

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: April 21, 2016 (B of T) Date: May 5, 2016

TITLE: Amendments to Chapter 36.21: Community Development Fee Schedules
and Public Hearing Process

SUBMITTED BY: Department of Community Development *NS*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding an Amendment to Chapter 36.21 relative to Community Development Fee Schedules and the Public Hearing Process.

The Plan Commission unanimously recommends approval of an Ordinance amendment to Section 36.21 of the Village Code as it pertains to the fees schedule associated with Plan Commission and/or Zoning Board of Appeals' petitions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: May 5, 2016

SUBJECT: **Amendments to Chapter 36.21: Community Development Fee Schedules and Public Hearing Process**

As part of the Business Meeting portion of the April 18, 2016 Plan Commission meeting, the Commission undertook a detailed review of the public hearing processes and corresponding fee schedules associated with public hearings. Community Development staff completed a review of application fees attributable to the Village's zoning public hearing processes. This analysis, which was last undertaken in 2003, was undertaken to review our existing processes associated with applications and the basis for the existing fees and suggested modifications. The review is also intended to ensure that the fee schedule and processes are consistent with other sections of Village Code, such as cost recovery of third party expenses.

Attached is a report that was shared with the Commission that outlines the findings and recommendations relative to Community Development fee schedules. Through discussion of the processes and fee schedules, by a 6-0 vote, the Plan Commission recommended approval of the fee schedule change in the following respects:


1. Quantifiable known costs incurred by third parties should be reimbursed per the known costs, as set forth within the report; and
2. To account for increases in costs associated with processing petitions, itemized zoning relief items should be increased by twenty percent (20%), rounded upward to the closest \$25 increment.

ACTION REQUESTED

The Plan Commission unanimously recommends approval of an Ordinance amendment to Section 36.21 of the Village Code as it pertains to the fees schedule associated with Plan Commission and/or Zoning Board of Appeals' petitions.

MEMORANDUM

TO: Donald Ryan, Plan Commission Chair
Lombard Plan Commission Members

FROM: William J. Heniff, AICP, Director of Community Development 

DATE: April 18, 2016

SUBJECT: **Amendments to Chapter 36.21: Community Development Fee Schedules and Public Hearing Process**

Community Development staff completed a review of application fees attributable to the Village's zoning public hearing processes. This analysis, which was last undertaken in 2003, was undertaken to review our existing processes associated with applications and the basis for the existing fees and suggested modifications. The review is also intended to ensure that the fee schedule and processes are consistent with other sections of Village Code, such as cost recovery of third party expenses.

Please find the attached report that outlines the findings and recommendations relative to Community Development fee schedules. Also attached is a draft Ordinance which modify Section 36.21 of the Village Code.

ACTION REQUESTED

This item is being placed on the Plan Commission agenda under "Other Business". Staff will review the processes that are necessary in order to hold a proper hearing before the Plan Commission and/or Zoning Board of Appeals. This narrative will provide context to the overall fee schedule review.

Staff requests a recommendation of approval from the Plan Commission relative to the proposed amendments.

**Village of Lombard
Department of Community Development
Fee Schedule Review**

The Department of Community Development has reviewed the existing fee schedules associated with platting, zoning, and development activities. The intent of this review is to ensure that the Village is assessing reasonable review and approval fees of items under the purview of the Department of Community Development. This process was last undertaken in April 2003. Most of the analyses and proposed changes suggested within this report reflect those fees currently enumerated and contained within Title 3, Section 36.21: Fee Schedule.

Overall Goals

In consideration of the fee schedule amendments, staff considered the following issues:

Additional Review Costs

Fee schedule amendments should reflect the added additional cost borne by the Village in completing the requested task. In other words, but for the particular request, the Village would not have ordinarily incurred this expense. This provision is particularly applicable for public hearing requests for variations or conditional uses from the Zoning Ordinance.

Out-of-Pocket Expenses

Fee schedule amendments should address out-of-pocket expenses incurred by the Village to other sources, consistent with the existing provisions set forth within Chapters 13 and 16 of Village Code.

State or Ordinance Mandated Fees

Public notification of public hearings alone frequently exceeds the overall costs collected by the petitioner. As the petitioner most frequently receives the greatest amount of benefit from having the public hearing, a greater proportion of the costs should be borne by the petitioner rather than all taxpayers.

Consultant Activities

While most work is done in-house (which would be done free of charge to a petitioner), occasionally the Village will contract out portions of the development review process to specialized consultants. In the past, this has been most common for traffic review analyses. However, other cases have resulted in consultant work for landscape review activities or engineering review and considerations. These amendments are intended to further codify the Village's ability to recoup those additional costs to other private sources.

Review of Fees

Staff undertook several different approaches to determine the appropriate fees – each with their own advantages. By utilizing multiple approaches, the defensibility of the proposed amendments can be further supported. These approaches include:

1. Staff Costs to Complete the Work

To determine the actual cost of processing a development petition through the public hearing process or consider the review and/or approval of a plat, staff compiled Table 1 identifies the hard (or external) costs associated with processing a petition. Hard costs include public hearing notification fees (newspaper, notice letters, court reporter and County recording fees). This analysis also looked at the typical staff time required to process a petition. These activities include preparing notices, soliciting comments, reviewing the petition, writing a staff report and drafting ordinances. Not included in this analysis was any staff time outside of the traditional workday (i.e., night meetings) as the planning staff is generally salaried rather than hourly employees. Moreover, staff time does not include any benefits attributable to the employee (these would be incurred regardless of whether the petition was filed or not). The analysis also does not include other Village costs in preparation of the staff report (i.e., Inter-Departmental Review Committee comments) as those comments would likely be generated anyway as part of the building permit process. Lastly, the analysis did not take into account soft costs such as the Village Clerk's duties, the time required to place public hearing signs on the petitioner's property or staff's consultations with Village Counsel outside of the public hearing itself.

Most public hearing fees are based upon the nature of the request rather than the amount of work that would be required to process the petition. To address this issue, the variation fees establish variable rates depending on the request. For example, a shed variation request is anticipated to involve less work than a variation for a new principal structure. Hence the schedule reflects these figures.

Table 1
Estimated Costs to Process Petitions

Typical Zoning Board of Appeals Petition				
	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Cost</u>
<u>Hard/External Costs</u>				
Notification Letters	40	letters	\$ 1.00	\$ 40.00
Newspaper Notice	1	number	\$ 200.00	\$ 200.00
Ordinance Recording	1	number	\$ 50.00	\$ 50.00
Subtotal				\$ 290.00
<u>Processing Costs</u>				
Planner	8	hours	\$ 26.00	\$ 208.00
Senior Planner	1	hours	\$ 33.00	\$ 33.00
Asst. Dir./Director	2	hours	\$ 50.00	\$ 100.00
Adm. Coordinator	2	hours	\$ 22.00	\$ 44.00
Subtotal				\$ 385.00
Total Processing Cost				\$ 675.00

Typical Plan Commission Petition				
	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Cost</u>
<u>Hard/External Costs</u>				
Notification Letters	40	letters	\$ 1.00	\$ 40.00
Newspaper Notice	1	number	\$ 200.00	\$ 200.00
Court Reporter	0.33	meeting fee	\$ 150.00	\$ 49.50
Ordinance Recording	1	number	\$ 50.00	\$ 50.00
Subtotal				\$ 339.50
<u>Processing Costs</u>				
Planner	2	hours	\$ 26.00	\$ 52.00
Senior Planner	8	hours	\$ 33.00	\$ 264.00
Asst. Dir./Director	4	hours	\$ 50.00	\$ 200.00
Adm. Coordinator	2	hours	\$ 22.00	\$ 44.00
Subtotal				\$ 560.00
Total Processing Cost				\$ 899.50

Note - analysis does not include the following:

- Office Overhead (i.e., computer hardware/software, storage)
- Field Overhead (i.e., vehicles, equipment)
- IDRC Review by Other Departments
- Outside Services (i.e., legal, traffic, etc.) - billed separately
- Annexation/Development Agreement Costs
- Staff labor soft costs such as benefits

2. Inflation Analysis

In review of the fee schedules, staff notes that a comprehensive review of the fee schedules has not been undertaken since 2003. Assuming that the 2003 fee schedule was appropriate at the time of approval, staff analyzed what the 2003 fees would be in 2016 dollars (29% increase from 2003 per U.S. Government CPI data), as show in Table 2.

**Table 2
 Public Hearing Fee Analysis**

	<i>Current (2003) Rate</i>	2016 Rate Adjusted for Inflation
ANNEXATION INTO THE VILLAGE	\$450.00	\$580.50
-One Single-Family Residence <i>NO CHARGE</i>		
APPEALS OF ADMINISTRATIVE ACTIONS – Single Family	\$75.00	\$96.75
APPEALS OF ADMINISTRATIVE ACTIONS – All Others	\$300.00	\$387.00
CONDITIONAL USE	\$600.00	\$774.00
PLANNED DEVELOPMENT	\$600.00 +50.00/acre	\$774.00 +\$64.50/acre
PLANNED DEVELOPMENT AMENDMENT	\$600.00	\$774.00
SITE PLAN APPROVAL	\$500.00	\$645.00
PLAT OF SUBDIVISION	\$300.00 + \$50.00/acre	\$387.00 +\$64.50/acre
ADMINISTRATIVE PLATS	\$150.00	\$193.50
REZONING	\$600.00 + \$50.00/acre	\$774.00 + 64.50/acre
REZONING –Single Family	\$400.00	\$516.00
VARIATION(S)	\$600.00	\$774.00
-One Single-Family Residence	\$350.00	\$451.50
PUBLIC NOTICE SIGN DEPOSIT	\$100.00	\$129.00

3. Analysis of Other Neighboring Communities

Staff also conducted a review of other neighboring communities surrounding the Village to determine what their rates are for processing petitions. Staff completed a double concentric ring analysis that reviewed the code of communities abutting Lombard and communities abutting those communities. Appendix A shows the results of these findings. As the table shows, Lombard in the middle of the fees charged. For example, a variance can range from \$100 for a residential project in Woodridge to \$1,000 for a commercial project in Oak Brook. Conditional Use Permits, or Special Use Permits, can range from approximately \$300 for a residence in Westmont or DuPage County and approximately \$2,000 for a commercial project in DuPage County or Oakbrook Terrace.

It is important to note that fee schedules can only be used for relative comparisons. Each municipality develops their development regulations to meet their particular concerns. Consequently, the associated fee schedules reflect the amount of work each municipality may undertake to complete a review. For example, many communities do not take on the responsibility of sending out notices of public hearings or placing the public hearing signs, and those activities are left to the petitioner. Some communities also require a deposit or escrow account for legal fees, traffic studies, and the public hearing legal notice and mailing. Other communities may not perform a comprehensive review and create a staff report prior to the public hearing, as has been expected of Lombard staff. Lastly, communities with zoning hearing officers or alternate approval processes may have a petition review process fundamentally different than Lombard's. Given that Lombard completes all work associated with the public hearing, the existing fee disparity between Lombard and other communities can be greater.

Code Amendments – Out of Pocket Costs

Staff proposes the following Code amendments as noted in the attached draft Ordinance. Of particular note, staff points out the following issues:

1. All petitions that require publication in a local newspaper are required to pay a \$200 publication fee on top of any other application fees. The fee is based upon a review of the average public hearing notification fees paid by the Village. Staff finds that the \$200 fee for the newspaper notice has remained largely unchanged (state statute legal notice provisions have been modified to minimize the length of such notices). However, postage has increased from \$0.37 to \$0.49 per stamp; therefore a small adjustment is suggested to account for this out of pocket cost, which would generally equate to an adjustment to \$250.
2. All petitions requiring a court reporter (i.e., Plan Commission public hearings) shall also be required to pay a \$35 court reporter fee. This number was derived in the past by dividing the court reporter appearance fee of \$100 by the average number of public hearings held by the Plan Commission at a typical meeting. The fee is collected as part of the application fee. However, since 2003, this fee has increased to \$150, so the proposed amendment would change the collected fee from \$35 to \$50 per petition.
3. The Village has an attorney attend the Plan Commission public hearings. Their role is to provide assistance and guidance through the hearing to ensure that the activities that occur in the meeting are done in a matter consistent with state statutes and applicable case law. In the past the Village has absorbed this cost, which totaled \$9,986 for 2015. However, for Plan Commission cases, staff is recommending that a portion of these costs be borne by the petitioner. The suggested charge is \$85.00, which would follow the same approach as the court reporter fees (i.e., divide the average hearing time by three and multiple by the billed rate).

Draft Ordinance Amending Section 36.21 (edits in underscore or strikeout)

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21
OF THE LOMBARD VILLAGE CODE IN REGARD TO
THE FEE SCHEDULE RELATIVE TO CERTAIN ZONING AND SUBDIVISION
RELATED PETITIONS AND APPLICATIONS**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS
FOLLOWS:

SECTION 1: That Title 3, Chapter 36, Section 36.21 of the Lombard
Village Code shall be amended to read in its entirety as follows:

§ 36.21 FEE SCHEDULE.

(A) Any annexation petition filed shall be accompanied by the following fees:

- | | |
|---------------------------------------|---------|
| (1) One Single-family residential lot | no fee* |
| (2) All others | \$450 |

*If the petitioner has previously withdrawn a petition for annexation relative to the property in question, or if a petition for annexation relative to the property in question was denied within the last three years, a \$200 fee will be charged with the submittal of an annexation petition for the same property.

(B) An appeal of Administrative action shall be accompanied by the following fees (fees shall be refundable if the appeal is upheld):

- | | |
|---------------------------------|----------|
| (1) One Single-Family Residence | \$350.00 |
| (2) All Others | \$600.00 |

(C) Any application for a variation to the Zoning Ordinance or the Subdivision and Development Ordinance shall be accompanied by the following fees:

1. One Single-Family Residence

(a)	Principal Building (first variation)	\$350.00
(b)	Accessory Structures (first variation)	\$250.00
(c)	Fences (first variation)	\$250.00
(d)	Each additional variation after the first variation	\$100.00

2. More Than One Single-Family Residence or Any Non-Residential Use

(a)	Principal Building (first variation <u>or deviation</u>)	\$600.00
(b)	Accessory Structures (first variation <u>or deviation</u>)	\$450.00
(c)	Signs (first variation <u>or deviation</u>)	\$450.00
(d)	Fences (first variation)	\$300.00
(e)	Each additional variation <u>or deviation</u> after the first variation <u>or deviation</u>	\$100.00

(D) Any application for a conditional use shall be accompanied by the following fees:

(1)	All conditional uses (first conditional use)	\$600.00
(2)	Each additional conditional use after the first conditional use	\$100.00

(E) Any application for a Planned Development shall be accompanied by a fee of \$600.00 plus \$50.00 per acre, or portion thereof.

(F) Any site plan approval or amendment to a Planned Development shall be accompanied by a fee as follows:

(1)	Site Plan Approval	\$500.00
(2)	Planned Development Amendment	\$600.00

(G) Any application for a map amendment or a text amendment to the zoning ordinance shall be accompanied by a fee as follows:

(1)	Map Amendment for One Single-Family Residence (except that there shall be no fee for the annexation and rezoning of one single-family residence)	\$400.00
(2)	All others map amendments	\$600.00 plus \$50.00 per

(H) Any request for continuance of a public hearing not agreed to by staff, shall be accompanied by, or the petitioner shall supply within two (2) days of making the request, a fee for such continuance as follows:

- | | |
|---------------------------------|----------------------|
| (1) One Single-Family Residence | \$75.00 per request |
| (2) All Others | \$300.00 per request |

(I) In addition to all other fees established by this Code, all filings of a preliminary or final Plat of Subdivision, Consolidation or Resubdivision, including provision of public streets or access easements, or applications for rezonings (other than for one, single-family residence); variations and conditional uses related to parking, vehicular drive-through services, or other matters impacting vehicular circulation or traffic generation; ~~or a Planned Development~~ shall be accompanied by a deposit of \$1,000.00 to be used for traffic impact analysis services. This fee may be waived by the Director of Community Development if it is determined that such a review is unnecessary in order to satisfactorily process a petition. If the Village's costs for such services exceeds the deposit, the applicant shall reimburse the additional costs incurred by the Village. If such costs are less than the deposit, the Village shall return the difference to the applicant. The total cost incurred by the applicant for such services shall not exceed \$10,000.00. Until such time that the Village has received final payment of all traffic advisory services fees, no permits for the use or development of land shall be issued.

(J) Fees for filing plats, for engineering plan review and public improvement inspection shall be as follows:

(1) Any filing and review of Plats of Subdivision, including Plats of Subdivision, Resubdivision, or Consolidation, shall be subject to the following fees:

a. All Administrative Plats of Subdivision and Plats of Consolidation for one single-family residence - \$125.00 for the first page, plus \$50.00 for each additional page.

b. All other Administrative Plats of Subdivision and Plats of Consolidation - \$150.00 for the first page, \$50.00 for each additional page.

c. All Minor and Major Plats of Subdivision or Resubdivision (Preliminary or Final) - \$300.00 plus \$50.00 per acre or portion thereof.

d. All Final Plats (with preliminary plat approval) - \$300.00.

(K) A fee of \$100.00 will be charged for each public notice sign which must be posted prior to a public hearing.

(L) All fees shall be cumulative and no consideration, review or hearing shall be given or scheduled until all applicable fees are paid. All fees payable pursuant to this Section shall be paid at the time of filing and shall be in cash or check payable to the Village of Lombard.

(M) The Director of Community Development of the Village of Lombard shall have the sole authority to determine whether any fee has been collected in error and if such a determination is made, the fee shall be returned to the applicant.

(N) Publication, Notice, Court Reporter and Cost Recovery Fees

1. Any filing which requires notification to be published within a newspaper of general circulation in the Village, shall also be subject to a ~~\$200.00~~ \$250.00 fee for each required public hearing notification.
2. Any public hearing filing to be heard by the Lombard Plan Commission, shall also be subject to a ~~\$35.00~~ \$50.00 court reporter fee.
3. Any public hearing filing to be heard by the Lombard Plan Commission, shall also be subject to a \$85.00 attorney review fee.
4. Any other fees, as defined and made applicable pursuant in Title 1 Chapter 16 of this Code, shall also be paid by the applicant/petitioner.

(O) Reimbursement of Public Hearing Fees

1. When a petition is withdrawn prior to publication of a legal notice, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement.
2. When a petition is withdrawn after the publication of a legal notice, but prior to the public hearing, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement and minus the \$200 newspaper publication fee.
3. When a petition is withdrawn after a public hearing, no refund shall be given.

SECTION 2: That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this ____ day of _____, 2016.

First reading waived by action of the Board of Trustees this ____ day of _____, 2003.

Passed on second reading this ____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this _____, day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2016.

Sharon Kuderna, Village Clerk

Appendix A: Plan Commission and Zoning Board of Appeals Fees

Community	Public Hearing Fees	Legal Notice publication, mailing, and sign
Bloomingtondale	<p>A deposit of \$2,500 is collected for reimbursable expenses (legal, court reporter, legal publication, etc). A refund (if applicable) is given at the end.</p> <p>Single Family Residential \$50 Multi-Family Residential \$75 Business \$100 Commercial/Industrial \$150</p>	<p>Staff does the legal notice, with expenses coming from the reimbursable expense account. The petitioner does the mailing and pays for the certified mail with a return receipt, though staff checks the work for accuracy. The petitioner also takes the notice to sign company to have it printed and staked.</p>
Elmhurst	<p>Variation \$500 Conditional Use \$750 Map Amendment \$6,500 Text Amendment \$6,500 Planned Development \$2,500 Subdivision \$1,500 Administrative Subdivision \$450</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>
Wood Dale	<p>Variations: One single family residential lot: \$300 for 1st request + \$100 for each additional variation; all other types of properties \$650.00 for 1st request + \$100 for each additional variation Special Use \$650 for 1st request + \$100 for each additional request Text Amendment \$650 Major Site Plan Review \$300 Planned Developments \$600 + \$50/acre Map Amendments: single family lot \$300; all others \$600 + \$50/acre Subdivisions & Lot Consolidations \$500 per lot</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>
DuPage County	<p>Variations \$150-\$800 for residential and \$300-\$1,500 for commercial Conditional Use \$300-\$1,500 for residential and \$2,500 for commercial Map Amendment \$1,500-\$2,500 for residential and \$2,500-\$10,000 for commercial (varies on acreage)</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>
Westmont	<p>Variations: \$250 for low-density residential; \$500 for high density residential and commercial Special Use \$350 Zoning Code Amendment, Text, or Map \$500 Planned Development \$500 Pre-Annexation Agreement \$100 or \$500 (depends on zoning) Subdivision \$150</p>	<p>The legal notice and sign are done by staff. The applicant provides stamped, addressed envelopes; Village Staff stuffs them with the notice, mails them, and adds the Village's return address so that they get any returned notices.</p>
Hinsdale	<p>A portion of all fees are held in escrow for legal fees. Exterior Appearance/Site Plan Review \$600-\$800 Design Review Overlay Permit \$1,400 Map Amendment \$2,000 Text Amendment (Zoning Ordinance) \$2,000 Special Use \$1,225 Planned Unit Development \$5,050 Comprehensive Plan Text Amendment \$5,050 Sign Permit Review \$100 Sign Modification \$100 Subdivision Review \$600 Amendment to Planned Development \$1,950 Zoning Board Variation \$850 Zoning Board Appeal \$1,100</p>	<p>Staff does the legal notice in the paper and posts the sign. The petitioner does the mailing.</p>
Addison	<p>Base application fee \$260 Development review fee \$1,900-\$25,608 (depends on acreage) Ex.: less than 1/2 acre \$1,900 fee; 1 acre \$3,799 fee; 10 acres \$12,801 fee Annexation fee \$3,602/acre Recapture Ordinance \$500 mim plus attorney fees</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>

Lisle	Annexation \$400 Easement Encroachment \$300 Planned Unit Development (prelim, final, major change) \$600 Planned Unit Development (minor change) \$300 Plat of Vacation \$100/acre Rezoning \$450 Subdivision \$100/acre Special Use Permit \$450 Administrative Variance \$150 Non-Residential Variance \$300 Residential Variance \$150 Zoning Text Amendment \$300	Staff does the legal notice in the paper, the mailing, and posts the sign.
Villa Park	Deposit of \$500 for residential and \$1,000 for non-residential Residential Variance \$150 Multi-Family Variance \$300 Commercial Variance \$300 Industrial Variance \$300 Rezoning \$200-\$300 Conditional Use Residential \$150 Conditional Use Multi-family \$300 Conditional Use Commercial \$300 Conditional Use Industrial \$300	Everything is done by staff with the expenses coming from the deposit.
Glen Ellyn	Zoning Variations \$500 Escrow required for all requests, except single-family variations Special Use \$650 Zoning Map or Text Amendment \$500 Planned Unit Development \$2,500 Appeals \$700 Preapplication fee \$250 Construction necessitated variation \$900 Pre-existing special use, admin approval \$350 Annexation - Single Family Home \$100 Annexation - other \$1,000/acre	Everything is done by staff with the expenses coming from the deposit. Single-family ZBA cases are billed after the fact.
Glendale Heights	Deposit required for engineering, attorney or other fees Plan Commission Informal Hearing \$75 Annexation application fee \$250 plus deposit of \$500-\$2,000 as well as a Fee of \$250 per residence or \$1,000/acre and \$1,000/acre for commercial Conditional Use, Rezoning, Text Amendment \$500, deposit of \$1,500 Planned Unit Development \$500, plus a deposit of 2% of engineer's estimate of costs Fence Variance \$50, deposit of \$1,500 Other Variances \$500, deposit of \$1,500 Subdivision \$250-\$500, deposit of 2% of engineer's estimate of costs	Staff does the legal notice in the paper, and posts the sign. The petitioner does the mailing.
Woodridge	Escrow between \$1,000 and \$4,000 required for legal fees. Site Plan Review \$250-\$1,000, depends on acreage Prelim Plat \$500-\$1,500, depends on acreage Final Plat \$750-\$1,500, depends on acreage Residential Variance \$100 Commercial Variance \$300 Special Use Permit \$500 Text, Map, or Comprehensive Plan Amendment \$500 Annexation \$250-\$2,000, depends on acreage PUD \$750-\$1,500, depends on acreage	Staff publishes the legal notice and posts the sign. The petitioner does the mailing.

Bensenville	<p>Escrow required for all requests for recording, public hearing notice, and mailing. A reimbursement of fees agreement is for professional services, court reporters, traffic reports, etc.</p> <p>Annexation \$250 Appeal of Director \$500 Comprehensive Plan Map or Text Amendment \$500 Conditional Use Permit \$500 Commercial Variance \$300 Residential Variance \$100 Zoning Map or Text Amendment \$500 PUD \$750-\$2,000, depends on acreage Major Change \$250-\$1,000, depends on acreage Minor Change \$250 Final PUD \$750-\$1,500, depends on acreage Site Plan Review \$250-\$1,000, depends on acreage Public Hearing Sign \$10</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>
Oakbrook Terrace	<p>Applicant responsible for all costs for professional and technical consultants, including court reporter fees over \$250, legal and engineering fees.</p> <p>Annexation w/o agreement \$100 Annexation w/agreement \$1,000 Residential Variance \$800 Commercial Variance \$1,000 Residential Special Use Permit \$500 Commercial Special Use Permit \$2,000 Residential Map Amendment \$500 Commercial Map Amendment \$2,000 Text Amendments \$1,000 PUD \$2,000 plus \$200/acre for residential and \$100/acre for commercial Residential Appeals \$500 Commercial Appeals \$1,000</p>	<p>Staff publishes the legal notice and posts the sign. The petitioner does the mailing.</p>
Darien	<p>Deposit of \$2,000 required (except for single-family) for professional services fees. Public hearing notice will be billed to the petitioner.</p> <p>Rezoning \$385-\$510, depends on acreage Special Use \$510-\$610 Special Use PUD \$600-\$750 Special Use Amendment \$460-\$560 Major PUD Amendment \$485-\$610 Minor PUD Amendment \$385-\$460 Residential Variation \$360 (major) \$75 (minor) Commercial Variation \$485 Text Amendment \$400 Appeals \$250</p>	<p>Staff publishes the legal notice and posts the sign. The petitioner supplies the stamped addressed envelopes and staff does the mailing.</p>
Carol Stream	<p>Annexation \$800 or \$2,000 for new development Concept Plan Review \$640 Easement Encroachment \$300 Executive Development Committee Review \$640 PUD \$1,500 for new, \$500 for a minor change, \$1,000 for a major change Rezoning \$640 Special Use \$800 Temporary building, structure, or use \$120 Text Amendment \$240 for a fence or sign, \$640 for zoning Variation \$640 Zoning Verification Letter \$80</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>
Oak Brook	<p>Applicant shall reimburse the Village for the public notice publication.</p> <p>Zoning Amendment \$750 Special Use Permit \$750 Variation \$750 Appeal \$300 Planned Development \$1,500</p>	<p>Staff does the legal notice in the paper, the mailing, and posts the sign.</p>

Downers Grove	Residential Variance \$422 Commercial Variance \$506 Residential Admin Adjustments \$212 Commercial Admin Adjustments \$294 Residential Exceptions \$422 Commercial Exceptions \$506 Rezoning \$506 Residential Special Use Permit \$506 Commercial Special Use Permit \$985 PUD and PUD Amendments \$1,688 PUD Site Plan \$212 Text Amendment \$506 Annexation \$422 Appeals \$506 Zoning Verification Letter \$55	Staff does the legal notice in the paper and posts the sign. The petitioner provides the addresses for the mailing, staff completes the mailing.
----------------------	---	--

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21
OF THE LOMBARD VILLAGE CODE IN REGARD TO
THE FEE SCHEDULE RELATIVE TO CERTAIN ZONING AND SUBDIVISION
RELATED PETITIONS AND APPLICATIONS**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That Title 3, Chapter 36, Section 36.21 of the Lombard Village Code shall be amended to read in its entirety as follows:

§ 36.21 FEE SCHEDULE.

(A) Any annexation petition filed shall be accompanied by the following fees:

- | | | |
|------|-----------------------------------|---------|
| (1.) | One Single-family residential lot | no fee* |
| (2.) | All others | \$550 |

*If the petitioner has previously withdrawn a petition for annexation relative to the property in question, or if a petition for annexation relative to the property in question was denied within the last three years, a \$200 fee will be charged with the submittal of an annexation petition for the same property.

(B) An appeal of Administrative action shall be accompanied by the following fees (fees shall be refundable if the appeal is upheld):

- | | | |
|------|-----------------------------|----------|
| (1.) | One Single-Family Residence | \$425.00 |
| (2.) | All Others | \$725.00 |

(C) Any application for a variation to the Zoning Ordinance, the Sign Ordinance or the Subdivision and Development Ordinance shall be accompanied by the following fees:

- | | | |
|------|---|----------|
| (1.) | One Single-Family Residence | |
| (a) | Principal Building (first variation) | \$425.00 |
| (b) | Accessory Structures (first variation) | \$300.00 |
| (c) | Fences (first variation) | \$300.00 |
| (d) | Each additional variation after the first variation | \$125.00 |

- (2.) More Than One Single-Family Residence or Any Non-Residential Use
 - (a) Principal Building (first variation or deviation) \$725.00
 - (b) Accessory Structures (first variation or deviation) \$550.00
 - (c) Signs (first variation or deviation) \$550.00
 - (d) Fences (first variation) \$360.00
 - (e) Each additional variation or deviation after the first variation or deviation \$125.00

(D) Any application for a conditional use shall be accompanied by the following fees:

- (1.) All conditional uses (first conditional use) \$725.00
- (2.) Each additional conditional use after the first conditional use \$125.00

(E) Any application for a Planned Development shall be accompanied by a fee of \$725.00 plus \$50.00 per acre, or portion thereof.

(F) Any site plan approval or amendment to a Planned Development shall be accompanied by a fee as follows:

- (1.) Site Plan Approval \$600.00
- (2.) Planned Development Amendment \$725.00

(G) Any application for a map amendment or a text amendment to the zoning ordinance shall be accompanied by a fee as follows:

- (1.) Map Amendment for One Single-Family Residence \$500.00
(except that there shall be no fee for the annexation and rezoning of one single-family residence)
- (2.) All other map amendments \$725.00 plus \$50.00 per acre or portion thereof
- (3.) Text Amendments \$725.00

(H) Any request for continuance of a public hearing not agreed to by staff, shall be accompanied by, or the petitioner shall supply within two (2) days of making the request, a fee for such continuance as follows:

- | | |
|----------------------------------|----------------------|
| (1.) One Single-Family Residence | \$75.00 per request |
| (2.) All Others | \$300.00 per request |

(I) In addition to all other fees established by this Code, all filings of a preliminary or final Plat of Subdivision, Consolidation or Resubdivision, including provision of public streets or access easements, or applications for rezonings (other than for one single-family residence); variations and conditional uses related to parking, vehicular drive-through services, or other matters impacting vehicular circulation or traffic generation; shall be accompanied by a deposit of \$1,000.00 to be used for traffic impact analysis services. This fee may be waived by the Director of Community Development if it is determined that such a review is unnecessary in order to satisfactorily process a petition. If the Village's costs for such services exceed the deposit, the applicant shall reimburse the additional costs incurred by the Village. If such costs are less than the deposit, the Village shall return the difference to the applicant. The total cost incurred by the applicant for such services shall not exceed \$10,000.00. Until such time that the Village has received final payment of all traffic advisory services fees, no permits for the use or development of land shall be issued.

(J) Fees for filing plats shall be as follows:

(1) Any filing and review of Plats of Subdivision, including Plats of Subdivision, Resubdivision, or Consolidation, shall be subject to the following fees:

- (a.) All Administrative Plats of Subdivision and Plats of Consolidation for one single-family residence - \$125.00 for the first page, plus \$50.00 for each additional page.
- (b.) All other Administrative Plats of Subdivision and Plats of Consolidation - \$150.00 for the first page, \$50.00 for each additional page.
- (c.) All Minor and Major Plats of Subdivision or Resubdivision (Preliminary or Final) - \$300.00 plus \$50.00 per acre or portion thereof.
- (d.) All Final Plats (with preliminary plat approval) - \$300.00.

(K) A fee of \$125.00 will be charged for each public notice sign which must be posted prior to a public hearing.

(L) All fees shall be cumulative and no consideration, review or hearing shall be given or scheduled until all applicable fees are paid. All fees payable pursuant to this

Section shall be paid at the time of filing and shall be in cash or check payable to the Village.

(M) The Director of Community Development of the Village shall have the sole authority to determine whether any fee has been collected in error and if such a determination is made, the fee shall be returned to the applicant.

(N) Publication, Notice, Court Reporter and Cost Recovery Fees

1. Any filing which requires notification to be published within a newspaper of general circulation in the Village and sent via standard mail to adjacent property owners, shall also be subject to a \$250.00 fee for each required public hearing notification.
2. Any public hearing filing to be heard by the Lombard Plan Commission, shall also be subject to a \$50.00 court reporter fee.
3. Any public hearing filing to be heard by the Lombard Plan Commission, shall also be subject to a \$85.00 attorney review fee.
4. Any other fees, as defined and made applicable pursuant in Title 1 Chapter 16 of this Code, shall also be paid by the applicant/petitioner.

(O) Reimbursement of Public Hearing Fees

1. When a petition is withdrawn prior to publication of a legal notice, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement.
2. When a petition is withdrawn after the publication of a legal notice, but prior to the public hearing, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement and minus the required public hearing notice and newspaper publication fee.
3. When a petition is withdrawn after a public hearing, no refund shall be given.

SECTION 2: That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this _____ day of _____, 2016.

First reading waived by action of the Board of Trustees this ____ day of _____, 2003.

Passed on second reading this ____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this _____, day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2016.

Sharon Kuderna, Village Clerk