



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Godfrey, P.E., Transportation Engineering Manager
Ray Steiger, P.E., Interim Public Works Director

Date: December 21, 2010

Subject: Road and Park Impact Fee Extensions of Deferred Payments and Extensions to the Annexation Area

RECOMMENDATION

Adopt the attached ordinance amending the City's traffic and park impact fees (KMC Chapter 27.04 and 27.06).

BACKGROUND

Staff has prepared an ordinance for consideration including the following amendments to the City's road and park impact fee provisions:

- Extend the sunset provisions for deferred impact fee payment for another year (from May 31, 2011 to May 31, 2012).
- Allow for the collection of impact fees in the annexation area starting June 1, 2011.

Sections 1 and 2 of the attached ordinance extend the option for payment of Road and Park impact fees to the time of closing rather than when the permit is paid for. This option is available only for single family residences that are for resale. Section 3 extends existing Road and Park impact fees to the annexation area. Rates will be recalculated when future land use and capital facilities plans are revised with the next Comprehensive Plan update which is planned for 2013.

ORDINANCE NO. 4284

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TRANSPORTATION AND PARK IMPACT FEES AND EXTENDING THE AVAILABILITY OF CERTAIN IMPACT FEE DEFERALS IN KIRKLAND MUNICIPAL CODE SECTIONS 27.04.030(G) AND 27.06.030(G).

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code ("KMC") Section 27.04.030(g) is hereby amended to read as follows:

27.04.030 Assessment of impact fees.

...
(g) For complete building permit applications received on or prior to May 31, ~~2011~~ 2012, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant may elect to record a covenant against the title to the property that requires payment of the impact fees due and owing, less any credits awarded, by providing for automatic payment through escrow of the impact fee due and owing to be paid at the time of closing of sale of the lot or unit. Applicants electing to use this process shall pay a two hundred forty dollar administration fee for each individual lien filed.
...

Section 2. Kirkland Municipal Code ("KMC") Section 27.06.030(g) is hereby amended to read as follows:

...
(g) For complete building permit applications received on or prior to May 31, ~~2011~~ 2012, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant may elect to record a covenant against the title to the property that requires payment of the impact fees due and owing, less any credits awarded, by providing for automatic payment through escrow of the impact fee due and owing to be paid at the time of closing of sale of the lot or unit. Applicants electing to use this process shall pay a two hundred forty dollar administration fee for each individual lien filed.
...

Section 3. The provisions of KMC Chapters 27.04 (Transportation Impact Fees) and 27.06 (Park Impact Fees) shall take effect in the annexation area legally described in Exhibit A to City of Kirkland Ordinance No. 4229 on June 1, 2011, or upon the effective date of annexation, whichever is later.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2011.

Signed in authentication thereof this _____ day of _____, 2011.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney