

ORDINANCE O-4504

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SCHOOL IMPACT FEES AND AMENDING SECTIONS 27.08.030 AND 27.08.150 OF THE KIRKLAND MUNICIPAL CODE.

1 The City Council of the City of Kirkland do ordain as follows:
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3 Section 1. Section 27.08.030 of the Kirkland Municipal Code is
4 amended to read as follows:
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6 27.08.030 Assessment of impact fees.

7 (a) The city shall collect impact fees, based on the schedule in
8 Section 27.08.150, from any applicant seeking a residential building
9 permit from the city.

10 (b) All impact fees shall be collected from the applicant prior to
11 issuance of the building permit based on the land use categories in
12 Section 27.08.150. Unless the use of an independent fee calculation has
13 been approved, or unless a development agreement entered into
14 pursuant to RCW 36.70B.170 provides otherwise, the fee shall be
15 calculated based on the impact fee schedule in effect at the time a
16 complete building permit application is filed.

17 (c) For building permits for mixed use developments, impact fees
18 shall be imposed on the residential component of the development
19 found on the schedule in Section 27.08.150.

20 (d) For building permits within new subdivisions approved under
21 Title 22 (Subdivisions), a credit shall be applied for any dwelling unit
22 that exists on the land within the subdivision prior to the subdivision if
23 the dwelling unit is demolished. The credit shall apply to the first
24 complete building permit application submitted to the city subsequent
25 to demolition of the existing dwelling unit, unless otherwise allocated by
26 the applicant of the subdivision as part of approval of the subdivision.

27 (e) At the time of issuance of any single-family detached and
28 attached residential building permit issued for a dwelling unit that is
29 being constructed for resale, the applicant may elect to have the impact
30 fee payment deferred until the building permit is complete or 18 months
31 after issuance of the building permits, whichever occurs first. The impact
32 fee due and owing, less any credits awarded, shall be paid prior to
33 building permit final inspection, building permit final occupancy, or 18
34 months after the date of building permit issuance, whichever is
35 applicable, record a covenant against the title to the property that
36 requires payment of the impact fees due and owing, less any credits
37 awarded, by providing for automatic payment through escrow of the
38 impact fee due and owing to be paid at the time of closing of sale of the
39 lot or unit. Applicants electing to use this deferred impact fee process
40 shall pay a two-hundred-forty-dollar administration fee with each
41 respective building permit prior to issuance of such building permit, for
42 each individual lien filed.

43 (f) Unless payment has been scheduled under subsection (e) of
44 this section, the planning and building department shall not issue any
45 building permit unless and until the impact fee has been paid.

46 Section 2. Section 27.08.150 of the Kirkland Municipal Code is
47 amended to read as follows:

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49 27.08.150 Fee schedule.


50 (a) School Impact Fee Schedule. School impact fees
51 shall be set as set forth below:

Type of Land Use	Impact Fee	Per Unit
Single-Family Dwelling (detached unit)	\$9,6239,715	Dwelling Unit
Multifamily Dwelling (attached, stacked, and assisted living unit)	\$745816	Dwelling Unit

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53 Section 3. This ordinance shall be in force and effect January 1,
54 2016, after its passage by the Kirkland City Council and publication, as
55 required by law.

56
57 Passed by majority vote of the Kirkland City Council in open
58 meeting this 17th day of November, 2015.

59
60 Signed in authentication thereof this 17th day of November,
61 2015.



MAYOR

Attest:


City Clerk

Publication Date: November 23, 2015

Approved as to Form:


City Attorney