

GROWTH MANAGEMENT IMPACT FEES

The District is responsible for providing public education services at the preschool, elementary, and secondary levels to students now residing or who will reside in the district.

New residential developments have major impacts on public school facilities. The District is often unable to fund and to construct permanent school facilities to keep pace with the rate that residential developments are constructed. As a result, students generated by those developments and other students in the District must be housed in relocatable facilities or in overcrowded classrooms and/or transported in overcrowded buses. Class size is considered to be a major factor in the quality of education students can receive.

The 1990 Growth Management Act and the 1991 Amendments to the Act included two elements that require and allow King County and cities in King County to address the impacts of development on schools:

1. The Act authorized counties, cities and towns to impose impact fees for school facilities.
2. The Act also amended RCW 58.17.110, the state subdivision act, to require denial of any plat unless the legislative body makes written findings that appropriate provisions are made for schools and school grounds. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under the Act may be required as a condition of subdivision approval.

In order to establish procedures by which King County may collect and the District may expend impact fees for school facilities, King County enacted Ordinance No. 101562 and Ordinance No. 9785, which provide the framework within which the District can request that impact fees be assessed and collected on its behalf in unincorporated portions of King County.

To the extent feasible, the District will obtain bond and state funds to finance the construction of needed school facilities. In addition, the District will utilize school impact fees to partially fund school capital facilities needed to house and to accommodate new students generated by residential development as authorized by the Growth Management Act and King County Ordinance No. 10162, all as may be amended from time to time.

Capital Facilities Plan

The District will adopt a Capital Facilities Plan, which will meet the requirements of the Growth Management Act and King County Ordinance No. 10162, all as may be amended from time to time, and will include:

1. a forecast of future needs for school facilities based on the District's enrollment projections;
2. the long-range construction and capital improvement projects of the District;
3. the schools under construction or expansion;
4. the proposed locations and capacities of expanded or new school facilities;
5. at least a six-year Financing Plan Component, updated as necessary to maintain at least a six-year forecast period, for financing needed school facilities within projected funding levels, and identifying sources of financing for such purposes, including bond issues authorized by the voters and projected bond issues not yet authorized by the voters; and
6. any other long-range projects planned by the District.

The District will submit its board-adopted Capital Facilities Plan to King County for use by the County as a basis of the District's fee schedule, and for adoption by King County as a sub element of the capital facilities element of the King County Comprehensive Plan. The District will cooperate with the County to adopt a Fee Implementing Ordinance for the District. The District will enter into an Interlocal Agreement with the County for the collection, distribution, and expenditure of school impact fees.

The District will submit its board-adopted Capital Facilities Plan to the City of Duvall and the City of Carnation for use by the Cities as a basis of the District's fee schedule, and for adoption by the Cities as a sub element of the capital facilities element of the Cities' Comprehensive Plan(s). The District will cooperate with the cities of Duvall and Carnation to develop and to adopt a school impact fee ordinance(s) for the District.

If the cities of Duvall and Carnation adopt school impact fee ordinances for the District, the District and the Cities will enter into Interlocal Agreements for the collection, distribution, and expenditure of school impact fees.

If the District is located in a city, and if that city adopts the County's impact fee program by reference and request that the County assess and collect the District's impact fees, then the District will enter into an Interlocal Agreement whereby the District, the County, and the City agree to procedures implementing the impact fee collection process.

Encumber or Expend Impact Fees

The District will encumber or expend impact fees collected by the County on behalf of the District, and all interest proceeds on such revenues, solely for expenditures authorized by the Growth Management Act and Section 19 of Ordinance No. 10162, as may be amended from time to time, relating to facilities identified in the District's adopted Capital Facilities Plan.

The District will encumber or expend impact fees collected by the Cities on behalf of the District, and all interest proceeds on such revenues, solely for expenditures authorized by the Growth Management Act and the terms of the school impact fee or ordinances adopted by the Cities.

The District will encumber or expend the impact fees, and all interest proceeds on such revenues, within six (6) years of receipt by the County. Should extraordinary and compelling circumstances arise that prevent the District from encumbering or expending impact fees within six years of receipt by the County, the District will petition the County Council to make written findings of such circumstances and to extend the six-year period.

The District will encumber or expend the impact fees, and all interest proceeds on such revenues, within six (6) years of receipt by the Cities. Should extraordinary and compelling circumstances arise that prevent the District from encumbering or expending impact fees within six years of receipt by the cities, the District will petition the City legislative authorities to make written findings of such circumstances and to extend the six-year period.

The District may develop procedures as may be appropriate to implement this policy.

Legal Reference: Substitute House Bill 2929
 Growth Management Act
 Chapter 17, Laws of 1990

King County Ordinance: No. 9785
 No. 10162

Adoption Date: December 10, 2002
Reviewed: November 7, 2013