



ADDITIONAL MEETING
MATERIALS
KING COUNTY COUNCIL

8/19/25

Mosqueda – Fee Cap

[E. Auzins]

Sponsor: Mosqueda

Proposed No.: 2025-0127

1 **AMENDMENT TO PROPOSED ORDINANCE 2025-0127, VERSION 2**

2 On page 1, after line 12, insert:

3 **"SECTION 1. Findings:**

4 A. This ordinance includes a new formula for the calculation of impact fees.

5 This ordinance also includes a maximum impact fee amount for middle housing and

6 larger apartment units, as one measure to limit the impact of the fee on housing

7 production. This formula is new, and the county is committed to evaluating its efficacy

8 over time, both for measuring the impact of new development on school capacity, and on

9 the impacts of the fee on housing production in unincorporated King County. If the

10 county finds that the formula isn't as effective as intended, then in the capital facility

11 plans and impact fee proposed for 2031, a modified formula or modified maximum

12 impact fee, or both, may be proposed. The maximum impact fee may also be modified in

13 the future due to inflation or population growth, or some other factor, as part of the

14 county and school districts' regular ongoing evaluation of school capital facility

15 planning."

16

17 If Amendments 1, 2, and/or 4 passes, engross all amendments in order, and correct the
18 subsection references in the Findings section accordingly. Renumber the remaining
19 sections consecutively and correct any internal references accordingly.

20

21 On page 5, line 101, after "facilities plan" insert "either"

22

23 On page 5, line 101, after "critical issue" insert "or to lower the school impact fee"

24

25 On page 14, after the table that begins on page 10 after line 215, insert:

26 "G. The school impact fees for the following categories shall not be greater than
27 \$5,000: For middle housing units with three or more bedrooms, middle housing units
28 with two or fewer bedrooms, and apartment units with two or more bedroom. The impact
29 fees for other categories shall not be modified as a result of this cap."

30

31 **EFFECT prepared by E. Auzins:**

- 32 • *Adds a finding on the new formula.*
- 33 • *Allows for annual amendments to lower the school impact fee.*
- 34 • *Establishes a maximum school impact fee amount for middle housing units and*
- 35 *apartment units with more than 2 bedrooms.*

8/19/25

Mosqueda – Affordable
Housing Exemption

[E. Auzins]

Sponsor: Mosqueda

Proposed No.: 2025-0127

1 **AMENDMENT TO PROPOSED ORDINANCE 2025-0127, VERSION 2**

2 On page 1, after line 12, insert:

3 **"SECTION 1. Findings:**

4 A. RCW 82.02.060 and K.C.C. 21A.43.080, allow for exemptions from impact
5 fee for low-income housing projects. It is the intent of the council that the county
6 provide school-district approved exemptions from school impact fees authorized by this
7 ordinance and K.C.C. 21A.43.080 for all affordable housing projects in unincorporated
8 King County."

9

10 If Amendments 1, 2, and/or 4 passes, engross all amendments in order, and correct the
11 subsection references in the Findings section accordingly. Renumber the remaining
12 sections consecutively and correct any internal references accordingly.

13

14 On page 15, after line 265, insert:

15 **"SECTION 7. Ordinance 11621, Section 117, as amended, and K.C.C.**

16 21A.43.080 are hereby amended to read as follows:

17 "A. Low-income housing projects as defined in RCW 82.02.060, including
18 permanent supportive housing projects, shall be exempt from the payment of school

19 impact fees. The amount of the school impact fees not collected from low-income
20 household development shall be paid from public funds other than impact fee accounts.
21 The impact fees for these units shall be considered paid for by the district through its
22 other funding sources, without the district actually transferring funds from its other
23 funding sources into the impact fee account. ~~((The housing, homelessness, and~~
24 ~~community development division shall review proposed developments of low-income~~
25 ~~housing in accordance with criteria and procedures adopted by administrative rule, and~~
26 ~~shall advise the department of local services, permitting division, as to whether the~~
27 ~~project qualifies for the exemption.~~

28 ~~B. Applicants who dedicate residential units for occupancy by low income-~~
29 ~~households may apply to the housing, homelessness, and community development~~
30 ~~division for reductions in school impact fees in accordance with subsection A. of this~~
31 ~~section. The housing, homelessness, and community development division shall review~~
32 ~~proposed developments of low-income housing by such private applicants in accordance~~
33 ~~with criteria and procedures adopted by administrative rule, and shall advise the~~
34 ~~department of local services, permitting division, as to whether the project qualifies for~~
35 ~~the exemption. If the housing, homelessness, and community development division~~
36 ~~recommends the exemption, the department of local services, permitting division, shall~~
37 ~~reduce the calculated school impact fee for the development by an amount that is~~
38 ~~proportionate to the number of units in the development that satisfy the adopted criteria.~~

39 ~~C. Developments for low-income homeownership units (as defined pursuant to~~
40 ~~the King County Comprehensive Housing Affordability Strategy (CHAS)) who are~~
41 ~~developing homes at prices within the eligibility limits based on standard lending criteria~~

42 ~~and meet other means tests established by rule by the housing, homelessness, and~~
43 ~~community development division are exempted from payment of the impact fee, except~~
44 ~~that at such time as the property in question is transferred to another owner who does not~~
45 ~~qualify for the exemption, at which time the fee shall be due and payable.~~

46 ~~D. The housing, homelessness, and community development division is hereby~~
47 ~~instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules~~
48 ~~to implement this section. Such rules shall provide for the administration of this program~~
49 ~~and shall:~~

- 50 ~~1. Encourage the construction of housing for low income households;~~
51 ~~2. Encourage the construction of housing units for low income households that~~
52 ~~are in addition to units required by another housing program or development condition;~~
53 ~~3. Ensure that housing that qualifies as low cost meets appropriate standards~~
54 ~~regarding household income, rent levels or sale prices, location, number of units, and~~
55 ~~development size; and~~
56 ~~4. Ensure that applicants who obtain an exemption from or reduction of school~~
57 ~~impact fees will in fact build the proposed low cost housing and make it available to~~
58 ~~low income households.~~

- 59 ~~5. Ensure that individual low income purchasers meet appropriate eligibility~~
60 ~~standards based on income and other financial means tests.~~

61 ~~E.))~~ B. As a condition of receiving an exemption under ((subsection B. or C. of))
62 this section, the applicant shall execute and record a covenant against the property
63 guaranteeing that the proposed development will continue to be used for low-income
64 housing. In the event that the use of the development is no longer for low-income

65 housing, then the owner shall pay the impact fee amount from which the owner or any
66 prior owner was exempt. The covenant shall run with the land and apply to subsequent
67 owners.

68 ~~((F-))~~ C. All school impact fee exemptions, reductions, or waivers shall be
69 approved by the school district that would receive the school impact fee, except for fee
70 exemptions allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions
71 based on modifications to permits after issuance, or fee waivers for construction not
72 begun.

73 D. The school impact fees shall not be modified as as a result of the exemption."

74

75 Renumber the remaining sections consecutively and correct any internal references
76 accordingly.

77

78 **EFFECT prepared by E. Auzins: Adds a Finding related to exemptions from**
79 ***affordable housing projects and modifies the Code to reduce the County's discretion to***
80 ***approve exemptions.***

8/19/25

Mosqueda – Housing Impacts

[E. Auzins]

Sponsor: Mosqueda

Proposed No.: 2025-0127

1 **AMENDMENT TO PROPOSED ORDINANCE 2025-0127, VERSION 2**

2 On page 6, after line 109, insert:

3 "SECTION 3. Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154
4 are hereby amended as follows:

5 A. There is hereby created the school technical review committee consisting of
6 the following representatives:

7 1. One from the department of local services;

8 2. One from the regional planning unit of the office of performance, strategy,
9 and budget; (~~and~~)

10 3. One from the housing, homelessness, and community development division of
11 the department of community and human services; and

12 4. One from the county council staff, as a(~~n~~) nonvoting ex officio member.

13 B. The representative from the department of local services shall serve as the
14 chair of the committee.

15 C. The committee shall be charged with reviewing each school district's: capital
16 facilities plan; enrollment projections; standard of service; overall capacity for the next
17 six years to ensure consistency with the Growth Management Act, King County
18 Comprehensive Plan, and adopted subarea plans; (~~and~~) calculation and rationale for

19 proposed impact fees; and evaluation of potential impacts of the proposed impact fee on
20 housing production.

21 D. Committee meetings shall be open to the public. The chair of the committee
22 shall post on the county's website a public notice of the time and place of a committee
23 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.
24 21A.28.152.A. shall be posted on the county's website at the same time as the meeting
25 notice.

26 E. At the meeting where the committee will review or act upon the school
27 district's documents, school district representatives may attend and present testimony to
28 the committee.

29 F. In its review, the committee shall consider the following factors:

30 1. Whether the school district's forecasting system for enrollment projections
31 has been demonstrated to be reliable and reasonable;

32 2. The historic levels of funding and voter support for bond issues in the school
33 district;

34 3. The inability of the school district to obtain the anticipated state funding or to
35 receive voter approval for school district bond issues;

36 4. An emergency or emergencies in the school district that required the closing
37 of a school facility or facilities resulting in a sudden and unanticipated decline in
38 districtwide capacity;

39 5. The standards of service set by school districts in similar types of
40 communities. While community differences will be allowed, the standard established by

the school district should be reasonably consistent with the standards set by other school districts in communities of similar socioeconomic profile; ~~((and))~~

6. The standards identified by the state concerning the ratios of certificated instructional staff to students; and

7. The potential impacts of the proposed impact fee on housing production within the school district.

G. In the event that the school district's standard of service reveals a deficiency in its current facilities, the committee shall review the school district's capital facilities plan to determine whether the school district has identified all sources of funding necessary to achieve the standard of service.

H. The school district in developing the financing plan component of the capital facilities plan shall plan on a six-year horizon and shall document that it took the following steps:

1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and consistent with that plan and as approved by the school board and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

2. Apply to the state for funding, and comply with the state requirement for eligibility to the best of the school district's ability.

I. The committee may request that a school district review and resubmit its capital facilities plan, establish a different standard of service, or review its capacity for accommodating new students, or any combination thereof, under any of the following circumstances:

63 1. The standard of service established by the school district is not reasonable in
64 light of the factors in subsection F. of this section;

65 2. The committee finds that the school district's standard of service cannot
66 reasonably be achieved in light of the secured financial commitments and the historic
67 levels of support in the school district; or

68 3. Any other basis that is consistent with this section.

69 J. If a school district fails to submit its capital facilities plan for review by the
70 committee, King County shall assume the school district has adequate capacity to
71 accommodate growth for the following six years.

72 K. The chair of the committee shall document the outcome of the committee
73 meeting each school district's capital facility plan and associated proposed impact fees in
74 a report. The report shall include analysis consistent with subsections F. through J. of
75 this section, and including the analysis by each school district's capital facility plan of
76 potential impact of the proposed impact fee on housing production within the school
77 district. The chair of the committee shall submit copies of its report to the director,
78 hearing examiner, and school districts and shall post the report on the county's website.

79 L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on committee
80 input, the chair of the committee shall recommend to the executive, and the executive
81 shall transmit to the council, a proposed Comprehensive Plan amendment adopting the
82 school district's capital facilities plan as part of the Comprehensive Plan, for any plan that
83 the committee concludes accurately reflects the school district's facilities status. The
84 transmittal shall include the report required by subsection K. of this section.

85 M. In the event that after reviewing a school district's capital facilities plan and
86 other documents, the committee is unable to recommend adoption of the school district's
87 capital facilities plan, the chair of the committee shall submit a statement to the council,
88 director, hearing examiner, and school district stating the committee's findings. The
89 committee shall then recommend to the executive, and the executive shall transmit to the
90 council, consistent with the school capital facility plan timelines established in K.C.C.
91 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
92 King County Comprehensive Plan or proposed amendments to the development
93 regulations implementing the plan, or both, to more closely conform county land use
94 plans and school district capital facilities plans, including, but not limited to, requiring
95 mandatory phasing of plats or multiunit development located within the school district's
96 boundary."

97
98 Renumber the remaining sections consecutively and correct any internal references
99 accordingly.

100
101 On page 16, after line 271, insert:

102 "SECTION 9. The school technical review committee, in consultation with the
103 school districts, shall develop, implement, and modify as necessary, the criteria for
104 evaluation of the impacts of school impact fees on housing production that is included in
105 this ordinance. The evaluation could model feasibility of projects of various types based
106 on various school impact fee amounts."

108 Renumber the remaining sections consecutively and correct any internal references
109 accordingly.

110

111 **EFFECT prepared by E. Auzins:**

- 112 • *Adds a staff person from the housing, homelessness, and community*
113 *development division to the school technical review committee.*
- 114 • *Corrects an error in the description of council staff position.*
- 115 • *Requires the school district to analyze the impact of a proposed school impact*
116 *fee on housing production in the school district, and requires the report to the*
117 *Council that accompanies each school impact fee ordinance to evaluate the*
118 *district's analysis. Requires the school technical review committee to establish*
119 *criteria for this evaluation.*