

ORDINANCE NO. 3713

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARK IMPACT FEES AND AMENDING APPENDIX A OF CHAPTER 27.06 OF THE KIRKLAND MUNICIPAL CODE RELATING TO THE PARK IMPACT FEE SCHEDULE, FILE CC-98-6.

WHEREAS, the City Council of the City of Kirkland did adopt a park impact fee ordinance on August 10, 1999; and

WHEREAS, the City is authorized by Chapter 82.02 RCW to require new residential growth and development within the City to pay a proportionate share of the cost of new public parks that serve such new residential growth and development; and

WHEREAS, impact fees assessed pursuant to Chapter 82.02 RCW must be based upon a showing that new residential development creates additional demand and need for public parks, that the impact fees do not exceed a proportionate share of the costs of such additional public parks, and that the impact fees are spent for public parks reasonably related to the new residential development; and

WHEREAS, the City Council has determined that the impact fees imposed in this ordinance do not make up for deficiencies in public parks serving existing developments and are not used for maintenance or operation; and

WHEREAS, the impact fees imposed in this ordinance will be used for public parks (system improvements) that will reasonably benefit new development; and

WHEREAS, impact fees may be collected and spent for public parks that are included within the Capital Facilities Plan of the Comprehensive Plan identifying such needed parks; and

WHEREAS, the City Council did hold a public hearing on October 5, 1999 and did consider alternative impact fee rate options; and

WHEREAS, the City Council has considered the "Rate Study for Impact Fee for Parks and Recreational Facilities," City of Kirkland, by Henderson, Young and Company, dated October 1999; and has accepted the methodology and data contained in the rate study; therefore

THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Appendix A of Chapter 27.06 of the Kirkland Municipal Code is hereby amended to read as follows:


APPENDIX A PARK IMPACT FEE SCHEDULE		
<u>Type of Land Use</u>	<u>Impact Fee</u>	<u>Per Unit</u>
Single-Family Dwelling (Detached Unit)	\$612.00	Dwelling Unit
Multifamily Dwelling (Attached, Stacked, and Assisted Living Unit)	\$430.00	Dwelling Unit

Section 2. If any section, subsection, sentence, clause, or phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.


Section 3. This ordinance shall be in full force and effect as of October 27 1999, after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 19th day of October, 1999.

SIGNED IN AUTHENTICATION THEREOF this 19th day of October, 1999.


Mayor

Attest:


Deputy City Clerk

Approved as to Form:


City Attorney