

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: January 28, 2004 (B of T) Date: February 5, 2004

TITLE: Community Development Fee Schedule Modifications *DAH*

SUBMITTED BY: Department of Community Development

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development submits for your consideration an ordinance amending Title 3, Chapter 36, Section 36.21 of the Lombard Village Code relative to fee schedules and an ordinance amending Title 1 of the Lombard Village Code creating a new chapter associated with recovery fees.  
(ALL DISTRICTS)

This matter was referred by the Village Board to the Finance Committee at their January 6, 2004 Village Board Budget Workshop meeting. The matter was presented to the Finance Committee at their January 20, 2004 meeting. The Committee unanimously recommended approval of this new fee schedule. The fee increases are expected to generate an additional \$28,000 next fiscal year.

Please place this item on the February 5, 2004 Board of Trustees agenda.

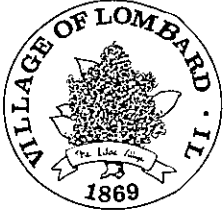
Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X <i>Leonard J. Flood</i>	Date <u>1/28/04</u>
Village Manager X <i>W. Wm T. Lichter</i>	Date <u>1/28/04</u>

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:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development

**DATE:** February 5, 2004

**RE:** Community Development Fee Schedule Modifications

Per the direction of the Village Board at the budget presentation meeting, staff presented the Community Development fee schedule review at the January 20, 2004 Finance Committee meeting. The Committee reviewed the proposed fee modifications as recommended by Village staff and recommends approval to the Village Board.

### **BACKGROUND**

Staff completed a review of the public hearing fee schedule in 2003. 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. Staff notes additional review costs, increases in out-of-pocket expenses, mandated costs and consultant activities fees as costs that are borne by the Village but are not always covered through the public hearing fee process. Staff recommends various changes to tie the associated development review costs to the costs and efforts required to process a petition.

The second phase of the analysis looked at the costs associated with processing zoning petitions. Staff utilized three differing methodologies (i.e., staff cost review, inflation analysis, and a review of neighboring communities) to determine the actual costs of processing petitions. Each of these analyses found that the current Village fee schedule did not reflect the actual costs of development review.

As proposed, the typical Zoning Board of Appeals variation petition will increase from \$100 to \$350. Plan Commission public hearing costs will also increase and will be subject to the specific actions requested of the Commissioners. For any request that requires a public hearing notice in a local newspaper, the petitioner will also be charged an additional flat fee of \$200 for the newspaper notification. Lastly, for cases in which a court reporter is needed, staff will include a \$35 fee for their services. These last two costs are direct costs currently borne by the Village each month to process the respective cases.

It is important to recognize that Community Development staff spends a substantial amount of time preparing the public hearing requests and providing proper legal notice, pursuant to State Statutes and local regulations. While some surveyed communities (9 of 12) may include this fee

within their overall fee schedule, others charge an additional fee. Others make the public hearing notification the responsibility of the petitioner. In review of all of the municipalities, the communities that take care of all notification activities tend to charge higher fees.

Lastly, the Private Engineering Services Division is proposing amendments to their respective fee schedules to reflect the costs of project review.

**ACTION REQUESTED**

The Finance Committee has reviewed Community Development's report and recommends approval of Ordinances amending the fee schedule and creating a new Chapter to the Village Code associated with recovery of fees.

M:cd/worduser/budget/04-05/WTL memo fee schedule

**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 intended to mirror recent efforts completed by the Department of Public Works and the Fire Department. This process also serves as a follow-up to the Department's budget presentation in January, 2004 to the Village Board. This review process and report is the culmination of both internal and external analyses completed over the past year. 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. For example, Village attorney costs can be reimbursed for the review of annexation and development agreements. However, if a development petition does not include these costs, then the costs to the Village can be substantial. A recent example of this additional cost to the Village was for a proposed teen entertainment facility. The only cost that could be collected by the Village was the initial \$450 conditional use application fee. However, final costs incurred by the Village far exceeded the amount collected by the petitioner.

Additionally, the Village has incurred substantial costs for staff review and consultant services for projects that are either ultimately denied by the Village or are withdrawn prior to final consideration by the Village Board. For example, significant legal review fees have been incurred for development agreements for projects that are eventually abandoned by the petitioner. While the agreement may call for reimbursement of fees, if the agreement is never executed, the Village is left to pay all costs incurred by the document preparation.

### **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, 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 traditional engineering review. 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 Tables 1 and 2 to identify 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 salaried rather than hourly employees. Moreover, staff time is based on the mid-point hourly rate of each staff member and 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 minor consultations with Village Counsel.

<b>Plat Processing Costs - Administrative &amp; Plats of Easement</b>				
	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Cost</u>
<u>Hard/External Costs</u>				
County Clerk Costs	1	standard fee	\$ 2.00	\$ 2.00
Recording Costs	1	number	\$ 75.00	\$ 75.00
Subtotal				\$ 77.00
<u>Processing Costs</u>				
Planner	2	hours	\$ 22.00	\$ 44.00
Senior Planner	0.5	hours	\$ 33.00	\$ 16.50
Director	0.25	hours	\$ 48.00	\$ 12.00
Finance Review	0.25	hours	\$ 20.00	\$ 5.00
Village Clerk Review	0.25	hours	\$ 20.00	\$ 5.00
Subtotal				\$ 82.50
<b>Total Processing Cost</b>				<b>\$ 159.50</b>

<b>Plat Processing Costs - Major/Minor Plats</b>				
	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Cost</u>
<u>Hard/External Costs</u>				
County Clerk Costs	1	standard fee	\$ 2.00	\$ 2.00
Recording Resolution	1		\$ 25.00	\$ 25.00
Recording Plat	1	number	\$ 75.00	\$ 75.00
Subtotal				\$ 102.00
<u>Processing Costs</u>				
Planner	6	hours	\$ 22.00	\$ 132.00
Senior Planner	2	hours	\$ 33.00	\$ 66.00
Director	0.5	hours	\$ 48.00	\$ 24.00
Adm. Coordinator	2	hours	\$ 20.00	\$ 40.00
Finance Review	0.25	hours	\$ 20.00	\$ 5.00
Village Clerk Review	0.25	hours	\$ 20.00	\$ 5.00
Subtotal				\$ 272.00
<b>Total Processing Cost</b>				<b>\$ 374.00</b>

**Table 2**  
**Estimated Costs to Process Petitions**

<b>Typical Zoning Board of Appeals Petition</b>				
	<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	\$ 25.00	\$ 25.00
<b>Subtotal</b>				<b>\$ 265.00</b>
<u>Processing Costs</u>				
Planner	8	hours	\$ 22.00	\$ 176.00
Senior Planner	2	hours	\$ 33.00	\$ 66.00
Director	0.5	hours	\$ 48.00	\$ 24.00
Adm. Coordinator	2	hours	\$ 20.00	\$ 40.00
<b>Subtotal</b>				<b>\$ 306.00</b>
<b>Total Processing Cost</b>				<b>\$ 571.00</b>

<b>Typical Plan Commission Petition</b>				
	<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	\$ 100.00	\$ 33.00
Ordinance Recording	1	number	\$ 25.00	\$ 25.00
<b>Subtotal</b>				<b>\$ 298.00</b>
<u>Processing Costs</u>				
Planner	10	hours	\$ 22.00	\$ 220.00
Senior Planner	2.5	hours	\$ 33.00	\$ 82.50
Director	0.5	hours	\$ 48.00	\$ 24.00
Adm. Coordinator	2	hours	\$ 20.00	\$ 40.00
<b>Subtotal</b>				<b>\$ 366.50</b>
<b>Total Processing Cost</b>				<b>\$ 664.50</b>

**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



2. Inflation Analysis

In review of the fee schedules, staff notes that a comprehensive review of the fee schedules has not been undertaken since 1991. Assuming that the 1991 fee schedule was appropriate at the time of approval, staff analyzed what the 1991 fees would be in 2003 dollars. Staff used a three percent (3%) annual compounding rate to the 1991 fees to derive Table 3.

**Table 3  
 Public Hearing Fee Inflation Analysis**

	<i>1991 Rate</i>	<u>1991 Rate Adjusted for Inflation (3% compounded annually)</u>
SITE PLAN APPROVAL OR AMENDMENT TO PLANNED DEVELOPMENT	\$450.00	\$642.00
ANNEXATION INTO THE VILLAGE -One Single-Family Residence <i>NO CHARGE</i>	\$450.00	\$642.00
APPEALS OF ADMINISTRATIVE ACTIONS	\$450.00	\$642.00
CONDITIONAL USE	\$450.00	\$642.00
PLANNED DEVELOPMENT	\$450 + 50.00/acre	\$642 + 71/acre
PLAT OF SUBDIVISION	\$300.00 + 50.00/acre	\$428.00 + 71/acre
ADMINISTRATIVE PLATS	\$75.00	\$107.00
<b>REZONING</b>	\$450.00 + 50.00/acre	\$642.00 + 71/acre
-One Single-Family Residence	\$100.00	\$143.00
VARIATION(S)	\$450.00	\$642.00
-One Single-Family Residence	\$100.00	\$143.00
<b>PUBLIC NOTICE SIGN DEPOSIT</b>	\$100.00	\$143.00

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 all communities abutting Lombard and all communities abutting those communities. Appendix A shows the results of these findings. As the table shows, Lombard is among the lowest in fee rates.

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 – those activities are left to the petitioner. Other communities do 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 the Lombard's. Given that Lombard completes all work associated with the public hearing, the existing fee disparity between Lombard and other communities is even greater.

#### 4. Staff Observations

Staff's experience in the review of typical petitions and development applications was also considered in the modification of the fee schedules. As the Community Development Department staff has been rather stable over the past few years, the amount of time and effort it takes to complete a task is reduced as compared to a newer untrained staff.

#### Code Amendments

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

1. All petitions that require publication in a local newspaper will be required to pay a \$200 publication fee on top of any other application fees. The \$200 fee is based upon a review of the average public hearing notification fee paid by the Village of Lombard during the past year. As this cost will be incurred regardless of the outcome of the petition, staff recommends that this fee be paid up-front.
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 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 would also be collected as part of the application fee.
3. Currently, 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 proposed variation fees establish variable rates depending on the type of variation. For example, a shed variation request is anticipated to involve less work than a variation for a new principal structure. Therefore, staff can support a lower fee for accessory structures.
4. Modifications to the fee schedules are also being made to reflect current engineering costs and also include fee schedules that have been a part of past policies. Supporting information is shown in Table 4 below.

**Table 4**  
**Engineering Costs for Single Family Residence Permit Review and Inspection Services**

<u>Single Family Residences - Infill &amp; Teardown</u>	<u>Hours</u>	<u>Cost/hr</u>	<u>Total Cost</u>	<u>Exis. Fee</u>
Permit Review	3.25	\$40	\$130	
Curb, Gutter, and Driveway Apron Installation	1	\$40	\$40	
Street Patch	0.5	\$40	\$20	
Erosion Control	0.5	\$40	\$20	
Sidewalk Installation	0.5	\$40	\$20	
Water Service Connection	1	\$40	\$40	
Sanitary Sewer Service Connection	1	\$40	\$40	
Finals for Certificate of Occupancy	1	\$40	\$40	
<b>TOTAL:</b>			<b>\$350</b>	\$150

<u>Single Family Residences - New Subdivision</u>	<u>Hours</u>	<u>Cost/hr</u>	<u>Total Cost</u>	<u>Exis. Fee</u>
Permit Review	1	\$40	\$40	
Curb, Gutter, and Driveway Apron Installation	0	\$40	\$0	
Street Patch	0	\$40	\$0	
Erosion Control	0.5	\$40	\$20	
Sidewalk Installation	0.5	\$40	\$20	
Water Service Connection	0	\$40	\$0	
Sanitary Sewer Service Connection	0	\$40	\$0	
Finals for Certificate of Occupancy	1	\$40	\$40	
<b>TOTAL:</b>			<b>\$120</b>	\$100

Staff Hourly Cost (including overhead) = \$40/hr

*Permits for 34 infill/teardown SFR's and 9 new subdivision SFR's were issued in 2002.*

*Increased fees would have added \$7,880 income based on number of permits issued in 2002.*

**Double Concentric Ring Survey of Neighboring Communities:**

<u>Community</u>	<u>SFR Fees</u>
Glen Ellyn	\$350
Downers Grove	\$250
Oak Brook	\$35/hr + Inspections
Villa Park	\$505
Addison	\$480
Oak Brook Terrace	Time & Materials
Glendale Heights	n/a
Wheaton	n/a
Lisle	n/a
Westmont	n/a
Elmhurst	n/a
Wood Dale	n/a
Itasca	n/a
Hinsdale	\$440
Carol Stream	n/a

**Other Communities:**

Woodridge	\$250
Naperville	\$269

**Appendix A: Comparative Analysis of Public Hearing Fee Schedules**

	Lombard	Addison	Carol Stream	Downers Grove	DuPage County	Elmhurst	Glendale Heights	Glen Ellyn	Laraca	Oak Brook	Oak Brook Terrace	Villa Park	Wheaton
Variation	\$100 Single Family; \$450 other	N/A	\$400- zoning change, sign code, subdivision code, other	\$300-R \$400-C	Residential- \$300-\$450 for Administrative, depending on % of deviation Residential- \$600- \$1,800 for Principal Building, depending on % Residential- \$300-\$900 for Accessory Building & Structure, depending on % Residential- \$100-1000 for General uses, depending on type Non-Residential- \$50-\$800 for Administrative depending on % Non-Residential- \$900-\$2,400 for all Buildings & Structure, depending on %	\$500	\$250-\$500 Deposit	\$450	\$50-SFR \$150-NSFR \$250 Non R	\$750 Zoning, Flood Plain, Subdivision	\$500-R \$1000-C	\$150 1st Var + \$100 SFR \$300 1st Var + \$200 NSFR each additional for C \$200 1st Var + \$200 each additional for C \$300 1st Var + \$200 each additional for I	\$25- Administrative \$200-C \$100-R
Conditional/ Special Use	N/A-SF	N/A	\$200-R	\$400-R	N/A	\$750	\$250-\$500 Deposit	\$550	\$200-R	\$675	\$500-R	\$150-SFR	\$250
Annexation - Residential	\$450-NSF No fee for one single family residence; \$450 for others	N/A	\$400-Other \$400 for Agreements and Amendments	N/A	N/A	N/A	\$125/dwelling unit-R \$500/acre or fraction of acre \$250-\$500 Deposit	\$250-SF \$1,000/ acre approved	\$300-Non R approved \$50-RF + \$100/acre if approved \$150-\$250-NSFR + \$25/acre; \$350/acre if approved	N/A	N/A	\$300 \$300 all other	\$350
Annexation - Commercial	\$450-NSF	N/A	\$400	\$400	See Map Amendment	\$6,500	\$50 for 5 acres or less \$75 for 5-10 acres \$125 for 10-20 acres \$175 for 20 acres and over	N/A	\$250- 28 acres or less \$400- 28-50 acres \$600- 51 acres and over	N/A	\$2000 + \$1000/acre or portion over 2 acres	\$150-SFR \$300-NSFR	\$300
Regulation	\$450 + \$50/acre-NSF	N/A	\$400	\$1,150		\$2,500	\$250 for up to 5 lots \$350 for 6-20 lots \$450 for 21-50 lots \$500 for over 50 lots + \$50 for each lot over 50	\$2,500	\$250- 28 acres or less \$400- 28-50 acres \$600- 51 acres and over	N/A	\$2000 + \$1000/acre or portion over 2 acres	\$300-C	\$250
Planned Development	N/A-SF \$450 + \$50/acre-NSF	N/A	\$500	\$400	Residential- \$1000-\$2,200, depending on size Non-Residential- \$2,200-\$15,000 depending on size	\$6,500	\$250-4,500 Deposit	\$450	\$50- SFR \$150- NSFR; \$250 non-residential	\$750 each	Map= \$500-R Map= \$2000-C + \$100/acre or portion over 1 acre; text \$1000	\$300-1	N/A
Text/Map Amendment	N/A-SF \$150 + \$50/acre-NSF	N/A	\$400	N/A		\$6,500	\$250-4,500 Deposit	\$450	\$50- SFR \$150- NSFR; \$250 non-residential	\$750 each	Map= \$500-R Map= \$2000-C + \$100/acre or portion over 1 acre; text \$1000	\$300-1	N/A
Subdivision	\$300 + \$50/acre for Minor Subdivision	N/A	N/A	Preliminary Plat = \$750 Final Plat = \$200	Preliminary Plat = \$300 + \$30 for each additional lot Final Plat = \$300 + \$30 for each additional lot Subdivision Variation = \$500 for 1st Var.; \$100 for each additional Var.	\$1,500	Same as PUD	Major = \$3,500 Minor = \$1,400	\$500- 5 acres or less \$100/acre if over 5 acres	Preliminary Plat = \$50/lot Final Plat = \$750	\$500 + \$50/acre or portion over 1 acre	\$150-NSFR \$200 \$150-NSFR \$200-NSFR \$300-NSFR	Preliminary Plat= \$200 Final Plat= \$200 Combinations= \$200
Administrative Plat	\$75/ plat page - SF; \$100 for 1st plat page + \$50 for each additional page-NSF	N/A	N/A	Final Plat = \$200	Subdivision Variation = \$500 for 1st Var.; \$100 for each additional Var.	\$1,500	Same as PUD	Major = \$3,500 Minor = \$1,400	\$500- 5 acres or less \$100/acre if over 5 acres	Preliminary Plat = \$50/lot Final Plat = \$750	\$500 + \$50/acre or portion over 1 acre	\$150-NSFR \$200 \$150-NSFR \$200-NSFR	Preliminary Plat= \$200 Final Plat= \$200 Combinations= \$200
Minor Plat/ Appeals	N/A	N/A	N/A	Final Plat = \$200	Subdivision Variation = \$500 for 1st Var.; \$100 for each additional Var.	\$1,500	Same as PUD	Major = \$3,500 Minor = \$1,400	\$500- 5 acres or less \$100/acre if over 5 acres	Preliminary Plat = \$50/lot Final Plat = \$750	\$500 + \$50/acre or portion over 1 acre	\$150-NSFR \$200 \$150-NSFR \$200-NSFR	Preliminary Plat= \$200 Final Plat= \$200 Combinations= \$200
Additional/Other	N/A	N/A	N/A	Final Plat = \$200	Subdivision Variation = \$500 for 1st Var.; \$100 for each additional Var.	\$1,500	Same as PUD	Major = \$3,500 Minor = \$1,400	\$500- 5 acres or less \$100/acre if over 5 acres	Preliminary Plat = \$50/lot Final Plat = \$750	\$500 + \$50/acre or portion over 1 acre	\$150-NSFR \$200 \$150-NSFR \$200-NSFR	Preliminary Plat= \$200 Final Plat= \$200 Combinations= \$200
Last Revised Public Hearing Notice Responsibility	1991	2003	2002	1999	1995	2002	1995	1996	1998	2002	2002	2002	1987
Community Included	Community Included	Community Included	Community Included	Community Included	County Additional fee	Community Included	Community Included	Community Included	Community Additional Fee	Community Additional Fee	Community Included	Community Included	Community Included

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 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 | <del>\$100.00</del> <u>\$350.00</u> |
| (2) | All Others                  | <del>\$450.00</del> <u>\$600.00</u> |

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

- |     |                                               |                                     |
|-----|-----------------------------------------------|-------------------------------------|
|     | <u>1. One Single-Family Residence</u>         |                                     |
| (a) | <u>Principal Building (first variation)</u>   | <del>\$100.00</del> <u>\$350.00</u> |
| (b) | <u>Accessory Structures (first variation)</u> | <del>\$100.00</del> <u>\$250.00</u> |

- |     |                                                            |                                     |
|-----|------------------------------------------------------------|-------------------------------------|
| (c) | <u>Fences (first variation)</u>                            | <del>\$100.00</del> <u>\$250.00</u> |
| (d) | <u>Each additional variation after the first variation</u> | <u>\$100.00</u>                     |

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

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

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

- |     |                                                                        |                 |
|-----|------------------------------------------------------------------------|-----------------|
| (1) | <u>One Single-Family Residence</u>                                     | <u>No-Fee</u>   |
| (2) | <u>All Others</u>                                                      | <u>\$450.00</u> |
| (1) | <u>All conditional uses (first conditional use)</u>                    | <u>\$600.00</u> |
| (2) | <u>Each additional conditional use after the first conditional use</u> | <u>\$100.00</u> |

(E) Any application for a Planned Development shall be accompanied by a fee of ~~\$450.00~~ \$600.00 plus \$50.00 per acre, or portion thereof. (~~0 to 1.0 acre equals one acre, 1.1 to 2.0 acres equals two acres, etc.~~)

~~(F) Any application for an occupancy/zoning permit shall be accompanied by a fee of \$40.00-60.00.~~

~~(F) Any site plan approval or amendment to a Planned Development shall be accompanied by a fee as follows: accompanied by a \$450.00 fee.~~

- |     |                                                  |                 |
|-----|--------------------------------------------------|-----------------|
| (1) | <u>Site Plan Approval (principal structures)</u> | <u>\$500.00</u> |
| (2) | <u>Planned Development Amendment</u>             | <u>\$600.00</u> |

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

- |                                                                                                    |                                                                                    |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| (1) <u>Map Amendment for One Single-Family Residence</u>                                           | <del>\$100.00</del> <u>\$400.00</u>                                                |
| (except that there shall be no fee for the annexation and rezoning of one single-family residence) |                                                                                    |
| (2) All others <u>map amendments</u>                                                               | <del>\$450.00</del> <u>\$600.00</u> plus<br>\$50.00 per acre or portion<br>thereof |
| (3) <u>Text Amendments</u>                                                                         | <u>\$600.00</u>                                                                    |

~~(0 to 1.0 acre equals one acre, 1.01 to 2.0 acres equals two acres, etc.)~~

(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 ~~that~~ 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 Ordinance, 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. 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 application 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 ineur fees as follows:

a. All Administrative Plats of Subdivision and Plats of Consolidation for one single-family residence ~~sets - \$75.00 per plat page~~ \$125.00 for the first page, plus \$50.00 for each additional page.

b. All other Administrative Plats of Subdivision and Plats of Consolidation - ~~\$100.00 for the first plat page, plus \$50.00 per additional plat page.~~ \$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. ~~(0 to 1.0 acre equals one acre; 1.01 to 2.0 acres, etc.,)~~

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

(2) Engineering plan review and inspection of public improvements shall be subject to the following fees ineur fees as follows:

a. First engineering review and comments on engineering plan -- one percent (1%) of engineer's estimated cost of ~~the entire project~~ all public improvements as defined in Title 15, Chapter 15, Section 154.703 of this Code plus \$500.00.

b. Subsequent engineering plan reviews and comments necessary for same project -- at cost of time and materials as billed by staff or consultant.

c. Inspection of project improvements -- three percent (3%) of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, Section 154.703 of this Code ~~of the project.~~ Inspections conducted after 5:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one (1) hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to the normal three percent (3%) fee referenced in the first sentence of this subsection.

d. The engineering review and inspection fee for a new single family residence shall be \$120.00 per lot for each vacant lot that is part of a major plat of subdivision and \$350 per lot for an infill or teardown lot.

e. No construction permits shall be issued by the Village until all engineering plan review fees have been paid.



f. No occupancy certificates shall be issued by the Village until all outstanding engineering fees have been paid.

(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, 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 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 court reporter fee.
3. 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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_, day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk

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 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 | <del>\$100.00</del> <u>\$350.00</u> |
| (2) | All Others                  | <del>\$450.00</del> <u>\$600.00</u> |

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

- |     |                                               |                                     |
|-----|-----------------------------------------------|-------------------------------------|
|     | <u>1. One Single-Family Residence</u>         |                                     |
| (a) | <u>Principal Building (first variation)</u>   | <del>\$100.00</del> <u>\$350.00</u> |
| (b) | <u>Accessory Structures (first variation)</u> | <del>\$100.00</del> <u>\$250.00</u> |

- |     |                                                            |                                     |
|-----|------------------------------------------------------------|-------------------------------------|
| (c) | <u>Fences (first variation)</u>                            | <del>\$100.00</del> <u>\$250.00</u> |
| (d) | <u>Each additional variation after the first variation</u> | <u>\$100.00</u>                     |

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

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

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

- |     |                                    |                 |
|-----|------------------------------------|-----------------|
| (1) | <u>One Single-Family Residence</u> | <u>No Fee</u>   |
| (2) | <u>All Others</u>                  | <u>\$450.00</u> |
- 
- |     |                                                                        |                 |
|-----|------------------------------------------------------------------------|-----------------|
| (1) | <u>All conditional uses (first conditional use)</u>                    | <u>\$600.00</u> |
| (2) | <u>Each additional conditional use after the first conditional use</u> | <u>\$100.00</u> |

(E) Any application for a Planned Development shall be accompanied by a fee of ~~\$450.00~~ \$600.00 plus \$50.00 per acre, or portion thereof. (~~0 to 1.0 acre equals one acre; 1.1 to 2.0 acres equals two acres, etc.~~)

~~(F) Any application for an occupancy/zoning permit shall be accompanied by a fee of \$40.00 60.00.~~

(F) Any site plan approval or amendment to a Planned Development shall be accompanied by a fee as follows: ~~accompanied by a \$450.00 fee.~~

- |     |                                                  |                 |
|-----|--------------------------------------------------|-----------------|
| (1) | <u>Site Plan Approval (principal structures)</u> | <u>\$500.00</u> |
| (2) | <u>Planned Development Amendment</u>             | <u>\$600.00</u> |

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

- |     |                                                                                                    |                                                                                 |
|-----|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| (1) | <u>Map Amendment for One Single-Family Residence</u>                                               | <del>\$100.00</del> <u>\$400.00</u>                                             |
|     | (except that there shall be no fee for the annexation and rezoning of one single-family residence) |                                                                                 |
| (2) | All others- <u>map amendments</u>                                                                  | <del>\$450.00</del> <u>\$600.00</u> plus<br>\$50.00 per acre or portion thereof |
| (3) | <u>Text Amendments</u>                                                                             | <u>\$600.00</u>                                                                 |

~~(0 to 1.0 acre equals one acre, 1.01 to 2.0 acres equals two acres, etc.)~~

(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 that 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 Ordinance, 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. 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 application 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 ineur fees as follows:

a. All Administrative Plats of Subdivision and Plats of Consolidation for one single-family residencets - ~~\$75.00 per plat page~~ \$125.00 for the first page, plus \$50.00 for each additional page.

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c. All Minor and Major Plats of Subdivision or Resubdivision (Preliminary or Final) - \$300.00 plus \$50.00 per acre or portion thereof. ~~(0 to 1.0 acre equals one acre, 1.01 to 2.0 acres, etc.,)~~

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

(2) Engineering plan review and inspection of public improvements shall be subject to the following fees ineur fees as follows:

a. First engineering review and comments on engineering plan – one percent (1%) of engineer’s estimated cost of ~~the entire project~~ all public improvements as defined in Title 15, Chapter 15, Section 154.703 of this Code plus \$500.00.

b. Subsequent engineering plan reviews and comments necessary for same project – at cost of time and materials as billed by staff or consultant.

c. Inspection of project improvements – three percent (3%) of engineer’s estimated cost all public improvements as defined in Title 15, Chapter 15, Section 154.703 of this Code ~~of the project~~. Inspections conducted after 5:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one (1) hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to the normal three percent (3%) fee referenced in the first sentence of this subsection.

d. The engineering review and inspection fee for a new single family residence shall be \$120.00 per lot for each vacant lot that is part of a major plat of subdivision and \$350 per lot for an infill or teardown lot.

e. No construction permits shall be issued by the Village until all engineering plan review fees have been paid.

f. No occupancy certificates shall be issued by the Village until all outstanding engineering fees have been paid.

(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, 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 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 court reporter fee.
3. 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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_, day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 1 OF THE LOMBARD  
VILLAGE CODE IN REGARD TO COST RECOVERY**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 1 of the Lombard Village Code is amended by adding a new Chapter 16 thereto which shall read in its entirety as follows:

**“CHAPTER 16: COST RECOVERY**

Section:

- 16.01 Costs to Be Recovered
- 16.02 Costs Defined
- 16.03 Payment
- 16.04 Failure to Pay

**§16.01 COSTS TO BE RECOVERED**

The costs as described in Section 16.02 below shall be recoverable and paid by the applicant/petitioner whenever such costs are actually incurred by the Village in reviewing for approval a petition or an application for annexation, subdivision, zoning amendment, variation or conditional/special use, building permit, liquor license or other license or permit required by law and issuable by the Village.

**§16.02 COSTS DEFINED**

Costs shall be those for which the Village receives an invoice, statement or receipt from a third party and shall include, but not be limited to: legally required public notice expenses, court reporter and transcript fees, legal document recordation expenses, professional consultation fees such as, but not limited to, Village engineering or attorney services, filing fees, and document preparation or reproduction expenses

**§16.03 PAYMENT**

Payment shall be due upon the issuance of the applicable permit or license, upon approval of the requested relief or within thirty (30) days of issuance of a statement of expense by the Village when no permit or license is issued or the relief sought is not granted.

**§16.04 FAILURE TO PAY**

Failure of the applicant/petitioner to pay, as specified in Section 16.03 above, shall entitle the Village to withhold indefinitely the granting of the relief sought and/or the issuance of the permit or license, to withhold indefinitely the issuance of the next subsequent permit or license sought by the applicant/petitioner or to withhold indefinitely the next subsequent relief sought by the applicant/petitioner in relation to the property that was the subject of the application/petition.”

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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_, day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk