

AGENDA BILL APPROVAL FORM

Agenda Subject: Amendment to Auburn City Code Chapter 19.02 related to school impact fees		Date: December 11, 2007
Department: Planning, Building & Community	Attachments: Ordinance No. 6134	Budget Impact: N/A

Administrative Recommendation: City Council introduce and adopt Ordinance No. 6134.

Background Summary:
 Auburn City Code (ACC) Section 19.02.060 provides for the annual review and update of school impact fees collected by the City of Auburn on behalf of local school districts (Dieringer, Auburn, Kent, and Federal Way). This review occurs in conjunction with updates to the capital facilities plan elements of the City's Comprehensive Plan. Generally, the amount collected for a school district is determined from the net fee obligation identified in the school district's capital facilities plan (CFP).

ACC Section 19.02.060, entitled "Annual council review" states,

"On at least an annual basis, the city council shall review the information submitted by the district pursuant to ACC 19.02.050. The review shall be in conjunction with any update of the capital facilities plan element of the city's comprehensive plan. The city council may also at this time determine if an adjustment to the amount of the impact fees is necessary; provided, that any school impact fee adjustment that would **increase** the school impact fee shall require the submittal of a written request for the adjustment by the applicable school district concurrent with the submittal of the annual capital facilities plan pursuant to ACC 19.02.050. In making its decision to adjust impact fees, the city council will take into consideration the quality and completeness of the information provided in the applicable school district capital facilities plan and may decide to enact a fee less than the amount supported by the capital facilities plan. (Ord. 5950 § 1, 2005; Ord. 5078 § 1, 1998.)" *(Emphasis added)*

F4.3, O3.4.3

Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm.	COUNCIL COMMITTEES: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input checked="" type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____
Reviewed by Departments & Divisions: <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services	
<input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources	

Action:
 Committee Approval: Yes No
 Council Approval: Yes No Call for Public Hearing ___/___/___
 Referred to _____ Until ___/___/___
 Tabled _____ Until ___/___/___

Councilmember: Norman	Staff: Baker
Meeting Date: December 17, 2007	Item Number: VIII.A.1

The proposed code amendment would update ACC Sections 19.02.115, 19.02.120, 19.02.130, and 19.02.140. for the amount of school impact fees for the Dieringer, Auburn, Kent, and Federal Way school districts, respectively. For the Kent and Federal Way districts their 2008 Capital Facilities plans show a school impact fee increase from the 2007 fee obligation. For the Auburn district the 2008 school impact fees decreased from the 2007 fee obligation. For the Dieringer district, the fee obligation is the same in the case of single family residential; however the School District proposes no school impact fee applicable to multiple-family residential.

Also, the proposed code amendment would update ACC Sections 19.02.120 (related to the Auburn District) and Section 19.02.140. (related to the Federal Way district) by removing the text related to fees collected in 2006.

If adopted, then, the proposed ordinance would set forth the following school impact fee schedule for January 1, 2008.

School District	Single Family Units	Multiple Family Units
Dieringer	\$3,500.00	(No fee proposed)
Auburn	\$5,361.04	\$465.78
Kent	\$5,110.00	\$3,146.00
Federal Way	\$3,883.00	\$1,647.00

The agenda bill and draft ordinance were discussed by the Planning and Community Development Committee (PCDC) of the Council, the originating committee, at their meeting on November 13, 2007 and the Finance Committee on December 3, 2007. On December 10, the Planning and Community Development Committee (PCDC) recommended to the City Council approval of Ordinance No. 6134.

ORDINANCE NO. 6134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON AMENDING SECTIONS 19.02.115, 19.02.120, 19.02.130 AND 19.02.140 OF THE AUBURN CITY CODE RELATING TO SCHOOL IMPACTS FEES

WHEREAS, the City of Auburn has adopted a school impact fee ordinance and collects school impact fees on behalf of certain school districts; and

WHEREAS, various school districts have provided the City of Auburn with updated capital facilities plans to be considered during the City's annual comprehensive plan amendment process; and

WHEREAS, the Auburn City Code provides for adjustments to school impacts fees based on a review of the capital facilities plans.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to the City Code. Section 19.02.115 is hereby amended as follows.

19.02.115 Impact fee calculation and schedule for the Dieringer School District.

The impact fee calculation and schedule below is based upon a review of the impact fee calculation for single-family residences and for multifamily residences set forth in the most recent version of the Dieringer School District Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, ~~2006~~2008, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit \$3,500.00
Per Multifamily Dwelling Unit ~~\$739.00~~ \$0.00

Section 2. Amendment to the City Code. Section 19.02.120 is hereby amended as follows.

19.02.120 Impact fee calculation and schedule for the Auburn School District.

The impact fee calculation and schedule is based upon a review of the impact fee calculation for single-family residences and for multifamily residences set forth in the most recent version of the Auburn School District's Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

A. ~~Until December 31, 2006, the school impact fee shall be as follows:~~

~~Per Single-Family Dwelling Unit \$5,681.36
Per Multifamily Dwelling Unit \$1,536.30~~

B. Effective January 1, ~~2007~~2008, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$5,657.05~~ \$5,361.04
Per Multifamily Dwelling Unit ~~\$1,228.84~~ \$465.78

Section 3. Amendment to the City Code. Section 19.02.130 is hereby amended as follows.

19.02.130 Impact fee calculation and schedule for the Kent School District.

The impact fee calculation and schedule is based upon a review of the impact fee and calculation for single-family residences and for multifamily residences set forth in the most recent version of the Kent School District's Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, ~~2006~~ 2008, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$4,775.00~~ \$5,110.00

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Per Multifamily Dwelling Unit ~~\$2,940.00~~ \$3,146.00

Section 4. Amendment to the City Code. Section 19.02.140 is hereby amended as follows.

19.02.140 Impact fee calculation and schedule for the Federal Way School District.

The impact fee calculation and schedule is based upon a review of the impact fee and calculation for single-family residences and for multifamily residences set forth in the most recent version of the Federal Way School District's Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

A. ~~Until December 31, 2006, the school impact fee shall be as follows:~~

~~Per Single Family Dwelling Unit \$3,393.00~~
~~Per Multifamily Dwelling Unit \$895.00~~

B. ~~Effective January 1, 2007~~ 2008, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$3,018.00~~ \$3,883.00
Per Multifamily Dwelling Unit ~~\$856.00~~ \$1,647.00

Section 5. Constitutionality and Invalidity. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Implementation. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 7. Effective Date. This Ordinance shall take effect and be in force five days from and after its passage , approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____


APPROVED: _____

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid
City Attorney