



mesa·az Audit and Finance Committee

Date: February 3, 2011
To: Audit and Finance Committee
Through: Jack Friedline, Deputy City Manager
From: Christine Zielonka, Development and Sustainability Director
Subject: Recommended Fee and Charges Updates: Development Services and Planning

Strategic Initiatives



Purpose and Recommendation

The purpose of this report is to recommend modifications to fees charged by Development Services and Planning for fiscal year 2011-2012.

Background

Various fees are charged for services related to the land development process in Development Services and Planning. Fees and fines are also assessed by the Code Compliance section for violation of the Zoning Code and Nuisance Codes. All fees are reviewed annually to insure they are aligned with the cost of providing the service, or, in the case of Code penalties, are proportionate to the violation.

Discussion

PLANNING

1. Preliminary Plat Extension fee. Preliminary Plats expire after one year if the final plat has not been filed. The property owner may request an extension for approval by the Planning and Zoning Board. Staff time is used to review the request, prepare the report, and process the request. The fee proposed is the same as an administrative review fee.
2. Rezoning fee for downtown and remainder of the city on the printed schedule were not aligned properly with the appropriate category for the rezoning fee for downtown and the remainder of the city. Further, the fee amount was repeated. This change is simply a housekeeping measure.
3. Combined rezoning and site plan review. This is a correction to the fee schedule as it was published this year. The schedule includes a fee for a

rezoning alone, a site plan alone, and a combined fee for both submitted at the same time. The combined fee has always been the highest cost, but less than the total for submitted individual requests. We did some clean up to this list last year, but in doing so the wrong amounts ended up in the table for these three categories. This change simply restores the amounts in the schedule that were in effect prior to the change last year.

4. Development Master Plan Fee. The new zoning ordinance deletes the use of this overlay zone, therefore this fee is no longer needed in the fee schedule.
5. Rezoning to Infill Development District 1. This is a new fee for a new zoning district in the new zoning ordinance. While there will be more staff time involved in the processing of one of these types of applications, we want to encourage the use of the zone to facilitate infill development. The fee is being set the same as any other rezoning.
6. Rezoning to Infill Development District 2. This is a new fee for a new zoning district in the new zoning ordinance. There will be more staff time involved in this type of application to negotiate the particular standards that will apply to the individual district. Therefore, a higher base fee is being proposed for this district. It is still being kept much lower than a rezoning to the PCD district in order to facilitate infill development.
7. Case continuance request fee. The heading for this fee is confusing. This item simply modifies the heading to make it clear.
8. Shared Parking Plan. This is a new fee based on the new zoning ordinance. The new ordinance allows developers to submit for staff review and approval of a shared parking plan that will allow them to reduce the amount of parking provided. This fee is to cover the staff time involved in the review, analysis, and approval of the plan. Staff anticipates that there will be more work involved than the standard administrative review application.
9. Temporary Use Permit. This is a new fee based on the new zoning ordinance allowance for temporary use permits. The fee recommendation is the same as the fee charged by Development Services for an administrative use permit.
10. Alternate Landscape Plan. This is a new fee based on the new zoning ordinance. The new ordinance allows developers to submit an alternative landscape plan rather than follow the code requirements. When submitted as an independent application rather than part of a public review application, this fee would be charged. The fee amount selected is the same as for other administrative reviews because it is anticipated the work required would be similar.
11. Telecommunications Review Fee. This is a new fee, \$90 per hour, is based on the new zoning ordinance. Applications for telecommunication towers will be

required to include sufficient information for the Communications Department to make a determination on the need for the requested additional coverage. It is anticipated that the staff review will take no more than 2-3 hours.

12. Customized Review Schedule. This fee is being established to compensate for added cost of review associated with cases that need to meet a specific development schedule that requires a customized review schedule. In these instances the applicant will negotiate a schedule with the Planning Director that will meet their timeline needs. Staff will be able to guarantee turnaround times for review to achieve the desired public hearing schedule for the applicant. No guarantee can be given in regards to the final decision of the Board or Council or the time taken by the applicant to return corrected plans or follow-up submittals.

The Planning Division has recently processed a few of these cases (ie. P&H Mining and Crescent Crown). In each instance, a specific staff member was designated to meet significantly reduced turnaround times. In one instance, a special Design Review Board meeting was scheduled. Staff is recommending that the applicable fees be doubled in these instances. This is based on the current practice of expedited review for building plans review during the permitting process.

13. Preliminary Plat Subdivision Technical Review. This is a clarification to the current wording in the fee schedule that causes some confusion between the preliminary plat and the subdivision technical review steps. This removes the words "preliminary plat" from this fee.
14. Plat Recording and CC&R. The wording from the type of fee being charged was inadvertently deleted last year.
15. Affidavit of Change/Correction. We do not get a lot of these requests (in 2010 we received 5), but we do get a few and they take staff time to process. This is a new fee to address the staff time spent on these applications.
16. Pre-application – Multi-family and non-residential. Prior to submitting any kind of request for the Board of Adjustment we require potential applicants to come in and meet with staff in a pre-application conference. This allows staff the opportunity to advise the applicant on code requirements, sometimes finding a solution that does not involve submitting an application, and/or helping them understand the type of application needed to address their topic. These meetings typically take 6 to 8 hours of staff time. We do not currently charge for these as we do for pre-submittal applications for items going to the Design Review Board and Planning and Zoning Board.

This proposed fee is only applicable to multi-residential and non-residential cases. A fee is not proposed for single-family, duplex, mobile home, or

recreational vehicle units. In these instances Planning Staff is typically working with a single home owner to achieve voluntary compliance with the current code.

This fee includes a note that states the fee will be waived in those cases where a code compliance case has prompted the individual to come in and hold a pre-application meeting.

17. Administrative extensions for Special Use Permits and Variances. Special Use Permits and Variances expire after one year unless the use has commenced and/or structure built. An extension of a month or less can be granted by the Zoning Administrator. We currently do not charge for processing these extension requests. The proposed fee is 10% of the hearing fee.
18. Zoning Administration Hearing Officer Fee. The City currently hires a Zoning Administration Hearing Officer (ZAHO) through contract to hear minor requests that have been submitted to the Board of Adjustment. In some cases (typically non-residential and multi-family requests) the ability to go to the Zoning Administration Hearing Officer has been utilized to expedite an applicant's time line for approval, much like the Planning Hearing Officer for the Planning and Zoning Board. The proposed fee is the same as the fee established for cases going to the Planning Hearing Officer.

This fee does not include requests involving single-family, duplex, mobile home, or recreational vehicle units. In these instances Planning Staff is typically working with a single home owner to achieve voluntary compliance with the current code. The use of the ZAHO in these circumstances often serves staff purposes, as it may help reduce the number of cases sent to the Board of Adjustment.
19. Group Home annual renewal. This is a new fee. Currently we spend staff time renewing these registrations each year to know which ones are still open and operating. This fee will cover part of the staff time to handle this process.
20. Medical Marijuana Registration. The ordinance allowing these facilities requires certain separation requirements be met. To ensure the requirements are met each facility will have to be registered with the City. This fee covers the cost of staff time involved in handling the registration process. The fee is being set at the same level as the Group Home Registration.
21. Medical Marijuana annual renewal. This new fee would cover the staff time involved in renewing the registration for a medical marijuana facility.
22. The wording, Maximum 5 items per request, has been added to the research fee under copies to clarify this fee.

23. The note on the fee schedule that says the sign code is incorporated into to the zoning ordinance has been removed.

DEVELOPMENT SERVICES

Development Services (Building and Civil Engineering Plan Review, Inspections and Code Compliance)

1. The fee for manufactured home installation permits is being eliminated. Mesa issued permits and provided inspections of the setup of manufactured homes under an intergovernmental agreement (IGA) with the State. The State did not renew the IGA with Mesa and will be issuing the permits and providing inspections. The City will continue to do a site review/inspection and zoning approval under a separate existing fee.
2. A non-refundable permit deposit fee has been added for Civil Engineering Fees and is to be collected at the time of application and submittal of documents under both the Residential and Commercial Sector sections. This deposit fee will be for plan review services and assessed at a \$390 per sheet rate. Currently a deposit fee for civil engineering fees is not identified, requiring both plan review and inspection fees to be collected at time of permit issuance as covered under the Civil Engineering Rate Table and assessed at the \$710 per sheet rate. The current fee schedule does not provide a means of collecting for plan review services unless the permit is issued.
3. A fee for Commercial factory built site review (zoning clearance) has been added. It is to clarify that the fee applies to both residential factory built buildings which is already in the schedule and commercial buildings of the same type of manufacture.
4. Maximum 5 items per request, has been added to the research fee under copies to clarify this fee.
5. The Transportation & Infrastructure Committee Appeal name has been renamed Subcommittee Appeals of Required Infrastructure Improvements.
6. The After-hour inspection fee at night or weekends has been changed from 1 hour to 2 hour minimum.
7. A Customer Generated Refund Request fee was added last year but it was listed at \$90 and the intent was to charge \$90 per hour. The change is to clarify the intent identified in last year's report to charge per hour for the research and issuing of the customer generated refund. The hour unit was inadvertently left out of the current approved fee schedule.

CODE COMPLIANCE

1. The time period for determining a Habitual Offender is being removed from the fee schedule as it is already outlined in the City Code.

Alternatives

Alternatives to the recommended fee modifications could include increasing, decreasing or making no changes to the various fees.

The alternative to making the Code Compliance changes would result in a continued lack of consistency between the City Code and the penalty schedule.

Fiscal Impact

If the fee modifications recommended under the Planning and Development Services sections are not implemented it would make the relationship to the actual cost of providing the services less accurate.

Coordinated With

The various recommendations have been coordinated with the Engineering Dept. and the City Attorney's Office as appropriate.

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