

ORDINANCE NO. 655

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERSON, WASHINGTON, ESTABLISHING, SETTING AND REVISING CERTAIN FEES AND CHARGES RELATED TO LAND USE AND RELATED PERMIT APPLICATIONS, APPLICATION REVIEW, PERMITS AND APPROVALS.

WHEREAS, the City Council has previously established fees and charges for certain land use applications and approvals; and

WHEREAS, the City Council took action in 2002, through adoption of Ordinance No. 597, to revise said fees and charges and to establish additional fees and charges for land use permit applications and approvals; and

WHEREAS, said land use fees and charges are codified in Chapter 3.20 of the Everson Municipal Code; and

WHEREAS, the City Council has determined that a number of the fees and charges for land use applications and approvals no longer represent the costs and expenses incurred by the City in the review and processing of permit applications, or the service represented by the fee or charge; and

WHEREAS, the City Council has further determined that it is in the public interest for the proponents of certain actions requiring land use permits or approvals to pay the associated costs related to the processing and review of said applications or approvals, including, but not limited to, the cost of public notices, public mailings, third-party engineering and environmental review, public hearing costs, and City plan review and inspections; and

WHEREAS, public notice for a public hearing on the proposed changes to the existing fees and charges set forth in Chapter 3.20 of the Everson Municipal Code was provided in the Lynden Tribune on May 3, 2006; and

WHEREAS, a public hearing regarding proposed changes to Chapter 3.20 of the Everson Municipal Code was held on May 23, 2006, where opportunity for public testimony was provided and public testimony was received;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EVERSON, WASHINGTON DOES HEREBY ORDAIN THE AMENDMENTS TO SECTION 3.20 OF THE EVERSON CITY CODE AS FOLLOWS:

SECTION 1: Section 3.20.010 of the Everson Municipal Code is amended to read as follows:

3.20.010 Schedule of Fees and Charges - Land Use. The Everson unified schedule of land use fees and charges is as follows:

<u>Land Use Event/Action</u>	<u>Reference</u>	<u>Fee</u>
Annexation		
Application	1.28.010	\$500.00
Administrative interpretation	16.01.150	\$100.00
Appeals, Nonjudicial		
Filing Fee	16.01.160(C)	\$300.00
Pre-application Conference	16.01.060	\$50.00
Construction		
Building Permit		Per UBC fee schedule
Manufactured Homes (inspection)	15.04.094	
For unit up to 15 feet wide	\$75.00	
For unit over (>) 15 feet wide:		\$100.00
Additional inspections (each)		\$35.00
Modular Homes (inspection)	15.04.092	
For unit up to 15 feet wide	\$75.00	
For unit over (>) 15 feet wide:		\$100.00
Additional inspections (each)		\$35.00
Moved Buildings (inspection)	15.04.090	
Inspection inside City		\$50.00
Inspection outside City		\$50.00
(Per hour including travel time)		
Mileage Charge (per mile round trip)		Per IRS rate
Floodplain		
Development Permit Application	15.10.031	\$300.00
Elevation Verification	15.10.031	\$50.00
Variance Application	15.10.034	\$300.00
Administrative Appeals	15.10.034	\$300.00
Land Development		
Impact Identification Costs	16.08.060(C)	See text
Grading Plan Review and Permit		Per UBC fee schedule
Natural Resources (Critical Areas)		
Critical Areas Review	16.12.040	\$200.00
Critical Areas Variance	16.12.120	\$500.00
Reasonable Use Exception Application	16.12.087	\$300.00
Park Impact Fee		
Single-family residence (per unit)		\$1,200.00
Multifamily dwelling (per residential unit)		\$960.00
Shoreline Development		
Substantial Development Permit	16.04.010	\$500.00
Conditional Use Permit	16.04.010	\$500.00
Variance	16.01.010	\$300.00
Exemption	16.01.010	\$50.00

State Environmental Policy Act (SEPA)		
Checklist Review	16.02.820(1)	\$150.00
Determination		\$50.00
EIS Preparation Costs	16.02.820(2)	See text
Public Notice Costs	16.02.820(3)	See text
Streets		
Right-of-way Permit - Mailbox	12.12.020	\$nil
Right-of-way Permit - Other	12.12.020	\$50.00
State Highway Access Permit	12.12.030	\$50.00
Street or Alley Vacation		\$150.00
Subdivisions		
Variance from standard application	18.01.020	\$200.00
Short subdivision	18.08.020	\$500.00
Plus per lot		\$50.00
Short plat final approval (per lot)		\$200.00
Long Subdivision Preliminary Plat	18.12.020(L)	\$1,300.00
Plus per lot		\$40.00
Final Plat (per lot)	18.24.020(H)	\$200.00
Binding Site Plan-Preliminary	18.28.030	\$1,300.00
plus per unit		\$150.00
Binding Site Plan-Final (per lot)	18.28.040	\$200.00
Lot Line Adjustment (per adjusted lot)		\$50.00
Utility Plan Review and Inspection		\$50.00 per hour
Zoning		
Conditional Use	19.11.040	\$500.00
Variance	19.11.040	\$300.00
Site-specific Zone Change	19.11.040	\$500.00
Administrative Appeal	16.01.160	\$300.00
Sign Permit	19.41.150	\$25.00
Sign Permit with Design Review	19.41.150	\$100.00
Sign Permit with City Council Review	19.41.150	\$300.00
Comprehensive Plan		
Proposed amendment	19.04.050	\$750.00

SECTION 2: A new Section 3.20.015 of the Everson Municipal Code is established and shall read as follows:

3.20.015 Schedule of Fees and Charges – Supplemental Land Use. The Everson unified schedule of supplemental land use fees and charges is as follows:

- A. Applicants for the following land use permits, applications and approvals shall be responsible for the payment of all costs incurred by the City related to public notice and public hearing, including publication, signage, and mailings as may be required by law or ordinance, Annexations, and Sign permits requiring City Council approval and any Class III permit not identified under Subsection (B), below.
- B. Applicants for the following land use permits, applications and approvals shall be responsible for payment of all costs incurred by the City related to public notice, including publication, signage and mailings, all costs incurred by the City for third-party review, such as for engineering and environmental review and inspections, and the costs of a court reporter for a public hearing as determined to be necessary by the Mayor or City Attorney: Floodplain variance, Land development impact identification, Grading permit, Critical areas review, Critical areas variance, Reasonable use exception, Shoreline substantial development, Shoreline conditional use, Shoreline variance, Street or alley vacation, Subdivision variance, Short subdivision, Preliminary plat, Binding site plan, Subdivision utility plan review and inspection, Zoning conditional use, Zoning variance, Site-specific zone change, and Comprehensive plan amendment.

SECTION 3: All other provisions of Section 3.20 not amended in the forgoing sections shall remain in full force and effect.

SECTION 4: Repealer. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 5: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clauses or phrases may later be declared invalid our unconstitutional, then any ordinance or ordinances, or parts thereof, amended or repealed by such portion this Ordinance shall remain in full force and effect.

SECTION 6: Effective date. This Ordinance shall take effect and be in force from after its passage by the City Council and approval by the Mayor, if approved, or otherwise as provided for by law and five (5) days after publication.

PASSED by the City Council of the City of Everson, Washington, on the 13th day of June 2006, and approved by its Mayor on the same date.

CITY OF EVERSON, WASHINGTON

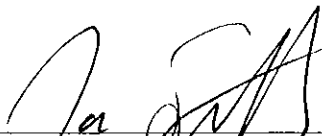


JALEEN PRATT, Mayor

ATTESTED/AUTHENTICATED;

By: 
DIANA QUINN, Treasurer

APPROVED AS TO FORM:


JON SITKIN, City Attorney