



CLARK COUNTY STAFF REPORT

DEPARTMENT: Community Development

DATE: January 31, 2012

REQUEST: Resolution to Waive Development and Service Application Fees in Accordance with Specified Criteria for a Temporary Period

CHECK ONE: Consent Public Meeting

BACKGROUND

In response to this economic recession, the attached resolution is intended to help stimulate private sector jobs by waiving fees for projects in various non-residential zones of the county. The initiative is targeted toward development generally consistent with the *Clark County Economic Development Plan* (September 2011) prepared for the Columbia River Economic Development Council by TIP Strategies.

Commonly referred to as a 'fee holiday' resolution, the fees waived include application and service fees normally imposed per CCC Chapter 6.110A.010 (preliminary plan review fees) section 1, 2A, 2B and 2D through 2AK, 6.110A.020 (development engineering plan review fees), 6.110A.030 (development inspection fees), 6.140 (building fees), and 6.120 (Fire Marshal fees) sections 1 to 9, 10 A, B, and D, and section 11.

It should also be noted that the resolution grants to the Community Development Director authority to make certain determinations including 'in-process' projects that benefited from the 2010-2011 fee holiday resolution.

COMMUNITY OUTREACH

The proposal picks up from the outreach efforts for the 2010-2011 fee holiday program. These efforts included press releases, a spotlight feature produced by CVTV, and a post-application questionnaire and survey. Also, Clark County assisted in the commission of the TIP Strategies report that is partly the basis of the 100% fee waiver proposal. Given that fact, the broader business and economic development stakeholders in the community benefited from the extensive outreach that was part and parcel of the TIP Strategies report.

BUDGET AND POLICY IMPLICATIONS

Fee waivers in the proposed resolution represent a cost to the county budget since those fees would normally be collected for services performed by Community Development, Environmental Services, and Public Works departments.

Since this resolution addresses the fee waiver activity, and in order to provide degrees of impact accordingly, attached please find depictions of select actual developments which have occurred within the past three years and fees associated with those developments. By intent, a range of projects, from large to medium to small, have been included to provide a sense as to potential outcomes. It should be reiterated that no anticipated fee waiver volume for the life of the resolution can be predicted at this time. Also please note that the dollar amounts shown have been extrapolated into the current fee schedule (2010) to ensure that highlighted projects are normalized, and attendant benefits have also been estimated to further inform the Board's perspective. Net budgetary impacts not counterbalanced by internal cost

reductions, if any, would be borne by the General Fund, Road Fund, and/or the Clean Water Fund.

FISCAL IMPACTS

Yes (see attached form)

No

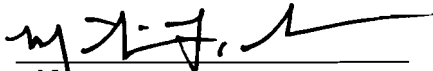
See alternate form.

ACTION REQUESTED

Approve the proposed resolution.

DISTRIBUTION

Board of Clark County Commissioners; County Auditor; Budget Director; Community Development Director; Environmental Services Director; Public Works Director



Name
Title Community Development
Director

Approved: Feb 7, 2012
CLARK COUNTY
BOARD OF COMMISSIONERS

FISCAL IMPACT ATTACHMENT

See attachment regarding New Construction Project Examples

1 **NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE BOARD OF**
2 **COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON** as follows:

3
4 **SECTION 1. APPLICABILITY**

5 A. Definitions. For purposes of this resolution,

6 (1) ‘Development’ shall mean:

7 (a) A change of use or the construction of an addition requiring Type II Site
8 Plan Review; or

9 (b) Construction of a new building or buildings that require any type of site
10 plan and engineering review.

11 (2) ‘Higher education’ refers to the Washington State University – Vancouver campus.

12 The provision in D.1. excluding development by governmental agencies, districts or units shall not apply
13 to Washington State University – Vancouver.

14 B. The following shall receive a one hundred percent (100%) fee waiver:

15 (1) Development proposals that can demonstrate creation of a minimum of fifteen (15)
16 full-time equivalent (FTE) jobs and are located in the Industrial, Mixed Use, Business Park, or Office
17 Campus zoning districts.

18 C. The following shall receive a fifty percent (50%) fee waiver:

19 (1) Development proposals located in any commercial zone that create a minimum of
20 fifteen (15) full-time equivalent (FTE) jobs.

21 D. This Resolution shall not apply to the following:

22 (1) Development by any type of governmental agency, district or unit; or

23 (2) Development by entities exempt from federal income taxation by Title 26 of the
24 United States Code, except for entities which directly provide health care-related services.

25 E. Where questions of applicability arise, the Community Development Director shall
26 determine if the development is applicable.

27
28 **SECTION 2. TEMPORARY WAIVER OF CERTAIN FEES**

29 A. Qualifying development proposals defined in Section 1.B.(1) above shall be subject to a
30 100 percent waiver of application and service fees normally imposed by County per CCC Chapter
31 6.110A.010 Section 1, 2A, 2B and 2D through 2AK, 6.110A.020, 6.110A.030, 6.140, and 6.120 Sections

1 1 to 9, 10 A, B, and D, and Section 11d, or successor provisions, at the time of application, beginning on
2 the effective date of this Resolution through 12:00 p.m. on September 28, 2012.

3 B. Qualifying development proposals falling into the category of Section 1.C.(1) above, shall
4 only receive a 50% waiver of the application fees set out above.

5
6 **SECTION 3. NO INCREASE IN FEES**

7 Fee amounts in accordance with CCC Titles 6 and 40 at the time of adoption of this Resolution
8 shall not be subsequently increased for the purpose of replacing County revenue lost due to fees waived
9 under authority of this Resolution.

10
11 **SECTION 4. COMMENCEMENT OF CONSTRUCTION AND JOB CREATION**

12 Applicants receiving fee waivers in accordance with this Resolution must:

13 A. Obtain approval of the first required building inspection on projects subject to this
14 Resolution no later than September 27, 2013 and diligently pursue construction thereafter.

15 B. Hire 15 full-time equivalent (FTE) employees and retain the positions for a period of at
16 least two (2) years.

17 Applicants failing to meet A or B above are required to remit waived fees in accordance with
18 Section 5 of this Resolution.

19
20 **SECTION 5. REMITTANCE OF WAIVED FEES**

21 Any Applicant receiving a waiver of fees pursuant to this Resolution and failing to commence and
22 diligently pursue construction as required by Section 4 shall remit to County the full monetary value of
23 waiver(s) granted under this Resolution, plus twelve percent interest compounded annually. In the event
24 of a dispute regarding the applicability of this section, the Community Development Director shall make
25 the final decision pursuant to the standards in this Resolution.

1 **SECTION 6. TERMINATION**

2 With the exception of Section 5, this Resolution shall terminate at 12:00 p.m. on September 28,
3 2012. Section 5 shall continue in full force and effect for four years following the aforementioned
4 termination date.

5
6 **SECTION 7. PREVIOUSLY APPROVED PROJECTS UNDER THE 2010-2011 FEE HOLIDAY**

7 The Community Development Director may:

8 A. Extend, up to September 27, 2013, the 'Commencement of Construction' deadline
9 established in Section 4 of Resolution 2010-10-04. This extension can only be granted for projects that
10 had one or more permit or review that qualified under the 2010-2011 Fee Holiday program.

11 B. Approve fee waivers for additional permits that relate to an extension as described in A
12 above.

13
14 **SECTION 8. SEVERABILITY**

15 If any part or provision of this Resolution, or its application to any person or circumstance, is held
16 invalid, it is the intent of the Board that the remainder of this Resolution, or its application of the
17 provisions to other persons or circumstances, is not affected.

18
19 **SECTION 9. EFFECTIVE DATE**

20 This Resolution shall be in full force and effect upon the date following its adoption by the Board.

1 ADOPTED this 07th day of February, 2012.

2
3 Attest:

BOARD OF CLARK COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON

4 Rebecca Jutor

5
6 Clerk to the Board

7 By: Marc Boldt

8 Marc Boldt, Chair

9 Reviewed as to Form Only

10 ANTHONY GOLIK

11 Prosecuting Attorney

By: _____

12 Tom Mielke, Commissioner

13 Christopher Home

14
15 By Christopher Home,

By: _____

16 Deputy Prosecuting Attorney

17 Steve Stuart, Commissioner