



## **CITY OF KIRKLAND**

**Department of Public Works**

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[www.kirklandwa.gov](http://www.kirklandwa.gov)

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### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Rob Jammerman, Development Engineering Manager  
Ray Steiger, P.E., Public Works Director

**Date:** April 3, 2012

**Subject:** TRAFFIC, PARK, AND SCHOOL IMPACT FEE EXTENSION OF DEFERRED PAYMENTS

#### **RECOMMENDATION:**

Adopt the attached ordinance amending the City's traffic, park, and school impact fees codes (KMC Chapter 27.04, 27.06 and 27.08).

#### **BACKGROUND DISCUSSION:**

Staff has prepared an ordinance that will extend the sunset provisions of the Impact Fee Deferral Program for another year until May 31, 2013. The Impact Fee Deferral Program is only available for new single-family residential homes that are being built for resale; it does not apply to those building their own home or having their own home built. It allows the City to file a lien on the property requiring payment of the impact fees at the time of house sale closing rather than at building permit issuance and was first put into effect in 2010.

Since the Ordinance was first put into place, of the estimated 100 new single-family building permits that have been issued, approximately 10% have utilized this deferment program.

Attachment

ORDINANCE O-4353

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TRANSPORTATION, PARK, AND SCHOOL IMPACT FEES AND EXTENDING THE AVAILABILITY OF CERTAIN IMPACT FEE DEFERRALS IN KIRKLAND MUNICIPAL CODE SECTIONS 27.04.030(G), 27.06.030(G), AND 27.08.030(E).

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, ~~2012~~ 2013, 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, ~~2012~~ 2013, 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. Kirkland Municipal Code ("KMC") Section 27.08.030(e) is hereby amended to read as follows:

...

(e) For complete building permit applications received on or prior to May 31, ~~2012~~ 2013, 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 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 \_\_\_\_\_, 2012.

Signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney