


**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners (BOCC)
Philip Morley, County Administrator

FROM: Carl Smith, Department of Community Development Director 

DATE: December 16, 2013

SUBJECT: Corrected ordinance for amending the Jefferson County Code Fees Appendix

ATTACHED: Corrected ordinance for amending the Jefferson County Code Fees Appendix

STATEMENT OF ISSUE:

On November 12, 2013, the Board of County Commissioners adopted ordinance No. 04-1112-13, adopting a new fee schedule for the Department of Community Development. The new fees are shown in a column identified as: "2014 fees" on Appendix A of the fee ordinance. Fees that do not change were intentionally omitted under the interpretation that they are not new, so do not need to be shown in the column "2014 fees." However, in cases where no fee is shown, it can lead to an interpretation that no fee is charged. This is not intended. Therefore, in order to avoid possible misinterpretation on the correct fee amount, this corrected ordinance includes all fees, whether new or existing, in the column "2014 fees".

ANALYSIS:

This request does not change the fees that were adopted in Ordinance No. 04-1112-13. This proposed corrected ordinance merely avoids misinterpretation by including all fees, whether new or existing, in the column "2014 fees".

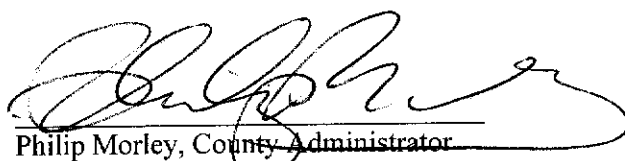
FISCAL IMPACT/COST BENEFIT ANALYSIS:

These additional fees for services are warranted and necessary to provide cost recovery for DCD services and help maintain the staff necessary to provide customer service. Additionally, the customer assistance meeting is expected to be beneficial to applicants by providing more in-depth information to guide applicants through the permitting process.

RECOMMENDATION:

Staff recommends the BOCC adopt this corrected Fee Appendix ordinance to establish fees for DCD for the year 2014.

REVIEWED BY:


Philip Morley, County Administrator

**JEFFERSON COUNTY
STATE OF WASHINGTON**

**In the matter of a corrected ordinance } Ordinance No. 04A-1216-13
amending the Jefferson County Code }
Fee Appendix; to add certain new }
fees and adjust other fees of the }
Department of Community Development }**

WHEREAS, the purpose of this ordinance is to set a new fee schedule for the Department of Community Development; and

WHEREAS, the Department of Community Development or DCD includes Building, Development Review and Long Range Planning; and

WHEREAS, the Department of Community Development is an “enterprise” fund meaning that it is to be funded primarily, if not solely, by permit application fees and grants rather than by receiving money from the County’s general fund; and

WHEREAS, for the year 2013 permit application fees provided forty percent (40%) of the DCD budget and will be relied upon for at least that portion of the 2014 DCD Budget; and

WHEREAS, the sole purpose leading to enactment of the Ordinance was to increase the permit application revenue received by DCD rather than reduce it; and

WHEREAS, in light of the continued need to fund DCD activities with permit application fees it was never the intent of the County Commission to reduce certain fees to zero as might be concluded from the absence of a fee amount at certain locations within the column for the year 2014 on the fee appendix amended by this Ordinance; and

WHEREAS, nowhere in the staff report made part of the November 12, 2013 Agenda Bill for this Ordinance was there any discussion or recommendation by DCD that certain of the fees previously collected by DCD be reduced to zero and/or abolished.

WHEREAS, Ordinance 04-1112-13 was the subject of a properly noticed public hearing on November 12, 2013; and

WHEREAS, Ordinance 04-1112-13 included an attached Fee Schedule that was incomplete in that it did not reflect the intent of this Board that certain fees for the year 2014 would remain the same as they had been during 2013; and

WHEREAS, the incompleteness of the 2014 column in the fee appendix reflects, in part, the decision of DCD that it need not state the obvious, i.e., that the existing fees related to certain activities (for example, an application for a short plat) to which a distinct pre-

application fee was being added did not need to be repeated in the 2014 column because everyone understood the already existing fee amounts for a given activity were being carried over so as to be equally applicable in 2014; and

WHEREAS, it would be an absurd result and contrary to the intent of the County Commission if a scrivener's error would be interpreted and implemented in such a way that numerous fees collected for many years by DCD are suddenly abolished and/or reduced to zero for the year 2014; and

WHEREAS, in the absence of adoption of this amended Ordinance there would be the possibility of anomalies in what DCD could or could not collect from applicants in 2014.

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1: Fee Schedule

The document attached as Appendix "A" to this Ordinance lists the applicable fee for all services, permits or other activities that may be provided to citizens by all divisions of the Jefferson County Department of Community Development.

Section 2: Commission Action:

The County Commission by this action adopts Corrected Ordinance No. 04-1112-13 to be known hereafter as Ordinance No. 04C-1112-13.

Section 3: Severability

In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provisions of this ordinance, but this ordinance shall be construed and enforced as if such invalid provision had not been contained therein; PROVIDED, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 4: Effective Date

This ordinance shall be in full force and effect on January 2nd, 2014.

Approved and signed this 16th day of December, 2013.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Seal:

Attest:

John Austin, Chairman

Carolyn Avery
Deputy Clerk of the Board

Approved as to Form Only:

Phil Johnson, Member

David Alvarez 12/11/13

David Alvarez
Deputy Prosecuting Attorney

David Sullivan, Member

Appendix A

STATE of WASHINGTON COUNTY of JEFFERSON

DEPARTMENT OF COMMUNITY DEVELOPMENT BUILDING DIVISION, DEVELOPMENT REVIEW AND LONG RANGE PLANNING

- a) Applies to new construction only, otherwise, number 7 applies.
- b) The fee is determined by a schedule established in the International Residential Code, and is based on the value of the structure.
- c) Auditor's Office fee.
- d) The fee for residential square footage valuation is based on Building Valuation Data established by International Code Council, Building Safety Journal. Building Valuation Data is published in February and August of each year.
- e) Building Official will verify valuation per IBC Section 109.3 Building Permit Valuations.

BUILDING, MANUFACTURED HOME & OTHER PERMIT APPLICATIONS	2013 Fee	2014 Fee	Additional Fee &/or Other Information
1) Main Floor	b 65% a, d, e e	b 65% a, d, e e	Base Fee Plan Check Fee Valuation
2) Additional Floors, Finished Basement	b 65% a, d, e	b 65% a, d, e	Base Fee Plan Check Fee Valuation
3) Unfinished basement	b 0.65 a, d, e	b 0.65 a, d, e	Base Fee Plan Check Fee Valuation
4) Carports, Garages, Pole Buildings, Decks	b 65% a, d, e	b 65% a, d, e	Base Fee Plan Check Fee Valuation
4a) Semi-Heated Space	b 65% a, d, e	b 65% a, d, e	Base Fee Plan Check Fee Valuation
5) Modular Home foundations & foundations for relocated structures	b 65% \$34.13/sq. ft. e	b 65% \$34.13/sq. ft. d, e	Base Fee Plan Check Fee Valuation
6) COMMERCIAL structures, construction or improvements	b 65% e	b 65% e	Cost or Fair Market Value, IRC Fee table Plan Check Fee
7) Manufactured Homes / mobile homes (one or two sections)	228.00	532.00	
8) Additional sections for manufactured home / mobile home	40.00	40.00	
9) New - propane tanks, lines, and associated appliances (In existing structures)	228.00	228.00	

9a) New or existing wood stove, inserts, pellet stoves, hot water heater, heat pump, propane tank swap out (In existing structures)	152.00	152.00	
10) Inspection; re-inspection	76.00	76.00	
11) Change of Use or Occupancy	456.00	456.00	
12) Title Notice Removal	c	76.00 c	
13) Renewal	228.00	228.00	
14) Demo Permit		76.00	Base
15) Fire Code Official Services	76.00	76.00*	*Per hour or based on contract provider fee
16) Notification of Water Availability	40.00	40.00	In addition to Health Department Review Fee
17) Water System Review	228.00	228.00	3 hour minimum charge
RIGHT OF WAY, UTILITY & ADDRESS APPLICATIONS			
18) Road Approach		PW fee	Now handled by Public Works
19) Application for 911 Number/Address	228.00	228.00	
20) Application for 911 Replacement Number	18.00	20.00	
21) Road Approach & Address Combined		PW fee	Road Approach now handled by PW
22) Road Vacation Request		228.00	
23) Road Naming		304.00	Previously a Public Works Fee
24) Road Name Change		532.00	Previously a Public Works Fee
LAND USE APPROVAL APPLICATIONS (Unified Development Code)			
<i>All fees are based on hourly minimum (Base)</i>		<i>Additional hourly charge after minimum Base has been utilized.</i>	
25) Pre-application Conference	380.00	380.00	Not applied to permit
25a) Pre-application site visit.		152.00	
26) Customer Assistance Meeting		76.00	Per hour
27) Administrative Appeal of Land Use Decisions	995.00	836.00	Base
Hearing Examiner plus actual costs as incurred	149.00	149.00	Notice of App
for expenses, facilities, etc.	149.00	149.00	Public Hearing Notice
	10.00	10.00	Notice Board
28) Revisions to Land Use Applications Requiring a second Public Hearing Notice	228.00	228.00	Base
	149.00	149.00	Public Hearing Notice
29) Site Visit	152.00	152.00	Base
30) Code Interpretation	532.00	532.00	Base
31) Notice Board	10.00	10.00	Each
32) Hourly Rate	76.00	76.00	Per hour
33) EIS Preparation or Review, Including Third Party Review.	228.00	228.00	Base & Actual Costs Incurred (Inc. Consultant Work)
34) 3rd Party Review of Special Reports	228.00	228.00	Base & Actual Costs Incurred (Inc. Consultant Work)
34a) Special Report Review (Wetland Delineation, Geo Tech, etc.)	228.00	228.00	Base
35) Resubmittal of Consistency Review		152.00	

TYPE I PERMITS			
36) Pre-application for more than 10,000 sq/ft of impervious surface or more than 5,000 sq/ft of non-single family development or for a CASP		380.00	
37) Allowed "Yes" Use Consistency	228.00	228.00	Base
37a) Road / Lot Segregation	304.00	304.00	Base
37b) Road Setback Administrative Variance	304.00	304.00	Base
38) Tree / Vegetation Removal		228.00	Base
39) Stormwater Management Permit Stand Alone Only or in conjunction with Class IV General Forest Practices	380.00	380.00	Base
40) Boundary Line Adjustment	684.00	684.00	Base
41) Minor Plan Modification (Preliminary approval only)	304.00	304.00	Base
42) Site Plan Approval Advance Determination	532.00	532.00	Base
43) Shoreline Master Program Permit Exemption (Stand alone or with Single Family Residence)	532.00	532.00	Base
44) Shoreline Master Program Permit Revision	152.00	152.00	Base
45) Last Will & Testamentary Division	532.00	532.00	Base
46) Home Business	228.00	228.00	Base
47) Temporary Use	228.00	228.00	Base
48) Sign Permit	228.00	228.00	Base
49) Minor PRRD Amendment (Planned Rural Residential Development)	228.00	228.00	Base
50) CASP (Critical Areas Stewardship Plan)	532.00	532.00 380.00	Base Pre-app
51) Additional fee for State Environmental Policy Act (SEPA) Review (including SEPA base fee, Notice of Application, and Notice Board)	760.00 149.00 10.00	760.00 149.00 10.00	Base Notice of App Notice Board
TYPE II PERMITS Require Notice of Application, Notice Board, & Pre-app conference			
52) Discretionary "D" or Unnamed Use Classification	380.00 149.00 10.00	380.00 149.00 10.00	Base Notice of App Notice Board Pre-app
53) Short Plat	2,052.00 149.00 10.00	2,052.00 149.00 10.00	Base Notice of App Notice Board Pre-app
53a) Plat Alteration	684.00 149.00 10.00	684.00 149.00 10.00	Base Notice of App Notice Board Pre-app
54) Conditional (Administrative) "C(a)" Use	836.00 149.00 10.00	836.00 149.00 10.00	Base Notice of App Notice Board

		380.00	Pre-app
55) Conditional (Discretionary) "C(d)" Use	836.00	836.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
56) Cottage Industry	836.00	836.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
57) Temporary Use	228.00	228.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
58) Variance, Minor	836.00	836.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
59) Shoreline Substantial Development (Primary Use)	1,216.00	1,216.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
60) Release of Six Year Moratorium under Forest Practices Act (Partial)	532.00	532.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
61) Conversion Option Harvest Plans	532.00	532.00	Base
	149.00	149.00	Notice of App
	10.00	10.00	Notice Board
		380.00	Pre-app
62) Additional fee for State Environmental Policy Act (SEPA) Review	760.00	760.00	Base
TYPE III PERMITS Require Notice of Application, Public Hearing Notice, Notice Board, & Pre-app conference			
63) Binding Site Plans	6,536.00	6,536.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
64) Conditional "C" Use	1,748.00	1,748.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
65) Long Plat, Preliminary (including Planned Rural Residential Development)	6,536.00	6,536.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg

	10.00	10.00	Notice Board
		380.00	Pre-app
66) Plat Alteration	1,491.00	1,491.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
67) Variance, Major	1,596.00	1,596.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
68) Reasonable Economic Use Variance	1,596.00	1,596.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
69) Shoreline Substantial Development (Secondary Use)	1,900.00	1,900.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
70) Shoreline Conditional Use	1,900.00	1,900.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
71) Shoreline Variance	1,596.00	1,596.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
71a) Release of Moratorium	1,596.00	1,596.00	Base
	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
72) Additional Fee for State Environmental Policy Act (SEPA) Review	760.00	760.00	Base
TYPE IV PERMITS - Require Pre-App Conference			
73) FINAL PLAT APPROVAL - Short Plat, Long Plat, Binding Site Plans; Final (including Planned Rural Residential Development application)	228.00	228.00	Base
		380.00	Pre-app
TYPE V PERMITS - Require Pre-App Conference			
74) Special Use (Essential Public Facilities)	1,672.00	1,672.00	Base

	149.00	149.00	Notice of App
	149.00	149.00	Notice of Public Hrg
	10.00	10.00	Notice Board
		380.00	Pre-app
75) Request for Jefferson County Comprehensive Plan/UDC Amendment (Suggested)	532.00	532.00	Base (If docketed, then hourly charge)
		380.00	Pre-app
76) J.C. Comprehensive Plan/UDC Amendment (Site Specific) -Includes Noticing & SEPA	3,648.00	3,648.00	Base
		380.00	Pre-app
CURRENT USE TAX ASSESSMENT APPLICATION			
77) Open Space/Open Space & Open Space Timber Applications	1,748.00	1,748.00	Base
	149.00	149.00	Notice of App & Public Hrg Notice
	10.00	10.00	Notice Board
78) Open Space Agriculture Applications	Assessor Fee		Processed by Assessor's Office
79) Transfer Forest Land (RCW 84.33) to Timber Land (RCW 84.34) Application	Assessor Fee		Processed by Assessor's Office
OTHER			
80) Copy of Duplicating Fee - 8 1/2" x 11" or 8 1/2" x 14"	0.15	0.15	Per page
11"x17"	0.30	0.30	Per Page
Color or Oversized Documents	At Cost	At Cost	
Compact Disc	1.10	1.10	
Land Use Maps	20.00	20.00	Each
Publications	At Cost	At Cost	
Scanning		19.00	Base, or actual at hourly rate if over ¼ hour.
Refunds		At cost	Amount paid minus staff time expended at hourly rate.