



**TOWN OF CAREFREE**  
**PLANNING AND ZONING DEPARTMENT**  
**2022**

**ZONING**

**REZONING**   **USE PERMIT**   **TEXT AMENDMENT**   **VARIANCE**  
**RESIDENTIAL UNIT PLAN DEVELOPMENT (RUPD)**  
**NEIGHBORHOOD UNIT PLAN DEVELOPMENT (NUPD)**

**DEVELOPMENT REVIEW MANUAL**

# TOWN OF CAREFREE

## TOWN COUNCIL

LES PETERSON, MAYOR

JOHN CRANE, VICE MAYOR

VINCE D'ALIESIO

TONY GEIGER

STEPHEN HATCHER

MICHAEL JOHNSON

CHERYL KROYER

## PLANNING AND ZONING COMMISSION

TOM CROSS, CHAIRPERSON

LYN HITCHON, VICE CHAIRPERSON

HEATHER BURGETT

PETER BURNS

PHIL CORSO

DAN DAVEE

RALPH FERRO

## TOWN STAFF

GARY S. NEISS, TOWN ADMINISTRATOR

STACEY BRIDGE-DENZAK, PLANNING DIRECTOR

SAMANTHA GESELL, PLANNING CLERK

## **ABOUT THIS DOCUMENT**

This development review manual outlines the various steps in the Town's review and approval process for zoning applications. This document is divided into five sections.

1. Frequently asked questions and answers
2. Procedures for zoning applications
3. Pre-application form and requirements for a complete submittal
4. Application form, questionnaire and checklist for a completed application packet
5. Fee Schedule

Applicants should review the entire document to familiarize themselves with the Town's procedures and requirements at each stage of the review and approval process. An understanding of what information is required at each stage of the review will ensure that the proposed application does not incur processing delays. It is the responsibility of the applicant to ensure that the submittal is complete.

## **FREQUENTLY ASKED QUESTIONS**

### **WHAT IS ZONING?**

Title Nine of the Arizona Revised Statutes enables local governments to regulate the use of land within their jurisdiction. This code called the Zoning Ordinance, defines various residential and nonresidential zoning districts. Each zoning district has specific permitted uses, development standards and intensity regulations.

### **CAN ZONING ON A PIECE OF LAND BE CHANGED?**

Every piece of land within the community has a zoning district assigned to it. If the property owner is not restricted by a residential subdivision, they may consider and apply to the Town for a change to this underlying zoning district. This rezoning application does not guarantee that the subject parcel of land will be rezoned. The application simply outlines the intent of the respective property owner. The rezoning application must be consistent with the community's General Plan and must be reviewed and recommendation made by both the Town's Planning and Zoning Commission and Town Council.

### **WHAT IS A ZONING VARIANCE?**

In some instances the development standards, when applied to certain properties within the community, create special circumstances that require relief from the zoning regulations. This could be a result of the native terrain, natural wash corridors, or the shape of the lot which limits the developable land on any given property. It is important to note, that according to state law, a variance may not be granted if the condition is self-imposed. For instance, if the current property owner wants to improve a structure and such an improvement encroaches within a building setback line (required yard), a variance could not be granted without proving that the lot's shape, terrain or geologic feature contribute to the need for this encroachment/relaxation of the setback.

### **CAN THE LANGUAGE IN THE ZONING ORDINANCE BE MODIFIED?**

Yes. This process is called a text amendment. A text amendment can be initiated by an

applicant or the town. In order for an individual to begin the text amendment process, an application must be completed to explain the purpose and community wide benefits of such amendment. Once the application is completed, a public hearing will be scheduled and advertised. Both the Planning Commission and Town Council must make a recommendation on the subject amendment. If adopted by the Town Council, the amendment becomes effective 30 calendar days after its adoption.

### **WHAT IS USE PERMIT?**

Article V. of the Carefree Zoning Ordinance distinguishes between the type of land uses that are allowed by right and those which require a Use Permit within each zoning district.

A use allowed by right can typically be developed with approval of construction plans and issuance of a building permit by the Town's Building Official.

A use that requires a Special or Conditional Use Permit must be reviewed and approved by both the Planning and Zoning Commission and Town Council. Both the Commission and the Council must determine if the subject Use Permit does not adversely impact the public health, safety, and welfare of the neighborhood and community and complies with the criteria specified in the Ordinance. If the Town Council approves the Use Permit, then the construction plans must be approved by the Town's Building Official prior to the issuance of any building permit.

### **IF MY PROPERTY IS WITHIN A SUBDIVISION, DO I NEED APPROVAL FROM MY HOMEOWNERS ASSOCIATION PRIOR TO TOWN APPROVAL?**

If your property is located within a subdivision, you should become familiar with its C.C. & R's and design requirements. Your C.C. & R's are a contractual agreement between the respective property owners within the subdivision, and are important in helping to maintain the lifestyle and ambience associated with Carefree. These C.C. & R's are acknowledged and agreed to when you purchase your property and it is up to the homeowners association to enforce the C.C. & R's. Due to the fact that these restrictions are typically more stringent than Town Zoning Ordinance provisions, it is important to review and gain approval from your subdivision's architecture review board. Their approval will ensure that the integrity of the subdivision is preserved through the support of your neighbors. In association with a building permit application, the Town urges each homeowner to submit a letter from their homeowner's association or architecture review board which endorses the work for which a building permit is being sought.

### **WHAT IS A RESIDENTIAL UNIT PLAN OF DEVELOPMENT (RUPD) AND WHEN CAN ONE BE REQUESTED?**

A RUPD is a technique to respond to and preserve environmentally sensitive features through the use of amended development standards. In order to preserve sensitive natural features, the minimum building setbacks (required yards) and minimum lot size can be modified.

The site must be a minimum of ten (10) acres to apply the RUPD. The burden of proof with respect to satisfying public health, safety, and general welfare rests with the applicant. The applicant must also illustrate how adjacent property is not adversely affected by the proposed development.

### **PROCEDURE FOR ZONING APPLICATIONS**

**The following process describes the incremental steps for all types of zoning applications. In order to save time and money, applicants should familiarize themselves with the process and Town standards and policies prior to commencing any design work.**

1. The applicant obtains a copy of the appropriate Development Review Manual from the Town staff.
2. The applicant and development team submits a pre-application to the Planning and Zoning staff. The pre-application form is attached to this document.
3. Staff reviews pre-application and schedules an appointment with the applicant.
4. During the pre-application meeting, staff discusses the General Plan, Zoning Ordinance requirements, Design Guidelines and/or development issues with the applicant. Requirements for the zoning application are highlighted on the checklist for the applicant. The Zoning application Checklist is attached to this document.
5. The applicant prepares the zoning application.
6. Once all required application material is completed, it is submitted to the Planning and Zoning Department for the first staff review. Any discrepancies or deficiencies in the application packet will be outlined in a letter to the applicant, typically within ten (10) business days. The applicant must address all issues outlined by the Zoning Administrator before moving forward in the application process. Failure to adequately address each respective issue will result in delays.
7. After the application packet is determined by the Zoning Administrator to be complete, the applicant schedules a Citizen Participation meeting. Depending upon the magnitude of the project (i.e. variance vs. rezoning) a meeting may not be required; however, neighborhood notification is still mandatory. To hold a Citizen Participation meeting at Town Hall, the applicant should contact the Planning Assistant at 480-488-3686 to reserve the meeting room. The requirements for the Citizen Participation Program are listed in the application checklist attached to this document.
8. After completion of the Citizen Participation Program, the applicant submits a report to Town staff to review and determine if the application process has been completed.
9. The zoning application will be scheduled for public hearings upon completion of all submittal requirements as determined by the Zoning Administrator.
10. Both the Planning and Zoning Commission and the Town Council meet once a month. The Planning and Zoning Commission meets the second Monday of each month while the Town Council meets the first Tuesday of each month.
11. A report will be prepared by staff and distributed to the Commission and Council prior to the public meetings. Typically, at the end of the report are conditions or stipulations staff recommends for approval of the application.
12. If the project is approved, the applicant can proceed to the site plan review process and/or the building permit phase. If the project is continued, the applicant must address the

Commission or Council's issues prior to being reconsidered. If the application for a variance is denied by the Board of Adjustment an appeal may be file within 30 days of the decision to the Superior Court.

13. In some instances, such as a rezoning or a Use Permit application, a site plan will need to be reviewed and approved by the Development Review Board after the approval of the respective rezoning or Use Permit application. Please see site plan requirements in the Site Plan Development Review Manual.
14. If no site plan needs to be reviewed and approved by the Development Review Board, the building plans must be submitted to and approved by the Building Official for a building permit.
15. Once the building plans are approved by the Building Official and all permit fees and development fees are paid, the Building Official will issue a building permit.
16. Both the Building Official and Zoning Inspector will inspect the project during its development.
17. At completion, the Building Official and Zoning Inspector will conduct a final inspection to ensure that the project meets all Building Code and Zoning Ordinance requirements. Additionally, certified as-builts must be submitted to the Town to verify compliance to all zoning regulations.
18. The Certificate of Occupancy is issued only after final inspection approval by the Building official and Zoning Inspector.

#### **REQUIREMENTS FOR PRE-APPLICATION MEETINGS**

**Two copies of the following information must be submitted to the Town of Carefree Planning and Zoning Department prior to scheduling the pre-application meeting. The pre-application will be scheduled with a staff member within two (2) weeks after receiving a completed submittal.**

#### **TWO (2) COPIES of the following required information prior to pre-application meeting:**

- A completed pre-application questionnaire form. All information requested on this form must be completed prior to scheduling the pre-application meeting.
- A conceptual plan drawn to scale illustrating:
  - Subject property lines
  - Zoning district of subject parcel and surrounding parcels
  - Building setback lines
  - Significant natural features
  - Proposed and existing adjacent structures/buildings and driveways
  - Conceptual illustration(s) of proposed improvements to the site
- Photographs showing the site and the context of surrounding building/properties
  - Photos may be mounted on cork board, poster board, etc. (maximum size 8.5" x 11")

- Digital photos are acceptable
- All photos shall be numbered and referenced by location on a site plan
- All submitted photos will not be returned and become part of the public record.

**NOTIFICATION OF PRE-APPLICATION MEETING DATE:**

Following staff review of the above required information, you will be notified of your pre-application meeting date.

**FOR ASSISTANCE:**

For assistance or questions regarding pre-application meeting will be \$45.00.

# PRE-APPLICATION FORM

Preapplication submittals and staff comments are only valid for 6 months following the preapplication meeting. Any documentation will not be retained by the Town.

PROJECT NAME:

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REQUEST LOCATION CURRENT:

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ZONING:

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ASSESSOR'S PARCEL NUMBER:

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QUARTER SECTION:

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APPLICANT NAME:

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ADDRESS:

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CITY/STATE:

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PHONE:

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EMAIL:

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PROPERTY OWNER:

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ADDRESS:

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CITY/STATE:

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PHONE:

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EMAIL:

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PROJECT CONTACT:

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BRIEF PROJECT DESCRIPTION:

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**APPLICANT'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**REZONING**

**TEXT AMEND.**

**VARIANCE**

**RUPD**

**NUPD**

<b>ZONING STANDARD</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
Minimum lot area		
Minimum lot width		
Front yard setback		
Side yard setback (1)		
Side yard setback (2)		
Rear yard setback		
Maximum lot coverage		
Maximum disturbed area		
Minimum distance between buildings		
Maximum building height from natural & finished		

**APPLICANT IS RESPONSIBLE FOR COMPLETING THE ABOVE CHART**

PROJECT NAME:

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REQUEST:

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LOCATION:

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CURRENT ZONING:

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ASSESSOR'S PARCEL NUMBER:

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QUARTER SECTION:

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APPLICANT NAME:

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ADDRESS:

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CITY/STATE PHONE:

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EMAIL:

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PROPERTY OWNER:

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ADDRESS:

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CITY/STATE:

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PHONE:

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EMAIL:

**APPLICANT'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**APPLICATION QUESTIONNAIRE**

**THE FOLLOWING INFORMATION MUST BE COMPLETED BY THE APPLICANT**

1. Why is the property in question not reasonably suited for the uses permitted under the present zoning district?

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2. Are there any known changes in land use, street arrangement, or other physical conditions that have altered the character of the property, or adjoining properties, since the present zoning was adopted? If yes, please explain.

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3. If your request is to provide additional commercial zoning, is there a demonstrable need for this zoning in order to serve the community or neighborhood, as the case may be? Explain.

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4. Does the request conform to any public land use plans, adopted major street plans, flood control plans, or other physical plans for public facilities?

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5. List any other reasons supporting the subject request:

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## **APPLICATION CHECKLIST**

During the staff review process, please provide the Town two (2) copies of all plans 24" x 36" FOLDED and applicable documents.

Please note that this is not an all-inclusive list and the Zoning Administrator reserves the right to expand upon this checklist depending upon the dynamics of the subject application. Furthermore, some of the information outlined in this checklist may not be applicable to the subject application. Please discuss this checklist with the Zoning Administrator to clarify the relevant information.

### **DOCUMENTATION:**

#### **TWO (2) COPIES OF THE FOLLOWING:**

1. Completed Application Form, Questionnaire and payment of application fees
2. Title Report including Schedule A and B (no older than six (6) months)
3. ALTA survey of subject property
4. Cultural Resource Survey of subject property
5. Drainage Report
6. Traffic Impact Analysis/Study
7. Plant Salvage Assessment
8. Material/Color Board

### **WRITTEN LETTERS OF APPROVAL:**

1. Letter of Authorization from property owner if applicant is not property owner
2. Will-serve letters from water company and sewer company
3. Rural Metro approval and conditions
4. Maricopa County Environmental Services Department
5. Homeowners or Condominium Association

### **PROJECT NARRATIVE:**

Fully describe all aspects of the application which may include but is not limited to the type of request, proposed uses, compatibility to adjacent uses/properties, proposed density and lot coverage, proposed building heights from natural and finished grades, building setbacks, landscape, hardscape, architecture concept, internal and external circulation patterns, servicing utilities, topography and other issues related to application.

### **PLANS:**

1. **TOPOGRAPHIC SURVEY**—2 foot intervals, typical scale 1" = 20.0', showing location of bench mark used, property pins found and/or set, property dimensions, building setbacks, all easements, adjacent roadways, stamped and signed by registered surveyor or civil engineer, zoning district, match lines and key map if sheets are divided, name address of project, name address of all consultants working on the application/project and dates of

original preparation and all subsequent revisions.

2. **GRADING AND DRAINAGE PLAN**—Location/extent of all FEMA floodplains, delineation of floodplain, floodway and erosion setback of washes with 50 CFS or greater capacity during the 100 year storm event, arrows delineating existing and proposed drainage flows, and any proposed or existing storm water retention or detention features.
3. **SITE PLAN**—Illustrate location of all existing and proposed building/structures; show distances from property line; illustrate location of garbage receptacles, paved areas, sidewalks, driveways, pedestrian areas, covered parking in commercial projects; square footage of each building; lot coverage; total disturbed area location of exterior lights with cross reference to lighting specifications/details and photometric plans name and address of all consultants working on application/project; and date of original preparation and all subsequent revisions.
4. **BUILDING ELEVATIONS**—shall illustrate maximum building heights with additional cross sections, building material and colors being used, architecture style, and exterior lighting, retaining walls and free standing walls.
5. **LANDSCAPE PLANS**—Illustrate plants to be salvaged and transplanted on-site; conceptual revegetation plans; disturbed area pre and post construction; name and address of all consultants working on application/project; and date of original preparation and all subsequent revisions.

#### **ARCHITECTURAL MODEL/3-D COMPUTER RENDERINGS:**

For applications which contain 50,000 square feet or more of gross floor area, an architectural model or 3-D computer renderings will be required to illustrate the architectural design of the building(s), site layout, general colors and materials. It is at the applicant's discretion to provide either a model or the renderings.

#### **CITIZEN PARTICIPATION:**

1. Required for all zoning cases
2. Zoning variances may only require notification through 1st class mail and informal meetings with the neighboring residents/property owners. If the subject application/request falls within a subdivision with a HOA, a letter from the HOA giving their approval is typically required with the filing of an application for a zoning variance.
3. It is the applicant's responsibility to facilitate the Participation meeting and outline their project to the participants. Therefore, the applicant shall have prepared documentation/plans to discuss all aspects of their plans with the participants at the meeting.
4. Prior to the meeting the applicant must notify all property owners through 1st class mail and all HOA's within a minimum distance of 500 feet of the subject property. For larger projects, a wider notification radius is desired. A minimum of one (1) meeting must be conducted by the applicant prior to the scheduling of the application/request before the Commission or Council.

5. Prior to the public meeting/hearing, the applicant shall provide the Town with the list of all notified property owners, a summary of the meeting(s) and how any questions/issues that the participants raised will be mitigated.



## FEE SCHEDULE

<b><u>PRE-APPLICATION MEETING WITH STAFF</u></b>	<b>\$45.00</b>
REQUIRED FOR ALL DEVELOPMENT APPLICATIONS	
<b><u>BOARD OF ADJUSTMENT-VARIANCE</u></b>	<b>\$400.00</b>
APPEALS TO BOARD OF ADJUSTMENT	\$100.00
PUBLICATION FEE	\$250.00
MAILING FEE-PER LETTER	\$5.00
MOUNTAINSIDE DEVELOPMENT REVIEW	\$400.00
SITE PLAN REVIEW-UP TO 1 ACRE	\$500.00
PARCELS OVER 1 ACRE ADD	\$50.00
<b><u>TEMPORARY USE PERMIT</u></b>	
NON-COMMERCIAL PROPERTY	\$150.00
COMMERCIAL PROPERTY	\$250.00
NON-PROFIT CHARITABLE ORGANIZATION	\$10.00
ADDITIONAL FEE REQUIRE <b>IF</b> AND OBJECTION IS FILED <b>AND</b> A PUBLIC HEARING IS SCHEDULED	\$400.00
<b><u>CONDITIONAL/SPECIAL USED PERMIT</u></b>	
FEE=750.00 UP TO 1 ACRE+1000.00 EACH ADDITIONAL ACRE (ACREAGE IS ROUNDED UP)	
MINIMUM FEE	\$750.00
MAXIMUM FEE	\$10,000.00
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<b><u>SUBDIVISION</u></b>	

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SINGLE FAMILY	\$250.00
MULTI-FAMILY	\$350.00
NON-RESIDENTIAL	\$450.00
<b><u>SUBDIVISION</u></b>	

PRELIMINARY PLAT-APPLICATION FEE	\$2500.00 = \$75.00/LOT
PRELIMINARY PLAT-AMENDED PLAT APPLICATION FEE	\$100.00
FINAL PLAT-APPLICATION FEE	\$2400.00 + \$50.00/LOT

**FEE SCHEDULE—CONTINUED**

**FINAL PLAT-IMPROVEMENT PLAN REVIEW FEES**

<b><u>TYPE OF PLAN</u></b>	<b><u>1ST REVIEW</u></b>	<b><u>2ND REVIEW</u></b>	<b><u>3RD &amp;</u></b>
<b><u>SUBSEQUENT REVIEWS</u></b>			
PAVING	\$700.00+\$50.00/LOT	N/C	\$100.00 PER REVIEW
WATER	\$150.00+50.00/LOT	N/C	\$50.00 PER REVIEW
SEWER	\$150.00+\$50.00/LOT	N/C	\$50.00 PER REVIEW
GRADING	\$700.00+\$50.00/LOT	N/C	\$100.00 PER REVIEW
DRAINAGE	\$700.00=50.00/LOT	N/C	\$100.00 PER REVIEW

**TOTAL: \$2400.00 + \$50.00 PER LOT—PER TYPE OF PLAN**

**MOUNTAINSIDE DEVELOPMENT REVIEW** \$400.00

**SITE PLAN REVIEW-UP TO AN ACRE** \$500.00

PARCELS OVER AN ACRE **ADD \$50.00/ACRE**

**OTHER DEVELOPMENT REVIEW BOARD CASES** \$250.00

**ZONING ORDINANCE-TEXT AMENDMENT** \$500.00

**CONTINUANCE OF PUBLIC HEARING** \$100.00

**RIGHT-OF-WAY ABANDONMENT** \$500.00

INCLUDES MAILING/PUBLICATION FEE

**REZONING**

<b><u>TYPE</u></b>	<b><u>APPLICATION FEE</u></b>	<b><u>MAXIMUM</u></b>
<b><u>FEE</u></b>		
SINGLE FAMILY	\$1,500.00 + \$75.00/ACRE	\$10,000.00
MULIT-FAMILY	\$3,000.00 + \$150.00/ACRE	\$10,000.00
COMMERCIAL	\$3,000.00 + \$150.00/ACRE	\$10,000.00
GO	\$3,000.00 + \$150.00/ACRE	\$10,000.00
RUP	\$3,000.00 + \$150.00/ACRE	\$10,000.00

PRELIMINARY PLAT-APPLICATION FEE	\$2500.00 = \$75.00/LOT
PRELIMINARY PLAT-AMENDED PLAT APPLICATION FEE	\$100.00
FINAL PLAT-APPLICATION FEE	\$2400.00 + \$50.00/LOT

**FEE SCHEDULE—CONTINUED**

**FINAL PLAT-IMPROVEMENT PLAN REVIEW FEES**

<b><u>TYPE OF PLAN</u></b>	<b><u>1ST REVIEW</u></b>	<b><u>2ND REVIEW</u></b>	<b><u>3RD &amp;</u></b>
			<b><u>SUBSEQUENT REVIEWS</u></b>
PAVING	\$700.00+\$50.00/LOT	N/C	\$100.00 PER REVIEW
WATER	\$150.00+50.00/LOT	N/C	\$50.00 PER REVIEW
SEWER	\$150.00+\$50.00/LOT	N/C	\$50.00 PER REVIEW
GRADING	\$700.00+\$50.00/LOT	N/C	\$100.00 PER REVIEW
DRAINAGE	\$700.00=50.00/LOT	N/C	\$100.00 PER REVIEW

**TOTAL: \$2400.00 + \$50.00 PER LOT—PER TYPE OF PLAN**

**MOUNTAINSIDE DEVELOPMENT REVIEW** \$400.00

**SITE PLAN REVIEW-UP TO AN ACRE** \$500.00

PARCELS OVER AN ACRE **ADD \$50.00/ACRE**

**OTHER DEVELOPMENT REVIEW BOARD CASES** \$250.00

**ZONING ORDINANCE-TEXT AMENDMENT** \$500.00

**CONTINUANCE OF PUBLIC HEARING** \$100.00

**RIGHT-OF-WAY ABANDONMENT** \$500.00

INCLUDES MAILING/PUBLICATION FEE

**REZONING**

<b><u>TYPE</u></b>	<b><u>APPLICATION FEE</u></b>	<b><u>MAXIMUM</u></b>
<b><u>FEE</u></b>		
SINGLE FAMILY	\$1,500.00 + \$75.00/ACRE	\$10,000.00
MULIT-FAMILY	\$3,000.00 + \$150.00/ACRE	\$10,000.00
COMMERCIAL	\$3,000.00 + \$150.00/ACRE	\$10,000.00
GO	\$3,000.00 + \$150.00/ACRE	\$10,000.00
RUP	\$3,000.00 + \$150.00/ACRE	\$10,000.00

NUPD	\$3,000.00 + \$150.00/ACRE	\$10,000.00
PUBLICATION FEE/DEPOSIT		\$400.00
MAILING FEE/PER LETTER		\$5.00
<b><u>REPLAT EXISTING SUBDIVISION/SFR</u></b>		\$250.00

**BUILDING PERMIT FEES:** SEE TABLE 3-A OF SECTION 10-1-2 G OF THE TOWN CODE. VALUATION IS BASED ON ENGINEER'S CERTIFIED ESTIMATE OF THE COST OF THE PROPOSED IMPROVEMENTS.

**DEVELOPMENT FEES:** SEE ORDINANCES 2002-01, 02, 03 & 04; 2003-09; 2006-06, 07, 08, 09 & 10.