

MEMORANDUM

To: City of Seguin Mayor and Council Members
Douglas Faseler, City Manager

From: Pamela Centeno, Director of Planning & Codes

Through: Andrew Quittner, City Attorney

Subject: Planning & Codes Department Fee Amendments

Date: June 20, 2017

The Planning & Codes Department is proposing the following fee amendments:

TEMPORARY FOOD ESTABLISHMENT PERMITS

Current Fee: \$ 5.00
Proposed Fee: \$ 25.00

A temporary food establishment is one that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration. The current fee collected for temporary food establishment permits is \$5.00 per vendor, per event. This excludes non-profit vendors, which currently obtain the permit at no charge. This fee has not been updated in many years and is set significantly low compared to surrounding cities.

Fee Comparisons:

City of San Marcos, Texas	\$ 50.75
City of Schertz, Texas	\$ 50.00
City of New Braunfels, Texas	\$ 75.00 (\$25.00 for non-profits)
City of Cibolo, Texas	\$ 55.00
City of Kerrville, Texas	\$ 35.00

Staff is proposing to increase the fee to \$25.00 per event for all vendors, regardless of their non-profit status. The administrative cost to issue the permits and make inspections is the same regardless of the organization being for-profit or non-profit. Setting the fee at \$25.00 is still much lower than surrounding cities and will allow the food vendors to continue operating with a minimal cost for the permit.

BUILDING CODE COMPLIANCE INSPECTION FEES

Current: \$ 30.00
Proposed: \$ 50.00 (One- and Two-Family Lots)
 \$ 70.00 (Multi-Family/ Non-residential)

The City of Seguin currently charges \$30.00 for a building code compliance inspection. The Planning & Codes Department has improved the building code compliance inspection process to include a zoning compliance review as well as a site compliance review (off-street parking, screening, landscaping, etc.) The site compliance review is only required for non-residential and multi-family development, but the zoning compliance review is conducted on all properties. Due to the increased staff time for the additional compliance reviews, staff is proposing an increase to the building code compliance inspections. The fee has been separated between single-family/duplex inspections versus non-residential/multi-family inspections due to the site compliance review.

BUILDING & STANDARDS FEES

Property Owner Demolition Services Fee

Current: \$ 50.00
Proposed: \$ 250.00

Re-Hearing Fee (for condemned structures/properties)

Current: \$ 100.00
Proposed: \$ 200.00

Staff is proposing a few updates to the current fees associated with the Building & Standards process, in which the City demolishes substandard structures that pose a threat to the health and safety of the community. Currently, the property owner demolition services fee is \$50.00 per property. This is the fee charged to a property owner when the City hires a demolition contractor to remove substandard structures. This fee covers the cost of newspaper notices, property owner and lienholder notices, and all other administrative costs associated with the process of condemning and removing these structures. Staff is proposing a fee increase to \$250.00 since the current fee does not cover the costs described above. In addition, staff is proposing a fee increase to the cost for a re-hearing. This fee includes the cost to advertise the required public hearing and send the required notices to property owners and lienholders. Once again, the current fee does not cover these costs.

DOWNTOWN PERMIT FEES

Building Permit fees are currently waived in the Downtown Historic District. The fee waiver was adopted by Council to encourage improvements to downtown buildings. City staff has observed on numerous occasions that contractors are conducting work without the proper permits since the building permit fees are waived. The double permit fee charged for unpermitted work is not a deterrent in the downtown area since the City cannot charge double for a fee that has been waived. Staff is proposing to continue offering the downtown waiver when the appropriate permits are pulled. If works starts without a permit, staff is proposing to charge double for the regular building permit fee that was originally waived. Staff is also proposing to charge the standard re-inspection fee on all inspections downtown, which is also currently waived.

SIDEWALK FEE-IN-LIEU

Current:	<u>Per Linear Foot</u>	Proposed:	<u>Per Linear Foot</u>
4' Sidewalk	\$ 5.13	4' Sidewalk	\$ 20.00
5' Sidewalk	\$ 6.41	5' Sidewalk	\$ 25.00
6' Sidewalk	\$ 7.70	6' Sidewalk	\$ 30.00

Calculated per square foot...

Current:	\$ 1.28 per square foot
Proposed:	\$ 5.00 per square foot

When the City of Seguin first introduced the sidewalk fee-in-lieu in 2014, the fee was set at 75% of the actual cost to construct the sidewalk. Three years later, the cost to construct a sidewalk has increased significantly and the current fee-in-lieu places an additional burden on the taxpayers due to the gap between the cost for the City of Seguin to construct the sidewalks and the current fee-in-lieu collected for unbuilt sidewalks. In the recent years, the City has made great strides in improving safe pedestrian access in Seguin with the completed construction of miles of new sidewalks along city streets. In order to continue this progress, staff is proposing to adopt a new sidewalk fee-in-lieu based on the low bid of \$5.00 per square foot of sidewalk on a recent construction project bid out by the City of Seguin. The fee will be increased from \$1.28 per square foot to \$5.00 per square foot.

The sidewalk fee-in-lieu is only assessed for development when the code allows a fee-in-lieu option instead of the construction of the sidewalks. Developers and/or property owners always have the option to construct the sidewalks.

Fee Comparisons:

City of Taylor, Texas	\$ 3.00/sq ft
City of San Marcos, Texas	\$ 6.00/sq ft

SUBDIVISION PLATTING FEES

Current:

Plat Type	Fee
Preliminary	\$200 + \$5 per lot/acre
Preliminary Plat Revisions	\$200 + \$5 per lot/acre
Final	\$150 + \$5 per lot/acre
Minor	\$150 + \$5 per lot/acre
Replat	\$250 + \$5 per lot/acre
Amending	\$100 + \$5 per lot/acre
Plat Variance	\$200
Public/Subdivision Improvement Construction Plans	N/A
Unity of Title Agreement	\$50 plus recording fees

Proposed:

Plat Type	Fee (0-5 acres)	Fee (5+ acres)
Preliminary	\$300	\$300 + \$5 per lot
Preliminary Plat Revisions	\$300	\$300 + \$5 per lot
Final	\$300	\$300 + \$5 per lot
Minor		\$300
Replat		\$300
Amending		\$300
Plat Variance		\$300
Public/Subdivision Improvement Construction Plans	\$250 + \$5 per lot	\$500 + \$5 per lot
Unity of Title Agreement		\$100 plus recording fees

The City's subdivision platting fees are significantly low compared to surrounding cities. Staff has reviewed the fees of other cities and has taken into consideration the amount of staff time required to conduct plat reviews. The reviews are interdepartmental, requiring reviews from multiple departments including Planning, Engineering, Utilities, and the Fire Marshal's Office. Staff has proposed the changes as identified in the tables above.

SITE PLAN REVIEW FEES

Current:

Engineering Review	Fee
One- and Two-Family	
1-4 lots	\$200
5-20 lots	\$500
20+ lots	\$500 + \$2 per lot
Multi-Family and Non-Residential	
Less than 1 acre	\$200
1-5 acres	\$500
5+ acres	\$500 + \$10 per acre

Proposed:

Site Plan	Less than 1 acre	1-5 acres	5+ acres
Site Plan Review	\$250	\$500	\$750

The City of Seguin introduced a formal site plan review process in 2015 following the adoption of the Unified Development Code. Currently, the City only charges for review fees for the engineering review. The site plan review process includes the review of multiple site plan improvements including drainage, landscaping, sidewalks, screening, utilities, etc. Staff is proposing to replace the current engineering review fee with the proposed site plan review fee as detailed above.