

ORDINANCE NO. 2017-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 2 OF THE PEORIA CITY CODE (1992), BY AMENDING SECTION 2-213, COMMUNITY DEVELOPMENT, PLANNING DIVISION; FEES REQUIRED, AND TABLE 2-213 PURSUANT TO THIS SECTION; AND PROVIDING FOR SEPARABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Peoria, Maricopa County, Arizona, approved City Council Policy CP 1-12 entitled "Development Services User Fee Cost Recovery Policy" on January 22, 2013; and such policy is intended to provide guidance in establishing user fees to ensure that the City adequately recovers costs for services it provides to the public; and

WHEREAS, the fee adjustments to Chapter 2 of the Peoria City Code, Section 2-213 and Table 2-213 pursuant to Exhibit A, were developed in alignment with City Council Policy CP 1-12; and

WHEREAS, the fee adjustments were reviewed at a meeting held on November 2, 2016 at Peoria City Hall with a broad array of interested stakeholders; and

WHEREAS, the City of Peoria posted a Notice of Intent, including proposed fee adjustments and supporting documentation on its website pursuant to A.R.S. 9-499.15 on February 1, 2017; and

WHEREAS, the City Council of the City of Peoria, Maricopa County, Arizona, held a regular meeting on April 4, 2017 on the Planning and Community Development Department's planning related fees to consider proposed amendments to the Peoria City code as provided in Section 2-213 of Chapter 2 of the Peoria City Code (1992), after notice in the manner provided by law; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, have considered the matter, and deem it to be in the best interest of the public health, safety and welfare of the residents of the City of Peoria, Arizona to amend Section 2-213 of Chapter 2 of the Peoria City Code (1992 edition):

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. Section 2-213 and Table 2-213, as part of Section 2-213(a) of Chapter 2 of the Peoria City Code (1992), shall be amended pursuant to Exhibit A.

SECTION 2. Effective Date. This Ordinance shall become effective on the date provided by law; however to provide for a smooth administrative transition, all fees pursuant to this Ordinance shall be collected no sooner than July 1, 2017.

(Exhibit A: CHAPTER 2 – ADMINISTRATION)

**Sec. 2-213. Community Development, planning division; fees required.**

- a) The Community Development Department shall collect from each person filing an application or requesting services by the city the following fees: See Table 2-213.
- b) The Community Development Department; the Planning and Zoning Commission and the city may initiate code amendments, special use permits, ~~zoning and rezoning~~ applications and plan amendments without payment of any of the fees required by this chapter.
- c) The ~~planning and zoning division~~ Community Development Department shall reduce fees charged to non-profit community organizations to ~~ten~~ fifty percent ~~(10%)~~ (50%) of the fee calculated under this chapter. A non-profit community organization for purposes of this chapter is defined as a corporation organized under the laws of the State of Arizona as a non-profit organization and having been certified by the United States Internal Revenue Service as a charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986 as amended.
- ~~d) In the event an applicant is required by the zoning code of the city of peoria to process more than two applications to obtain approval for the proposed development, a maximum of two fees under this article shall be charged. The fee shall be the sum of the two highest application fees.~~

(Ord. No. 91-12, 5/14/91)

(Ord. No. 92-17, 4/28/92, Amended)

(Ord. No. 02-41, 6/4/02, Amended) SUPP 2002-2

(Ord. No. 03-21, 5/23/2003, Amended Table 2-213) SUPP 2003-2

(Ord. No. 03-24, 6/3/2003, Amended Table 2-213) SUPP 2003-2

(Ord. No. 02-65, 7/9/02, Amended Table) SUPP 2002-3

(Ord. No. 06-32, 9/5/2006, Amended Table) SUPP 2006-3

| (Ord. No. 2017-13, 4/4/2017, Amended)

**Section 2-213(a)**

Table 2-213  
COMMUNITY DEVELOPMENT, PLANNING; ZONING; FEES REQUIRED

Item	Fee
Rezoning Classification and Map Amendment Application Fee	\$1,500 <u>\$3,000</u>
<u>Additional</u> Rezoning Classification and Map Amendment Processing Fee – minimum one acre [per acre]	\$40.00
Planned Area Development/ <del>Planned Community Development</del> Base Application Fee [maximum total application and processing fee is <del>\$50,000</del> <u>\$30,000</u> ]	\$2,000 <u>\$4,000</u>
<u>Additional</u> Planned Area Development/ <del>Planned Community Development</del> Processing Fee [0 – 640 acres] [per acre]	\$75.00 <u>\$45.00</u>
Planned Community District Base Application Fee [maximum total application and processing fee is <del>\$50,000</del> <u>\$30,000</u> ]	\$2,000 <u>\$7,500</u>
Additional Planned Community District Processing Fee [per acre]	\$75.00 <u>\$45.00</u>
Planned Area Development/Planned Community Development <u>District</u> Text Amendment	\$1,000 <u>\$1,500</u>
Planned Area Development/Planned Community Development <u>District</u> Text and Map Amendment	40% <u>50%</u> of current fee
Amendment of Zoning Application during processing of Application	\$300.00
<u>Application to amend adopted zoning stipulation</u> Amendment, modification, or deletion of approved zoning stipulations	\$1,500 <u>\$3,000</u>
Written verification of zoning status	\$100 <u>\$200</u>
Applicant requested continuance of public hearing before City Council or Planning and Zoning Commission	\$400.00
Application for Major General Plan Amendment <u>or Specific Area Plan</u>	\$3,000 <u>\$6,700</u>
Application for Minor General Plan Amendment	\$1,500 <u>\$3,800</u>
Application to adopt redevelopment or specific plan	\$2,000.00
Adoption of redevelopment or specific plan processing fee [per acre]	\$5.00
Amendment to existing Redevelopment or Specific Area Plan-- [percentage of current fee]	50% <u>of current fee</u>

Item	Fee
Conditional Use Permit	<del>\$500</del> <u>\$1000</u>
<u>Conditional Use Permit for Outdoor Dining</u>	<u>\$750</u>
Application <u>Appeal</u> to Board of Adjustment for Code Interpretation	\$1,000
Application to Board of Adjustment for Variance relating to a single residential property	<del>\$250</del> <u>\$500</u>
<del>Each additional application to Board of Adjustment for variance relating to residential property</del>	\$50.00
<del>Variance on two or more lots—Application Fee</del>	\$1,000
<del>Additional simultaneous variances—Application Fee</del>	\$200.00
<del>Variances—Processing fee per lot:</del>	Less than 25 lots: \$15.00 25-50 lots: \$10.00 Over 50 lots: \$5.00
<u>Application to Board of Adjustment for Variance for 2 or more residential lots</u>	<u>\$1,000</u>
<u>Administrative Relief</u>	<del>\$250.00</del> <u>\$500.00</u>
<u>Application to Department for Code Interpretation</u>	<del>\$100.00</del> <u>\$500.00</u>
Application to Board of Adjustment for Variance relating to non-residential property	\$1,000
<del>Each additional application to Board of Adjustment for Variance relating to non-residential property filed simultaneously with first application</del>	\$100.00
Wall requirement waiver	<del>\$100.00</del> <u>\$700.00</u>
Design Review requirement waiver	<del>\$100.00</del> <u>\$750.00</u>
Hillside Waiver	<del>\$500.00</del> <u>\$1,750</u>
<u>Additional Hillside Waiver fee per lot [25 or fewer lots]</u>	<del>\$15.00</del> <u>\$10.00</u>
Waiver fee per lot [26—50 lots]	\$10.00

Item	Fee
Waiver fee per lot [over 51 lots]	\$5.00
Application for Temporary Use Permit	\$400.00 \$500.00
<u>Donation Bin Registration (TUP)</u>	\$100.00
<u>Application for Zoning Code Amendment Private Text-amendment application seeking to amend zoning ordinance</u>	\$1,000 <u>\$3,500</u>
Application to Commission for <u>Request for classification of an Unspecified Use</u>	\$100.00
<u>Application for Residential Subdivision-Preliminary Plat Fee</u>	\$1,500 <u>\$5,000</u>
<u>Additional Residential Subdivision-Preliminary Plat fee per lot</u>	<u>\$10.00</u>
<u>Application for Design Review (without Site Plan)</u>	\$250.00 <u>\$750.00</u>
<u>Application for Design Review (Single Family Residential) design review</u>	\$250.00 <u>\$750.00</u>
Time extension on Preliminary Plat	\$500.00
Subdivision regulation requirement, modification/waiver	\$500.00
Residential subdivision plat stipulation--modification/deletion [percentage of current fee]	\$1,500
Appeal of Preliminary Plat decision of Planning and Zoning Commission to City Council	\$1,000
Non-Residential Subdivision — Preliminary Plat Fee	\$2,500
Non-Residential Subdivision — Per Lot Processing Fee	\$5.00
Non-Residential Subdivision plat/map of dedication stipulation, modification, deletion [percentage of current fee]	50%
Sign plan review	\$30.00
Sign permit fee	0-32 sq.ft. \$70.00 33-48 sq.ft. \$80.00 48 sq.ft. + \$120.00
Sign permit extension	\$100.00

Item	Fee
Temporary Mobile Home Permit Application	<del>\$75.00</del> <u>\$500.00</u>
Adult <u>Group Home Registration</u> care application	<del>\$50.00</del> <u>\$500.00</u>
Application for Site Plan [ <u>Base Fee</u> ]	<del>\$3,000</del> <u>\$6,000</u>
<u>Additional</u> Site Plan processing fee -- Per Acre	\$50.00
Site Plan Amendment - [percentage of current fee]	50% <u>of current fee</u>
Site Plan Extension -- [percentage of current fee]	30%
Plan Review Fee Walls and fences [if performed with other building reviews on site, if separate, fee will be charged in accordance with Uniform Building Code]	\$5.00
Inspection Fee Walls and Fences [if performed with other building inspections on site, if separate, fee will be charged in accordance with Uniform Building Code]	\$5.00
Single-family residential landscape plan review [per sheet] [four sheet maximum]	\$160.00
Landscape Permit [less than 20,000 square feet area]	\$100.00
Landscape Permit [20,000.1 square feet or more area]	\$200.00
On-site Landscaping Inspection	\$50.00
On-site Landscaping Reinspection	\$100.00
Review Fee--Canopy	\$100.00
Zoning Compliance Certification for business and liquor license review	\$20.00
Copies of the Official Zoning Map (24 x 30)	\$50.00
Copies of the Official Zoning Map (11 x 17)	\$7.00
Maps and Documents Fee (8.5 x 11) [color] [per page]	\$1.00
Maps and Documents Fee (11 x 14 or greater) [color] [per page]	\$1.75
Pre-application meeting -- [first meeting]	\$0.00
Pre-application meeting -- [second meeting]	\$0.00
Pre-application meeting -- [third and each subsequent meeting]	\$500.00
Research and Processing Fee - per person minimum charge 1/2 hour	\$38.00


Item	Fee
[per hour]	
Recording and Document Handling Fee--[plus actual cost billed by county recorder to city]	<del>\$35.00</del> <u>\$54.00</u>
Non-Profit Organization Fee--[percentage of current fees]	40% <u>50% of applicable fee</u>
<del>Application for noise sensitive area</del>	\$100

~~\*For purposes of the Planned Community District Fee, the initial fee shall be calculated from 0-1000 acres, even though the minimum acreage for this district is 640 acres. In essence the minimum per acre processing fee is \$32,000, calculating 640 acres x \$50.~~

- (Ord. No. 91-12, 5/14/91, Enacted)
- (Ord. No. 92-17, 4/28/92, Amended)
- (Ord. No. 95-16, 4/4/95, Amended)
- (Ord. No. 96-04, 1/3/96, Amended)
- (Ord. No. 96-83, 9/17/96, Amended to add Minor Land Division Application Fee)
- (Ord. No. 00-09, 2/15/00, Amended pertaining to PCD Fees) SUPP 2000- 1
- (Ord. No. 02-65, 7/10/02, Amended) SUPP 2002-2
- (Ord. No. 03-21, 5/23/03, Amended) SUPP 2003-2
- (Ord. No. 03-24, 6/3/03, Amended) SUPP 2003-2
- (Ord. No. 06-32, 9/5/06, Amended) SUPP 2006-3
- (Ord. No. 2017-13, 4/4/17, Amended)


SECTION 3. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 4th day of April, 2017.

  
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Cathy Carlát, Mayor

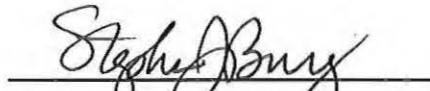
4-5-17  
\_\_\_\_\_  
Date Signed

ATTEST:

  
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Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:

  
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Stephen J. Burg, City Attorney

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