

# EXHIBIT 3: Fees and Days

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## New CMC Fee text

### Amendment to Chapter 2.40

Amend CMC 2.40.020(D) as follows:

(D) The public body shall make and reduce to writing specific findings of fact regarding *the applicable approval criteria following matters:*

- ~~(1) Whether the requested special benefit, if allowed, is in conformance with the comprehensive plan or development of the city and other applicable ordinances and code provisions.~~
- ~~—(2) Whether there is a public need for the requested special benefit, and, if so, will the need be best served by the proposed special benefit involving the land use of the subject property as compared with other available property presently allowing such land usage.~~
- ~~—(3) Whether conditions have changed in the immediate area of the subject property proposed for the special benefit or there was a mistake in the original comprehensive plan of development.~~

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### Amendment to Chapter 17.05

Add **new CMC 17.05.015** as follows:

#### **17.05.015** Fees

*A fee shall be charged for all review and approval procedures, land use permits and administrative actions governed by Title 17 of the code. Fees shall be set by resolution adopted by the City Council.*

*(1) Fee Schedule Update. The City Council shall update the fee schedule from time to time.*

*(2) Incorporation by Reference. The fee schedule most recently adopted by the City Council is incorporated by reference in this title.*

*(3) Fees Due and Payable. Fees are due and payable at the time an application is submitted. The requirement to pay a fee is jurisdictional, and the city will not process an application without payment of the associated fee. If an applicant pays a fee after submitting an application, the date they pay the fee will be considered the date they submitted the application.*

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### Amendment to Chapter 18.10

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Amend CMC 18.10.060 as follows:

18.10.060 Filing Fee.

~~The council shall by resolution establish fees and deposits to be paid for all development permits.~~

*A fee shall be charged for all review and approval procedures, land use permits and administrative actions governed by Title 18 of the code. Fees shall be set by resolution adopted by the City Council.*

**(1) Fee Schedule Update. The City Council shall update the fee schedule from time to time.**

**(2) Incorporation by Reference. The fee schedule most recently adopted by the City Council is incorporated by reference in this title.**

**(3) Fees Due and Payable. Fees are due and payable at the time an application is submitted. The requirement to pay a fee is jurisdictional, and the city will not process an application without payment of the associated fee. If an applicant pays a fee after submitting an application, the date they pay the fee will be considered the date they submitted the application.**

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### Amendment to Chapter 18.15

Amend CMC 18.15.010 as follows:

18.15.010(B)(3) Within 10 ~~working~~ days of the final response date, set forth in the notice, the community development director shall review comments received and make a finding for each of any points in dispute and make a final decision.

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Amend CMC 18.15.030 as follows:

18.15.030(B) \*\*\*\*\*

Notice under this section shall be provided to the applicant and to the owners of record of property on the most recent property tax assessment roll where such property is located within 250 feet of the property that is the subject of the notice at least 20 days prior to the date of the hearing. ***For properties within a Farm or Forest zone, notice under this section shall be provided to the applicant and to the owners of record of property on the most recent property tax assessment roll where such property is located within 500 feet of the property that is the subject of the notice at least 20 days prior to the date of the hearing.***

Amend 18.15.030(D)(1) \*\*\*\*\*

18.15.030(D)(1) Notice shall be published in a newspaper of general circulation within the city at least 20 days prior to the initial hearing before the planning commission and city council.

18.15.090(B) Timeliness of Appeal

(1) An appeal must be received by the city within 10 ~~working~~ days of the date of the notice of the decision was mailed.

(2) Failure to receive the appeal within 10 ~~working~~ days is jurisdictional.

18.15.090(F) Effective Date of Decisions. A decision of the community development director or the planning commission shall become effective 11 ~~working~~ days after the date of the decision is received by the city in accordance with subsection (A) of this section.

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Amendment to Chapter 18.195

18.195.40 D Definitions

***“Days” means calendar days without reference to business days or holidays unless specifically stated to the contrary.***

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