

ORDINANCE NO. CO07.23.12.21.E1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE CEDAR PARK CODE OF ORDINANCES, APPENDIX A FEE SCHEDULE, ARTICLE 2.000, DEVELOPMENT SERVICE RELATED FEES, AND ARTICLE 4.000, FIRE PROTECTION RELATED FEES, REGARDING PLAN REVIEW, PERMITTING AND INSPECTION FEES (2023-4-OA); PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the 2023 88th Texas Legislature passed HB 1922, effective January 1, 2024, requiring municipalities to adopt and reauthorize fees charges as a condition to constructing, renovating or remodeling a structure every ten (10) years; and

WHEREAS, the City's fees related to building and development review and inspections were adopted in 2003, last amended in 2013; and

WHEREAS, the City is proposing to amend Articles 2.000, Development Service Related Fees, and 4.000, Fire Protection Related Fees, Appendix A, Fee Schedule, of the Cedar Park Code of Ordinances to ensure compliance with new state legislation; and

WHEREAS, the City Council finds that the proposed amendments to Articles 2.000, Development Service Related Fees, and 4.000, Fire Protection Related Fees, Appendix A, Fee Schedule, of the Cedar Park Code of Ordinances are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That Articles 2.000, Development Service Related Fees, and 4.000, Fire Protection Related Fees, Appendix A, Fee Schedule, of the Cedar Park Code of Ordinances be amended as provided in the attached Exhibits A and B.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 5. This Ordinance shall be and remain in full force and effective on February 1, 2024.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 14th day of December, 2023, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 21st day of December, 2023, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

ORDINANCE NO. CO07.23.12.21.E1

EXHIBIT A

Appendix A

ARTICLE 2.000 DEVELOPMENT SERVICE RELATED FEES

§ 2.100 General requirements.

- (a) Applicable utility related fees including community impact, tap and deposit fees ~~must~~shall be paid prior to issuance of a building permit. Refer ~~therein~~ to Article 8.000 herein for fee information. ~~Please allow seven (7) calendar days (excluding holidays) for processing of utility service applications.~~
- (b) Building application review fees shall be paid at time of application submittal. Building inspection fees ~~are~~shall be paid at time of issuance of permit ~~with exception of application fee and professional recovery fee which are paid at time of application submittal.~~
- (c) ~~Public works and planning~~Land Use, Subdivision and Site Improvement fees ~~are~~shall be paid at time of application submittal. ~~with exception of s~~Subdivision construction inspection review fees~~which is~~ shall be paid prior to ~~approval of plans and some miscellaneous fees~~final inspection of the improvements.
- (d) Third-party plan review fees shall be paid prior to approval of an application or issuance of a permit. Any unpaid or uncollected fees required herein, including any third-party inspection fees, shall be paid prior to city issuance of any final inspections or certificates of occupancy or acceptance of any subdivision improvements by the city.
- (e) All costs incurred by the city in lawfully abating or authorizing abatement of conditions ~~which~~that are a hazard to public safety, health or welfare for properties requesting permits or approvals for development shall be paid prior to issuance of building permits or ~~accepting approval of~~ applications for land use, subdivision platting or ~~other development approvals~~site improvements.
- (f) Unless otherwise provided for in this code of ordinances, fees shall be collected in the amounts provided for in the schedule contained in this section. Any reference to fees contained in any code adopted by reference in this code or contained in any chapter of this code shall be ~~supereeded~~superseded by the following fee schedule. All fees provided for in this section shall be non-refundable.

§ 2.200 Building inspection fees.

Editor's Note: Section 2.200 is hereby repealed and replaced in its entirety with the below table.

Residential Building Fees	
New Single Family and Townhomes	
New construction	\$0.10 per sq. ft. for total foundation/floor area including porches and patios, minimum \$25
Building plan review	\$50
Plumbing permit	\$0.10 per sq. ft. for total foundation/floor area including porches and patios, minimum \$25
Electrical permit	\$0.10 per sq. ft. for total foundation/floor area including porches and patios, minimum \$25
Mechanical permit	\$100 per living unit plus \$25 per floor above 1st floor

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New Manufactured Home	
Building permit	\$0.10 per sq ft, minimum \$25
Building plan review	\$50
Plumbing tie in	\$25
Electrical tie in	\$25
Mechanical tie in	\$25
Residential Remodel	
Remodel permit	\$50
Remodel plan review	\$100
Plumbing permit	\$100
Electrical permit	\$100
Mechanical permit	\$100
Miscellaneous Residential Fees	
Penalty	\$100 per day of occupancy prior to obtaining building final
Temporary meter loops/electrical service upgrade	\$25 for up to 100 amp, \$40 for over 100 amp
Water, gas, sewer line not in plumbing permit	\$25

Commercial Building Fees	
New Commercial Building	
New construction	\$0.10 per sq ft for total foundation/floor area, min. \$35
3rd party plan review service	paid directly to 3rd party service (not to exceed ICC plan review fees plus \$100 base fee)
In-house building plan review	Valuation* < \$3,000,000 = Valuation X .0011
	Valuation* \$3,000,000 - \$6,000,000 = \$3,300 for 1st \$3,000,000 valuation plus amount in excess of \$3,000,000 X .0005
	Valuation* ≥ \$6,000,001 = \$4,800 for 1st \$6,000,001 valuation plus amount in excess of \$6,000,001 X .0035
In-house mechanical review	25% of building review fee
In-house electrical review	25% of building review fee
In-house plumbing review	25% of building review fee
In-house energy conservation review	25% of building review fee
Plumbing permit	\$0.10 per sq ft for total foundation/floor area, min. \$35
Electrical permit	\$0.15 per sq ft
Mechanical permit	\$100 for 1st 2,500 sq ft
	\$75 for each additional 2,500 sq ft
* Valuation to be calculated using the most current ICC Building Valuation Table as published on www.iccsafe.org	
Lease space finish-out	
Building permit	\$0.10 per sq ft for total foundation/floor area, min. \$35
Building plan review	\$50
Plumbing permit	\$0.05 per sq ft for total foundation/floor area, min. \$35
Electrical permit	\$0.05 per sq ft for total foundation/floor area, min. \$35
Shell Building	
Building permit	\$0.10 per sq ft for total foundation/floor area, min. \$35
In-house shell building review	60% of total plan review fee

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Plumbing permit	\$0.05 per linear ft (excluding fire sprinkler system lines)
Electrical permit	\$0.10 per sq ft for total foundation/floor area, min. \$35
Foundation only	
Building permit	\$100 for up to 2,500 sq ft, plus \$0.04 per sq ft for over 2,500 sq ft
Plumbing permit	\$100 for up to 2,500 sq ft, plus \$0.04 per sq ft for over 2,500 sq ft
Electrical permit	\$100 for up to 2,500 sq ft, plus \$0.04 per sq ft for over 2,500 sq ft
Remodel	
Building permit	\$100
Building plan review	\$50
Plumbing permit	\$100
Electrical permit	\$100
Mechanical permit	\$100
Miscellaneous Commercial Fees	
Certificate of occupancy	\$50
Coolers/freezers	\$25
Industrial pre-treatment plan review	\$25
Outside utility lines (water, fire line and sewer)	\$0.10 per linear ft for all lines
Penalty	\$100 per day of occupancy prior to obtaining building final
Professional recovery fee	\$200
Resubmittal Review Fee (4th resubmittal and above)	\$100 per resubmittal
Temporary certificate of occupancy extension	\$250 per request
Temporary meter loops/electrical service upgrade	\$50 for up to 200 amp, \$100 for over 200 amp
Water, gas, sewer line not in plumbing permit	\$35

Sign Permits	
New and temporary	\$2.00 per sq ft, \$50 minimum
Advertising search light	\$100

Miscellaneous Building Permit Fees	
Irrigation Systems	
Residential	\$25
Commercial	\$50 plus \$25 per each additional backflow preventer
Temporary Construction trailer permit	
Building permit	\$0.10 per sq ft, minimum \$35
Electrical permit	\$25
Plumbing permit	\$25
Mechanical permit	\$25
Temporary Structures/other membrane structure permit	
Building permit	\$50
Plan review	\$35

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Swimming pool - above ground	
Building permit	\$50
Plumbing (if gas heated)	\$50
Electrical	\$50
Plan review	\$25
Swimming pool - in-ground	
Building permit	\$100
Plumbing (if gas heated)	\$100
Electrical	\$100
Plan review	\$50
Accessory Structures	
Permit fee	\$0.10 per sq ft, minimum \$35
Plan review	\$25
Administrative change	\$25
Demolition permit	\$50
Flatwork Permit (driveways, sidewalks, ADA ramps (excludes single family))	\$35
HVAC changeout/addition	\$50
Moving permit	\$50
Reinspection Fee	\$75
Special event permit	\$100
Temporary meter loops/electrical service upgrade	\$50
Water heater install/changeout	\$50
Water softener installation	\$50
Water, gas, sewer line not in plumbing permit	\$25

§ 2.300 ~~Public works~~ Land Use, Subdivision and Site Improvement fees.

Editor's Note: Section 2.300 is hereby repealed and replaced in its entirety with the below table.

Annexation (Voluntary)	
Application review	\$400.00
Pre-Annexation Development Agreement	\$1,500.00

Board of Adjustment	
Application review	\$500.00

Easement Vacation/Encroachment	
Application review	\$50.00

Floodplain Development Permit	
Construction within flood hazard areas	\$500.00
LOMR/CLOMR review	\$500.00

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Network nodes, node support poles, and transport facilities in public right-of-way	
Network Node Application Fee	\$500.00 up to five Network Nodes, with an additional \$100.00 for each Network Node beyond five
New Node Support Pole Application Fee	\$1,000.00
Annual Fee	\$270.00 per network node per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW

NPS Pollution Control Permit	
Type 1 permit	\$250.00 plus \$25.00/acre up to 100 acres; \$5.00/acre over 100
Master plan review	\$25/acre up to 100; \$5/acre over 100

Right-Of-Way Use Permit	
Application review	\$100.00

Rough-cut/Grading Permit	
Application review	\$100.00

Site Development Permit	
Plan Review Fees	
(A) Imp. cover up to 50,000 sf	\$0.04 per sf
(B) Imp cover 50,000-100,000 sf	\$0.02/sf + (A)
(C) Imp cover 100,000-200,000 sf	\$0.01/sf + (A) + (B)
(D) Imp cover over 200,000 sf	\$0.002/sf + (A) + (B) + (C)
Site Development Permit Revision	50% of original application fee
Inspection Fees	
(A) Imp. cover up to 50,000 sf	\$125.00
(B) Imp cover 50,000-100,000 sf	\$150.00
(C) Imp cover 100,000-200,000 sf	\$250.00
(D) Imp cover over 200,000 sf	\$500.00
Miscellaneous Site Development Review Fees	
Industrial Pre-Treatment Review	\$25.00
Please refer to Article 4.000, Fire Protection Related Fees, for additional applicable fees	

Street Name Change	
Application review	\$250.00

Subdivision Review	
Preliminary Plan	
Public Works and Engineering Review Fee	\$750.00 plus \$10.00 per acre or lot, whichever is greater
Planning Review Fee	\$500 + \$48 per lot or acre, whichever is greater
Preliminary Plan Revision Review Fee	50% of original application fee

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Final Plat/Development Plat	
Public Works and Engineering Review Fee	\$500.00 plus \$5.00 per acre or lot, whichever is greater
Planning Review Fee	\$700 + \$8 per lot or acre, whichever is greater.
Resubdivision (Replat)	
Public Works and Engineering Review Fee	Same as new subdivision
Planning Review Fee	Same as new subdivision
Short Form Final Plat (Amending Plat)	
Public Works and Engineering Review Fee	\$50.00
Planning Review Fee	\$500.00
Subdivision Improvements	
Subdivision Construction Plan Review	\$2500.00 plus \$10.00 per acre or lot, whichever is greater
Subdivision Construction Inspection Fee	(1) The hourly rate for the estimated actual direct time of the City's employees performing the subdivision construction inspections; or (2) The actual costs assessed to the City by a third-party entity that provides subdivision construction inspections to the City.
Miscellaneous Subdivision Review Fees	
GIS digitizing fee	\$25.00
Subdivision Vacation	\$100.00
Subdivision Variance	\$100.00 per variance
Subdivision approval extension	\$300.00
Legal lot determination	\$100.00
Please refer to Article 4.000, Fire Protection Related Fees, for additional applicable fees	

Traffic Impact Analysis (TIA)	
2,000-5,000 trips per day	\$1,500.00
5,001-10,000 trips per day	\$2,400.00
10,001-15,000 trips per day	\$3,300.00
15,001 plus trips per day	\$3,700.00
TIA Revision	50% of original application fee

Zoning Map Amendment (original or rezoning)	
Base and Overlay districts/Special Use Permit	
Up to 3 acres	\$300.00
Above 3 acres	\$300.00 for the first 3 acres, \$25.00 per acre thereafter, maximum \$2,000
Planned Unit Development	
New	\$2,000.00, plus \$75.00 per acre, maximum \$10,000
Amendment	50% of original application fee
Postponement Request	Legal Notification Fee

Zoning Verification Letter	
Application review	\$50.00

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Miscellaneous Review and Inspection Fees	
Professional Recovery Fee	\$200.00
Resubmittal Review Fee (4th submittal and above)	\$500.00 each resubmittal
Third Party Plan Review and/or Inspections	The actual costs assessed to the City by a third-party entity that provides plan review and inspection services to the City. Applicable plan review and inspection fees paid with the initial submittal will be credited towards the total actual cost.
Certificate of completion inspection	1st inspection free, each reinspection \$50 per dept
Drainage study review (not associated with a development permit)	\$250.00 plus the Professional Recovery Fee

§ 2.400 ~~Planning~~ Administrative and other Miscellaneous fees.

Editor's Note: Section 2.400 is hereby repealed and replaced in its entirety with the below table.

Miscellaneous Development Review and Inspection Fees	
Appeal of a Development Services Committee determination	\$100.00
Copies	
Computer print out	\$0.40 per page
Photocopies	\$0.55 for the first page, \$0.15 for each additional page
Legal Notification Fees	
Newspaper	\$300.00
Mail Notices	\$2.00 per property owner/notice
Sign Notice	\$10.00 per sign per roadway < 45 mph, and \$25.00 per sign per roadway > 45 mph, maximum 3 signs per roadway

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EXHIBIT B

Appendix A ARTICLE 4.000 FIRE PROTECTION RELATED FEES

§ 4.100 Fire protection related fees.

(a) *Fire code plan review.*

(1) *Building permit plans.*

(A) New construction: \$~~50.00~~140.00.

(B) Remodel/repair: \$~~50.00~~120.00.

(C) Lease space/finish out: \$~~50.00~~120.00.

(D) Fire sprinkler system review: \$~~50.00~~200.00.

(E) Fire alarm review: \$~~25.00~~120.00

(F) Hood suppression system review: \$~~25.00~~125.00

(2) Subdivision plats (preliminary and final plats): \$~~50.00~~110.00.

(3) Site development permit plans: \$~~50.00~~150.00.

(b) *Compliance tests.*

(1) *Fire sprinkler systems (2 hr).*

(A) Underground test: \$~~25.00~~100.00.

(B) Aboveground test: \$~~25.00~~90.00.

(2) Natural gas system (approx 30 min): \$~~25.00~~125.00

(3) Fixed suppression system (Ansul, etc.): \$~~25.00~~110.00/system.

(4) *Fuel tank storage system.*

(A) Tank pressure test: \$~~25.00~~90.00.

(B) Line pressure test: \$~~25.00~~60.00

(5) Fire alarm system (1st 30 min): \$~~25.00~~60.00/system.

(6) Other fire code required tests: \$~~25.00~~50.00

(c) Fire code permit.

(1) Explosive permit fees by class.

(A) Class A: ~~\$50.00~~175.00/permit.

(B) Class B: ~~\$100.00~~200.00/permit.

(C) Class C: ~~\$200.00~~225.00/permit.

(D) Class D: ~~\$400.00~~275.00/permit.

(2) Fireworks display permit: ~~\$100.00~~250.00/permit.

(3) Temporary membrane structures, tents and canopies (> 400sf): ~~\$50.00~~100.00/permit.

(4) Other fire permits as required by fire code: ~~\$50.00~~65.00/permit.

(d) Annual inspections.

(1) Daycare center: ~~\$35.00~~100.00.

(2) Group daycare: ~~\$35.00~~100.00

(3) Registered family home: ~~\$35.00~~100.00

(4) Nursing home: ~~\$125.00~~150.00

(5) Hospital/clinic: ~~\$150.00~~175.00.

(6) Foster Home: ~~\$35.00~~85.00

(7) Cutting and welding: ~~\$50.00~~90.00

(8) Dry cleaning plants: ~~\$50.00~~150.00

(9) Hazardous materials: ~~\$50.00~~200.00

(10) Lumberyards and woodworking plants: ~~\$50.00~~80.00

(11) Repair garages and service stations: ~~\$50.00~~100.00

(12) Spraying and dipping: ~~\$50.00~~175.00

(13) FARS (Firefighter Air Replenishment System): \$100.00

(14) Mobile Food Vendor: \$100

(15) Emergency Responder Communication Coverage (ERCC): \$70

(16) Other fire inspections as required by fire code: ~~\$35.00~~115.00

(e) Certificate of occupancy inspection.

- (1) 1st inspection: \$~~35.00~~80.00
- (2) Each reinspection: \$~~25.00~~90.00.