

09/09/98

Maggi Fimia
Cynthia Sullivan
Greg Nickels

Introduced By:

nl

Proposed No.:

98-354

ORDINANCE NO. **13268**

AN ORDINANCE relating to development fees,
authorizing an Endangered Species Act special review
and inspection fee for development applications
reviewed by the department of development and
environmental services, amending Ordinance 13189
Sections 3 and 4, and K.C.C. 27.24.010 and K.C.C.
27.24.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. FINDINGS. The Council finds that the department of development and environmental services should provide an enhanced level of environmental review and inspection of development projects subject to the county's development regulations, in response to recommended, proposed or final listings of salmonid species under the federal Endangered Species Act (ESA). In accordance with state law governing local fees, this ordinance imposes a fee to offset costs of the enhanced review and inspection of development projects. The Council finds that the fixed rate fees established herein are reasonably calculated to offset costs to the county of necessary enhanced development project regulation and are intended to provide both predictable revenues for regulation and predictable permit fee amounts for applicants.

SECTION 2. Ordinance 13189, Section 3, and K.C.C. 27.24.010 are hereby amended to read as follows:

1 Special review fees. Fees shall be collected to compensate the department for pre-
2 application review, and special handling and review associated with any development
3 permit set forth in this title. Special review fees include review pursuant to K.C.C. chapter
4 20.44, County Environmental Procedures, and K.C.C. chapter 21A.24, Sensitive Areas,
5 K.C.C. 9.04.070, Master Drainage Plans, fees to review any needed compliance
6 monitoring, fees for written certification of code compliance or exemption, Endangered
7 Species Act review and inspection fees, and processing fees for appeals to or from the
8 zoning and subdivision examiner pursuant to K.C.C. chapter 20.24.

9 A. Preapplication Fees. Preapplication fees shall compensate the department for
10 preliminary review and evaluation of sensitive areas fees and for advising the permit
11 applicant on environmental review prior to the submittal of a formal application for a
12 permit. Preapplication review fees may also be charged for review of permit applications
13 required by other King County agencies and for any requested services not associated with
14 a permit application. Preapplication fees shall be hourly fees collected at the time
15 preapplication review services are rendered.

16 B. County Environmental Procedures Fees. County environmental procedures
17 (SEPA) fees shall be divided into two types:

18 1. Checklist fees to compensate for the copying, distributing, mailing and
19 processing of the environmental checklist, and

20 2. Supplemental fees to compensate for review, processing, mailing and
21 publication costs associated with the preparation of a determination of nonsignificance
22 (DNS), a mitigated determination of nonsignificance (MDNS), a draft environmental
23 impact statement (DEIS), a final environmental impact statement (FEIS), a supplemental

1 environmental impact statement (SEIS), and any addenda associated with the above
2 environmental documents.

3 The checklist fee shall be a base fee payable upon development permit application
4 submittal, and an hourly fee. The hourly fee shall apply following six hours of staff review
5 of the checklist. In no case, however, shall the checklist fee exceed the total fee for the
6 underlying permit. Supplemental fees shall be based on an hourly charge for time spent by
7 county employees in the review, preparation, supervision of preparation and distribution of
8 a DNS, a MDNS, a DS, a DEIS, a FEIS or a SEIS. Supplemental fees shall be charged for
9 the preparation of and consultation on staff reports, permit conditions and public hearing
10 testimony after the publication of a DEIS, FEIS, SEIS, or MDNS on the underlying permit.
11 No supplemental fees shall be charged for any review or work performed in response to an
12 appeal of a threshold determination. Supplemental fees shall also include all costs, if any,
13 for experts and consultants not employed by the county, and for texts, printing or other
14 actual costs required for the preparation and distribution of the DNS, MDNS, DS, DEIS,
15 FEIS or SEIS. In no case shall supplemental fees be charged for review of the completed
16 DNS, MDNS, DS, DEIS, FEIS or SEIS by county officials part of the decision-making
17 process or for existing studies or general information already in county files. Supplemental
18 fees shall be collected at regular intervals as the preparation of the DNS, MDNS, DS,
19 DEIS, FEIS or SEIS proceeds, provided a deposit shall be collected prior to
20 commencement of DNS, MDNS, DEIS, FEIS or SEIS preparation to cover initial costs.
21 Any unexpended balance shall be refunded.

22 C. Sensitive area fees. Sensitive area fees are distinguished by the type of
23 development permit under review, and are differentiated by the complexity of the review

1 involved. As such, sensitive area review fees for residential building permits, shoreline
2 permits and individual short subdivision applications shall be distinguished from sensitive
3 area review in conjunction with commercial building permits, grading permits,
4 subdivisions, planned unit developments, reclassifications, variances, conditional use
5 permits and right-of-way use permits.

6 1. Complex sensitive areas review. Complex sensitive areas review involving
7 site visits, comprehensive review of technical studies or the development of special
8 conditions of approval shall be charged a higher review fee than projects requiring only
9 basic sensitive areas review involving limited review of special studies, and the assignment
10 of standard conditions of approval.

11 2. Basic residential permit sensitive areas fees. Basic residential permit
12 sensitive areas review fees may be reduced in those instances where multiple permit
13 submittals can be reviewed during a single combined site visit. Residential building permit
14 review fees shall be waived for permits filed subsequent to shoreline permits involving
15 sensitive areas review.

16 3. Special fees. Special fees may be charged for the division's processing and
17 review of sensitive areas variances, reasonable use exceptions, inspection and monitoring
18 or utility exemptions.

19 4. Hourly fees. Hourly fees may only be charged as noted in this section or if
20 authorized by a section manager, and only after an applicant has been notified that hourly
21 charges are being assessed.

1 D. All appeals to the zoning and subdivision examiner, or from decisions of the
2 examiner, shall be charged a fixed fee to help defray the cost associated with appeal
3 processing. Appeal fees shall be paid at the time of appeal submittal.

4 E. Departmental review of road vacation requests, road standard variances and
5 drainage standard variances shall be charged a fixed fee to help defray the cost associated
6 with these reviews. These review fees shall be paid at the time of submittal for the review.
7 Hourly fees may be charged for those review types that vary in review time. These review
8 fees shall be collected at the time services are rendered. If a deposit is required, any
9 unexpended balance shall be refunded.

10 F. Master Drainage Plan Fees. Master drainage plan review fees shall be hourly,
11 based on all staff time required at preplanning and scoping meetings and review and
12 monitoring of the master drainage plans. Fees shall be collected at regular intervals as the
13 review of the master drainage plan proceeds.

14 G. Compliance Review Fees. Review fees shall be based on an hourly fee to
15 compensate for the review and analysis of monitoring results needed to determine
16 compliance with approved plans and conditions and the implementation of a contingency
17 plan or determination of additional mitigation, if necessary.

18 H. Endangered Species Act Review and Inspection Fees. Endangered Species Act
19 (ESA) review and inspection fees shall be collected to cover the costs to the department of
20 the enhanced processing, inspecting and reviewing of permit applications, plans and
21 development activity that are necessary to better protect the salmonid species that is
22 proposed to be listed under the ESA. The fees are assessed as a fixed rate.

1	plus, per hour	\$95.00
2	2. Review of commercial building permits, grading permits, subdivisions,	
3	PUDs, reclassifications, variances, conditional use permits and unclassified use permits -	
4	a. basic review:	\$512.00
5	b. complex review minimum:	\$512.00
6	plus per hour	\$95.00
7	3. Flood plain determination - certificate of elevation:	\$190.00
8	plus, per hour	\$95.00
9	4. Review of mitigation plan compliance - per hour	\$95.00
10	C. Appeals -	
11	1. Appeals to the hearing examiner from decisions of the	
12	zoning adjustor or manager:	\$125.00
13	2. Appeals to the King County council from recommendations	
14	of the hearing examiner:	\$125.00
15	D. Inspection and monitoring-per hour:	\$95.00
16	E. Departmental review of non departmental permits:	
17	1. Review of road vacation requests:	\$751.00
18	2. Review of road standard variances:	\$656.00
19	3. Review of drainage design adjustments:	
20	a. Standard adjustment review	\$656.00
21	Revisions and resubmittals - per hour:	\$95.00
22	b. Complex adjustment review:	\$1,376.00

1	Revisions and resubmittals per hour:	\$95.00
2	c. Preapplication adjustment review - per hour	\$95.00
3	Deposit:	\$3,600.00
4	d. Experimental design adjustment review,	
5	departmental portion only:	\$125.00
6	e. Support of water and land resources division adjustment review	
7	and monitoring - per hour:	\$95.00
8	F. Review and monitoring of master drainage plans - per hour:	\$95.00
9	G. Preapplication review - per hour:	\$95.00
10	<u>H. ESA review and inspections:</u>	
11	<u>1. Commercial building permit, except schools, for each</u>	
12	<u>three thousand square feet, or fraction thereof, of floor area:</u>	<u>\$55.00</u>
13	<u>2. Commercial non-building permit, for each three thousand</u>	
14	<u>square feet, or fraction thereof, of floor area:</u>	<u>\$55.00</u>
15	<u>3. School building permit, for each forty thousand square feet,</u>	
16	<u>or fraction thereof, of total developed area including parking and play areas:</u>	<u>\$55.00</u>
17	<u>4. Multi-family residential permit, for each building:</u>	<u>\$55.00</u>
18	<u>5. Single-family residential permit, excluding mobile home,</u>	
19	<u>for each permit:</u>	<u>\$55.00</u>
20	<u>6. Final plat, for each lot:</u>	<u>\$55.00</u>
21	<u>7. Final short plat, for each lot:</u>	<u>\$55.00</u>
22	<u>8. Sensitive areas reasonable use or utility exception,</u>	

- 1 pursuant to K.C.C. 21A.24.070, for each permit: \$55.00
- 2 9. Shoreline development permit, for each permit: \$55.00
- 3 10. Clearing permit, for each permit: \$55.00
- 4 11. Grading permit, for each acre or portion of acre disturbed
- 5 or rehabilitated: \$55.00
- 6 12. Time extension for clearing or grading permit, for each permit \$55.00

7 INTRODUCED AND READ for the first time this 8th day of

8 June, 1998.

9 PASSED by a vote of 7 to 4 this 14th day of September,

10 1998.

11 KING COUNTY COUNCIL

12 KING COUNTY, WASHINGTON

13 Louise Miller

14 Chair

15 ATTEST:

16 J. Jensen

17 Clerk of the Council

18 APPROVED this 21 day of September, 1998

19 [Signature]

20 King County Executive

21 Attachments: None