

# ORDINANCE 1759

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, UPDATING THE AMOUNT OF SCHOOL IMPACT FEES; AMENDING THE TAXES, RATES AND FEES SCHEDULE RELATING TO SCHOOL IMPACT FEES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, pursuant to North Bend Municipal Code (“NBMC”) Section 17.32.010, the City Council of the City of North Bend (“City”) has authority to create and set school impact fees to be collected on behalf of Snoqualmie Valley School District No. 410 (“School District”); and

**WHEREAS**, as adopted in Ordinance No. 1260, effective December 18, 2006, an initial amount of school impact fees were established and updated by the City consistent with the fees established in the School District’s Capital Facilities Plan; and

**WHEREAS**, the City amended Ordinance No. 1260 to clarify the treatment of cottage dwelling units for purposes of calculating the amount of school impact fees with Ordinance No. 1636, effective January 1, 2018, and Ordinance 1733, effective January 2, 2021; and

**WHEREAS**, pursuant to Ordinance No. 1269, effective April 2, 2007, the Fee Schedule references the designated amount of school impact fees, as determined according to the Capital Facilities Plan of the School District; and

**WHEREAS**, pursuant to Ordinance No. 1260 and Article III of the Interlocal Agreement between the City and the School District dated December 6, 2006, and subsequently amended on April 3, 2012, the City must review and adjust the Fee Schedule on an annual basis as it relates to school impact fees, to account for adjustments to the School District’s Capital Facilities Plan; and

**WHEREAS**, the School District adopted its “Capital Facilities Plan 2021” on June 17, 2021, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the School District’s Capital Facilities Plan 2021 establishes a school impact fee of \$11,090.68 for Single Family and \$4,596.83 for Multi-Family; and

**WHEREAS**, pursuant to Ordinance No. 1483, effective April 15, 2013, the School District Capital Facilities Plan is incorporated by reference into the Capital Facilities Element of the North Bend Comprehensive Plan; and

**WHEREAS**, the City Council held a Public Hearing on this matter on October 19, 2021, and desires to update the amount of school impact fees to be consistent with the School District Capital Facilities Plan 2021;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. School Impact Fees, Amended:** The school impact fees authorized by North Bend Municipal Code Section 17.32.010 shall be amended as follows:

Impact fees per single-family dwelling unit, cottage or other dwelling unit greater than 1,200 sq. feet	<del>\$11,090.68</del> <del>\$10,550.22</del>
Impact fees per multi-family unit, cottage or other dwelling unit 1,200 sq. feet or less	<del>\$4,596.83</del> <del>\$4,730.65</del>

**Section 2. Taxes, Rates & Fees Schedule, Amended:** The City Clerk is directed to update the School Impact Fees, as set forth in Section 1 of this Ordinance, in the next update to the City’s Taxes, Rates and Fees Schedule.

**Section 3. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. Effective Date:** This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on January 1, 2022.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2021.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: November 12, 2021  
Effective: January 1, 2022

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**Susie Oppedal, City Clerk**