



# Commerce City

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## Council Communication File Number: Res 2024-153

**Agenda Date:** 12/16/2024

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

A RESOLUTION AMENDING THE DIRECTORY OF CITY FEES AND CHARGES PERTAINING TO THE BOARD OF ADJUSTMENT FEE FOR RESIDENTIALLY ZONED PROPERTIES.

### Summary & Background

On May 15, 2023, the City Council adopted Resolution 2023-061, which enacted fee schedule revisions based upon a comprehensive fee study undertaken by the city. The fee study sought to better align fees with actual city expenditures when reviewing land use applications.

One of the revisions was an update to the Board of Adjustment fees for variances. Previous variances for properties zoned R-1 or R-2 were a flat rate of \$250. The new fee structure created a tiered fee structure based on the size of the property, ranging from \$3,253 for properties up to one acre to \$5,817 for properties greater than 100 acres.

Based upon feedback from the community, the revised fee schedule creates an unintended barrier for residential property owners seeking a variance from the city.

As such, staff recommends that the fee schedule be revised to reinstate the previous \$250 fee for residential properties within the R-1, R-2, or any residentially zoned planned unit development (PUD) for single-family attached and detached dwelling units. The proposed changes are shown in the attached redline version of the fee schedule in Section 5, Subsection B (page 12).

All other variance fees for more intense residential and non-residential zone districts would remain in place as those requests are generally more complex and have higher city-related costs to review and administer those requests.

**Staff Responsible (Department Head):** Jeff Brasel, Community Development Director

**Staff Presenting:** Jeff Brasel, Community Development Director

**Financial Impact:** N/A

**Funding Source:** N/A

**Staff Recommendation:** Approval of Resolution 2024-153

**Action Alternatives:**

Deny the Resolution or  
Continue the application to a subsequent City Council meeting.

**Potential Motions:**

**Approval**

I move to approve Resolution 2024-153, A Resolution Amending the Directory of City Fees and Charges Pertaining to the Board of Adjustment Fee for Residentially Zoned Properties.

**Denial**

I move to deny Resolution 2024-153, A Resolution Amending the Directory of City Fees and Charges Pertaining to the Board of Adjustment Fee for Residentially Zoned Properties.

**Continuance**

I move to continue discussion Resolution 2024-153:  
The next regularly scheduled City Council hearing; or  
A date certain.

**Attachments:**

Resolution 2024-153  
Exhibit A to Resolution 2024-153 - Final Revised Schedule of Fees  
Revised Schedule of Fees (Redline)