

INTRODUCED: December 8, 2014

AN ORDINANCE No. 2014-260-2015-10

To amend and reordain the fees set forth in Appendix A of the City Code for sections 114-1045.12 (concerning fees for conditional use permits), 114-1050.6 (concerning fees for special use permits), and 114-1160(a) (concerning fees for zoning ordinance amendments), to establish revised charges for such services.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 12 2015 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the fees set forth in Appendix A of the Code of the City of Richmond (2004) for sections 114-1045.12, 114-1050.6(a), 114-1050.6(b) and 114-1160 be and are hereby **amended** and reordained as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
114-1045.12(a)	Fee which shall accompany each conditional use permit application	[1,100.00] <u>1,500.00</u>
	<u>Plus, per acre</u>	<u>100.00</u>
114-1045.12(b)	Fee which shall accompany each application for an amendment to a conditional use permit	[550.00] <u>1,000.00</u>
	Plus, per acre	[110.00] <u>100.00</u>
114-1050.6(a)	Fee which shall accompany each special use permit application:	[1,800.00]

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JAN 12 2015 REJECTED: _____ STRICKEN: _____

	[Plus, per acre]	[100.00]
	(1) <u>Day nursery</u>	<u>300.00</u>
	(2) <u>Single- or two-family detached or attached dwelling</u>	<u>300.00</u>
	(3) <u>Outdoor dining</u>	<u>300.00</u>
	(4) <u>Mobile food business</u>	<u>300.00</u>
	(5) <u>Multifamily dwelling (three to ten units)</u>	<u>1,800.00</u>
	(6) <u>Commercial or industrial use equal to or less than 5,000 square feet</u>	<u>1,800.00</u>
	(7) <u>Multifamily dwelling (more than ten units)</u>	<u>2,400.00</u>
	(8) <u>Commercial or industrial use greater than 5,000 square feet</u>	<u>2,400.00</u>
114-1050.6(b)	Fee which shall accompany each application for an amendment to a special use permit pertaining to a change in the originally approved special use permit or amendment thereto:	[1,200.00]
	[Plus, per acre]	[100.00]
	(1) <u>Day nursery</u>	<u>200.00</u>
	(2) <u>Single- or two-family detached or attached dwelling</u>	<u>200.00</u>
	(3) <u>Outdoor dining</u>	<u>200.00</u>
	(4) <u>Mobile food business</u>	<u>200.00</u>
	(5) <u>Multifamily dwelling (three to ten units)</u>	<u>1,200.00</u>
	(6) <u>Commercial or industrial use equal to or less than 5,000 square feet</u>	<u>1,200.00</u>
	(7) <u>Multifamily dwelling (more than ten units)</u>	<u>1,800.00</u>
	(8) <u>Commercial or industrial use greater than 5,000 square feet</u>	<u>1,800.00</u>
114-1160(a)	Fee to accompany a petition for amendment, supplementation or repeal of the regulations and restrictions and the boundaries of the districts established by chapter 114	[1,200.00] <u>1,500.00</u>
	Plus, per acre	100.00
	<u>Fee which shall accompany each continuance of a rezoning caused by the applicant</u>	<u>250.00</u>

§ 2. This ordinance shall be in force and effect upon adoption.

RECEIVED
NOV 24 2014

O & R REQUEST

NOV 05 2014

Chief Administration Office
City of Richmond



OFFICE OF CITY ATTORNEY
CITY OF RICHMOND
INTRACITY CORRESPONDENCE

RECEIVED
NOV 18 2014
EDITION: 1
Mayor's Office City of Richmond

O&R REQUEST

DATE: October 22, 2014

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor)

THROUGH: Christopher L. Beschler, Interim Chief Administrative Officer

THROUGH: Peter L. Downey, Interim Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

SUBJECT: To amend and reordain Appendix A of the City Code for the purpose of making adjustments to the fees for certain zoning applications.

ORD. OR RES. No. _____

PURPOSE: To amend and reordain the fees set forth in Appendix A of the City Code for sections 114-1045.12 (concerning fees for conditional use permits), 114-1050.6(a) through (d) (concerning fees for special use permits), and 114-1160(a) (concerning fees for rezonings), to establish revised charges for such services.

REASON: The proposed adjustment to the fee schedule for zoning-related requests would base the cost to the applicant on the size and complexity of the proposal, impose a fee for continuances caused by the applicant and adjust the fees to make them more commensurate with the cost to process the applications.

RECOMMENDATION: The Department of Planning and Development Review recommends the proposed adjustments to fees set forth Appendix A.

BACKGROUND: The proposed adjustments to the fees include making the fees for special use permit applications based on the size and complexity of the proposal; an increase in the fee for conditional use permits that more accurately reflects the cost to the City for process such

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requests; and increase in fees for continuances of rezonings and special use permits caused by the applicant.

The Department of Planning & Development Review (PDR), Land Use Administration Division processed 98 subdivision and zoning-related requests between July 31, 2013, and August 1, 2014. Of the 98 requests, 36 of them were for special use permits or special use permit amendments and one of them was for a conditional use permit. The current fee for a special use permit application is \$1,800 for the initial application and \$1,200 for an amendment, regardless of the proposed use. The proposed adjustments to the fee schedule would base the fees for special use permits on the use that would be authorized. The decrease in fees for the smaller, less complicated uses would be offset by an increase in fees for the larger, more complicated proposals. The resulting fiscal impact would be a slight decrease (-\$1,900) to the City budget.

The proposed fees are as follows:

Use	Initial Fee	Amendment Fee
Day Nursery	\$300	\$200
Single- or two-family detached or attached dwelling	\$300	\$200
Outdoor dining	\$300	\$200
Mobile food business	\$300	\$200
Multi-family dwelling (3 to ten units)	\$1,800	\$1,200
Commercial or industrial equal to or less than 5,000 square feet	\$1,800	\$1,200
Multi-family dwelling (more than 10 units)	\$2,400	\$1,800
Commercial or industrial more than 5,000 square feet	\$2,400	\$1,800

A \$250 fee for continuances of rezonings and special use permits caused by the applicant is included in the proposed amendments. This fee has been set at \$250 for special use permits and the fee for continuances of rezonings was omitted in the latest amendment to the fee schedule in 2011. The sign posting requirements call for the applicant to post a sign on the subject property notifying the public of the zoning case within a certain amount of time from the public hearing. Since this requirement was put in place, it is common that the applicants misses the deadline for posting the sign despite repeated reminders from City staff. Once the deadline for posting the sign has passed, the case must be continued and notice of the continued public hearing must be re-mailed to the adjacent property owners. The proposed fee would help encourage applicants to meet the sign posting deadlines and defray the cost of public hearings that must be continued.

FISCAL IMPACT: There should be negligible fiscal impact to the City should the proposed fee adjustments be approved. Had the fees been in place between July 31, 2013, and August 1, 2014, based on the types of applications submitted the City would have collected \$1,900 less than it did under the existing fee schedule.

COST TO CITY: Staff time for preparation of draft ordinance and publishing of public notices.

REVENUE TO CITY: There should be negligible additional revenue to the City based on the proposed adjustments.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: December 8, 2014

CITY COUNCIL PUBLIC HEARING DATE: January 12, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: City Planning Commission, January 5, 2015

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: None

AFFECTED AGENCIES: Office of Chief Administrative Officer
Department of Planning and Development Review
Finance Department
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORDINANCES: Amending Appendix A of City Code.

ATTACHMENTS: Draft ordinance

STAFF: Lory Markham, Principal Planner
Land Use Administration (Room 511)
646-6309