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CLARK COUNTY
WASHINGTON



COMMUNITY PLANNING

STAFF REPORT

TO: Board of County Commissioners

FROM: Oliver Orjiako, Community Planning Director

PREPARED BY: Mike Mabrey, Planner III

DATE: January 7, 2014

SUBJECT: Resolution extending the recalculation of impact fees under the County's transportation impact fee program and temporarily amending CCC 40.610.040B

BACKGROUND:

Clark County Code (CCC 40.610.040B) requires that impact fees be recalculated for building permit applications filed more than three (3) years following the date of the applicable preliminary plat, preliminary short plat or site plan approval.

In January 2010, the Clark County Board of Commissioners approved Resolution 2010-01-01, which temporarily amended CCC 40.610.040B to lock in traffic impact fees for developments that received preliminary approval from 2004 through 2007. Resolution 2010-01-01 expired on December 31, 2010. Extensions related to the recalculation of impacts fees were approved on June 21, 2011 with Resolution 2011-06-08, on December 13, 2011 with Resolution 2011-12-01 and on January 8, 2013 with Resolution 2103-01-01.

Staff is forwarding a proposal that would again extend the policy on recalculating traffic impact fees through 2014. Developments that received preliminary approval from 2004 through 2011 would be eligible. The purpose of extending the temporary resolution is to stimulate road, utility, and building construction, thus resulting in economic activity and job creation.

COMMUNITY OUTREACH: A Notice of Public Hearing was advertised in the Columbian before December 21, 2013.

BUDGET AND POLICY IMPLICATIONS: This action would extend an existing temporary policy for one year. Budget implications are largely unknown. Currently the County has approved approximately 230 residential preliminary land use decisions, and approximately 30 commercial developments that would qualify for this temporary amendment. It is not clear the extent to which the development community will take advantage of the TIF rate lock extension.

FISCAL IMPACTS:

- Yes (See Attached Fiscal Impacts Form)
 Unknown at this time

ACTION REQUESTED: It is requested that the Board of County Commissioners approve the attached Resolution extending the recalculation of impact fees under the County's transportation impact fee program and temporarily amending CCC 40.610.040B through 2014.

DISTRIBUTION: Please forward a copy of the approved resolution and staff report to Mike Mabrey, Community Planning Department.

Oliver Orjiako, Director

Approved: Jan. 7, 2014
Board of County Commissioners

RESOLUTION NO. 2014-01-01

A resolution related to the calculation of impact fees under the county's transportation impact fee program; temporarily amending CCC 40.610.040B.

WHEREAS, a deep and protracted downturn in housing-related industries has been compounded by disruption in the financial sector and distress has spread to many other industries; and

WHEREAS, these circumstances have required many private businesses and most public agencies to reassess financial assumptions and projections, cut costs, and recalculate plans for capital investments; and

WHEREAS, the Board believed it is necessary to establish an incentive for the private sector to invest in Clark County and thereby employ people and other resources that may be idled at this time; and

WHEREAS, those who respond to this incentive are expected to reduce the strain on local families and improve their ability to patronize other local businesses; and

WHEREAS, the resulting economic activity is expected to produce revenue to help maintain public services; and

WHEREAS, following its own duly advertised public hearing, the Board finds adoption of this resolution to be in the best public interest; now, therefore,

BE IT ORDERED, RESOLVED AND DECREED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. During the year 2014, Clark County shall not recalculate the cost of traffic impact fees scheduled for recalculation, pursuant to CCC40.610.040B for developments that received preliminary approval in 2004-2011, and that meet all of the following conditions:

a) impact fees have not yet been paid;

b) the property owners/developer have obtained preliminary development approval and shall construct/have constructed the necessary road and utility infrastructure required as conditions in the preliminary approval decision;

c) the application for building permit(s) must be made and accepted as complete prior to the ordinance expiration date; the building permit(s) must be obtained within 30 days after the resolution expiration date or within three business days of notification that it is ready for issuance, whichever is later.

Section 2.

Within the North Orchards and South Orchards impact fee districts, impact fees for developments which meet all the criteria under Section 1 will be recalculated to pay the same fees as those property owners/developers who signed development agreements in Orchards. This recalculation amount will be three hundred eighty-four dollars (\$384.00) per trip.

Section 3.

The purpose of this temporary resolution is to stimulate road, utility, and building construction. If property owners/developers receive building permits but do not diligently pursue construction, the particular application(s) will be put on hold until transportation impact fees are recalculated and the property owner/developer pays either the current impact fees or the balance of the current impact fee that was not collected at the time of building permit issuance.

Section 4. Effective Date. This resolution shall take effect retroactively to fees that are/were due between January 1, 2014 and expire December 31, 2014.

ADOPTED this 7th day of January, 2014.

BOARD OF COMMISSIONERS
FOR CLARK COUNTY


Attest:


Clerk to the Board

By: 
Tom Mielke, Chair

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

By: _____
David Madore, Commissioner


Christopher Horne, WSBA #12557
Civil Deputy

By: _____
Steve Stuart, Commissioner