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Introduced by: GRUGER
Proposed No.: 93-559

ORDINANCE NO. **11005**

AN ORDINANCE amending the provisions of the school impact ordinance to clarify when fees apply to building permits, amending Ordinance 10162, Section 16, and K.C.C. 21.61A.060, adding a new section.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10162, Section 16, and K.C.C. 21.61A.060 are hereby amended to read as follows:

Assessment of impact fees. A. In school districts where impact fees have been adopted by county ordinance and except as provided in Section 21.61A.080, the county shall collect impact fees, based on the schedules set forth in each ordinance establishing the fee to be collected for the district, from any applicant seeking development approval from the county where such development activity requires final plat or PUD approval or the issuance of a residential building permit or a mobile permit and the fee for the lot or unit has not been previously paid. No approval shall be granted and no permit shall be issued until the required school impact fees set forth in the district's impact fee schedule have been paid.

B. For a plat or PUD applied for on or after the effective date of the ordinance adopting the fee for the district in question receiving final approval, fifty percent (50%) of the impact fees due on the plat or the PUD shall be assessed and collected from the applicant at the time of final approval, using the impact fee schedules in effect when the plat or PUD was approved. The balance of the assessed fee shall be allocated to the dwelling units in the project, and shall be collected when the ~~((occupancy))~~ building permits are issued. Residential developments proposed for short plats shall ~~((not be governed by this subsection, but shall))~~ be governed by subsection D of this section.

C. If on the effective date of an ordinance adopting an impact fee for a district, a plat or PUD has already received preliminary approval, such plat or PUD shall not be required to

1 pay fifty percent (50%) of the impact fees at the time of final
2 approval, but the impact fees shall be assessed and collected
3 from the lot owner at the time the (~~occupancy~~) building
4 permits are issued, using the impact fee schedules (~~then~~) in
5 effect at the time of building permit application. If on the
6 effective date of a district's ordinance, an applicant has
7 applied for preliminary plat or PUD approval, but has not yet
8 received such approval, the applicant shall follow the
9 procedures set forth in subsection B of this section.

10 D. For existing lots or lots not covered by subsection B
11 of this section, application for single family and multifamily
12 residential building permits, mobile home permits, and site
13 plan approval for mobile home parks(~~proposed~~), the total
14 amount of the impact fees shall be assessed and collected from
15 the applicant when the building permit is issued, using the
16 impact fee schedules (~~then~~) in effect at the time of permit
17 application. (~~Irrespective of the date that the application~~
18 ~~for a building permit or mobile home permit or site plan~~
19 ~~approval was submitted and except as provided for in Section~~
20 ~~21.61A.080, no approval shall be granted and no permit shall be~~
21 ~~issued until the required school impact fees have been paid.))~~

22 (~~E. In school districts for which impact fees have been~~
23 ~~adopted by county ordinance and except as provided for in~~
24 ~~Section 21.61A.080, the county shall not grant final plat or~~
25 ~~PUD approval nor issue the required building permit or mobile~~
26 ~~home permit nor grant the required site plan approval for a~~
27 ~~mobile home park unless and until the impact fees set forth in~~
28 ~~the district's impact fee schedule have been paid.~~

29 ~~F. Notwithstanding the provisions of this section, any~~
30 ~~application for a single family building permit for a~~
31 ~~residential development or a mobile home permit or a permit for~~
32 ~~a multifamily development submitted before January 22, 1991,~~
33 ~~shall not be required to pay school impact fees.))~~

34 (~~G.~~) E. Notwithstanding the provisions of this section,
35 any application for preliminary plat or PUD approval submitted

1 before January 22, 1991, shall not be required to pay school
2 impact fees at the time of plat or PUD approval. However,
3 where the county has adopted a fee ordinance for the district,
4 ((such developments shall pay)) the full impact fee in effect
5 when the building permits were applied for shall be paid by
6 such developments at the time the building permits are issued
7 if the applications for the building permits are submitted
8 after January 22, 1991.

9 ((H-)) F. Any application for preliminary plat or PUD
10 approval or multifamily zoning which has been approved subject
11 to conditions requiring the payment of impact fees established
12 pursuant to this chapter, shall be required to pay the fee in
13 accordance with the condition of approval.

14 NEW SECTION. SECTION 2. As of the effective date of this
15 ordinance, no fee shall be assessed or collected on any pending
16 building permit which had been applied for prior to the
17 effective date of the impact fee.

18 INTRODUCED AND READ for the first time this 19th day
19 of July, 1993
20 PASSED this 30th day of August, 1993.

21 KING COUNTY COUNCIL
22 KING COUNTY, WASHINGTON

23 Audrey Guyer
24 Chair

25 ATTEST:

26 Gerald A. Peterson
27 Clerk of the Council

28 APPROVED this 31st day of AUGUST, 1993

29 Jim Hill
30 King County Executive

31 Attachments: none