DEVELOPERS SHALL CONTRIBUTE AN AMOUNT DETERMINED BY CITY COUNCIL AT A COST PER LINEAL FOOT FOR THE CITY TO CONSTRUCT SIDEWALKS, CURBS AND GUTTERS.

WHEREAS, the City of Algona adopted Ordinance No. 1024-09 establishing requirements to construct sidewalk, curb and gutter to enhance pedestrian access and safety consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Algona has a strategy of minimizing small, individual sections of sidewalk throughout the City; and

WHEREAS, the City of Algona is supportive of a new fee-in-lieu policy/code to encourage connected sidewalk throughout the City; and

WHEREAS, the City of Algona will utilize funds collected from the fee-in-lieu policy/code to construct new public sidewalks, curb and gutter located within the City.

WHEREAS, the City Council finds and determines that approval of such a fee is in the best interests of the City of Algona.

NOW, THEREFORE, the City Council of the City of Algona, Washington, do ordain as follows:

Section 1. Recitals Adopted. The City Council hereby adopts the recital clauses contained in this Ordinance as Findings of Fact or Conclusions, as may be appropriate given the context of each recital.

Section 2. Amendment to City Code. That Section 12.05 of the Algona Municipal Code be, as the same hereby is amended to read as follows:

12.05.040 Fee In-Lieu of Sidewalk. This chapter establishes the In-Lieu of Sidewalk Fee. The In-Lieu of Sidewalk Fee is paid to the City in lieu of providing required sidewalk, curb and gutter improvements when, in the opinion of the director of public works or designee, a sidewalk, curb and gutter should not be constructed per this Chapter. When this fee is implemented, the owner shall contribute an amount determined by City Council at a cost per

lineal foot to construct sidewalks, curbs, and gutters multiplied by the number of lineal frontage feet of the property subject to this chapter.

A. Amount of Fee. The amount of the In-Lieu of Sidewalk Fee is set by resolution of the City Council and the Council shall review the amount on an annual basis. The In-Lieu Fee may otherwise be adjusted by the Council as it deems necessary based on factors such as inflation and the cost of providing new sidewalk. The amount of the In-Lieu Fee shall take into account the current costs of construction for sidewalks, curbs and gutters.
B. Use of Fees. In-Lieu of Sidewalk Fees shall be deposited in a dedicated fund for the development and provision of public sidewalks, curbs and gutters. The collected Fees may be applied only to development and provision of public sidewalks, curb and gutter located within the City. Development and provision of new sidewalks includes but is not limited to sidewalks, curb, gutter, payment of administrative and design costs, and construction.
C. Payment of Fee. The In-Lieu Fee shall be based on the number of lineal frontage feet of the property multiplied by a cost per lineal foot to construct sidewalks, curbs, and gutters as set by Council resolution established in Section 12.05.040(A). The In-Lieu Fee shall be paid in full prior to the issuance of a building permit.
D. Condition of Approval. Payment of the In-Lieu Fee will be included as a condition of approval of any approved development application that is subject to the fee.

Section 3. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 4. 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall take effect five (5) days after is passage and publication as required by law.

ADOPTED BY THE ALGONA CITY COUNCIL ON THE ___ DAY OF _____, 2021.

CITY OF ALGONA

_____

David E. Hill, Mayor

ATTEST/AUTHENTICATED:

_____
Jessica Griess, City Clerk

Approved as to form:

_____
J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.: 1201-21
Date of Publication: