

Item # 9A

**Carson City
Agenda Report**

Date Submitted: August 28, 2007

Agenda Date Requested: Sept. 6, 2007

Time Requested: 5 Minutes

To: Mayor and Supervisors

From: Development Services

Subject Title: Action to adopt on second reading Bill No.127, an ordinance amending Title 18 Zoning, Chapter 18.02 Administrative Provisions, Section 18.02.055 Fees and Service Charges by increasing the fees charged by the City for administration of the zoning code within Carson City, Nevada and Section 18.02.090 Revocation or Reexamination of Variance or Special Use Permit by deleting the reference that fees are set by resolution and other matters properly related thereto.

Staff Summary: Based on the study evaluating the actual costs of reviewing building permit applications, engineering applications and planning applications, as presented to the Board of Supervisors July 19, 2007, staff is recommending an increase in Planning and Engineering fees by an amount necessary to cover the direct salary costs of \$520,000 per fiscal year. The fees will be reviewed with the Board of Supervisors as directed at their last meeting when the 1st reading was approved.

Type of Action Requested: (check one)

☐ Resolution

☒ Ordinance

☐ Formal Action/Motion

☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to adopt on second reading Bill No.127, an ordinance amending Title 18 Zoning, Chapter 18.02 Administrative Provisions, Section 18.02.055 Fees and Service Charges by increasing the fees charged by the City for administration of the zoning code within Carson City, Nevada and Section 18.02.090 Revocation or Reexamination of Variance or Special Use Permit by deleting the reference that fees are set by resolution and other matters properly related thereto.

Explanation for Recommended Board Action: It has been several years since fees were increased for Planning permits and applications and probably 20 years since Engineering fees have been increased and all the while, costs for providing these services have been increasing. The last increase in Planning fees reduced the General Fund subsidy from around 90% to 60%. It has been the direction of the City through past actions to have service users cover the cost for the service providers. This action would begin the process to increase fees to more adequately make Development Services user supported. Comparisons to other jurisdictions are included in the attached documents.

Applicable Statue, Code, Policy, Rule or Regulation:

Fiscal Impact: Increase in revenue by \$260,000 for FY 2007 and by \$520,000 in FY2008 if both this ordinance and the companion Engineering Fee Increase Ordinance is adopted.

Explanation of Impact: The impact would be borne by applicants seeking the permits or approvals.

Funding Source: Permit fees.

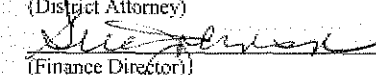
Alternatives: The Board has the ability to not increase the fees and continue the general fund support at its current level; to modify the fees; to phase implementation; or any combination thereof..

Supporting Material: Draft Ordinance, Comparison Matrix

Prepared By: Lawrence A. Werner, P.E., P.L.S., Director/City Engineer

Reviewed By:


(City Manager)

(District Attorney)

(Finance Director)

Date: 8/28/07

Date: 8-28-07

Date: 8/28/7

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

ORDINANCE NO. _____

BILL NO. 127

AN ORDINANCE AMENDING TITLE 18 ZONING, CHAPTER 18.02 ADMINISTRATIVE PROVISIONS, SECTION 18.02.055 FEES AND SERVICE CHARGES BY INCREASING THE FEES CHARGED BY THE CITY FOR ADMINISTRATION OF THE ZONING CODE WITHIN CARSON CITY, NEVADA AND SECTION 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT BY DELETING THE REFERENCE THAT FEES ARE SET BY RESOLUTION AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

SECTION I:

That Section 18.02.055 of the Carson City Municipal Code is hereby amended as follows:

18.02.055 Fees and service charges.

Before accepting any application required by this title, fees [as] adopted by [~~resolution of~~] the board, including service charges, shall be charged, collected and deposited with the planning division of the Development Services Department [~~and community development department~~]. A fee sheet is available to the general public at the main desk of the planning division [~~and community development department~~].

1. Zoning application fees.

<u>Administrative Permit</u>	<u>\$750 + \$60.00/hr over 10 hours</u>
<u>Appeal</u>	<u>\$250 + \$60.00/hr over 4 hours</u>
<u>Change of Land Use</u>	<u>\$2,450</u>
<u>Continuance</u>	<u>\$600</u>
<u>Historic Resources Review</u>	<u>No Charge</u>
<u>Major Project Review</u>	<u>No Charge</u>
<u>Master Plan Amendment</u>	<u>\$3,050</u>
<u>Mobile Home Park Review</u>	<u>\$2,300</u>
<u>Zoning Code Amendment</u>	<u>\$3,250</u>
<u>Special Use Permit – Minor</u> <u>(conditional uses or height use permit</u> <u>within any residential zoning district)</u>	<u>\$2,200</u>

<u>Special Use Permit – Major (All special use permits not considered minor)</u>	<u>\$2,450</u>
<u>Temporary Use Permit</u>	<u>\$750 + \$60.00/hr over 10 hours</u>
<u>Variance</u>	<u>\$2,150</u>

2. Division of land fees pursuant to Title 17.

<u>Land Division Map</u>	<u>\$750</u>
<u>Land Division Map Recording</u>	<u>\$50.00 for the 1st sheet of the map + \$10.00 for each additional sheet (NRS 278.4725)</u>
<u>Lot Line Adjustment or Deletion</u>	<u>\$500 + \$60.00/hr over 4 hours</u>
<u>Parcel Maps</u>	<u>\$2,750</u>
<u>Parcel Map Recording</u>	<u>\$17.00 for the 1st sheet + \$10.00 for each additional sheet (NRS 278.468)</u>
<u>Plat Amendment</u>	<u>\$2,550</u>
<u>Planned Unit Development-Tentative</u>	<u>\$3,450</u>
<u>Planned Unit Development – Final Map</u>	<u>\$3,550 per Phase</u>
<u>Planned Unit Development Final Map Recording</u>	<u>\$50.00 for the 1st sheet + \$10.00 for each additional sheet (NRS 278A.570)</u>
<u>Subdivision – Tentative</u>	<u>\$3,500</u>
<u>Subdivision – Final</u>	<u>\$1,800 per Phase</u>
<u>Subdivision Map Recording</u>	<u>\$50.00 for the 1st sheet + \$10.00 for each additional sheet (NRS 278.450)</u>
<u>Merger and Re-subdivision – same as applicable Parcel Map, Subdivision Map or Planned Unit Development</u>	<u>See fees above</u>

4. General Planning Division Fees

<u>Private Activity Bond Volume Cap Allocation / Review of Application</u>	<u>\$500</u>
<u>Public Utility Easement Abandonment</u>	<u>\$1,850</u>
<u>Research Fee</u>	<u>Per City Policy</u>
<u>Right-of-Way Abandonment</u>	<u>\$2,450</u>

5. All fees are non-refundable except for recording fees when there is no actual recording.

6. Unless a continuance is requested by the Planning Commission or Board of Supervisors with the applicant's concurrence, a continuance of a Planning Commission agenda item to a later meeting is subject to the following:

a. Any application that has been placed on the published agenda for the Planning Commission or Board of Supervisors and which is requested by the applicant to be continued after the posting of the notice of public hearing shall pay the fee listed above.

b. The requests for continuances shall be granted or denied by the Board of Supervisors or Planning Commission at the time set for consideration of the application. If the request for continuance is denied, the fee shall be refunded and the hearing conducted in accordance with the posted agenda.

7. No part of a filing fee will be refunded in the event that an application is not approved.

8. All application costs shall be paid in US cash or by check payable to Carson City.

SECTION II:

That Section 18.02.090 of the Carson City Municipal Code is hereby amended as follows:

18.02.090 Revocation or reexamination of variance or special use permit.

Any of the following reasons or occurrences are grounds for a hearing on revocation or reexamination of a variance or special use permit, pursuant to Title 18 (Show Cause Procedures):

1. A failure or refusal of the applicant to comply with any of the terms or conditions of a variance or special use permit; the director can review variations in approved landscape plans that deviate up to 25 percent from the approved plans.
2. Resubmittal of plans that substantially differ from an approved design that require subsequent review will incur additional fees ~~[as associated with the fee resolution]~~.
3. Any misrepresentation made in the application for a variance or special use permit.
4. Any act or failure to act by the applicant or its agents or employees directly related to the variance or special use permit which would be a violation of federal or state law or a violation of the code;
5. Any act or failure to act by the applicant or its agents or employees directly relating to the variance or special use permit which creates or tends to create a public nuisance or is detrimental to the public health, safety and welfare;
6. A failure to return a signed copy of the notice of decision, 21 days from receipt of

said notice.

7. Further use of a revoked variance or special use permit shall constitute a violation of this title and shall be punishable as herein provided.

SECTION IV:

That no other provisions of Title 18 ZONING of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2007

PROPOSED by Supervisor _____

PASSED on _____, 2007

VOTES: AYES: Supervisors

NAYS: Supervisors

ABSENT: Supervisors

Marv Texeira, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the 1st day of the month of January of the year 2008.