



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

FROM: Nora Gierloff, DCD Director

BY: Max Baker, Development Supervisor

CC: Mayor Ekberg

DATE: March 7, 2022

SUBJECT: Updated DCD Permit Fees

ISSUE

The City's fee schedule needs to be adjusted to: (1) ensure the City is accurately recovering permit review costs, (2) remove inaccurate permit types, and (3) reflect recent updates to the wireless code.

BACKGROUND

Ordinance 2660 was adopted on October 4th, 2021 which modified TMC Chapter 18.58, "Wireless Communication Facilities" to establish new permitting and aesthetic requirements for wireless communications facilities in response to the enactment of new regulations by the FCC. As a result of this adoption a number of permit types related to wireless facilities are no longer accurate and are in need of replacement. Additionally, it was found that a number of Decision Types relating to tree and landscape permits adopted as part of fee Resolution 2012 needed revising to accurately reflect regulations set forth in the TMC.

DISCUSSION

To ensure consistency with the updates to TMC Chapter 18.58, Staff proposes that the three current Wireless Communication Facilities permit types (Minor – Type 1, Administrative – Type 2, Major or Height Waiver – Type 3) be replaced with the following permit types: Eligible Facilities Modification, Substantial Change, and New Macro-Facility. These permit types would adopt the existing 2022 fees set forth for wireless communications facilities.

Staff is recommending the following four tree and landscape permits be added to the fee schedule: Shoreline Tree Permit, Critical Area Tree Permit, Residential Tree Permit, and Landscape Modification to be consistent with the corresponding TMC provisions.

An increase to the Zoning Verification Letter fee for more than two contiguous parcels is also being requested to cover the additional staff time required to complete such requests.

FINANCIAL IMPACT

The proposal will predominately impact the categorization of permit decision types; fees, other than an increase to the Zoning Verification Letter fee, will not deviate from those currently set forth for 2022 as part of Resolution 2012.

RECOMMENDATION

The Council is being asked to approve the fee resolution and consider this item at the March 14, 2022 Committee of the Whole meeting and subsequent March 21, 2022 Regular Meeting on the consent agenda.

ATTACHMENTS

Draft Land Use Fee Resolution Update

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING CERTAIN PARTS OF THE LAND USE FEE SCHEDULE IN RESOLUTION NO. 2012 (THE CITY’S CONSOLIDATED PERMIT FEE SCHEDULE), TO UPDATE FEES FOR TREE PERMITS, WIRELESS COMMUNICATION FACILITY PERMITS, AND ZONING VERIFICATION LETTERS.

WHEREAS, the City's Consolidated Permit Fee Schedule needs to be updated to reflect changes adopted by Ordinance 2660 on October 4, 2021, as codified in Tukwila Municipal Code Chapter 18.58, "Wireless Communication Facilities;" and

WHEREAS, the City's Consolidated Permit Fee Schedule also needs to be updated to clarify fees for tree and landscape permit regulations and zoning verification letters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Resolution No. 2012 is hereby amended to revise Section 4, "Land Use Fee Schedule," under the heading "VARIANCES, SPECIAL PERMISSIONS AND SITE PLAN REVIEW," to read as follows:

Decision Type	2021 Fee	2022 Fee	Plus Hearing Examiner Fee	Plus Technology Fee (TF)
VARIANCES, SPECIAL PERMISSIONS AND SITE PLAN REVIEW				
Variances <i>(TMC Section Chapter 18.72)</i>	\$3,243	\$3,291	+ HE	+ TF
Environmentally Sensitive Areas Deviation, Buffer Reduction <i>(TMC Chapter 18.45)</i>	\$1,715	\$1,741		+ TF
Reduced fee for LDR homeowners, no associated short plat	\$ 675	\$ 685		
Reasonable Use Exception <i>(TMC Section 18.45.180)</i>	\$3,431	\$3,482	+ HE	+ TF

Decision Type	2021 Fee	2022 Fee	Plus Hearing Examiner Fee	Plus Technology Fee (TF)
Exception from Single Family Design Standard (TMC Section 18.50.055)	\$675	\$685		+ TF
Special Permission Cargo Container (TMC Section 18.50.060)	\$675	\$685		+ TF
Tree Permit for single family residential properties (TMC Chapters 18.44, 18.45 and 18.54, including shoreline and critical areas tree permits) Single Family Dwelling Residential Tree Permit (TMC Chapter 18.54)	\$121	\$124		
Tree Permit and Landscape Modification Permit and Exceptions for non-single family residential properties (TMC Section 18.52.100, and Chapters 18.44, 18.45 and 18.54, including shoreline and critical areas tree permits) Landscape Modification Permit (TMC Chapter 18.52)	\$675	\$685		+ TF
Critical Areas Tree Permit (TMC Chapter 18.45)		\$685		
Shoreline Tree Permit (TMC Chapter 18.44)		\$685		

Section 2. Resolution No. 2012 is hereby amended to revise Section 4, “Land Use Fee Schedule,” under the heading “WIRELESS COMMUNICATION FACILITY (TMC ~~Chapter~~ [Section](#) 18.58.050),” to read as follows:

Decision Type	2021 Fee	2022 Fee	Plus Hearing Examiner Fee	Plus Technology Fee (TF)
WIRELESS COMMUNICATION FACILITY (TMC Chapter Section 18.58.050)				
Minor (Type 1) Eligible Facilities Modification	\$ 675	\$ 685		+ TF
Administrative (Type 2) Substantial Change	\$1,923	\$1,952		+ TF
Major or Height Waiver (Type 3) New Macro-Facility	\$3,847	\$3,905	+ HE	+ TF

Section 3. Resolution No. 2012 is hereby amended to revise Section 4, “Land Use Fee Schedule,” under the heading “MISCELLANEOUS SERVICES AND CHARGES” to read as follows:

Decision Type	2021 Fee	2022 Fee	Plus Hearing Examiner Fee	Plus Technology Fee (TF)
MISCELLANEOUS SERVICES AND CHARGES				
Development Agreement	\$2,289	\$2,323		+ TF
Code Interpretation <i>(TMC Section 18.90.010)</i>	\$ 401	\$ 407		+ TF
Zoning Verification Letter <i>(Up to two contiguous parcels; \$50 for each additional parcel.)</i>	\$ 401	\$ 407		+ TF
Legal Lot Verification	\$ 639	\$ 649		+ TF
Preapplication Meeting	\$ 553	\$ 561		+ TF
In-lieu Tree Replacement Fee	\$ 416	\$ 422		
Mailing Fee to Generate Labels, per project	\$ 523	\$ 530		
Public Notice Mailing Fee per address for each mailing	\$1	\$1		

Section 4. Effective Date. This resolution shall take effect immediately upon passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2022.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, MMC, City Clerk

Thomas McLeod, Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____

Passed by the City Council: _____

Resolution Number: _____

Office of the City Attorney