

ORDINANCE O-4470

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE COLLECTION OF IMPACT FEES FOR SCHOOLS AND AMENDING THE FEE SCHEDULE IN KIRKLAND MUNICIPAL CODE 27.08.150.

WHEREAS, the City Council of the City of Kirkland recognizes that new residential development creates additional demand and need for school capacity; and

WHEREAS, on August 4, 2014, the Lake Washington School District #414 requested that the City of Kirkland review and increase the school impact fees imposed by the City on the District's behalf in order to address the continued impact of growth within the City on the District's capital facilities; and

WHEREAS, the City Council of the City of Kirkland finds that the proportionate share of the expense of school facilities necessitated by the impacts of new residential development should be borne by the developers of new growth through the imposition of school impact fees as authorized by the Growth Management Act (RCW 82.02.050 – 82.02.100); and

WHEREAS, in compliance with the Act, on May 19, 2014, the Lake Washington School District #414 adopted a "Six-Year Capital Facilities Plan 2014-2019" which included a new high school estimated to cost 71.4 million dollars, and submitted the Plan to the City; and

WHEREAS, the City Council previously authorized an interlocal agreement between the Lake Washington School District #414 and the City for the collection, expenditure, and reporting of school impact fees with the passage of Resolution R-4861 on February 15, 2011; and

WHEREAS, Kirkland Municipal Code (KMC) 27.08.110 provides for the amendment of the of the fee schedule in KMC 27.08.150 based upon changes in demographics and capital construction costs reflected in the District's Capital Facilities Plan.

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

Section 1. Kirkland Municipal Code 27.08.150 is amended to read as follows:

27.08.150 Fee schedule.

- (a) **School Impact Fee Schedule:** School impact fees shall be set as a ~~percentage of the District's proposed single family and multi-family impact fee rates based on the District's most recent six year capital facility plan ("CFP") or CFP update preceding the applicable CBPA period~~ set forth below:

<u>Type of Land Use</u>	<u>Date of CBPA*</u>	<u>Impact Fee</u>	<u>Per Unit</u>
Single-Family Dwelling (detached unit)	6/1/2011 through 2/29/2012	\$9,623 50% of the single family impact fee set forth in the most recent CFP or CFP update preceding 6/1/2011	Dwelling Unit
	3/1/2012 through 2/28/2013	80% of the single family impact fee set forth in the most recent CFP or CFP update preceding 3/1/2012	
	After 2/28/2013	100% of the single family impact fee set forth in the most recent CFP or CFP update preceding 2/28/2013	
Multifamily Dwelling (attached, stacked, and assisted living unit)	6/1/2011 through 2/29/2012	\$745 50% of the multi-family impact fee set forth in the most recent CFP or CFP update preceding 6/1/2011	Dwelling Unit
	3/1/2012 through 2/28/2013	80% of the multi-family impact fee set forth in the most recent CFP or CFP update preceding 3/1/2012	
	After 2/28/2013	100% of the multi-family impact fee set forth in the most recent CFP or CFP	

update preceding
2/28/2013

*CBPA = Complete Building Permit Application.

~~(b) The City shall consider CFP or CFP updates submitted by the District after February 28, 2013 in accordance with KMC Section 27.08.110.~~

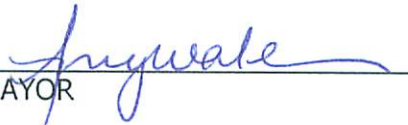
~~(b-e) The City shall collect an administrative fee of \$65.00 per filing per residential permit in order to cover the administrative cost of collecting, processing, and handling the impact fees described in this chapter.~~

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect on January 1, 2015, after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 9th day of December, 2014.

Signed in authentication thereof this 9th day of December, 2014.

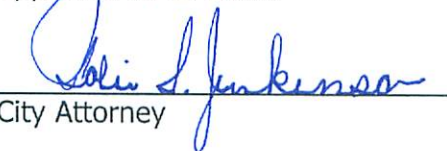

MAYOR

Attest:


City Clerk

Publication Date: December 15, 2014

Approved as to Form:


City Attorney