

DR 79-19(A) - City Zone Amendments  
to Sections 28.04.195 & 28.04.210

# ACTION

DATE

COMMITTEE

M.A.P.C.	2-28-80
M.A.P.C.	8-13-80
B.C.C./B.C.C.	11-15-80

Referred 2 weeks  
Approved  
Approved

(1911 Published in The Daily Record, April 25, 1980)  
**ORDINANCE NO. 38-585**

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 28.04.195 OF THE CODE OF THE CITY OF WICHITA PERTAINING TO THE CHANGING OF APPLICATION FEES FOR PROPERTIES FOR HISTORIC LANDMARK DESIGNATIONS AS PROPERTIES IN THE CITY OF WICHITA; AMENDING THE PROVISIONS OF SECTION 28.04.218(3) OF THE CODE OF THE CITY OF WICHITA PERTAINING TO THE CHANGING OF APPLICATION FEES FOR REQUESTS FOR CHANGE IN ZONING; AND REPEALING THE ORIGINAL OF SAID SECTIONS 28.04.195 AND 28.04.218(3) OF THE CODE OF THE CITY OF WICHITA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.04.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.04.195 Historic Landmark Designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the City of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the City of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1615 through 2.12.1625 inclusive of the Code of the City of Wichita and upon the recommendation of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the City of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and from and after December 31, 1980, shall accompany the application with a fee of \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.612 of the zoning ordinance. An application for the designation of a Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The fee shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1619 and 2.12.1620(2) of this Code under which the described property is proposed to be designated as a historic landmark.

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a motion for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall be published once in the official city newspaper at least twenty days prior to the hearing set.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property, involved, the Metropolitan Area Planning Department, on the basis of the public hearing record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning class-

ification or districts of this chapter as previously established of the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in section 28.04.219.

In the event a permit is issued as provided for in Section 2.12.1624 of this Code, for the demolition or removal of a designated historic landmark structure not located within a landmark district, the superintendent of control inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district."

Section 28.04.218(3) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body without fee, the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Zoning Classification Requested	Size of Application Area			
	Up to 1/2 acre including	Over 1/2 acre to 1 acre	Over 1 acre to 15 acres	Over 15 acres
"A" & "A"	\$200	\$300	\$400	\$500
"B", "B-1", "B-2" & "B-3"	\$300	\$400	\$500	\$600
"C"	N/A	\$400	\$500	\$600
"D" & "D-1"	\$350	\$450	\$550	\$650
"E", "E-1", "E-2", "E-3"	\$400	\$500	\$600	\$700

Residential C.U.P. Original-\$500 plus \$5 per acre for each acre over 40 acres

**Amendments**

Major - (design or use change that would affect 50% or more of the area contained within the C.U.P. \$500

Minor - (design or use change that would affect less than 50% of the area contained within the C.U.P. \$200

1980  
 ADOPTED at WICHITA, Kansas, this 22nd day of April,  
 ROBERT G. KNIGHT, Mayor  
 DONALD C. GIBICKI, City Clerk  
 ATTEN: BEAM

The original document 28,011,28 and 28,011,28113 of the Code of  
 the City of Wichita, Kansas, as hereby repealed.  
 This ordinance shall be printed in the Code of the City of  
 Wichita, Kansas and be effective upon its passage and publication  
 here in the official city paper.

That the original document 28,011,28 and 28,011,28113 of the Code of  
 the City of Wichita, Kansas, as hereby repealed.  
 This ordinance shall be printed in the Code of the City of  
 Wichita, Kansas and be effective upon its passage and publication  
 here in the official city paper.

That the original document 28,011,28 and 28,011,28113 of the Code of  
 the City of Wichita, Kansas, as hereby repealed.  
 This ordinance shall be printed in the Code of the City of  
 Wichita, Kansas and be effective upon its passage and publication  
 here in the official city paper.

Commercial C.O.P. - when filed with  
 recording application 55 per acre  
 for each acre  
 over 15 acres

Original - when filed  
 55 per acre  
 approximately  
 for each acre  
 over 15 acres

Minor - (change of use change  
 that would affect less  
 than 50% of the area  
 contained within the  
 C.O.P.)

Major - (change of use change  
 that would affect 50%  
 or more of the area  
 contained within the  
 C.O.P.)

Amendments

Commercial C.U.P. Original - when filed with zoning application \$200 plus \$5 per acre for each acre over 15 acres

Original - when filed separately \$500 plus \$5 per acre for each acre over 15 acres

Amendments

Major - design or use change \$500 that would affect 50% or more of the area contained within the C.U.P.

Minor - design or use change \$200 that would affect less than 50% of the area contained within the C.U.P.

A fee of \$150 shall be charged for those requests for special permits or uses, where authorized by the zoning Ordinance, that are referred by the Board of City Commissioners to the Metropolitan Area Planning Commission for public hearing and recommendation. Said fee shall be paid by the applicant prior to the scheduling of a hearing before the Metropolitan Area Planning Commission.

Any person requesting deferral of a case shall be charged a fee of \$50 to cover administrative cost at such time that the deferral is granted.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law. For the period commencing with the enactment of this section to December 31, 1960, no fee shall be required for a case initiated by a department of the City for a historic designation.

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the resubmission is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail, setting out those changes which he deems significant and upon which he relies for refiling the original application.

The original Sections 23.04.119 and 23.04.218(3) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas and be effective upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this 22nd day of April,

1959  
ROBERT G. KNIGHT, Mayor  
ATTEST: (SEAL)  
DONALD C. GISICK, City Clerk

Published in the Daily Record, April 25, 1980

Ordinance No. 36-595

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 28.04.195 OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR HISTORIC LANDMARK DESIGNATIONS ON PROPERTIES IN THE CITY OF WICHITA; AMENDING THE PROVISIONS OF SECTION 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR CHANGES IN ZONING; AND REPEALING THE ORIGINAL OF SAID SECTIONS 28.04.195 AND 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.04.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

\*28.04.195 Historic landmark designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the City of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the City of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1015 through 2.12.1025 inclusive of the Code of the City of Wichita and upon the recommendation of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the City of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and from and after December 31, 1980, shall accompany the application with a fee of \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.020 of the zoning ordinance. An application for the designation of a

Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The fees shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1019 and 2.12.1020(2) of this Code under which the described property is proposed to be designated as a historic landmark.

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a notice for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall be published once in the official city newspaper at least twenty days prior to the hearing date.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property, involved, the Metropolitan Area Planning Department, on the basis of the public meeting record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning classification or districts of this chapter as previously established on the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in Section 28.04.210.

In the event a permit is issued as provided for in Section 2.12.1024 of this Code, for the demolition or removal of a designated historic landmark structure not located within a landmark district, the superintendent of central inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City; provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district."

Section 28.04.210(3) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body without fee, the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Zoning Classification <u>Requested</u>	Size of Application Area			
	Up to & including <u>3 acres</u>	Over 3 acres to <u>6 acres</u>	Over 6 acres to <u>15 acres</u>	Over 15 <u>acres</u>
"AA" & "A"	\$200	\$300	\$400	\$500
"RB", "R-5", "R-6" & "U"	\$300	\$400	\$500	\$600
"G"	N/A	\$400	\$500	\$600
"B" & "BB"	\$350	\$450	\$550	\$650

"LC", "C", "D",

"E" & "F"

\$400

\$500

\$600

\$700

Residential C.U.P.

Original-\$500 plus \$5 per acre for  
each acre over 40 acres

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

Commercial C.U.P.

Original - when filed with \$200 plus  
rezoning application \$5 per acre  
for each acre  
over 15 acres

Original - when filed \$500 plus  
separately \$5 per acre  
for each acre  
over 15 acres

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change     \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

A fee of \$150 shall be charged for those requests for special permits or uses, where authorized by the Zoning Ordinance, that are referred by the Board of City Commissioners to the Metropolitan Area Planning Commission for public hearing and recommendation. Said fee shall be paid by the applicant prior to the scheduling of a hearing before the Metropolitan Area Planning Commission.

Any person requesting deferral of a case shall be charged a fee of \$50 to cover administrative cost at such time that the deferral is granted.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law. For the period commencing with the enactment of this section to December 31, 1980, no fee shall be required for a case initiated by a department of the City for a historic designation.

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the reapplication is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail,

setting out those changes which he deems significant and upon which he relies for refiling the original application."

The original Sections 28.04.195 and 28.04.210(3) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas and be effective upon its passage and publication once in the official City paper.

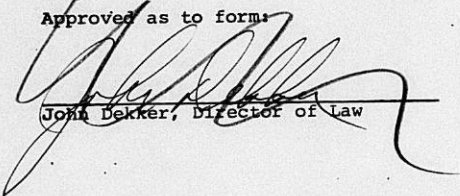
ADOPTED at Wichita, Kansas, this 22<sup>nd</sup> day of April 1980.

(s) Robert G. Knight  
Mayor

ATTEST:

Donald Gisick, City Clerk

Approved as to form:

  
John Bekker, Director of Law

WICHITA-SEDGWICK COUNTY

DATE

April 17, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Eugene Denton, City Manager  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** Amendment to Zoning Ordinance - Proposed Fee Increases

Attached is a delineated copy of the amendment to Sections 28.04.195 and 28.04.210 with the changes requested by the City Commission on April 15, 1980. The changes are marked with an asterisk in the left hand margin and are located on pages 1, 3 and 7.

The second reading of this ordinance is April 22, 1980.



Robert A. Lakin  
Director of Planning

RAL:ADC:sad

Attachment

WICHITA-SEDGWICK COUNTY

DATE

April 17, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Donald Gisick, City Clerk  
**FROM** Art Chambers, Junior Planner  
**SUBJECT** Amendment to Section 28.04.195 and Section 28.04.210 of the Zoning Ordinance - Fee Increases

Copies of the amendment to the above sections are attached. Changes made by the City Commission on April 15, 1980 have been incorporated into the ordinance. The second reading is scheduled for April 22, 1980.

The changes include the following:

- Page 1 - fourth line from the bottom - added "from and after December 31, 1980".
- Page 3 - second line of paragraph 3.1 - added "without fee".
- Page 5 - third paragraph - added last sentence.

If you have any questions, please call.

*Arthur D. Chambers, AICP*  
Arthur D. Chambers, AICP  
Junior Planner

ADC:sad

Attachments

# THE CITY OF WICHITA



HISTORIC WICHITA BOARD  
204 SOUTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 265-3205

Board of City Commissioners  
City of Wichita  
455 North Main  
Wichita, Kansas 67202

Office of the City Manager	
<input type="checkbox"/> INFO	<input type="checkbox"/> HR
<input checked="" type="checkbox"/> LEG	<input type="checkbox"/> SH
<input type="checkbox"/> RE	<input type="checkbox"/>
APR 9 1980	
<input checked="" type="checkbox"/> Copies To	RAY
<input type="checkbox"/> Send To	1115
<input type="checkbox"/> File	

April 8, 1980

2/13 mailed whole pkg  
2/25 Schedule  
3/13 Heard MAPC.  
Part 3/13

Dear Commissioners:

The Historic Wichita Board at their meeting of March 19, considered the new Planning Department policy whereby a fee of at least \$200 for each Landmark case will be charged. The Board is concerned with this policy and would like to present the following information:

The Board agrees that the Planning Department has an expense for processing these cases, and at this time is absorbing it in their budget, which should reflect as a cost to the Landmark program.

The Board and/or Committee has no budget for these fees at this time. It would as of January 1, provided a line item is approved for this purpose during the 1981 budget hearings.

The Board would like to suggest that arrangements be made for the balance of 1980 for either additional budget funds to the Board for the purpose of these fees to be paid to Planning, or for Planning to continue to use the present system until January 1.

During the budget hearings, we would further request that the Commission favorably consider a line item for these fees, or set a maximum of cases to be heard with no fee by the Planning Department, and over that number, the Board/Committee would have to seek funding.

The Board urges the Commission to consider this in the budget process and not as a fee to the applicant/owner, for the following reasons:

1. The Landmark Committee is charged with preparing a "Preservation Plan" within which is the designation process. It would be an inaccurate reflection should this "plan" and designation contain only those structures whose owners are willing to pay for the designation. This plan would be of little use as a planning tool to other city departments who are initiating projects, as areas could contain eligible "Landmark" properties which are not designated due to fees.

PLANNING FILE #16- PLANNING  
APR 15 1980

Board of City Commissioners  
April 8, 1980  
Page Two

2. Historicity and/or significance to the citizens of Wichita should not be determined on the economic status of owners. The owners should not be penalized for owning a historic property by the City charging a fee, and it would be very unfortunate if the property were lost for these reasons.

3. There are no immediate tangible monetary gains upon this designation for the owner.

4. The "purpose" within the Landmark Ordinance states that this program is in the interest of the culture, prosperity, education and welfare of the people, and we believe it should be administered to that end, without discrimination.

Thank you for your consideration of the above, and we would be glad to furnish additional information on request.

Sincerely,

*Kathy Lambert*

Kathy Lambert, Chairman

cc: C. Bickley Foster, Landmark Committee  
Gene Denton, City Manager

WICHITA-SEDGWICK COUNTY

DATE

April 4, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** E. H. Denton, City Manager  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** DR 79-19(A) Possible Amendment to Zoning Ordinance  
Re: Proposed Fee Increases for zoning, special permits,  
Community Unit Plans and Historic Landmark Designations.

*BCC 4/15  
w/amendment  
50*

Attached hereto is a delineated copy of an amendment to the zoning ordinance. Please place this item on the agenda of April 15, 1980, for consideration by the City Commission.

BACKGROUND

During the review of the 1980 budget, the Metropolitan Area Planning Department (MAPD) was instructed to examine the filing fees charged for applications submitted for Metropolitan Area Planning Commission (MAPC) review. Approximately \$40,000 in additional revenue was to be generated by the increased fees in order to help defray current operating expenses of MAPD. Although it was not intended to raise fees to cover all of the Current Plans Division costs, it was recognized that the cost of processing an application is in excess of revenue received. In addition, due to rising salaries, supply costs and increasing demands on City and County revenues, there was the possibility of reducing MAPD staff. One other justification for increasing fees is that the existing fees reflect 1967 costs and have not been increased in the last thirteen years.

As a basis for determining the amount of increase, MAPD staff prepared a time and cost analysis. Costs were assigned to each procedure involved in processing an "average" case and direct costs such as postage or printing. No costs were assigned to cover purchase of equipment such as typewriters, cameras, etc. Neither is any rent or prorated overhead for office administration assigned.

It was found, in comparing 1967 costs and 1979 costs, that the costs for handling cases have doubled or tripled. Since 1967 processing costs for zone changes have risen from \$112.84 to \$258.58; platting costs have risen from \$70.87 to \$509.10; vacation costs have risen from \$43.96 to \$93.73; conditional use permit costs have risen from \$84.42 to \$235.95; and Board of Zoning Appeals costs have risen from \$78.02 to \$204.87.

MAPC has reviewed the time and cost analyses and has held three informal work sessions to discuss the proposed fees. MAPD staff have also met with some groups and organizations, as well as individuals to discuss the proposed fees. Prior to the Planning Commission meeting on March 13, 1980, copies of the proposed

amendments were furnished to the Wichita Area Builder's Association, the Wichita Board of Realtors, the Wichita Chamber of Commerce, the Historic Preservation Office, and several City and County departments. Copies of excerpts of the minutes of that meeting are also attached.

During the informal work sessions MAPC members indicated that the fees for rezoning requests should be restructured so that higher fees would be charged for larger application areas. It was felt that larger application areas result in additional staff time to review the application, prepare correspondence, and higher postage costs. Therefore, the proposed fees vary as to the type of application and as to the size of the application area.

MAPC members felt that MAPD should not bear the entire cost of processing requests from governmental agencies such as the Public Works Department, Urban Renewal Agency, Historic Landmark Committee, etc. There was a general consensus that although it would involve only a shifting of funds, other governmental agencies should not utilize MAPD's budget for their activities and that MAPD should receive compensation for processing governmental applications.

MAPC feels that although there may be some hidden problems within the proposed fee structure, the proposed fees are satisfactory. It has been suggested by MAPC members that these fees be adopted and monitored for a year and then revised if problems or inequities are found. MAPC members also suggested that fees be reviewed every two or three years to determine if increases are needed.

Fees for County zoning, County BZA, platting, vacation, and lot splits are also being increased to reflect current costs and to generate additional revenue. Platting, vacation and lot split fees will be forwarded for your review at a later time. Proposed fees for County Zoning and County BZA have been scheduled for the April 9, 1980 Board of County Commissioners meeting.

#### SUMMARY

These amendments will make the following changes to the ordinance:

1. Increase filing fees for requests for historic landmark designation of a single structure from \$70 to \$200. Applications requesting the designation of a historic landmark district would be charged \$500 plus \$1.00 per zoning lot.
2. Revised fee schedule for rezoning applications reflecting increased fees is based on type of application and size of application area.
3. Add a required application fee for original commercial community unit plans. Reduce fees from \$400 to \$200 for amendments to community unit plans that affect less than 50% of the area of the plan.

Page 3  
April 4, 1980

4. Addition of a \$150 application fee for special permit requests.
5. Addition of a \$50 fee to cover administrative cost when cases are deferred.
6. Deletion of the exemption from filing fees for City, County, State and the Federal Government applications.

*Return Governor's copy  
with the minutes*

By a unanimous vote (7-0, Cole moved, Shook seconded, with Goebel, Jones and Lofton absent) the Planning Commission recommends that these amendments be adopted.

RECOMMENDED ACTION:

1. Concur in the recommendation of the Planning Commission and place the ordinance on first reading, *or*
2. Return the amendments to the Planning Commission for reconsideration. The City Commission states the following reasons for reconsideration.

*Robert A. Lakin*

Robert A. Lakin  
Director of Planning

RAL:ADC:sad

cc: John Dekker, Director of Law  
Don Anderson, Housing & Economic Development  
Robert Feldner, Superintendent of Central Inspection  
Wichita Area Builder's Association  
Wichita Board of Realtors

Belineated Copy  
Additions - Underlined  
Deletions - ~~Marked-thru~~

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 28.04.195 OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR HISTORIC LANDMARK DESIGNATIONS ON PROPERTIES IN THE CITY OF WICHITA; AMENDING THE PROVISIONS OF SECTION 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR CHANGES IN ZONING; AND REPEALING THE ORIGINAL OF SAID SECTIONS 28.04.195 AND 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.04.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.04.195 Historic landmark designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the City of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the City of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1015 through 2.12.1025 inclusive of the Code of the City of Wichita and upon the recommendation of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the City of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and shall accompany the application with a fee of <sup>as of 12/1/80</sup> seventy-dollars \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.020 of the zoning ordinance.

An application for the designation of a Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The ~~shall be effective from and after July 1, 1984 and~~ Fees shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1019 and 2.12.1020(2) of this Code under which the described property is proposed to be designated as a historic landmark.

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a notice for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall be published once in the official city newspaper at least twenty days prior to the hearing date.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property involved, the Metropolitan Area Planning Department, on the basis of the public meeting record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning classification or districts of this chapter as previously established on the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in Section 28.04.210.

In the event a permit is issued as provided for in Section 2.12.1024 of this Code, for the demolition or removal of a designated historic landmark structure not located within a landmark district, the superintendent of central inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City; provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district."

Section 28.04.210(3) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body, <sup>(without fee)</sup> the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Classification	Fee
"AA"-----One-Family-Dwelling-District	\$70
"A"-----Two-Family-Dwelling-District	\$70
"RB"-----Four-Family-Dwelling-District	\$70
"G"-----Mobile-Home-District	\$140
"B"-----Multiple-Family-Dwelling-District	\$140
"R-5"-----General-Dwelling-District	\$140
"R-6"-----General-Dwelling-District	\$140
"BB"-----Office-District	\$140

"LC"-----Light-Commercial-District {6-acres-and-under}	\$200
"LC"-----Light-Commercial-District {over-6-acres}	\$400
"C"-----Commercial-District {6-acres-and-under}	\$200
"C"-----Commercial-District {over-6-acres}	\$400
"D"-----Central-Business-District {6-acres-and-under}	\$200
"D"-----Central-Business-District {over-6-acres}	\$400
"I"-----Light-Industrial-District {6-acres-and-under}	\$200
"I"-----Light-Industrial-District {over-6-acres}	\$400
"F"-----Heavy-Industrial-District {6-acres-and-under}	\$200
"F"-----Heavy-Industrial-District {over-6-acres}	\$400
Community-Unit-Plan---Residential {original}	\$400
Community-Unit-Plan---Residential {amendment}	\$400.
Community-Unit-Plan---Planned-Commercial-Develop- ment-{original-as-required-by-ordinance}	None
Community-Unit-Plan---Planned-Commercial-Develop- ment-{amendment}	\$400
"U"-----University-District	\$140

Size of Application Area

<u>Zoning</u> <u>Classification</u> <u>Requested</u>	<u>Up to &amp;</u> <u>including</u> <u>3 acres</u>	<u>Over 3</u> <u>acres to</u> <u>6 acres</u>	<u>Over 6</u> <u>acres to</u> <u>15 acres</u>	<u>Over</u> <u>15</u> <u>acres</u>
<u>"AA" &amp; "A"</u>	<u>\$200</u>	<u>\$300</u>	<u>\$400</u>	<u>\$500</u>
<u>"RB", "R-5",</u> <u>"R-6" &amp; "U"</u>	<u>\$300</u>	<u>\$400</u>	<u>\$500</u>	<u>\$600</u>
<u>"G"</u>	<u>N/A</u>	<u>\$400</u>	<u>\$500</u>	<u>\$600</u>
<u>"B" &amp; "BB"</u>	<u>\$350</u>	<u>\$450</u>	<u>\$550</u>	<u>\$650</u>
<u>"LC", "C", "D",</u> <u>"E" &amp; "F"</u>	<u>\$400</u>	<u>\$500</u>	<u>\$600</u>	<u>\$700</u>

Residential C.U.P.                      Original-\$500 plus \$5 per acre for  
each acre over 40 acres

Amendments

Major-(design or use change                      \$500  
that would affect 50%  
or more of the area contained  
within the C.U.P.)

Minor-(design or use change                      \$200  
that would affect less  
than 50% of the area  
contained within the C.U.P.)



For the period ~~of~~ <sup>the</sup> commencing with  
the enactment of this section ~~and~~ <sup>to</sup> Dec 31, 1982

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law. ~~No fee shall be required when the application is submitted by any department of the city, county, state or federal government.~~ <sup>No fee shall be required for a case indicated by the a department of the City for a Historic Designation</sup>

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the reapplication is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail, setting out those changes which he deems significant and upon which he relies for refiling the original application."

The original Sections 28.04.195 and 28.04.210(3) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas and be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Donald Gissick, City Clerk

Approved as to form:

\_\_\_\_\_  
John Dekker, Director of Law

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 13, 1980

- 20a. Case No. DR 79-19 (A) - Departmental Review - City Zone Amendments to Section 28.04.195 and 28.04.210 relating to fee increases for zoning, C.U.P.'s and special permit applications.
- 20b. Case No. DR 79-19 (B) - Departmental Review - County Zone and BZA Amendments to Section 13 and Section 14 relating to fee increases for zoning, conditional use and special permit requests and BZA applications.
- 20c. Case No. DR 79-19 (C) - Departmental Review - Amendment to County Zoning Resolution Section 10 relating to fees for special permits for uses in the "F" Heavy Industrial District.

ROBERT A. LAKIN, Director of Planning, stated that it has been quite a number of years since fees had been adjusted. He said that during the last budget session, staff was directed by the City Commission to revise fee structures to attempt to recoup more of the money than is spent in direct processing of regulatory type cases.

MOTION: That the Planning Commission recommend to the City Commission that the proposed amendments relating to fee increases be approved. Cole moved, Shook seconded and it carried unanimously. Goebel, Jones and Lofton were absent.

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21. Other Matters.

GALBRAITH stated that concerning the discussion of fees that was held earlier in the meeting, John Oliphant, Wichita Homebuilders, wanted to make a statement regarding fees to the Commission.

JOHN OLIPHANT, representing the Wichita Area Builders Association, apologized for being late, and stated that they had discussed the fees in their meeting and they definitely support the need for more budget and they understand the problem. They felt that there might be a slight inequity in the arrangement of the increases in the area of "AA" Single Family; "A" Two-Family; and "RB" Four-Family zoning. He asked that, before this is submitted to the City Commission that the Planning Commission reconsider those fees. He said that those three areas have a 187 percent increase in the "AA" and "A", and 233 percent in the "RB". He said that they did not disagree that the increases were needed, but did have some concern that maybe some of the large developments in the area of six acres or over with 25 percent increases, indicated in the suggestions, might be looked at a little more equitably.

MARTENS stated that the Commission was disappointed that the rates had not been adjusted for such a length of time. He said that he hoped in the future they could adjust the fees without undue hardship on anyone.

GARDNER stated that one factor that the Commission considered substantially was the approximate expenses incurred for the approximate costs generated by consideration of certain categories of zoning requests, lot splits, etc. It was the Commission's feeling that as they reviewed the costs associated with the processes that rather than to request one group to subsidize

another group, everyone should bear their fair share commensurate with the estimated cost that they had been provided with in terms of the man hours, mailing and other factors involved in the fees.

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March 27, 1980

John Oliphant, Executive Director  
Wichita Area Association  
of Homebuilders  
730 North Main, Suite A  
Wichita, Kansas 67203

Re: Proposed Fee Increases  
City Zoning, County Zoning  
and County BZA (DR 79-19)

Dear Mr. Oliphant:

We have been informed by the City Manager's office that the planning items heard by the Planning Commission on March 13 and scheduled for City Commission review on April 8, 1980, will not be on the April 8 agenda. The review of the proposed fee increases for city zoning and C.U.P.'s will be heard at the regularly scheduled Board of City Commissioners' meeting on April 15, 1980.

As was noted in my letter of March 14, 1980, the Board of County Commissioners will consider the proposed fee increases for County BZA and County Zoning at their regularly scheduled meeting on April 9, 1980.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el  
cc: Bob Fox, Comotara Properties  
2421 Longwood Circle, 67226

March 27, 1980

Ms. Marion Cone  
Historical Preservation Officer  
204 South Main  
Wichita, Kansas 67202

Re: DR 79-19 - Proposed Zoning and  
Historical Landmark Application  
Fee Increases.

Dear Ms. Cone:

We have been informed by the City Manager's office that the planning items heard by the Planning Commission on March 13 and scheduled for City Commission review on April 8, 1980, will not be on the April 8 agenda. The review of the proposed fee increases for city zoning and historic landmark designation applications will be heard at the regularly scheduled Board of City Commissioners' meeting on April 15, 1980.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el

cc: C. Bickley Foster, 2818 N. Edwards, 67204

March 14, 1980

John Oliphant  
Executive Director  
Wichita Area Association  
of Homebuilders  
730 North Main Street, Suite A  
Wichita, Kansas 67203

Re: Proposed Fee Increases -  
City Zoning, County Zoning  
and County BZA

Dear Mr. Oliphant:

On March 13, 1980, the Metropolitan Area Planning Commission (MAPC) considered proposed amendments to Sections 28.04.195 and 28.04.210 of the City Zoning Ordinance. MAPC also considered proposed amendments to Sections 10, 13, and 14 of the County Zoning Resolution. The action of the MAPC was to recommend approval of the proposed amendments.

The proposed amendments to the City Zoning Ordinance have been scheduled for review by the Board of City Commissioners during their regular meeting on Tuesday, April 8, 1980. The proposed amendments to the County Zoning Resolution have been scheduled for review by the Board of County Commissioners during their regular meeting on Wednesday, April 9, 1980.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el

cc: Bob Fox, Comotara Properties, 2421 Longwood Circle, 67226

March 17, 1980

Ms. Marion Cone  
Historical Preservation Officer  
204 South Main  
Wichita, Kansas 67202

Re: Proposed Zoning and Historic Landmark  
Application Fee Increases

Dear Ms. Cone:

On March 13, 1980, the Metropolitan Area Planning Commission (MAPC) considered proposed amendments to Sections 28.04.195 and 28.04.210 of the City Zoning Ordinance. The action of the MAPC was to recommend approval of the attached amendments. I have noted the paragraphs pertinent to your activities on the attached amendments. The proposed amendments have been scheduled for Board of City Commission review during their regular meeting on Tuesday, April 8, 1980.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el  
Attachments  
cc: C. Bickley Foster, 2818 N. Edwards, 67204

WICHITA-SEDGWICK COUNTY

DATE

March 6, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Metropolitan Area Planning Commission  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** Proposed Fee Increases - DR79-19(A) City Zoning and Historic Landmark; DR79-19(B) County Zoning and County Board of Zoning Appeals; and DR79-19(C) County Special Permit for Uses in "F" Heavy Industrial District

Delineated copies of the proposed amendments to Sections 28.04.195 (Historic Landmark) and 28.04.210 (Zoning Fees) of the City Zoning Ordinance and to Sections 13 (BZA), 14 (County Zoning Fees), and 10 ("F" Heavy Industrial District) of the County Zoning Resolution are attached for your information and review. DR79-19(A) and DR79-19(B) were deferred to the March 13th meeting at the February 28th MAPC meeting.

DR79-19(C) is an amendment to paragraph 40 of Section 10 of the County Zoning Resolution. Paragraph 40 provides that an application must be filed and approved prior to the establishment of certain uses in the "F" Heavy Industrial District. The proposed amendment would permit a fee to be charged when the application is filed.



Robert A. Lakin  
Director of Planning

Attachments

RAL:AC:sad

February 29, 1980

John Oliphant  
Wichita Area Builders Association  
730 North Main Street, Suite A  
Wichita, Kansas 67203

Re: DR 79-19  
Proposed Increase in Fees

Dear Mr. Oliphant:

At your request, the Planning Commission deferred the above captioned matter on fees to their next regular meeting of March 13, 1980.

Would you please contact Bob Lakin if we can be of assistance in reviewing fees with you or a selected committee.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:sad

cc: Richard Upton, Executive Director, Chamber of Commerce,  
350 W. Douglas, 67202  
Mike Wayne, Wichita Area Board of Realtors, 717 N. Emporia,  
67214  
Glen Dockery, Research and Budget Officer

WICHITA-SEDGWICK COUNTY

DATE

February 20, 1980

METROPOLITAN AREA PLANNING DEPARTMENT

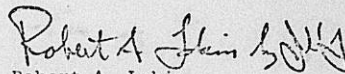
TO Metropolitan Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT Proposed Fee Increases - DR 79-19(A) City Zoning and Historic Landmark; and DR 79-19(B) County Zoning and Board of Zoning Appeals

A delineated copy of the proposed amendments to Sections 28.04.195 and 28.04.210 of the City Zoning Ordinance, increasing fees for Zone Change, C.U.P., Special Permit and Historic Landmark requests, is attached. Also attached is a delineated copy of the proposed amendments to Sections 13 and 14 of the County Zoning Resolution increasing fees for Special Permit, Conditional Use, Zone Change and Board of Zoning Appeals requests. Proposed fee increases for City BZA requests, platting, vacations and lot splits are being handled under separate amendments.

Copies of the proposed fee increases have been distributed to City and County Departments for informational purposes. The Chamber of Commerce, Wichita Area Builder's Association and the Wichita Area Board of Realtor's have also been furnished copies of the amendments.

  
Robert A. Lakin  
Director of Planning

RAL:AC:sad

Encl.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

February 13, 1980

TO WHOM IT MAY CONCERN:

Re: Proposed Fee Increases - City Zoning, County Zoning  
and County BZA

During the review of the 1980 budget, the Metropolitan Area Planning Department (MAPD) was instructed to examine the filing fees charged for applications submitted for Metropolitan Area Planning Commission (MAPC) review. Fees were to be increased in order to generate approximately \$40,000 in additional revenue from MAPD regulatory activities. Although it was not intended to raise the fees to cover all of the Current Plans Division costs, it was recognized that the cost of processing an application is in excess of revenue received. This is due primarily to the fact that current fees were last increased fourteen years ago to reflect 1966 costs.

A delineated copy of the proposed amendments to Sections 28.04.195 and 28.04.210 of the City Zoning Ordinance, increasing fees for zone change, C.U.P., special permits and historic landmark requests, is attached for your information and review. Also attached is a delineated copy of the proposed amendments to Sections 13 and 14 of the County Zoning Resolution increasing fees for special permit, conditional use, zone change and BZA requests. Proposed fee increases for City BZA requests, platting, vacation and lot splits are being handled under separate amendments and will be forwarded to you prior to the public hearing.

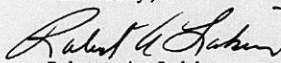
The fees included in the attached amendments are the result of a time and cost analysis of "typical" applications received by MAPD for C.U.P.'s, zone change, plats, etc., and discussions at two scheduled MAPC informal meetings held during January 1980. The proposed fees reflect an attempt to recover a portion of the processing costs associated with the various applications. It should be pointed out that where, in the past, no fee was required for those departments of the City, County, State or Federal Government, the Planning Commission has suggested that they should no longer be exempt from filing fees.

WICHITA - SEDGWICK COUNTY

Page Two  
Re: Proposed Fee Increases  
February 13, 1980

The public hearing, by the MAPC, has been scheduled for Thursday, February 28, 1980. Written comments should be submitted prior to February 22, 1980.

Sincerely,



Robert A. Lakin  
Director of Planning

RAL:ADC:e1

cc: Board of County Commissioners (3 copies)  
Ted Hill, County Counselor  
Joe Freeman, Acting Director - County Public Works  
Syd Werbin, County Director of Building, Planning & Codes  
Don Anderson, Director of Housing and Economic Development  
Ray Bruggeman, Director - Wichita Department of Public Works  
Ken Kitchen, Director - Urban Renewal Agency  
Robert B. Feldner, Superintendent of Central Inspection  
Marion Cone, Historical Preservation Officer  
204 South Main St., 67202  
Richard Upton, Executive Director - Chamber of Commerce  
350 W. Douglas, 67202  
John Oliphant, Wichita Area Builders Association  
730 N. Main St., Suite A, 67203  
Mike Wayne, Wichita Area Board of Realtors  
717 N. Emporia, 67214  
Glen Dockery, Research and Budget Officer

February 1, 1980

Possible Amendment to the Zoning Resolution  
of Sedgwick County, Kansas scheduled for public  
Hearing before the MAPC on Thursday, February 28, 1980

It is proposed to amend paragraph 3(a) of Section 13,  
Board of Zoning Appeals, Sedgwick County; and paragraph C(2) of  
Section 14, Administration related to the filing fees for zone  
change applications, conditional use applications and applications  
to the Board of Zoning Appeals.

Section 13, paragraph 3(a) shall be amended to read as follows:

3. Procedure

- a) Written applications for the approval of an appeal,  
variance or exception referred to in this section  
shall be filed in a manner prescribed by the Board.  
A fee, ~~of fifty dollars (\$50.00)~~ as set forth herein,  
shall be paid to the County Treasurer, or his agent,  
upon the filing of each application for an appeal,  
variance or exception, for the purpose of defraying  
costs of the proceeding described herein. A written  
receipt shall be issued to the person making such  
payment, and records thereof shall be kept in such  
manner as prescribed by law. Applications for appeals  
from the decisions of the enforcing officer shall be  
made within twenty (20) days of the date of such de-  
cision.

Board of Zoning Appeals  
Application Fees

<u>Appeals</u>	<u>\$ 50.00</u>
<u>Variances for residential uses</u>	<u>\$ 75.00</u>
<u>All other variances</u>	<u>\$150.00</u>
<u>Exceptions for residential uses</u>	<u>\$ 75.00</u>
<u>All other exceptions</u>	<u>\$200.00</u>

Section 14, paragraph C (2) shall be amended to read as follows:

2. Application: Application for any change of district  
boundaries or reclassification of districts as shown on  
the Zoning Map, shall be filed with the Commission upon  
forms and accompanied by such data and information as may

be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record.

Each application shall be verified by at least one of the owners of property within the area proposed to be changed, attesting to the truth and correctness of all facts and information presented with the application.

Applications must be accompanied with a certified list of property owners of record and their addresses, if available, and if not available, then the address of the occupant of the premises, if tenanted, in all directions from the subject property for a distance of twice the frontage of the property included in the application; provided, no distance need be more than 1,000 feet and cannot be less than 200 feet.

For the purpose of defraying costs of proceedings prescribed herein, filing and publication fees shall be paid to the County Treasurer or his agent upon the filing of such application for change in district classification. The fee for such application is as follows:

<u>Classification</u>	<u>Fee</u>
"R"--Rural-Residential-District	\$-70.00
"R-1"--Suburban-Residential-District	\$-70.00
"AA"--One-Family-Dwelling-District	\$-70.00
"BB"--Office-District	\$140.00
"LC"--Light-Commercial-District (6-acres-and-under)	\$200.00
"LC"--Light-Commercial-District (over-6-acres)	\$400.00
"C"--General-Commercial-District (6-acres-and-under)	\$200.00
"C"--General-Commercial-District (over-6-acres)	\$400.00
"E"--Light-Industrial-District (6-acres-and-under)	\$200.00
"E"--Light-Industrial-District (over-6-acres)	\$400.00
"F"--Heavy-Industrial-District (6-acres-and-under)	\$200.00
"F"--Heavy-Industrial-District (over-6-acres)	\$400.00

Size of Application Area

<u>Zoning Classification</u>	<u>up to &amp; including 3 acres</u>	<u>over 3<sup>0</sup> acres to 6 acres</u>	<u>over 6 acres to 15 acres</u>	<u>over 15 acres</u>
"R", "R-1" & "AA"	\$200	\$300	\$400	\$500
"BB"	\$350	\$450	\$550	\$650
"LC", "C", "E" & "F"	\$400	\$500	\$600	\$700

"CU" Conditional Use Permit - Fee required is the same as for the District in which located.

Special Permit - as authorized by the Zoning Resolution      \$150

Any person requesting deferral of a zoning case or a conditional use case shall be charged a fee of \$50 at such time that the deferral is granted to cover administrative costs.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in a manner as prescribed by law. ~~No fee shall be required when said application is submitted by any department, the City, County, State or Federal Government.~~

Additions underlined  
Deletions ~~marked-thru~~

DR79-19(A)  
February 1, 1980

Possible Amendment to the Zoning  
Ordinance of the City of Wichita, Kansas  
scheduled for public hearing before the MAPC  
on Thursday, February 28, 1980

It is proposed to amend section 28.04.195, Historic landmark designation and paragraph 3 of Section 28.04.210, changes in zoning classifications or districts to change the application fees for Historic landmark designations, zone or district changes, and community unit plans.

Section 28.04.195 shall be amended to read as follows:

28.04.195 Historic landmark designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the city of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the city of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1015 through 2.12.1025 inclusive of the code of the city of Wichita and upon the recommendations of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the city of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and shall accompany the application with a fee of ~~seventy-dollars~~ \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.020 of the zoning ordinance. An application for the designation of a Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The fees shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1019 and 2.12.1020(2) of this code under which the described property is proposed to be designated as a historic landmark.

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a notice for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall

be published once in the official city newspaper at least twenty days prior to the hearing date.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property involved, the Metropolitan Area Planning Department, on the basis of the public meeting record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning classification or districts of this chapter as previously established on the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in Section 28.04.210.

In the event a permit is issued as provided for in Section 2.12.1024 of this code, for the demolition or removal of a designated historic landmark structure not located within a landmark district, the superintendent of central inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City; provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district.

Section 28.04.210 paragraph 3 shall be amended to read as follows:

3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body, the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Classification	Fee
"AA"-----One-Family-Dwelling-District	\$70
"A"-----Two-Family-Dwelling-District	\$70
"RE"-----Four-Family-Dwelling-District	\$70
"C"-----Mobile-Home-District	\$140
"MB"-----Multiple-Family-Dwelling-District	\$140
"R-5"-----General-Dwelling-District	\$140
"R-6"-----General-Dwelling-District	\$140
"BB"-----Office-District	\$140
"LC"-----Light-Commercial-District (6-acres-and-under)	\$200
"LCU"-----Light-Commercial-District (over-6-acres)	\$400

"CU"-----	Commercial-District (over-6-acres-and-under)	\$200
"CU"-----	Commercial-District (over-6-acres)	400
"DU"-----	Central-Business-District (6-acres-and-under)	200
"DU"-----	Central-Business-District (over-6-acres)	400
"FU"-----	Light-Industrial-District (6-acres-and-under)	200
"FU"-----	Light-Industrial-District (over-6-acres)	400
"FU"-----	Heavy-Industrial-District (6-acres-and-under)	200
"FU"-----	Heavy-Industrial-District (over-6-acres)	400
Community Unit-Plan---	Residential (original)	400
Community Unit-Plan---	Residential (amendment)	400
Community Unit-Plan---	Planned-Commercial-Develop- ment-(original-as-required-by-ordinance)	Nene
Community Unit-Plan---	Planned-Commercial-Develop- ment-(amendment)	400
"UU"-----	University-District	140

Size of Application Area

<u>Zoning Classification Requested</u>	<u>Up to &amp; including 3 acres</u>	<u>Over 3 acres to 6 acres</u>	<u>Over 6 acres to 15 acres</u>	<u>Over 15 acres</u>
"AA" & "A"	\$200	\$300	\$400	\$500
"RB", "R-5", "R-6" & "U"	\$300	\$400	\$500	\$600
"G"	N/A	\$400	\$500	\$600
"B" & "BB"	\$350	\$450	\$550	\$650
"LC", "C", "D", "E" & "F"	\$400	\$500	\$600	\$700

Residential C.U.P.                      Original-\$500 plus \$5 per acre for  
each acre over 40 acres

Amendments

Major-(design or use change                      \$500  
that would affect over  
*\* or more*                      50% of the area contained  
within the C.U.P.

Minor-(design or use change                      \$200  
that would affect less  
than 50% of the area  
contained within the C.U.P.

Commercial C.U.P.

Original - when filed with rezoning application

\$200 plus \$5 per acre for each acre over 15 acres

Original - when filed separately

\$500 plus \$5 per acre for each acre over 15 acres

Amendments

Major-(design or use change that would affect ~~over~~ 50% of the area contained within the C.U.P.

\$500

*\* or more*

Minor-(design or use change that would affect less than 50% of the area contained within the C.U.P.

\$200

A fee of \$150 shall be charged for those requests for special permits or uses, where authorized by the Zoning Ordinance, that are referred by the Board of City Commissioners to the Metropolitan Area Planning Commission for public hearing and recommendation. Said fee shall be paid by the applicant prior to the scheduling of a hearing before the Metropolitan Area Planning Commission.

Any person requesting deferral of a case shall be charged a fee of \$50 to cover administrative cost at such time that the deferral is granted.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law. ~~No fee shall be required when the application is submitted by any department of the city, county, state or federal government.~~

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the reapplication is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail, setting out those changes which he deems significant and upon which he relies for refiling the original application.

( ) Published in the Daily Record, February 6, 1980

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED.

NOTICE IS HEREBY GIVEN, that on Thursday, February 28, 1980, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at 1:30 p.m., will consider the following change in Title 28, the Code of the City of Wichita, Kansas:

An amendment to Sections 28.04.195 and 28.04.210 of the Zoning Ordinance providing for the establishment of fees for Historic Landmark Designations and the fees for changes in zoning classifications or districts and amending the fees therefore.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the zoning ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal this 5th day of February, 1980.

Robert A. Lakin, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning  
Commission

(SEAL)

( ) Published in the Daily Record, February 6, 1980

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Robert A. Lakin, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning  
Commission

(SEAL)

**LAMBERTZ COMPANY**

Established 1955  
812 N. Waco / Wichita, Kansas 67203 / (316) 265-8537

January 26, 1980

**REAL ESTATE**

Shopping Centers  
Investments  
Management  
Commercial  
Counseling  
Industrial  
Offices

Mr. Bill Goebel  
310 South Summitlawn  
Wichita, Kansas 67209

Dear Bill:

Thanks for your invitation to communicate my thoughts!

It is my intention to remain objective throughout this dialogue, and my hope that more objectivity can be injected into the entire zoning and planning process.

In my opinion, the interest in increasing application fees need not be considered as an additional cost, but rather an economy to applicants, as well as increase revenue for the MAPD while allowing the MAPD to function more smoothly with less effort once the following items were incorporated into the "system".

- (A) Application form solicit sufficient pertinent information so that form itself could be reproduced and used to notify those owning property within the "affected" area.
- (B) Distribute the notices allowing sufficient time for those who wish to speak in opposition to register their intention to do so, \_\_\_ days prior to the hearing date. Those who have not registered prior to the deadline would not be heard.
- (C) For an additional fee, the applicant may provide the name and number of his agent so that a clerk could notify the agent when it appears that the case will come up in approximately one hour. This would save unnecessary hours at \$??? per hour for the applicant to have his agent there from noon until ? with no real idea at how fast the cases will be heard, how many in opposition, etc.
- (D) Make every effort to schedule all cases an engineer or an attorney is representing sequentially to minimize "dead time" at \$??? per hour
- (E) No applications may be postponed if the applicant has failed to notify the MAPD at least \_\_\_ days prior to the scheduled hearing. Failure to comply with this regulation would result in the applicants case being deferred for a period of \_\_\_ months. In the event the case is postponed by the applicant, the applicant would be assessed a fee sufficient to cover the costs of notifying the affected property owners. Certainly, the event of a death in the immediate family or other crisis of a similar nature could be handled with compassion.


page 2  
Goebel  
1/26/80

It is my opinion that the cost and irritation to the applicants, opponents, as well as the MAPC and MAPD in time and dollars could be greatly reduced utilizing the above recommendations.

Once again, thanks for giving me the opportunity to express my thoughts on this matter. Be assured of my willingness to do what I may to assist.

Cordially yours,

LAMBERTZ COMPANY

  
Vern. Lambertz: jw

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE

January 10, 1980

CHAMBERS

TO Metropolitan Area Planning Commission  
FROM Robert A. Lakin, Director of Planning  
SUBJECT Proposed Fee Increases

The attached tables reflect proposed fees discussed at the informal MAPC meeting on January 3, 1980. Table 1 shows the average cost for each type of application. During discussions of the proposed fees as they relate to costs, it should be remembered that there will be specific cases that will take less time and money, or more, to process. However, average costs were used in an attempt to arrive at a relatively equitable fee.

Table 2 is a list of proposed fees for all types of applications. The fees represent some of the consensus reached at the last MAPC informal meeting. They are not to represent final MAPD recommendations but are for discussion purposes.

Estimated revenue for the various types of applications, based on 1978 applications, is shown in Table 3. Also shown is the estimated total cost per category. As can readily be seen, the current fees only fund approximately 37% of the estimated cost. The estimated revenue would be lower if governmental agencies are not charged a fee, if platting fees are reduced when platting is a condition of zoning, or if the composition of the applications change.

Tables 4 and 5 show additional examples of the effects the proposed fees would have on zoning application and platting.

  
Robert A. Lakin  
Director of Planning

RAL:ADC:e1  
Attachments

Table 1

## SUMMARY OF AVERAGE COST

	<u>HOURS</u>	<u>ESTIMATED COST</u>
Lot Split	7.75	\$ 97.12
Vacation	7.75	93.73
Final only Plat	26.25	328.91
Conventional Platting		
Sketch	10.5	133.29
Preliminary	18.5	236.86
Final	12.0	138.95
	<hr/>	<hr/>
TOTAL	41	\$509.10
Zoning	18.	258.58
C.U.P.	56.25	811.74
BZA	16.5	204.87
County Conditional Use	16	235.95
Historic Landmark Designation	14.75	238.82
Special Permit	13.75	184.55

NOTE: Breakdown by personnel and action is available at the MAPD.

Table 2a

## PROPOSED FEES

Lot Splits	\$100		
Vacation	\$100		
Plats			
Final only - 3 acres or less	\$250	over 3 acres	\$400
Sketch (payable when sketch plat is filed)	\$100		
Preliminary or Final except Industrial	\$ 5	per lot	
	\$ 5	per acre	

NOTE: Whenever a preliminary plat is finalized in portions, each final after the first would be assessed a \$100 fee for administrative purposes.

If, in the opinion of the Director of Planning, any revision on the preliminary plat after it has been approved by the subdivision committee substantially affects the plat, a \$100 fee will be charged. Any revisions that, in the opinion of the Planning Director, constitute a new preliminary plat, will be charged \$5 per lot.

*not figured  
in estimated  
revenues*

Table 2b

## ZONING

City	0-3 Acres	Over 3 to 6 Acres	Over 6 to 15 Acres	Over 15 Acres
"AA", "A", "RR-5"	200	300 <sup>2.00</sup> 600	400 <sup>4.00</sup> 800	500 <sup>5.00</sup> 1000
"RB", "R-6", "U"	300 200	400 600	500 800	600 1000
"G"	N/A	600	800	1000
"B", "BB"	350 800	450 600	550 800	650 1000
"LC", "C", "D", "E", "F"	400	500 600	600 800	700 1000
<b>County</b>				
"R", "R-1", "AA"	100	600	800	1000
"BB"	300	600	800	1000
"LC", "C", "E", "F"	400	600	800	1000

## County Conditional Use

Same fee as required for the district in which the proposed Conditional Use is located. Except when a rezoning application and a conditional use application are filed together, the fee shall be only the higher fee.

Any requests for deferral will be charged \$50 to cover costs of readvertising and mailing new notices.

Table 2c

	<u>Up to 40 Acres</u>	<u>Over 40 Acres</u>
C.U.P. - Residential original	\$500	\$5 per acre
Major amendment	500	N/A
Minor amendment	200	N/A
	<u>Up to 15 Acres</u>	<u>Over 15 Acres</u>
- Commercial original		
if filed with rezoning application	\$200	\$5 per acre
if filed separately	500	5 per acre
Major amendment design or use change affecting over 50% of area	500	N/A
Minor amendment design or use change affecting over 50% or less of area	200	N/A
Historical Landmark		
Single zoning Lot	<sup>500</sup> \$100	
District	<del>\$50</del> \$250	plus \$1 per zoning lot
Special Permit by B.C.C. or B.Co.C.	\$150	
BZA - City and County		
Appeals	\$ 50	
Variance for residential uses	75	
All others	150	
Exceptions	200	

*contiguous  
lots - ownership  
generally one structure*

*privately owned  
property - property  
owners should pay*

Table 3

ESTIMATED REVENUE		ESTIMATED REVENUE				
Action		No. of 1978 Cases	Estimated* Average Cost	Total Cost	1978 Revenue	Estimated Revenue Using Proposed Fees
Lot Splits	\$100	50	\$ 97.12	\$ 4,856	\$ 1,000	\$ 5,000 +144
Vacations	\$100	47	93.73	4,405	2,850	4,700 +295
Plats						
Sketch only		8	133.29	1,066	-	800 -266
<del>Final only</del> Small Tract <sup>Final only</sup> Up to 3 Acres		53	-	-	-	13,250
-Over 3 Acres		13	-	-	-	5,200
TOTAL		66	\$328.91	\$21,708	\$ 3,639	\$18,450 -
Conventional		53	-	-	-	21,910
Industrial		6	-	-	-	1,642
TOTAL		59	\$509.10	\$30,037	\$12,803	\$23,552
City and County Zone Up to 3 Acres -						
"R", "R-1", "AA", "A", "R-5"		19				\$ 1,900
"RB", "R-6, "U"		13				2,600
"B", "BB"		13				3,900
"LC", "C", "D", "E", "F"		31				12,400
Over 3 to 6 Acres		14				8,400
Over 6 to 15 Acres		3				2,400
Over 15 Acres		18				18,000
TOTAL		111	\$258.58	\$28,702	\$16,980	\$49,600

there were  
County  
1-2C DZ 6R1 S3  
1-R6A1 >15

2 by URA  
1 by DCC  
DZ 26RB  
Etc

Table 3  
Page 2

<u>Action</u>	<u>No. of 1978 Cases</u>	<u>Estimated* Average Cost</u>	<u>Total Cost</u>	<u>1978 Revenue</u>	<u>Estimated Revenue Using Proposed Fees</u>
County Conditional Use Up to 3 Acres -					
"R", "R-1", "AA", Multiple Family, Mobile Home Parks, Extraction	1				\$ 200
"RB", "LC", "C", "E", "F"	2				800
Over 3 to 6 Acres	1				600
Over 6 to 15 Acres	1				800
Over 15 Acres	4				4,000
<b>TOTAL</b>	<b>9</b>	<b>\$235.95</b>	<b>\$ 2,124</b>	<b>\$ 1,020</b>	<b>\$ 6,400</b>
CUP					
Residential	4	\$811.74	\$ 3,247	\$ 800	\$ 2,322
Commercial - Original	4	811.74	3,247	-	1,005
Major amendment	2	600.00	1,200	800	1,000
Minor amendment	2	400.00	800	800	400
<b>TOTAL</b>			<b>\$ 8,484</b>	<b>\$ 2,400</b>	<b>\$ 4,727</b>
Historical Landmark (Assume 6 were single zoning lots; 4 were for districts with 50 zoning lots.)	10	\$238.82	\$ 2,388	\$ -	\$ 1,800
Special Permit - BCC or BCOC	12	\$184.55	\$ 2,215	\$ -	\$ 1,800



Table 4

## EXAMPLES OF ZONING COSTS

				Total Estimated Cost
1. "AA" to "A"	.46 Acres	No platting required	<i>final only</i>	\$ 258
Current fee	\$ 70			
Proposed fee	\$100			
2. "AA" to "R-5"	8.2 Acres	Replatting required	3 Lots <i>final only</i>	\$ 586
Current fee	Zoning \$140	Platting \$56	Total \$ 196	
Proposed fee	Zoning \$800	Platting-final only \$400	Total \$1,200	
3. "A" to "BB"	3.4 Acres (changed to "B")	Replatting required	1 Lot	\$ 586
Current fee	Zoning \$140	Platting-final only \$ 50	Total \$190	
Proposed fee	Zoning \$600	Platting-final only \$400	Total \$1,000	
4. "AA" to "E"	25 Acres	Platting required	1 Lot	\$ 767
Current fee	Zoning \$400	Platting \$50	Total \$450	
Proposed fee	Zoning \$1,000	Platting \$170	Total \$1,170	
5. "AA" to "C"	17.2 Acres	Platting required	1 Lot CUP required	\$1,589
Current fee	Zoning \$400 CUP \$0	Platting \$50	Total \$450	
Proposed fee	Zoning \$1,000 CUP \$210	Platting \$100	Total \$1,310	

*258 zoning  
328 final only  
plat*

*258 zoning  
501  
767*

*zoning 258  
Platting 309  
C.U.P. 812  
1579*

Table 5

EXAMPLES OF PLATTING COSTS

1.	3.5 Acres	1 Lot	Final only			Total Estimated Cost	\$328
	Current fee	\$50					
	Proposed fee	\$400					
2.	2.5 Acres	9 Lots				Total Estimated Cost	\$381
	Current fee	\$74					
	Proposed fee	\$140					
3.	38 Acres	88 Lots				Total Estimated Cost	\$509
	Current fee	\$311					
	Proposed fee	\$535					
4.	33 Acres	6 Lots	with CUP	Commercial	No rezoning	Total Estimated Cost	\$1,320
	Current fee	CUP \$400	Platting \$65			Total	\$465
	Proposed fee	CUP \$565	Platting \$125			Total	\$690
5.	57.4 Acres	4 Lots	Industrial Plat		Required zoning	Total Est. Cost	\$767
	Current fee	\$400	Platting \$59			Total	\$459
	Proposed fee	\$1,000	Platting \$385			Total	\$1,385

*probably would be slightly higher*

*Residential full plat*

*residential full plat*

*21000000  
4-30-00  
Commercial*

*CUP 811  
Plate 509*

*252  
Plate 509*

Ordinance No. \_\_\_\_\_

**SUPERSEDED**

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 28.04.195 OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR HISTORIC LANDMARK DESIGNATIONS ON PROPERTIES IN THE CITY OF WICHITA; AMENDING THE PROVISIONS OF SECTION 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR CHANGES IN ZONING; AND REPEALING THE ORIGINAL OF SAID SECTIONS 28.04.195 AND 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.04.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.04.195 Historic landmark designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the City of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the City of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1015 through 2.12.1025 inclusive of the Code of the City of Wichita and upon the recommendation of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the City of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and shall accompany the application with a fee of \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.020 of the zoning ordinance. An application for the designation of a Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The fees

**SUPERSEDED**

shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1019 and 2.12.1020(2) of this Code under which the described property is proposed to be designated as a historic landmark.

**SUPERSEDED**

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a notice for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall be published once in the official city newspaper at least twenty days prior to the hearing date.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property involved, the Metropolitan Area Planning Department, on the basis of the public meeting record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning classification or districts of this chapter as previously established on the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in Section 28.04.210.

In the event a permit is issued as provided for in Section 2.12.1024 of this Code, for the demolition or removal of a designated historic landmark structure not located within a

**SUPERSEDED**

landmark district, the superintendent of central inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City; provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district."

Section 28.04.210(3) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**SUPERSEDED**

"3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body, the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Zoning Classification Requested	Size of Application Area			
	Up to & including 3 acres	Over 3 acres to 6 acres	Over 6 acres to 15 acres	Over 15 acres
"AA" & "A"	\$200	\$300	\$400	\$500
"RB", "R-5", "R-6" & "U"	\$300	\$400	\$500	\$600
"G"	N/A	\$400	\$500	\$600
"B" & "BB"	\$350	\$450	\$550	\$650
"LC", "C", "D", "E" & "F"	\$400	\$500	\$600	\$700

**SUPERSEDED**

Residential C.U.P.

Original-\$500 plus \$5 per acre for  
each acre over 40 acres

**SUPERSEDED**

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

Commercial C.U.P.

Original - when filed with \$200 plus  
rezoning application \$5 per acre  
for each acre  
over 15 acres

Original - when filed \$500 plus  
separately \$5 per acre  
for each acre  
over 15 acres

**SUPERSEDED**

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

**SUPERSEDED**

A fee of \$150 shall be charged for those requests for special permits or uses, where authorized by the Zoning Ordinance, that are referred by the Board of City Commissioners to the Metropolitan Area Planning Commission for public hearing and recommendation. Said fee shall be paid by the applicant prior to the scheduling of a hearing before the Metropolitan Area Planning Commission.

Any person requesting deferral of a case shall be charged a fee of \$50 to cover administrative cost at such time that the deferral is granted.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law.

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the reapplication is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail, setting out those changes which he deems significant and upon which he relies for refiling the original application."

**SUPERSEDED**

**SUPERSEDED**

**SUPERSEDED**

The original Sections 28.04.195 and 28.04.210(3) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas and be effective upon its passage and publication once in the official City paper.

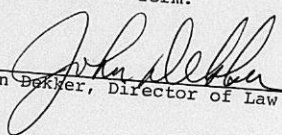
ADOPTED at Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Donald Gisick, City Clerk

Approved as to form:

  
\_\_\_\_\_  
John Dekker, Director of Law

**SUPERSEDED**

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE  
December 28, 1979

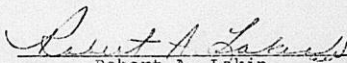
TO Metropolitan Area Planning Commission  
FROM Robert A. Lakin, Director of Planning  
SUBJECT Fee Revisions

During the last budget session we were instructed to examine our fees and increase them by approximately 40,000 dollars. One justification for increasing fees is that they have not been increased since 1966 while inflation has more than doubled. During that period the costs for processing a zone change have risen from \$112.84 to \$258.58; platting costs have risen from \$70.87 to \$328.91; vacation costs have risen from \$43.96 to \$93.73; conditional use permit costs have risen from \$84.42 to \$235.95; C.U.P. costs have risen from \$287.38 to \$811.74; and BZA case costs have risen from \$78.02 to \$204.87.

As a basis for reexamining fees, we have attempted to assign costs to each procedure based on the time spent by staff and direct costs (printing, postage) in handling an "average" case. No costs have been assigned to cover purchase of equipment such as typewriters, cameras, etc. Neither is any rent or prorated overhead for office administration assigned.

Our final recommendations are not completed as to fees. The cost information is being shared with you at the Commission's request. At our work session I will be prepared to furnish recommendations as to fees and show you how this might impact the various categories of projects. In general, I believe these activities should carry fees sufficient to pay their own way as they are specific services for individuals. As to plats, I am thinking of fees at the submission of a sketch, preliminary and final plat rather than a large lump fee to cover all at the beginning. This would take into account the simple one lot final only plats, and the more complex plats. The result would be a fairer fee in my opinion.

After the work session, I would like to proceed to advertise, where needed, for public hearing on the various fee schedules. Other changes, i.e., vacations, can be approved by formal action of the MAPC and the governing bodies.

  
Robert A. Lakin  
Director of Planning

RAL:rme  
Attachments

cc: John Philbrick, County Department of Administration  
Glen Dockery, Research and Budget Officer

AFT #2

TABLE 1

LOT SPLIT

Action	Personnel	Time Hours	Salary* Hourly	Estimated Cost
Receiving application - includes reviewing application for legal description; also preapplication conference	JP	1/2	\$12.41	\$ 6.20
Logging in application, setting up file, filing	Sec.II	1/2	8.23	4.12
Conferences, interdepartmental and with applicant	JP	2-1/2	12.41	31.02
Staff Review - includes intra-MAPD staff conferences	CP	1/4	20.86	5.22
	SP	1/4	13.07	3.27
	JP	1-3/4	12.41	21.72
Follow-up correspondence, and final letter to City Clerk	JP	1-1/2	12.41	18.62
	Sec.II	1/2	8.90	4.45
Materials, postage, xeroxing				2.50
		7.75		\$97.12

\* 1980 Salaries plus benefits and burden rate.

NOTE: Lot splits for land zoned industrial will generally require higher amounts of time.

LOT SPLIT

Time and cost estimates, shown in Table \_\_\_\_\_ reflect a lot split in a residential area. No major problems such as access or utility service to the new created lots would have to be resolved. Generally, commercial lot splits will take slightly longer. Industrial lot splits, likewise, will take additional time due to increased size of the original lot, drainage problems, utility service, etc.

VACATION

DRAFT #2

TABLE 2

Action	Personnel	Time Hours	Salary* Hourly	Estimated Cost
Receiving application - includes reviewing application for legal description, ownership list, and addresses; also preapplication conference with applicant.	JP	1/4	\$12.41	\$ 3.10
Logging in application, posting cards, setting up files and filing	Sec. II	1/2	8.90	4.45
Post to atlas, map creation, slide preparation	PA III	3/4	10.85	8.14
Conferences - Interdepartmental and with applicant	SP	1/4	13.07	3.27
	JP	1/2	12.41	6.20
Notices, agendas and mailouts	Sec. II	1	8.90	8.90
Staff review	CP	1/4	20.86	5.22
	SP	3/4	13.07	9.80
Correspondence, reports and final letters	SP	1/2	13.07	6.54
	Sec. II	1	8.90	8.90
Hearings - Subdivision Committee, MAPC, BCC or BCoC includes preparation, actual meeting time, drafting of ordinance, referral sheets; taking, drafting, and typing of minutes, etc.	Dir/CP	1/4	20.86	5.22
	SP	1/4	13.07	3.27
	Sec. II	3/4	8.90	6.68
Map updating, posting on official base maps and zoning maps	PA III	3/4	9.92	7.44
Materials, postage, xeroxing, slides				6.60
			7.75	\$93.73

\* 1980 Salaries including benefits and burden rate

NOTE: Times reflect a "typical" vacation of easement or setback. Time for street or alley vacation would be higher.

VACATION

Approximately 7.75 hours are needed to process a typical easement or setback vacation. Estimated cost, as shown in Table \_\_\_\_, to process a vacation request is \$93.73. Generally the process of setback or easement vacations take less processing time than street or alley vacations. This is due in part to the amount of area covered, number of adjoining properties affected, increased interdepartmental conferences and additional notices. As in all tables, a "typical" application was used in determining estimated time and cost since a few cases will take a minimum of time to process while others will take considerably longer due to protest, size, drainage problems, amended applications, etc.

## SMALL TRACT PLAT

DRAFT #2 TABLE 3A

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Receiving application, reviewing application for completeness and preapplication conference	JP	1	12.41	\$ 12.41
Logging in application, posting cards setting up file, filing	Sec. II	1	8.90	8.90
Posting to atlas, map creation, slide preparation	PA III	3/4	10.85	8.14
Conferences - Interdepartment	SP	1/2	13.07	6.53
	JP	1-1/2	12.41	18.62
Conferences - with applicant	CP	1/2	20.86	10.43
	SP	1	13.07	13.07
	JP	1/2	12.41	6.20
Staff review includes intra-MAPD staff conferences	CP	1/2	20.86	10.43
	SP	3	13.07	39.21
	JP	2	12.41	24.82
Reports, followup correspondence, final letters agendas, mailouts, folding plats, etc.	CP	1/4	20.86	5.22
	SP	2	13.07	26.14
	JP	2	12.41	24.82
	Sec. II	3	8.90	26.70
Hearings, Subdivision Committee (twice) MAPC BCC or BcoC includes preparation, actual meeting time, taking, typing and editing minutes, etc.	Dir/CP	3/4	20.86	15.65
	SP	1	13.07	13.07
	JP	1	12.41	12.41
	Sec. II minutes	2	8.90	17.80
Updating of official base maps and zoning maps	PA III	2	9.92	19.84
Prints for department				2.00
Materials, postage, zexxing				6.50
		<u>26.26</u>		<u>\$328.91</u>

\* 1980 Salaries plus benefits and burden rate

Note: Small tract plats are residential with less than 30 lots and less than 10 acres or commercial with less than 5 acres.

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The time and cost estimates shown in Table 2A reflect a small acre (less than 10 acres for residential, or less 5 acres for commercial) plat that can be filed without a sketch plat under provisions of the subdivision regulations. The filing of a small tract plat allows the developer to reduce his or her costs somewhat. Costs to MAPD also run less since the area to be reviewed is less than 10 acres. Generally, the problems associated with a small tract plat, drainage, access, utilities, etc., are not as severe and do not require as much time to resolve as those encountered in a plat encompassing 100 acres.

SKETCH PLATDRAFT  
#2

TABLE 3 B

Action	Personnel	Time Hours	Salaries* Hourly	Estimated Costs
Receiving application - includes reviewing application for completeness and also preapplication conference	JP	1/2	\$12.41	6.20
Logging in application, posting cards, setting up file, filing, etc.	Sec.II	1/2	8.90	4.45
Post to Atlas, map creation	PA III	1/2	10.85	5.43
Conferences - Interdepartment	SP	1/4	13.07	3.27
	JP	1	12.41	12.41
Conferences - with applicant	SP	3/4	13.07	9.80
	JP	1/2	12.41	6.20
Staff Review includes intra MAPD-staff conferences	CP	1/2	20.86	10.43
	SP	2	13.07	26.14
	JP	2	12.41	24.82
Reports, followup correspondence, agendas, mail-outs folding plats, etc.	SP	1/2	13.07	6.54
	JP	1/2	12.41	6.20
	Sec.II	1	8.90	8.90
Materials, postages, zeroxing				2.50
		<u>10.5</u>		<u>\$133.29</u>

\* 1980 Salaries plus benefits and burden rate  
Note: The time shown for the sketch, preliminary and final plats reflect a twenty acre, 50-70 lot plat. Times would be higher for plats with more acres.

DRAFT #2

TABLE 3C

PRELIMINARY PLAT

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Receiving plat - brief review and conference with applicant	JP	1/4	\$12.41	\$ 3.10
Map creation and slide preparation	PA III	1/2	10.85	5.43
Logging, posting cards, filing	Sec.II	1/2	8.90	4.45
Conferences - Interdepartment	SP	1/2	13.07	6.54
Conferences - with applicant	JP	3/4	12.41	9.31
	CP	1/2	20.86	10.43
	SP	1	13.07	13.07
	JP	1/4	12.41	3.10
Staff review includes intra-MAPD staff conferences	CP	1/2	20.86	10.43
	SP	2-1/2	13.07	32.68
	JP	2	12.41	24.82
Reports, followup correspondence, mailouts, agendas, folding of plats, etc.	CP	1/4	20.86	5.22
	SP	2	13.07	26.14
	JP	2	12.41	24.82
	Sec.II	3	8.90	26.70
Hearings - Subdivision Committee - includes preparation, actual meeting time, taking, typing and editing minutes, etc.	CP	1/2	20.86	10.43
	SP	1/2	13.07	6.54
	JP	1/2	12.41	6.20
	Sec.II	1/2	8.90	4.45
Materials, postage, zexxing				3.00
		<u>18.5</u>		<u>236.86</u>

\* 1980 Salaries plus benefits and burden rate

FINAL PLATS

DRAFT #2 TABLE 3D

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Receiving and logging in, posting cards, filing	Sec.II	1/2	8.90	4.45
Conferences - Interdepartmental	SP	1/4	13.07	3.27
	JP	1/4	12.41	3.10
Conferences - with applicant	SP	1/2	13.07	6.54
	JP	1/2	12.41	6.20
Staff review includes intra-MPAD staff conferences	CP	1/4	20.86	5.22
	SP	3/4	13.07	6.54
	JP	1-1/4	12.41	12.41
Reports, follow up correspondence, final letters agendas, mailouts, folding plats, closing files etc.	CP	1/4	20.86	5.23
	SP	1/2	13.07	6.54
	JP	1/2	12.41	6.20
	Sec.II	2	8.90	17.80
Hearings, Subdivision Committee, MAPC, BCC or BCoC- includes preparation, actual meeting time, taking, typing and editing minutes, etc.	Dir/CP	1/4	20.86	5.23
	SP	1/2	13.07	6.14
	JP	1/2	12.41	6.20
	Sec.II	1/2	8.90	4.45
Updating official base maps and zoning maps	PA III	2-3/4	9.92	27.28
Prints for department files				2.00
Materials, postage, zexoxing				3.75
		<u>12.00</u>		<u>\$138.95</u>
Total for Sketch		10.5		133.29
Total for Preliminary		18.5		236.86
Total for Final		<u>12.0</u>		<u>138.95</u>
Grand Total		41		509.10

\* 1980 Salaries plus benefits and burden rate

DRAFT

Tables 3B through 3D show the estimated time and cost attributable to the processing of a residential twenty acre, 50-70 lot, plat. The time and costs are broken down into the three phases of plat review, sketch (Table \_\_\_\_), preliminary (Table \_\_\_\_), and final (Table \_\_\_\_). Total estimated time is 41 hours with a cost of \$509.10 to process a plat from the time an application is filed until it is recorded. In estimating the processing time, it was assumed that there would not be any major drainage problems or other substantial difficulties in providing service to the site.

In most cases there would not be a significant difference in time to process a twenty acre residential plat or a twenty acre commercial plat. Factors that would increase processing time of plats, including industrial, include drainage, utilities and other problems unique to the site, not the development. These problems would result in an increase of time spent by MAPD staff conferring with other departments and the applicant.

TYPICAL ZONE CASE

DRAFT #2

TABLE 4

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conferences with applicant	CP	1/2	\$ 20.86	\$ 10.43
	JP	3/4	13.83	10.37
Receiving application - includes review of application for legal description, ownership list, addresses, etc.	JP	1/4	13.83	3.46
Logging in application, setting up file, posting cards and filing	Sec. II	1	8.23	8.23
Post to Atlas and map creation	PA III	1/2	10.85	5.43
Field check, take pictures and slide preparation	PA III	1	10.85	10.85
Typing, mailing and filing notice of hearings, legal notices and ordinances	Sec. II	2	8.23	16.46
Conferences - interdepartmental	JP	1/2	13.83	6.92
Staff review - includes historical research, surrounding land use and zoning, intrastaff conferences	CP	1/2	20.86	10.43
	JP	1-1/2	13.83	20.75
Reports, follow-up correspondence, agendas, final letters, drafting ordinances	CP	1/2	20.86	10.43
	JP	3	13.83	41.49
	Sec. II	2-1/2	8.23	20.58
Hearings - MAPC and BCC, or BCoC includes preparations, actual meeting time, referral sheets; taking, typing and editing minutes, etc.	Dir.	1/2	26.07	13.04
	CP	3/4	20.86	15.65
	JP	1/4	13.83	6.92
	Adm. Sec.	1	9.74	9.74
Updating official zoning maps	PA III	1	9.92	9.92
Materials, supplies, postage, xeroxing, slides, etc.				13.28
Mileage - 50¢ an hour and 17¢ a mile (for field check, taking slides)				4.20
Legal Publications				10.00
		18		\$258.58

\* 1980 Salaries plus benefits and burden rates  
 NOTE: "Typical" zoning case "AA" to "BB" or "LC", approximately 2 acres, no major protest of surrounding property owners.

NOTE: Generally County Zoning Case would require similar amounts of time. However, in many cases the Chief Planner is required to spend 2-3 hours driving to and attending Planning Commission meeting of the small cities. This also increases mileage costs. Some additional time is also spent by Graphic personnel preparing maps.

DRAFT

Costs and times shown in Table \_\_\_\_ reflect a rezoning case that encompasses approximately two acres. Times would be about the same whether the case was inside Wichita or in the county with the exception of driving and meeting time required of the Chief Planner to attend Planning Commission meetings of the smaller cities. It was assumed, in estimating time requirements, that there would not be a large amount of protest; although one or two people could be expected to call the MAPD and/or speak at the MAPC meeting. Time required to process an application for an area less than one acre could involve somewhat less time, however, the time required for many of the actions, such as notices, meeting time and agendas, would not be reduced.

Rezoning applications, other than to "LC" or "C" will, on the average, take slightly less time since there tend to be fewer protesters for residential requests. However, many of the actions require the same amount of time to accomplish no matter what zoning classification is requested.

#### ZONING

Table \_\_\_\_ reflects the estimated time and cost to process an application to rezone a two acre area from "AA" to "BB" or "LC". In determining the time, it was assumed that there would not be any large amount of protest by surrounding property owners. Many times there is protest and staff spends additional time talking to property owners prior to the MAPC hearing, talking to the applicant, and in processing protest petitions. In addition, MAPC meeting time would be increased if there are people present speaking for or against the application at the MAPC meeting. Thus, the estimates for time and cost reflect a relatively simple case and do not take into account those cases such as Central State Bank that require extreme amounts of time.

CUP

DRAFT  
#2

TABLES

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conferences with applicant	CP	2	\$ 20.86	\$ 41.72
	JP	3	11.99	32.97
Receiving application - includes review for legal description, ownership lists, addresses, etc.	JP	1/4	11.99	3.00
Logging in application, posting cards, setting up file and filing	Sec. II	1	8.23	8.23
Post to atlas, map creation	PA III	1/2	10.85	5.43
Field check, take pictures and slide preparations	CP	1	20.86	20.86
	PA III	1	10.85	10.85
Notices, agendas and mailouts	Sec. II	2	8.23	16.46
Review of preliminary plans and correspondence - includes intrastaff conferences	CP	2	20.86	41.72
	JP	18	11.99	215.82
Review of revised plans includes intrastaff conferences	CP	1	20.86	20.86
	JP	3	11.99	35.97
Review of landscape plan includes intrastaff conferences	CP	1/4	20.86	5.22
	PP	2	17.73	35.46
	JP	1/4	11.99	3.00
Conferences - interdepartmental with applicant	JP	2	11.99	23.98
	CP	1/2	20.86	10.43
	PP	1/2	17.73	17.73
	JP	2	11.99	23.98
Reports, follow-up correspondence and final letters	CP	1-1/2	20.86	31.29
	PP	1/4	17.73	4.43
	JP	7	11.99	83.93
	Sec. II	2	8.23	16.46
Hearings, MAPC, BCC or BCoC Includes preparation, actual meeting time, referral sheets; taking, typing and editing minutes, etc.	Dir.	1	26.07	26.07
	CP	1	20.86	20.86
	JP	1/2	11.99	6.00
	Adm. Sec.	1	9.74	9.74

CUP

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
			\$	\$
Update official zoning maps	PA III	1/4	9.92	2.48
Materials, postage, xeroxing, slides				22.13
Mileage @ 50¢ hr. & 17¢ mile				4.66
Legal publications for notices				10.00
		56.25		\$811.74

\* 1980 Salaries plus benefits and burden rate.

NOTE: This reflects a 15 acre original commercial C.U.P. with no major opposition. Requires rezoning and platting.

CUP

A commercial Community Unit Plan, approximately 15 acres in size, will take approximately 56.25 hours to process. Estimated cost is \$811.74, as shown in Table \_\_\_\_\_. In processing a C.U.P., a substantial amount of time is required to review the proposed plans and then meeting with the applicant to discuss the C.U.P. In addition, C.U.P.'s require additional MARC meeting time due to the size of the C.U.P., explanation by staff of the C.U.P. provisions and presentation by the applicant. Generally, a C.U.P. covers an area that requires sending notices to all property owners in a 1000 foot radius, which increases secretarial time and also increases the possibility of protest. A residential C.U.P. proposing apartments around a sand pit would take approximately the same amount of time.

DRAFT # 2 TABLE 6

BOARD OF ZONING APPEALS

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conference with applicant	SAZ**	1/2	\$18.74	9.37
	JP	1/4	14.01	3.50
Receiving application - includes review application for legal description, ownership list, addresses, etc.	JP	1/4	14.01	3.50
Logging in application, setting up files, filing notices, agendas, mailouts Posting atlas, map creation, slide preparation	Sec.II	1/2	7.58	3.79
	Sec.II	3/4	7.58	5.69
	PA III	1	10.85	10.85
Inspect site	SAZ	3/4	18.74	14.06
Conferences - with applicant	SAZ	1/4	18.74	4.69
	JP	2	14.01	7.00
Staff review - includes intrastaff conferences, research, etc.	SAZ	1/2	18.74	9.37
	JP	2	14.01	28.02
Reports, followup correspondence, and final letters	SAZ	1/4	18.74	4.69
	JP	2	14.01	28.02
	Sec.II	1	7.58	7.58
BZA meetings - includes preparation, actual meeting time and taking minutes	CP	1/2	20.86	5.22
	SAZ	1/2	18.74	9.37
	Sec.II	1/2	7.58	3.79
Preparation of BZA Resolution - includes drafting and editing minutes	CP	1/4	20.86	5.22
	SAZ	1/2	18.74	4.69
	JP	1	14.01	14.01
	Sec.II	1	7.58	3.79
Legal Publications				7.50
Mileage at 50¢ an hour and 17¢ per mile				2.30
Materials, postage, zeroxing, slides				8.85
		16.5		\$204.87

\* 1980 Salaries plus benefits and burden rate

\*\* Special Assistant for Zoning

Note: This reflects a typical variance application

DRAFT

Table \_\_\_\_ shows the times and costs incurred in the processing of a typical application requesting a variance of the off-street parking requirements. Requests for exceptions take approximately the same amount of time as a variance. However, it should be remembered that some cases will require a substantial amount of time to process due to unique circumstances. Conversely, some cases, such as a variance of a setback line, will take relatively little time to process. In all cases there is a certain amount of time required to receive and log in the application, prepare and mail notices, and present at the BZA meeting.

COUNTY CONDITIONAL USE PERMIT

DRAFT #2

TABLE 7

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conference with applicant	CP	1/2	\$20.86	10.43
	JP	1/2	14.01	7.00
Receiving application - includes review of application for legal description, ownership list, addresses, etc.	JP	1/4	14.01	3.50
Logging in application, posting cards, setting up file, filing, notices, agendas, mailouts	Sec.II	1	8.23	8.23
	Sec.II	1	8.23	8.23
Post to atlas, map creation, slide preparation Filed check for land use and taking photographs of area	PA III	1/2	10.85	5.43
	PA III	3/4	10.85	8.14
Conferences - Interdepartmental Conferences - with applicant	JP	1/2	14.01	7.00
	CP	1/2	20.85	10.43
	JP	1	14.01	14.01
Staff review includes intra staff conferences, research etc.	CP	1/4	20.86	5.22
	JP	2	14.01	28.02
Reports, followup correspondence, final letters	CP	1/2	20.86	10.43
	JP	2	14.01	28.02
	Sec.II	2	8.23	16.46
Hearings MAPC and BCOC, includes, preparation actual meeting time, referral sheets, taking, typing and editing minutes, etc	Dir	3/4	26.07	19.55
	CP	3/4	20.86	15.65
	JP	1/4	14.01	3.50
	Adm.Sec	1	9.74	9.74
Legal publications				10.00
Mileage at 50¢ hour and 17¢ per mile				6.96
		16		\$235.95

\* 1980 Salaries plus benefits and burden rate

Note: This reflects a typical conditional use application for a 4 acre mobile home park in a "AA" district.

HISTORIC LANDMARK DESIGNATION

DRAFT #2 TABLE 8

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conference with applicant	PP	1/2	\$ 17.73	\$ 8.86
Receiving application - includes review of application for legal description, ownership list, addresses, etc.	PP	1/4	18.83	4.43
Logging in application, posting cards, setting up files, filing	Sec.II	1	8.23	8.23
Post to Atlas, map creation, slide preparation	PA III	1	10.85	10.85
Field check for land use, taking photographs	PP	1/2	17.73	8.86
	PA III	1/2	10.85	5.43
Conferences - interdepartmental with applicant	PP	1/2	17.73	8.86
	CP	1/2	20.86	10.43
	PP	1/2	17.73	8.86
Staff review-includes research and intrastaff conferences	CP	1/4	20.86	5.22
	PP	2	17.73	35.46
Reports, follow-up correspondence, final letters	CP	1/4	20.86	10.43
	PP	1	17.73	17.73
	Sec.II	1-1/2	8.23	12.35
Notice of hearing, agendas, mailouts	Sec.II	1-1/2	8.23	12.35
Hearings - MAPC, BCC or BCoC - includes preparation, actual meeting time, referral sheets, legal notices and ordinances; taking, typing and editing minutes.	Dir.	1/2	26.07	13.04
	CP	1/2	20.86	10.43
	JP	1/2	13.83	6.92
	Adm. Sec.	1	9.74	9.74
Updating official maps	PA III	1/2	9.92	4.96
Materials, postage, xeroxing, slides				13.28
Mileage at 50¢ hour and 17¢ per mile				2.10
Publications				10.00
		14.75		\$238.82

\* 1980 Salary plus benefits and burden rate.

NOTE: Times reflect a typical application for a one or two lot area.

## SPECIAL PERMIT

DRAFT  
#2

TABLE 9

Action	Personnel	Time Hours	Salary* Hourly	Estimated Costs
Preapplication conference with applicant	CP	1/2	\$ 20.86	\$ 10.43
	JP	1/2	14.01	7.00
Receiving application - includes review of application for legal description, ownership lists, addresses, etc.	JP	1/4	14.01	3.50
Logging in application, posting cards, setting up file, filing, etc.	Sec.II	1	8.23	8.23
Post to Atlas, map creation, slide preparation	PA III	1	10.85	10.85
Conferences - interdepartmental with applicant	JP	1/2	14.01	7.00
	CP	1/4	20.86	5.22
	JP	1/4	14.01	3.50
Staff review-includes research and intra-staff conferences	CP	1/4	20.86	5.22
	JP	1-1/2	14.01	21.02
Reports, follow-up correspondence, final letters, agendas, mailouts, notices, etc.	CP	1/2	20.86	10.43
	JP	1-1/2	14.01	21.02
	Sec.II	3	8.23	24.69
Hearings, MAPC and BCC - includes preparation, actual meeting time, referral sheets; taking, typing and editing minutes	Dir.	1/2	26.07	13.04
	CP	1/2	20.86	10.43
	JP	1/2	14.01	7.00
	Adm.Sec.	1	9.74	9.74
Updating official maps	PA III	1/4	9.92	2.48
Materials, postage, xeroxing, slides, etc.				3.75
		13.75		\$184.55

\* 1980 Salary plus benefits and burden rate.

NOTE: This reflects the time used to process a special permit request for a neighborhood swimming pool in an "AA" district, or an auto salvage yard in an "E" district.

*example*

TYPICAL ZONING CASE

*1st Draft*

*Table 4*

Action	Personnel	Time Hours	Salary*Incl. Benefits	Estimated Costs
Receiving and logging in application	JP	1/4	\$13.83	\$ 3.31
Posting cards, setting up file and filing	Sec.II	1	8.23	8.23
Conferences-Staff and with applicant	CP	1-1/4	20.86	26.08
	JP	1-1/4	13.83	17.29
Post to Atlas	PA III	1/2	10.85	5.43
Field check and take pictures	PA III	1	9.92	9.92
Staff review, reports and follow-up correspondence	CP	1-1/2	20.86	31.29
	JP	2-1/2	13.83	34.58
	Sec.II	4	8.23	32.92
Presentation map preparation	PA III	1	9.92	9.92
Notice of hearings	Sec.II	1	8.23	8.23
Legal notices and ordinances	Sec.II	1	8.23	8.23
MAPC meeting and related activities	Director	1/4	26.07	6.52
	CP	1/2	20.86	10.43
	JP	1	13.83	13.83
	Adm.Sec.	1/2	9.74	4.87
City or County referral sheets	Adm.Sec.	1/2	9.74	4.87
BCC or BCoC meeting	Director	1/2	26.07	13.04
Map updating	PA III	1	9.92	9.92
Materials and mailing costs				13.28
Mileage @ 50¢ hr. and 17¢/mile				4.20
Publications				10.00
		<u>20.5</u>		<u>\$282.39</u>

\* 1980 Salaries

CUP's

1<sup>st</sup> Draft

Table 5

Action	Personnel	Time Hours	Salary*Incl. Benefits	Estimated Cost
Receiving and logging in application	SP/JP	1/2	\$11.99	\$ 6.00
Posting cards, setting up files and filing	Sec. II	1	8.23	8.23
Post to Atlas and various matters	PA III	1/2	10.85	5.46
Inspect site in field	CP	1	20.86	20.86
Review of preliminary plans and correspondence	CP	3	20.86	62.58
	SP/JP	17	11.99	203.83
	Sec. II	1/2	8.23	4.12
Review of revised plans	CP	1	20.86	20.86
	SP/JP	3	11.99	35.97
Review of Landscape plan	CP	1	20.86	20.86
	PP	2	17.73	35.46
Conferences-with applicant and inter-staff	CP	10	20.86	208.60
	PP	1	17.73	17.73
	SP/JP	10	11.99	119.90
Staff review, reports and follow-up correspondence	CP	2	20.86	41.72
	PP	1/2	17.73	8.87
	SP/JP	4	11.99	47.96
	Sec. II	2	8.23	16.46
Hearings-MAPC and related activities	Director	1/2	26.07	13.04
	CP	1	20.86	20.86
	SP/JP	1-1/2	11.99	17.99
	Adm. Sec.	1-1/2	9.74	14.61
Notices, Agendas, mailouts	Adm. Sec.	1	9.74	9.74
	Sec. II	2	8.23	16.46
Referral Sheets to BCC	Adm. Sec.	1/2	9.74	4.87
BCC meeting	Director	1	26.07	26.07
Update maps	PA III	1/2	9.92	4.96
Materials and mailing costs				22.13
Mileage at 50¢ hr. and 17¢/mile				4.66
Legal publications				10.00
		72.5		\$1,050.86

\* 1980 Salaries

SPECIAL PERMIT BY BCC

*1st Draft*

Action	Personnel	Time Hours	Salary*Incl. Benefits	Estimated Cost
Receiving and logging in application	JP	1/4	\$14.01	\$ 7.38
Posting cards, setting up file and filing	Sec. II	1	8.23	8.23
Post to Atlas and related activities	PA III	1	10.85	10.85
Conferences with applicant and inter-staff	CP	1	20.86	20.86
	JP	1-1/2	14.01	21.02
Staff review, reports and follow-up correspondence	CP	1-1/2	20.86	31.29
	CP	2-1/2	14.01	35.03
	Sec. II	4	8.23	32.92
MAPC meeting and related activities	Director	1/4	26.07	6.52
	CP	1/2	20.86	10.43
	JP	1/2	14.01	7.01
	Adm. Sec.	1/2	9.74	4.87
BCC meeting	Director	1/2	26.07	13.04
Map updating	PA III	1/4	9.92	2.48
		15.25		\$211.93

\* 1980 Salaries

HISTORIC LANDMARK DESIGNATION

Table 8

Action	Personnel	Time Hours	Salary*Incl. Benefits	Estimated Costs
Receiving and logging in application	PP	1/4	\$17.73	\$ 4.43
Posting cards, setting up file, filing	Sec. II	1	8.23	8.23
Post to Atlas and related activities	PA III	1-1/2	10.85	16.28
Field check - Take pictures	CP	1/2	20.86	10.43
	PA III	3/4	9.92	7.44
Conferences - with applicant and inter-staff	CP	1	20.86	20.86
	PP	1	17.73	17.73
Staff Review, reports and follow-up correspondence	CP	3/4	20.86	15.65
	PP	2	17.73	35.46
	Sec. II	3	8.23	24.69
Notice of Hearing	Sec. II	1	8.23	8.23
Legal notice and ordinances	Sec. II	1	8.23	8.23
MAPC meeting and related activities	Director	1/4	26.07	6.52
	CP	1/4	20.86	5.42
	JP	1/4	13.83	3.46
	Adm. Sec.	1/2	9.74	4.87
BCC or BCoC meeting	Director	1/2	26.07	13.04
Map updating	PA III	1	9.92	9.92
Materials and mailing costs				13.28
Mileage at 50¢ Hr. and 17¢/mile				2.10
Publications				10.00
		15.5		\$237.27

\* 1980 Salaries

ESTIMATED COSTS FOR PROCESSING A COMMUNITY UNIT PLAN

No.	Nature of Process	Personnel	Time	Hourly Wage Ins. Benefits	Estimated Cost
1.	Conference with applicant	Chief Planner	20 hrs.	\$ 18.2867	\$ 365.73
2.	Log in application, posting cards and files, filing	Secretary II	1 hr.	6.4146	6.41
3.	Inspect site in field	Chief Planner	1 hr	18.2867	18.29
4.	Review of preliminary plans and correspondence	Chief Planner Junior Planner Secretary II	8 hrs. 16 hrs. 1/2 hr.	18.2867 12.048 6.4.46	146.29 192.77 3.21
5.	Review of revised plan and recommenda- tion to MAPC	Chief Planner Junior Planner	2 hrs, 7 hrs.	18.2867 12.048	36.57 84.64
6.	Notice of hearing	Secretary II	1 hr.	6.4146	6.41
7.	Planning Commission hearing	Director Chief Planner Junior Planner Senior Planner Adm. Sec.	1 hr. 1 hr. 1 hr. 1 hr 2-1/2 hrs.	23.0732 18.2867 12.10 9.9184 8.1096	23.07 18.29 12.10 9.92 20.27
8.	Planning Commission correspondence	Secretary II	1/2 hr.	6.0803	3.04
9.	Referral sheets to BCC	Adm. Sec.	1/2 hr,	8.1096	4.05
10.	BCC meeting	Director	1 hr.	23.0732	23.07
11.	Materials and mailing costs				22.13
12.	Mileage at 50¢/hr. and 15¢/mile				4.20
13.	Legal publications				<u>10.00</u>
	Total . . . . .				\$ 937.87

ESTIMATED COSTS FOR PROCESSING AN APPLICATION FOR ZONE CHANGE

No.	Nature of Process	Personnel	Time	Hourly Wage Ins. Benefits	Estimated Cost
1.	Conference with applicant	Chief Planner Junior Planner	1 hr. 1 hr.	\$ 18.2867 12.048	\$ 18.29 12.05
2.	Secretarial work (exclusive of report writing)	Secretary II	3 hrs.	6.4146	19.24
3.	Posting cards and files, filing	Included in item No. 2.			
4.	Post to atlas (related activities)	P.A. III	1/2 hr.	9.131	4.57
5.	Field check and take pictures	P.A. III	1 hr.	7.9635	7.96
6.	Zoning Committee field inspection	Senior Planner	1/2 hr.	12.10	6.05
7.	Staff conferences	Chief Planner Junior Planner	1/4 hr. 1/4 hr.	18.2867 12.048	4.57 3.01
8.	Planning Commission report	Chief Planner Junior Planner	1 hr. 2-1/2 hrs.	18.2867 12.048	4.57 30.12
9.	Presentation map preparation	P.A. III	1 hr.	7.9635	7.96
10.	Notices of hearing	Secretary II	1/2 hr.	6.4146	3.21
11.	MAPC meetings	Director Chief Planner Senior Planner Junior Planner Adm. Sec.	1/4 hr. 3/4 hr. 1/4 hr. 1 hr. 2-1/2 hrs.	23.0732 18.2867 12.10 12.048 8.1096	5.77 13.67 3.02 12.05 20.27
12.	Planning Commission correspondence	Secretary II	2-1/2 hrs.	6.0803	15.20
13.	Legal notices and ordinances	Secretary II	1 hr.	6.4146	6.41
14.	City or County Commission referral sheets	Adm. Sec.	1/2 hr.	8.1096	4.05

ESTIMATED COSTS FOR PROCESSING AN APPLICATION FOR ZONE CHANGE (continued)

No.	Nature of Process	Personnel	Time	Hourly Wage Ins. Benefits	Estimated Cost
15.	BCC and Bcoc meetings	Director	1/2 hr.	\$ 23.0732	\$ 11.54
16.	Map updating	P.A. III	1 hr.	9.131	9.13
17.	Materials and mailing costs				13.28
18.	Mileage at 50¢/hr. and 17¢/mile				4.20
19.	Legal publications				<u>10.00</u>
	Total				\$ 250.19