

ORDINANCE NO. 0100422

AN ORDINANCE OF KLICKITAT COUNTY, WASHINGTON, IN THE MATTER OF KLICKITAT COUNTY CODE, CHAPTER 2.72, RELATING TO LAND DEVELOPMENT FEES

SECTION 1 FINDINGS.

1.1 Chapter RCW 36.32.120(7) RCW authorizes counties to adopt and amend ordinances and codes.

1.2 The Klickitat County Board of County Commissioners adopted Ordinances 081789, 042594, 081495 and 041211-1 (Title 2 of the Klickitat County Code) establishing and amending fees for land development to recover actual costs of staff time and other costs in processing land development applications.

1.3 The certain land use permits and development actions are required to be regulated pursuant to land use regulation as set forth by state statutes.

1.4 The County must follow certain procedures to process land use actions; plan and ordinance amendments; and appeals of County land use determinations.

1.5 There are costs involved in processing the applications, permits, and appeals provided for by said land use plans and ordinances;

1.6 Since 2011, land use and appeal fees have not been revised to account for increased costs of processing applications and appeals on such applications.

1.7 The County has provided notice and opportunity for public comment.

1.8 The Board of County Commissioners conducted a hearing on September 27, 2022 to review amendments to land development fees and receive public testimony.

1.9 It appears to be in the interest of the public to amend Chapter 2.72 to better account for and recover actual costs of processing various fees for land development.

SECTION 2. ADOPTION.

The Klickitat County Board of Commissioners hereby adopts the document attached as Appendix A to this Ordinance, amending Chapter 2.72 of the Klickitat County Code. This Ordinance repeals and replaces Ordinances 081789, 042594, 081495 and 041211-1.

SECTION 3. SEVERABILITY

The provisions of this ordinance are declared separate and severable. The invalidity of any portion of this ordinance shall not affect the validity of the remainder of the ordinance.

SECTION 4. EFFECTIVE DATE

This ordinance shall be in full force and effect on January 3, 2023.

ADOPTED this 4th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS
Klickitat County, Washington



Jacob Anderson, Chairman



Dan Christopher, Commissioner



David M. Sauter, Commissioner

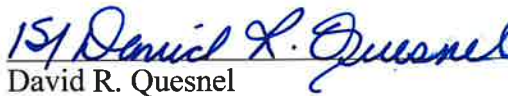
ATTEST:

Clerk of the Board



In and for the County of Klickitat,
State of Washington

APPROVED AS TO FORM:



David R. Quesnel
Klickitat County Prosecuting Attorney



APPENDIX A

Chapter 2.72 LAND DEVELOPMENT FEES

2.72.010 Schedule of fees for land development.

Fees charged for the division of land, zoning and land development in Klickitat County are as follows:

I. Planning Department

Application type	Base Hours	Base Fee [1]	Minimum Application Fee [2] plus Actual Costs [3]
SECTION A. PLANNING/ZONING			
Conditional Use Permit	12	\$720	\$980
Variance	12	\$720	\$980
Special Use Permit	6	\$360	\$480
Zone Change	20	\$1200	\$1,460
Site Specific Comprehensive Plan Amendment	10	\$600	\$600
Amendments to Existing Land Use Plans (i.e. comprehensive plan, zoning ordinance, subdivision & short platting ordinance, etc)	20	\$1200	\$1,340
Energy Overlay Zone Permit	40	\$2400	\$2,580
Accessory Dwelling Unit [4]	10	\$600	\$600
Resource Land Evaluation	16	\$960	\$1,080
Code Interpretation	6	\$360	\$440
Sign Permit	2	\$60	\$120
Cluster Ag Overlay	20	\$1200	\$1,460
SECTION B. LAND DIVISION [5]			
Short Plat	12	\$720	\$720
Subdivision - Preliminary Long Plat (additional \$25 per lot for 10 lots or more)	28	\$1,680	\$1,940
Subdivision - Final Plat Review	4	\$240	\$240
Boundary Line Adjustment	10	\$600	\$600

Lot Consolidation (Pre 1969 Plats)	1	\$60	\$60
Binding Site Plan (BSP)	12	\$720	\$720
Plat Alteration	18	\$1,080	\$1,080
Innocent Purchaser	5	\$300	\$300
SECTION C. SHORELINE DEVELOPMENT [6]			
Shoreline Exemption	2	\$120	\$120
Shoreline Substantial Development Permit	30	\$1,800	\$2,060
Shoreline Conditional Use Permit	30	\$1,800	\$2,060
Shoreline Variance	30	\$1,800	\$2,060
SECTION D. CRITICAL AREAS			
Critical Area Review/Special Report Review	1	\$60	\$60
Tree/Vegetation Removal	1	\$60	\$60
SECTION E. STATE ENVIRONMENTAL POLICY ACT (SEPA)			
SEPA Checklist Filing Fee and Threshold Determination	5	\$300	\$360
SEPA EIS (EIS preparation, notification, publication and distribution costs shall be borne by the applicant/proponent)	40	\$2,400	\$2,400
SECTION F. RECREATIONAL PARK/MOBILE HOME PARK			
Recreational Park when permitted outright	10	\$600	\$780
Recreational Park when NOT permitted outright (Subject to appropriate permit fees, i.e. conditional use, shorelines, etc.)	10	\$600	\$600
Mobile Home Park	10	\$600	\$860
SECTION G. FLOODPLAIN DEVELOPMENT			
Floodplain Development Permit	2	\$120	\$120
SECTION H. ADMINISTRATIVE APPEAL [7]			
SEPA Appeal	15	\$900	\$1,100
Appeal of permit or administrative decision	15	\$900	\$1,100

SECTION I. OTHER FEES			
Hourly Rate [8]	1	\$60	\$60
Site Visit/Inspection [9]			\$120
Fee for each additional public hearing (Publication and Posting)			\$200
New Address Assignment/911 Coordination	1	\$60	\$60
Private Road Naming/Renaming	3	\$60	\$180
Building Permit Review	1	\$60	\$60
Legal Lot Determination	2	\$120	\$120

[1] Base fee is the minimum charge per application for planning staff time only. Additional time may be charged on an hourly basis.

[2] Application fee is intended to reimburse the Planning Department for its typical expenses from application review through approval of the permit. Except as otherwise noted herein, or a Waiver of Fees is granted by the Board of County Commissioners, the applicant is responsible to submit the listed minimum application fee for each application. Additional hourly fees may be charged if the level of planning staff effort exceeds the base fee charge. An hourly fee will be charged for activities after the permit is approved.

[3] Actual costs including but not limited to staff costs, the fees of consultants employed by the county for purposes of evaluating the application and advising the county, hearing examiner services, legal expenses, advertising, overhead, or other expenses incurred in relation to the permitting of the project. The applicant will be billed for the actual cost of processing the permit.

[4] Application fee for an Accessory Dwelling Unit includes the fee for one additional address assignment.

[5] The application fee for land division is intended to reimburse the Planning Department for application review through final approval, and the filing of the mylar and related documents with the County Auditor. The applicant shall pay all filing fees. Road Naming Fee is included for road(s) created as a part of the land division if the naming of the road(s) is requested prior to recording of the mylar.

[6] If any and all shoreline applications (except shoreline exemption) are submitted, then there is only one fee charged for a shoreline project.

[7] The applicant will be invoiced to compensate the Hearings Examiner for all services rendered, including but not limited to time spent in public hearing, travel, review of documents, research and decision writing.

[8] Hourly Rate, including but not limited to costs associated with direct, indirect labor, and overhead; and is assessed based on the time expended by planning staff only.

[9] A site visit fee will be charged for those transactions requiring additional field inspection and/or posting on site. This fee is for one hour of field work, travel, mileage and paperwork documenting the field work. Additional time will be billed at the published hourly rate.

II Public Works

Service Type	Base Hours	Base Fee
Section A. Permits [1] [2]		
Road Approach Permit	1	\$100
Utility Permit		\$0 + \$100/hr Non-Permit Compliance
Work Within ROW Permit		\$50 + \$100/hr Non-Permit Compliance
Small Event Permit		\$0
Large Event Permit		\$150
Overweight Permit		\$0 + Full Price of 3rd Party Consultant If Required
Section B. Development [1]		
Short-Plat (SPL)/Subdivision (SUB) Review		\$100/Lot
Boundary Line Adjustment Review (BLA)		\$75/Lot
Binding Site Plan (BSP)		\$75/hr + Full Price of 3rd Party Consultant If Required
GIS Mapping		\$20/Lot
Road Inspection	2	\$200
Conditional Use Permit (CUP) Project Review (Non-Complex)	2	\$150 + 75/hr + Full Price of 3rd Party Consultant If Required
Conditional Use Permit (CUP) Project Review (Complex)	7	\$525 + 75/hr + Full Price of 3rd Party Consultant If Required
SEPA Review	1	\$75
Stormwater Review		\$75/hr + Full Price of 3rd Party Consultant If Required
Road Plan & Profile Review		\$75/hr + Full Price of 3rd Party Consultant If Required
Geotechnical Review		\$75/hr + Full Price of 3rd Party Consultant If Required
Traffic Access and Impact Study Review		\$75/hr + Full Price of 3rd Party Consultant If Required

Structural Review		\$75/hr + Full Price of 3rd Party Consultant If Required
Project Revision (Minor)		\$100
Project Revision (Major)		\$200
Franchise Agreement [1] [2]		
Site Specific	2	\$250 + 75/hr + Full Price of 3rd Party Consultant If Required
Countywide/Commercial of Private Utility	8	\$1500 + 75/hr + Full Price of 3rd Party Consultant If Required
Other Fees		
Road Vacation Review	4	\$750 + Advertising Costs + Construction Cost If Required
Other Specialized Engineering Services [1]		\$75/hr + Full Price of 3rd Party Consultant If Required
Permit Renewal		\$50
Penalties		
After the Fact [2]		2x Base Fee + Cost of Damage + Other Applicable Fees
After the Fact Overweight Permit		\$500 + Cost of Damage + Other Applicable Fees

[1] Additional specialized engineering reports and/or reviews may be required. If required, the applicant shall pay the fees listed under "Other Specialized Engineering Services."

[2] If the applicant fails to apply and obtain the required permit or franchise prior to installation of facility or performance of work, the applicant shall pay the fees listed under "After the Fact."

2.72.020 Application Fee and Actual Costs of Processing a Permit

- A. The minimum application fee must be paid in order for the application to be deemed complete. Additional billing for actual costs must be paid within thirty days of receipt and prior to the commencement of construction.
- B. The applicant will be billed for the county's actual costs of processing the permit. Actual costs including but are not limited to staff costs, the fees of consultants employed by the county for purposes of evaluating the application and advising the county, hearing examiner services, legal expenses, advertising, overhead, and other expenses incurred in relation to permitting the project.

2.72.030 Waiver of Fees

The only waiver of fees allowed shall be by written confirmation by the Board of County Commissioners. A request for a waiver of fees shall be in writing addressed to the Board of County Commissioners. The waiver of all or a portion of the fees established herein shall be based upon special individual circumstances.

2.72.040 Automatic Fee Schedule Adjustment

The published hourly rate for staff time shall be adjusted annually on the first business day of January (Adjustment Date) and is based on eighty percent (80%) of the Seattle-Tacoma-Bellevue, WA, CPI-U All Urban Consumers as published by the US Bureau of Labor Statistic as reported for the month of August preceding the Adjustment Date. The annual fee adjustment shall be calculated as follows: each fee in effect immediately prior to the Adjustment Date will be increased based on the adjusted hourly rate for staff time. Increases will be rounded to the nearest dollar. A fee shall not be reduced by reason of such calculation. However, fee increases in accordance with this calculation shall not exceed five percent (5%) per year. Copies of the adjusted fee schedule shall be available to the public at the County Departments, and will be mailed to any customer upon request. The adjusted fee schedule will show the prior year fees, the adjusted CPI-U and the new fees.