



City of Apache Junction

Development Services Department



Staff Memorandum

DATE: September 4, 2019

TO: Honorable Mayor and City Council Members

THRU: Bryant Powell, City Manager
Matt Busby, Assistant City Manager

FROM: Larry Kirch, Development Services Director
Rudy Esquivias, Planning Manager

SUBJECT: September 17, 2019, Revisions to Apache Junction City Code, Volume I, Chapter 4, Fees: Presentation, discussion and consideration of proposed fees for Art in Private Developments; Revisions to fees for legal advertisements for various types of Planning and Zoning related cases; Suggested amendments to some Building Permit fees; and Suggested amendments to Grading Permit fees.

BACKGROUND

As the council considers ordinances for the creation of an Arts Commission along with Zoning Code text changes to require the placement of art in both public and private developments, staff is proposing amending Volume I, Chapter 4 Fees, Article 4-4. Planning, Building, Zoning and Subdivision Fees. Staff is also requesting that the city charge a flat fee for legal advertising for items that must be advertised in the paper. Finally, staff is asking council to revisit and make a few adjustments to some of the building permit fees. After council direction, a 60-day posting period will take place, prior to final council approval and implementation of the new fees.

Proposed Fees for Art in Private Developments: (as outlined in the proposed zoning code text amendment).

- a) Developers of any private new mixed-use and/or commercial (including retail, office, lodging, Planned Development) building or the expansion of any mixed-use and/or commercial building, including all phases of a multi-phase project and including religious institutions and nonprofit organizations, shall: 1) devote one percent (1%) of building construction costs for the acquisition and installation of publicly accessible art with a maximum of \$100,000 per building on the development site notwithstanding (b) below; or 2) contribute an equal amount to city's segregated Art in Public Places Fund ("APPF"). The required expenditure shall be based on the building permit valuation which shall be confirmed by the building and safety manager.

- b) For smaller projects a floor is established at .25 percent of the valuation for commercial projects under 5,000 square feet. Projects between 5,000 square feet and 10,000 square feet shall be .5 percent of the valuation and all other projects exceeding 10,000 square feet shall be 1 percent of the valuation. A ceiling is established at \$100,000 per building for larger projects.
- c) Developers of any new multifamily building(s) of 10 dwelling units or more, and/or the expansion of any existing multifamily residential building(s) by 10 dwelling units or more, shall; 1) devote an amount not less than one percent (1%) of building construction costs for the acquisition and installation of publicly accessible art on the development site; or 2) contribute an equal amount to the city's segregated APPF. The required expenditure shall be calculated based on the total number of dwelling units in the project and the building permit valuation which shall be confirmed by the building and safety manager.
- d) Renovation exceeding 50% or more of the gross floor area of a mixed use and/or nonresidential building calculated based on the gross floor area of the entire building at the rate applicable to construction of the same type triggers the one percent (1%) contribution.

Amendments to Legal Advertising Fees/Deposit for CUPs, Board of Adjustment and Appeals, Rezoning, PD Rezoning, and General Plan Amendments:

Applicants for planning and zoning related cases which require public hearings are currently required to post an advertising deposit of \$500, in addition to the case application fee. Staff is recommending eliminating the deposit system for legal advertising (for placing legal ads in the paper) and migrating to a flat fee based system. Currently, multiple staff in three departments have to track an escrow account system and either refund applicants their balance or invoice applicants to reimburse the city for its expenses to publish a legal ad and/or ordinance. Several years ago the city absorbed approximately \$7,000 in losses for its inability to collect additional funds from applicants. These recommendations are based on the last three years of data.

- a) CUP -- \$250.00
- b) Board of Adjustment and Appeals - \$300.00, Plus actual cost of stenographer and 3rd party Attorney to represent the Board.
- c) General Plan Amendment - \$400.00
- d) Rezoning - \$1,000.00
- e) PD/MPC Rezoning - \$1,500.00
- f) Zoning Text Amendment - \$1,000.00

Suggested Amendments to Building Permit Fees:

As staff has implemented the building permits for the past several months, staff found the need for the following additions/revisions.

FEE TYPE	UNIT	FEE
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a) Park Models-

Park Model Set- permanent connections <u>includes up to 480 sq. ft. of attached awning</u> (HVAC requires separate permit.)	flat (Per unit)	\$300
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b) Manufactured Home/Factory Built Buildings-

MH Awning (not part of original set permit)	per sq. ft. (\$240 min.)	\$0.80
MH Remodeling, Repair 100 sq. ft. of area maximum (2 insp.) (for area greater than 100 sq. ft. see residential interior remodel)	flat	\$200

c) Commercial (Industrial)

Commercial Roof Replacement (use 50 <u>10</u> % of occupancy "U", Type VB for val.)	total val. (\$225 min.)	1.00%
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d) Mechanical/Fuel Gas

Commercial HVAC add or replace mini-split, central air or remote cooler/freezer condenser (plus \$50.00 each additional unit on same building)	per building or unit	<u>\$175</u>
Commercial HVAC add/replace/repair IMC required ventilation equipment	per building or unit	<u>\$150</u>

e) Plumbing

Residential water/sewer line addition/repair/replace up to 50 feet (plus \$25.00 each additional 50 foot increment)	per 50 ft. (\$115 min.)	<u>\$25</u>
Commercial water/sewer line addition/repair/replace up to 50 feet (plus \$30.00 each additional 50 foot increment)	per 50 ft. (\$200 min.)	<u>\$30</u>
Residential relocate toilet or <u>relocate/alter</u> shower/tub not on a slab	per dwelling unit	\$100

Suggested Amendments to Grading Permit Fees:

As staff has implemented the grading permit fees for the past several months, staff found the need for the following clarifications.

Single Family Residential Lot 1 outside of a subdivision	\$150 (including plan review) for up to 1,000 cubic yards
Commercial Development* individual lot - commercial/industrial/multi-family	\$350 (<u>including plan review</u>) (under 1 acre)