

PROPOSED CODE AMENDMENTS

REASON FOR PROPOSED CODE AMENDMENTS: The need for the following amendments was brought to staff's attention following a study of the Planning and Zoning Department's fee structure. The overall purpose of the proposed amendments is to bring the code and three fee waivers into alignment. Although the following amendments could be covered by the CodeNEXT process, staff is bringing this proposal forward to address eventualities that may occur before the adoption of the new code.

ISSUE #1: When a neighborhood plan contact team (NPCT) wishes to initiate a plan amendment (text, FLUM, or areawide to implement an infill or design tool) the code does not contain provisions to waive the associated fees for the plan amendment or community meeting notice. It has been staff practice to not charge these fees since most NPCTs do not have the resources to pay them. However, there are no code provisions allowing staff to do so and this proposed amendment is to address this oversight. The Code already has language that waives the cost of Notice of Public Hearings for NPCTs.

PROPOSAL: Amend ARTICLE 16 to include new language that:

- Add language that waives all application fees for plan amendment applications submitted by Neighborhood Plan Contact Teams.
- Add language that waives the community meeting notice fee for applications filed by Neighborhood Plan Contact Teams.

ISSUE #2: SMART Housing projects are eligible to receive a number of fee waivers (see Code section below); however, in this list of possible waivers, there is not one for neighborhood plan amendments. It has been staff practice to waive this fee due to the fact that most of these amendment cases had fees waived with the associated zoning cases (see 25-1-704(5) below), although there were no neighborhood plan amendment fee waiver provisions.

§ 25-1-704 - FEE WAIVERS

(A) The director may, in accordance with Subsection (B), waive all or a portion of the following fees, as set by the City's annual fee ordinance, for a S.M.A.R.T. Housing development:

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| (1) Public Works Construction Inspection Fee; | (4) Watershed Protection and Development Review - Traffic Impact Analysis Revision Fee; |
| (2) Watershed Protection and Development Review - Development Assessment Fee; | (5) Regular Zoning Fee; |
| (3) Watershed Protection and Development Review - Traffic Impact Analysis Fee; | (6) Interim to Permanent Zoning Fee; |
| | (7) Miscellaneous Zoning Fee; |
| | (8) Zoning Verification Letter Fee; |
| | (9) Board of Adjustment Fee; |

(10) Managed Growth Agreement
Fee;

(11) Planned Development Area
Fee;

(12) Preliminary Subdivision Fee;

(13) Final Subdivision Fee;

(14) Final Without Preliminary
Subdivision Fee;

(15) Miscellaneous Subdivision Fee;

(16) Consolidated Site Plan Fee;

(17) Miscellaneous Site Plan Fee;

(18) Site Plan Revision Fee;

(19) Site Plan - Construction
Element Fee;

(20) Building Review Plan Fee;

(21) Building Permit Fee;

(22) Electric Permit Fee;

(23) Mechanical Permit Fee;

(24) Plumbing Permit Fee;

(25) Concrete Permit Fee;

(26) Demolition Permit Fee;

(27) Electric Service Inspection Fee;

(28) Move House Onto Lot Fee; and

(29) Move House Onto City Right-
of-Way Fee.

PROPOSAL: Amend ARTICLE 15. – S.M.A.R.T. HOUSING, § 25-1-704 - FEE WAIVERS (A) to add Neighborhood Plan Amendment to the list of fee waivers.