

**ORDINANCE ESTABLISHING FEES AND SURCHARGES CHARGED BY THE
CITY-COUNTY PLANNING DEPARTMENT AND THE CITY
TRANSPORTATION DEPARTMENT FOR DEVELOPMENT REVIEWS,
PUBLIC HEARING NOTIFICATION, TECHNOLOGY AND OTHER SERVICES**

WHEREAS, the City Council annually establishes fees for various services offered by the Planning Department and the Transportation Department; and

WHEREAS, the City Council desires to implement and improve a work flow automation software program (Land Development Office or LDO); and

WHEREAS, the City Council desires to collect fees to off-set the actual costs associated with the processing of development applications;

THEREFORE THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

Replace existing Part 6-101(c) and Part 6-102 of the Fee Schedule of the City of Durham with new Part 6-101(c).

Section 1

This ordinance replaces existing (i.e.: adopted FY10-11) Part 6-101(c) and Part 6-102 of the Fee Schedule of the City of Durham with new Part 6-101(c).

The fees charged by the Durham Planning Department shall be as follows:

A. Zoning Map Change (Rezoning):

(Per acre fees shall be calculated on the entire project and shall not be calculated on a pro rata share. Cases with multiple zones are charged the highest base fee applicable according to the zone or use categories proposed, plus the per acre fee according to the acres in each of the categories proposed.)

1. **Residential, Not Multi-Family, 1 acre or less:** \$750.00 per case, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
2. **Modification to Existing Design Guidelines (Only):** \$750.00 per case, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
3. **Residential, Not Multi-Family or PDR, greater than 1 acre and less than 20 acres:** \$2250.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
4. **Residential, Not Multi-Family or PDR, 20 acres or greater:** \$3500.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
5. **PDR:** \$4500.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;

6. **Office, Residential Multi-Family, Mixed Use, Commercial, Industrial, or Research zones:** \$4000.00, plus \$65.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
7. **Re-Review Fees (applicable to all development applications):** Half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
8. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary plat base fee, plus Technology Surcharge of 4%.

B. Board of Adjustment Applications:

1. **Custodial Care (single residential unit on same lot as primary residential unit, for custodial care purposes):** \$75.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
2. **Small Day Care Use Permit (up to 12 persons being cared for):** \$475.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
3. **Non-revenue Generating Single Family Use Permit (fences, etc.):** \$475.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
4. **Wireless Communication Facilities Use Permit:** \$3165.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs, plus \$5000.00 for independent professional consultant review;
5. **Appeal:** \$300.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
6. **All Other BOA Applications (any other Use Permit, Appeal, Variance, etc.):** \$1300.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;

C. Major Special Use Permit Applications:

1. **Wireless Communication Facilities Use Permit:** \$3165.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs, plus \$5000.00 for independent professional consultant review;
2. **Traffic Impact Analysis (TIA) Use Permit:** \$2025.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;
3. **All Other Major Special Use Permit Applications:** \$2025.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs;

D. Site Plans:

1. **Administrative Site Plan-Site plans that require Planning Department review only:** \$150.00, plus Technology surcharge of 4%;

2. **Simplified Site Plan - Small (Less than 1000 s.f. of new building area/1 acre disturbed area/5% increase in parking area or minor amendments to site plan of record that do not involve changes to the SIA):** \$1000.00, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
3. **Simplified Site Plan - Large (More than 1000 s.f. of new building area/ 1 acre disturbed area or other improvements that do not qualify in other categories):** \$2500.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
4. **Minor Site Plan:** \$3500.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
5. **Major Site Plan:** \$4000.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit, plus technology surcharge of 4%; plus surcharge for letter notice on those projects requiring governing body approval, plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
6. **Re-Review Fees (applicable to all development applications):** half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review;
7. **Landscape Extensions:** Major non-residential greater than 25,000 square feet in gross floor area - \$300.00, minor non-residential less than 25,000 square feet in gross floor area - \$150.00, residential \$75.00 per lot, plus Technology surcharge of 4%.
8. **Floodplain Development Permit (Small):** Floodplain Development Permit initiated through the Planning Department that does not require review of a flood study or approval by an elected body - \$150.00 plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review
9. **Floodplain Development Permit (Large):** Floodplain Development Permit initiated through the Planning Department that does require review of a flood study or approval by an elected body - \$500.00 plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review
10. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary plat base fee, plus Technology Surcharge of 4%.

E. Subdivision Plats:

1. **Preliminary Plat:** \$3400.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
2. **Preliminary Plat, Cluster or Conservation Subdivision:** \$4000.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
3. **Final Plats:** \$700.00, plus \$25.00 per lot, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee;
4. **Exempt Final Plats:** \$75.00, plus Technology surcharge of 4%.
5. **Re-Review Fees (applicable to all development applications):** half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
6. **Landscape Extensions:** Major non-residential greater than 25,000 square feet in gross floor area - \$300.00, minor non-residential less than 25,000 square feet in gross floor area - \$150.00, residential \$75.00 per lot, plus Technology surcharge of 4%.
7. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary plat base fee, plus Technology Surcharge of 4%.

F. Landscape Re-Inspection Fees: \$100.00 plus technology surcharge of 4% for first re-inspection, for each subsequent re-inspection the fee will increase by \$104.00 (example 1st - \$104.00, 2nd - \$208.00, 3rd - \$312.00, etc).

G. Land Use Plan Amendment: \$2100.00, plus Technology surcharge of 4%, plus surcharge for advertising and letter notice.

H. Historic Preservation Fees:

1. **Historic Landmark Designation:** \$500.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice;
2. **Certificate of Appropriateness, Historic Preservation Commission Review:** \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice;
3. **Certificate of Appropriateness, Administrative Review:** \$25.00, plus technology surcharge of 4%
4. **Historic Signs:** \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice

- I. **Common Signage Plan Review:** \$175.00, plus technology surcharge of 4%.
 - 1. **Banner Plan Review (Only):** \$75.00, plus technology surcharge of 4%.
- J. **Street/Alley Closings:** \$800.00, plus Technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
- K. **Street/Alley Renaming:** \$600.00, plus Technology surcharge of 4%, plus surcharges for advertising, letter notice and signs, plus reimbursement for all street sign replacement costs.
- L. **Unified Development Ordinance Text Amendment:** \$3000.00, plus Technology surcharge of 4%, plus surcharge for advertising and letter notice.
- M. **Zoning and Business Verification Letters:** \$15.00, plus Technology surcharge of 4%.
- N. **Home Occupation Permit:** \$25.00, plus Technology surcharge of 4%.
- O. **Formal Letter of Interpretation:** \$40.00, plus Technology surcharge of 4%.
- P. **Vested Rights Determination:** \$1500.00, plus Technology surcharge of 4%, plus surcharge for advertising and signs.
- Q. **Surcharges:**
 - 1. **Newspaper Advertising for:**
 - a. Zoning Map Change, Land Use Plan Amendment and Street Closing: \$460.00; if case has to be heard by both governing bodies, \$690.00.
 - b. BOA, Major Special Use Permit, Street Renaming, Vested Rights Determination, Certificates of Appropriateness and Historic Landmark Designation: \$230.00
 - c. Unified Development Ordinance Text Amendment: \$690.00.
 - 2. **Letter Notice for:**
 - a. Zoning Map Change, Land Use Plan Amendment: \$95.00
 - b. BOA, Major Special Use Permit, Street Renaming or Street Closing: \$53.00
 - 3. **Signs:** For Zoning Map Change, BOA, Major Special Use Permit, Vested Rights Determination, Street Renaming or Street Closing: \$100.00. If multiple signs are necessary to adequately notify neighbors, multiple signs will be charged for at the case intake.
- R. **Costs for Departmental Publications:** Publications presently available: \$5.00. Reproductions or new publications will be priced according to costs.

- S. **Copies Made By the Large Format Copier:** \$1.00 per square foot (for example: a 3 foot by 6 foot map equals 18 square feet for a coping charge of \$18.00).
- T. **Limited Agricultural Permit:** \$25.00 plus Technology surcharge of 4%
- U. **Architectural Review (per Section 3.24 of the Durham Unified Development Ordinance):** \$150.00 plus Technology surcharge of 4%.

Section 2

The fees to be charged by the Planning Department shall include an additional 4% Technology surcharge.

Section 3

The Technology surcharge shall terminate July 1, ~~2011~~ 2012 unless the surcharge is reviewed and renewed by the City Council prior to the expiration date.

Section 4

This ordinance shall be in full force and effect for submittals filed to meet submittal deadlines on or after ~~July 1, 2010~~ July 1, 2011 and shall supersede any conflicting ordinances.

Section 5

The Planning Director is hereby authorized to administratively adjust the amount of fees listed in Section 1 of this Ordinance if he or she determines that the cost of staff time and effort to the City and County required for review of the submitted development application is significantly less than the amount of the standard fee.

The Planning Director will only authorize such requests in writing, and only in circumstances where there is clear evidence that the cost of staff time and effort to the City and County required for review of the submitted development application is significantly less than the amount of the standard fee.

The amount to which fees are adjusted is at the discretion of the Planning Director, but should be roughly proportionate to the cost of staff time and effort to the City and County required for review of the submitted development application.

Section 6

The following fees shall be charged by the Transportation Department:

- A. Transportation Impact Analysis (TIA): Fewer than 1,000 peak hour trips: \$4,000, plus technology surcharge of 4%; and
- B. TIA: Equal to or greater than 1,000 peak hour trips: \$6,000, plus technology surcharge of 4%; and
- C. Traffic Impact Phasing Analysis: Fewer than 1,000 peak hour trips: \$2,000, plus technology surcharge of 4%; and

D. Traffic Impact Phasing Analysis: Equal to or greater than 1,000 peak hour trips:
\$3,000, plus technology surcharge of 4%