

ORDINANCE NO. 6 6 6 8

**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 located or located in part within the City of Auburn; and

WHEREAS, the Auburn School District, Dieringer School District, Federal Way School District, and the Kent School District, each being located in part within the City of Auburn, have provided the City of Auburn with updated capital facilities plans to be considered during the City's 2017 annual comprehensive plan amendment process that addresses among other things, the appropriate school impact fee for single family residential dwellings and multi- family residential dwellings for each district; and

WHEREAS, the Auburn School District issued a Determination of Non-Significance for the 2017 - 2023 Auburn School District Capital Facilities Plan June 9, 2017; the Dieringer School District issued a Determination of Non- Significance for the 2018-2023 Dieringer School District Capital Facilities Plan May 16, 2017; the Federal Way School District issued a Determination of Non-Significance for the 2018 Federal Way School District Capital Facilities Plan May 12, 2017; and the Kent School District issued a Determination of Non-Significance for the 2017-2018 through 2022-2023 Kent School District Capital Facilities Plan May 9, 2017; and

WHEREAS the City of Auburn issued a Determination of Non-Significance (DNS) on September 19, 2017 for the City of Auburn Year 2017 city-initiated comprehensive plan map and text amendments (File No. SEP17-0014), and

WHEREAS, after proper notice published in the City's official newspaper at least ten (10) days prior to the date of hearing, the Auburn Planning Commission on October 18, 2017 and November 1, 2017 conducted public hearings on the proposed Auburn School District 2017-2023 Capital Facilities Plan, the proposed Dieringer School District 2018 - 2023 Capital Facilities Plan; the proposed Federal Way School District 2018 Capital Facilities Plan; and for the proposed Kent School District 2017-2018 through 2022-2023 Capital Facilities Plan; and

WHEREAS, following the conclusion of the public hearing on October 18, 2017 and November 1, 2017, and subsequent deliberations, the Auburn Planning Commission, following individual positive motions, made separate recommendations to the Auburn City Council on the approval of the Auburn School District 2017-2023 Capital Facilities Plan, the Dieringer School District 2018 - 2023 Capital Facilities Plan; the Federal Way School District 2018 Capital Facilities Plan; and for the Kent School District 2017-2018 through 2022-2023 Capital Facilities Plan; and

WHEREAS, the Auburn City Council reviewed the recommendations of the Auburn Planning Commission on the school district capital facilities plans at a regularly scheduled study session on November 27, 2017; and

WHEREAS, the Auburn City Council considered the recommendations of the Auburn Planning Commission on the capital facilities plans at a regularly scheduled

meeting on December 4, 2017, and a positive motion approved the Auburn School District 2017-2023 Capital Facilities Plan, the Dieringer School District 2018 - 2023 Capital Facilities Plan; the Federal Way School District 2018 Capital Facilities Plan; and for the Kent School District 2017-2018 through 2022-2023 Capital Facilities (Ordinance No. 6667); and

WHEREAS, on November 27, 2017 the Auburn City Council at a regularly scheduled study session reviewed amendments to Title 19 (Impact Fees) and more specifically, Chapter 19.02 (School Impact Fees) pertaining to school impact fees for single family residential dwelling units and multi-family dwelling units to be applied in the City of Auburn for the Auburn School District; Dieringer School District, Federal Way School District, and the Kent School District; respectively, based on the aforementioned capital facilities plans for each of these districts; and

WHEREAS, the Auburn City Code provides for adjustments to school impact fees based on a review of the capital facilities plans for each of the districts; and

WHEREAS, Section 19.02.060 (Annual Council Review) of the Auburn City Code specifies that the Auburn City Council will in making its decision to adjust impact fees 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. 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 of the Auburn City Code is hereby amended to read 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, 2017~~2018~~, or the effective date of this ordinance whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$3,400.00~~\$3,485.00

Per Multifamily Dwelling Unit ~~\$1,759.00~~\$1,081.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 1, 2016; Ord. 6542 § 1, 2014; Ord. 6488 § 1, 2013; Ord. 6445 § 1, 2012; Ord. 6393 § 1, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 1, 2010; Ord. 6279 § 1, 2009; Ord. 6214 § 1, 2008; Ord. 6134 § 1, 2007; Ord. 6060 § 1, 2006; Ord. 5950 § 2, 2005.)

Section 2. Amendment to the City Code. Section 19.02.120 of the Auburn City

Code is hereby amended to read 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.

Effective January 1, 2017~~2018~~, or the effective date of this ordinance
whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$5,469.37~~ \$3,321.86

Per Multifamily Dwelling Unit ~~\$1,639.70~~ \$2,081.29

(Ord. 6627 § 1, 2016; Ord. 6581 § 2, 2016; Ord. 6542 § 2, 2014; Ord. 6488 § 2, 2013; Ord. 6445 § 2, 2012; Ord. 6393 § 2, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 2, 2010; Ord. 6279 § 2, 2009; Ord. 6214 § 2, 2008; Ord. 6134 § 2, 2007; Ord. 6060 § 2, 2006; Ord. 5950 § 1, 2005; Ord. 5793 § 1, 2003; Ord. 5232 § 1, 1999.)

Section 3. Amendment to the City Code. Section 19.02.130 of the Auburn City

Code 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, 2017~~2018~~, or the effective date of this ordinance
whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$5,100.00~~ \$5,235.00

Per Multifamily Dwelling Unit ~~\$2,210.00~~ \$2,267.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 3, 2016; Ord. 6542 § 3, 2014; Ord. 6488 § 3, 2013; Ord. 6445 § 3, 2012; Ord. 6393 § 3, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 3, 2010; Ord. 6279 § 3, 2009; Ord. 6214 § 3, 2008; Ord. 6134 § 3, 2007; Ord. 6060 § 3, 2006; Ord. 5950 § 1, 2005; Ord. 5233 § 1, 1999.)

Section 4. Amendment to the City Code. Section 19.02.140 of the Auburn City

Code is hereby amended to read 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.

Effective January 1, ~~2017~~2018, or the effective date of this ordinance whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$3,198.00~~\$6,842.00

Per Multifamily Dwelling Unit ~~\$8,386.00~~\$20,086.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 4, 2016; Ord. 6542 § 4, 2014; Ord. 6488 § 4, 2013; Ord. 6445 § 4, 2012; Ord. 6393 § 4, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 4, 2010; Ord. 6279 § 4, 2009; Ord. 6214 § 4, 2008; Ord. 6134 § 4, 2007; Ord. 6060 § 4, 2006; Ord. 6042 § 1, 2006.)

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. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 7. Implementation. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 8. 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: _____

CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____