

RESOLUTION NO. 2016-07-04

A resolution amending the 250 day notice provision of Resolution 2015-12-03 and notifying property owners that the fee resolution may be removed or substantially retooled.

WHEREAS, RCW 82.02.020 authorizes counties to charge an applicant reasonable fees to cover the cost of processing applications, inspections, and plan and SEPA review;

WHEREAS, RCW 82.02.050 authorizes counties to charge traffic impact fees to cover a proportionate share of the cost of providing road improvements listed in the Capital Facilities Plan; and

WHEREAS, in accordance with RCW 82.02.050-82.02.070 and Clark County policy, the Board has adopted a traffic impact fee program, as set forth in Title 40.610 of the CCC; and

WHEREAS, Section 8 of the Resolution 2013-06-06 contains provisions for its eventual review and repeal; and

WHEREAS, projects may require several months to assemble and prepare for application; and

WHEREAS, the prior board was concerned that a sudden repeal of the fee waiver could alter the economic analysis of projects started but not approved; and

WHEREAS, the board felt a sudden repeal would create uncertainty about the risk and economics of initiating new development projects; and

WHEREAS, the Clark County Council wishes to review, modify and possibly remove all or portions of advance notice provision of fee waiver resolution 2015-12-03 while still providing ample notice to the public; and

WHEREAS, following its own duly advertised public meeting, the Board finds adoption of this resolution will further the public welfare; now, therefore,

BE IT ORDERED AND RESOLVED BY COUNCIL OF CLARK COUNTY, STATE OF WASHINGTON AS FOLLOWS:

SECTION 1. Findings.

The Board hereby adopts the findings and conclusions contained in the recital clauses above as findings supporting this resolution.

SECTION 2. Amendatory. Section 8 of Resolution 2013-06-06 as most recently amended by Section 3 of Resolution 2015-12-03 is each amended to read:

8. Re-evaluation.

~~((The Board will review eligibility for waiver of Fees including TIF's, permitting, and development/inspection fees within sixty days after the unemployment rate for covered employment in Clark County is lower than the Washington State average or immediately if the Board concludes that such action is necessary.~~

~~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.))~~

The Board hereby notifies landowners that after December 31, 2016, the advance notice provisions of the fee waiver resolution will no longer be effective. All applications on or after January 1, 2017 will be subject to the fees or fee waiver provision in effect at that time. The Board may remove or substantially modify the fee waiver resolution, Resolution No. 2015-12-03. It is the intention of the Board to appoint a task force to study alternatives and make recommendations.

SECTION 3. Effective Date.

This resolution shall take effect immediately.

ADOPTED this 19th day of July 2016.

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY

Attest:

Rebecca Jilton
Clerk to the Board

By: Mare Boldt
Mare Boldt, Chair

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

Christopher Horne
Christopher Horne, WSBA #12557

By: _____
Jeanne Stewart, Councilor

By: _____
Julie Olson, Councilor

By: _____
David Madore, Councilor

By: _____
Tom Mielke, Councilor