

RESOLUTION NO. 181 -2013

A RESOLUTION REPEALING RESOLUTIONS 014-2008, 086-2010, 169-2011 AND 195-2012, CONSOLIDATING ALL PREVIOUSLY APPROVED AMENDMENTS AND PROVIDING ADMINISTRATIVE CLARIFICATION ON COMMUNITY DEVELOPMENT FEE POLICIES

WHEREAS, the Board of County Commissioners previously adopted Resolution No. 014-2008 approving the establishment of fee policies for the Department of Community Development; and,

WHEREAS, the Board of County Commissioners previously adopted amended Resolution Nos. 086-2010, 169-2011, and 195-2012 approving the amendment of fee policies for the Department of Community Development; and,

WHEREAS, there is a need to provide updates for administrative clarification; and,

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners in regular session assembled that the consolidated Community Development Fee Policies supersede the Community Development Fee Policies herein be approved.

ADOPTED this 2nd day of December, 2013.



BOARD OF COUNTY COMMISSIONERS
Kitsap County Washington

Josh Brown
Josh Brown, Chair

Charlotte Garrido
Charlotte Garrido, Commissioner

Robert Gelder
Robert Gelder, Commissioner

ATTEST:

Dana Daniels
Dana Daniels
Clerk of the Board



FEE POLICIES

COMMUNITY DEVELOPMENT



Background

The Department of Community Development transitioned from a General Fund Department to a Special Revenue Fund in 2008. Fees assessed and collected beginning January 1, 2008 were maintained in an established Special Revenue Fund and adhered to the guiding principles and fee policies as established by the Department of Community Development and approved by the Kitsap County Board of County Commissioners on January 28, 2008.

Guiding Principles

- Fees should be regionally competitive while allowing for timely, high-quality service delivery by staff.
- Fee based services are defined as operations related to permit/application processing, inspections, plan reviews, State Environmental Policy Act documents, land use appeals, and code enforcement.
- Applicants should pay for the services received.
- Fees shall include direct and indirect costs associated with service delivery.
- The funding structure should support the department's operations through economic cycles and fluctuations in workload.
- Fees should be predictable and understandable to the customer.
- The fee system should be efficient and cost-effective to manage.

Fee Policies

Policy 1: The Department will establish a cost recovery objectives model for service delivery to the applicant. The cost recovery objectives of the model will be approved by the Board of County Commissioners.

Policy 2: Fees will be based on an hourly rate to review/process pre-applications, engineering, environmental, and land use applications. Inspections associated with these application types will also be charged an hourly rate. The hourly rate includes applicable travel time. The Department will record the time spent on various types of applications in the Land Information System and develop an average processing time. This average processing time is multiplied by the current hourly rate to become the base application fee deposit. The Director or his/her designee has the authority to reduce the base application fee at the time of intake/submittal by exception only, providing that all projects are reconciled at completion for full cost recovery. If an application is able to be processed in less than the average time, the applicant will be credited or refunded the unused portion of the fee. No applicant will be charged additional hours or credited with hours without a review by the appropriate manager to ensure the increase/reduction is valid.

Policy 3: Permits, plans reviews, and inspections subject to the international building code will be assessed a fee based on valuation tables and methodologies established by the International

Building Code Committee. Increases in building permit fees will occur annually based on the August publication of valuation fees by the International Building Code Committee. The determination of Kitsap County's valuation factor will be consistent with the methodology established by the International Building Code Committee.

Policy 4: Permit fees associated with major component systems of a structure will be charged as follows: Commercial structures will be based on the valuation of the system being installed. For example, a plumbing system would be assessed at the value of the total system versus charging by individual components. Residential structures will be assessed on a per unit basis.

Policy 5: Applicants or individuals making appeals to the Hearing Examiner shall pay the fee as established in the current fee schedule.

Policy 6: Indirect costs associated with the permit process will be recovered. Indirect costs are defined as the following: administrative costs; personnel support costs; training and public education costs; Hearing Examiner, County Administrator, and Attorney time spent directly on a permit; technology costs; and, facilities costs. Other indirect costs may be identified in the future and may be charged in the fee structure providing they are associated with the permit process and linkage can be clearly identified.

Policy 7: Indirect costs will be calculated on a ratio of personnel supported. For example, if 80 percent of the Department's line staff is involved with the permitting, review, and inspection processes, then 80% of the Department's indirect costs will be charged to fees.

Policy 8: The Department may create a "surcharge" to fees to create a fund balance to support continuing operations during times of economic fluctuations and a technology capital fund to improve service delivery in the field. This "surcharge" will sunset when the department reaches a fund balance of three months operating expenses plus \$100,000 for capital technology costs. To ensure that the Department does not "grow" at the expense of its clients, the Department will create staff service levels to be approved by the Board of Commissioners.

Policy 9: Each fee covers the cost of intake, plans review, and inspections. Fees are based on two iterations of plans review (first submittal comments and review of second submittal comments) and two iterations of inspections (initial inspection and follow up inspection). When a plan review or inspection is required a third or more times, the applicant will be required to pay the hourly rate for review and subsequent inspections.

Policy 10: When an applicant disagrees with the Department's review or inspection results, the Department will offer the applicant the option to use an outside agency to review/inspect the project. The applicant will pay the full fee for this service; however, the Department will accept the third party review as the final determination and move the project forward.

Policy 11: Other county departments who utilize the Department of Community Development will pay the appropriate fees per the fee schedule with the exception of Public Works Road Fund projects.

Policy 12: Applicants may seek an expedited review or inspection providing they are willing to pay for the additional costs, either with an outside agency review or overtime.

Policy 13: The Department will develop, in conjunction with the Prosecutor's Office, adjudication procedures for applicants who disagree with assessed fees higher than the established base fee.

Policy 14: Department personnel who are revenue funded will be "protected" from personnel reductions as long as the revenues are sufficient to cover their costs.

Policy 15: When it is determined that it is more economical to waive a fee than process it, the Director or his/her designee has the authority to make such a waiver. For example, if an applicant submits a plan amendment that would take less than one hour to review, it may be feasible to waive the plan review charge as the administrative cost might exceed the fee processing time.

Policy 16: Fees are due and payable at the time services are requested unless otherwise specified in the established fee schedule and policies. Failure to pay established fees may result in one or more of the following:

- No additional inspections, including final inspections, will be scheduled or performed until all outstanding fees are paid.
- No Temporary or Final Certificate of Occupancy will be approved or issued for a project with any outstanding fees on any permit associated with the project. Exceptions may be authorized by the Building Official or Director only.
- An approved or issued permit may be revoked for non-payment of fees.
- Any outstanding fees or portions of fees shall be added to the required fee(s) of any future plan review or permit prior to application acceptance or permit issuance.
- The collection of outstanding fees may be assigned to a collection agency, pursuant to RCW 19.16.500, or a civil action may be commenced to collect outstanding fees, associated interest, fines, penalties and reasonable fees associated with collection agency fees incurred. Interest will be charged at the rate of one percent per month. No debt may be assigned to a collection agency until at least 30 days have elapsed from the time the county attempts to notify the person responsible for the debt.
- A lien may be placed on the property.
In those cases where an applicant appeals the imposition of fees pursuant to Policies 5 and 13, such fees shall be paid prior to the appeal, but may be paid "under protest."

Policy 17: Staff Consultation. Applicants may request and participate in an informal thirty-minute meeting prior to a formal pre-application meeting or application submittal. The purpose of the consultation is to discuss in general terms project permit application questions. Staff will not prepare for the consultation, nor will they produce any written or electronic documentation of the discussions. It is the applicant's responsibility to take notes. As no project permit application has been submitted, the county will not make any binding commitments. Fees associated with a staff consultation will only be applied to a project permit application with the same Parcel which the meeting was conducted and must be applied within 12 months of the date of the staff consultation.

Cost Recovery Model

Service	Cost Recovery Objectives
Code Development	0%
Comprehensive Plan Development	0%
Site Specifics (Changes to Comprehensive Plan)	100%
Land Use Review	100%
Environmental Review/SEPA	100%
Permit Acceptance and Processing	100%
Public Notification for Permit Applications	100%
Engineering Review	100%
Building Plans Review	100%
Site Inspections	100%
Pre-application Review	100%
Fire Investigations	0%
Code Enforcement (Open Permits)	100%
Code Enforcement (Other)	100%
Hearing Examiner Costs	100%
Appeals to Hearing Examiner	100%
Review by Third Party Agencies	100%
Administrative Support Costs	85%