



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 16, 2016**

**Ordinance 18331**

**Proposed No. 2016-0340.1**

**Sponsors Dembowski**

1 AN ORDINANCE relating to school impact fees; and  
2 amending Ordinance 11621, Section 114, and K.C.C.  
3 21A.43.050.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 **SECTION 1. Findings:**

6 A. Chapter 241, Laws of Washington 2015, amending RCW 82.02.050, requires  
7 local jurisdictions collecting impact fees under the Growth Management Act to adopt and  
8 maintain a system for the deferred collection of impact fees for single-family detached  
9 and attached residential construction. The deferral collection systems are required to be  
10 in place by September 1, 2016.

11 B. Because the county already has a deferral process in place for transportation  
12 impact fees and does not collect parks or fire impact fees, the only impact fees for which  
13 the county needs a deferred collection system are school impact fees.

14 C. Chapter 241, Laws of Washington 2015 provides an option that allows  
15 deferral of impact fee collection to final inspection of single-family detached and  
16 attached residential construction. This option counters upward pressure on new home  
17 prices by reducing the builders' financing costs of school impact fees, while retaining  
18 assurances that impact fees will be timely paid to support school infrastructure  
19 construction.

20 D. In accordance with Chapter 241, Laws of Washington 2015, applicants are  
21 entitled to receive twenty impact fee deferrals per year. An applicant will be identified  
22 by the applicant's contractor registration number.

23 E. For applicants seeking impact fee deferral, Chapter 241, Laws of Washington  
24 2015 requires recording of a deferred impact fee lien against the property, in favor of the  
25 county, in the amount of the deferred fee.

26 F. Deferred fees in all cases must be paid no later than eighteen months after a  
27 building permit is issued in accordance with Chapter 241, Laws of Washington 2015.

28 SECTION 2. Ordinance 11621, Section 114 and K.C.C. 21A.43.050 are each  
29 hereby amended to read as follows:

30 A. In school districts where impact fees have been adopted by county ordinance  
31 and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based  
32 on the schedules set forth in each ordinance establishing the fee to be collected for the  
33 district, from any applicant seeking development approval from the county where such  
34 development activity requires final plat, PUD or UPD approval or the issuance of a  
35 residential building permit or a mobile home permit and the fee for the lot or unit has not  
36 been previously paid. No approval shall be granted and no permit shall be issued until  
37 the required school impact fees set forth in the district's impact fee schedule contained in  
38 K.C.C. Title 27 have been paid.

39 B. For a plat, PUD or UPD applied for on or after the effective date of the  
40 ordinance adopting the fee for the district in question receiving final approval, fifty  
41 percent of the impact fees due on the plat, PUD or UPD shall be assessed and collected  
42 from the applicant at the time of final approval, using the impact fee schedules in effect

43 when the plat, PUD or UPD was approved. The balance of the assessed fee shall be  
44 allocated to the dwelling units in the project, and shall be collected when the building  
45 permits are issued. Residential developments proposed for short plats shall be governed  
46 by subsection D of this section.

47 C. If on the effective date of an ordinance adopting an impact fee for a district, a  
48 plat, PUD or UPD has already received preliminary approval, such plat, PUD or UPD  
49 shall not be required to pay fifty percent ~~((50%))~~ of the impact fees at the time of final  
50 approval, but the impact fees shall be assessed and collected from the lot owner at the  
51 time the building permits are issued, using the impact fee schedules in effect at the time  
52 of building permit application. If on the effective date of a district's ordinance, an  
53 applicant has applied for preliminary plat, PUD or UPD approval, but has not yet  
54 received such approval, the applicant shall follow the procedures set forth in subsection B  
55 of this section.

56 D. For existing lots or lots not covered by subsection B of this section,  
57 application for single family and multifamily residential building permits, mobile home  
58 permits, and site plan approval for mobile home parks, the total amount of the impact  
59 fees shall be assessed and collected from the applicant when the building permit is issued,  
60 using the impact fee schedules in effect at the time of permit application.

61 ~~((E. Notwithstanding the provisions of this section, any application for  
62 preliminary plat, PUD or UPD approval submitted before January 22, 1991, shall not be  
63 required to pay school impact fees at the time of final plat, PUD or UPD approval.  
64 However, where the county has adopted a fee ordinance for the district, the full impact  
65 fee in effect when the building permits were applied for shall be paid by such~~

66 ~~developments at the time the building permits are issued if the applications for the~~  
67 ~~building permits are submitted after January 22, 1991.)~~)

68 ((F))E. Any application for preliminary plat, PUD or UPD approval or  
69 multifamily zoning which has been approved subject to conditions requiring the payment  
70 of impact fees established pursuant to this chapter, shall be required to pay the fee in  
71 accordance with the condition of approval.

72 F. In lieu of impact fee payment pursuant to subsections A. through E. of this  
73 section, each applicant for a single-family residential construction permit may request  
74 deferral of impact fee collection for up to the first twenty single-family residential  
75 construction building permits per year. Applicants shall be identified by their contractor  
76 registration number. Deferred payment of impact fees shall occur either at the time of  
77 final permit inspection by the department of permitting and environmental review, or  
78 eighteen months after the building permit is issued, whichever is earlier.

79 SECTION 3. If any provision of this ordinance or its application to any person or  
80 circumstance is held invalid the remainder of the ordinance or the application of the

81 provision to other persons or circumstances is not affected.

82 SECTION 4. This ordinance takes effect September 1, 2016.

83

Ordinance 18331 was introduced on 7/11/2016 and passed by the Metropolitan King County Council on 8/15/2016, by the following vote:

Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 0  
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



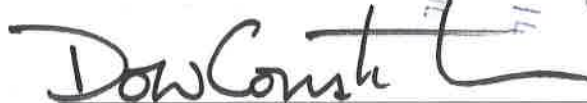
J. Joseph McDermott, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 17 day of AUGUST, 2016.



Dow Constantine, County Executive

Attachments: None

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KING COUNTY COUNCIL  
CLERK