



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		2/22/2010		
Department:		Planning		
Department Head		P. Jarrell		
Agenda Coordinator (include phone #): T. Stuckey - 7156				
CAPTION				
An Ordinance of the City of Plano, Texas, repealing Ordinance No. 98-4-7 as amended by Ordinance No. 2008-8-12, codified as Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas; establishing a new fee schedule for zoning, rezoning, and other miscellaneous procedures; and providing a repealer clause, a savings clause, a severability clause, and an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	\$5,830	\$10,000	\$15,830
BALANCE	0	\$5,830	\$10,000	\$15,830
FUND(S): GENERAL FUND				
<p>COMMENTS: This item will add additional revenue to the 2009-10 Planning and Engineering Budgets as well as future year Budgets due to changes to the Planning and Engineering Fees. Projected supplemental revenue of \$5,830 is anticipated for the remainder of 2009-10 and approximately \$10,000 per year in future years. These revenue increases are a mid-year change and will be in addition to the 2009-10 budgeted revenues.</p> <p>STRATEGIC PLAN GOAL: Modification of the Planning and Engineering Fees relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
Proposed development fee increase. Refer to attached memo.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Memo				
Ordinance				

February 9, 2010

MEMO

TO: Thomas H. Muehlenbeck, City Manager
Frank F. Turner, Deputy City Manager

FROM: Tina M. Firgens, Planning Manager

SUBJECT: Proposed Development Fees Increase

Planning and Engineering staff were asked to evaluate the current development application filing fees to determine if any of the fees collected should be adjusted. This fee evaluation was conducted in conjunction with other departments within the city including Building Inspections and Property Standards.

The last comprehensive development fee update was completed in 1989, with subsequent minor fee amendments adopted in 1998 and 2008. While it has been some time since the fees were last comprehensively amended, staff has continuously surveyed other cities' fees during these past several years to make sure Plano's fees remain competitive.

Based upon staff's most recent assessment, proposed fee increases are appropriate to consider since some of our fees are less than surrounding cities. The city of McKinney's development fees are lower than the city of Plano's fees, while the city of Richardson's fees are higher.

Additionally, the fee schedule should be representative of the types of development applications submitted and the staff time required for processing applications. The types of development applications submitted today differ than the past. For example, many large lot developments are no longer being submitted for review since a majority of the city has been developed. Also, redevelopment applications for smaller developments are more complex, requiring additional staff time, and the number of minor site improvement applications has increased.

Lastly, as part of this effort, staff has identified opportunities where the fee schedule could be simplified to eliminate confusion and be updated to be consistent with recent amendments to our development processes. For example, fees collected for general tree surveys and tree preservation plans are proposed to be consolidated with the landscape plan fee, with the landscape plan fee having a minimum base fee instead of being calculated as a percentage of another plan type that may or may not be required. Also, the land study application has been replaced with a concept plan application through recent amendments to the Subdivision and Zoning Ordinances this past year.

(2009); however, the fee schedule has not been updated to reflect the change in the ordinances.

Attached to this memo is a summary of the city's current development fees and proposed fees for City Council's consideration. The fees proposed are in alignment with surrounding cities' development fees. The proposed fee increases are anticipated to generate a nominal increase in overall development revenue (approximately 5%). Staff's anticipates an estimated increase of \$5,830 for FY2009-2010, and an estimated increase of \$10,000 for FY2010-2011. However, these revenue projections will fluctuate depending upon the number of development applications submitted.

Please let me know if you need additional information.

xc: Phyllis Jarrell, Director of Planning
 Alan Upchurch, Director of Public Works & Engineering

PROPOSED FEE SCHEDULE – EFFECTIVE MARCH 1, 2010

NO.	FEE	EXISTING	PROPOSED
(1)	Amended Plat	\$140.00 plus \$5/lot	<i>\$250 plus \$5 per lot</i>
(2)	Annexation/ Disannexation	No charge	(no change)
(3)	Concept Plan	\$310	<i>\$350</i>
(4)	Conveyance Plat	\$190	(no change)
(5)	Engineering Inspection Fee	3.7% of estimated costs of public improvements	<i>4.0% of estimated costs of public improvements</i>
(6)	Façade Plan	No fee	<i>\$100</i>
(7)	Final Plat	\$140 plus \$5/lot with an approved preliminary plat; otherwise the fee shall be the same as for a preliminary plat	<i>\$250 plus \$5 per lot</i>
(8)	Flood Study Analysis	\$3,000.00 for the analysis of new flood studies as required in the Design Manual for Storm Drainage Facilities (Ord. No. 93-6-11)	(no change)
(9)	General Tree Survey	\$60 for 10 or more trees on property	<i>No fee – included in landscape plan fee</i>
(10)	Heritage Resource Designation	\$30	(no change)
(11)	Landscape Plan	15% of preliminary plat fee	<i>\$100 per acre with a minimum fee of \$250</i>
(12)	Land Study - Phase I	\$8/acre or portion thereof plus \$10	<i>Omitted – plan approval deleted from Subdivision Ordinance in 2009</i>
(13)	Land Study - Phase II	\$28/lot plus \$10	<i>Omitted – plan approval deleted from Subdivision Ordinance in 2009</i>
(14)	Minor Plat	Same as final plat (\$140 plus \$5/lot with an approved preliminary plat; otherwise the fee shall be the same as for a preliminary plat)	<i>\$250 plus \$5 per lot</i>
(15)	Preliminary Plat	Commercial & Multi-Family - \$190/acre plus \$10; Residential - \$37/lot plus \$10	<i>\$280 per acre for all types of development</i>

NO.	FEE	EXISTING	PROPOSED
(16)	Preliminary Site Plan	\$50/acre or portion thereof plus \$10	<i>\$50 per acre with a minimum fee of \$250</i>
(17)	Priority Processing	\$2,500 in addition to other applicable fees	(no change)
(18)	Replat	\$140 plus \$5/affected lot (Final plats will be charged the same as a replat when filed with a vacation of plat.)	<i>\$250 plus \$5 per lot</i>
(19)	Site Plan	\$100/acre or portion thereof plus \$10	<i>\$100 per acre with a minimum fee of \$250</i>
(20)	Site Plan – Substantially Conforming	\$50	<i>\$100</i>
(21)	Specific Use Permit	\$110 plus \$6/acre or portion thereof	<i>\$250</i>
(22)	Street Name Change (after preliminary plat approval)	\$250	(no change)
(23)	Subdivision Mapping Fees	\$80 for single-family final plats with Auto/Cad diskette; \$200 for single-family final plats without Auto/Cad diskette; \$30 for commercial/multi-family final plats with Auto/Cad diskette; \$50 for commercial/multi-family final plats without Auto/Cad diskette	<i>No fee – included in preliminary plat fee</i>
(24)	Subdivision Name Change (after preliminary plat approval)	\$100	(no change)
(25)	Traffic Impact Analysis	\$1,000 for analyses submitted as required under section 3-1400 of the comprehensive zoning ordinance of the city (Ordinance No. 86-3-14)	(no change)
(26)	Tree Mitigation	\$175 per caliper inch, based on the total number of caliper inches to be mitigated	(no change)
(27)	Tree Preservation Plan	\$110 for 10 or fewer trees; \$100 per acre of vegetated area plus \$10 for other properties	<i>No fee – included in landscape plan fee</i>

NO.	FEE	EXISTING	PROPOSED
(28)	Vacation of Plat	\$30	(no change)
(29)	Zoning Appeal	\$110 plus \$5 for each property owner listed on the public hearing notice	(no change)
(30)	Zoning Case Withdrawal	Refund 50% of filing fee prior to mailing or publication of a notice of public hearing. After public notice has been given, no refund will be made.	(no change)
(31)	Zoning Requests	\$460 for single-family, patio home, duplex, or townhouse districts.	Residential Zoning: \$600
		\$1,210 for zero to 50 acres plus \$10/acre or portion of an acre additional over 50 acres for all other zoning and planned development requests.	Commercial and Multifamily Zoning: \$1,500 for 0-50 acres, plus \$10 per acre over 50 acres
			Planned Development Zoning: \$1,500 for 0-50 acres, plus \$10 per acre over 50 acres
(32)	Zoning Verification Letter	\$20	\$50

The Engineering Inspection Fee is a percentage of the actual contract cost of city-maintained improvements, to be paid prior to the release of engineering plans and/or site plans. Contracts are to be provided to verify costs.

The fees for all concept plans, preliminary and final plats, conveyance plats, and replats apply as well to areas outside the corporate city limits but within the extra-territorial jurisdiction of the City of Plano.

Fees calculated on a per acre basis shall be rounded up to the next whole acre.

An Ordinance of the City of Plano, Texas, repealing Ordinance No. 98-4-7 as amended by Ordinance No. 2008-8-12, codified as Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas; establishing a new fee schedule for zoning, rezoning, and other miscellaneous procedures; and providing a repealer clause, a savings clause, a severability clause, and an effective date.

WHEREAS, on April 13, 1998, by Ordinance No. 98-4-7, and as amended on August 25, 2008, by Ordinance No. 2008-8-12, the City Council adopted a fee schedule for zoning, rezoning, and other miscellaneous procedures, and such ordinance was codified as Section 16-19, Fees for Zoning, Rezoning, and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances; and

WHEREAS, the City Council recognizes that certain adjustments to fees are necessary to cover increased administrative costs for providing specific services; and

WHEREAS, generation of resources through fees needed to administer the programs and services of the City of Plano is of vital concern to all citizens and must be considered periodically for the City; and

WHEREAS, the City Council, based upon staff recommendations and review and considerations of these matters, has determined that it is in the best interest of the City of Plano, Texas, to repeal the fee schedule adopted by Ordinance No. 98-4-7 and as amended by Ordinance No. 2008-8-12, and establish a new fee schedule of the filing, analysis, inspection and mapping of zoning cases, concept plans, preliminary site plans, site plans, substantially conforming site plans, preliminary or final plats, replats, vacation of plats, traffic impact analysis, amended plats, conveyance plats, minor plats, landscape plans, general tree surveys, tree preservation plans, tree mitigation, engineering inspection, and subdivision mapping.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Ordinance No. 98-4-7, duly passed and approved by the City Council of the City of Plano, Texas, on April 13, 1998, and as amended by Ordinance No. 2008-8-12, duly passed and approved by the City Council of the City of Plano, Texas, on August 25, 2008, and codified as Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, are hereby repealed.

Section II. Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas, is hereby replaced to read in its entirety as follows:

“Sec. 16-19. Fees for Zoning, Rezoning and Other Miscellaneous Fees.

Any person, firm or corporation desiring to submit for approval or inspection of a zoning case, concept plan, preliminary site plan, site plan, substantially conforming site plan, preliminary or final plat, vacation of plat, replat, amended plat, conveyance plat, minor plat, landscape plan, general tree survey, tree preservation plan, tree mitigation, engineering inspection fee, or traffic impact analysis, shall, at the time said zoning case, study, plan or plat is filed with the Planning Department or at the time deemed appropriate by said Department, pay to the City of Plano a fee in accordance with the following fee schedule. Fees are non-refundable except as noted:

(1)	Amended Plat	\$250 plus \$5 per lot
(2)	Annexation/ Disannexation	No charge
(3)	Concept Plan	\$350
(4)	Conveyance Plat	\$190
(5)	Engineering Inspection Fee	4.0% of estimated costs of public improvements
(6)	Façade Plan	\$100
(7)	Final Plat	\$250 plus \$5 per lot
(8)	Flood Study Analysis	\$3,000.00 for the analysis of new flood studies as required in the Design Manual for Storm Drainage Facilities (Ord. No. 93-6-11)
(9)	General Tree Survey	No charge
(10)	Heritage Resource Designation	\$30
(11)	Landscape Plan	\$100 per acre with a minimum fee of \$250

(12) Minor Plat	\$250 plus \$5 per lot
(13) Preliminary Plat	\$280 per acre for all types of development
(14) Preliminary Site Plan	\$50 per acre with a minimum fee of \$250
(15) Priority Processing	\$2,500 in addition to other applicable fees
(16) Replat	\$250 plus \$5 per lot
(17) Site Plan	\$100 per acre with a minimum fee of \$250
(18) Site Plan – Substantially Conforming	\$100
(19) Specific Use Permit	\$250
(20) Street Name Change (after preliminary plat approval)	\$250
(21) Subdivision Mapping Fees	No charge
(22) Subdivision Name Change (after preliminary plat approval)	\$100
(23) Traffic Impact Analysis	\$1,000 for analyses submitted as required under section 3-1400 of the comprehensive zoning ordinance of the city (Ordinance No. 86-3-14)
(24) Tree Mitigation	\$175 per caliper inch, based on the total number of caliper inches to be mitigated
(25) Tree Preservation Plan	No charge
(26) Vacation of Plat	\$30

(27) Zoning Appeal	\$110 plus \$5 for each property owner listed on the public hearing notice
(28) Zoning Case Withdrawal	Refund 50% of filing fee prior to mailing or publication of a notice of public hearing. After public notice has been given, no refund will be made.
(29) Zoning Requests	Residential Zoning: \$600 Commercial and Multifamily Zoning: \$1,500 for 0-50 acres, plus \$10 per acre over 50 acres Planned Development Zoning: \$1,500 for 0-50 acres, plus \$10 per acre over 50 acres
(30) Zoning Verification Letter	\$50

The Engineering Inspection Fee is a percentage of the actual contract cost of city-maintained improvements, to be paid prior to the release of engineering plans and/or site plans. Contracts are to be provided to verify costs.

The fees for all concept plans, preliminary and final plats, conveyance plats, and replats apply as well to areas outside the corporate city limits but within the extra-territorial jurisdiction of the City of Plano.

Fees calculated on a per acre basis shall be rounded up to the next whole acre.”

Section III. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or discontinuing, abating, modifying or altering any penalty accruing or to accrue, or affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section V. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or unconstitutionality of any other portion of this Ordinance.

Section VI. This Ordinance shall become effective immediately on March 1, 2010.

DULY PASSED AND APPROVED THIS THE 22 DAY OF FEBRUARY, 2010.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY