
Growth Management Impact Fee Policy - 6907

A. Introduction

Statement of Policy of Issaquah School District No. 411 concerning the assessment, collection, expenditure and refund of development impact fees authorized by the Growth Management Act, King County Ordinance No. 9785 and King County Ordinance No. 10162, and King County Fee implementing Ordinance.

B. Recitals

Issaquah School District No. 411 (the "district") is responsible for providing public educational services at the pre-school, 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 in the district. 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.

Traditional methods of financing permanent school facilities have proven to be insufficient during periods of rapid residential growth. Consequently, financing expanded or new school facilities under the current tax structure is often difficult.

Bond proceeds currently available have been approved to fund certain identified capital project needs. These proceeds are not, however, available to fund additional school facilities not included in the bond issues; such facilities needs arise from unforeseen residential development.

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 developments 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 schoolgrounds. 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 ("County") enacted Ordinance 9785 and Ordinance No. 10162 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 shall obtain bond and state funds to finance the construction of needed school facilities. In addition, the district shall utilize school impact fees to partially fund school capital facilities needed to house and accommodate new students generated by residential development to the extent authorized by the Growth Management Act, and King County Ordinance No. 10161.

The district shall establish procedures whereby a capital facilities plan ("Capital Facilities Plan") for the district shall be created and adopted by the district. The Capital Facilities Plan shall meet the requirements of the Growth Management Act and King County Ordinance No. 10162 and Ordinance No. 9785 and shall include:

1. A forecast of the 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.

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The district shall submit its adopted Capital Facilities Plan to the city of Issaquah and the city of Bellevue 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 Plans.

The district shall cooperate with the city of Issaquah and the city of Bellevue to develop to adopt a school impact fee ordinance for the district.

If any municipalities adopt a school impact fee ordinance for the district, the district and the cities or county shall enter into Interlocal Agreements for the collection, distribution, and expenditure of school impact fees.

The district is located in a city, and if that city adopts the county's impact fee program by reference and requests that the county assess and collect the district's impact fees, then the district shall enter into an Interlocal Agreement whereby the district, the county, and the city agree to procedures implementing the impact fee collection process.

The district shall 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 Capital Facilities Plan.

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

The district shall encumber or expend the impact fees, and all interest proceeds on such revenues, within six 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 shall petition the King County Council to make written findings of such circumstances and to extend the six year period.

The district shall encumber or expend the impact fees, and all interest proceeds on such revenues, within six 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 shall petition the cities' legislative authorities to make written finding of such circumstances and to extend the six-year period.

The district may develop procedures as may be appropriate to implement these policies.

Legal References:

RCW	58.17.110	Approval or disapproval of subdivision and dedication - Factors to be considered - Conditions for approval - Finding - Release from damages.
	36.70A	The Growth Management Act
King County Ordinance	No. 9785	
King County Ordinance	No. 10162	