

Staff Summary Report

City Council Meeting Date: 06/11/09

Agenda Item Number: _____

SUBJECT: Request approval of a resolution amending City Code Appendix A—Schedule of Fees and Charges, as it pertains to certain Zoning and Development Fees.

DOCUMENT NAME: 20090611dsrl01 **MISCELLANEOUS FEES (0210-05)** Resolution No. 2009.57

COMMENTS: N/A

PREPARED BY: Ryan Levesque, Senior Planner (480-858-2393)

REVIEWED BY: Lisa Collins, Development Services Planning Director (480-350-8989)

LEGAL REVIEW BY: Teresa Voss, Assistant City Attorney (480-350-8814)

DEPARTMENT REVIEW BY: Chris Anaradian, Development Services Manager (480-858-2204)

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

ADDITIONAL INFO: This resolution will relocate violation fees into another section of the appendix; modifying the Apache Boulevard fee reduction language granting workforce housing as a qualified use and providing management acceptance of the development fees reduction; provide a cross section reference to the fee reduction for the Buildings and Building Regulation fees, Fire Prevention and Protection permit fees, and Engineering fees for Plan Review; and eliminate the appeals fee of notice and decision on a violation.

The proposed changes within the Zoning and Development fee schedule for the Apache Boulevard Redevelopment Area 50% fee reduction are intended to support and encourage the direction for more affordable housing opportunities and address recent changes in the review process. In December of 2008, APAC (Apache Boulevard Project Area Committee) and its responsibilities had concluded. Proposed changes in this section include removing APAC review and granting department managers authorization to administer this fee reduction. In addition the list of qualified uses would be modified to incorporate a "Workforce Housing" category based on a percentage of qualified units and other neighborhood services not yet provided within the area. These changes will promote opportunities for workforce housing needs along the City's Light Rail Transit line. Cross references to this fee reduction section are considered for other development fees that are incurred as a part of the larger development permit fee process.

RESOLUTION NO. 2009.57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMPE, ARIZONA, AMENDING THE TEMPE CITY
APPENDIX – A, SCHEDULE OF FEES AND CHARGES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

SECTION 1. That Section 8-100 including Table 1-A and 2-A, within the City Code Appendix A, Schedule of Fees and Charges, pertaining to buildings and building regulation fees, is hereby amended by adding the following section cross reference, as indicated in below:

**CROSS REFERENCE: APACHE BOULEVARD REDEVELOPMENT AREA FEE REDUCTION –
SEE CHAPTER 35(O), ZONING AND DEVELOPMENT FEE SCHEDULE**

SECTION 2. That Section 14-16, within the City Code Appendix A, Schedule of Fees and Charges, pertaining to fire prevention and protection permit fees, is hereby amended by adding the following section cross reference, as indicated in below:

**CROSS REFERENCE: APACHE BOULEVARD REDEVELOPMENT AREA FEE REDUCTION –
SEE CHAPTER 35(O), ZONING AND DEVELOPMENT FEE SCHEDULE**

SECTION 3. That Section 29-19 subsections (1 to 3), within the City Code Appendix A, Schedule of Fees and Charges, pertaining to engineering fees for plan review, is hereby amended by adding the following section cross reference, as indicated in below:

**CROSS REFERENCE: APACHE BOULEVARD REDEVELOPMENT AREA FEE REDUCTION –
SEE CHAPTER 35(O), ZONING AND DEVELOPMENT FEE SCHEDULE**

SECTION 4. That Chapter 35, Zoning and Development Fee Schedule, within the City Code Appendix A, Schedule of Fees and Charges, is hereby amended to read as follows:

City Code, Chapter 35 - Zoning and Development Fees

FEE SCHEDULE

a.	Preliminary Review Process: Single Family All Others	\$110.00 \$330.00
b.	Administrative Applications: Ordinance Interpretations Zoning Administrator Opinions Shared Parking Application Time Extensions Group/Adult Home Verification Letter Covenant, Conditions & Restrictions (CC&R) Review Single Family Dwelling Units All Other Uses	\$330.00 each \$330.00 each \$330.00 each
c.	Variances: Single Family Dwelling Units All Other Uses Unauthorized Construction/Installation	\$384.00 per lot, including use permits \$1,099.00 each Twice the normal fees
d.	Use Permits: Single Family Dwelling Units All Other Uses Use Permit Transfer Unauthorized Activity	\$384.00 per lot, including variances \$1,099.00 each See Administrative Applications Twice the normal fees
e.	Zoning Code Amendments Map Text	\$2,198.00 Per Classification + \$110.00 Per Net Acre* \$2,198.00 *Rounded To The Nearest Whole Acre

f.	Planned Area Development Overlays Amendments	\$2,748.00 For Under 1 Acre + Use Permit Fees As Applicable \$5,495.00 For 1 Acre And Over + Use Permit Fees As Applicable \$1,375.00 For Under 1 Acre + Use Permit Fees As Applicable \$2,748.00 For 1 Acre And Over + Use Permit Fees As Applicable
g.	Subdivisions, Including Condominiums: Preliminary / Finals / Amendment <u>ENGINEERING PLAT REVIEW FEE</u> Lot Splits / Lot Line Adjustments	\$2,198.00 + \$22.00 Per Lot or Condo Unit <u>REFER TO CITY CODE, APPENDIX A. SEC.29-19.11.I.</u> See Administrative Applications
h.	Continuance at Applicant's Request After Legal Advertising And Public Notice	\$110.00
i.	Development Plan Review: Complete – Building, Site, Landscape, Signs Remodel/Modification Repaint or Minor Elevation Modification Separate Landscape Plan Sign Package Separate Signs Reconsideration Unauthorized Activity	\$1,649.00 For 5 Acres Or Less \$2,198.00 Over 5 Acres \$550.00 \$220.00 \$220.00 \$330.00 \$330.00 Same As Original Fee Twice The Normal Fees
j.	Appeals Tempe Residential Property Owner Request	\$330.00 \$103.00
k.	Sign Permits: One Sign Each Additional Sign Unauthorized Installation of Sign(s) Grand Openings, Going Out Of Business,	Fees include Plan Review, the initial Inspection and one Re-inspection \$220.00 \$83.00 Twice the normal fees may be charged \$110.00

	Significant Event			
l.	General Plan Amendments:			
	<u>Amendment</u>			
	Text Change		\$2,198.00	
	Map Change		\$2,198.00 + \$110.00 per gross acre	
	<u>Major Amendment</u>			
	Map Change		\$5,495.00 + \$110.00 per gross acre	
m.	Public Notice Signs			
	Neighborhood Meeting Sign		\$15.00 (Includes one sign and two stakes for self posting)	
n.	Zoning Verification Letter		\$276.00	
o.	Violations:	1st Violation	2nd Violation	3rd Violation
	—Section 1-201A, Violations and Penalties	\$120	\$370	\$770
	—Default Amount	\$170	\$420	\$820
<u>Q.</u>	<p><u>DEVELOPMENT FEES WITHIN THE APACHE BOULEVARD REDEVELOPMENT AREA MAY BE REDUCED UP TO 50% FOR THE FOLLOWING LISTED USES, WHEN AUTHORIZED BY THE COMMUNITY DEVELOPMENT MANAGER OR DESIGNEE AND ACCEPTED BY THE AUTHORIZED DEPARTMENT MANAGER:</u></p> <ul style="list-style-type: none"> ▪ <u>NEIGHBORHOOD SERVICES NOT ALREADY PROVIDED WITHIN THE APACHE BOULEVARD REDEVELOPMENT AREA.</u> ▪ <u>WORKFORCE HOUSING, PROVIDED THAT AT LEAST 20% OF THE HOUSING UNITS DEVELOPED FOR, OFFERED TO, AND LEASED OR SOLD TO HOUSEHOLDS WHOSE GROSS ANNUAL INCOME IS GREATER THAN 100% OF THE AMI BUT DOES NOT EXCEED 120% AMI. OR 10% OF THE HOUSING UNITS DEVELOPED FOR, OFFERED TO, AND LEASED OR SOLD TO HOUSEHOLDS WHOSE GROSS ANNUAL INCOME IS GREATER THAN 80% AMI BUT DOES NOT EXCEED 100%</u> 			

NOTE: ~~All zoning and development fees within the Apache Boulevard Redevelopment Area may be reduced up to 50% for the following listed uses or other uses with a recommendation of the Apache Boulevard Project Area Committee by the City Council under conditions contained within a development agreement:~~

- ~~▪—Grocery Store~~
- ~~▪—Pharmacy~~
- ~~▪—Hardware Store~~
- ~~▪—Child Care Center~~
- ~~▪—Family Doctors / Medical Specialist Offices~~

- ~~General Household Goods and Services Businesses (dry cleaner, shoe repair, etc.)~~
- ~~Artisans Studios or Schools~~
- ~~Arts Center or Art Gallery~~
- ~~For Sale Housing not to exceed 24 dwelling units per acre maximum and initially restricted to sales to individual owner / occupant buyers. For Sale housing would also require a subdivision plat (or condo), and each unit must be individually metered for water, electric, gas, and any other applicable utilities.~~

SECTION 5. That section pertaining to Nuisances and Property Enhancement for Commercial and Section 21-43 within the City Code Appendix A, Schedule of Fees and Charges of the City Code, is hereby amended to read as follows:

Commercial

	1st Violation	2nd Violation	3rd Violation
Violations—Aesthetic			
Section 21-3, Enumerated Violations <i>subsections (b)1-8 and 18-19</i>			
Section 21-4, Other enumerated violations			
Section 21-13, Unenumerated violations			
Section 21-38, Maintenance subsections (a – k) and (m – q)	\$120	\$370	\$770
Default Amount	\$170	\$420	\$820
<u>ZONING & DEVELOPMENT CODE VIOLATIONS</u>			
<u>SECTION 1-201, VIOLATIONS AND PENALTIES</u>	<u>\$120</u>	<u>\$370</u>	<u>\$770</u>
<u>DEFAULT AMOUNT</u>	<u>\$170</u>	<u>\$420</u>	<u>\$820</u>

21-43 ~~Appeals of notice to comply to hearing officer.....\$ 50.00~~

~~Appeals of decisions by hearing officer to appeals review board.....\$ 75.00~~

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2009.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

