

(Published in the Topeka Metro News May 9, 2011)

ORDINANCE NO. 19557

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 18.245.070, concerning filing fees for land use and specifically repealing said original section as well as repealing in its entirety § 18.245.080.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA:

Section 1. That section 18.245.070, Filing Fees, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Filing fees.

(a) All applications for amendments to the district map, ~~and conditional use permits, home occupation permits and appeals to the Board of Zoning Appeals~~ shall be accompanied by the appropriate filing fee as ~~herein set forth~~ adopted by resolution of the governing body. Copies of the current resolution establishing such fees shall be on file in the offices of the Planning Department and City Clerk.

(b) In the event an application ~~may be~~ for amendment to the district map or conditional use permit is withdrawn prior to the ~~consideration of either~~ submission to the planning commission or governing body, the applicant may recover the filing fee less the ~~actual expenses incurred by the~~ and the cost of the planning staff time expended in reviewing the application.

District		Fee
(a) RA-1; RR-1; R-1; R-2; R-3; and R-4 districts	0 – 5 acres	\$500.00
	5.1 – 10 acres	\$600.00
	10.1 – 20 acres	\$700.00
	20.1+ acres	\$800.00
(b) M-1; M-1a; M-2; M-3;		\$650.00/acre

and M-4 districts, per acre		
(c) O&I-1; O&I-2; and O&I-3 districts	0—5 acres	\$650.00
	5.1—10 acres	\$700.00
	10.1—20 acres	\$750.00
	20.1+ acres	\$800.00
(d) C-1; C-2; C-3; C-4; and C-5 districts	0—5 acres	\$650.00
	5.1—10 acres	\$750.00
	10.1—20 acres	\$850.00
	20.1+ acres	\$950.00
(e) I-1 and I-2 districts	0—5 acres	\$650.00
	5.1—10 acres	\$750.00
	10.1—20 acres	\$850.00
	20.1+ acres	\$950.00
(f) U-1 district	Initial petition	\$950.00 plus \$50.00/acre or fraction thereof
	Minor amendment	\$450.00
	Major amendment	\$700.00
(g) MS district	0—5 acres	\$650.00
	5.1—110 acres	\$700.00
	10.1—120 acres	\$750.00
	20.1+ acres	\$800.00
(h) PUD district	Initial petition	\$950.00 plus \$50.00/acre or fraction thereof
	Not to exceed \$7,500.00 Revised master plans (minor amendment)	\$450.00
	Revised master plans (major amendment)	\$700.00
	Site plan review/phase	\$450.00
(i) Conditional use permits	1—5 acres	\$700.00
	Revisions	\$325.00
	Site plan amendment	\$450.00
(j) Revision of conditional use permits or special use permits or		\$200.00

former planned districts Other modifications		
(k) Board of appeals		\$130.00
(l) Historic landmark overlay	Single property	\$25.00
	Historic district	\$10.00 per property; \$100.00 maximum

Section 2. That section 18.245.080, Status of filed petitions, of The Code of the City of Topeka, Kansas, is hereby repealed.

Status of filed petitions.

~~Any pending applications for an amendment to the district map, a special use permit, or a conditional use permit, which has not received final and concluding action by the respective governing body prior to the enactment and effective date of these regulations, shall meet the requirements of these regulations unless such final and concluding action is taken within 150 days of the date of these regulations shall become effective.~~

Section 3. That original § 18.245.070 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 5. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 6. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body May 3, 2011.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk