



## Sec. 26.104.072 – ZONING REVIEW FEES

## Exhibit C

### General and Applicability

Zoning review fees shall apply to all development requiring a building permit and all development not requiring a building permit but which requires review by the Community Development Department. The fee covers the Zoning Officer's review of a permit including any correspondence with the caseload planner, Historic Preservation Officer, the Deputy Director, the Director, or other city staff.

A permit, amendment to a permit, or change order which requires a Floor Area, Height, net leasable, or net livable measurement by the Zoning Officer shall be considered a Major permit. All other permits are considered Minor permits.

For the purposes of zoning fees, the square footage used to calculate the fee shall be the greater of the gross square footage affected by the permit or the gross square footage which must be measured to review the permit. All change orders and amendments to a permit require additional fees. A change order or amendment to an un-issued permit shall require payment of both fees (initial and change order).

Official confirmation of existing conditions of a property which requires measurement of Floor Area, Height, net leasable area, or net livable area of a structure, prior to demolition or for other purposes, shall be considered a Major permit.

For projects with multiple uses, the zoning review fee for each individual use shall be calculated based on the gross square footage of the use and added to determine the total project fee.

Zoning review fees for major permits for properties within a Planned Unit Development shall be 125% of the fee schedule. This additional charge does not apply to demolition permits.

Zoning referral fees - for official zoning comments on a planning application - shall be according to the fees policy for planning review.

Notwithstanding the zoning review fee schedule, the Community Development Director shall waive zoning review fees for General Fund Departments of the City of Aspen consistent with City policy.

Notwithstanding the zoning review fee schedule, City Council may authorize a reduction or waiver of zoning review fees as deemed appropriate.

This fee structure applies to applications submitted on or after November 1, 2011.

**50% of Zoning Review Deposit Required**

For any Zoning fee of \$500 or more, 50% of the fee is due at permit submittal. This deposit is non-refundable. The applicant shall pay the remaining 50% at permit issuance, which shall include any reconciliation of fees due.

\*Used to be 100% of fee due at submittal, or 80% if over \$2,000

**Special Services - Zoning Review**

***Hourly Zoning Review Fee***

\$315 per hour \* Used to be \$245.00

***Pre-Permit or Pre-Application Meetings***

Applicant meetings with the Zoning Officer or a Planner to discuss prospective planning applications or prospective building permit applications are a free service and staff time is not charged to the applicant. However, this service is limited to the time reasonably necessary for understanding a project's requirements, review procedures, city regulations, etc. An applicant shall be billed for any pre-application or pre-permit staff time significantly in excess of that which is reasonably necessary. Billing will be at the Planning/Zoning hourly billing rate. The applicant will be notified prior to any billing for pre-application or pre-permit service.

***Zone District Confirmation Letter***

\$315 Formal issuance of a letter confirming parcel's zoning only. Does not confirm legality of existing improvements or uses.

***Existing Conditions Confirmation***

Service subject to authorization by Community Development Director and may not be available. Fee based on a Major permit review for the type of land use. Does not confirm legality of existing improvements or uses. Requires submission of dimensioned drawings.

**Expedited Zoning Review**

Double Applicable Fee. Prioritizes project's zoning review over all other projects. Service subject to authorization by Community Development Director considering department workload, staffing, and effects on other projects.

**Change Order Fees - Zoning Review**

Applications for change orders shall require an additional Zoning Review Fee. A change order which does not require a new measurement of floor area, height, net leasable, or net livable shall be considered a Minor change order and assessed the minor fee. A change order which requires a new measurement of floor area, height, net leasable area, or net livable area shall be assessed the Major zoning fee. Fees for the previously submitted permit application shall not be refunded or credited toward change order fees.

\*Used to be done as an hourly review

**Certificate of Occupancy or Final Inspection Fee - Zoning**

No charge

**Conditional Certificate of Occupancy - Zoning**

- \$315 for first CCO issued
- \$630 for second CCO issued
- \$945 for third or subsequent CCO issued.

\*New fees for CCOs

**Business License Approval - Zoning**

No charge. Other fees may be required. Apply to City Finance.

**Special Review or Inspection Fee - Zoning.** *Applies when no fee is otherwise established*

\$315 per hour, a minimum of one hour for any one review or inspection.

**Demolition Zoning Review Fees**

Minor Zoning Fee - Does not require measurement or confirmation of existing conditions.

<b><i>Square footage of Project</i></b>	<b><i>Fee</i></b>	
Up to 500 sq. ft.	\$63	
501 to 2,500 sq. ft.	\$158	*Would have been flat \$125.00 for all
2,501 to 5,000 sq. ft.	\$236	
Above 5,000 sq. ft.	\$315	

Major Zoning Fee - If demolition requires measurement of the structure or confirmation of existing conditions, the fee will be the major fee according to the land use.

**Exterior Repair Zoning Review Fees**

Applies to Residential, Commercial, Lodging, Arts/Cultural/Civic/Institutional exterior repair work requiring a building permit or review by the Historic Preservation Officer. Does not apply to interior work. Does not apply to alteration. Fee is based on wall area or roof area being repaired. Does not apply to signs or awnings.

<b><i>Square footage of Repair</i></b>	<b><i>Fee</i></b>	
Up to 500 sq. ft.	\$32	
501 to 1,000 sq. ft.	\$63	* Would have been
1,001 to 2,500 sq. ft.	\$158	flat \$125.00 or
Above 2,500 sq. ft.	\$315	\$245.00/hr

**Residential Zoning Review Fees**

Applies to single-family, duplex, accessory dwelling units, carriage houses, multi-family and residential units in a mixed-use building

**Minor Zoning Fee** - Existing Development, Minor Remodel or Minor Change Order

<b><u>Projects up to \$10,000 in total valuation:</u></b>		
Valuation \$0 to \$5,000	\$32	<b>*New discount for small projects</b>
Valuation \$5,001 to \$10,000	\$63	

<b><u>Projects over \$10,000 in total valuation:</u></b>		
<b><u>Square footage of Project</u></b>	<b><u>Fee</u></b>	
Up to 500 sq. ft.	\$315	
501 to 2,500 sq. ft.	\$630	<b>*Would have been \$125.00</b>
2,501 to 5,000 sq. ft.	\$945	
Above 5,000 sq. ft.	\$1,260	

**Major Zoning Fee** - New Development, Major Remodel, Demolition w/ Confirmation, Major Change Order

<b><u>Square footage of Project</u></b>	<b><u>Base Fee</u></b>	<b><u>+ Fee based on project size</u></b>
Up to 500 sq. ft.	\$315	+ \$.50 per sq. ft. of project
501 to 2,500 sq. ft.	\$630	+ \$.75 per sq. ft. of project
2,501 to 5,000 sq. ft.	\$945	+ \$.90 per sq. ft. of project
Above 5,000 sq. ft.	\$1,260	+ \$1.00 per sq. ft. of project
<p><b>Up to 500 square feet Flat fee \$125.00 501-3,500 square feet \$125.00 plus \$21.00/s.f. over 500 s.f 3,501-10,000 square feet \$780.00 plus \$0.36/s.f. over 3,500 s.f. 10,001+ square feet \$3,155.00 plus \$0.40/s.f. over 10,000 s.f.</b></p>		
<p>Major Residential permits within a PUD shall be 125% of the above fee schedule. (Does not apply to demo.)</p>		

**For 2011, The zoning review fee shall be reduced by 10% for major residential projects submitted in the format specified in the adopted zoning permit submission guide. Applicants should see ComDev staff for more information.**

**Commercial Zoning Review Fees**

Applies to commercial projects and commercial portions of a mixed-use project.

**Minor Zoning Fee** - Existing Development, Minor Remodel or Minor Change Order

**Projects up to \$10,000 in total valuation:**

Valuation \$0 to \$5,000	\$32	*New Discount for small projects
Valuation \$5,001 to \$10,000	\$63	

**Projects over \$10,000 in total valuation:**

<b>Square footage of Project</b>	<b>Fee</b>	
Up to 500 sq. ft.	\$315	
501 to 2,500 sq. ft.	\$630	*Was flat \$125.00
2,501 to 5,000 sq. ft.	\$945	
Above 5,000 sq. ft.	\$1,260	

**Major Zoning Fee** - New Development, Major Remodel, Demolition w/ Confirmation, Major Change Order

<b>Square footage of Project</b>	<b>Base Fee</b>	<b>+ Fee based on project size</b>
Up to 500 sq. ft.	\$315	+ \$.50 per sq. ft. of project
501 to 2,500 sq. ft.	\$630	+ \$.75 per sq. ft. of project
2,501 to 5,000 sq. ft.	\$945	+ \$.90 per sq. ft. of project
Above 5,000 sq. ft.	\$1,260	+ \$1.00 per sq. ft. of project

Major Commercial permits within a PUD shall be 125% of the above fee schedule. (Does not apply to demo.)

Up to 500 square feet Flat fee \$125.00  
 501-3,500 square feet \$125.00 plus \$0.36/s.f. over 500 s.f.  
 3,501-10,000 square feet \$1,810.00 plus \$0.71/s.f. over 5,000 s.f.  
 10,001+ square feet \$5,450.00 plus \$0.80/s.f. over 10,000 s.f.

**For 2011, The zoning review fee shall be reduced by 10% for major commercial projects submitted in the format specified in the adopted zoning permit submission guide. Applicants should see ComDev staff for more information.**

**Lodging Zoning Review Fees**

**\*Would have been under commercial schedule**

Applies to lodging projects and lodging portions of a mixed-use project. All fractional interest, timeshare, and exempt timeshare projects are considered Lodging for the purposes of this review fee.

**Minor Zoning Fee-** Existing Development, Minor Remodel or Minor Change Order

**Projects up to \$10,000 in total valuation:**

Valuation \$0 to \$5,000	\$32
Valuation \$5,001 to \$10,000	\$63

**Projects over \$10,000 in total valuation:**

<b><u>Square footage of Project</u></b>	<b><u>Fee</u></b>
Up to 1,000 sq. ft.	\$315
1,001 to 5,000 sq. ft.	\$630
5,001 to 10,000 sq. ft.	\$945
Above 10,000 sq. ft.	\$1,260

**Major Zoning Fee -** New Development, Major Remodel, Demolition w/ Confirmation, Major Change Order

<b><u>Square footage of Project</u></b>	<b><u>Base Fee</u></b>	<b><u>+ Fee based on project size</u></b>
Up to 1,000 sq. ft.	\$315	+ \$.35 per sq. ft. of project
1,001 to 5,000 sq. ft.	\$630	+ \$.40 per sq. ft. of project
5,001 to 10,000 sq. ft.	\$945	+ \$.45 per sq. ft. of project
Above 10,000 sq. ft.	\$1,260	+ \$.50 per sq. ft. of project

Major Lodging permits within a PUD shall be 125% of the above fee schedule. (Does not apply to demo.)

**For 2011, The zoning review fee shall be reduced by 10% for major lodging projects submitted in the format specified in the adopted zoning permit submission guide. Applicants should see ComDev staff for more information.**

**Arts/Cultural/Civic/Institutional Zoning Review Fees**

**\*Would have been under commercial schedule**

Applies to Arts, Cultural, Civic and Institutional uses or portions of a mixed-use project with these uses.

**Minor Zoning Fee** - Existing Development, Minor Remodel or Minor Change Order

**Projects up to \$10,000 in total valuation:**

Valuation \$0 to \$5,000	\$32
Valuation \$5,001 to \$10,000	\$63

**Projects over \$10,000 in total valuation:**

<b>Square footage of Project</b>	<b>Fee</b>
Up to 1,000 sq. ft.	\$315
1,001 to 5,000 sq. ft.	\$630
5,001 to 10,000 sq. ft.	\$945
Above 10,000 sq. ft.	\$1,260

**Major Zoning Fee** - New Development, Major Remodel, Demolition w/ Confirmation, Major Change Order

<b>Square footage of Project</b>	<b>Base Fee</b>	<b>+ Fee based on project size</b>
Up to 1,000 sq. ft.	\$315	+ \$.35 per sq. ft. of project
1,001 to 5,000 sq. ft.	\$630	+ \$.40 per sq. ft. of project
5,001 to 10,000 sq. ft.	\$945	+ \$.45 per sq. ft. of project
Above 10,000 sq. ft.	\$1,260	+ \$.50 per sq. ft. of project

Major Arts/Cultural/Civic/Institutional permits within a PUD shall be 125% of the above fee schedule. (Does not apply to demo.)

**For 2011, The zoning review fee shall be reduced by 10% for major arts/cultural projects submitted in the format specified in the adopted zoning permit submission guide. Applicants should see ComDev staff for more information.**

**Signs and Awnings - Zoning Review Fees**

Individual Sign Permit Fee	\$63	per sign	
Multiple Sign Permit Fee	\$158	per business, unlimited number of signs	
Permanent Sandwich Board Sign	\$63	per sign	* Must be in an approved sandwich board location
Temporary Sandwich Board Sign	\$32	per one-week permit	
	\$158	for 8 one-week permits	
Awning Permit Fee	\$63	per awning	* Includes signage review fee.
Multiple Awning Permit Fee	\$158	per business	
Banner Installation Fee	\$63	Single banner	* Banner fees collected by the City Manager's Office
	\$158	Double banner	

\*Previously \$80 for any sign permit

**Fence - Zoning Review Fee**

Single-Family and Duplex Residential	\$63
All other uses	\$158

\*Previously \$80 for all uses

**Bear-Proof Trash Container - Combined Zoning & Building Review Fee**

Single-Family and Duplex Residential	\$63
All other uses	\$158

\* Previously \$60.00 for all uses

**Enforcement Fees, Fines, and Penalties**

No Certificate of Occupancy or Conditional CO shall be issued until all fees have been paid in full. Failure to pay applicable fees is subject to fines, penalties, or assessments as assigned by the Municipal Court Judge.

**Non-Permitted Work Fee:**

Work done without a zoning approval (when one is required), without a building permit (when one is required), or work done counter to an issued zoning approval is subject to this enforcement fee. Non-permitted work fee is per infraction and per project. Additional hourly fees may be applicable to account for staff time. No other action on the project may occur until non-permitted work issue has been rectified to the satisfaction of the Community Development Director. Any correction requiring a building permit or zoning application shall also be subject to the Correction Order Fees described below.

First infraction	\$315 plus, hourly fee for any staff time in excess of one hour.
Second Infraction	\$630 plus, hourly fee for any staff time in excess of one hour.
Third Infraction	\$945 plus, hourly fee for any staff time in excess of one hour.

**Correction Order Fee:**

This fee shall apply to any work required to correct a zoning violation or to permit work that has been accomplished without a permit or not covered by an issued permit. Infractions are per project.

First infraction	Double Zoning Review Fee, minimum of \$500
Second Infraction	Four times the Zoning Review Fee, minimum of \$500
Third Infraction	Eight times the Zoning Review Fee, minimum of \$500. Subject to additional penalties by citation as assigned by the Municipal Judge.

For any correction requiring a planning review, the planning review fees shall be increased according to the above schedule.

**Municipal Court Enforcement - Zoning**

Fees, fines, and penalties by citation for violations of the Land Use Code shall be established by the Municipal Court Judge according to the scope and duration of the offense. Zoning Enforcement Fee may include an assessment for administrative time required by the Zoning Officer to address the violation.