



Board of County Commissioners - Staff Report

Subject: MSC2016-0039: Fee Waiver for LDR Text Amendment AMD2016-0006

Agent: Jeff Daugherty

Applicant: Joe and Denise Rice

Property Owner: n/a

Presenter: Alex Norton

REQUESTED ACTION

Waive application fees for LDR Text Amendment AMD2016-0006 (BP-TC Building Size Exemption for Recreation Use) pursuant to finding 2.a and/or 2.d of the Teton County Fee Waiver Policy (Resolution 2014-054)

BACKGROUND/DESCRIPTION

The applicant has applied for an LDR Text Amendment (AMD2016-0006) to exempt recreation facilities with public benefit from the maximum building size in the Business Park - County (BP-TC) Zone. The applicant has requested a waiver of the fees pursuant to findings 2.a and/or 2.d of the Teton County Fee Waiver Policy. The LDR Text Amendment is the previous item on the agenda.

The Teton County Fee Waiver Policy states:

2. *The Board of County Commissioners of Teton County, Wyoming, may consider and approve a request for a full or partial waiver of fees, when one of the following criteria is demonstrated and met:*
 - a. *An application that demonstrates a bona-fide community benefit for the whole of Teton County, Wyoming.*
 - b. *An application by a government agency, other than an agency or division of Teton County, Wyoming, or an application by an agency or division of Teton County, Wyoming with associated fees in excess of \$6,000.*
 - c. *Permits required as a result of criminal acts perpetrated against an applicant.*
 - d. *Proposed Land Development Regulations Text Amendments or Zoning Map Amendments when the proposed amendment is in the general public interest rather than proposed for the benefit of a single or restricted class of properties or owners, or proposed for a specific development permit or other land use permit*
 - e. *Double permit fees associated with an after the fact permit resulting from an enforcement action pursuant to the Land Development Regulations, where the violation to be remedied with the permit is not the fault of the current property owner. Approval of this waiver results in the current applicant being responsible only for the standard permit fee, not the double fee penalty.*

STAKEHOLDER ANALYSIS

The LDR Text Amendment (AMD2016-0006) affects the applicant, sports teams throughout the community, and the character of the Business Park zone.

ATTACHMENTS

- [Application](#) (physical copy available upon request)

FISCAL IMPACT

The application fee for LDR Text Amendment AMD2016-0006 was \$1,500. There have been no other fees associated with the application.

STAFF IMPACT

Staff spent about 12 hours reviewing and processing this application.

LEGAL REVIEW

Weisman

RECOMMENDATION

None required.

SUGGESTED MOTION

I move to **APPROVE** Fee Waiver **MSC2016-0039**, dated August 3, 2016, in the amount of \$1,500.