

**City of Fayetteville Staff Review Form**

**2022-0244**

**Legistar File ID**

**6/7/2022**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Jonathan Curth

5/20/2022

DEVELOPMENT REVIEW (630)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

ADM-2022-000010: Administrative Item: (Amend UDC Chapter 159 - Fees): Submitted by CITY STAFF. The proposed code change would adopt increased variance request fees, eliminate an obsolete accessory dwelling unit fee and create fees for services that are currently provided without any cost recovery.

**Budget Impact:**

|  |  |
|--|--|
| Account Number                                   | Fund   |
| Project Number                                   | Project Title  |
| <b>Budgeted Item?</b> <u>  No  </u>              | <b>Current Budget</b> \$            -  |
|  | <b>Funds Obligated</b> \$            -   |
|  | <b>Current Balance</b> <span style="border: 1px solid black; background-color: #f0f0f0; padding: 2px;">\$            -</span>  |
| <b>Does item have a cost?</b> <u>  No  </u>      | <b>Item Cost</b> \$            -   |
| <b>Budget Adjustment Attached?</b> <u>  No  </u> | <b>Budget Adjustment</b> \$            -   |
|  | <b>Remaining Budget</b> <span style="border: 1px solid black; background-color: #f0f0f0; padding: 2px;">\$            -</span> |

V20210527

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF JUNE 7, 2022**

**TO:** Mayor; Fayetteville City Council

**THRU:** Susan Norton, Chief of Staff

**FROM:** Chris Brown, Public Works Director  
Jonathan Curth, Development Services Director

**DATE:** May 20, 2022

**SUBJECT:** **ADM-2022-000010: Administrative Item: (Amend UDC Chapter 159 - Fees):** Submitted by CITY STAFF. The proposed code change would adopt increased variance request fees, eliminate an obsolete accessory dwelling unit fee and create fees for services that are currently provided without any cost recovery.

---

**RECOMMENDATION:**

City Planning staff and the Planning Commission recommend approval of an amendment to Unified Development Code §159, Fees/Schedules as described in Exhibits 'A'.

**BACKGROUND:**

The City charges certain fees to cover the cost of services provided. This includes a variety of permits, reviews, and inspections across the Development Services and Public Works Departments. Many services are codified in §159 of the Unified Development Code, with well-established procedures, associated meetings, and requisite fee schedules. Other services arise organically, whether in response to an unanticipated need or to better serve the public, contractors, and design professionals. In some instances, the infrequency with which these services are requested or the degree of staff time necessary to respond do not merit formalizing them into ordinance with an associated fee. Conversely, other services that begin as a courtesy prove to be so useful that demand increases along with associated staff time.

**DISCUSSION:**

Among the services currently offered without a fee, staff has identified three prominent instances where staff review has reached the point where cost recovery is a priority. These include:

- *Zoning Verification Letter*- A zoning verification letter is a legally-recognized document which informs current and prospective property owners, real estate agencies, financial institutions, and title companies of zoning laws. These letters include current zoning allowances, existing violations, the presence of nonconformities, and other items that may impact the value of real estate.

Under current the Arkansas Freedom of Information Act, the City of Fayetteville is not obligated to provide this service as it constitutes creation of a new document rather than the provision of existing records. Staff recognizes the value to residents and real estate

transactions that a zoning verification letter represents, but the amount of staff time, ranging between two and four hours, and the number of annual requests, averaging 45 a year since 2017, represents a barrier to offering this service.

- There is currently no charge for a zoning verification letter. Staff recommends \$50.00 per letter.
- *Grading Permit:* a grading permit is the document granted by the City of Fayetteville to an entity for land disturbance and the installation of infrastructure. Grading permits and their associated review are a fundamental step of development review and, when granted, permit installation of utilities and streets, construction of permanent stormwater infrastructure, and a range of other activities that require erosion and runoff controls along with tree protection.

Currently, ordinance does not address three elements of the grading permit review, issuance, and inspection process, resulting in many hours of staff time that are unaccounted for in the current grading permit schedule:

- Resubmittals- Following issuance of a grading permit, revisions are often submitted that require staff review and documentation of changes. Staff recommends applying the current “Resubmittal Fee” as it relates to the size of the disturbed area, totaling \$75.00, \$100.00, and \$200.00 for properties of less than 0.5 acre, 0.51 to 1.0 acre, and over 1.0 acre respectively.
- Re-inspections- Unlike a building permit, a fee is not presently applied to failed inspections associated with a grading permit. Like building permits however, there are many types of inspections required over the course of construction. Generally, these are associated with construction of what will ultimately be City owned infrastructure, such as streets, storm drainage, sidewalks, trails, water lines, and sewer lines. Recently, Engineering staff has documented a significant increase in the number of inspections requested and scheduled prior to the work being completed and ready for an inspection. This results in a significant amount of staff time spent driving to the construction site to perform an inspection, only to find the site is not ready. Ultimately, these failed inspections reduce our overall customer service response times by increasing the overall demand and workload on our inspectors. Staff recommends a reinspection fee of \$25.00 which will double with each reinspection up to \$200.00. The goal is to improve our customer service response times for residents and contractors who are prepared for inspections, and disincentivize requesting inspections when work is incomplete.
- Performing work without a permit- Similar to starting work on a building without a permit, staff is requesting that permit fees be doubled for starting construction without first obtaining an applicable grading permit. This has been standard practice for many years with building permits in Fayetteville, and this change would make the code and fees more consistent across grading permits.
- *Temporary Closure Permits:* The Engineering Division currently oversees review and permitting for all temporary closure permits associated with streets, sidewalks and trails. Over the past three years, staff has reviewed 85 to 125 closure requests annually. Many

of these requests come from contractors who need to work within City right-of-way while working on infrastructure or buildings.

Each request takes approximately one to two hours of Engineering staff time to review and provide feedback. Beyond Engineering, input is sought from multiple other staff and entities, ranging from the Fire Marshal's Office and City Administration to the Parks Department and University of Arkansas. A street closure review includes reviewing traffic control plans and detour routing when needed, if transit is affected, and consideration for nearby events. If approved, the closure then takes another one to two hours of staff time in creating notifications and posting through our website and online maps. In addition to this permit review time, there is a value to City right-of-way and impact created to pedestrians, cyclists, and drivers when City streets, sidewalks or trails are closed.

Currently there are no fees associated with review of temporary closure permits. Staff recommends a \$50.00 application fee, as well as use fees associated with each type of closure. In general, sidewalk closures in busy pedestrian areas of Fayetteville such as the Entertainment District would incur a use fee of \$25.00 per day. Similarly, Residential Streets which require closures and detours would be charged a use fee of \$25.00 per day. Busier streets such as Neighborhood Links, Regional Links, and Downtown/Urban Streets, as defined by the Master Street Plan, would be subject to an incremental use fee between \$25.00 and \$150.00 per day based on the type of closure requested and the number of impacted lanes. Lastly, an associated request staff often receives is an extension of a closure permit. For these we propose an application fee of \$25.00, and the same daily use fees.

Additionally, staff has identified two existing fees that merit consideration alongside the above. First is a \$100.00 fee formerly associated with the review of accessory dwellings. Prior to 2018, accessory dwelling units (ADUs) were subject to a preliminary zoning review before they were submitted to the Building Safety Division for building permit review. With the 2018 amendment to the ADU ordinance, the requirement for this review was removed, making the zoning review obsolete.

Secondly, staff proposes to increase the fee required for zoning and development variance requests. Variances are requested when an applicant asserts that there is some manner of hardship preventing them from complying with existing development or zoning ordinance. Currently this fee is \$25.00, unless it is in response to a violation, at which point the fee is \$100.00. Staff receives 80 to 100 standalone variance requests a year. Feedback from applicants has noted that many requests occur because the low fee represents less of a difficulty than compliance with adopted ordinance.

Further, variances represent a widely-differing amount of staff time, with some taking two to four hours when a situation is clear and one City division or reviewer is affected, while others require in excess of ten to twenty hours of staff time spread across divisions, departments, and sometimes involving extra-jurisdictional authorities. The discrepancy between fee and staff time is further highlighted by reviewing the cost of variance application among peer cities. Within Northwest

Arkansas, variance request fees range from \$75.00 to \$150.00, while out-of-state, peer City examples range from \$200 to \$520. Staff proposes an increased standalone variance fee of \$100.00, or \$200.00 when it is in response to a violation.

At the February 28, 2022 Planning Commission meeting, a vote of 7-0-0 forwarded the request to City Council with a recommendation of approval. The Planning Commission's Chair, Matt Johnson, made the motion and Commissioner Garlock seconded. Commissioners commented that the amendment is reasonable and likely overdue, and that the current fees are nominal. No public comment was offered on the item.

Following the Planning Commission's hearing, and in drafting the proposal for City Council, staff reassessed the amendment, identifying two changes that will add clarity and consistency to the application of fees. These include:

- *Temporary Closure Permits*: The word "impacted" was added before each street type to clarify that fees are only for each lane that is being closed, not for the entire roadway.
- *Grading Permit Re-inspections*: Re-inspection language was revised to mirror that used for Building Permit. This includes a low initial fee of \$25.00 that is doubled for each subsequent re-inspection to a maximum of \$200.00. The re-inspection fee must be paid prior to the inspection taking place.

The Planning Commission did not consider these specific changes, but staff is confident that the nature and intent of the Commission's recommendation remains unaffected.

**BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

- Exhibit A
- Proposed Ordinance Amendment in Strikeout/Highlight

**159.01 Fees/Schedule**

...

(B) *Fee schedule.*

...

(4) *Grading Permit.* Two (2) reviews are covered with the initial application fee. For each subsequent review, a resubmittal fee shall apply. For review of all changes and plan revision submittals required after permit issuance, a resubmittal fee shall apply.

...

(b) *Supplementary Permit Fees:*

- (i) *Work Without a Permit.* Where work for which a grading permit is required is started or proceeded prior to obtaining said permit, the fees specified herein shall be doubled. Payment of such fee shall not relieve any persons from fully complying with the requirement of any code in the execution of the work not from any other applicable penalties.
- (ii) *Re-Inspection.* For a re-inspection to correct a violation(s) and/or if installation is not ready for requested inspections the fee shall be \$25.00. For each subsequent re-inspection, the fee shall be double the amount of the previous fee, with a maximum of \$200.00. All re-inspect fees must be paid prior to the inspection taking place.

(5) *Zoning.*

|   |          |
|---|----------|
| Rezoning  | \$325.00 |
| Conditional use   | \$100.00 |
| Manufactured home:  |          |
| Initial permit  | \$25.00  |
| Renewal   | \$12.50  |
| Home occupation:  |          |
| Initial permit  | \$25.00  |
| Renewal   | \$12.50  |
| Planning Commission or Board of Adjustment Variance:          |          |
| Before any violation has occurred                             | \$100.00 |
| After any violation has occurred                              | \$200.00 |
| Appeal of Zoning and Development Administrator interpretation | \$100.00 |
| Zoning Verification Letter                                    | \$50.00  |

...

(11) *Temporary Closure Permits.* The following application and use fees are due for each of the following requests for closure

- (a) *Application Fees.* A \$50.00 application fee shall be due at that time of any request for temporary, street/road closure, partial street/lane closure, parking closure, trail closure, or sidewalk closure.
- (b) *Closure Fees.* Due to the impact of closures on functionality of streets, sidewalks and trails, the following use fees shall apply based on the type, length and duration of closure requested:
  - (1) *Shared-Use Paved Trails and Sidewalks:*
    - (a) \$25 per day – Shared-Use Paved Trails.
    - (b) \$25 per day – Sidewalks Within Entertainment District (sidewalk closures outside the Entertainment District do not require a permit, please coordinate with the Engineering Office for notification and signage.
  - (2) *Residential Links, and Alley's:*
    - (c) \$25 per day, per impacted lane, when detour routes will be required, or full width of Alley/Street is closed. Where minimum paved width of 20ft will be provided to maintain two-way traffic, or flagging operations will be used to maintain two-way traffic, no permit is required.
  - (3) *Neighborhood Links and Downtown/Urban Streets:*
    - (a) \$25 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;
    - (b) \$50 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
    - (c) \$75 per day, per impacted lane, when detour routes will be required for one direction of traffic;
    - (d) \$100 per day, per impacted lane, when detour routes will be required for all directions of traffic.
  - (4) *Regional Links:*
    - (a) \$50 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;
    - (b) \$75 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
    - (c) \$100 per day, per impacted lane, when detour routes will be required for one direction of traffic;
    - (d) \$150 per day, per impacted lane, when detour routes will be required for all directions of traffic.
- (c) *Extension Fees.* A \$25.00 extension fee shall be due at the time of any request for extension of a temporary closure. Daily closure fees as listed in this section shall also apply to the extension.
- (d) Detour route required when one or more lanes will be completely closed, and flaggers are not used to maintain traffic.
- (e) A detour route shall be provided for all trail and sidewalk closures requiring a permit per this section.

**159.01 Fees/Schedule**

- (A) *Fees.* Fees shall be imposed, as set forth below, to cover a portion of the cost of public notices and such other expenses as may be incurred in connection with processing of applications, plan reviews, amendments, permits, variances and other matters pertaining to the UDC.

An alderman may present a resolution to the City Council to waive or reduce development permit fees otherwise required by this chapter or elsewhere within the Unified Development Code, where it is permitted. If the reduction or waiver would serve the public interest, alleviate an unfair burden upon an applicant, or be beneficial to the city as a whole, the City Council may grant such reduction or waiver of permit fee.

- (B) *Fee schedule.*

- (1) *General.* Unless specific fees are otherwise adopted by the City Council, the following schedule of fees is established.
- (2) *Signs.*
  - (a) *Signs.* \$25.00 for each sign.
  - (b) *Windblown signs.* \$10.00.
  - (c) *Sign variance.* Filing fee: \$25.00
- (3) *Development.* The following application fees are due for each of the following development review submittals:
  - (a) All concept plats. \$50.00
  - (b) Lot splits or property line adjustments. \$200.00
  - (c) Subsequent technical plat reviews for tabled items, after initial fee in item (d) below. \$200.00
  - (d) All Other Plat Reviews (Concurrent, Preliminary And Final):

|                              |          |
|------------------------------|----------|
| Nonresidential               | \$800.00 |
| 10 or less residential units | \$200.00 |
| 25 or less residential units | \$400.00 |
| 26 or more residential units | \$800.00 |

- (e) Other Plan Reviews:

|                                      |          |            |
|--------------------------------------|----------|------------|
| Nonresidential 5,000 or less sq. ft. | \$400.00 | \$800.00   |
| Nonresidential Over 5,000 sq. ft.    | \$800.00 | \$1,125.00 |
| 10 or less residential units         | \$200.00 | \$525.00   |
| 25 or less residential units         | \$400.00 | \$725.00   |
| 26 or more residential units         | \$800.00 | \$1,125.00 |



- (4) *Grading Permit.* Two (2) reviews are covered with the initial application fee. For each subsequent review, a resubmittal fee shall apply. For review of all changes and plan revision submittals required after permit issuance, a resubmittal fee shall apply.

(a) Permit Application Fee:

| Size of Disturbed Area | Grading Plan and Permit | Drainage Report Review (if required) | Resubmittal Fee |
|------------------------|-------------------------|--------------------------------------|-----------------|
| Less than 0.5 acre     | \$75.00                 | \$75.00                              | \$75.00         |
| 0.51 to 1.0 acre       | \$100.00                | \$100.00                             | \$100.00        |
| Over 1.0 acre          | \$200.00                | \$200.00                             | \$200.00        |
| Appeals                | \$100.00                | N/A                                  | N/A             |

(b) Supplementary Permit Fees:

- (i) *Work Without a Permit.* Where work for which a grading permit is required is started or proceeded prior to obtaining said permit, the fees specified herein shall be doubled. Payment of such fee shall not relieve any persons from fully complying with the requirement of any code in the execution of the work not from any other applicable penalties.
- (ii) *Re-Inspection.* For a re-inspection to correct a violation(s) and/or if installation is not ready for requested inspections the fee shall be \$25.00. For each subsequent re-inspection, the fee shall be double the amount of the previous fee, with a maximum of \$200.00. All re-inspect fees must be paid prior to the inspection taking place.

(5) *Zoning.*

|   |                              |
|---|------------------------------|
| Rezoning  | \$325.00                     |
| <del>Accessory Dwelling</del>                                 | <del>\$100.00</del>          |
| Conditional use   | \$100.00                     |
| Manufactured home:  |                              |
| Initial permit  | \$25.00                      |
| Renewal   | \$12.50                      |
| Home occupation:  |                              |
| Initial permit  | \$25.00                      |
| Renewal   | \$12.50                      |
| Planning Commission or Board of Adjustment Variance:          |                              |
| Before any violation has occurred                             | <del>\$25.00</del> \$100.00  |
| After any violation has occurred                              | <del>\$100.00</del> \$200.00 |
| Appeal of Zoning and Development Administrator interpretation | \$100.00                     |
| Zoning Verification Letter                                    | \$50.00                      |

(6) *Streets and Sidewalks.*

|   |         |
|---|---------|
| Driveway, curb cut, sidewalk, and all other excavation in public right-of-way | \$25.00 |
|---|---------|

(7) *Tree Preservation.*

|            |          |
|------------|----------|
| Filing fee | \$120.00 |
|------------|----------|

(8) *Floodplain Determination.*

| Type of Review   | Grading Plan and Permit | Resubmittal Fee |
|--|-------------------------|-----------------|
| Administrative review(qa)(EC, Fence, Acc. Structure, etc.) | \$50.00                 | N/A             |
| LOMA, LOMR-F   | \$75.00                 | \$25.00         |
| CLOMR/LOMR   | \$200.00                | \$100.00        |
| Appeals  | \$100.00                | N/A             |

(9) *Vacations.*

|            |          |
|------------|----------|
| Filing fee | \$200.00 |
|------------|----------|

(10) *Building Permits.*

- (a) *General Fees.* The following general provisions shall apply to all permits, including but not limited to building, electrical, gas, mechanical and plumbing; and shall apply in addition to the fees and requirements set forth in each separate code.
- (b) *Permit Valuation.*
  - (i) Permit valuation is the reasonable valuation of all services, labor, materials, and appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy.
  - (ii) The permit valuation shall include total cost such as plumbing, electrical, gas, mechanical, equipment, and other systems, however, the cost of excavation or grading, paying, and land cost are not deemed a part of such permit valuation.
  - (iii) The building permit fee shall be based on the construction valuation as determined by the published Building Code Fee Schedule or as submitted by the applicant, whichever is greater.

- (c) *Building Construction.* Building construction fees shall be as set forth in the Building Code, fees appendix, except as set forth below:

|  |          |
|--|----------|
| Original C of O—new building   | \$15.00  |
| Certificate of completion  | \$15.00  |
| C of O—existing building and/or change of occupancy use                    | \$25.00  |
| Demolition permit  | \$50.00  |
| Temporary C of O   | \$25.00  |
| Footing/foundation only  | \$50.00  |
| Appeal of building official to Construction Board of Adjustment and Appeal | \$50.00  |
| Moving permit  | \$100.00 |
| Administrative/Maintenance Fee   | \$25.00  |
| Permit extension   | \$50.00  |
| Permit Processing Fee*   | \$200.00 |

*\*A permit processing and review fee shall be submitted with all building permit applications as required in the Building Code Fee Schedule. This fee shall be applied as a credit to the total fees due once the building permit is obtained.*

- (d) The Building Official shall administer the collection and reporting of fees as required herein. In the event of whether a fee should be charged or not, the Building Official shall make the final determination.
- (e) *Supplementary Permit Fees.*
- (i) *Design/Build Fee.* In addition to the permit fees, a design/build fee for fast-track, design-build, and buildings permitted with construction progressing as design and construction plans are in progress shall be equal to one-half the permit fee but shall not be more than \$1,000.00.
  - (ii) *Emergency, Investigative and After Hour(s).* In addition to the permit fee, an emergency fee for after hours inspection, investigations and emergency inspections shall be \$20.00 per inspection.
  - (iii) *Outside City Limits.* In addition to the permit fee, each inspection required outside Fayetteville city limits shall be \$20.00 per inspection.
  - (iv) *Work Without Permit.* Where work for which a permit is required is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled. Payment of such double fee shall not relieve any persons from fully complying with the requirement of any code in the execution of the work nor from any other applicable penalties.
  - (v) *Re-Inspection.* For a re-inspection to correct a violation(s) and/or if installation is not ready for requested inspections the fee shall be \$25.00. For each subsequent re-inspection, the fee shall be double the amount of the previous fee, with a maximum of \$200.00. All re-inspect fees must be paid prior to the inspection taking place.

- (vi) A Temporary Certificate of Occupancy may be issued for a period of up to thirty (30) days for a fee of \$25.00. For each subsequent month that a Temporary Certificate of Occupancy is requested by the applicant and granted by the city, a fee shall be imposed that is double the amount of the previous fee, with a maximum of \$200.00, until a final Certificate of Occupancy is granted.
- (f) *Exemptions from Permit Fees.*
  - (i) *Historical Buildings.*
    - (a) Buildings identified and classified as historical buildings or structures by state or local jurisdiction shall be exempt from permit fees.
    - (b) The Mayor may exempt all or part of the applicable permit fees for buildings that can be proven to be more than fifty (50) years old. This exemption shall apply only to owner-occupied, single-family dwellings where there is to be no change of use or occupancy.
  - (ii) *Affordable Housing.* Construction of single family and non-profit multi-family supportive housing funded wholly or primarily by federal Community Development Block Grants, non-profit service organizations such as Habitat for Humanity, Housing and Urban Development housing loans and similar programs designed to provide affordable, owner-occupied, single family residences to low income individuals and non-profit multi-family supportive housing shall be exempted from payment of building permit fees.
  - (iii) *City-Owned Facilities.* Construction projects that occur on city-owned properties for facilities that are partially or wholly owned by the city shall be exempted from payment of building permit fees.
- (g) *Electrical.*
  - (i) *Electrical Permit Fees.* Fees for permit shall be paid to the city, as follows:
    - (a) First four (4) meters, new or replacement, \$20.00.
    - (b) For each additional meter on a building, \$5.00.
    - (c) \$0.25 per outlet, and \$10.00 per inspection with electrical wiring in concrete.
    - (d) Neon tube lighting shall be \$10.00 for each transformer.
    - (e) A minimum fee for any electrical permit shall be \$20.00.
  - (ii) *Apprentice Electrician.* Registration of an apprentice electrician, \$10.00.
- (h) *Gas.*
  - (i) *Gas Permit Fees.* Fees for gas permit shall be paid to the city, as follows:
    - (a) First five (5) fixtures for \$20.00 plus \$2.00 for each additional fixture.
  - (ii) *Exceptions.* Gas ranges/ovens, domestic clothes dryers, and space heaters not required to have a vent are exempted and gas permits are not required to connect these appliances to an existing gas outlet in an existing piping system.
- (i) *Mechanical Permit Fees.* Fees for a mechanical permit shall be paid to the city as follows:

|   |         |
|---|---------|
| Minimum permit fee for the first unit                     | \$20.00 |
| Additional units greater than one-third (1/3) horse power | \$5.00  |
| Fractional horse power mechanical exhaust                 | \$2.00  |
| Gas vent per unit   | \$5.00  |

(j) *Plumbing.*

(i) *Plumbing Permit Fees.* Fees for plumbing permits shall be paid to the city, as follows:

- (a) First five (5) fixtures for \$20.00, plus \$1.75 for each additional fixture, and
- (b) \$10.00 for each inspection required for plumbing under slab.

**(11) Temporary Closure Permits. The following application and use fees are due for each of the following requests for closure**

(a) *Application Fees.* A \$50.00 application fee shall be due at that time of any request for temporary, street/road closure, partial street/lane closure, parking closure, trail closure, or sidewalk closure.

(b) *Closure Fees.* Due to the impact of closures on functionality of streets, sidewalks and trails, the following use fees shall apply based on the type, length and duration of closure requested:

**(5) Shared-Use Paved Trails and Sidewalks:**

- (d) \$25 per day – Shared-Use Paved Trails.
- (e) \$25 per day – Sidewalks Within Entertainment District (sidewalk closures outside the Entertainment District do not require a permit, please coordinate with the Engineering Office for notification and signage).

**(6) Residential Links, and Alley's:**

(f) \$25 per day, per impacted lane, when detour routes will be required, or full width of Alley/Street is closed. Where minimum paved width of 20ft will be provided to maintain two-way traffic, or flagging operations will be used to maintain two-way traffic, no permit is required.

**(7) Neighborhood Links and Downtown/Urban Streets:**

- (e) \$25 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;
- (f) \$50 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
- (g) \$75 per day, per impacted lane, when detour routes will be required for one direction of traffic;
- (h) \$100 per day, per impacted lane, when detour routes will be required for all directions of traffic.

**(8) Regional Links:**

(e) \$50 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;

- (f) \$75 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
  - (g) \$100 per day, per impacted lane, when detour routes will be required for one direction of traffic;
  - (h) \$150 per day, per impacted lane, when detour routes will be required for all directions of traffic.
- (f) Extension Fees. A \$25.00 extension fee shall be due at the time of any request for extension of a temporary closure. Daily closure fees as listed in this section shall also apply to the extension.
- (g) Detour route required when one or more lanes will be completely closed, and flaggers are not used to maintain traffic.
- (h) A detour route shall be provided for all trail and sidewalk closures requiring a permit per this section.

## EXHIBIT A

### 159.01 Fees/Schedule

(B) *Fee schedule.*

- (4) *Grading Permit.* Two (2) reviews are covered with the initial application fee. For each subsequent review, a resubmittal fee shall apply. For review of all changes and plan revision submittals required after permit issuance, a resubmittal fee shall apply.

(a) Permit Application Fee:

| Size of Disturbed Area | Grading Plan and Permit | Drainage Report Review (if required) | Resubmittal Fee |
|------------------------|-------------------------|--------------------------------------|-----------------|
| Less than 0.5 acre     | \$75.00                 | \$75.00                              | \$75.00         |
| 0.51 to 1.0 acre       | \$100.00                | \$100.00                             | \$100.00        |
| Over 1.0 acre          | \$200.00                | \$200.00                             | \$200.00        |
| Appeals                | \$100.00                | N/A                                  | N/A             |

(b) Supplementary Permit Fees:

- (i) *Work Without a Permit.* Where work for which a grading permit is required is started or proceeded prior to obtaining said permit, the fees specified herein shall be doubled. Payment of such fee shall not relieve any persons from fully complying with the requirement of any code in the execution of the work not from any other applicable penalties.
- (ii) *Re-Inspection.* For a re-inspection to correct a violation(s) and/or if installation is not ready for requested inspections the fee shall be \$25.00. For each subsequent re-inspection, the fee shall be double the amount of the previous fee, with a maximum of \$200.00. All re-inspect fees must be paid prior to the inspection taking place.

(5) *Zoning.*

|  |          |
|--|----------|
| Rezoning   | \$325.00 |
| Conditional use                                      | \$100.00 |
| Manufactured home:                                   |          |
| Initial permit                                       | \$25.00  |
| Renewal  | \$12.50  |
| Home occupation:                                     |          |
| Initial permit                                       | \$25.00  |
| Renewal  | \$12.50  |
| Planning Commission or Board of Adjustment Variance: |          |
| Before any violation has occurred                    | \$100.00 |

|   |          |
|---|----------|
| After any violation has occurred                              | \$200.00 |
| Appeal of Zoning and Development Administrator interpretation | \$100.00 |
| Zoning Verification Letter                                    | \$50.00  |

(11) *Temporary Closure Permits. The following application and use fees are due for each of the following requests for closure*

- (a) *Application Fees.* A \$50.00 application fee shall be due at that time of any request for temporary, street/road closure, partial street/lane closure, parking closure, trail closure, or sidewalk closure.
- (b) *Closure Fees.* Due to the impact of closures on functionality of streets, sidewalks and trails, the following use fees shall apply based on the type, length and duration of closure requested:
  - (1) *Shared-Use Paved Trails and Sidewalks:*
    - (a) \$25 per day – Shared-Use Paved Trails.
    - (b) \$25 per day – Sidewalks Within Entertainment District (sidewalk closures outside the Entertainment District do not require a permit, please coordinate with the Engineering Office for notification and signage.
  - (2) *Residential Links, and Alley’s:*
    - (c) \$25 per day, per impacted lane, when detour routes will be required, or full width of Alley/Street is closed. Where minimum paved width of 20ft will be provided to maintain two-way traffic, or flagging operations will be used to maintain two-way traffic, no permit is required.
  - (3) *Neighborhood Links and Downtown/Urban Streets:*
    - (a) \$25 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;
    - (b) \$50 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
    - (c) \$75 per day, per impacted lane, when detour routes will be required for one direction of traffic;
    - (d) \$100 per day, per impacted lane, when detour routes will be required for all directions of traffic.
  - (4) *Regional Links:*
    - (a) \$50 per day, per impacted lane. Street remains open wide enough to accommodate two-way traffic and no flagging operations are required;
    - (b) \$75 per day, per impacted lane, when flagging operations will be required to maintain two-way traffic;
    - (c) \$100 per day, per impacted lane, when detour routes will be required for one direction of traffic;
    - (d) \$150 per day, per impacted lane, when detour routes will be required for all directions of traffic.
- (c) *Extension Fees.* A \$25.00 extension fee shall be due at the time of any request for extension of a temporary closure. Daily closure fees as listed in this section shall also apply to the extension.
- (d) *Detour route required* when one or more lanes will be completely closed, and flaggers are not used to maintain traffic.
- (e) *A detour route shall be provided* for all trail and sidewalk closures requiring a permit per this section.