

JOB CREATION RESOLUTION AS OF DECEMBER 22, 2015

A temporary resolution fostering jobs in Clark County by streamlining the permit process and waiving application, service/development review fees and traffic impact fees under the county's transportation impact fee program found in CCC Title 6 and CCC 40.610.040.

1. The Board adopted findings and conclusions contained in the recital clauses from Resolutions 2013-06-06, 2015-12-03, 2015-12-19, except as amended by later resolutions.
2. To the extent Resolutions numbered 2012-05-02, 2012-05-03, and 2013-02-18 are inconsistent, each of them is amended.
3. Clark County shall not collect application and service fees normally collected under the following sections at the time of application for developments meeting the requirements of this resolution:
 - CCC 6.110A.010 Section 2B; 2D through 2Q, 2T through 2W, excluding the cost of an EIS; and 2X through 2AB, 2AE through 2AI.
 - CCC 6.110A.020;
 - CCC 6.110A.030;
 - CCC 6.110A.035;
 - CCC 6.110A.040, excluding Section 1C, and 1F;
 - CCC 6.120.040, Sections 1-10; and
 - CCC 6.140 Sections 1, 2, and the non-residential portions of 4.

Similarly, Clark County will not collect traffic impact fees required by CCC 40.610.040 for developments that meet the requirements qualifying them for the county's development Traffic Impact fees (TIF) waiver program. The criteria are restated below for reference:

A. Non-residential developments involving tenant improvements to existing buildings, the construction of new/additional buildings or subject to Site Plan approval (Eligible Developments) shall receive a one hundred percent (100%) waiver of application and service fees set out above and TIFs (Eligible fees). Developments excluded from the phrase "non-residential" include hotels, motels, senior housing, and dormitories. Facilities, where medical treatment is provided, are included.

B. This Resolution does not authorize waiver of Eligible Fees to a Development by any type of governmental agency, district or unit, except the waiver is available to post-secondary school non-residential developments in the University Zoning District.

C. Where questions of applicability arise, the Community Development Director shall determine development eligibility.

D. Eligibility under this resolution is limited to those, who by written agreement, commit to the obligations under this resolution. Purchasers of real property with development approvals, subject to waivers under this resolution, must sign an agreement with Clark County and accept both the obligations and benefits under this resolution or pay the fees subject to waiver.

The following information is to be provided up front before the agreement can be granted by the county:

The estimated additional annual gross sales, additional annual taxable sales, and additional number of full time employees expected by operations accommodated by the development. This information is to allow county staff to post monthly updates that reflect the fruit of this resolution.

4. Applicants receiving waivers of Eligible Fees pursuant to this Resolution must obtain approval of the first required building inspection on projects subject to this Resolution as follows:
 - A. For tenant improvements in existing commercial, office, and industrial buildings, no later than six (6) months from the date of permit issuance; and
 - B. For new construction, no later than nine (9) months from completion and acceptance of site improvements.

The applicant shall diligently pursue construction thereafter. "Diligently pursue" shall mean that the Applicant shall obtain an inspection approval at least every two months (or four months for buildings valued at greater than three million dollars).

5. Eligible Applicants may also have the TIF fees, otherwise due, waived if they develop in compliance with this resolution. Developments, for which TIF fees are waived, are not entitled to TIF credits. Public Works staff shall calculate each TIF waived, monitor, and track each project as they qualify for a waiver to ensure compliance with the provisions of this resolution.

Once the development is granted final occupancy (or final approval for developments not requiring occupancy) the TIF waiver becomes permanent for each development. The waived or exempted TIF fee shall become a public share obligation of the county for Capital facility funding purposes.

6. An Applicant receiving a waiver of Fees pursuant to this Resolution who fails to satisfy all of the requirements of this resolution and Applicants who fail to diligently commence or diligently pursue construction shall forfeit their approvals, and their applications will be deemed abandoned and expired, Provided, if an Applicant completes all the requirements for one class of permits such as site plan or subdivision approval, such approvals and waivers shall be final. In the event of a dispute regarding the applicability of this section, the Community Development Director shall make the final decision pursuant to the standards in this Resolution.

7. Program Monitoring and Automatic Review of Resolution (REPEALED).

8. The Board will review eligibility for waiver of Fees including TIF's, permitting, and development/inspection fees within 180 days after the unemployment rate for covered employment in Clark County is lower than the Washington State average

The Board desires to enhance predictability of application costs for new enterprises considering location within the unincorporated area. . It is, therefore, the intention of the Board to give a 250-day notice prior to the removal of the current fee waiver recognizing that this provision is not binding on future legislative bodies.

9. Effective Date. This resolution has been amended twice and is implemented based on the version in effect when a fully complete application is filed.