

AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE FEES AND OTHER CHARGES TO BE PAID TO THE CITY FOR REVIEW OF ENVIRONMENTAL CHECKLISTS, FOR THE PRODUCTION OF AN ENVIRONMENTAL IMPACT STATEMENT, WHERE REQUIRED, FOR PROCESSING CERTAIN APPLICATIONS; AND AMENDING SECTION 3 AND SECTION 4 OF ORDINANCE 2311, AS AMENDED.

WHEREAS, it is appropriate that the reasonable cost of processing environmental checklists, environmental impact statements, and applications be borne by the person requesting action on the part of the City,

THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1: Section 3 of Ordinance 2311, as amended, is amended to read as follows:

Section 3. Environmental Impact Statement; delineation of estimated cost; deposit required; applicant to pay for cost of preparation:

Whenever a positive declaration on an application is reached requiring preparation and circulation of an Environmental Impact Statement, the Department of Community Development and the applicant shall meet in pre-conference to estimate the anticipated cost of the Environmental Impact Statement and determine the amount required to be deposited with the City of Kirkland to cover said cost.

The applicant shall deposit such amount with the City at the time of payment of all other required application fees.

In the event the deposited amount exceed the actual cost of preparation of the Environmental Impact Statement, such excess shall be refunded to the applicant. In the event the actual cost exceeds the deposit, such excess shall be paid to the City by the applicant prior to final action by the City.

No deposit so required shall be in an amount less than \$500.

For the purposes of this Section, cost of an Environmental Impact Statement shall include the cost of preparation; publication, including printing, collating, binding and circulation of the preliminary and final Environmental Impact Statements, and all such costs shall be born by the applicant. Cost of preparation shall include all required City staff time; as well as retained professional or technical services. The City shall establish a staff time billing rate for such City employees which will accurately reflect the actual cost to the City of such employee's time.

Section 3. Fees and other charges related to compliance with the State Environmental Policy Act.

A. Environmental Checklist.

1. The City will review and process an environmental checklist according to the following schedule:

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| a. <u>0-3 hours of staff time</u> | <u>no charge</u> |
| b. <u>More than 3 hours of staff time</u> | <u>Actual cost of staff time based on established hourly billing rates.</u> |

B. Environmental Impact Statement

1. The cost of an environmental impact statement is the sole responsibility the applicant. City of Kirkland Ordinance No. 2473, as amended, establishes the procedures that the City will use to charge for the preparation, including distribution, of a draft and final environmental impact statement.

2. In addition to any amount required for the preparation, including distribution, of a draft and final environmental impact statement, the applicant is required to deposit with the City an amount, not less than \$1500, to provide for the City's cost of review and processing of the draft and final environmental impact statement. If the anticipated cost of review and processing of the draft and final environmental impact statement significantly exceeds \$1,500, the City may, upon written notification to the applicant, require a deposit in an amount reasonably expected to provide for the City's anticipated costs.

Section 2. Section 4 of Ordinance 2311, as amended, is amended to read as follows:

Section 4. Fee Schedule Established: Fees required to be paid to the City of Kirkland pursuant to this Ordinance are hereby established as follows:

- A. Rezone - Single Family Residential: \$225.
- B. Rezone - All other: \$225 plus \$10 per acre of area sought to be rezoned.
- C. Conditional Use Permit - Single Family Residential: \$100.

- D. Conditional User Permit - Other: \$225 plus \$10 per acre of area subject to the application.
- E. Unclassified Use Permit - Single Family Residential: \$100.
- F. Unclassified Use Permit - all other: \$225 plus \$10 per acre of area, subject to the application.
- G. Planned Unit Development - Preliminary - Single Family Residential: \$75.
- G.- H. Planned Unit Development - Preliminary: \$400. plus \$20. per acre of area, subject to the application.
- I. Planned Unit Development - Final - Single Family Residential: \$75.
- H.- J. Planned Unit Development - Final: \$200. plus \$20. per acre of area, subject to the application.
- I.- K. Subdivisions - Preliminary: \$250 plus \$20 per proposed lot.
- J.- L. Subdivision - Final: \$200 plus \$20 per proposed lot.
- K.- M. Subdivision - Short - Single Family: \$150.
- L.- N. Subdivision - Short - All other: \$150.
- M.- O. Subdivision - (Minor)- Modification under Section 2.13 or 3.10 of Ordinance 2178, as amended: \$100
- P. Subdivision - Division under Section 1.3 of Ordinance 2178, as amended: \$50
- N.- Q. Substantial Development Permit - Single Family Residential: \$100.
- O.- R. Substantial Development Permit - All others: \$225 plus \$10 per acre of area, subject to the application.
- S. Shoreline Master Program - Variance - Single Family Residential: \$50
- T. Shoreline Master Program - Variance - All Other: \$100
- P.- U. Variance - Single Family Residential \$50.
- Q.- V. Variance - all other: \$150.
- R.- W. Reconsideration by the Responsible Official of a Threshold Determination under the State Environmental Policies Act: \$10.

- S- X. Appeal of a Threshold Determination of the Responsible Official under the State Environmental Policies Act: ~~-\$25-~~ \$100.
- T- Y. Environmental Impact Statement: as established in Section 3, Ordinance No. 2311-, as amended.
- U- Z. Application for amendment Land Use Policies Plan-- actual cost incurred by the City to process application including all labor and personnel service costs. Applicant shall deposit upon application the sum of \$500. In the event the deposited amount exceeds the actual cost of processing the proposed amendment, the excess shall be refunded to the applicant. In the event the actual cost exceeds the deposit, such excess shall be paid to the City by the applicant prior to final action by the City."
- V- AA. Reconsideration by the Development Review Committee of a decision of the Development Review Committee: \$25.
- W- ~~Appeal of a Decision of the Development Review Committee:--\$25-~~
- X- BB. Vacation of a Street, Alley, Public Easement, or Part Thereof: \$150.
- CC. Exception for Cooperative Parking Facility (Board of Adjustment): \$50.
- DD. Recommendation Regarding Development Permit for Lot Divided in Violation of State or Local Law (Board of Adjustment): \$75.
- EE. Appeal of Staff Interpretation under Section 23.58.040(Board of Adjustment): No Charge.
- FF. Any other Public Hearing not specifically mentioned above required to facilitate a specific development proposal: \$25.

Section 3. If any section, subsection, sentence, clause, phrase, part, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.


Section 4. This Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL IN REGULAR MEETING on
the 4th day of August, 1980.


SIGNED IN AUTHENTICATION THEREOF on the 4th day
of August, 1980.


Mayor

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

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