

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2022-1092**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO THE PARK IMPACT FEE;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, the City of Orting is authorized under RCW 35A.11.020, 35A.63.100(2) and RCW 19.27.040 to require licenses for the conduct of business, permits for the construction of structures and improvements, and to impose fees to recoup the costs of processing and/or providing services; and

WHEREAS, the Orting Municipal Code (OMC), at various places, establishes the bases for the assessment and/or collection of such license, permit fees and service charges; and

WHEREAS, the City Council adopted Resolution 2021-14 adopting an amended fee schedule which included an updated park impact fee; and

WHEREAS, the City Council adopted the 2022 update of the Parks, Trails and Open Space plan which included the updated park impact fee;

WHEREAS, the City Council has determined that the proposed regulations are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council. The City Council bases its findings and conclusions on the entire record of testimony and exhibits.

Section 2. OMC Section 15-6-7 Amended. Orting Municipal Code Section 15-6-7-B is hereby amended as follows:

PARKS LAND DEDICATION FORMULA, TABLE 15-6-2

Park land area per household: $8 * 43,560 / 322.58 = 1,080$ square feet/ household (rounded)

Given the following variables:

- a) Comprehensive plan park land-to-population ratio = eight (8) acres per thousand (1,000)
- b) Average household size = three and one-tenth (3.1) persons per household

c) Households per thousand (1,000) = 1,000/3.1 = 322.58

3. The fee value of land to be dedicated may be determined by either of the following methods:
 - a. The applicant may provide a fair market appraisal of the improved property value. The appraisal shall be prepared by a member of the Appraisal Institute (MAI).
 - b. The city may calculate the average improved land value using Pierce County assessor's data for all new dwelling units constructed in the previous calendar year.
4. Park impact fee (PIF) assessments in lieu of land dedication shall be collected based on table 15-6-3 of this section and specified by city council resolution:

**TABLE 15-6-3
PARKS IMPACT FEE FORMULA**

Given the following variables:

- A = Adjustment in accordance with Revised Code of Washington 82.02.050 and 060 to provide a balance between impact fees and other sources of public funds to meet capital facilities needs. For park improvements this adjustment is fifty (50) percent, so that A = 0.5.
- HS = Average household size of three and one-tenth (3.1) persons.
- PLOS = Adopted park land level of service standard of eight (8) acres per thousand (1,000) population.
- PLR = Proportionate land requirement per new household of two-one-hundredths (0.0248) acre calculated as $PLOS \div 1,000 \times HS$.
- PV = Park land value of fifteen thousand dollars (\$15,000) per acre and park improvement value of one hundred and four thousand dollars (\$104,000).
- TLOS = Adopted trails level of service standard of one-fourth mile per thousand (1,000) population.
- TV = Trails land and improvement value of thousand dollars (\$44,000) per mile.
- PTR = Proportionate trail requirement per new household of 0.000775 calculated as $TLOS \div 1,000 \times HS$.

Therefore: $PIF = A \times [PLR \times PV + PTR \times TV]$
 $PIF = 0.5 \times [0.0248 \times \$119,000 + 0.000775 \times \$44,000] = \$1,492$ per new household (unless amended by city council resolution)

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. Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

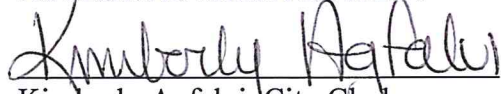
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF March, 2022.

CITY OF ORTING



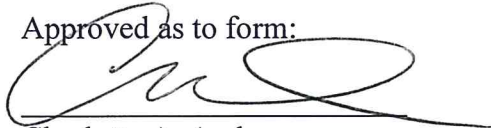
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:



Kimberly Agfalvi, City Clerk

Approved as to form:



Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

Filed with the City Clerk:

Passed by the City Council:

Date of Publication:

Effective Date: