City Council Introduction: **Monday**, July 17, 2006
Public Hearing: **Monday**, July 24, 2006, at **1:30** p.m.

Bill No. 06-114

FACTSHEET

TITLE: **MISCELLANEOUS NO. 06005,** requested by the Director of Planning, amending Title 26 of the Lincoln Municipal Code, the Land Subdivision Ordinance, to increase application filing fees, effective September 1, 2006.

STAFF RECOMMENDATION: Approval, as revised.

ASSOCIATED REQUESTS: Change of Zone No. 06023 (06-113) and Amendment to Title 14 (06-115).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/21/06
Administrative Action: 06/21/06

RECOMMENDATION: Approval, as revised by staff (5-3: Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent).

FINDINGS**:**

1. This request to amend the Land Subdivision Ordinance to increase application filing fees was heard before the Planning Commission in conjunction with proposed amendments to the City Zoning Ordinance and the County Land Subdivision Regulations and County Zoning Resolution.

2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that the proposed increase in fees will not have a significant impact on the cost of housing and development, but will assist in reducing the cost to the general taxpayers for providing planning services.

3. This proposal amends Chapter 26.33 of the Lincoln Municipal Code, i.e. the Land Subdivision Ordinance as set forth on p.5-6.

4. The proposal also adds a "Street Tree Management" fee of $4.00 per lot. A Memorandum setting forth the estimated costs associated with surety administration/street tree inspection costs by the Parks Department is found on p.13-14. This estimate reflects an actual cost of $4.43/lot, thus the $4.00 per lot recommended to be charged to the applicant covers only 90% of current costs and does not include possible equipment fuel surcharge costs for the next fiscal year.

5. The staff presentation is found on p.7.

6. Testimony in opposition is found on p.8-10, and the Commission's discussion with staff is found on p.9-10. Most of the testimony in opposition and the discussion focused on the effect of the proposed increases on the cost of housing and the separate street tree management fee.

7. On June 21, 2006, a motion to delete the proposed street tree management fee failed for lack of a second.

8. On June 21, 2006, the majority of the Planning Commission agreed with the staff recommendation and voted 5-3 to recommend approval of this amendment to the City Land Subdivision Ordinance, as revised by staff on June 21, 2006 (Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent).

FACTSHEET PREPARED BY: Jean L. Walker **DATE**: July 10, 2006

REVIEWED BY:_____ **DATE**: July 10, 2006

REFERENCE NUMBER: FS\CC\2006\MISC.06005+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 21, 2006 PLANNING COMMISSION MEETING

****As Revised and Recommended for Approval by Planning Commission on June 21, 2006****

P.A.S.: CZ#06023 and ***Misc#06005***

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROPOSAL: Increase and amend the fees for City zoning and subdivision applications.

CONCLUSION: The increase in the fees will not have a significant impact on the cost of housing and development, but it will assist in reducing the cost to the general taxpayers for providing planning services.

RECOMMENDATION:	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:
Land Subdivision Ordinance Title 26 of the LMC: Chapter 26.33 Fees.

Zoning Ordinance Title 27 of the LMC Chapter 27.80 Fees.

ANALYSIS:

The proposed increase in fees is intended to keep pace with inflation to maintain the goal for cost recovery that was set when fees were increased in 1999 and 2003. The increase should not significantly increase the cost of housing and development. At the present time, most projects are reviewed by numerous departments and agencies including the Public Works & Utilities, Fire, Police, 911 emergency services, Health, LES, Finance and Law Departments and other County, State and Federal agencies. Even with the increase in the fees, the revenue collected would cover less than half of the Planning Department's cost of processing applications and almost none of the costs of the other departments and agencies in processing the applications.

Last year, the Health Department did request a new fee to cover part of their cost of reviewing planning applications in which land is being subdivided and served by on site wastewater systems. The City Council, for the three-mile area outside Lincoln, and the County Board for its jurisdiction in the unincorporated area, approved a base fee of $275.00 plus a per lot fee of $10.00 with a maximum lot fee of $1,000.00. This fee is located in the Health Department's chapters of the City and County Codes, and so it was not brought to the Planning Commission for their recommendation. However, the Planning Department agreed to collect this fee for the Health Department in the interest of customer service.

This year, the Parks & Recreation Department has requested another new fee that would be collected by the Planning Department and placed in the Subdivision Ordinance. They are proposing to charge $4.00 per ~~street tree~~ lot with final plat applications. This is expected to cover the cost of reviewing street tree plans, calculating sureties, inspecting the planting and releasing of sureties when the plants have survived for one year and conducting classes on planting and issuing certificates to contractors.

One of the more significant changes is the increase in base and per lot /dwelling unit fees for Community Unit Plans, Planned Unit Developments, Use Permits, and Plats. A couple of years ago, the ordinances were amended to no longer require the separate submission of preliminary plats when CUPs, PUDs or Use Permits were meeting the same requirements. The application fees were not adjusted at the same time, and the result was nearly a 50% loss in fees for those developments. Staff did see some time savings with those amendments, but not enough to justify a reduction of this size.

Fees to-date in the current fiscal year (2005-06) are down about 25% from the two previous years, reflecting the downward trend in building construction. So unless this trend reverses, revenues in the next fiscal year will not reach the levels of those previous years, even with the proposed fee changes.

Summary of fees and changes:

SUBDIVISION FEES -(SEE CHAPTER 26.33 LINCOLN MUNICIPAL CODE)

Final Plat:		
Base	~~$125.00~~	$150.00
Per lot (maximum ~~$2000~~ $3000)	~~$25.00~~	$50.00
Parks & Recreation Dept., Street Management Fee	$4.00	per lot ~~street tree~~
Postponement Fee	~~$125.00~~	$150.00
Preliminary Plat:		
Base	~~$600.00~~	$750.00
Per lot (maximum ~~$2500~~ $3000)	$50.00	
Request to Amend the Conditions of an Approved Final Plat	$250.00	
Street Name Change Fee	$250.00	
Survey Error/Corrected Final Plat	$125.00	
Text Change	~~$250.00~~	$300.00
Vacated Final Plat	$250.00	
Waiver	~~$125.00~~	$250.00
All other subdivision applications	$250.00	
Comprehensive Plan Amendment	~~$250.00~~	$300.00
Comprehensive Plan Conformance (Conservation easements)	~~$250.00~~	$300.00
Vacation of Public Ways (Chapter 14.20.020 LMC)	$125.00	
City/County Health Department Area Development Fee		
Base	$275.00	
Per Lot	$10.00	
Maximum combined base fee and per lot fee	. . . . . .$1000.00	

1. File with Building and Safety

~~2. The maximum unit fee is $2,500.00. Credit shall be given for any unit fees paid in connection with subdivision of the CUP.~~

~~3.~~ **!** For lot fee, exclude outlots.

(Per Planning Commission, 06/21/06**)**

Attached are the proposed text amendments in legislative form.

Prepared by:

Ray Hill Planner

DATE: June 12, 2006

APPLICANT: Director of Planning Marvin S. Krout

CONTACT: Ray Hill Planner
Planning Department
555 South 10th Street
Lincoln, Ne
441-6371, rhill@ci.lincoln.ne.us

Chapter 26.33

FEES

Sections:

26.33.010 General Regulations.
26.33.020 Final Plat Fee.
26.33.030 Preliminary Plat Fee.
26.33.050 Corrected Final Plat Fee.
26.33.060 Vacated Final Plat Fee.
26.33.070 Request to Amend the Conditions of an Approved Final Plat; Fee.
26.33.080 Exemption for City Filing on Its Own Behalf.
26.33.090 Changes in Text; Fee.
26.33.100 General Fees.
26.33.110 Waivers ~~and Appeals;~~ Fees.
26.33.120 Street Name Change Fee.
26.33.130 Postponement Fee.

26.33.010 General Regulations.

The fees set forth in this chapter shall apply to this title. Under no condition shall any fee required hereunder be refunded for failure of said application to be granted by the City Council or other appropriate authority. (Ord. 17917 §5; October 1, 2001).

26.33.020 Final Plat Fee.

The following fees shall be charged at the time of filing an application for a final plat:

(a) Filing fee of $~~125.00~~ 150.00;

(b) Unit fee of $~~25.00~~ 50.00 per lot to a maximum unit fee of $~~2,000.00~~ $3,000.00

©) Street Tree Management fee of $4.00 per lot~~street tree~~.

(Ord. 18255 §1; October 20, 2003: prior Ord. 18230 §12; August 18, 2003: Ord. 17917 §6; October 1, 2001).

26.33.030 Preliminary Plat Fee.

The following fees shall be charged at the time of filing an application for a preliminary final plat:

(a) Filing fee of ~~$600.00~~ $750.00;

(b) Unit fee of $50.00 per lot to a maximum unit fee of ~~$2,500.00~~ $3,000.00.

(Ord. 18230 §13; August 18, 2003: prior Ord. 17917 §7; October 1, 2001).

26.33.040 Final Plat Fee.

(Repealed by Ord. 18230 §14; August 18, 2003: prior Ord. 17917 §7; October 1, 2001).

26.33.050 Corrected Final Plat Fee.

A filing fee of $125.00 shall be charged at the time of filing an application for a corrected final plat, or to file an affidavit to correct a drafting error on an approved final plat. (Ord. 18230 §15; August 18, 2003: prior Ord. 17917 §8; October 1, 2001).

26.33.060 Vacated Final Plat Fee.

A filing fee of $250.00 shall be charged at the time of filing an application to vacate a final plat. (Ord. 18230 §16; August 18, 2003: prior Ord. 17917 §9; October 1, 2001).

26.33.070 Request to Amend the Conditions of an Approved Final Plat; Fee.

A filing fee of $250.00 shall be charged at the time of filing an application for a request to amend the conditions of approval for an approved final plat. (Ord. 18230 §17; August 18, 2003: prior Ord. 17917 §10; October 1, 2001).

26.33.080 Exemption for City Filing on Its Own Behalf.

No fee shall be required when any application or requested action is initiated by the City Council on its own motion or by any council member or any person or group officially designated to participate in the administration of this title. (Ord. 18230 §18; August 18, 2003: prior Ord. 17917 §11; October 1, 2001).

26.33.090 Changes in Text; Fee.

A filing fee of ~~$250.00~~ $300.00 shall be charged at the time of filing an application for a change of text to Title 26 of the Lincoln Municipal Code. (Ord. 18230 §19; August 18, 2003: prior Ord. 17917 §12; October 1, 2001).

26.33.100 General Fees.

A filing fee of $250.00 shall be charged at the time of filing an application in connection with Title 26 of the Lincoln Municipal Code not otherwise covered by this chapter. (Ord. 18230 §20; August 18, 2003: prior Ord. 17917 §13; October 1, 2001).

26.33.110 Waivers ~~and Appeals~~; Fees.

A filing fee of ~~$125.00~~ $250.00 shall be charged at the time of filing an application to waive and/or modify one or more ordinance requirements or design standards. (Ord. 18230 §21; August 18, 2003).

26.33.120 Street Name Change Fee.

A filing fee of $250.00 shall be charged at the time of filing an application for a street name change. (Ord. 18230 §22; August 18, 2003).

26.33.130 Postponement Fee.

A filing fee of ~~$125.00~~ $150.00 shall be charged at the time of filing an application that requires any additional legal notice. (Ord. 18230 §23; August 18, 2003).

CHANGE OF ZONE NO. 06023;
MISCELLANEOUS NO. 06005;
COUNTY CHANGE OF ZONE NO. 06024;
and COUNTY MISCELLANEOUS NO. 06023

PUBLIC HEARING BEFORE PLANNING COMMISSION: June 21, 2006

Members present: Cornelius, Taylor, Strand, Larson, Carroll, Sunderman, Krieser and Carlson; Esseks absent.

Staff recommendation: Approval, as revised.

Ex Parte Communications: None

Additional information submitted for the record: Ray Hill of Planning staff submitted a memo from the Parks Department outlining how they have determined the cost for the street tree maintenance fee that has been added to the application for final plats.

Staff presentation: Ray Hill of Planning staff also corrected the staff report to indicate that the street maintenance fee should be $4.00 per lot, as opposed to $4.00 per tree.

Hill explained the proposal, stating that the purpose of this legislation is to balance the amount paid for planning services as compared to the taxpayers' portion of the cost of planning review. Basically, the staff does not believe that the increase in fees will have an impact on the cost of housing and development in this city, and it will somewhat reduce the burden placed on the individual general taxpayer.

These fees do not even come close to covering the cost of administering or processing the applications. There are a lot of different departments involved in the review process.

One of the significant changes made is the base and lot fee for community unit plans, use permits and PUD's. A year or two ago, the ordinance was changed to eliminate the preliminary plat in processing special permits, community unit plans and planned unit developments. In doing so, it did have an impact upon the amount of fees that were being collected. It was appropriate to streamline the process by eliminating the preliminary plat process, but there are still costs involved in the review, so those adjustments are being made in this request.

Hill explained that this proposal does not raise the fees on all of the applications. Some are raised by a small percentage and others by a larger amount.

Strand asked for a comparison of the number of applications in 2006 compared to 2005. Hill believes that they are slightly down this year.

Larson confirmed that this is the first increase since 2003. Hill concurred. He suggested that this probably won't be the last time there will be a review of the fee schedule because if it is done more frequently, it is less painful to those that are paying the fees.

Opposition

1. Coby Mach and Peter Katt appeared on behalf of the **LIBA** Board of Directors and testified in opposition. Mach observed that the city is now hurting from negative sales tax receipts, and LIBA believes the downturn in new home construction is having the greatest impact on our city. Costs to build a new home are increasing – lot costs, impact fees and stiffening of stormwater regulations. Some of the proposed fees show a 100% increase. If we need these increases, perhaps we should look at making cuts. There are fewer building permits being issued. Are we overstaffed? If there is less construction, there should be more time available for staff. LIBA believes this increase is being proposed because the Planning Department has been hurt by the slow-down in construction over the last two years. The staff report says the fees collected to date are down about 25% from the two previous years, reflecting the downward trend in building construction. In any private business, if business is down 25%, you make cuts. You don't increase the prices. LIBA believes that some cuts are in order as opposed to an increase in fees.

2. Fred Hoke, Home Builders Association of Lincoln, testified in opposition. He observed that the proposed fee increase is anywhere from $10 to 100%. And we are in a down market in terms of building permits over the past two years. Increased fees ultimately become the responsibility of the home owner and new home buyer. When you add these fees to the impact fees, it has a tendency to discourage people from buying a new home. This increase plus the impact fees may have a negative impact on individuals who are able to purchase homes.

Permits have been down over the past two years. The city should not send a message to Lincoln and to the surrounding area that Lincoln is going to continue to require higher home prices.

3. Rick Krueger testified in opposition to the new fee for street tree maintenance. He would like the Planning Commission to request that the City Council consider privatization of the street tree implementation process. It would be a savings of staff time and money to the city and a win-win situation.

Krueger further pointed out that this year the city started a program requiring an individual to be certified to work in a public driveway. Once certified, that individual can do landscaping and erosion control in the city right-of-way, so it would not be much of a stretch for the same person to mark the curbs. In the vast majority of new subdivisions, we could then free up city staff to work on other areas. We need to drive toward simplicity in the street tree process.

Krueger requested that Section 26.33.020 c), which is the street tree maintenance fee, be deleted, and that the Planning Commission advise the City Council to consider privatization.

Strand asked how Krueger felt about the remainder of the increases. Krueger's comment was that if your business is down 25%, you have to look at restructuring somehow. If his business was down 25%, he would be looking real strong at the payroll.

Carlson commented that there would need to be some education on the street tree process. Are there other circumstances where the city comes out to inspect? Krueger advised that when a developer does a preliminary plat, the plat shows on each lot where the tree should be located. There are certain standards in marking the curbs. He does not believe it is very hard to do. If you had a problem, you could contact the city for assistance. If you haven't planted a tree over a manhole or water line, he does

not believe it would be mis-located. Carlson does not want a circumstance where we make the people upset when the city comes out and suggests that the trees are in the wrong place. Krueger suggested that those individuals that become certified can refer to the design standards. He thinks they could work on the sidewalks in the future, also.

4. Mark Hunzeker testified in opposition. He noted that some time back, the requirement for a preliminary plat to accompany a PUD and CUP was eliminated, and now one of the major reasons cited for an increase is that we have had a revenue loss as a result of the elimination of the duplication of those permit applications. We need to remember why we eliminated those application requirements. It was because we were requiring duplicative papers to be filed, which contained virtually identical information, requiring two different reviews and not really gaining anything. So, we streamlined it and there was a fanfare about streamlining the process by no longer requiring the preliminary plat. But now, it appears that the city is saying, "oops, we intended to eliminate the unnecessary duplicative work, but we really didn't mean to save you any money." Hunzeker suggested that the increased fees are intended to recoup that money. He urged that the Planning Commission recommend denial of the entire package, and if there are other fees where specific increases are appropriate, the Planning Commission should require the staff to come back with more specific and justified proposals.

5. Mike Eckert, Civil Design Group, appeared on behalf of several of his land planning clients, and agreed with the previous opposition. The timing is not right and the reasoning is not right. These fees have traditionally been imposed to compensate for the extra time needed to review applications. With the statement that applications are down 25%, we would assume that there is more staff time for review. To increase the fees just because business is slow does not seem appropriate. It is opposite to the intuitive economic relationship of supply and demand. If demand is down, why is it necessary to charge more? He attended the Angelou report update this morning and he believes that this proposal goes in the opposite direction of what we are trying to promote in this community with economic development and providing an atmosphere that is as growth friendly as possible.

<u>Staff questions</u>

Carlson wondered whether planners were added to staff during the boom years of the 1990's when building permits issued rose dramatically. Marvin Krout, Director of Planning, believes that two planner positions were added in 1999, and there was a fee increase at that same time, in response to the increased demand and to a desire for better service from the development community. Carlson asked whether that was proportionate to the 50% increase in building permits, and Krout answered, "no".

Krout further commented that Angelou pointed out that housing in Lincoln is relatively moderate and has not depreciated over the past two years, and the fact that there is housing supply is a positive indicator in terms of this being a market that is moderate and easier to get into. We are really talking about small potatoes, probably a total of $25,000 in the Planning Department budget, or $50 per lot. In order to deal with the pressure of property tax and declining sales tax, a number of city departments have had to cut their budgets in next year's budget proposal. The Planning Department has cut its budget by more than the $25,000 to deal with that issue. It is true that our revenues are down, but and the number of applications is not down proportionately to the number of costs. An application requires a certain amount of work whether it is 100 lots or 10 lots. We also are spending time trying to make improvements and simplifications to the zoning code, such as the outdoor dining ordinance heard today. We have spent a great deal of time dealing with annexation agreements over the last year. We

hope that we can reduce that in the future, but we also expect some upturn in the future in terms of permits. In addition, we have made our lives more complicated in dealing with older neighborhoods and the inner city areas in using developer agreements to allow for zoning that has been denied in the past, such as 9th, 10th and Van Dorn. Krout also suggested that if he had an opportunity to reduce staff and still provide a good level services, he would have looked at that carefully and suggested that to the Mayor, but he has already made cuts and can't afford to make any more. Do you want to put $25,000 more pressure on the property tax or is it reasonable to look for moderate increases in these fees?

Lynn Johnson, Director of Parks & Recreation, responded to Krueger's comments about the street tree maintenance fees. He stated that the Parks Department has tried to work very hard to make the process of street trees as streamlined as possible. For example, the development community requested that we release the surety at the 50% and 75% level, and at that same time, the certified landscape contractor program was initiated. We have streamlined the process to that point. We have looked seriously at asking the certified land contractor to mark those locations, but the challenge is that things are always happening in the field. When that tree is planted, the city is accepting the liability for the location of that street tree. We had street trees over water mains in two situations last year and the city had to spend $1,000 to upgrade the water main and keep the tree. It is Johnson's position that it is important to have city staff determine the location of those trees to avoid these liability problems in the future. He believes they have made the process as streamlined as possible.

Strand questioned the change of zone fees. She believes that the Planning Commission subcommittee had agreed that a downzone request for less than one acre would be $400, and for more than one acre would be $750. She thought the subcommittee had discussed increasing that fee because of the amount of staff time it takes when a large area comes in. The subcommittee took the position that $750 was appropriate. If you have an owner requesting a change from AGR to R-3, it is a lot easier than when you have an existing area with a thousand houses and six different zoning districts. That takes a lot more staff time.

CHANGE OF ZONE NO. 06023
ACTION BY PLANNING COMMISSION: June 21, 2006

Strand moved to deny, seconded by Carlson.

Strand commented that she has nothing against Planning or Parks. She just does not believe the time is right – when the market is healthy and strong is the time to do an increase to cover staff time. The timing is not good when the market is extremely soft. Angelou also said the development community should not continue to bear all the costs because it is directly reflected in the housing costs, and the housing costs have dramatically increased in the past few years. She is also concerned about some of the increases being much larger than others.

Carroll pointed out that there has not been a fee increase since 2003, and it's not like we do it annually. The increase in production of houses in 2003-04 were included in the previous prices. We are covering for three years, and he does not believe it is a substantial increase. You have to raise your fees in any business over a 3-year period. By streamlining and making improvements, the staff has saved developers money. This fee increase is not as substantial as the savings that have been brought about and which will continue by the streamlining effort.

Motion to deny failed 1-7: Strand voting 'yes'; Cornelius, Taylor, Larson, Carroll, Sunderman, Krieser and Carlson voting 'no'; Esseks absent.

Carroll moved approval, seconded by Sunderman.

Strand moved to amend Chapter 27.80, to add a separate fee for downzoning: $400 for less than one acre, and $750 for more than one acre, seconded by Carroll.

Carlson inquired whether this would require readvertising and it was determined that it would not. Carlson pointed out that this change was a discussion in a subcommittee meeting which was not a major meeting and not advertised. He presumes that if this change were advertised, the neighborhoods involved in trying to protect their neighborhood with downzoning would have a lot of comment that would be germane to this change. He will vote against the motion because he does not support it and he thinks it should be advertised properly.

Cornelius stated that he intends to support the motion because there appears to have been a consensus in the subcommittee. He also believes that it is fair because a large area using a lot of planning resources should bear some of the burden of the cost.

Motion to amend carried 6-2: Cornelius, Strand, Larson, Carroll, Sunderman and Krieser voting 'yes'; Taylor and Carlson voting 'no'; Esseks absent.

Motion for approval, as amended, carried 5-3: Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent. This is a recommendation to the City Council.

MISCELLANEOUS NO. 06005
ACTION BY PLANNING COMMISSION: June 21, 2006

Carroll moved approval, seconded by Sunderman.

Strand moved to amend to delete Section 26.33.020 c), the street tree fee. Motion failed for lack of a second.

Strand moved to amend to change the language under Section 26.33.020 c) from per street tree to per lot, which is now the staff recommendation, seconded by Cornelius and carried 8-0: Cornelius, Taylor, Strand, Larson, Carroll, Sunderman, Krieser and Carlson voting 'yes'; Esseks absent.

Strand stated that she will continue to not support this legislation at this time with the soft market.

Main motion for approval, as amended, carried 5-3: Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent. This is a recommendation to the City Council.

COUNTY CHANGE OF ZONE NO. 06024
ACTION BY PLANNING COMMISSION: June 21, 2006

Carroll moved approval, as revised by staff, seconded by Sunderman and carried 5-3: Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent. This is a recommendation to the Lancaster County Board.

COUNTY MISCELLANEOUS NO. 06006
ACTION BY PLANNING COMMISSION: June 21, 2006

Carroll moved approval, as revised by staff, seconded by Sunderman and carried 5-3: Cornelius, Taylor, Carroll, Sunderman and Krieser voting 'yes'; Strand, Larson and Carlson voting 'no'; Esseks absent. This is a recommendation to the Lancaster County Board.

Memorandum

To: Lynn Johnson and Jerry Shorney

CC: Steve Nosal

From: Steve Schwab

Date: 6/28/2006

Re: Surety Administration/Street Tree Surety Costs

The following are estimated and updated costs associated with surety administration/street tree inspection costs done by our department in regards to the requirement of the Land Subdivision Ordinance to plant new street trees for developments:

FOLLOWING BASED UPON A FINAL PLAT HAVING 35 RESIDENTIAL LOTS AND 35 STREET TREES (1 street tree per lot):

Initial calculation of surety bond amount and memo for final plat done by Steve Nosal-

1 hour x $23.997/hr = $24/hr

Marking out street tree planting locations done by Bob Weyhrich (note: **1904** street trees marked out in new subdivisions as of 6/27/06)-

1hr x $27.759/hr =$27/hr (*average 35 lots per hour*; **does not include travel time)**

Initial inspection of street trees planted to determine if surety should be released-

Arborist I does inspection at $18.041/hr (*average 35 lots per hour*; **does not include travel time)**
1hr x $18.041 = $18/hr

Average mileage (round trip) per mark out or inspection-

30 miles x 0.428 cents/mile = $13 + **average 45 min travel time** = $13 + $20 =$33

Preparing release of surety done by Steve Nosal-

30 min. x $23.997 = $12

Preparing Exec. Order to release surety done by Janet Ball-

30 min. x $14.675/hr = $ 8

52 EO's prepared in FY05-06 as of 1/12/2006

Cost summary for one (1) mark out, inspection and release of final plat having 35 lots:

Prepare surety bond $24
Mark out planting locations $27
Inspect planted trees $18
Mileage/travel time for mark out $33
Mileage/travel time for inspection $33
Prepare surety release $12
Prepare E.O. $8
TOTAL COST $155

$155 ÷ 35 lots = $4.43/lot
Proposed fee of $4.00/lot covers only 90% of Parks Department costs

*NOTE: Parks personnel costs as of 6/27/06 to do street tree surety related work in FY05-06 (doesn't include Janet Ball's salary expenses) is $10,318. This dollar amount equates to 2,580 lots ($4.00/lot x 2,580 lots = $10,320)