



**BACKGROUND PAPER FOR PROPOSED
RESOLUTION**

COUNCIL MEETING DATE: February 14, 2022

TO: President Heather Graham and Members of City Council

CC: Nicholas A. Gradisar, Mayor

VIA: Marisa Stoller, City Clerk

FROM: Scott Hobson, Acting Director of Planning and Community Development

SUBJECT: A RESOLUTION ADOPTING A FEE SCHEDULE FOR APPLICATIONS FOR MATTERS BROUGHT BEFORE THE LAND USE ADMINISTRATIVE OFFICIAL, HISTORIC PRESERVATION COMMISSION, PLANNING AND ZONING COMMISSION, SUBDIVISION REVIEW COMMITTEE, TECHNICAL ADVISORY COMMITTEE, AND ZONING BOARD OF APPEALS AND REPEALING RESOLUTION NUMBER 14462

SUMMARY:

This Resolution adopts a Planning and Community Development Department fee schedule for applications for matters brought before the land use administrative official, and certain committees, boards and commissions, and repeals all previous Resolutions related to the fee schedule. The proposed Resolution and fee schedule changes the fee for childcare home/center conditional use and special use permits, and includes fees for rezoning applications, annexation agreement amendments, commercial historic building certificate of appropriateness, and the review of metropolitan district service plans that are not currently included in the fee schedule.

PREVIOUS COUNCIL ACTION:

City Council adopted the current fee schedule, Resolution No. 14462, on November 19, 2020.

BACKGROUND:

At the request of Council Person Sarah Martinez, the current application fee of \$150.00 for a Childcare Home conditional use permit and \$500.00 for a Childcare Center special use permit is being changed to not require a fee. In addition, the fee schedule is proposed to include application fees for R2U, BP (Business Park) and S5 rezoning applications, include a fee for non-residential certificates of appropriateness through the Historic Preservation Commission, establish a review fee for amendments to annexation

agreements, and a fee for the review of metropolitan district service plans. These fees are not currently included in the fee schedule.

FINANCIAL IMPLICATIONS:

The fees will address the need to accommodate more childcare homes and accurately reflect staff time and resources expended on land use applications that are not currently included in the fee schedule.

BOARD/COMMISSION RECOMMENDATION:

Not applicable.

STAKEHOLDER PROCESS:

Not applicable.

ALTERNATIVES:

The fee schedule will remain the same if the Resolution is not approved.

RECOMMENDATIONS:

Approve the Resolution.

Attachments:

Current Fee Schedule

RESOLUTION NO. 14808

A RESOLUTION ADOPTING A FEE SCHEDULE FOR APPLICATIONS FOR MATTERS BROUGHT BEFORE THE LAND USE ADMINISTRATIVE OFFICIAL, HISTORIC PRESERVATION COMMISSION, PLANNING AND ZONING COMMISSION, SUBDIVISION REVIEW COMMITTEE, TECHNICAL ADVISORY COMMITTEE, AND ZONING BOARD OF APPEALS AND REPEALING RESOLUTION NUMBER 14462

WHEREAS, Sections 12-4-8, 17-4-5, 17-4-10, 17-4-12, 17-4-29, 17-4-32, 17-4-65, 17-5-37, 17-5-38, 17-6-5, 17-8-13, and 17-12-6 of the Pueblo Municipal Code provide that City Council shall by Resolution establish a schedule of fees, charges and expenses for applications before the Historic Preservation Commission, Land Use Administrative Official, Planning and Zoning Commission, Subdivision Review Committee, Technical Advisory Committee, and Zoning Board of Appeals; and,

WHEREAS, the Pueblo City Council hereby finds and determines that the following fee schedule is fair and reasonable in relation to the cost and expense, both direct and indirect, in providing the identified services and processing the application; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

In addition to all related costs including postage, legal notices and court reporter fees, the following fee schedule is hereby adopted for applications and certificate requests made to the Land Use Administrative Official (LUA), the Historic Preservation Commission (HPC), the Planning and Zoning Commission (PZ), the Subdivision Review Committee (SRC), the Technical Advisory Committee (TAC), and the Zoning Board of Appeals (ZBA):

Applications	Fees	
Accessory Structure (one, two, or three-family residence)	\$25	LUA
Administrative Determination	\$150	LUA
Annexation	\$500 + \$5 for each acre over 10 acres	PZ
Annexation Agreement Amendment	\$500	LUA
Appeal of Administrative Determination	\$600	ZBA
Awning Over Right of Way	\$25	LUA
Certificate of Appropriateness:		HPC
• Residential (historic landmark)	\$75	
• Non-residential (historic landmark)	\$150	

Certificate of Economic Hardship (related to Certificate of Appropriateness)	\$75	HPC
Certificate of Zoning, or Legal Nonconforming Lot, Structure, or Use	\$50	LUA
Commercial Site Plan	<ul style="list-style-type: none"> • Landscape Verification: \$0 1st Visit, \$150 2nd Visit, \$300 3rd Visit or More • Large-Scale Development: \$1,000 ≤ 100,000 sf, \$1,500 >100,000 sf • Lighting Plan Review: \$50 • Site Plan Review: \$200 • Tenant Finish or Exterior Remodel (without addition that increases building footprint nor site improvements): \$50 	LUA
Continuation of Public Hearing	\$50	ALL
Demolition <ul style="list-style-type: none"> • Non-residential structure • Residential Structure 	<ul style="list-style-type: none"> • \$150 • \$25 	LUA
Demolition Permit Review (designated historic)	\$150	HPC
Extension of Recordation Deadline	\$40	PZ
Limited Use Permit	\$500	ZBA
Marijuana Certificate of Location (cannabis)	\$500	LUA
Marijuana (Retail or Medical) Conditional Use Permit or Renewal (cannabis)	<ul style="list-style-type: none"> • \$5,000 (medical center, retail store, retail or medical cultivation facility, retail or medical infused product manufacturing) • \$2,500 (retail or medical testing facility) 	LUA
Metropolitan District Service Plan Review	<ul style="list-style-type: none"> • \$500, plus hourly rate for legal review 	
Nomination of Historic District or Landmark	\$150	HPC
Overall Development Plan	\$500 + \$5 For each acre over 10 acres <i>(Note: waived if required as part of an annexation)</i>	PZ
Planned Unit Development, Development Guide/Plan Amendment	\$500	PZ
Planned Unit Development, Site Plan Review or Major Revision	<ul style="list-style-type: none"> • \$500 1st 50,000 sf • \$500 Each additional 50,000 sf 	PZ

Planned Unit Development, Site Plan Review, Minor Revision	<ul style="list-style-type: none"> • \$250 Dimensional • \$100 Landscape • \$150 Location • \$200 Parking 	TAC
Public Notice Fees	<ul style="list-style-type: none"> • \$1 Postcard for each address • \$3 PZ poster • \$1 ZBA poster • Legal advertisement calculation based on number of cases per meeting. 	ALL
Rearrangement of Property Boundaries	\$125	SRC
Residential, New Construction or Addition (one, two, or three-family residence)	\$25	LUA
Rezonning <ul style="list-style-type: none"> • A-1 • A-2 • A-3 • A-4 • R-1, R-2, R-2U, R-3, R-4, R-5, R-6 & R-8 • R-7 • O-1, B-1, B-2, B-3, B-4, BP, I-1, I-2, I-3 • H-B, HARP1, HARP2, HARP3 • CCN, RCN • S-1, S-2, S-3, S-4, S-5 • MPCD, PUD 	<ul style="list-style-type: none"> • \$90 + \$0.65 per acre (0-100 acres) + 0.40 each additional acre • \$90 + \$4 per acre • \$90 + \$18 per acre • \$90 + \$35 per acre • \$90 + \$75 1st acre + \$20 each additional acre • \$90 + \$150 1st acre + \$40 each additional acre • \$90 + \$125 1st acre + \$30 each additional acre • \$90 + \$125 1st acre + \$30 each additional acre • \$90 + \$125 1st acre + \$30 each additional acre • \$90 + \$25 1st acre + \$10 each additional acre • \$500 base fee + \$50 per acre 	PZ
Sign Plan Review	\$95	LUA
Special Area Plan	\$75	PZ
Special Use Permit (Use by Review) <ul style="list-style-type: none"> • Special Use Permit-Childcare Home/Childcare Center 	\$500 No application fee, public notice fees are applicable	ZBA
Specially Requested Hearing (ZBA)	\$1,000	ZBA
Specially Requested Hearing (HPC)	\$150	HPC
Street Name Change	\$175	PZ
Student Housing, Site Plan or Major Revision	\$500 (1 st 50,000 sf) + \$500 (each additional 50,000 sf)	PZ
Student Housing, Minor Revision	\$100	TAC
Subdivision	<ul style="list-style-type: none"> • \$90 + \$160 per Lot (≤ 10), \$105 Plus per Lot ($\geq 11$) • \$90 Deferred Filing • \$50 Deferred Filing Plus per Lot • \$190 Final or Amendment to Recorded Plat 	PZ

Vacation (of street, alley, or other public way)	<ul style="list-style-type: none"> • \$250 Alley (if not included with Road Vacation) • \$175 Easement • \$325 Road <i>(Note: fees per plat)</i>	PZ
Variance	<ul style="list-style-type: none"> • \$750 Non-Residential • \$250 Residential 	ZBA
Wireless Communication Facilities, (Tower or Antenna,) New or Modification	\$500	LUA

SECTION 2.

Beginning January 1, 2023, the fees contained in this Resolution will be adjusted annually based on the rate of inflation and rounded to the nearest whole number.

SECTION 3.

The City of Pueblo is hereby exempt from the payment of fees established by this Resolution.

SECTION 4.

Resolution Number 14462 is hereby repealed as of February 14, 2022.

SECTION 5.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of the Resolution to implement the policies and procedures described herein.

SECTION 6.

This Resolution shall become effective immediately upon final approval.

INTRODUCED February 14, 2022

BY: Larry Atencio
MEMBER OF CITY COUNCIL

APPROVED: 
PRESIDENT OF CITY COUNCIL

ATTESTED BY: 
CITY CLERK