

ORDINANCE NO. 86-2

AN ORDINANCE TO AMEND THE SPRING HILL REGIONAL ZONING ORDINANCE (ORDINANCE 85-5) BY REQUIRING APPLICATION FEES FOR REQUESTS FOR CERTAIN PERMITS AND APPEALS TO THE BOARD OF ZONING APPEALS.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE:

WHEREAS, the announcement by Saturn Corporation of its intent to construct an automobile manufacturing facility adjacent to Spring Hill has brought about a massive increase in real estate development potential within the region, and

WHEREAS, the Town of Spring Hill presently has no full time staff of trained professionals capable of assisting the Town and Region in assuring the safety and order of this future development and

WHEREAS, the future health, safety, welfare and public convenience require this development to be properly controlled and directed.

NOW, THEREFORE, BE IT FURTHER ORDAINED:

SECTION 1. That a new section (Section-12) be added to Article IV "General Provisions" and that said Section-12 shall read in words and figures as follows:

Section 12. Fees to Defray Building Permit Processing.

12.1 Prior to the town initiating a response to any application made pursuant to this ordinance, the applicant shall pay to the town the fees established herein to cover the town's expected direct costs associated with processing of such application and the annual administration of this ordinance.

12.2 The town shall maintain careful records of its costs of administering this ordinance, and shall, by amendment to this ordinance, endeavor to match application fees with average associated costs on a revenue neutral basis, reflecting the town's cost of administration experience hereunder.

- 12.3 Full cost recovery fees for permit application may be waived to avert hardship and associated costs covered by general revenue sources in the case of administration of applications involving a single individual home or a single mobile home submitted by persons or families who make application for a hardship waiver upon their certification that either (a) the applicant is retired and the average age of applicant and spouse (if living) is 65 or over, or (b) that the applicant's family income is not in excess of one hundred seventy-five (175) percent of the Federal Government's index point of the income level used to calculate the number of persons in Tennessee having an income of a poverty level. In such hardship waiver cases, the fee for a single family home or mobile home shall be twenty-five dollars (\$25.00).
- 12.4 Full cost recovery (revenue neutral) fees shall be charged each applicant for requests for rezoning of property to change its land use classification; for subdivision permits; for planned unit development permits; for building inspection; for use and occupancy permits; and for appeals to the Board of Zoning Appeals.
- 12.5 The full cost of administration of permits to be recovered shall consist of two (2) components: (a) The direct cost of the work of the Zoning Ordinance Administration (whether by town personnel or professional firms under contract to the town to perform such services) dealing with the specific application on a timely and efficient, yet thorough, manner; together with (b) the reasonable costs, (prorated among all applicants during the year, prorated by acreage and/or square footage of buildings potentially constructed on the applicant's site should the application be approved), to be shared among all applicants of the land use planning for the Spring Hill regional area and the administration of this zoning ordinance, including, but not limited to, per diem salaries (if any) of the planning commission and Board of Zoning Appeals; regional geophysical data assessments and associated land use planning reflecting floodplains; traffic management; regional utility service planning; legal costs asso-

ciated with drafting and administration of the zoning ordinance and legal defense of the town and its officials arising as a result of actions taken pursuant to the zoning ordinance; population growth forecasting; aerial photography; maintenance of land use management computer data bases; and all other actual costs to the Town of Spring Hill associated with administration of zoning ordinance.

12.6 The standard application fee established on an interim basis to provide full-cost recovery shall be the greater of: (a) fifteen cents (\$.15) for each square foot of building area whose construction would be permitted if the application is granted, not to exceed, however, one hundred fifty dollars (\$150.00) for a single-family, duplex residence or mobile home, and not to exceed twenty-five dollars (\$25.00) per acre for planned unit developments, industrial parks, commercial developments, not to exceed, however, twenty-five thousand dollars (\$25,000.00) for any single application.

12.7 Special zoning and building application fees, in addition to the standard application fees of 12.6 (above), shall be charged when the town's planning commission determines that the standard application fees set forth above will not generate revenues sufficient for full-cost recovery as set forth in this article, subject, however, to the hardship waivers and maximum single project fees as set forth herein.

This Ordinance was adopted on third reading after a public hearing held on January 20, 1986, after a public notice thereof which was published in the Daily Herald on January 3, 1986.

BE IT FURTHER ORDAINED THAT THIS ORDINANCE SHALL TAKE EFFECT ON THE EARLIEST DATE PERMITTED BY LAW, THE PUBLIC WELFARE REQUIRING IT.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 20 day of January, 1986.



GEORGE JONES, MAYOR

ATTEST:

June Quirk
JUNE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:

Robin Courtney
ROBIN COURTNEY - CITY ATTORNEY

Passed on 1st reading: 01-06-86

Passed on 2nd reading: 01-13-86

Passed on 3rd reading: 01-20-86