

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 01-24

AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 3.50.010 AND 3.50.050 OF THE BUCKLEY MUNICIPAL CODE TO RELATED TO ADOPTING AN IMPACT FEE FOR WHITE RIVER SCHOOL DISTRICT TO CORRESPOND WITH THE CAPITAL FACILITIES PLAN AND REQUEST FROM THE SCHOOL DISTRICT.

WHEREAS, The City of Buckley adopted Ordinance number 15-97 establishing an impact fee for the White River School District, which was amended in 2007 after the School District submitted a new a Capital Facilities Plan and calculated fee to the City; and

WHEREAS, in February 2010, the School District submitted an updated Capital Facilities Plan along with a Letter to the City stating that they could no longer justify the imposition of an impact fee based upon calculations listed within their updated Capital Facilities Plan and requested that the City eliminate this fee for the time being; and

WHEREAS, through adoption of Ordinance number 05-10 the City eliminated the impact fee for the White River School District; and

WHEREAS, the school district is responsible for planning how it will provide and fund services to its projected student population. In order to be eligible for school impact fees the school district must submit a Capital Facilities Plan and calculated impact fee to the City, pursuant to RCW 82.02.050 to 82.02.090; and

WHEREAS, adjusting the Fee Obligation means that the school impact fees collected for new residential development will more closely match the school districts calculated need for impact fee, which reflects the specific, per residence costs for the district to serve new students from new residential development; and

WHEREAS, in November 2023 the White River School District negotiated with the City of Buckley to increase these fees; and

WHEREAS, White River School District has submitted an impact fee calculation of \$3,900 for each single-family dwelling and \$2,100 for multi-family dwellings; and

WHEREAS, The school impact fee values set forth above accurately characterize the cost of the schools and school facilities required for each new development, as documented in the district’s capital facilities plan, the Council has the authority to reduce or to increase the adjustments as part of its annual review of the fee schedule, or at any other time, by adopting an amendatory ordinance; and

WHEREAS, in reviewing other jurisdictions within Pierce County eleven (11) of sixteen (16) has adopted a reduced fee that corresponds to the reduction factor adopted by Pierce County and three (3) jurisdictions impose no school impact fee; and

WHEREAS, the City Council desires to amend Section’s 3.50.010 and 3.50.050 to increase an impact fee for White River School District as submitted by the School District;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Chapter 3.50.050 of the Buckley Municipal Code entitled “Impact Fees” is hereby amended to read as follow;

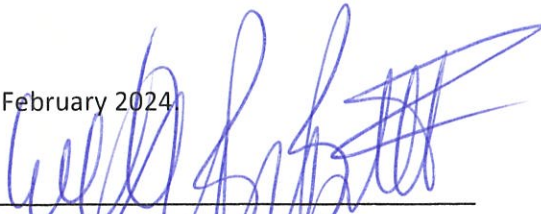
3.50.050 Impact fee accounts for the White River School District.

- 1) White River School District impact fees shall be submitted to the White River School District upon receipt. The fee shall be collected pursuant to the City Council adopted fee schedule.
- 2) White River School District impact fees shall be assessed to all new residential construction as set in the City Council adopted fee schedule. The council is authorized to reduce or to increase the adjustments as part of its annual review of the fee schedule, or at any other time, by adopting an amendatory ordinance.

Section 3. This ordinance shall be in full force and effect five (5) days after proper posting and publication. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

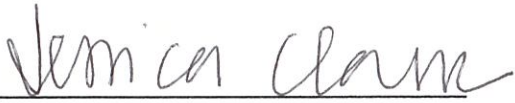
Section 4. If any provision of this ordinance is held invalid, such invalidity shall not affect any other provision, or the applications thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are to be declared severable.

Introduced, passed, and approved this 13th day of February 2024.




Beau Burkett, Mayor

ATTEST:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: February 21, 2024

EFFECTIVE: February 26, 2024