

CHAPTER 19.68

FEES

Section:

19.68.010 APPLICATION FEES
19.68.020 INFRASTRUCTURE FEES

19.68.010 APPLICATION FEES

A. *Fee Amounts*

Payment of fees and the specified amounts shall accompany the application for the following:

1. Variance, 100 dollars.
2. Conditional use permit, 100 dollars, plus 5 dollars for each subdivision lot or fraction, or each acre or fraction of subdivided land.
3. Zone change, 120 dollars.
4. Building permit, 10 dollars in addition to Uniform Building Code fees for environmental committee.
5. Floodplain development permit fee, as required by Title 15 of this Code: 100 dollars, plus 10 dollars per lot, or 10 dollars per acre, whichever is greater.
6. Setback encroachment permit, 150 dollars.

B. *Action and Adjustments*

No action shall be taken or become effective until the fee is paid. Adjustments regarding the above fees may be made by resolution.

19.68.020 INFRASTRUCTURE FEES

A. *Purpose and Intent*

1. It is the purpose and intent of this Section to implement a unified infrastructure development fee program to fund the acquisition, design and construction of certain public facilities necessary to serve new development within the City.
2. The facilities to be funded by the infrastructure fee are the infrastructure improvements as defined in Chapter 19.08, DEFINITIONS.
3. The requirements of this Section are in addition to any other requirements imposed by City ordinances, resolutions, rules or regulations.

4. The fees required by this Section are in addition to any other means of financing facilities or improvements which may be available under state law, this Code or City policy.

B. Imposition and Accounting of Infrastructure Fee

1. As a condition of the performance of final inspection or the issuance of any certificate of occupancy for a new residential, industrial or commercial structure or adding at least 50 percent to the gross floor area of any such existing structure within the City, the applicant shall pay an infrastructure fee to fund the design, construction and/or acquisition of the infrastructure improvements. The amount of the infrastructure fee shall be set from time to time by resolution of the City Council.
2. Infrastructure fees paid pursuant to this Section shall be segregated and placed in special funds according or infrastructure improvement. Monies from these funds shall be expended solely for the acquisition, design and/or construction, or reimbursement for construction, of the infrastructure improvements.
3. Notwithstanding anything else in this Section, a project otherwise exempt from the infrastructure fee by reason of the adoption of ordinance Number 877 on October 7, 1991, shall continue to be exempt from the infrastructure fee provided a building permit for such project has been issued on or before December 31, 1993. This exemption shall only apply to those projects otherwise subject to the infrastructure fee for which an applicant has been issued a building permit on or before December 31, 1993. This exemption shall not apply if the building permit issued on or before December 31, 1993 is allowed to expire before final inspection or certificate of occupancy issuance.
4. Notwithstanding anything else in this Section, an applicant shall not be required to pay an infrastructure fee for any property which has already paid an infrastructure fee under this Section.

C. Reimbursement Agreements

1. An owner of a parcel or parcels within the City will be entitled to enter into a reimbursement agreement with the City to reimburse the owner, from subsequently collected infrastructure fees, the developer's approved cost of installing one or more of the infrastructure improvements. The City will only enter into a reimbursement agreement where all of the following conditions are satisfied:
 - a. The owner has constructed an infrastructure improvement identified in the City's facilities study.

- b. The City has required that the infrastructure improvement be constructed to contain supplemental size, capacity, number or length for the benefit of property not within the owner's project.
 - c. Unless otherwise agreed to between the parties to the reimbursement agreement, the City's estimate for the facility as set forth in the facilities study shall be the maximum reimbursement.
 - d. The infrastructure improvement for which reimbursement will be provided has been dedicated to the City.
2. The City shall not reimburse the owner for any costs related to financing any infrastructure improvement.
 3. Any reimbursement agreement entered into under this Section shall require the City to provide reimbursements for a period of up to 20 years. Reimbursements shall only be provided from the proceeds of the infrastructure fees collected by the City for the same type of facility for which reimbursement is being made. Until all the infrastructure improvements of the same type as the infrastructure improvement constructed pursuant to the reimbursement agreement have been constructed, only 50 percent of the infrastructure fee proceeds collected by the City for the same type of facility for which the reimbursement is being made shall be paid in reimbursements. The remaining 50 percent shall be held by the City for its own use to construct infrastructure facilities.
 4. In the event that the City enters into reimbursement agreements with the owners of different parcels which obligate the City to make reimbursement payments at the same time for the same types of facility, the owner which has executed the earliest reimbursement agreement with the City shall be entitled to infrastructure fee proceeds before any other owner.
 5. As used in this Subsection, facilities which are of the same "type" are those facilities identified in the same section of the facilities study.
 6. All reimbursements under this Section shall be provided on an annual basis at the time determined by the City.

D. Exemption From Other Fees

Any developer paying an infrastructure fee shall not be required to pay the fees described in Sections 18.32.050 and 7.09/010 (E) of this Code.