

ORDINANCE NO. 4228

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FEES CHARGED BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, ESTABLISHING NEW FEES FOR CERTAIN TREE RELATED PERMITS AND REFLECTING THE CURRENT PUBLISHED ANNUAL CHANGE IN THE SEATTLE CONSUMER PRICE INDEX FOR WAGE EARNERS AND CLERICAL WORKERS.

WHEREAS, the City has had tree regulations in place since 2006, some of which require permits needing review by the Urban Forester and other City staff;

WHEREAS, the City would like to establish new fees for certain tree related permits that are currently not incorporated in other permit fees; and

WHEREAS, the fee schedule shown in the KMC is from 2008 and has been increased administratively.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Section 5.74.070 of the KMC is hereby repealed.

Section 2. A new Section 5.74.070 of the Kirkland Municipal Code is hereby created to read as follows:

5.74.070 Fees charged by planning department

(a) The schedule below establishes fees charged by the planning department. The entire fee must be paid before the review or processing begins, except as otherwise specified.

FEE TYPE	FEE AMOUNT
Preliminary Project Review Presubmittal Meeting, Intergrated Development Plan, and/or Predesign Conference <i>Note: Fee subtracted from the application fee if the application is submitted within six months of the date of the preliminary project review meeting date. Credit does not apply to subsequent meetings related to the same project.</i>	\$504.00
Planning Official Decisions	
Accessory Dwelling Unit <i>(not required if reviewed concurrently with a building permit)</i>	\$414.00
Personal Wireless Service Facility Planning Official Decision	\$8,352.00
Personal Wireless Service Facility Subsequent or Minor Modification	\$828.00
Parking Modification	\$525.00
Sensitive Area Planning Official Decision	\$2,071.00

FEE TYPE	FEE AMOUNT
Administrative Design Review If application involves new gross floor area (new buildings or additions to existing buildings)	\$2,071.00
No new gross floor area	\$0.00
Master Sign Plan Approval Modification	\$828.00
Off-Site Directional Sign Approval Modification	\$525.00
Design Review Approval Modification	\$1,049.00
Design Review Approval Extension	\$414.00
Historic Residence Alteration	\$828.00
Rooftop Appurtenance Modification	\$828.00
Multiple Private or ROW Tree Removal Permit	\$200.00
Forest Management Plan	\$300.00
<i>Planning Director Decisions</i>	
Temporary Use Permit	\$212.00
Variance Exception	\$1,049.00
Off-Site Directional Sign	\$1,049.00
Master Sign Plan	\$2,927.00
Short Plat or Subdivision Approval Modification	\$828.00
Process I Approval Modification	\$828.00
Process IIA, IIB or III Approval Modification	\$1,049.00
Lot Line Alteration	\$1,049.00
Binding Site Plan	\$2,085.00
Multifamily Housing Property Tax Exemption Conditional Certificate	\$1,049.00
Multifamily Housing Property Tax Exemption Contract Amendment	\$525.00
Multifamily Housing Property Tax Exemption Conditional Certificate Extension	\$525.00
Noise Variance	\$525.00
<i>Process I Review</i>	
Short Subdivision Base Fee	\$4,141.00
Fee per lot	\$966.00
Innovative Short Subdivision Fixed Fee	\$6,764.00
Fee per lot	\$966.00
Substantial Development Permit General Moorage Facility	\$10,436.00
Other Shoreline Improvements	\$4,473.00
Personal Wireless Service Facility Process I Review	\$10,436.00
Other Process I Review Residential Base Fee	\$4,141.00
Fee per new residential unit	\$483.00
Nonresidential Base Fee	\$4,141.00
Fee per square foot new GFA	\$0.29
Mixed Use Base Fee	\$4,141.00
Fee per new unit	\$483.00
Fee per square foot new GFA	\$0.29
Home Occupation	\$1,062.00
Historic Residence Designation	\$1,062.00

FEE TYPE	FEE AMOUNT
<i>Process IIA Review</i>	
Preliminary Subdivision	
Fixed Fee	\$8,711.00
Fee per lot	\$1,049.00
Innovative Preliminary Subdivision	
Fixed Fee	\$10,795.00
Fee per lot	\$1,049.00
Personal Wireless Service Facility Process IIA Review	\$20,210.00
Other IIA	
Base Fee	\$7,303.00
Fee per new residential unit	\$414.00
Fee per sq. ft. new non-residential GFA	\$0.41
<i>Process IIB & Process III Review</i>	
Subdivision Vacation or Alteration	\$8,945.00
Historic Landmark Overlay or Equestrian Overlay	\$1,049.00
Personal Wireless Service Facility Process IIB Review	\$29,156.00
Other IIB or III	
Residential (including Short Subdivisions reviewed through Process IIB per KMC 22.28.050)	
Base Fee	\$11,265.00
Fee per new residential unit	\$414.00
Fee per sq. ft. new non-residential GFA	\$0.41
<i>Design Board Review</i>	
Design Board Concept Review	\$1,427.00
Design Board Design Response Review	
Base Fee	\$4,371.00
Fee per new unit	\$201.00
Fee per sq. ft. new GFA	\$0.20
<i>State Environmental Policy Act (SEPA)</i>	
Review of Environmental Checklist	\$552.00
Base Fee	
Estimated Number of PM Peak Trips	
Less than 20 trips	\$903.00
21-50 trips	\$1,805.00
51-200 trips	\$3,610.00
Greater than 200 trips	\$7,221.00
Applications involving sensitive areas (streams and/or wetlands only)	\$552.00
Preparation of Environmental Impact Statement (EIS)	
* The cost of preparing an EIS is the sole responsibility of the applicant. Kirkland Ordinance #2473, as amended, establishes the procedures that the City will use to charge for preparation and distribution of a draft and final EIS. The applicant is required to deposit with the City an amount not less than \$5,000 to provide for the City's cost of review and processing an EIS. If the anticipated cost exceeds \$5,000, the City may require the applicant to deposit enough money to cover the anticipated cost.	

FEE TYPE	FEE AMOUNT
Miscellaneous	
Appeals and Challenges	
Appeals	\$207.00
Challenges	\$207.00
Note: No Fee for appeals of Notice of Civil Infraction or Order to Cease Activity	
Sidewalk Café Permits	
Fixed Fee	\$654.00
Fee per sq. ft. of cafe area	\$0.73
Street Vacation	
Fixed Fee	\$8352.00
Fee per sq. ft. of street	\$0.41
Final Subdivision	
Fixed Fee	\$2071.00
Fee per lot	\$207.00
Review of Concurrence Application - Estimated Number of PM Peak Trips	
Less than 20 trips	\$531.00
21-50 trips	\$743.00
51-200 trips	\$1,487.00
Greater than 200 trips	\$1,911.00
Fees for Comprehensive Plan and Zoning Text Amendment Requests	
Request for property specific map change	
Initial request	
If request is authorized by City Council for review	\$319.00
	\$319.00
Request for city-wide or neighborhood-wide policy change	No charge

General Notes:

1. **Fee Reduction for Applications Processed Together:** When two or more applications are processed together, the full amount will be charged for the application with the highest fee. The fee for the other application(s) will be calculated at 50% of the listed amount.
2. **Projects with greater than 50 dwelling units or 50,000 sq. ft. non-residential GFA:** The per unit and per sq. ft. fee for all units above 50 and all GFA above 50,000 sq. ft. shall be reduced by one half.
3. **Note for Sensitive Areas permits:**
 - a. In cases where technical expertise is required, the Planning Official may require the applicant to fund such studies.
 - b. Voluntary wetland restoration & voluntary stream rehabilitation projects are not subject to fees.
4. **Construction of affordable housing units pursuant to Chapter 112 of the Kirkland Zoning Code:** The fee per new unit and fee per square foot new GFA shall be waived for the bonus or additional units or floor area being developed.
5. **Note for Historic Residence permits:** An additional fee shall be required for consulting services in connection with designation and alteration of historic residences.

(b) The director is authorized to interpret the provisions of this chapter and may issue rules for its administration. This includes, but is not limited to, correcting errors and omissions and adjusting fees to match the scope of the project. The fees established here will be reviewed annually, and, effective January 1st of each year, may be


administratively increased or decreased, by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain the cost recovery objectives established by the city council.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 4. This ordinance shall be in full force and effect on April 1, 2010. The current fees charged by the Planning Department shall remain in effect until April 1, 2010. Pursuant to Section 1.08.017 Kirkland Municipal Code, publication of this ordinance shall be in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of December, 2009.

Signed in authentication thereof this 15th day of December, 2009.


MAYOR

Attest:

City Clerk

Approved as to Form:



City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4228

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FEES CHARGED BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, ESTABLISHING NEW FEES FOR CERTAIN TREE RELATED PERMITS AND REFLECTING THE CURRENT PUBLISHED ANNUAL CHANGE IN THE SEATTLE CONSUMER PRICE INDEX FOR WAGE EARNERS AND CLERICAL WORKERS.

SECTION 1. Repeals Section 5.74.070 of the Kirkland Municipal Code.

SECTION 2. Adds a new Section 5.74.070 of the Kirkland Municipal Code related to fees charged by the Planning Department.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date of the ordinance as April 1, 2010.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 15th day of December, 2009.

I certify that the foregoing is a summary of Ordinance 4228 approved by the Kirkland City Council for summary publication.



City Clerk