

Farmer, Chair
Mossotti, Vice Chair
Gorton
Ellinger
Kay
Ford
Lawless
Beard
Clarke
Henson

A G E N D A

Planning & Public Works Committee

March 4, 2014

1:00 P.M.

1. **February 11, 2014 Committee Summary** (1 - 4)
2. **Homeowner Rights & Responsibilities – Akers** (5 - 9)
3. **Historic Preservation Fees – Gorton/Links** (10 - 22)
4. **Fees for Planning, Preservation & Development
Commercial Services – Gorton/Links** (12 - 28)
5. **Oliver Lewis Way Construction Update** (na)
6. **Items Referred** (29)

“Planning & Public Works Committee, to which should be referred matters relating to the Division of Planning and including, but not limited to matters related to housing, infill and redevelopment, purchase of development rights and historic privation, and any related partner agencies and the Department of Public Works and its related divisions, including capital improvement projects and any related partner agencies”

-Council Rules & Procedures, Section 2.102(1)

2014 Meeting Schedule

January 14	June 10
February 11	July 1
March 4	August 12
April 8	September 9
May 6	October 7

Planning & Public Works Committee
February 11 2014
Summary

Farmer called the meeting to order at 1:03 PM. All committee members were in attendance except Kay & Henson. Akers and Stinnett were recognized as part of the quorum. Scutchfield also attended.

1. January 14, 2014 Committee Summary

On a motion by Gorton, second by Beard the January 14, 2014 Committee summary was approved unanimously.

2. Downtown 2-Way Traffic Study

Tom Creasy, with Stantec the project manager provided this update. He discussed the work to date in three areas South to High St & Maxwell St, the Core Vine to Short and the North from 4th St to 2nd St. He identified the analysis and evaluation criteria for each area.

Creasy stated that in the North area, No Limestone, No Upper, Short St and West 2nd could be converted without significant operational impacts. He stated that the potential benefits included traffic calming, detour opportunities and visibility.

He noted areas of concern in the area including the Opera House block, schools on No Limestone as well as loading zones around Cheapside. He also identified potential impacts on transit routing, school bus operations and fire operations.

Creasy noted several impacts inn the South area. He stated that the So Upper So Limestone connection would need to be converted to a T intersection.

Creasy also stated that there would be higher travel times, lower travel speeds, higher delays, and potential on street parking and bike lanes would be lost in the south area if the streets were converted to 2-way

In response to a question from Clarke, Creasy stated that the South Limestone would be backed up to Virginia in the AM peak.

In the Core area Creasy discussed 2 options; in the first 1 lane in each direction with a center turn lane. This option maintains on street parking and bike lanes. In the other option there would be 2 lanes of traffic in each direction. Peak period left turn would be prohibited; however there would be center left turn lane at a few critical intersections. In this option on street parking and bike lanes would be lost.

Lawless stated that much of this occurs in the in the 3rd District. She stated that improvements were planned at the Kentucky/High/Maxwell intersection.

In response Creasy stated that he had that information about channelization from Engineering and it was included in their model analysis. He also stated that the analysis includes a traffic light at that intersection.

Gorton asked about a traffic circle at so Upper & So Lime.

In response Creasy stated that they can simulate a traffic circle in the models but because of the high volume of pedestrian it might not be viable

Gorton asked about membership in the Advisory Committee. In response Scott Shapiro will get a membership list to the Council.

Gorton stated that the Council had supported adding bicycle facilities and on street parking. She was concerned that some of the analysis indicated that bicycle facilities and on street parking would be removed.

In response Creasy stated that it was a matter of physical space limitations. He stated it would be up to the Policy Committee how best to use the space, to move vehicular traffic, store vehicle or move bicycles. He stated that each had a set of advantages and disadvantages.

Beard discussed the need to parking structures to serve downtown. He also identified other choke points in the downtown.

3. Greenway Manual & Plan

Chris King provided an update on greenways. He discussed benefits of the greenways along with several significant issues; including program management, acquisition policies, treatment of properties before and after development, and greenway maintenance.

King stated that the issue crossed many divisions including Environmental Policy, Engineering, Planning, Parks & Recreation, Environmental Quality & Public Works, and Streets & Roads.

King stated the recommendations included to create and fill the position of “Greenway Coordinator”, adopt a “Greenway Operational Handbook”, begin the systematic acceptance of greenway parcels, develop and implement a maintenance program, develop a management plan for each greenway and refer the Greenway Manual to the Engineering Manual update process.

King stated that the FY 15 Budget proposal will include requests for the Greenway Coordinator and greenway maintenance funding.

Mossotti asked about the maintenance budget. In response King stated that it might be Preliminary but he anticipated a maintenance budget of approximately \$ 150,000- \$ 200,000 annually.

Mossotti also discussed the acquisition process. In response King stated that developers generally agree to donate the parcels.

Akers stated that several potential greenways have not been acquired because we didn't have a plan to maintain. She asked if we shouldn't accept the parcels without a clear plan to maintain and manage the parcels.

Stinnett discussed the maintenance issues and related budget.

Farmer discussed the related FY 15 budget request as well as a timetable for the process.

4. 3-Way Stop Glendover & Valley

Beard introduced the request for a 3-way stop at Glendover & Valley. He stated that while the proposal did not meet Traffic Engineering criteria, Traffic Engineering did not object to approving the 3 way stop proposal.

Beard suggested that the proposal be deferred until the cost estimates for the road improvements were finalized.

Gorton stated that she requested that Traffic Engineering examine the potential for a traffic circle at that location. She stated that the proposal did not meet the minimum warrants established by Traffic Engineering. She also stated that Traffic Engineering indicated that the installation of a 3-way stop without the road improvements might lead to more collisions.

2 citizens, William Wester and Scott Dryer spoke in favor of the 3 way stop proposal.

In response to questions from Gorton, James Woods stated that it could be considered confusing and may lead to potential conflicts.

Gorton asked when this item comes back in include cost estimates for the improvements as well as accurate traffic volume data.

5. Todd's Road Widening Project Update

Keith Lovan provided an update on the project. He stating that they are in the property acquisition phase at present and will soon be starting the utility relocation phase.

Stinnett stated that the project was to be bid in May. In response Lovan stated that that estimate has been pushed back to October. Lovan stated that property acquisition would be starting in the fall.

6. Items Referred

Farmer discussed the referral list.

The meeting adjourned at 3:05 PM.

PAS 02.24.2014



COMMONWEALTH OF KENTUCKY
MASTER COMMISSIONER
FAYETTE CIRCUIT COURT
SUITE 1101
201 EAST MAIN STREET
LEXINGTON, KENTUCKY 40507

JAMES H. FRAZIER, III

22ND JUDICIAL CIRCUIT

February 5, 2014

Janet M. Graham
Commissioner of Law
Lexington-Fayette Urban County Government
Department of Law (11th floor)
200 East Main Street
Lexington, Kentucky 40507

RE: Kentucky Foreclosure Laws

Dear Janet,

As you know, Kentucky foreclosure laws are dictated by the Kentucky Revised Statutes, which are enacted by the State legislature. The laws governing foreclosure in Kentucky are comprehensive and clear.

The foreclosure process as well as any other enforcement of judgment process in Fayette County is, of course, subject to the Kentucky Revised Statutes and the Local Rules of Court, which may be amended by our Circuit Court from time to time. However, amendments to the Local Rules of Court do not in any way affect the letter of the law as it is set forth in the Kentucky Revised Statutes.

Any proposed modification or amendment to Kentucky statutes must be approved and authorized by the state legislature. While it is possible for the City Council to *propose* that state laws governing foreclosure *should* be amended, it is not within the City Council's authority to enact or enforce any such amendment.

If you have any questions, please don't hesitate to give me a call.

Sincerely,

James H. Frazier, III
Master Commissioner
Fayette Circuit Court

JHFIII/klm

Kentucky.com

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Masterson Station foreclosure draws Lexington city council's attention

By Valarie Honeycutt Spears

vhoneycutt@herald-leader.com December 3, 2013

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Ingrid Boak in front of her home, 1048 Winding Oak Trail in Lexington, Ky., Monday, December, 02, 2013. Ingrid Boak's house was sold by the master commissioner after the Masterson Station Neighborhood Association took her to court over several years of unpaid fees. She no longer owns the house and is now renting it. Photo by Charles Bertram | Staff

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In a rare case, the Masterson Station Neighborhood Association won a court judgment this year to foreclose on a Lexington woman's home.

The Urban County Council decided on Tuesday to review the situation in which Ingrid Boak's home was sold at a master commissioner's sale because she did not pay a mandatory \$48 annual fee and accumulated late fees for at least six years.

Council member Shevawn Akers said she wants the council planning and public works committee to review the matter because there were apparently no attempts to reach Boak in person.

Boak acknowledged that she did not open letters or respond to the attempts to reach her by mail, but said no one served her with a notice in person or received a signature from her acknowledging that she knew her home would be sold.

"I want to determine if we have any jurisdiction locally over" homeowner associations, said Akers, who lives in Masterson Station. Akers said she thought the sale of the home was not an appropriate consequence for nonpayment of fees.

Akers said changes regarding homeowners associations might have to be made through the General Assembly.

Boak's situation, reported last month by WLEX-TV, is rare, attorneys involved in the case say, but the homeowners association is within its rights.

Homeowners associations are governed by state real-estate property law and can be a plaintiff in a foreclosure action just as a bank or a mortgage company can, said James Frazier, master commissioner of the Fayette Circuit Court.

The foreclosure rights come from the governing documents of the association, said the Masterson Station association's attorney Nathan Billings.

By acceptance of a deed for property in the association, every owner in the association agrees to pay the association's annual dues and assessments and interest, late fees, attorney fees and filing fees if the dues are not paid on time, according to a court document.

"If somebody didn't pay their mortgage what's going to happen? They lose their house to the same process that the association uses," Billings said. "If they don't pay their tax bill what happens? It's the same process. It's the same principle."

Membership in some neighborhood associations is voluntary. But Masterson Station Neighborhood Association Inc. is described in court records as a nonprofit common property homeowners association. Membership is mandatory.

Some homeowners association fees are due monthly; others, annually, and the costs vary widely, Billings said. "It totally depends on the association, the amenities, the common areas, the common property, " he said.

Boak said she paid \$125,000 cash in 2007 for her home on Winding Oak Trail and her taxes were paid on time. No one ever told her when she bought the house that paying the \$48 annual dues was mandatory, she said.

Boak, 75, a horse trainer who lives out of town much of the time, said she never opened her mail from the neighborhood association.

Billings said Boak did not respond to 14 notices or letters before the lawsuit was filed. She also didn't respond to at least 10 notices afterward, he said. In total, Billings said, Boak was sent nearly 30 notices before her property was foreclosed on in Fayette Circuit Court and sold by the master commissioner.

Boak said she thought the letters from the neighborhood association were an attempt to encourage her to join on a voluntary basis. She said she was not aware that attorneys appointed by the court sent her notices to warn her that the association had filed a notice of lien on the property for \$884 in unpaid dues and assessments in the county clerk's office in April 2012. And Boak said that because she was working out of town she did not respond to certified mail notices. She said she never saw correspondence that the

case had gone to court or that the court had approved that the home be sold at a master commissioner's sale to satisfy the judgment against her.

Boak said the first time she realized that her home had been sold was when, while she was out of town, a neighbor saw a handwritten note posted on her door from the new owner who bought the home for \$93,500. Boak's home was appraised at \$120,000, according to court records. She said she is renting from the current owner.

Boak — who, according to court documents, received \$87,996 from the sale of her home — said she did not appeal the sale because she did not want to pay steep attorney costs. Boak said she appeared in court once to discuss distribution of her money from the sale of the home. Billings, the attorney, said the neighborhood association did not know that someone lived at Boak's house because she never responded to multiple notices.

Boak said the neighborhood association did not try to determine whether the home was vacant, because if someone had contacted her neighbors, the officials would have realized someone was living there.

No utilities were cut off, she said. The grass was cut and the house was taken care of. An umbrella stand on the front porch contained an umbrella.

"The flowers were there," Boak said. "A car was sitting in the driveway all the time. The house definitely did not look deserted."

"My neighbors would have been glad" to have given association officials her phone number or contacted her about the foreclosure while she was out of town, she said.

Billings said his law firm gives homeowners every opportunity to set up a payment plan:

First, his office files a notice of lien in the clerk's office and sends a copy to the homeowner by regular and certified mail. A payment plan is offered. The homeowner receives at least three demand letters by regular and certified mail before court action is pursued.

Neighborhood associations typically don't take court action until there are "multiple, multiple missed periods of payments," Billings said.

He said legal action didn't begin against Boak until the sixth year that she missed payments without responding.

If Boak had responded, Billings said the homeowners association would have halted the foreclosure until officials could talk to her.

The master commissioner website shows that the Masterson Station Neighborhood Association was a plaintiff in at least one other foreclosure case in 2013. Billings said he did not have specific details, but action was taken to set that sale aside.

Frazier, the master commissioner, said it is unusual for a homeowners association to be the sole plaintiff in a foreclosure case because most of the time when people aren't paying their homeowner fees they aren't paying their mortgage, either, and a bank or mortgage company is an additional plaintiff. In this case, Frazier said, Boak did not have a mortgage.

Frazier, who is also an attorney, said the actions of the homeowners association were legal. Frazier said he is a neutral party in the case, but he said he thought that any changes to the process would have to be initiated in the General Assembly and not the Urban County Council.

Billings, who said he represents about 80 homeowner associations in Kentucky, acknowledges that it is a rarity for homeowners associations to be a plaintiff in foreclosures when there is no mortgage on the

property. But he said homeowners associations are commonly named in foreclosure actions along with banks because they have liens for unpaid dues on lots.

As for Boak's case, Billings said the feedback he has received over the past month has been supportive.

He said people have paid their dues for other neighborhood associations as a result of learning about Boak's case.

"People realize the seriousness of not paying their dues, and a story like this helps elevate the importance of their obligation," Billings said.

Still, Councilman Bill Farmer, who heads the Planning and Public Works Committee, which will review Boak's case, said he hopes, at a minimum, the council can facilitate better communication between homeowners associations and residents who have unpaid fees.

"That just seems awfully harsh for someone to lose their home over fees in the neighborhood," he said.

Valarie Honeycutt Spears: (859) 231-3409. Twitter:@vhspears

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MEMORANDUM

TO: Bill Farmer, Chair, Planning Committee
Planning Committee Members

FROM: Bettie Kerr, Director
Historic Preservation

DATE: February 26, 2014

SUBJECT: Updates on consideration of Application/Permit Fees for Local Historic Districts
and on BOAR training

As you are aware, the Planning Committee requested an update on the possibility of initiating application/permit fees for properties in Lexington's Local Historic (H-1) Districts, as well as an update on BOAR training. Information on both follows, with the more brief update first:

Board of Architectural Review Training

The Board of Architectural Review members are, by Ordinance, to participate in annual training, however due to previous budget constraints this has been challenging. We were unable to offer qualified training last year as the funds available were inadequate. FY14 funds dedicated to this reflect a more realistic funding amount and we are currently working with the Kentucky Heritage Council (the State Historic Preservation Office), to provide a training seminar with qualified instructors in April 2014.

Application/Permit Fees: Background and Current Recommendations

Background on some of the information and considerations by Council committee relative to considering initiating permit/application fees is reflected in the attached memos. The attachments also include a copy of the power point presentation, presented to the Budget and Finance Committee, summing up the findings of Historic Preservation staffs' research and possible fees. Information was compiled from approximately 70 cities, permit fee amounts,

Memo to Planning Committee
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February 26, 2014

scope of work per application, etc. The data was mainly compiled in 2011, however, it has recently been spot-checked to assure it continues to be pertinent.

The possibility of an application/permit fee being initiated was reviewed and discussed by the Budget and Finance Committee in late 2011 and early 2012, with the outcome being that the Committee determined NOT to recommend to the Council the initiation of application/permit fees for the design review H-1 process. This recommendation was reported out by the Chair of the Budget and Finance Committee to the Council at its February 7, 2012 work session. The basis for this recommendation lay in the fact that the committee concurred with the Director of Revenue's assessment that the amount of money generated by such fees, if set at the levels indicated comparable to other city's historic preservation programs, would result in approximately \$10, 000 to \$12,000 annually and unfortunately would not generate enough income to justify the LFUCG's expense of collecting and processing the fees.

The dollar amount that might be appropriate to charge for an application/permit for projects in Lexington's Local Historic H-1 Districts continues to be similar to the amounts previously considered. As a result, I believe it continues to be the case that the outcome of initiating fees currently would not alter the findings noted in the previous considerations. Therefore, I cannot recommend initiating application/permit fees associated with permit applications in the Historic Preservation program at this time.

I hope that this information is of assistance to you. Please let me know if you have questions.

Cc: Commissioner Derek Paulsen

Attachments

H-1 Permit Fees

Cities that do not have Historic District Permit Fees

- LOUISVILLE, KY
- GREENSBORO, NC
- COVINGTON, KY
- ROCHESTER, NY
- WICHITA, KS
- CINCINNATI, OH
- COLORADO SPRINGS, CO
- COLUMBUS, OH
- BOULDER, CO
- DAYTON, OH
- BLOOMINGTON, IL
- ALLENTOWN, PA
- BOSTON, MA
- NASHVILLE, TN
- ARLINGTON, VA
- SPRINGFIELD, MO
- RICHMOND, VA
- MADISON, WI

Cities that do have Historic District Permit Fees

- DENVER, CO
- BOWLING GREEN, KY
- ORLANDO, FL
- PADUCAH, KY
- AUGUSTA-
- TOPEKA, KS
- RICHMOND CTY, GA
- BALTIMORE, MD
- SAVANNAH, GA
- BROOKLINE, MA
- INDIANAPOLIS, IN
- PITTSBURGH, PA
- PEORIA, IL
- CHARLESTON, SC
- DURHAM, NC
- MEMPHIS, TN
- CLEVELAND, OH
- AUSTIN, TX

APPROXIMATE FEES RANGE IN THE SAMPLING OF CITIES

ADMINISTRATIVE PERMIT FEE \$0-\$75	BOAR PERMIT FEE \$25-\$100
DEMOLITION PERMIT FEE \$50-\$532	RETROACTIVE PERMIT FEE DOUBLE THE FEE TO \$500 ¹⁵

Types of Permits issued

Administrative level by LFUCG

Division of Historic Preservation

Replacement of roofs.	Replacement of doors and windows.	General renovation/ Repair of exterior trim and siding.	Re-pointing of masonry chimneys, walls, foundations.	Installation of satellite dishes
Installation and replacement of rear and side yard fences.	Construction of patios up to 200 square feet.	Replacement of signage.	Replacement of front sidewalks and driveways.	Removal of deteriorated or unhealthy trees.

Types of Permits issued by the LFUCG Board of Architectural Review

Installation of front yard fences	Installation of new signs	Construction of single family homes or duplex	Construction of addition	Demolition of any kind
Replacement of windows and doors	Construction of new parking areas	Construction of patio and decks over 200 square feet	Construction of dormers	Construction of new paving or re-graveling of parking areas.

PROPOSED FEES FOR LEXINGTON'S H-1 DISTRICTS

ADMINISTRATIVE PERMIT FEE \$25.00	BOAR PERMIT FEE \$50.00	DEMOLITION PRIMARY BLDG PERMIT FEE \$250
NEW CONSTRUCTION PRIMARY BLDG PERMIT FEE \$150	FENCE PERMIT FEE \$25.00	RETROACTIVE PERMIT FEE \$75

MEMORANDUM

TO: Chuck Ellinger, Chair of Budget and Finance Committee
Members of Budget and Finance Committee

FROM: Bettie L. Kerr, Historic Preservation Director

DATE: January 24, 2012

SUBJECT: Application fees for Certificate of Appropriateness (H-1 Local Historic Districts)

At the November 29, 2011 meeting of the Budget and Finance Committee, you will recall that the concept of the Division of Historic Preservation charging a permit fee for all Certificates of Appropriateness issued in the Local Historic Districts (H-1) was reviewed and discussed. As an outcome of that discussion, the Division of Historic Preservation was requested to provide additional information on potential APPLICATION fees rather than PERMIT fees.

In further study of this concept, it seems that establishing two levels of application fees most closely reflects the intent of the committee's request and would allow for the fees to be set in an equitable manner for the permit applicants in the Local Historic Districts (H-1). These could be established as follows:

A \$20.00 application fee for permit applications that can be, (as mandated by the Board of Architectural Review), reviewed and issued by Staff, anticipated to reflect approximately 65% of applications. These would include review items such as the following:

- Landscaping
- Patios/terraces under 200 square feet
- Stepping Stones
- Fences, Gates
- Handrails
- Exterior Lighting
- Utilities
- Storm Windows & Doors
- Shutters
- Storefronts
- Awnings
- Security Grilles and Handrails
- General Renovation
- Porches and Deck Repair
- Satellite Dishes
- Roofs (including skylights, vents, downspouts, chimneys, chimney caps)
- Tuck-pointing
- Exterior Material
- Foundations
- Painting
- Cleaning Exterior Surfaces
- Historic Markers

Memorandum to Budget and Finance Committee
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January 24, 2012

A \$50.00 application fee for permit applications that are reviewed by the Board of Architectural Review, anticipated to reflect approximately 35% of applications. These would include review items such as the following:

- Demolition
- New Construction- New Buildings, Additions, Garages, Storage Buildings, Pools, Masonry Walls
- Patio/terraces greater than 200 square feet
- Driveway/paving installation
- Refreshing Gravel
- Signs
- Change or Create Openings

As was discussed in the previous committee meeting, to date, there has been no fee associated with the design review process for Lexington/Fayette County's Local Historic districts and landmarks (H-1 Overlay), however, certainly with the challenging financial times it is important to consider the same. The H-1 process currently reviews and issues approximately 400 permits annually and, as previously discussed, many but not all of these projects are required to obtain a Building Permit, which also requires fees. It is anticipated that if application fees such as those outlined above for the Local Historic District process were initiated that it would result in approximately \$12,000 per year to the LFUCG.

I hope this additional information will be of assistance and should you have questions, please contact me. Thank you.

Cc: Richard Moloney, CAO

M E M O R A N D U M

TO: Chuck Ellinger, Chair of Budget and Finance Committee
Members of Budget and Finance Committee

FROM: Bettie L. Kerr, Historic Preservation Director

DATE: November 22, 2011

SUBJECT: Permit fees for Certificate of Appropriateness (H-1 Local Historic Districts)

During the FY-2012 budget discussions, the Link Committee reviewing Historic Preservation requested that the Division of Historic Preservation look at charging a permit fee for all Certificates of Appropriateness issued in the Local Historic Districts (H-1). We have researched data from some 70 cities around the country relative to permit fees in historic districts and included with this material are the spread sheets reflecting the findings of that research. You will see that the data reflects cities of various sizes and we tried to include a number with populations similar to Lexington.

The research findings resulted in a range of fees, generally categorized in two areas: one permit fee for work that is able to be approved at the administrative level and permit fees for projects that are reviewed by a Board of Architectural Review. For the administrative level permits the fees ranged from \$0 to \$35 and for the permits issued by Board of Architectural Review the fees ranged from \$25 to \$100.

Lexington-Fayette County has had Local Historic Districts since 1958 and currently includes 14 Districts and two Local Landmarks, encompassing approximately 2000 properties. To date, there has been no permit fee but certainly with the challenging financial times it is important to consider the same. Therefore, in accordance with the Link committees request, we are recommending permit fees for Local Historic District Properties be considered at \$25.00 for Administrative permit fee; \$50.00 for BOAR reviewed permit fee; New Construction of Primary Structure permit fee of \$150, Demolition of Primary Structure Permit fee of \$250, Fence Permit Fee of \$25.00 and Retroactive Permit fee of \$75.00. The H-1 process issues approximately 400 permits annually and many (but not all) of the projects also are required to get a Building Permit, which also requires fees. It is anticipated that if fees such as those outlined above for the Local Historic District permits were initiated that it would result in approximately \$10,000 to \$12,000 per year to the LFUCG.

Memorandum to Budget and Finance Committee
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November 22, 2011

I hope the attached information will be of assistance to you and should you have questions, please contact me. Thank you.

Cc: Richard Moloney, CAO

PERMIT FEES REVIEW

DEPARTMENT OF PLANNING, PRESERVATION, AND DEVELOPMENT

Planning and Public Works Committee

March 4, 2014

Recap

- ❑ Lexington's fees are reasonable and business friendly compared to surrounding communities.
- ❑ Residential and commercial markets are still recovering, no change to those building permit fees are recommended at this time.
- ❑ Land Disturbance Permits are a flat rate and do not account for the size of the project.

Land Disturbance Permits

- ❑ A Land Disturbance Permit is required for clearing, grading, excavating, and filling activities that result in the disturbance of the existing land.
- ❑ Requirements vary depending on the nature of the project.
- ❑ The current fee is \$25 regardless of size of the disturbance.
- ❑ 91 commercial Land Disturbance Permits were issued in 2013.

Fee Comparison

Land Disturbance Permit Fees	
Lexington	\$25
Northern Kentucky (SD1)	\$364
Scott County	\$500
Woodford County	\$1 25
Jessamine County	\$200

Summary

- ❑ Land Disturbance fees vary greatly in amount and structure between communities.
- ❑ Consent Decree programs like the Capacity Assurance Program (CAP) are significant challenges for development.
- ❑ No change to the fee structure is recommended at this time.

Questions?

Planning and Public Works Committee Referrals

<u>Item</u>	<u>Referred By</u>	<u>Date</u>	<u>Status</u>
Review Street Tree & Tree Protection Ordinances	9.27.11	11.20.12	11.20.12
Possible Revision of Sign Ordinance	Farmer	6.12.12	Apr/May 2014
Private Streets: Enforcement, Maintenance & Specifications	Mossotti	1.129.13	Apr/May 2014
H-1 Notification Process	Myers	1.19.13	
Maintenance of Major Roadways	Stinnett	4.16.13	Apr/May 2014
Greenway Manual & Plan	Mossotti	10.8.13	Feb 2014
Fees to Offset Historic Preservation Services	Gorton	12.5.13	Mar 2014
Explore Providing Assistance to Low Income Homeowners with Code Compliance	Gorton	12.5.13	Mar 2014
Examine Fee Structure for Planning, Preservation & Development Services	Gorton	12.5.13	Mar 2014
Homeowner Associations Rights & Responsibilities	Akers	12.3.13	Feb 2014
Leaf Collection Review	Stinnett	1.14.14	Apr 2014
Multi-Way Stop Glendover Rd @ Valley Rd	Beard	1.30.14	Feb 2014
Code Enforcement Fines	Lawless	2.11.14	
Building Inspection Civil Offenses	Lawless	2.11.14	
Off Premise Signage	Lawless	2.11.14	
Streetlight Installation Plan	Stinnett	2.11.14	
Snow Removal Plan	Stinnett	2.11.14	Apr/May 2014
Residential Parking Procedures	Farmer	2.13.14	
Initiate Zoning Text Amendments for Food Trucks in the P-1 and AU Zones	Akers	2.18.14	
Affordable Housing Issue	Gorton	2.25.18	Apr/May 2014
<u>Item</u>	<u>Referred By</u>	<u>Date</u>	<u>Status</u>
Oliver Lewis Way Update	Blues	4.9.09	Mar 2014
Todd's Road Widening Phase II	Stinnett	4.15.09	Feb 2014
Downtown Traffic Study	Farmer		Feb 2014
Design Excellence Update	Kay	4.8.14	Moved to Planning Commission
			Apr 2014