

ORDINANCE NO. 3142

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, amending Sections 21.20.010, 21.20.15, 21.20.030, and 21.20.120 of the Puyallup Municipal Code relating to park impact fees

WHEREAS, the City of Puyallup (the “City”) is authorized by Chapter 82.02 RCW to require new growth and development within the City to pay a proportionate share of the cost of new facilities to serve such new growth and development through the assessment of impact fees;

WHEREAS, impact fees may be collected and spent for public facilities that are included within a capital facilities plan element of a comprehensive plan;

WHEREAS, in 2005 the City first imposed Park Impact fees based on a park impact fee study finalized in August of 2005;

WHEREAS, the City’s current park impact fee has not been re-evaluated or changed since August 2005 and there are not provisions for the park impact fee to automatically increase annually;

WHEREAS, the City has experienced significant growth since 2005 and finds that new residential and manufacturing/industrial development will continue to increase demands on public facilities such as parks;

WHEREAS, during the annual budget deliberations in 2016 pertaining to the 2017 proposed budget, City staff recommended and City Council approved a budgetary allocation to conduct a park impact fee study;

WHEREAS, the City contracted with Community Attributes, Inc., (the “Consultant”) to prepare an impact fee rate study for “Parks, Open Space, and Recreation Facilities”;

WHEREAS, the Consultant presented and sought input from the Parks, Recreation, and Senior Advisory Board (the “Board”) regarding park impact fees at Board meetings on September 12 and December 12, 2016, and April 10, 2017;

WHEREAS, the Consultant presented and sought input and direction from the City Council regarding the park impact fee rate study at regular meetings and study sessions on August 30 and December 6, 2016, and March 7, 2017;

WHEREAS, based on the input and direction received from the public, Board, and City Council, the Consultant finalized the rate study for park impact fees and, based on that study, the City Council is taking the actions authorized herein;

WHEREAS, this ordinance is needed to preserve the health, safety, and welfare of the residents of Puyallup; and

NOW THEREFORE, the City Council of the City of Puyallup ordains as follows:

Section 1. **Amendment.** Puyallup Municipal Code Section 21.20.010 shall be amended as follows:

The city finds and declares that new growth and development, including but not limited to new residential, commercial, manufacturing/industrial, retail, and office development in the city of Puyallup, will create increased demand on public facilities ~~including parks, open space and recreational facilities, streets and roads, and public schools~~, and further finds that growth and development should pay a proportionate share of the cost of such planned facilities needed to serve that growth and development activity. The city of Puyallup has conducted extensive studies documenting the procedures for measuring the impact of new development on public facilities, ~~has prepared the parks impact fee study dated August 25, 2005 (“parks study”), the rate study for impact fees for roads dated September 19, 2005 (“road study”), and hereby incorporates these studies into this title by reference. The city expressly reserves the right to conduct and rely on future studies and reports referenced by the city council to make future adjustments to impact fees. Copies of the parks study and road study shall be maintained on file with the office of the city clerk and shall be available for public review during regular city business office hours. It is the desire of the city of Puyallup to have new development assessed impact fees in an orderly and uniform manner and will endeavor to have common formulae and administrative processes for the levying of these fees.~~ Therefore, pursuant to Chapter 82.02 RCW, the city council adopts this chapter to assess road, park, and school impact fees. The provisions of this chapter shall be liberally construed in order to carry out the purpose of establishing the city of Puyallup impact fee program.

Section 2. **Amendment.** Puyallup Municipal Code Section 21.20.015 shall be amended as follows:

(14) “Impact fee schedule” means the fee to be charged as provided for in PMC 21.20.120, 21.20.130, and 21.20.140 as computed in the pertinent rate study schedule and associated formula as set forth in this chapter.

(27) “Rate study” means the most recent reports of the methodology and calculations of impact fees for parks, roads, and schools.

(287) “Road” and “street” mean any public right-of-way and may be used interchangeably with each term given the same meaning when used in this chapter.

(298) “Street impact fee” means the impact fee designated to assist in the funding for acquisition and development of roads, streets, and other rights-of-way needed to serve new growth and development, to be owned and maintained, unless as otherwise agreed upon with the developer, by the city of Puyallup.

(3029) “School” means a publicly-funded educational facility providing educational services to children in grades kindergarten through 12 when operated by a school district established under Washington State law.

(310) “School district” means a public special service district established under Washington State law which provides school facilities and educational programs within the city of Puyallup and/or its adopted urban growth area and whose capital facilities plan has been adopted as part of the city of Puyallup comprehensive plan.

(324) “School impact fee” means the impact fee designated to assist in the funding for acquisition and development of school facilities needed to serve new growth and development, to be owned and operated by a school district.

(332) “Service area” means a specific geographic area in which a set of defined public facilities provide service to development within that area. Service areas may be separately described for each type of public facility. Service areas adjoining an urban growth boundary shall automatically be adjusted to conform with any change in such boundary. Areas of annexation shall be included in the most similar contiguous service area until the next annual review of the capital facilities plan element of the comprehensive plan.

(343) “Single-family” means a detached building which meets the requirements of the Uniform Building Code or portions thereof and is used exclusively for occupancy by one family (including their guests, servants, and employees) and containing one dwelling unit.

(354) “Structure” means anything constructed or erected which requires location on or in the ground or attachment to something having a location on or in the ground. “Structure” shall include any kind of building, porch, pier, column, post, sign, or billboard.

(365) “System improvement” means public facilities that are included in the city of Puyallup capital facilities plan and are designed to provide service within the community at large, in contrast to project improvements.

(376) “Urban growth area” means the geographic area established by the comprehensive plan or as amended.

Section 3. Amendment. Puyallup Municipal Code Section 21.20.030 shall be amended as follows:

- (1) The following shall be exempt from the required payment of impact fees:
 - (a) Alteration, expansion, enlargement, remodeling or rehabilitation of an existing dwelling unit where no additional units are created and the use is not changed; or
 - (b) Miscellaneous improvements, including, but not limited to, fences, walls, decks, drives, walkways, docks and piers; or
 - (c) Demolition of a structure; or

(d) Replacement of a previously demolished structure with the same number of dwellings which previously occupied the property, provided the demolition occurred no greater than six years prior to the date of application for a building permit; or

(e) Home occupations; or

(f) Any development by the city of Puyallup.

(2) Nonresidential new development, will not be charged a park or-school impact fee; provided, that a nonresidential development may still be required to dedicate land, or, based on the director's written findings, an equivalent in-lieu payment for parks or schools under the State Environmental Policy Act, Chapter 43.21C RCW. Notwithstanding the foregoing, all new developments within the Manufacturing zones shall be charged a park impact fee.

(3) Congregate living facilities and nursing homes shall be exempt from payment of park and school impact fees. Affordable retirement apartments shall be exempt from the payment of school impact fees only.

The director is authorized to determine whether a particular development activity falls within an exemption identified in this section, in any other section, or under other applicable law. Determinations of the director shall be in writing and shall be subject to the appeals procedure set forth in PMC 21.20.060.

Section 4. Amendment. Puyallup Municipal Code Section 21.20.120 shall be amended as follows:

The impact fees for parks is hereby established based upon the "~~park impact fee study~~" prepared by Financial Consulting Solutions Group, Inc., and dated August 25, 2005, and shall be \$2,300 as a uniform fee for all residential units. as follows:

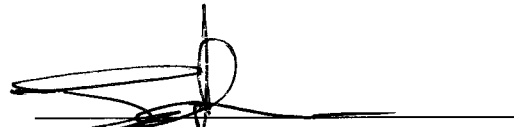
<u>Type of development and size of development</u>	<u>Park Impact Fee</u>	<u>Unit</u>
<u>Residential</u> <u>Less than 500 sq. ft.</u>	<u>\$1,560.05</u>	<u>Per residential dwelling unit</u>
<u>Residential</u> <u>500 – 999 sq. ft.</u>	<u>\$2,313.53</u>	<u>Per residential dwelling unit</u>
<u>Residential</u> <u>1,000 – 1,999 sq. ft</u>	<u>\$3,291.31</u>	<u>Per residential dwelling unit</u>
<u>Residential</u> <u>2,000 or more sq. ft</u>	<u>\$4,017.30</u>	<u>Per residential dwelling unit</u>
<u>Manufacturing*</u>	<u>\$0.87</u>	<u>Per square foot</u>

*This shall include all manufacturing uses as provided for in PMC 20.35.010 or similar manufacturing uses.

Section 5. Severability – Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance unless the invalidity destroys the purpose and intent of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Puyallup Municipal Code, this ordinance is deemed to control.

Section 6. Effective Date. This ordinance shall take effect and be in force on July 3, 2017.

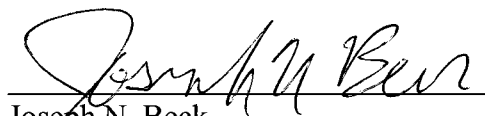
Passed and approved by City Council of the City of Puyallup at regularly scheduled open public meeting on the 23rd day of May, 2017.



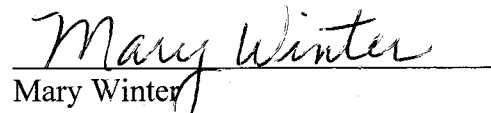
John Hopkins
Mayor

Approved as to form:

Attest:



Joseph N. Beck
City Attorney



Mary Winter
City Clerk

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Effective: July 3, 2017