

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 85 - 2018

NOVEMBER 14, 2018

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AN ORDINANCE

Amending Article 395 Community and Economic Development Fees, by increasing Zoning and Planning fees – permit application fees, multiple plan review fee, and establishing a HARB application and review fees.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Fees portion of Section 395, Allentown Codified Ordinances, be amended as follows:

**395.05 ZONING FEES**

**Zoning:**

1. Permit Application. The Bureau of Planning and Zoning shall charge a permit application fee of ~~Fifty (\$55)~~ One Hundred (\$100) Dollars for the review of a zoning permit application. (14372 §1 3/16/06; 15304 §1 08/3/16)

2. Appeals. Any appeal to the Zoning Hearing Board, whether for a variance, special exception, non-conforming use or structure, ordinance interpretation or otherwise shall be subject to a fee Five Hundred (\$500) Dollars except, however, that the fee shall be One Hundred Fifty (\$150) Dollars for an appeal related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

3. Continuances. An applicant and/or interested party who requests a continuance of an appeal before the Zoning Hearing Board, after said appeal was duly advertised, shall be subject to a fee of Four Hundred (\$400) Dollars, except, however, that the fee shall be One Hundred Fifty (\$150) Dollars for a continuance related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

4. Preliminary Opinion. An applicant and/or interested party who requests a Preliminary Opinion of the Zoning Officer shall be subject to a fee in the amount of Five Hundred (\$500) Dollars. (14845 § 1 12/1/10; 15304 §1 08/3/16)

5. Temporary Signs (ten or more). For ten (10) or more signs to be posted, a permit must be obtained in the Zoning Office stating the name, address, telephone number and purpose of the sign and must be accompanied by a fee of Fifty-five (\$55) Dollars. (14067 §1 3/6/03; 14372 §1 3/16/06; 15304 §1 08/3/16)

6. Zoning Certifications. Requests for written certificates as to the zoning compliance of a property shall be accompanied by a fee of Fifty-five (\$55) Dollars. (14012 §1 8/01/02; 14067 §1 3/6/03; 14372 §1 3/16/06; 14845 12/3/2010; 15304 §1 08/3/16)

7. Zoning Map and Zoning Amendments. Petitions for zoning map and zoning amendments can be found on the City website or by contacting the City Clerk's Office. A written Petition for a Zoning Map Amendment (Rezoning) may be submitted to City Council by a citizen. It must be notarized and signed by the owners of 50% or more of the land proposed to be rezoned, and it must be submitted together with a check in the amount of ~~\$300.00~~ One Thousand (\$1000) Dollars payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. A written petition for a Zoning Ordinance Text Amendment may be submitted to City Council by a Citizen and it must be submitted together with a check in the amount of ~~\$300.00~~ One Thousand (\$1,000) Dollars payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. In addition, the petitioner must pay in full all costs incurred by the City in publishing the legally required advertising for the Map or Zoning Code Ordinance Text Amendment prior to final Council Action. (14273 §1 3/3/05; 15173 §1 12/3/14; 15304 §1 08/3/16)

### **395.06 LAND DEVELOPMENT AND SUBDIVISION FEES**

#### **Major Subdivisions:**

1. Sketch Plan. The application fee for review of a sketch plan for major subdivisions shall be One Hundred (\$100) Dollars. (14067 §1 3/6/03)

2. Preliminary Plan. The application fee for review of a preliminary plan shall be ~~Two Hundred Ninety (\$290)~~ Five Hundred (\$500) Dollars plus Forty (\$40) Fifty (\$50) Dollars for each lot. (14067 §1 3/6/03)

3. Final Plan. The application fee for review of a final plan for major subdivisions shall be one-half of preliminary plan. (14067 §1 3/6/03; 14845 § 1 12/1/10)

#### **Minor Subdivisions:**

The application fee for review of final plans for a minor subdivision shall be One Hundred Forty (\$140) Dollars plus Forty (\$40) Dollars per lot. (14067 §1 3/6/03; 14845 § 1 12/1/10)

#### **Major Land Developments:**

1. Sketch Plan. The application fee for review of a sketch plan for major land developments shall be ~~One Hundred (\$100)~~ Two Hundred Fifty (\$250) Dollars. (14067 §1 3/6/03; 14845 § 1 12/1/10)

2. Preliminary Plan. The application fee for review of a preliminary plan shall be ~~Three Hundred Fifty (\$350) Dollars plus One Hundred Fifteen (\$115) Dollars~~ One Thousand (\$1,000) Dollars plus One Thousand (\$1,000) per acre or partial acre plus:

- Office – Thirty-Five (\$35) Dollars per One Thousand (1,000) square foot of floor area

- Retail – Twenty-Five (\$25) Dollars per One Thousand (1,000) square foot of floor area
- Warehouse – Twenty (\$20) Dollars per One Thousand (1,000) square foot of floor area
- Other – Ten (\$10) Dollars per One Thousand (1,000) square foot of floor area

(14067 §1 3/6/03; 14845 § 1 12/1/10)

3. Final Plan. The application fee for review of a final plan for major land development plans shall be one-half of preliminary plan. (14067 §1 3/6/03; 14845 § 1 12/1/10)

**Minor Land Developments:**

The application fee for review of final plans for minor land development shall be Three Hundred Fifteen (\$315) Dollars. (14845 12/3/2010)

SECTION TWO: that City Council approves the addition of Section 395.27 Historical Architectural Review Board Fees as follows:

**395.27 HISTORICAL ARCHITECTURAL REVIEW BOARD FEES**

The fee for City staff review and approval of renovation plans shall be Twenty-Five (\$25) Dollars. For plans reviewed by the Historical Architectural Review Board (HARB) the fee shall be Twenty-Five (\$25) Dollars. Any HARB violation review shall be Three Hundred (\$300) Dollars.

SECTION THREE: That this Ordinance takes effect on January 1, 2019.

SECTION FOUR: That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance be and the same are hereby repealed.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Community and Economic Development, Bureau of Planning and Zoning.

- **Summary and Facts of the Bill**

Amend the current Planning and Zoning Fee Schedule.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

Shift the majority of the costs of City review of development/redevelopment applications and issuance of related permits onto the applicant/developer rather than the City tax payers not involved in the project. Without increasing fees directed at the developer, the City taxpayers take on the costly burden of staff review, time and cost.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

Cost - None.

Benefits - Increase revenue to the City paid by the entity which will benefit from the City's review/approval process rather than the City tax payer not directly benefiting from the project.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Not applicable.

- **Priority status/Deadlines, if any**

We are requesting this fee increase for the 2019 budget.

- **Why should Council unanimously support this bill?**

The current Planning Fees have not been increased in nearly 10 years. These increases allow to more accurately cover the City's costs for providing review and approval services for the applicant directly benefiting rather than the tax payers not directly receiving benefits.