

**CHIEF ADMINISTRATIVE OFFICE**

**MEMORANDUM**

**To:** Gilbert Montaño, *Chief Administrative Officer*

**From:** Abby Webber, *Innovation Manager*

**CC:** Shelbi Flynn, *Director of Innovation*

Jonathan Harris, *Chief of Staff*

Courtney Story, *Director of Administration and Planning*

**Date:** June 3, 2022

**Re: FOR REVIEW:** BZA Fees Adjustment

**BACKGROUND**

As the Administration seeks to review and update current fine and fees structures, Innovation has reviewed the Board of Zoning Adjustments (BZA) fee structure. This memo outlines a potential adjustment of existing BZA fees to more appropriately account for staff time and department resources and provide necessary updates to the fee structure, which was last updated in 2009. These adjustments reflect the diversity of variance requests by creating a tiered fee structure based on land use categories, while also both clarifying and suggesting fees for other types of applications and requests to the Board of Zoning Adjustments and its staff.

**PROPOSED ADJUSTMENTS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Current Fee Category** | **Proposed Fee Category** | **Current Fee Amount** | **Proposed Fee Amount** | **Total Adjustment** |
| Variance Fees – Residential | | | | |
| Single- and Two-Family Dwelling | Single- and Two-Family Dwelling | $150 | $250 | + $100 |
| Multiple-Family Dwelling | Small Multi-Family/Townhouse Dwelling (3-6 units) | $250 | $250 | No change, create new tier |
| Multiple-Family Dwelling | Large Multi-Family/Townhouse Dwellings (7+ units) | $250 | $750 | + $500 and create new tier |
| Variance Fees – Non-Residential | | | | |
| Commercial Buildings and Uses | Neighborhood Commercial (0-3,000 sq. ft) | $250 | $300 | + $50 and create new tier |
| Commercial Buildings and Uses | Commercial/Mixed-Use (3,001-25,000 sq. ft) | $250 | $750 | + $500 and create new tier |
| Commercial Buildings and Uses | Commercial/Mixed-Use (25,000+ sq. ft) | $250 | $1,000 | + $750 and create new tier |
| Commercial Buildings and Uses | Institutional | $250 | $500 | + $250 and create new fee category |
| Variance Fees – Miscellaneous | | | | |
| N/A | Accessory (accessory structures, signs, lot dimension variances) | N/A | $250 | + $250 and create new fee category |
| Other Fees | | | | |
| Rehearing | Rehearing | Same as original fee amount | 50% of original fee amount | - 50% of fee amount |
| Decision of Director of Safety and Permits, Appeals | Decision of Director of Safety and Permits, Appeals | $250 | $250 | N/A |
| Special Exceptions | Minor Map Adjustments | $250 | $250 | No change, better define |
| Extension Request | Administrative Extension Request | $0 | $100 | + $100 and create new tier |
| Extension Request | Non-Administrative Extension Request | $0 | 50% of original fee amount | + 50% of fee amount and create new tier |

**COST ESTIMATE**

Implementation of this proposed fee adjustment is expected to generate between $5,000-$7,000 of additional annual revenue, 25 hours of staff time to facilitate, and introduction of a City Council ordinance. Our recommendation is to implement this adjustment to better account for staff time required to process BZA applications.

For example, it costs an average of $520 for a Senior Planner to produce one variance report for a single-family dwelling. Excluding other City resources such as mailed public notice, the cost of a variance report exceeds the current application fee by ~$370.