

Memorandum



CITY OF DALLAS

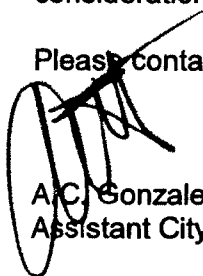
DATE May 13, 2011

TO Members of the Economic Development Committee:
Ron Natinsky (Chair), Tennell Atkins (Vice-Chair), Jerry R. Allen, Sheffie Kadane
Ann Margolin, Linda Koop, Steve Salazar

SUBJECT **Proposed Zoning Fee Adjustments**

Please find attached briefing materials on proposed changes to zoning fees to more accurately reflect cost recovery for application processing provided by the Department of Sustainable Development and Construction. This item is on the May 16, 2011 Economic Development Committee agenda for your consideration.

Please contact me if you need additional information.



A.C. Gonzalez
Assistant City Manager

C: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
Deborah Watkins, City Secretary
Tom Perkins, City Attorney
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge Municipal Court
Forest Turner, Assistant City Manager
Jill A. Jordan P.E., Assistant City Manager
Jean Chipperfield, Chief Financial Officer
Theresa O'Donnell, Director of Development Services
Helena Stevens-Thompson, Assistant to the City Manager

Proposed Zoning Fee Adjustments

City Council
Economic Development Committee

May 16, 2011



Zoning Subcommittee Issues

- Length of time
- Lack of hearing schedule
- “Non paying cases” / long term budget issues
- Prioritization of cases
- Expediting cases
- Length and complexity of application
- Communication

Zoning Subcommittee Issues

- Length of time
 - Two additional planners were hired to address backlog
 - Cases are being assigned every two weeks
 - Minor amendment code amendment
- Lack of hearing schedule
 - Hearing schedule is now available (schedule is based complete applications and prompt response to issues identified during staff review)
- “Non paying cases” / long term budget issues
 - Only one new non-paying case (authorized hearing) will be processed at a time.

Zoning Subcommittee Issues

- Prioritizing cases
 - General feedback if 90 to 120 day calendar can be met, no need for prioritization
- Expediting cases
 - Option to create new fee
 - Team review
 - Customer desire for more flexibility in CC agenda process
 - Customers prefer two CC action agenda meetings per month and meetings in July, but this is beyond staff's ability to address

Zoning Subcommittee Issues

- Application process
 - Stream line application
 - Clarify submittal requirements
 - Create PD matrix form
 - Have legal description approved prior to application
- Communication
 - Zoning/Development review meetings will be open to applicants (implemented)
 - Consistent letter (implemented)
 - Consistent plan mark-up (implemented)

Zoning Fee Adjustments

- Completed
 - Improved cost recovery on planned development (PD) fees and PD amendment fees
 - Eliminate fee exemptions for schools and other governmental entities (20 to 25 % of case load)
 - Zoning Fees for Historic Preservation / Conservation off table



Zoning Fee Adjustments

- Proposed fee adjustments
 - ~~– Increase NSO and Conservation District fees~~
 - Adjust SUP fees to mirror straight zoning fees
 - Increase SUP for gas drilling and production
 - Reduce straight zoning fee over 15 acres
 - Reduce maximum straight zoning fee
 - Clarify separate fee is required for each type of request
 - Establish Expediting Fee
 - Increase extraordinary significant sign fee for non-premise signs
 - Adjust fees for amendments to voluntary deed restrictions to match straight zoning fees
 - Establish fee for property owner notices where more than 50 notices are required

Zoning Fee Adjustments

- Proposed fee adjustment
 - Establish fee for special parking amendment
 - Adjust Article VII (Signs) amendment fees to match other code amendment fees
 - Add acreage fee to escarpment permit fee
 - Add third party inspection fee (deposit) to gas drilling and production fees
 - Establish fee for review of traffic management plans
 - Establish fee for review of legal descriptions
 - Establish fee for “agenda items not elsewhere specified”
 - Establish fee for special development review meeting (for

Zoning Case Load Impacts

- Wet / Dry election
 - 26 applications for SUPs, D to D-1's, or D removals since January 1, 2011
- Lower Greenville PD
 - Anticipate approximately 20 cases for SUPs for late hours

Enhancing Service Delivery

Continue analysis of processes

- Monitor key workload indicators
- Monitor case process with projected schedule
- Perform revenue analysis
- Continue to review fee structure



Enhancing Service Delivery

Continue discussions with stakeholders

- Listen and understand priorities and challenges
- Understand expectations
- Explore identified opportunities
- Examine performance targets
- Align staffing to meet mission critical tasks



Zoning Fee Adjustments

Type of Application	Application Fee	Notification
<u>Application for original SUP or amendment with additional use:</u>		
0-1 acre	\$1,170.00	200 feet
over 1 acre to 5 acres	<u>\$2,610.00</u> [\$1,170.00]	300 feet
over 5 acres to 25 acres	<u>\$5,820.00</u>	400 feet
over 25 acres	<u>\$5,820.00 +</u> <u>\$113 per each</u> <u>acre over 25</u> [\$1,170.00]	500 feet
pedestrian skybridge	\$10,000.00	See 51A-.217(b)(12)
gas drilling and production	<u>\$5,000.00</u> [\$2,000.00]	1,000 feet

Zoning Fee Adjustments

Type of Application	Application Fee	Notification
<u>Straight zoning and a</u>		
[A]ll other zoning applications:		
0-1 acre	\$1,050.00	200 feet
over 1 acre to 5 acres	\$2,610.00	300 feet
over 5 acres to 15 acres	\$5,820.00	400 feet
over 15 acres to 25 acres	\$9,315.00 <u>5820.00</u>	400 feet
over 25 acres	\$9,315.00 <u>5820.00</u> + \$113.00 per each acre over 25	500 feet
Maximum fee	\$37,500.00 <u>25,000</u>	

Zoning Fee Adjustments

(6) An applicant shall pay a separate application fee for each type of zoning change requested. The maximum fee for all related zoning requests on a single application on a tract of land is \$30,000.00.

(7) An applicant who requests expedited processing shall pay an additional fee of \$5,000.00. Eligibility for expedited processing shall be determined by the director. The director may limit the number of cases eligible for expedited processing.”

Zoning Fee Adjustments

Type of Application	Application Fee	Notification
Designation of an existing <u>premise</u> sign as an extraordinarily significant sign	\$1,050.00 [\$600.00]	200 feet
<u>Designation of an existing non-premise sign as an extraordinarily significant sign”</u>	\$2,610.00	200 feet



Zoning Fee Adjustments

Type of Application	Application Fee	Notification
Creation of a voluntary deed restriction where the city is a party that is part of a zoning request	\$350.00	determined by the zoning request
Amendment to a voluntary deed restriction where the city is a party that is part of a zoning request	[\$900.00] \$600.00	determined by the zoning request
Amendment to a voluntary deed restriction where the city is a party that is not part of a zoning request		
0 to 1 acre	\$1,050.00	200 feet
over 1 acre to 5 acres	\$2,610.00	300 feet
over 5 acres to 15 acres	\$5,820.00	400 feet
over 15 acres	\$5,820.00	500 feet



Zoning Fee Adjustments

“(f.1) Fees for property owner notices.

(1) An application will not be scheduled for public hearing until the fee required for property owner notices has been paid.

(2) The applicant shall pay the fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) There is no fee for the first 50 property owner notices required for notification of an application under this section. The fee for each property owner notice over 50 is \$3.00 per property owner required to be notified.”

Zoning Fee Adjustments

Type of Application	Application Fee
Application for special parking (including fee for special parking license, if applicable)	\$375.00 + \$12.50 per special parking space over 50
Application for renewal of special parking license	\$375.00
<u>Amendment or termination of special parking agreement”</u>	<u>\$100.00</u>

Zoning Fee Adjustments

Type of Application	Application Fee
Amendment to create <u>or amend</u> a special provision sign district	\$5,600
All other amendments, supplementations, or changes to Article VII, "Sign Regulations"	<u>\$6,700</u> [\$1,100] "
Escarpment permit	\$1,000.00 ± <u>\$25.00 per acre</u> "

Zoning Fee Adjustments

(u) Fees for gas drilling and production.

(1) The city may use a qualified third party to conduct any inspections or plan reviews required by Article XII. The operator shall pay the city for any costs or fees charged by third party inspectors or plan reviewers within 30 days of receipt after ~~[of]~~ an invoice from the city.

(2) Any permit that lapses for nonpayment of the annual permit fee will be reinstated upon payment of an additional fee of \$50.00 for each thirty-day period during the lapse.

(3) No refund of a fee may be made.



Zoning Fee Adjustments

Type of Application	Application Fee
New gas well permit	\$3,000.00 for the first well on an operation site and \$1,000 for each additional well on that same operation site
Amended permit	\$600.00
Reworking fee	\$800.00
Operator transfer	\$600.00
<u>Third party plan review and inspection (per well)</u>	<u>\$7,000.00</u>
Annual fee (per well)	\$1,000.00

Zoning Fee Adjustments

(z) Fee for review of a traffic impact analysis; traffic management plan; or other traffic, parking, or transportation review required by a zoning ordinance.

(1) A review will not be scheduled until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The fee for review of a traffic impact analysis; traffic management plan; or other traffic, parking, or transportation review required by a zoning ordinance is \$250.00.”



Zoning Fee Adjustments

(aa) Fee for review of a legal description submitted as part of a zoning application.

<u>Type of Application</u>	<u>Application Fee</u>
<u>Review of tract consisting entirely of platted lots</u>	<u>\$25.00</u>
<u>First review of tract described by metes and bounds</u>	<u>\$50.00</u>
<u>Each additional review of tract described by metes and bounds</u>	<u>\$100.00”</u>



Zoning Fee Adjustments

(bb) Fee for an item to be placed on a City Plan Commission or City Council agenda not elsewhere specified.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The fee for placing an item on the city plan commission agenda or the city council agenda not elsewhere specified in this section is \$300.00.”



Zoning Fee Adjustments

(cc) Fee for a special zoning development review meeting.

(1) To facilitate review and feedback on a request or proposal, an applicant may request a zoning development review meeting. City representatives able to address landscaping and tree mitigation, traffic and parking, zoning, and other requirements shall attend the meeting as needed.

(2) A zoning development review meeting will not be scheduled until the fee has been paid.

(3) The applicant shall pay the fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(4) No refund of a fee may be made.

(5) The fee for a zoning development review meeting is \$1,000.00.”



Next Steps

- **Schedule for City Council action**

