

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2018-005 Fee waivers for neighborhood plan amendments

Description:

Amend certain provisions the City Code relating fee waivers associated with neighborhood plan amendments.

- *Waive fees associated with neighborhood plan amendments associated with a SMART housing development.*

SMART Housing projects are eligible to receive a number of fee waivers (as listed in Code section 25-1-704(A)(1-29); however, in this list of possible waivers, there is not one for neighborhood plan amendments. It has been practice to waive fees; however, the same fee study mentioned above identified that there were not code provisions allowing the waiver.

Because of the variability in the number of SMART Housing cases requiring neighborhood plan amendments on a year-to-year basis it is difficult to estimate the amount of revenue this proposed code amendment will remove from the General Fund. Additionally, the formula for calculating the percentage of fee waived makes estimating the revenue effects even more difficult. The percentage is determined based on the levels of affordability in a given SMART Housing project. These percentages are described in 25-1-704(B)(1)(2). In order to better understand the fiscal scope of this proposed amendment, staff reviewed the number of SMART Housing projects requiring neighborhood plan amendment between 20014 and 2019 and what their associated fees would have been. The increasing fee amounts represent increases in the fees. The results in the table below reflect the total fee amounts over the six year period.

Year	No. of Smart Housing Cases	Annual Fees
2014	0	\$0
2015	0	\$0
2016	1	\$2,627.01
2017	1	\$3,209.44
2018	1	\$3,255.20
2019	3	\$14,217.84
Total		\$23,309.49

- *Waive fees associated with neighborhood plan amendments initiated by a neighborhood plan contact team.*

The City Council established a formal amendment process for adopted neighborhood plans in March 2008. This action also established the roles and responsibilities of neighborhood plan contact teams (NPCT). The Council made subsequent code changes regarding neighborhood plan contact teams and amendments in December 2009 and June 2017. It has been practice to not charge NPCTs the fees associated with a NPAs when they initiated one; however, following a study of the Planning and Zoning Department’s fees it was brought to staff’s attention that the Code does have language allowing these fees to be waived.

Staff Recommendation:

Staff recommends approval of this amendment.

Board and Commission Actions

- Initiation recommended by Codes and Ordinances Joint Committee on September 19, 2018.
- Code amendment initiated by the Planning Commission on November 27, 2018.
- Codes and Ordinances Joint Committee recommended the amendments to the Planning Commission on August 21, 2019.
- Planning Commission recommended the amendments to the City Council on August 27, 2019.

City Council Action

NA

Ordinance Number: NA

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