

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FEES CHARGED UNDER KMC CHAPTERS 5.74, 15.28 AND 19.12.

The City Council of the City of Kirkland do ordain as follows:

Section 1. KMC Section 5.74.040 is amended effective May 1, 2005 to read as follows:

5.74.040 Inspection fees for public improvements to be paid prior to acceptance—Amount of fee established—Exceptions.

(a) Whenever any construction work, public improvement or other activity is required or permitted to be performed upon any public right-of-way, or within or upon any property which, upon completion of said work or activity, is to be conveyed or dedicated as public right-of-way or public easement, the city shall not accept for maintenance or otherwise, such work, improvement, facility or activity until there has been paid to the city by the person required or permitted to perform such work or activity, an amount equal to ~~eight percent~~ ten percent of the estimated cost of construction of such work, improvement, facility or activity as and for reimbursement to the city for its cost of inspection of such work, improvement, facility or activity. In addition, prior to the release of any permit for construction of storm drainage collection and conveyance on private property the permit applicant shall pay a fee equal to ~~eight percent~~ ten percent of the estimated cost of construction of such work, improvement, facility or activity as and for reimbursement to the city for its cost of inspection of such work, improvement, facility or activity. Estimated cost of construction shall be determined by the director of the department of public works.

(b) Whenever a Building Permit is issued for a new single-family home or for a single-family addition greater than 1000 square feet, a storm drainage system and erosion control review and inspection fee shall be paid. The fee for each Building Permit shall be \$300 beginning on May 1, 2005 and \$600 beginning on March 1, 2006.

~~(b)~~ (c) Provided, however, that this section shall not apply to:

(1) Work performed under public works construction contracts let by the city pursuant to Chapter 3.85 of this code; or

(2) So much of such work performed under a developer's extension agreement (RCW Chapter 35.91 facilities agreement) as is determined by the director of public works to be for the benefit of the Kirkland water or Kirkland sewer system rather than for the benefit of the property being concurrently subdivided, developed or improved by the signors to the developer extension agreement.

Section 2. KMC Section 5.74.070 is hereby repealed.

Section 3. There is hereby created a new KMC Section 5.74.070 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. The fees listed below go into effect May 1, 2005.

| FEE TYPE | FEE AMOUNT |
|--|-----------------|
| <p><i>Pre-submittal Mtg. And/Or Pre-design Conf.</i> Note: Fee subtracted from the application if the application is submitted within six months of the pre-submittal meeting.</p> | <p>\$350.00</p> |

| FEE TYPE | FEE AMOUNT |
|--|-------------------|
| <i>Planning Official Decisions</i> | |
| Accessory Dwelling Unit | \$300.00 |
| Personal Wireless Service Facility Administrative Decision | \$6,050.00 |
| Parking Modification | \$380.00 |
| Sensitive Area Planning Official Decisions or Administrative Design Review | |
| Fixed Fee | \$1,500.00 |
| Fee per new unit | \$0.00 |
| Fee per sq. ft. new GFA | \$0.00 |
| Master Sign Plan Approval Modification | \$600.00 |
| Off-Site Directional Sign Approval Modification | \$380.00 |
| Design Review Approval Modification | \$760.00 |
| Design Review Approval Extension | \$300.00 |
| <i>Planning Director Decisions</i> | |
| Temporary Use Permit | \$760.00 |
| Variance Exception | \$760.00 |
| Off-Site Directional Sign | \$760.00 |
| Master Sign Plan | \$2,120.00 |
| Short Plat or Subdivision Approval Modification | \$600.00 |
| Process I Approval Modification | \$600.00 |
| Process IIA, IIB or III Approval Modification | \$760.00 |
| Lot Line Alteration | \$760.00 |
| Binding Site Plan | \$1,510.00 |
| Multifamily Housing Property Tax Exemption Conditional Certificate | \$760.00 |
| Multifamily Housing Property Tax Exemption Contract Amendment | \$380.00 |
| Multifamily Housing Property Tax Exemption Conditional Certificate Extension | \$380.00 |
| Noise Variance | \$380.00 |
| <i>Process I Review</i> | |
| Short Subdivision | |
| Base Fee | \$3,240.00 |
| Fee per lot | \$760.00 |
| Innovative Short Subdivision | |
| Fixed Fee | \$5,300.00 |
| Fee per lot | \$760.00 |
| Substantial Development Permit | |
| General Moorage Facility | \$8,160.00 |
| Other Shoreline Improvements | \$3,240.00 |
| Personal Wireless Service Facility Process I Review | \$8,160.00 |
| Other Process I Review | |
| Base Fee | \$3,240.00 |
| Fee per new residential unit | \$300.00 |
| Fee per sq. ft. new non-residential GFA | \$0.30 |

| FEE TYPE | FEE AMOUNT |
|---|-------------|
| Process IIA Review | |
| Preliminary Subdivision | |
| Fixed Fee | \$6,310.00 |
| Fee per lot | \$760.00 |
| Innovative Preliminary Subdivision | |
| Fixed Fee | \$7,820.00 |
| Fee per lot | \$760.00 |
| Other IIA | |
| Base Fee | \$5,290.00 |
| Fee per new residential unit | \$300.00 |
| Fee per sq. ft. new non-residential GFA | \$0.30 |
| Process IIB & Process III Review | |
| Subdivision Vacation or Alteration | \$6,480.00 |
| Historic Landmark Overlay or Equestrian Overlay | \$760.00 |
| Personal Wireless Service Facility Process IIB Review | \$21,120.00 |
| Other IIB or III | |
| Residential (including Short Subdivisions reviewed through Process IIB per KMC 22.28.050) | |
| Base Fee | \$8,160.00 |
| Fee per new residential unit | \$300.00 |
| Fee per sq. ft. new non-residential GFA | \$0.30 |
| Design Board Review | |
| Design Board Concept Review | \$1,280.00 |
| Design Board Design Response Review | |
| Base Fee | \$3,920.00 |
| Fee per new unit | \$180.00 |
| Fee per sq. ft. new GFA | \$0.18 |
| State Environmental Policy Act (SEPA) Fees | |
| Review of Environmental Checklist | |
| Base Fee | \$260.00 |
| Applications involving traffic reports | |
| Fee per new residential unit | \$40.00 |
| Fee per sq. ft. new non-residential GFA | \$0.04 |
| Applications involving sensitive areas | \$260.00 |
| 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. | |
| Miscellaneous | |
| Appeals and Challenges | |
| Appeals | \$150.00 |
| Challenges | \$150.00 |
| Note: No Fee for appeals of Notice of Civil Infraction or Order to Cease Activity | |

| FEE TYPE | FEE AMOUNT |
|--|------------|
| Miscellaneous (continued) | |
| Sidewalk Café Permits | |
| Fixed Fee | \$560.00 |
| Fee per sq. ft. of cafe area | \$0.63 |
| Street Vacation | |
| Fixed Fee | \$6,050.00 |
| Fee per sq. ft. of street | \$0.30 |
| Final Subdivision | |
| Fixed Fee | \$1,500.00 |
| Fee per lot | \$150.00 |
| Review of Concurrency Application | |
| Fixed Fee | \$210.00 |
| Fee per hour of staff review > 3 hours | \$70.00 |
| Fees for Comprehensive Plan and Zoning Text Amendment Requests | |
| Request for property specific map change | |
| Initial request | \$300.00 |
| If request is authorized by City Council for review | \$300.00 |
| Request for city-wide or neighborhood-wide policy change | No charge |
| General Notes: | |
| <p>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.</p> | |
| <p>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.</p> | |
| <p>3. Note for Sensitive Areas permits:</p> | |
| <p>a. In cases where technical expertise is required, the planning official may require the applicant to fund such studies.</p> | |
| <p>b. Voluntary wetland restoration & voluntary stream rehabilitation projects are not subject to fees.</p> | |
| <p>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.</p> | |

(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 4. KMC Section 15.28.110 is amended to read as follows:

15.28.110 Permits fee—Use.

The fee for side sewer permits as required under Section 15.28.040 to install and connect a newly-constructed side sewer is established at ~~two hundred fifty dollars~~ three hundred twenty five dollars effective May 1, 2005 and four hundred dollars effective March 1, 2006. Such fee shall cover all cost and expenses of inspection by the city as may be required by this chapter and Chapter 15.36. The fee for a permit to repair an existing side sewer, or to witness the capping of an existing side sewer, or witness the abandonment of an existing septic tank is established at fifty-five dollars.

19.12.090 Permit—Basic fee required.

(a) The basic fee for a permit to disrupt a street surface, curb or sidewalk or place a utility in the right-of-way shall be ~~two hundred twenty dollars~~ two hundred eighty five dollars effective May 1, 2005 and three hundred fifty dollars effective March 1, 2006. For street cuts measuring less than seventy-five square feet of street cut area and requiring no utility inspection the fee shall be ~~sixty dollars~~ eighty dollars effective May 1, 2006 and one hundred dollars effective March 1, 2006.

(b) Also, a street security deposit shall be paid. The street security deposit shall be in an amount determined by the director of public works to be sufficient to pay for the cost to the city to restore the street surface, curb or sidewalk in event of failure. At least annually, the director shall prepare and maintain schedules for street security deposits, which reflect the current actual cost to the city as determined by the most recent Engineering News Record Construction Cost Index. Such schedules shall at all times be available to the general public.

(c) If the work is performed by jacking or boring under the street the entire street security deposit shall be refunded.

(d) If the street surface is disturbed and properly repaired and restored, the portion of the street security deposit as is established for refund in the schedule provided in subsection (b) of this section shall be refunded after ninety days from the date of repair.

(e) Inspections shall be requested by the contractor at least two hours prior to backfill, in order to receive a refund.

(f) No refund of a street security deposit shall be made until sufficient time has elapsed following the completion of the disruption work to assure the fact of "nonfailure" of the restoration.

Section 6. A fee established in this ordinance shall go into effect on the date set forth herein; provided that, a land use development permit application which the City determines was complete before the effective date of a revised fee shall be charged the fee in effect on the date such application became a complete applications.

Section 7. 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 8. This ordinance shall be published pursuant to Section 1.08.107, Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of March, 2005.

Signed in authentication thereof this 15th day of March, 2005.

Mary Alice Burleigh
MAYOR

Attest:

Lizzie Anderson
City Clerk

Approved as to Form:

Robert Jenkins
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE 3987

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FEES CHARGED UNDER KMC CHAPTERS 5.74, 15.28 AND 19.12.

SECTION 1. Revise fees associated with the Public Works Department effective 5-1-2005 by amending KMC Section 5.74.040.

SECTION 2. Repeals KMC Section 5.74.070.

SECTION 3. Creates a new KMC Section 5.74.070 revising fees charged by the Planning Department effective 5-1-2005 and includes a provision for administratively adjusting fees.

SECTION 4. Revise fees associated with the Public Works Department effective 5-1-2005 by amending KMC Section 15.28.110.

SECTION 5. Revise fees associated with the Public Works Department effective 5-1-2005 by amending KMC Section 19.12.090.

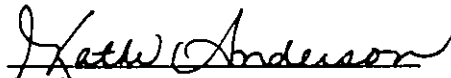
SECTION 6. Provides for implementation of revised fees.

SECTION 7. Contains a savings clause.

SECTION 8. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

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 regular meeting on the 15th day of March, 2005.

I certify that the foregoing is a summary of Ordinance 3987 approved by the Kirkland City Council for summary publication.


City Clerk