

	STANDARD OPERATING POLICY AND PROCEDURE Community and Economic Development	Number: 1-20
Subject: APPLICATION OF IMPACT FEES		Approval Date: October 28, 2009
Approval: Chuck King, Building Official		Effective Date: October 28, 2009

1.0 PURPOSE

To assist staff in the determination and application of Impact Fees (Ordinance 08-10, Town Code, Chapter 13)

2.0 DISTRIBUTION

Public, Community and Economic Development (CED) Personnel

3.0 REVISION HISTORY

March 25, 2011 – Addition of like-for-like determination, mobile home replacement, and revised number sequence from 11-6 to 1-20.

May 13, 2011 – Revised March 25, 2011 determination of new residential building replacement.

August, 2015, code update and clarification.

April, 2019 (2018 Code Update)

4.0 CODE REFERENCE

5.0 POLICY

The following is the interpretation and application of impact fees:

Non-Residential (Shopping Center, Business Park, Industrial, Warehousing, Manufacturing, Offices, and Lodging)

- Impact fees shall be applied to all new non-residential buildings (including all building shells, modular buildings, and occupied utility buildings)
- Impact fees shall be applied to all new additions to non-residential buildings (including modular building additions and occupied utility buildings)
- Exceptions are not made for churches, private schools, fire departments, or similar facilities
- Impact fees are not applicable for non-residential renovations / remodels, tenant improvements, or utility only projects (e.g. -cell towers), where the area of a building is not increased

Residential

- Impact fees shall be applied to all new residential buildings based on the definition of a *dwelling unit* per Town Code 13-1-5 as defined below. *Dwelling units* include Single Family Residences, Guest Houses, Mobile Homes, Duplexes, Triplexes, Townhouses, Condominiums, and Apartments
- Impact fees are not applicable to residential renovation or remodel
- Impact fees are not applicable to residential additions, including additions to mobile homes, unless an additional *dwelling unit* is added (i.e. -guest house or similar structure)
- Impact fees are not applicable to replacement of a Single Family Residence, Guest House, Mobile Home, Duplex, Triplex, Townhouse, Condominium, or Apartment, unless a new *dwelling unit* is added (i.e. -guest house) or if impact fees were never paid for the *dwelling unit* that is being replaced

Mobile Home Parks

- Impact fees shall be applied to all new or existing *mobile home parks* on a per *space* basis (see *Mobile Home Park* as defined below)

Oro Valley Town Code Definitions:

- A. Single-family detached means a lot containing one (1) dwelling unit that is not attached to any other dwelling unit.
- B. Dwelling unit means one (1) or more rooms in a building designed or intended to be used for occupancy by one (1) family, with living, sleeping and food preparation facilities, excluding hotel or motel rooms or suites.
- C. Multifamily means a building or buildings containing multiple dwelling units.
- D. Hotel/Motel means establishments offering temporary lodging in rooms or suites for less than one (1) month or thirty (30) days.
- E. Retail/commercial means an establishment engaged in the selling or rental of goods, services or entertainment to the general public. Such uses include, but are not limited to, shopping centers, discount stores, supermarkets, home improvement stores, pharmacies, restaurants, bars, nightclubs, automobile sales and service, drive-through banks, movie theaters, amusement arcades, bowling alleys, barber shops, laundromats, funeral homes, private vocational or technical schools, dance studios, health clubs and banquet halls.
- F. Office means a building not located in a shopping center and exclusively containing establishments providing executive, management, administrative or professional services. An office use may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or child care facilities. Ground floor retail uses may also be included, but that space shall be assessed at the retail/commercial rate. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; banks excluding drive-through only facilities; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; medical and dental offices and clinics, including veterinarian clinics and kennels; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.
- G. Industrial means establishments primarily engaged in the fabrication, assembly or processing of goods.
- H. Warehouse means establishments primarily engaged in the display, storage and sale of goods to other firms for resale; activities involving movement and storage of products or equipment; or an enclosed storage facility containing independent, fully enclosed bays that are leased to persons for storage of their household goods or personal property.
- I. Mobile Home Park means any property that is designed to accommodate manufactured or pre-fabricated homes in individual spaces. The spaces may be owned by the *mobile home park* owner or by the individuals occupying the space.
- J. Public/Institutional is a publicly owned building (i.e. –government building) or an organizational facility used for social, educational, or religious purposes, such as a school, hospital, or reformatory.

Note: The applicability of impact fees shall be determined by the *building official*.