

Adopted by the Jamestown Town Council
at a hearing held on March 12, 2007 and April 9, 2007

Attest:

Arlene D. Petit
Town Clerk

THE TOWN COUNCIL OF THE TOWN OF JAMESTOWN HEREBY
ORDAINS AS FOLLOWS:

Note: Words set as ~~strikeover~~ are to be **deleted** from the ordinance; words set in **bold** are to be **added** to the ordinance.

Section 1. Article 4. Chapter 82 of Appendix A, Zoning, the Code of Ordinances, Town of Jamestown is hereby amended by adding the following:

Sec. 82-410. Project Review Fees.

All submissions for site plan approval, also known as development plan review, involving residential developments of more than five (5) dwelling units, non-residential developments involving more than 2,500 square feet of building area and/or mixed use developments may be required by the planning commission to pay a project review fee for costs incurred by the town to retain technical consultant(s) review(s) of such projects. At the initial meeting on any such application, it shall be determined whether the planning commission will require outside technical review(s) of such projects to assist the planning commission in their project review. The planning commission shall not be precluded from obtaining different and/or additional outside technical project review assistance if during the project review the planning commission determines issues have arisen which requires such different and/or additional outside project technical review. Any such outside technical project review assistance fee shall be paid for by the applicant and be equal to the actual amount expended by the planning commission to hire the needed professional resources necessary to perform an adequate review of such projects. The planning commission shall provide a good faith estimate of said project review fees and such estimated costs shall be paid by the applicant prior to the planning commission proceeding further with the project review. Upon completion of the project review, any excess funds shall be refunded to the applicant or any fund shortage shall be paid by the applicant prior to receiving final plan approval.

The planning commission may also charge an inspection fee to the applicant of a development plan to determine compliance of the as-built project with the approved development plan. Any and all costs incurred pursuant to the inspection subject to this section and authorized by the planning commission shall be separate from any project review fee. The applicant for development plan approval shall pay any such inspection fee to the town prior to the issuance of a certificate of occupancy for the project.

The zoning board of review is also authorized to impose such project review fees to obtain outside technical assistance for any special use permit and/or variance zoning relief petition submitted for their review. It shall be determined at the initial meeting on the application for zoning relief whether project review assistance is required. The zoning board of review shall provide a good faith estimate of said project review fees and such estimated costs shall be paid by the applicant prior to the zoning board of review proceeding further with the zoning relief application. Upon completion of the project review, any excess funds shall be refunded to the applicant or any fund shortage shall be paid by the applicant prior to receiving final plan approval.

Section 2. This Ordinance shall take effect upon passage.

Section 3. The Town Clerk is hereby authorized to cause said amendments to be made to Appendix A, Zoning, Code of Ordinances, Town of Jamestown.