

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance No. 6135, amending the single-family and multi-family school impact fees for Issaquah School District No. 411 ("District"); and amending Section 22.18.100 of the Bellevue City Code ("BCC").

FISCAL IMPACT

The proposed amendment is not expected to fiscally impact the City. The City collects school impact fees on behalf of the District for capital and system improvements. The City neither retains the fees collected, nor does it charge the District a fee for this pass-through transaction. Accordingly, the City incurs minor fiscal impacts to administer the impact fee for the District.

STAFF CONTACT

Carol V. Helland, Land Use Director 452-2724
Mike Bergstrom, Principal Planner 452-2970
Development Services Department

POLICY CONSIDERATION

Should the City amend BCC 22.18.100 to update the District's Impact Fee Schedule based on its review of information contained in the District's 2013 Capital Facilities Plan?

BACKGROUND

The City's impact fee ordinance (Ordinance No. 5701 codified in Chapter 22.18 BCC) requires that the impact fee schedule be reviewed and updated annually by the City Council based on the District's Capital Facilities Plan. The District is requesting to increase single-family and multi-family impact fees from those collected in 2013. Specifically, the District requests the proposed fee for each single-family unit be increased from \$3,738 to \$5,730 (an increase of \$1,992) and the proposed fee for each multi-family unit be increased from \$0 to \$1,097 (an increase of \$1,097).

Because the District does not maintain permitting authority over development proposals, the local jurisdictions situated within the District's corporate boundaries act on its behalf to collect the fees, which are passed through the City and directly transferred to the District.

Staff presented a draft ordinance adopting the impact fees to Council in a Study Session on November 12, 2013. Council directed staff to return with the final ordinance on November 18, 2013.

The City is not required to collect impact fees imposed by the District by the requirement of state law. The City, however, is required to collect the District's impact fees pursuant to the terms of an Interlocal Agreement that requires the City to promptly adopt the District's updated fee schedule and collect the fees, unless and until Chapter 22.18 BCC is repealed. Although the Interlocal Agreement requires adoption and collection of the District's impact fees, the Interlocal Agreement does not prohibit the City from repealing Chapter 22.18 BCC should the Council

decline to participate in this process. Staff, however, does not recommend repeal of Chapter 22.18 BCC.

EFFECTIVE DATE

If approved, this Ordinance becomes effective on January 1, 2014.

OPTIONS

1. Adopt Ordinance No. 6135 amending BCC 22.18.100 and updating the single-family and multi-family school impact fees for the Issaquah School District.
2. Do not adopt Ordinance No. 6135 and direct staff to modify or repeal Chapter 22.18 BCC and the existing Interlocal Agreement.

RECOMMENDATION

Adopt Ordinance No. 6135 amending BCC 22.18.100 and updating the Issaquah School District impact fees as requested by the Issaquah School District.

MOTION

Move to adopt Ordinance No. 6135 amending the school impact fees for Issaquah School District 411, and amending Section 22.18.100 of the Bellevue City Code.

ATTACHMENT

Proposed Ordinance No. 6135

AVAILABLE IN THE COUNCIL OFFICE

Issaquah School District Map
Issaquah School District 2013 Capital Facilities Plan
8 Year Impact Fee Rate History

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6135

AN ORDINANCE of the City of Bellevue updating the school impact fee schedule for Issaquah School District No. 411; amending Section 22.18.100 of the Bellevue City Code; providing for severability; and establishing an effective date.

WHEREAS, RCW 82.02.050 authorizes the imposition of impact fees for public facilities, including schools, which are addressed by a capital facilities element of a comprehensive plan adopted pursuant to RCW 36.70A.070; and

WHEREAS, the City Council adopted the Comprehensive Plan pursuant to RCW 36.70A.070 by Ordinance No. 4800, which authorized the imposition of impact fees on development to fund new facilities needed to accommodate projected growth within portions of Bellevue served by a school district; and

WHEREAS, the City Council authorized collection of school impact fees on behalf of and for the benefit of Issaquah School District No. 411 by Ordinance No. 4801 adopted October 16, 1995; and

WHEREAS, Ordinance No. 4801 authorizing collection of school impact fees requires the fee schedule to be reviewed and updated on an annual basis after the Council receives a plan and data from the Issaquah School District demonstrating that such fees are needed to pay a proportionate share of the cost of new school facilities necessary to serve new growth and development in the City of Bellevue; and

WHEREAS, Issaquah School District No. 411 has provided the Council with the 2012 Capital Facilities Plan adopted by the School Board on June 20, 2012, and has requested the Council adjust the impact fee schedule based on data contained in the 2012 Capital Facilities Plan; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 22.18.100 of the Bellevue City Code is hereby amended as follows:

22.18.100 School impact fee schedule.

School impact fees are established as follows:

- A. Impact fees per single-family dwelling unit: \$5,730~~3,738~~
- B. Impact fees per multifamily dwelling unit: \$01,097

Section 2. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. This ordinance shall take effect and be in force on January 1, 2014.

Passed by the City Council this _____ day of _____, 2013 and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Lacey L. Hatch, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published _____