

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AMENDING THE SCHEDULE OF FEES CONTAINED IN ORDINANCE 2009-188 BY ADOPTING A NEW DEPARTMENT OF DEVELOPMENT SERVICES REVIEW AND ENGINEERING REVIEW FEE SCHEDULE AS AUTHORIZED BY THE DENTON DEVELOPMENT CODE FOR THE CITY OF DENTON, TEXAS; AUTHORIZING THE REFUND OF CERTAIN FEES PREVIOUSLY COLLECTED; PROVIDING FOR A REPEALER AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Denton has been presented with a new Department of Development Services Review and Engineering Review Fee Schedule, which is attached hereto and made a part hereof as **Exhibit A** (the “Planning Fee Schedule”); and

WHEREAS, the City Council has determined that there were fees charged prior to the adoption of this ordinance that were not clearly established at the time of collection and now desires to refund those monies to applicants who are set forth in **Exhibit B** attached hereto; and

WHEREAS, the City Council has further considered an increase of planning review fees associated with clearing and grading permits, parking permits, and site plan review after careful review of supporting criteria and has determined that such an increase is in the public interest and benefits the citizens of the City of Denton; and

WHEREAS, the City Council finds that the fees imposed by the Planning Fee Schedule are in the public interest; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference.

SECTION 2. The Planning Fee Schedule attached as **Exhibit A** is hereby adopted and Ordinance 2009-188 is hereby amended by virtue of said adoption.

SECTION 3. The City Manager, or his designee, is hereby authorized to refund the fees previously collected and listed in **Exhibit B** to the applicants of record. If the City has made a good faith effort to locate an identified payee and is unable to do so within a sixty (60) day period, the original payee, its successors or assigns, waives its rights to the refund and such money shall be returned to the City’s general fund.

SECTION 4. This ordinance shall repeal every prior ordinance in conflict herewith, but only insofar as the portion of such prior ordinance shall be in conflict; and as to all other sections of the ordinance not in direct conflict herewith, this ordinance shall be and is hereby made cumulative except as to such prior ordinances or portions thereof as are expressly repealed hereby.

SECTION 5. If any section, subsection, paragraph, sentence, phrase or word in this ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this ordinance, and City Council of the City of Denton, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 6. This ordinance shall become effective immediately after its passage and approval.

PASSED AND APPROVED this the ____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

BY: _____

Development Review Fee Schedule

Development Review Fees (includes first and second review)				Additional Development Review Fees (required for a third, and each additional, review)	
Prefix	Project Type	Planning Review Fees	Engineering Review Fees (initial and one additional review)	Planning Review Fees	Engineering Review Fees
	*Indicates that public hearing notification fee is required				
ADP	Alternative Development Plan	0-5 acres: \$400 5-25 acres: \$600 25-50 acres: \$1,000 50+ acres: \$1,000 + \$5 per acre	\$500	\$250	\$500
ALP	Alternative Landscape Plan	0-5 acres: \$400 5-25 acres: \$600 25-50 acres: \$1,000 50+ acres: \$1,000 + \$5 per acre	\$500	\$250	\$500
AESA	Alternative Environmentally Sensitive Area Plan	0-5 acres: \$400 5-25 acres: \$600 25-50 acres: \$1,000 50+ acres: \$1,000 + \$5 per acre	N/A	N/A	N/A
ATP	Alternative Tree Plan	0-5 acres: \$400 5-25 acres: \$600 25-50 acres: \$1,000 50+ acres: \$1,000 + \$5 per acre	\$500	\$250	N/A
AFP	Amending Final Plat	\$250	\$500	\$250	\$500
A	Annexation (city initiated)	N/A	N/A	N/A	N/A
A	Annexation Petition (voluntary)*	\$750	N/A	\$250	N/A
COA	Certificate of Appropriateness	N/A	N/A	N/A	N/A
CA	Comprehensive Plan*	0-5 acres: \$1,500 5-25 acres: \$2,000 25-50 acres: \$3,000 50+ acres: \$4,000 + \$10 per acre	\$500	\$250	\$500
CL	CLOMR	N/A	\$2,700	N/A	N/A
CP	Construction Plans (engineering infrastructure)	N/A	1% of the Public Infrastructure construction cost	N/A	\$500
CV	Conveyance Plat	\$250	\$500	\$250	N/A
DVP	Development Plat	\$250	N/A	\$250	N/A
EAR	Easement Abandonment Request	\$600	N/A	\$250	N/A
EEA	Easement Encroachment Agreement	\$600	N/A	\$250	N/A
ECO	Easement on City Property	\$600	N/A	\$250	N/A
ESA	Environmentally Sensitive Area Assessment	N/A	N/A	N/A	N/A
FP	Final Plat - COMMERCIAL	\$300 + \$15 per acre	1-10 lots: \$1,900 11-50 lots: \$3,500 51-100 lots: \$5,500 101+ lots: \$6,900	\$250	1-10 lots: \$500 11-50 lots: \$1,000 51-100 lots: \$2,000 101+ lots: \$3,000
FP	Final Plat - RESIDENTIAL*	1-10 lots: \$200 + \$6/ lot 11+ lots: \$300 + \$10/ lot	1-10 lots: \$1,900 11-50 lots: \$3,500 51-100 lots: \$5,500 101+ lots: \$6,900	\$250	1-10 lots: \$500 11-50 lots: \$1,000 51-100 lots: \$2,000 101+ lots: \$3,000
FR	Final Replat*	\$250	\$500 with no public improvements. Refer to FP fees for plats with Public Improvements	\$250	\$500
GDP	General Development Plan	\$100 + \$15 per acre	\$500	\$250	N/A
GDPE	General Development Plan Extension	\$100	\$500	\$250	N/A
HL	Historical Landmark Designation*	\$65	N/A	N/A	N/A
HL	Historical Conservation District*	\$65	N/A	N/A	N/A
L	LOMR (following CLOMR)	N/A	\$1,000	N/A	N/A
L	LOMR (without CLOMR)	N/A	\$2,700	N/A	N/A
MP	Minor Plat	\$300 + \$6 per acre	\$500 Residential; Commercial N/A	\$250	\$0
MPA	Mobility Plan Amendment	N/A	\$500		\$0
MPC	Master Plan Community	0-5 acres: \$850 5-25 acres: \$1,250 25-50 acres: \$2,000 50+ acres: \$2,000 + \$10 per acre	N/A	N/A	N/A
MSP	Minor Site Plan - Land Disturbing (Clearing & Grading Permit)	\$1,048	\$350	\$250	N/A
MSP	Minor Site Plan - Parking Lot (Parking Lot Permit)	\$1,048	\$1,300	\$250	\$0
PD	Planned Development (Detailed Site Plan)*	\$1,000 + \$25 per acre	\$500	\$250	\$500
PD	Planned Development (Detailed Site Plan Extension Request)*	\$250	N/A	\$250	N/A
PDA	Planned Development (Detailed Site Plan Amendment)*	\$250 + \$100 if processed administratively	N/A	\$250	N/A
PE	Plat Extension	\$100	N/A	\$250	N/A
PV	Plat Vacating	\$250	N/A	\$250	N/A

Development Review Fee Schedule

Development Review Fees (includes first and second review)				Additional Development Review Fees (required for a third, and each additional, review)	
Prefix	Project Type	Planning Review Fees	Engineering Review Fees (initial and one additional review)	Planning Review Fees	Engineering Review Fees
PP	Preliminary Plat - COMMERCIAL	\$300 + \$15 per acre	1-10 lots: \$1,100 11-50 lots: \$1,200 51-100 lots: \$1,600 101+ lots: \$2,000	\$250	1-10 lots: \$500 11-50 lots: \$700 51-100 lots: \$900 101+ lots: \$1,000
PP	Preliminary Plat - RESIDENTIAL	1-10 lots: \$200 + \$6/ lot 11+ lots: \$300 + \$10/ lot	1-10 lots: \$1,100 11-50 lots: \$1,200 51-100 lots: \$1,600 101+ lots: \$2,000	\$250	1-10 lots: \$500 11-50 lots: \$700 51-100 lots: \$900 101+ lots: \$1,000
SP	Site Plan	\$1,735	\$1,300	\$250	\$500
SPC	Site Plan Correction	\$150	N/A		N/A
SPR	Site Plan Revision	\$894	N/A		N/A
SE	Special Exception (requires City Council action)*	\$500	N/A	\$250	N/A
SD	Special Sign District*	\$250	\$500	\$250	\$500
S	Specific Use Permit*	\$1,500 plus \$65 per acre	\$500	\$250	\$500
S	Specific Use Permits for a: home occupation elderly or child care group homes accessory dwelling unit Infill Special Purpose District*	\$500	N/A	\$250	N/A
S	Specific Use Permit Amendments*	\$250 + \$100 administrative fee	N/A	\$250	N/A
S	Specific Use Permit Extension of Time	\$250	N/A	N/A	N/A
ROWA	Street or Alley Right of Way Abandonment	\$850	\$500	\$250	N/A
ROWU	Street or Alley Right of Way Use Agreement	\$850	\$500	\$250	N/A
TIA	Traffic Impact Analysis	N/A	\$2,200	N/A	N/A
TDP	TxDOT Permit	N/A	\$500	N/A	\$500
TM	Tree Mitigation (Excluding Gas Wells)	\$125 per caliper inch	N/A	N/A	N/A
V	Variance (from Subdivision Regulations)	\$250	\$250	\$250	N/A
ZBA	Variance to Board of Adjustment*	\$250	N/A	\$250	N/A
WPP	Watershed Protection Permit (other than for gas wells)	N/A	N/A	N/A	N/A
Z	Zoning (Change of Zoning Request)*	0-5 acres: \$850 5-25 acres: \$1,250 25-50 acres: \$2,000 50+ acres: \$2,000 + \$10 per acre	N/A	\$250	N/A
Z	Overlay District*	\$250	N/A	\$250	N/A
ZV	Zoning Verification Letter	\$25 review fee + \$25 per each additional request (Copies of Certificate of Occupancy, Verification of Code Violations, Other)	N/A	N/A	N/A
Miscellaneous Fees					
ActivityFee					
	Completeness Review (per new submittal)	\$50			
	Public Hearing Notification	\$220			
	Landscape Review (per submittal)	\$50			
	Reprographics and Document Sales				
	Black and White (Letter/Legal size)	\$.15 per letter size sheet			
	Black and White (Ledger)	\$.30 per sheet			
	Black and White (Oversize)	\$8 per sheet			
	Color (Letter/Legal size)	\$5 per sheet			
	Color (Ledger)	\$10 per sheet			
	Color (Oversize)	\$16 per sheet			
	Custom Maps	\$30 per hour (\$30 minimum)			
	Water-Sewer-Drainage Map Book	\$200			
	Municipal Setting Design (MSD)	\$5,000			
Gas Well Fees, Production Fees and Road Remediation Fees will be assessed as adopted in Ord. No. 2016-016					

Fee Schedule Refund Data February 15th, 2017

Planning Fees					
Project #	Date Fee Paid	Applicant	Payee	Owner	Refund
Alternative Tree Plan (ATP)					
ATP12-0001	10/15/2012	Lee Allison	Lee Allison	Michael Aguilar	600.00
ATP12-0002	10/23/012	DCTA	DCTA	DCTA	600.00
ATP13-0001	12/12/2013	Lennar Homes of Texas	LAMP Properties LLC	Lennar Homes of Texas	1,000.00
				Subtotal	2,200.00
Special Sign District					
SD11-0001	1/4/2011	The Retreat @ Denton	Retreat at Denton, LLC	Retreat at Denton, LLC	470.00
SD11-0002	1/26/2011	Starlite Sign of Denton	Starlite Sign of Denton	North Texas State Fair Assn	100.00
SD11-0003	4/14/2011	National Signs LTD	National Signs LTD	Texas Health Resource	470.00
SD11-0004	5/6/2011	Bio-Life Plasma Services	Bio-Life Plasma Services	AGRD/KGRD Denton	470.00
SD11-0006	11/29/2011	Resource Commercial, Inc	James David Swartz	Health Care Reit, Inc	470.00
SD12-0001	7/25/2012	Don Sturr	National Signs	Joe Carbonaro	470.00
				Subtotal	2450.00
				Total Planning Refund Fees	4650.00
Engineering Fees					
Alternative Tree Plan (ATP)					
ATP12-0001	10/15/2012	Lee Allison	Lee Allison	Michael Aguilar	500.00
ATP12-0002	10/23/2012	DCTA	DCTA	DCTA	500.00
ATP13-0001	12/12/2013	Lennar Homes of Texas	LAMP Properties LLC	Lennar Homes of Texas	500.00
				Subtotal	1500.00
Special Sign District					
SD11-0001	1/4/2011	The Retreat @ Denton	Retreat at Denton, LLC	Retreat at Denton, LLC	500.00
SD11-0003	4/14/2011	National Signs LTD	National Signs LTD	Texas Health Resource	500.00
SD12-0001	7/25/2012	Don Sturr	National Signs	Joe Carbonaro	500.00
Amending Final Plat 3rd Review Fees				Subtotal	1500.00
AFP13-0005	8/2/2013	OD Engineering	HMH LIFESTYLES LP	HMH LIFESTYLES LP,	500.00
AFP13-0015	2/19/2014	TRAVIS BOUSQUET	THE BOUSQUET GROUP, INC.	LOTT, JOHN R	500.00
AFP12-0003	5/14/2012	Greg Edwards	GREG EDWARDS	Wells Fargo Bank N. A.	500.00
AFP12-0004	6/5/2012	Bill Barnes	Bill Barnes	BILL BARNES	500.00
AFP11-0007	11/1/2011	Sherry Gray	JOHNNY MARRIOTT	Mar Properties	500.00
AFP11-0008	10/26/2011	James Riley	James R Grose	Al Crozier	500.00
AFP11-0010	3/30/2011	Robert Dollak	Robert Dollak	Kory Knott	500.00
AFP11-0012	3/20/2012	Sherry Gray	KENNY A ZOLLINGER	Corbin Realty II, LP	500.00
				Subtotal	4000.00
Final Replat					
FR16-0007	3/21/2016	Jim Zaunick / 84 Lumber	84 LUMBER COMPANY	84 Lumber - Jim Zaunick	1400.00
FR15-0026	12/1/2015	Adam Reeves, PE / Dunaway Associates, LP	ADAM REEVES	Michael Ebert	1400.00
FR14-0005	3/6/2014	Michael Doggett, P.E. / Winkelmann & Associates, Inc.	ORANGE DEVELOPMENT INC	CVS Pharmacy	1400.00
FR14-0008	3/27/2014	Douglas J. Huffman / Huffman Asset Management, LLC	DOUGLAS J HUFFMAN	Harold Bird	1400.00
FR13-0016	5/28/2013	GEES Inc.	JOHN F. MULLINS & DIANE L.	MULLIN, JOHN F & DIANE TR GREE	1400.00
FR13-0022	8/30/2013	Glenn Hitt / Raymond L. Goodson, Jr., Inc.	DUNREETH JAHNSEN	HCP CRS1 2801 Denton TX, LP	1400.00
FR13-0028	10/4/2013	Allison Engineering Group, Inc.	AEG	Denton Bible Church	1400.00
FR13-0032	3/25/2014	Greg Edwards / Greg Edwards Engineering Service	LINDY BELL/GREGORY K EDWARDS	GRAHAM MORTGAGE CORP,	1400.00
FR12-0001	1/20/2012	Marc Degenaro	DENTON INDEPENDENT SCHOOL DIST	Denton Independent School Dist.	1400.00

FR12-0003	1/19/2012	Jim Riley	TREVOR CLAYTON TOLLETT	Crosswind Village UNT, LLC	1400.00
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FR12-0004	2/23/2012	John Spiars	ADAM AUENSEN	Creekwood Centre Properties, LLC	1400.00
FR12-0006	1/27/2012	Randall Eardley	WIER & ASSOCIATES, INC	CCS Partners, LLC	1400.00
FR12-0007	1/31/2012	Old Town Denton Warehouse, LP	CHRISTOPHER B GORDON / OLD TOWN DENTON WAREHOUSE, LP	Old Town Denton Warehouse, LP	1400.00
FR12-0009	4/30/2012	Ram Gopal	JASON PAYNE	Denton County Transportation Authority	1400.00
FR12-0010	5/10/2012	Marc Degenaro	JERMICHAEL MONTALBO-FREEMAN	Richard Freeman	1400.00
FR12-0011	5/16/2012	Jeff Forrest	JAMES INGELS HDR INC	Denton County	1400.00
FR12-0013	6/28/2012	Jim Riley	CENCOR REALTY SERVICES INC	MG Herring Group, LLC	1400.00
FR12-0015	7/10/2012	Steven Homeyer	CHRISTOPHER GORDON	Christopher Gordon	1400.00
FR12-0017	8/3/2012	Matt Moore	MATT MOORE	RCG-Denton, LLC	1400.00
FR12-0019	10/19/2012	Jerald Yensan	LINKS CONSTRUCTION, LLC	Ramtino, LLC	1400.00
FR12-0020	10/10/2016	Dan Rick	CCI INVESTMENTS LTD	CCI INVESTMENTS LTD	1400.00
FR12-0022	11/28/2012	Kimley Horn and Associates	KHA	DR Horton	1400.00
FR11-0016	9/12/2011	Adam Reeves	CHRISTOPHER BIGGERS	RR MARKETPLACE LP,	1400.00
FR11-0019	10/20/2011	Jim Riley	THOMAS JONES	Hammond Jones Realty	1400.00
FR10-0005	4/15/2010	Landmark Surveyors	LINKS CONSTRUCTION	Rhino Steel Bldg Systems, Inc.	1400.00
FR10-0009	8/4/2010	Wier & Associates, Inc	WIER & ASSOCIATES INC.	SFT Industrial, LP	1400.00
FR10-0010	7/29/2010	Williams & Associates	RETREAT HOLDINGS LLC	RETREAT AT DENTON, LLC	1400.00
FR10-0013	9/15/2010	Winkelmann & Assoc.	PDI FINANCIAL IMPREST ACCOUNT	FRY STREET PARTNERS LTD P/S,	1400.00
FR10-0016	11/22/2010	Kimley Horn & Associates	SIGNATURE ASSISTED LIVING, LLC	Health Care REIT Inc	1400.00
FR09-0005	12/28/2009	MA Engineering & Construction	ISLAMIC SOCIETY OF DENTON	Islamic Society of Denton	1400.00
				Subtotal	42000.00
				Total Engineering Refund Fees	49000.00

TOTAL PLANNING AND ENGINEERIG
REFUND FEES

53560

Refund Table for Engineering Review Fees

Final Replats Review Fees

Project #	Date Fee Paid	Receipt #	Applicant	Owner	Paid By
FR16-0007	3/21/2016	342904	Jim Zaunick / 84 Lumber	84 Lumber - Jim Zaunick	84 LUMBER COMPANY
FR15-0026	12/1/2015	WEB7423	Adam Reeves, PE / Dunaway Associates, LP	Michael Ebert	ADAM REEVES
FR14-0005	3/6/2014	330037	Michael Daggett, P.E. / Winkelmann & Associates, Inc.	CVS Pharmacy	ORANGE DEVELOPMENT INC
FR14-0008	3/27/2014	330402	Douglas J. Huffman / Huffman Asset Management, LLC	Harold Bird	DOUGLAS J HUFFMAN
FR13-0016	5/28/2013	325891	GEES Inc.	MULLIN, JOHN F & DIANE TR GREE	JOHN F. MULLINS & DIANE L.
FR13-0022	8/30/2013	327277	Glenn Hitt / Raymond L. Goodson, Jr., Inc.	HCP CRS1 2801 Denton TX, LP	BLUNRETH JAHNSEN
FR13-0028	10/4/2013	WEB2643	Allison Engineering Group, Inc.	Denton Bible Church	MEG
FR13-0032	3/25/2014	WEB3272	Greg Edwards / Greg Edwards Engineering Service	GRAHAM MORTGAGE CORP.	WENDY DEL GREGORY K EDWARDS
FR12-0001	1/20/2012	317934	Marc Degenaro	Denton Independent School Dist.	DENTON INDEPENDENT SCHOOL DIST
FR12-0003	1/19/2012	317909	Jim Riley	Crosswind Village UNIT, LLC	TREVOR CLAYTON TOLLETT
FR12-0004	2/23/2012	WEB741	John Spiars	Creekwood Centre Properties, LLC	ADAM AUENSEN
FR12-0006	1/27/2012	318025	Randall Eardley	CCS Partners, LLC	WIER & ASSOCIATES, INC
FR12-0007	1/31/2012	318054 & 18055	Old Town Denton Warehouse, LP	Old Town Denton Warehouse, LP	CHRISTOPHER B GORDON / OLD TOWN DENTON WAREHOUSE, LP
FR12-0009	4/30/2012	319512	Ram Gopal	Denton County Transportation Authority	MASON PAYNE
FR12-0010	5/10/2012	319739	Marc Degenaro	Richard Freeman	BERMICHAEL MONTALBO-FREEMAN
FR12-0011	5/16/2012	319830	Jeff Forrest	Denton County	JAMES INGELS HDR INC
FR12-0013	6/28/2012	320730	Jim Riley	MG Herring Group, LLC	CENCOR REALTY SERVICES INC
FR12-0015	7/10/2012	320801	Steven Homeyer	Christopher Gordon	CHRISTOPHER GORDON
FR12-0017	8/3/2012	321267	Matt Moore	RCG-Denton, LLC	MATT MOORE
FR12-0019	10/19/2012	322570	Jerald Yensan	Ramitino, LLC	LINKS CONSTRUCTION, LLC
FR12-0020	10/10/2016	322388	Dan Rick	CCI INVESTMENTS LTD	CCI INVESTMENTS LTD
FR12-0022	11/28/2012	WEB1508	Kimley Horn and Associates	DR Horton	SHA
FR11-0016	9/12/2011	WEB540	Adam Reeves	RR MARKETPLACE LP,	CHRISTOPHER BIGGERS
FR11-0019	10/20/2011	316735	Jim Riley	Hammond Jones Realty	THOMAS JONES
FR10-0005	4/15/2010	304796	Landmark Surveyors	Rhino Steel Bldg Systems, Inc.	LINKS CONSTRUCTION
FR10-0009	8/4/2010	307897	Wier & Associates, Inc	SFT Industrial, LP	WIER & ASSOCIATES INC
FR10-0010	7/29/2010	307918	Williams & Associates	RETREAT AT DENTON, LLC	RETREAT HOLDINGS LLC
FR10-0013	9/15/2010	309036	Winkelmann & Assoc.	FRY STREET PARTNERS LTD P/S,	PDI FINANCIAL IMPREST ACCOUNT
FR10-0016	11/22/2010	310608	Kimley Horn & Associates	Health Care REIT Inc	SIGNATURE ASSISTED LIVING, LLC
FR09-0005	12/28/2009	302003	MA Engineering & Construction	Islamic Society of Denton	ISLAMIC SOCIETY OF DENTON
Amending Final Plat 3rd Review Fees					
AFP13-0005	8/2/2013	WEB2380	OD Engineering	HMH LIFESTYLES LP,	HMH LIFESTYLES LP
AFP13-0015	2/19/2014	329752	TRAVIS BOUSQUET	LOTT, JOHN R	THE BOUSQUET GROUP, INC.
AFP12-0003	5/14/2012	WEB893	Greg Edwards	Wells Fargo Bank N. A.	GREG EDWARDS
AFP12-0004	6/5/2012	WEB956	Bill Barnes		BILL BARNES
AFP11-0007	11/1/2011	WEB548	Sherry Gray	Mar Properties	JOHNNY MARRIOTT
AFP11-0012	3/20/2012	318826	Sherry Gray	Corbin Realty II, LP	BENNY A ZOLLINGER

Fee Paid by Applicant

Fee Paid by Owner