

May 4, 2015

MEMORANDUM

TO: Title 11 Trees Oversight Advisory Committee
FROM: Jenn Cairo, City Forester
RE: Proposed Urban Forestry fees for Fiscal Year 2015-2016

Introduction. Parks Urban Forestry (UF) is updating the regulatory fee schedule for FY15-16. New fees are proposed for land use reviews (LURs) and early assistance (EA) with development applications. No increases for existing fees are proposed.

UF has been participating in land use reviews and early assistance, like other infrastructure bureaus, for some years. Early assistance and pre-application are often the point at which regulatory agencies first see development proposals. Some applications are further subject to land use reviews.

In the past, and unlike the other infrastructure bureaus, UF has not charged fees for this work. UF has been limited in its ability to provide review and input at these stages. As with other regulatory agencies, revenues support providing these services. Without an established fee structure, UF and tree considerations have not routinely been involved in these reviews.

Title 11, implemented in January, increases regulatory responsibilities for UF and recognizes the importance of integrating UF into the larger regulatory review of development projects, especially in the early project phases. Participation in these first reviews helps identify issues early, avoid potential regulatory conflicts later in the process, and provides more certainty and less potential for unexpected additional costs for applicants.

Background. Under Title 20, UF regulatory authority regarding private trees and in development situations was limited. Under the new rules, UF is extensively involved in regulating private and city trees in both development and non-development situations. As a result, it is important for UF to be involved, as are other infrastructure bureaus, in the review of development proposals as early in the process as possible. EAs and pre-aps are often the point at which regulatory agencies first see development proposals. Some, but not all, are further subject to LURs. UF is currently limited in its ability to provide review and input at these stages. Participation in these reviews will help identify problems early, avoid potential regulatory conflicts later in the review process and provide more certainty for applicants.

Methods. As UF takes on new roles, it is necessary to establish reliable sources of revenue so that service can be provided consistently. The proposed fee schedule is based on the following:

Cost recovery. Staff developed estimates on the amount of time it takes to review a proposal. In the case of UF, this means (a) in some cases, visiting the site to ensure that the tree information provided by the applicant is correct; and (b) determining which regulation applies and providing a written response

to the case planner. As with other agencies, fees must also cover the time it takes to attend EAs, pre-aps, meetings and public hearings. In short, the amount of time it takes to provide the service was multiplied by the costs of labor, together with overhead, in order to establish what true cost recovery would be. Therefore, the fees vary according to the review type as well as the size and complexity of the review.

Type of review. Another step was to consider the type of review. There are many reviews that are optional while there are other reviews which are critical and the fee proposal considers this aspect of the reviews.

Staff, in identifying the appropriate fee, also considered the impact of the fee on the total application fee for the customer and how the fee compares with the fees charged by other regulating bureaus. Other bureaus' fees vary widely, and the proposed UF fees are at the low end of that range.

New fees are being proposed to cover the cost of UF participation in land use reviews; no increases in existing fees are proposed. An analysis of cost of service based on actual experience for all UF development review fees is expected in 2016 and subsequent years.

Proposed fees. The attached table specifies the fees that UF is seeking from Council.

Next steps. Staff seeks your support of the fee schedule and are happy to answer questions. The next steps are:

1. Development Review Advisory Committee (DRAC) briefing. Scheduled for May 21, 2015.
2. Urban Forestry Commission (UFC) briefing. Scheduled for May 21, 2015.
3. Council hearing. Scheduled for May 27, 2015.

Effective date. If approved, the fees will be effective July 1, 2015.