

TO: CHUCK LAMOREE
FROM: RON ROWLAND
DATE: 7-14-92
SUBJECT: PROPOSED LANGUAGE FOR FEE ORDINANCE REGARDING PENDING APPLICATIONS

"1. An applicant is eligible to pay only those development impact fees in effect when a building permit application is filed, provided that he/she complies with all of the provisions listed in sub-sections (a) through (d) below:

a. A ^{calendar} complete application for a building permit is filed no later than 30 days prior to the effective date of a fee increase adopted by City Council resolution. The Building Official will have sole discretion in the determination as to whether an application is complete.

b. In order for a building permit application to be accepted for filing, the project must have previously received Design Review approval by the City, if such approval is required by the Zoning Ordinance.

c. If, during the plan check process, the City requires the submittal of revised plans, in order to comply with conditions of approval or applicable code provisions, the applicant must submit the revised plans within 15 working days of receipt of the comments. The Director of Community Development may grant additional time to submit revised plans due to the complexity of the revisions required by the City.

d. Once the City has completed the plan check process and if this occurs subsequent to the effective date of a fee increase, the applicant must pay all applicable development impact fees and plan check fees within two working days of receiving written notification. If a plan check is completed prior to the effective date of a fee increase, an applicant must pay all applicable development impact and plan check fees in effect at the time of building permit issuance; no written notification is required.

Failure to comply with all of the above provisions means that an applicant must pay those fees in effect at the time a building permit is issued.

2. The provisions of section (1) do not apply to any fee increase which is a cost of living adjustment."