Gorton
Tom Blues
Gray
Ellinger
James
Lawless
Beard
Feigel
Stinnett
McChord

AGENDA
PLANNING COMMITTEE
January 20, 2009
1:30 P.M

1. **Election of Committee Chair**

2. **Selection of Committee Vice Chair**

3. **Electrical Inspector's Fee Schedule** – McChord (1-13)

4. **Newtown Pike Design Ordinance** – Gorton (14-36)

5. **Land Bank** – James (37-52)
   Abandoned/Delinquent Property Tax Rate

6. **Items Referred to Committee** (53)

"Planning Committee, to which should be referred matters relating to parks, planning and zoning, housing, transportation, grants, legislation and social services."

Council Rules & Procedures, Section 2.102(1)

ELECTRICAL INSPECTION FEE COMPARISON FOR LEXINGTON AND SURROUNDING CITIES/COUNTIES

	Frankfort	Jessamine County	Lexington	Louisville/Jefferson Co
Rough wire inspection	$2/circuit or $50.00 min	$35 including first 10 circuits .65 cents each for next 10 circuits .40 cents each for remaining circuits	For inspection work of electrical wiring work not exceeding $50,000 $35 for first 10 circuits $0.65 each circuit over 10 and up to 25 $0.40 each for all over 25	$160 includes 3 inspections
[illegible] inspection	$35 for service change	$35	$35.00 for service change inspection	$40 includes 1 inspection
Reinspection because of [illegible]	$35 for first $50 for second Each additional $50	$35	$35 per inspection	Any additional inspections not covered by the initial permit fee shall be $50
Final inspection	$2/circuit or $50.00 min	$35 including first 10 light fixtures. .40 cents each for remaining light fixtures, and $1.10 each for each 240 volt and appliance circuit	$35 for service and fixtures up to 10 circuits $0.40 for each fixture over 10 $1.10 each for 240-volt motor and appliance circuits	Included in rough wire
Duplex-Rough & Final	$2/circuit or $50.00 min at rough-in & final	$35 including first 10 circuits. .65 cents each for next 10 circuits. .40 cents each for remaining circuits		$180 includes 3 trips
Townhouse	$2/circuit or $50.00 min at rough-in and final	$35 including first 10 circuits .65 cents each for next 10 circuits. .40 cents each for remaining circuits		$160 includes 3 trips
Temporary Inspection	$35	$35	$35.00	$40 includes 1 inspection
Trailer [illegible]		$35	$35.00	
Apartments-rough wire	$2/circuit or $50.00 min ea unit	$35 first unit then $25 each for remaining units	$35 for first unit-1 building $5 for each additional unit	New multi-family & commercial
Apartments-final inspection	$2/circuit or $50.00 min ea unit	$35 first unit then $25 each for remaining units and $1.10 for each 240 volt and appliance circuit.	$35 for first unit $5 for each additional unit $1.10 for each 240-volt appliance circuit	$40 base permit + $20/each sub-panel + $20 each dwelling unit and $0.25 for each ampere at the service entrance up to and including 600 amperes and $0.50 for each ampere over 600 amperes. Includes 2 inspections
Commercial/Industrial	$2/circuit or $50.00 min + $20 for each add'l site visit requested by applicant	Commercial/Industrial $1-15,000 $250 minimum charge $15,001-30,000 2% of cost $30,001-75,000 1 1/2% of cost Over $75,000 1% of the first $300,000 3/4 of 1% of the next $400,000 1/2 of 1% of the balance of the contract	Electrical wiring work costing more than $50,000 1 percent of the total cost for the first $300,000 .75 percent for $300,001-$600,000 .50 percent for contract cost in excess of $600,000	New multi family & commercial $40 base permit + $20/each sub-panel + $20 each dwelling unit and $0.25 for each ampere at the service entrance up to and including 600 amperes and $0.50 for each ampere over 600 amperes. Includes 3 inspections

	Madison County	Richmond	Scott Co/Georgetown
Rough wire inspection	200 amp Service/$100.00 400 amp Service/$125.00 600 amp Service/$150.00 includes temp service and all trips	For single family, light commercial, churches up to $50,000 200 amp Service/$150.00 400 amp Service/$200.00 600 amp Service/$300.00 800 amp Service/$400.00 1000 amp Service/$500.00 1200 amp Service/$600.00 includes temp service and all trips	$15
[illegible] inspection	$50 includes all trips	$75 includes all trips	$45
Reinspection because of [illegible]		Permit fee includes all trips	$25
Final inspection	Included in rough wire	Included in rough wire above	$45 + .07 per sq. ft. over 1300
Duplex-Rough & Final	200 amp Service/$150.00 400 amp Service/$175.00 600 amp Service/$200.00 plus $25/each unit includes temp service and all trips	$125/unit includes temp service and all trips	$30/unit
Townhouse	200 amp Service/$100.00 400 amp Service/$125.00 600 amp Service/$150.00 includes temp service and all trips	For single family, light commercial, churches up to $50,000 200 amp Service/$150.00 400 amp Service/$200.00 600 amp Service/$300.00 800 amp Service/$400.00 1000 amp Service/$500.00 1200 amp Service/$600.00 includes temp service and all trips	$30/unit
Temporary Inspection	Included in rough wire above	Included in rough wire above	$45
Trailer [illegible]	$75 includes all trips	$75 includes all trips	$45
Apartments-rough wire			
Apartments-final inspection	200 amp Service/$150.00 400 amp Service/$175.00 600 amp Service/$200.00 plus $25/each unit includes temp service and all trips	$125/unit includes temp service and all trips	Rough & Final 1-4 units $70.00/unit 5-12 units $60.00/unit 13-16 units $50.00/unit 17+ units $[illegible]/unit
Commercial/Industrial	Light Commercial/Churches/Multi-Family up to $50,000 200 amp Service/$150 + 25/unit 400 amp Service/$175 + 25/unit 600 amp Service/$200 + 25/unit Heavy Commercial/Churches/Industrial over $50,000 50,000-100,000 .01 x cost 100,001-200,000 .0095 x cost 200,001-300,000 .0090 x cost 300,001-400,000 .0080 x cost 400,001-500,000 .0070 x cost 500,001-1,000,000 .0060 x cost 1,000,000+ .0050 x cost	Heavy commercial/churches over $50,000/industrial 50,000-1,000,000/.01 x Cost 1,000,001/.0075 x Cost	Light Commercial up to $30,000 each panel $40.00 each circuit $3.00 each disconnect $8.00 service $60.00 Heavy Commercial over $30,000 1% of total electric including fixtures, equipment and labor regardless whether contractor or owner is furnishing equipment and/or fixtures

	Winchester/Clark Co	Paducah	Owensboro	Bowling Green
Rough wire inspection	Residential work w/cost less than $50,000 $45/first unit + $10/each additional attached unit Residential work w/cost greater than $50,000 $50,000-100,000 1 % $101,000-200,000 .95% $201,000-300,000 .90% $301,000-400,000 .80% $401,000-500,000 .70% $501,000-1,000,000 .60% Over $1,000,000 .5%	$60 includes all trips	$0.05 per sq. ft./$75 min includes all trips	$100 includes all trips
[illegible] inspection	$45	Based on [illegible]	$35 for service change	$50 for service change
Reinspection because of [illegible]	$45 all other inspections		$15 per add'l trip	
Final inspection	$45/first unit + $1.00 per circuit exceeding 20 circuits and $10/each additional attached unit	Includes in rough wire above	Included in rough wire	Included in rough wire
Duplex-Rough & Final	Residential work w/cost less than $50,000 $45/first unit + $10/each additional attached unit Residential work w/cost greater than $50,000 $50,000-100,000 1 % $101,000-200,000 .95% $201,000-300,000 .90% $301,000-400,000 .80% $401,000-500,000 .70% $501,000-1,000,000 .60% Over $1,000,000 .5%	$50/each unit	$75 first unit plus $10	$50/each unit
Townhouse	Residential work w/cost less than $50,000 $45/first unit + $10/each additional attached unit Residential work w/cost greater than $50,000 $50,000-100,000 1 % $101,000-200,000 .95% $201,000-300,000 .90% $301,000-400,000 .80% $401,000-500,000 .70% $501,000-1,000,000 .60% Over $1,000,000 .5%	$60 includes all trips	$0.05 per sq. ft./$75 min includes all trips	$100
Temporary Inspection	$25	$15	$35	
Trailer [illegible]	$45		$35	$35
Apartments-rough wire	Residential work w/cost less than $50,000 $45/first unit + $10/each additional attached unit			
Apartments-final inspection	Residential work w/cost greater than $50,000 $50,000-100,000 1 % $101,000-200,000 .95% $201,000-300,000 .90% $301,000-400,000 .80% $401,000-500,000 .70% $501,000-1,000,000 .60% Over $1,000,000 .5%	$50/each unit includes all trips	$75 first unit plus $10 each add'l unit	100 amp/$50 each unit 200 amp/$65 each unit includes [illegible] trips
Commercial/Industrial	Industrial/Commercial per Kentucky State Office of Housing, Buildings and Construction	0-$3000 $20 over $3000 $20 plus $4/each add'l $1000 over 100,000 $408 plus $3/each add'l $1000	1.5 percent of electrical contract/$75 min	less than or equal to $15,000 contract/$75 greater than $15,000 contract/$75 plus [illegible] of contract in excess of $15,000

COMMERCIAL BUILDING PERMIT SUMMARY

			2006				2007				YTD 2008			
Permit Type		Commercial	Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost	Sq Ft
010	C	GOV BUILDING/LOCAL	12	0	3,444,512	44,423	6	0	5,960,000	30,004	6	0	1,669,000	22,120
010A	C	GOV BUILDING ADDITION/LOCAL	3	0	4,010,300	75,751	1	0	0	0				
010B	C	GOV BUILDING REMODELING/LOCAL	10	0	959,000	49,096	5	0	1,169,549	11,232	14	72	4,502,000	63,792
011B	C	GOV BUILDING REMODELING/STATE	1	0	606,599	42,500					2	0	125,000	6,230
012	C	GOV BUILDING/FEDERAL	1	24	2,900,000	28,884								
012B	C	GOV BUILDING REMODELING/FEDERAL					1	0	1,500,000	25,760	1	0	40,000	0
109	C	PRIVATE CLUB	5	0	2,175,450	18,021	1	0	150,000	1,775	5	0	2,400,000	27,772
109A	C	PRIVATE CLUB ADDITION	1	0	822,751	4,249					1	0	625,000	1,314
109B	C	PRIVATE CLUB REMODELING	1	0	243,449	4,513	4	0	150,000	10,665	1	0	625,000	1,231
110	C	RECREATIONAL FACILITY	2	0	2,075,000	84,257					1	0	1,300,000	8,300
110A	C	RECREATIONAL FACILITY, ADDITION					1	0	120,000	381				
110B	C	RECREATIONAL FACILITY REMODELING	2	0	30,000	10,900	5	0	909,000	44,488	1	0	50,000	8,728
122	C	EXHIBITION HALL, EXPOSITION HALL									1	0	775,000	5,450
131	C	CHURCH AND RELATED USES	4	0	8,396,500	52,707	5	0	16,070,000	219,558	2	0	40,200	4,960
131A	C	CHURCH ADDITION	3	0	1,870,000	19,013	2	0	6,000,000	46,717	5	0	8,717,000	68,714
131B	C	CHURCH REMODELING	6	0	2,574,000	44,640	6	0	1,738,500	33,020	5	0	54,600	6,344
161	C	RESTAURANT	18	0	11,580,000	76,363	8	0	4,220,000	32,374	5	0	2,355,500	14,411
161A	C	RESTAURANT ADDITION	6	0	234,500	2,540	4	0	1,839,632	7,548	8	0	1,052,880	6,119
161B	C	RESTAURANT REMODELING	19	0	1,042,000	35,104	25	0	2,452,900	51,015	34	0	5,697,665	72,460
162	C	NIGHTCLUB	1	0	10,000	960								
162B	C	NIGHTCLUB REMODELING	1	0	40,000	1,500	2	0	182,000	6,662	7	0	78,600	25,838
189B	C	THEATER REMODEL									1	0	1,500,000	6,977
209	C	EDUCATIONAL PROPERTY GENERAL	1	0	10,000	121								
210	C	DAYCARE CENTER					1	0	300,000	3,426				
210B	C	DAYCARE CENTER REMODELING	1	0	86,000	2,536	5	0	142,300	7,638	2	0	127,975	4,963
213	C	SCHOOL ELEMENTARY	1	0	9,200,000	73,289	2	0	138,000,000	145,024	1	0	500,000	73,122
215	C	SCHOOL, HIGH	1	0	950,000	5,000								
229	C	SCHOOL, EDUC STRUCTURE PRIVATE	2	0	297,000	6,940								
229A	C	SCHOOL ADDITION, PRIVATE EDU. STRUCT	1	0	403,000	1,472					1	0	7,000,000	68,245
229B	C	SCHOOL REMOD. , EDUC. STRUCTURE	4	0	1,436,900	15,693					1	0	2,406,784	12,293
235B	C	REHABILITATION HOUSING FACILITY, REMODELING									2	2	28,000	200
331A	C	NURSING HOME, ADDITION									1	0	175,000	1,000
331B	C	NURSING HOME, REMODELING					1	0	1,813,621	24,695	1	0	1,816,784	0
335A	C	HOSPITAL, ADDITION PRIVATE	1	0	27,633,359	83,000	3	0	962,000	11,635				
335B	C	HOSPITAL, REMODELING PRIVATE	3	0	18,146,209	25,415								
416	C	FIRELOSS COMMERCIAL	4	4	407,872	4,964	2	0	50,000	3,333	2	0	119,760	5,500
439	C	ROOM, BOARDING HOUSE									1	0	2,575	150
449	C	HOTEL, MOTEL, LODGING HOUSE LODGE					2	0	12,000,000	132,289	3	0	14,390,000	154,959
449A	C	HOTEL, MOTEL, LODGE HOUSE, ADDITION					1	0	20,000	377	1	0	18,251	400
449B	C	HOTEL, MOTEL, LODGE HOUSE, REMODELIN	1	0	1,300,000	21,070	3	0	3,675,000	46,388	7	0	1,336,000	5,464
469	C	DORMITORY, PRIVATE					1	0	5,487,000	28,692				
469A	C	DORMITORY, ADDITION									1	0	75,000	438

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost	YTD 2008 Sq Ft
469B	C	DORMITORY, REMODEL									1	0	200,000	1,200
510	C	RETAIL SALES GENERAL	25	0	49,903,736	793,613	15	0	8,661,765	144,977	8	0	7,780,932	122,195
510A	C	RETAIL SALES ADDITION	9	0	692,000	7,113	6	0	3,840,621	15,959	4	0	3,250,000	35,688
510B	C	RETAIL SALES REMODELING	61	1	13,585,568	748,247	42	1	4,890,754	228,893	48	0	10,186,430	374,005
511	C	SUPERMARKET, FOOD MART									1	0	7,627,000	123,490
511B	C	SUPERMARKET, FOOD MART, REMODEL	1	0	647,000	65,012								
547B	C	GREENHOUSE	1	0	85,000	6,660								
557B	C	BARBER/BEAUTY SHOP, REMODELING	7	0	266,100	11,174	1	0	10,000	1,100	8	0	223,500	10,066
560	C	NAIL SALON	1	0	15,000	91								
570A	C	KENNEL, ADDITION	1	0	1,000,020	548								
570B	C	KENNEL, REMODEL					1	0	350,000	31,424				
571A	C	ANIMAL HOSPITAL, ADDITION					1	0	143,000	2,505				
571B	C	ANIMAL HOSP. REMODELING/VETERINARY					1	0	57,000	800	1	0	580,000	8,753
573	C	MOTOR VEHICLE REPAIR MINOR					1	0	46,000	4,380				
573A	C	MAJOR MOTOR VEHICLE REPAIR	2	0	820,000	11,840	1	0	25,000	1,275	2	0	1,002,000	34,775
591	C	GEN. BUSINESS OFFICE, OFFICE BLDG.	15	0	24,052,484	242,128	16	0	39,592,258	471,341	5	0	11,296,596	86,077
591A	C	GEN. BUSINESS OFFICE/BLDG., ADDITION	7	0	1,032,000	9,934	9	0	3,686,300	26,207	3	0	850,000	8,974
591B	C	GEN. BUSINESS OFFICE/BLDG., REMOD	92	0	10,073,652	362,374	105	0	15,190,147	370,365	102	2	11,692,394	328,049
592	C	BANK					2	0	1,900,000	12,289	2	0	1,941,673	6,171
629	C	LAB GENERAL					1	0	36,672	405				
686	C	CONCRETE BATCH PLANT					1	0	95,000	4,000				
700	C	WHOLESALE BUSINESS					1	0	30,000	1,200	2	0	450,000	19,800
700B	C	WHOLESALE BUSINESS REMODELING	2	0	44,900	5,000	2	0	328,950	8,210	2	0	70,000	6,000
709	C	FACTORY GENERAL, MANUFACTURING PRO	1	0	789,000	24,546					1	0	4,300,000	45,353
709A	C	FACTORY GENERAL, ADDITION	1	0	200,000	800	2	0	811,800	20,569	4	0	9,455,529	108,140
709B	C	FACTORY GENERAL REMODELING	3	0	1,822,000	23,101	6	0	213,334	5,899	1	0	127,000	4,500
748	C	CAR WASH									2	0	1,840,480	5,653
748B	C	CAR WASH, REMODEL	1	0	10,000	76								
800	C	SHOP OF SPECIAL TRADE	2	0	3,557,000	47,750	3	0	2,400,000	45,673				
811B	C	AGRICULTURAL OFFICE									1	0	250,000	1,801
816	C	RACE TRACK & RELATED USES	1	0	2,000,000	36,764								
880	C	COMMERCIAL CANOPY	5	0	274,888	9,617	3	0	346,000	7,980	17	0	673,500	13,228
882	C	PARKING STRUCTURE, STORAGE GARAGE	2	0	3,700,000	64,522	2	0	3,749,456	112,821	3	0	970,180	16,676
882B	C	PARKING STRUCTURE, REMODEL	1	0	2,500	34								
883	C	AUTOMOBILE DEALERSHIP					1	0	570,000	5,160	1	0	185,000	4,320
886	C	AIRCRAFT HANGER	1	0	300,000	8,000	2	0	3,072,700	36,820	2	0	468,000	12,800
889	C	VEHICLE STORAGE GENERAL	1	0	85,000	1,430								
891	C	GENERAL WAREHOUSE	13	0	11,767,267	323,673	6	0	2,015,200	69,852	5	0	5,435,000	185,831
891A	C	WAREHOUSE ADDITION	6	0	463,000	20,558	6	0	1,092,450	32,197	4	0	1,063,500	28,440
891B	C	WAREHOUSE REMODELING	13	0	807,500	35,638	12	0	1,254,818	38,985	7	0	158,400	50,113
899	C	GENERAL ITEM STORAGE									1	0	25,000	2,000
918	C	COMMERCIAL REMODELING	8	0	740,000	41,175	20	0	6,200,550	106,873	12	0	472,501	19,980
918A	C	COMMERCIAL ADDITION	1	0	6,000,000	48,477	4	0	209,475	2,501	2	0	50,000	1,200
919A	C	GENERAL REPAIR COMMERCIAL, CHPT 12	1	0	500	2,790								
920A	C	GENERAL REPAIR COMMERCIAL	2	20	30,000	3,000	1	0	10,000	0	1	4	175,000	2,380

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost	YTD 2008 Sq Ft
923	C	COMMERCIAL GENERAL	11	72	9,811,000	115,068	4	0	454,850	5,107	3	0	270,000	4,960
971	C	ELEVATORS	1	0	25,000	70								
991	C	TENANT FIT-UP	124	1	18,519,034	476,751	76	0	6,608,893	162,295	70	0	11,919,052	244,992
			539	**122**	**266,005,550**	**4,382,695**	**451**	**1**	**312,804,495**	**2,902,758**	**450**	**80**	**154,592,241**	**2,595,104**

COMMERCIAL COMPARISON
LEXINGTON-FAYETTE COUNTY

			2006				2007				YTD 2008		
Permit Type		Commercial	Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost
010	C	GOV BUILDING/LOCAL	12	0	3,444,512	44,423	6	0	5,960,000	30,004	6	0	1,669,000
010A	C	GOV BUILDING ADDITION/LOCAL	3	0	4,010,300	75,751	1	0	0	0			
010B	C	GOV BUILDING REMODELING/LOCAL	10	0	959,000	49,096	5	0	1,169,549	11,232	14	72	4,502,000
011B	C	GOV BUILDING REMODELING/STATE	1	0	606,599	42,500					2	0	125,000
012	C	GOV BUILDING/FEDERAL	1	24	2,900,000	28,884							
012B	C	GOV BUILDING REMODELING/FEDERAL					1	0	1,500,000	25,760	1	0	40,000
109	C	PRIVATE CLUB	5	0	2,175,450	18,021	1	0	150,000	1,775	5	0	2,400,000
109A	C	PRIVATE CLUB ADDITION	1	0	822,751	4,249					1	0	625,000
109B	C	PRIVATE CLUB REMODELING	1	0	243,449	4,513	4	0	150,000	10,665	1	0	625,000
110	C	RECREATIONAL FACILITY	2	0	2,075,000	84,257					1	0	1,300,000
110A	C	RECREATIONAL FACILITY, ADDITION					1	0	120,000	381			
110B	C	RECREATIONAL FACILITY REMODELING	2	0	30,000	10,900	5	0	909,000	44,488	1	0	50,000
122	C	EXHIBITION HALL, EXPOSITION HALL									1	0	775,000
131	C	CHURCH AND RELATED USES	4	0	8,396,500	52,707	5	0	16,070,000	219,558	2	0	40,200
131A	C	CHURCH ADDITION	3	0	1,870,000	19,013	2	0	6,000,000	46,717	5	0	8,717,000
131B	C	CHURCH REMODELING	6	0	2,574,000	44,640	6	0	1,738,500	33,020	5	0	54,600
161	C	RESTAURANT	18	0	11,580,000	76,363	8	0	4,220,000	32,374	5	0	2,355,500
161A	C	RESTAURANT ADDITION	6	0	234,500	2,540	4	0	1,839,632	7,548	8	0	1,052,880
161B	C	RESTAURANT REMODELING	19	0	1,042,000	35,104	25	0	2,452,900	51,015	34	0	5,697,665
162	C	NIGHTCLUB	1	0	10,000	960							
162B	C	NIGHTCLUB REMODELING	1	0	40,000	1,500	2	0	182,000	6,662	7	0	78,600
189B	C	THEATER REMODEL									1	0	1,500,000
209	C	EDUCATIONAL PROPERTY GENERAL	1	0	10,000	121							
210	C	DAYCARE CENTER					1	0	300,000	3,426			
210B	C	DAYCARE CENTER REMODELING	1	0	86,000	2,536	5	0	142,300	7,638	2	0	127,975
213	C	SCHOOL ELEMENTARY	1	0	9,200,000	73,289	2	0	138,000,000	145,024	1	0	500,000
215	C	SCHOOL, HIGH	1	0	950,000	5,000							
229	C	SCHOOL, EDUC STRUCTURE PRIVATE	2	0	297,000	6,940							
229A	C	SCHOOL ADDITION, PRIVATE EDU. STRUI	1	0	403,000	1,472					1	0	7,000,000
229B	C	SCHOOL REMOD., EDUC. STRUCTURE	4	0	1,436,900	15,693					1	0	2,406,784
235B	C	REHABILITATION HOUSING FACILITY, REMODELING									2	2	28,000
331A	C	NURSING HOME, ADDITION									1	0	175,000
331B	C	NURSING HOME, REMODELING					1	0	1,813,621	24,695	1	0	1,816,784
335A	C	HOSPITAL, ADDITION PRIVATE	1	0	27,633,359	83,000	3	0	962,000	11,635			
335B	C	HOSPITAL, REMODELING PRIVATE	3	0	18,146,209	25,415							
416	C	FIRELOSS COMMERCIAL	4	4	407,872	4,964	2	0	50,000	3,333	2	0	119,760

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
439	C	ROOM, BOARDING HOUSE									1	0	2,575
449	C	HOTEL, MOTEL, LODGING HOUSE LODGE					2	0	12,000,000	132,289	3	0	14,390,000
449A	C	HOTEL, MOTEL, LODGE HOUSE, ADDITION					1	0	20,000	377	1	0	18,251
449B	C	HOTEL, MOTEL, LODGE HOUSE, REMODE	1	0	1,300,000	21,070	3	0	3,675,000	46,388	7	0	1,336,000
469	C	DORMITORY, PRIVATE					1	0	5,487,000	28,692			
469A	C	DORMITORY, ADDITION									1	0	75,000
469B	C	DORMITORY, REMODEL									1	0	200,000
510	C	RETAIL SALES GENERAL	25	0	49,903,736	793,613	15	0	8,661,765	144,977	8	0	7,780,932
510A	C	RETAIL SALES ADDITION	9	0	692,000	7,113	6	0	3,840,621	15,959	4	0	3,250,000
510B	C	RETAIL SALES REMODELING	61	1	13,585,568	748,247	42	1	4,890,754	228,893	48	0	10,186,430
511	C	SUPERMARKET, FOOD MART									1	0	7,627,000
511B	C	SUPERMARKET, FOOD MART, REMODEL	1	0	647,000	65,012							
547B	C	GREENHOUSE	1	0	85,000	6,660							
557B	C	BARBER/BEAUTY SHOP, REMODELING	7	0	266,100	11,174	1	0	10,000	1,100	8	0	223,500
560	C	NAIL SALON	1	0	15,000	91							
570A	C	KENNEL, ADDITION	1	0	1,000,020	548							
570B	C	KENNEL, REMODEL					1	0	350,000	31,424			
571A	C	ANIMAL HOSPITAL, ADDITION					1	0	143,000	2,505			
571B	C	ANIMAL HOSP. REMODELING/VETERINARY					1	0	57,000	800	1	0	580,000
573	C	MOTOR VEHICLE REPAIR MINOR					1	0	46,000	4,380			
573A	C	MAJOR MOTOR VEHICLE REPAIR	2	0	820,000	11,840	1	0	25,000	1,275	2	0	1,002,000
591	C	GEN. BUSINESS OFFICE, OFFICE BLDG.	15	0	24,052,484	242,328	16	0	39,592,258	471,341	5	0	11,296,596
591A	C	GEN. BUSINESS OFFICE/BLDG., ADDITION	7	0	1,032,000	9,934	9	0	3,686,300	26,207	3	0	850,000
591B	C	GEN. BUSINESS OFFICE/BLDG., REMOD	92	0	10,073,652	362,374	105	0	15,190,147	370,365	102	2	11,692,394
592	C	BANK					2	0	1,900,000	12,289	2	0	1,941,673
629	C	LAB GENERAL					1	0	36,672	405			
686	C	CONCRETE BATCH PLANT					1	0	95,000	4,000			
700	C	WHOLESALE BUSINESS					1	0	30,000	1,200	2	0	450,000
700B	C	WHOLESALE BUSINESS REMODELING	2	0	44,900	5,000	2	0	328,950	8,210	2	0	70,000
709	C	FACTORY GENERAL, MANUFACTURING P	1	0	789,000	24,546					1	0	4,300,000
709A	C	FACTORY GENERAL, ADDITION	1	0	200,000	800	2	0	811,800	20,569	4	0	9,455,529
709B	C	FACTORY GENERAL REMODELING	3	0	1,822,000	23,101	6	0	213,334	5,899	1	0	127,000
748	C	CAR WASH									2	0	1,840,480
748B	C	CAR WASH, REMODEL	1	0	10,000	76							
800	C	SHOP OF SPECIAL TRADE	2	0	3,557,000	47,750	3	0	2,400,000	45,673			
811B	C	AGRICULTURAL OFFICE									1	0	250,000
816	C	RACE TRACK & RELATED USES	1	0	2,000,000	36,764							
880	C	COMMERCIAL CANOPY	5	0	274,888	9,617	3	0	346,000	7,980	17	0	673,500
882	C	PARKING STRUCTURE, STORAGE GARAG	2	0	3,700,000	64,522	2	0	3,749,456	112,821	3	0	970,180

Permit Type		Commercial	2006				2007				YTD 2008		
			Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost	Sq Ft	Permits	Units	Const Cost
882B	C	PARKING STRUCTURE, REMODEL	1	0	2,500	34							
883	C	AUTOMOBILE DEALERSHIP					1	0	570,000	5,160	1	0	185,000
886	C	AIRCRAFT HANGER	1	0	300,000	8,000	2	0	3,072,700	36,820	2	0	468,000
889	C	VEHICLE STORAGE GENERAL	1	0	85,000	1,430							
891	C	GENERAL WAREHOUSE	13	0	11,767,267	323,673	6	0	2,015,200	69,852	5	0	5,435,000
891A	C	WAREHOUSE ADDITION	6	0	463,000	20,558	6	0	1,092,450	32,197	4	0	1,063,500
891B	C	WAREHOUSE REMODELING	13	0	807,500	35,638	12	0	1,254,818	38,985	7	0	158,400
899	C	GENERAL ITEM STORAGE									1	0	25,000
918	C	COMMERCIAL REMODELING	8	0	740,000	41,175	20	0	6,200,550	106,873	12	0	472,501
918A	C	COMMERCIAL ADDITION	1	0	6,000,000	48,477	4	0	209,475	2,501	2	0	50,000
919A	C	GENERAL REPAIR COMMERCIAL, CHPT 1	1	0	500	2,790							
920A	C	GENERAL REPAIR COMMERCIAL	2	20	30,000	3,000	1	0	10,000	0	1	4	175,000
923	C	COMMERCIAL GENERAL	11	72	9,811,000	115,068	4	0	454,850	5,107	3	0	270,000
971	C	ELEVATORS	1	0	25,000	70							
991	C	TENANT FIT-UP	124	1	18,519,034	476,751	76	0	6,608,893	162,295	70	0	11,919,052
TOTALS			539	122	266,005,550	4,382,695	451	1	312,804,495	2,902,758	450	80	154,592,241
AVERAGE PER PERMIT					493,517	8,131			693,580	6,436			343,538
Estimated Cost of Electrical Work 15% of Construction Cost						$3,990,083				$4,692,067			
Estimated Annual Cost of Electrical Inspection 1% of Electrical Work						$39,900				$46,920			

	Frankfort	Paducah	Louisville/Jefferson Co	Bowling Green	Geo/ Scott Co	Madison Co	Nicholasville Jess Co	Richmond	Owensboro
Estimated Annual Average Electrical Inspection Fees for Surrounding Counties Based on same annual Construction Cost as Lexington YTD 2008	$2/circuit	$12,600	$40 base permit + $20/each sub-panel and $0.25 for each ampere at the service entrance up to and including 600 amperes and $0.50 for each ampere over 600 amperes.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$34,783 1.5% avg.

RESIDENTIAL BUILDING PERMIT SUMMARY

Permit Type		Existing Residential Section	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
116A	E	SWIMMING POOL, RESIDENTIAL	46	0	1433557	0	56	0	2000692	0	49	0	1642540
116B	E	SWIMMING POOL, COMM	7	0	544,100	0	1	0	43,400	0	3	0	132,000
400	E	REMODELING RESIDENTIAL	336	290	13,652,029	8,999	316	294	11,622,856	16,021	287	284	8,229,171
401	E	REHAB PROGRAM, PRIVATE GRANT	29	29	624,120	0	20	20	445,960	0	21	21	445,075
402	E	REHAB PROGRAM, PUBLIC GRANTS	11	11	14,700	158	14	14	39,800	288	3	3	7,100
410	E	ADDITION, RESIDENTIAL	541	526	17,611,465	249,793	586	550	19,690,056	243,226	447	412	13,088,998
415	E	FIRELOSS RESIDENTIAL	21	21	1,043,379	0	26	26	1,119,398	0	17	19	870,166
881	E	GARAGE, DETACHED RESIDENTIAL	89	0	1,899,597	55,108	93	2	1,748,479	55,175	62	0	1,526,992
920	E	GENERAL REPAIR RESIDENTIAL	4	4	58,000	0	3	3	52,000	0	5	5	67,950
			1,084	881	36,880,947	314,058	1,115	909	36,762,641	314,810	894	744	26,009,992

Permit Type		New Residential Section	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
411	N	SINGLE FAMILY RESIDENCE	1212	1212	185383578	3,237,781	961	961	146441206	2,581,718	529	529	85822329
411L	N	SFR, LESS THAN 1500 SQ FT	69	69	6,443,317	91,876	61	61	4,579,000	78,234	37	37	2,916,000
411P	N	SFR, PUBLIC					36	36	33,098,500	42,953			
412	N	TOWNHOUSE	208	208	29,838,160	476,360	149	149	36,372,000	308,698	101	101	23,725,000
412L	N	TOWNHOUSE<1500 SQ FT	29	29	2,147,600	40,504	36	36	3,063,000	50,436	7	7	510,000
412P	N	TOWNHOUSE, PUBLIC PROJECTS									28	28	3,316,052
413	N	CONDOMINIUM	25	236	24,143,400	415,312	5	28	3,328,946	53,855	8	32	4,336,800
414	N	DUPLEX	8	16	1,527,000	23,323	2	4	380,000	10,640	8	16	2,090,000
		TOTALS	1,551	1,770	249,483,055	4,285,156	1,250	1,275	227,262,652	3,126,534	718	750	122,716,181
		AVERAGE PER UNIT			140,951	2,421			178,245	2,452			163,622

	2006	2007	YTD 2008
Estimated Average Electrical Inspection Fee Per Unit	$90.10	$90.10	$90.10
Estimated Average Electrical Inspection Fees Annual	$159,477	$114,878	$67,575

Permit Type	Apartments	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost

29	N	APARTMENTS	17	319	38,971,377	423,192	6	88	7,656,048	106,490	19	997	87,882,135
			17	**319**	**38,971,377**	**423,192**	**6**	**88**	**7,656,048**	**106,490**	**19**	**997**	**87,882,135**

NEW RESIDENTIAL COMPARISON
LEXINGTON-FAYETTE COUNTY

Permit Type		New Residential Section	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost	YTD 2008 Sq Ft
411	N	SINGLE FAMILY RESIDENCE	1212	1212	185383578	3,237,781	961	961	146441206	2,581,718	529	529	85822329	1,516,265
411L	N	SFR, LESS THAN 1500 SQ FT	69	69	6,443,317	91,876	61	61	4,579,000	78,234	37	37	2,916,000	44,811
411P	N	SFR, PUBLIC					36	36	33,098,500	42,953				
412	N	TOWNHOUSE	208	208	29,838,160	476,360	149	149	36,372,000	308,698	101	101	23,725,000	190,974
412L	N	TOWNHOUSE<1500 SQ FT	29	29	2,147,600	40,504	36	36	3,063,000	50,436	7	7	510,000	8,750
412P	N	TOWNHOUSE, PUBLIC PROJECTS									28	28	3,316,052	31,626
413	N	CONDOMINIUM	25	236	24,143,400	415,312	5	28	3,328,946	53,855	8	32	4,336,800	77,736
414	N	DUPLEX	8	16	1,527,000	23,323	2	4	380,000	10,640	8	16	2,090,000	21,460
TOTALS			1,551	1,770	249,483,055	4,285,156	1,250	1,275	227,262,652	3,126,534	718	750	122,716,181	1,891,622
AVERAGE PER UNIT					140,951	2,421			178,245	2,452			163,622	2,522
Estimated Average Electrical Inspection Fee Per Unit						$90.10				$90.10				$90.10
Estimated Average Electrical Inspection Fees Annual						$159,477				$114,878				$67,575

	Paducah	Geo/ Scott Co	Win/Clark Co	Nich/ Jess Co	Bowling Green	Owensboro	Frankfort	Madison Co	Richmond	Lou/Jeff Co
Estimated Average Electrical Inspection Fee Per Unit	$60	$90	$90	$90	$100	$100	$100	$100	$150	$160

	Paducah	Geo/ Scott Co	Win/Clark Co	Nich/ Jess Co	Bowling Green	Owensboro	Frankfort	Madison Co	Richmond	Lou/Jeff Co
Estimated Annual Average Electrical Inspection Fees for Surrounding Counties Based on same number of units as Lexington YTD 2008	$45,000	$67,500	$67,500	$67,500	$75,000	$75,000	$75,000	$75,000	$112,500	$120,000

COMMERCIAL COMPARISON
LEXINGTON-FAYETTE COUNTY

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
010	C	GOV BUILDING/LOCAL	12	0	3,444,512	44,423	6	0	5,960,000	30,004	6	0	1,669,000
010A	C	GOV BUILDING ADDITION/LOCAL	3	0	4,010,300	75,751	1	0	0	0			
010B	C	GOV BUILDING REMODELING/LOCAL	10	0	959,000	49,096	5	0	1,169,549	11,232	14	72	4,502,000
011B	C	GOV BUILDING REMODELING/STATE	1	0	606,599	42,500					2	0	125,000
012	C	GOV BUILDING/FEDERAL	1	24	2,900,000	28,884							
012B	C	GOV BUILDING REMODELING/FEDERAL					1	0	1,500,000	25,760	1	0	40,000
109	C	PRIVATE CLUB	5	0	2,175,450	18,021	1	0	150,000	1,775	5	0	2,400,000
109A	C	PRIVATE CLUB ADDITION	1	0	822,751	4,249					1	0	625,000
109B	C	PRIVATE CLUB REMODELING	1	0	243,449	4,513	4	0	150,000	10,665	1	0	625,000
110	C	RECREATIONAL FACILITY	2	0	2,075,000	84,257					1	0	1,300,000
110A	C	RECREATIONAL FACILITY, ADDITION					1	0	120,000	381			
110B	C	RECREATIONAL FACILITY REMODELING	2	0	30,000	10,900	5	0	909,000	44,488	1	0	50,000
122	C	EXHIBITION HALL, EXPOSITION HALL									1	0	775,000
131	C	CHURCH AND RELATED USES	4	0	8,396,500	52,707	5	0	16,070,000	219,558	2	0	40,200
131A	C	CHURCH ADDITION	3	0	1,870,000	19,013	2	0	6,000,000	46,717	5	0	8,717,000
131B	C	CHURCH REMODELING	6	0	2,574,000	44,640	6	0	1,738,500	33,020	5	0	54,600
161	C	RESTAURANT	18	0	11,580,000	76,363	8	0	4,220,000	32,374	5	0	2,355,500
161A	C	RESTAURANT ADDITION	6	0	234,500	2,540	4	0	1,839,632	7,548	8	0	1,052,880
161B	C	RESTAURANT REMODELING	19	0	1,042,000	35,104	25	0	2,452,900	51,015	34	0	5,697,665
162	C	NIGHTCLUB	1	0	10,000	960							
162B	C	NIGHTCLUB REMODELING	1	0	40,000	1,500	2	0	182,000	6,662	7	0	78,600
189B	C	THEATER REMODEL									1	0	1,500,000
209	C	EDUCATIONAL PROPERTY GENERAL	1	0	10,000	121							
210	C	DAYCARE CENTER					1	0	300,000	3,426			
210B	C	DAYCARE CENTER REMODELING	1	0	86,000	2,536	5	0	142,300	7,638	2	0	127,975
213	C	SCHOOL ELEMENTARY	1	0	9,200,000	73,289	2	0	138,000,000	145,024	1	0	500,000
215	C	SCHOOL, HIGH	1	0	950,000	5,000							
229	C	SCHOOL, EDUC STRUCTURE PRIVATE	2	0	297,000	6,940					1	0	7,000,000
229A	C	SCHOOL ADDITION, PRIVATE EDU. STRUC	1	0	403,000	1,472					1	0	2,406,784
229B	C	SCHOOL REMOD., EDUC. STRUCTURE	4	0	1,436,900	15,693					2	2	28,000
235B	C	REHABILITATION HOUSING FACILITY, REMODELING									1	0	175,000
331A	C	NURSING HOME, ADDITION					1	0	1,813,621	24,695	1	0	1,816,784
331B	C	NURSING HOME, REMODELING					3	0	962,000	11,635			
335A	C	HOSPITAL, ADDITION PRIVATE	1	0	27,633,359	83,000							
335B	C	HOSPITAL, REMODELING PRIVATE	3	0	18,146,209	25,415							
416	C	FIRELOSS COMMERCIAL	4	4	407,872	4,964	2	0	50,000	3,333	2	0	119,760

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
439	C	ROOM, BOARDING HOUSE									1	0	2,575
449	C	HOTEL, MOTEL, LODGING HOUSE LODGE					2	0	12,000,000	132,289	3	0	14,390,000
449A	C	HOTEL, MOTEL, LODGE HOUSE, ADDITION					1	0	20,000	377	1	0	18,251
449B	C	HOTEL, MOTEL, LODGE HOUSE, REMODE	1	0	1,300,000	21,070	3	0	3,675,000	46,388	7	0	1,336,000
469	C	DORMITORY, PRIVATE					1	0	5,487,000	28,692			
469A	C	DORMITORY, ADDITION									1	0	75,000
469B	C	DORMITORY, REMODEL									1	0	200,000
510	C	RETAIL SALES GENERAL	25	0	49,903,736	793,613	15	0	8,661,765	144,977	8	0	7,780,932
510A	C	RETAIL SALES ADDITION	9	0	692,000	7,113	6	0	3,840,621	15,959	4	0	3,[illegible]50,000
510B	C	RETAIL SALES REMODELING	61	1	13,585,568	748,247	42	1	4,890,754	228,893	48	0	10,186,430
511	C	SUPERMARKET, FOOD MART									1	0	7,627,000
511B	C	SUPERMARKET, FOOD MART, REMODEL	1	0	647,000	65,012							
547B	C	GREENHOUSE	1	0	85,000	6,660							
557B	C	BARBER/BEAUTY SHOP, REMODELING	7	0	266,100	11,174	1	0	10,000	1,100	8	0	223,500
560	C	NAIL SALON	1	0	15,000	91							
570A	C	KENNEL, ADDITION	1	0	1,000,020	548							
570B	C	KENNEL, REMODEL					1	0	350,000	31,424			
571A	C	ANIMAL HOSPITAL, ADDITION					1	0	143,000	2,505			
571B	C	ANIMAL HOSP. REMODELING/VETERINARY					1	0	57,000	800	1	0	580,000
573	C	MOTOR VEHICLE REPAIR MINOR					1	0	46,000	4,380			
573A	C	MAJOR MOTOR VEHICLE REPAIR	2	0	820,000	11,840	1	0	25,000	1,275	2	0	1,002,000
591	C	GEN. BUSINESS OFFICE, OFFICE BLDG.	15	0	24,052,484	242,328	16	0	39,592,258	471,341	5	0	11,296,596
591A	C	GEN. BUSINESS OFFICE/BLDG., ADDITION	7	0	1,032,000	9,934	9	0	3,686,300	26,207	3	0	850,000
591B	C	GEN. BUSINESS OFFICE/BLDG., REMOD	92	0	10,073,652	362,374	105	0	15,190,147	370,365	102	2	11,692,394
592	C	BANK					2	0	1,900,000	12,289	2	0	1,941,673
629	C	LAB GENERAL					1	0	36,672	405			
686	C	CONCRETE BATCH PLANT					1	0	95,000	4,000			
700	C	WHOLESALE BUSINESS					1	0	30,000	1,200	2	0	450,000
700B	C	WHOLESALE BUSINESS REMODELING	2	0	44,900	5,000	2	0	328,950	8,210	2	0	70,000
709	C	FACTORY GENERAL, MANUFACTURING P	1	0	789,000	24,546					1	0	4,300,000
709A	C	FACTORY GENERAL, ADDITION	1	0	200,000	800	2	0	811,800	20,569	4	0	9,455,529
709B	C	FACTORY GENERAL REMODELING	3	0	1,822,000	23,101	6	0	213,334	5,899	1	0	127,000
748	C	CAR WASH									2	0	1,840,480
748B	C	CAR WASH, REMODEL	1	0	10,000	76							
800	C	SHOP OF SPECIAL TRADE	2	0	3,557,000	47,750	3	0	2,400,000	45,673			
811B	C	AGRICULTURAL OFFICE									1	0	250,000
816	C	RACE TRACK & RELATED USES	1	0	2,000,000	36,764							
880	C	COMMERCIAL CANOPY	5	0	274,888	9,617	3	0	346,000	7,980	17	0	673,500
882	C	PARKING STRUCTURE, STORAGE GARAG	2	0	3,700,000	64,522	2	0	3,749,456	112,821	3	0	970,180

Permit Type		Commercial	2006 Permits	2006 Units	2006 Const Cost	2006 Sq Ft	2007 Permits	2007 Units	2007 Const Cost	2007 Sq Ft	YTD 2008 Permits	YTD 2008 Units	YTD 2008 Const Cost
882B	C	PARKING STRUCTURE, REMODEL	1	0	2,500	34							
883	C	AUTOMOBILE DEALERSHIP					1	0	570,000	5,160	1	0	185,000
886	C	AIRCRAFT HANGER	1	0	300,000	8,000	2	0	3,072,700	36,820	2	0	468,000
889	C	VEHICLE STORAGE GENERAL	1	0	85,000	1,430							
891	C	GENERAL WAREHOUSE	13	0	11,767,267	323,673	6	0	2,015,200	69,852	5	0	5,435,000
891A	C	WAREHOUSE ADDITION	6	0	463,000	20,558	6	0	1,092,450	32,197	4	0	1,063,500
891B	C	WAREHOUSE REMODELING	13	0	807,500	35,638	12	0	1,254,818	38,985	7	0	158,400
899	C	GENERAL ITEM STORAGE									1	0	25,000
918	C	COMMERCIAL REMODELING	8	0	740,000	41,175	20	0	6,200,550	106,873	12	0	472,501
918A	C	COMMERCIAL ADDITION	1	0	6,000,000	48,477	4	0	209,475	2,501	2	0	50,000
919A	C	GENERAL REPAIR COMMERCIAL, CHPT 1	1	0	500	2,790							
920A	C	GENERAL REPAIR COMMERCIAL	2	20	30,000	3,000	1	0	10,000	0	1	4	175,000
923	C	COMMERCIAL GENERAL	11	72	9,811,000	115,068	4	0	454,850	5,107	3	0	270,000
971	C	ELEVATORS	1	0	25,000	70							
991	C	TENANT FIT-UP	124	1	18,519,034	476,751	76	0	6,608,893	162,295	70	0	11,919,052
TOTALS			539	122	266,005,550	4,382,695	451	1	312,804,495	2,902,758	450	80	154,592,241
AVERAGE PER PERMIT					493,517	8,131			693,580	6,436			343,538
Estimated Cost of Electrical Work 15% of Construction Cost						$3,990,083				$4,692,067			
Estimated Annual Cost of Electrical Inspection 1% of Electrical Work						$39,900				$46,920			

	Frankfort	Paducah	Louisville/Jefferson Co	Bowling Green	Geo/ Scott Co	Madison Co	Nicholasville Jess Co	Richmond	Owensboro
Estimated Annual Average Electrical Inspection Fees for Surrounding Counties Based on same annual Construction Cost as Lexington YTD 2008	$2/circuit	$12,600	$40 base permit + $20/each sub-panel and $0.25 for each ampere at the service entrance up to and including 600 amperes and $0.50 for each ampere over 600 amperes.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$23,188 1% avg.	$34,783 1.5% avg.

ORDINANCE NO. ______

AN ORDINANCE RELATING TO THE NEWTOWN PIKE EXTENSION AND SCOTT STREET CONNECTOR TRAFFIC MOVEMENT, TRAFFIC SAFETY, ACCESS AND DESIGN STANDARDS.

WHEREAS, there have been extensive and lengthy studies conducted by the partners in the Newtown Pike Extension Project (the "NPE Project"), including an Environmental Impact Statement (the "EIS"), Commercial Design and Property Access Standards, and the Southend Park Urban Village Plan; and

WHEREAS, the NPE Project involves the connection or extension of Newtown Pike from West Main Street to South Broadway and the connection of a spur road (the "Scott Street Connector") from the intersection of Newtown Pike Extended at Patterson Street to South Limestone Street; and

WHEREAS, the purpose of the NPE Project combines neighborhood planning with roadway engineering to develop the new road as an amenity for the area and to support its high quality redevelopment, which includes improving traffic flow of through traffic; drawing unnecessary traffic out of the downtown area; setting a combination of standards and guidelines governing public and private building construction; and improving access to the University of Kentucky central campus by a more efficient vehicular route, and reducing motor vehicle congestion in the downtown area; and

WHEREAS, the EIS has been approved by the federal government, and the Kentucky Department of Transportation is preparing to commence right-of-way acquisition for the NPE Project; and

WHEREAS, it is imperative to the success of the NPE Project to manage access to the new roadway and control certain design criteria of the nearby properties; and

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WHEREAS, this Council desires to increase traffic safety on the Newtown Pike Extension and the Scott Street Connector, improve traffic flow, provide access to adjacent development, control certain design criteria of nearby properties, and plan for the future of these roadways under the powers granted to this Urban County Government by the Constitution and laws of the United States and Commonwealth of Kentucky, including the police power;

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That it is the intent of this Council to increase traffic safety, improve traffic flow, provide for access to adjacent development and plan for the future of the Newtown Pike Extension and Scott Street Connector.

Section 2 – That this Council hereby adopts the Newtown Pike Extension and Scott Street Connector Traffic Safety and Movement Plan (hereinafter referred to as the "Plan"), which consists of this Ordinance and the Map, marked as Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 3 – That no permits shall issue, no plans shall be approved, and no access shall be allowed by any agency, department, employee, or other agent or servant of this Government, except in conformance with the Plan. Only slight changes in location of up to thirty feet will be permitted to allow for engineering considerations.

Section 4 – That all access roads which are indicated in the Plan and not yet constructed shall be dedicated to public use by the owner and/or developer, and it shall be the policy of this Government to encourage owners of access roads which have already been constructed to offer them for dedication to this Government.

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Section 5 – That when the Newtown Pike Extension and Scott Street Connector are fully developed as shown on the Plan, the only full median openings shall be at the locations shown on the Map, including the following intersections:

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Fully Signalized Intersections

a. Newtown Pike Extension and Main Street;

b. Newtown Pike Extension and Manchester Street;

c. Newtown Pike Extension and Versailles Road;

d. Newtown Pike Extension and Patterson Street;

e. Newtown Pike Extension and Broadway; and

f. Scott Street Connector and Limestone Street

Non-signalized intersections

a. Scott Street Connector and the existing Norfolk-Southern rail yard entrance (west side);

b. Scott Street Connector and Magazine Street (east side)

c. Scott Street Connector and Chair Street (east side) and DeRoode Street (wesside)

Section 6 – That access shall be controlled for the Scott Street Connector from the intersection with Newtown Pike Extension to the new Broadway Street Bridge. Except as provided for in the Plan and this Ordinance, no additional entrances shall be permitted. Access to Scott Street from properties located between the Broadway Street Bridge and Limestone Street shall not be controlled, but shall be allowed by permit.

Section 7 – That right turn-in/right turn-out access points will be located and constructed only at the following intersections with Newtown Pike Extension:

a. Merino Street (northbound and southbound);

b. Spring Street (northbound); and

c. DeRoode Street between the Scott Street Connector and Broadway (southbound).

Section 8 – That an additional right turn-in/right turn-out access point shall be a minimum of 200 feet south of the intersection of Newtown Pike Extension and Versailles

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Road (southbound), for the purpose of accessing the corner parcel (currently the Stop and Shop retail facility) and reducing the potential for accidents on Versailles Road.

Section 9 – That corner clearance for roadways and driveways intersecting with Newtown Pike Extension shall be considered. Corner clearance represents the minimum distance that should be required between an intersection and adjacent driveways. Driveways and entrances shall be located outside the functional area of the intersection (i.e., where turn lanes are located or where queues regularly exist). For minor approaches, such as Merino Street, driveways shall be located a minimum of 100 feet from the driving lane edge of Newtown Pike Extension.

Section 10 – That all development within the NPE Design Area, excluding Single Family detached and Two-Family residential structures shall require approval of a final development plan by the Planning Commission. There shall be no issuance of any building permit without approval and certification of the final development plan. Structures on the development shall be a minimum of two (2) stories in height and in addition to the requirements of the Zoning Ordinance and Land Subdivision Regulations, shall comply with the standards and the guidelines in the Newtown Pike Extension Commercial Design and Property Access Standards dated May 11, 2007, which are incorporated herein by reference as if fully set out herein.

Section 11 – That prior to the adoption of any amended ordinance that will alter the textual or graphic representation of this Ordinance, the Urban County Council shall receive a report from the Planning Commission outlining any concerns and/or recommendations.

Section 12 – That the Mayor is authorized and directed, on behalf of Urban County Government, to request assistance from the Commonwealth of Kentucky, including but not limited to the Department of Transportation, in implementing the Plan through the closing of median openings, revoking, granting right turn-in/right turn-out access points as indicated in the Plan, installing traffic signals as indicated in the Plan, and through any other means to advance the intent of the Plan. The Mayor is also authorized and directed, on behalf of the Urban County Government, to request assistance from any other person or entity, including the United States Government, to implement the provisions of the Plan.

Section 13 – That this Ordinance shall become effective on the date of passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

I:\Strategic Planning\NPE\NPE_access.DOC

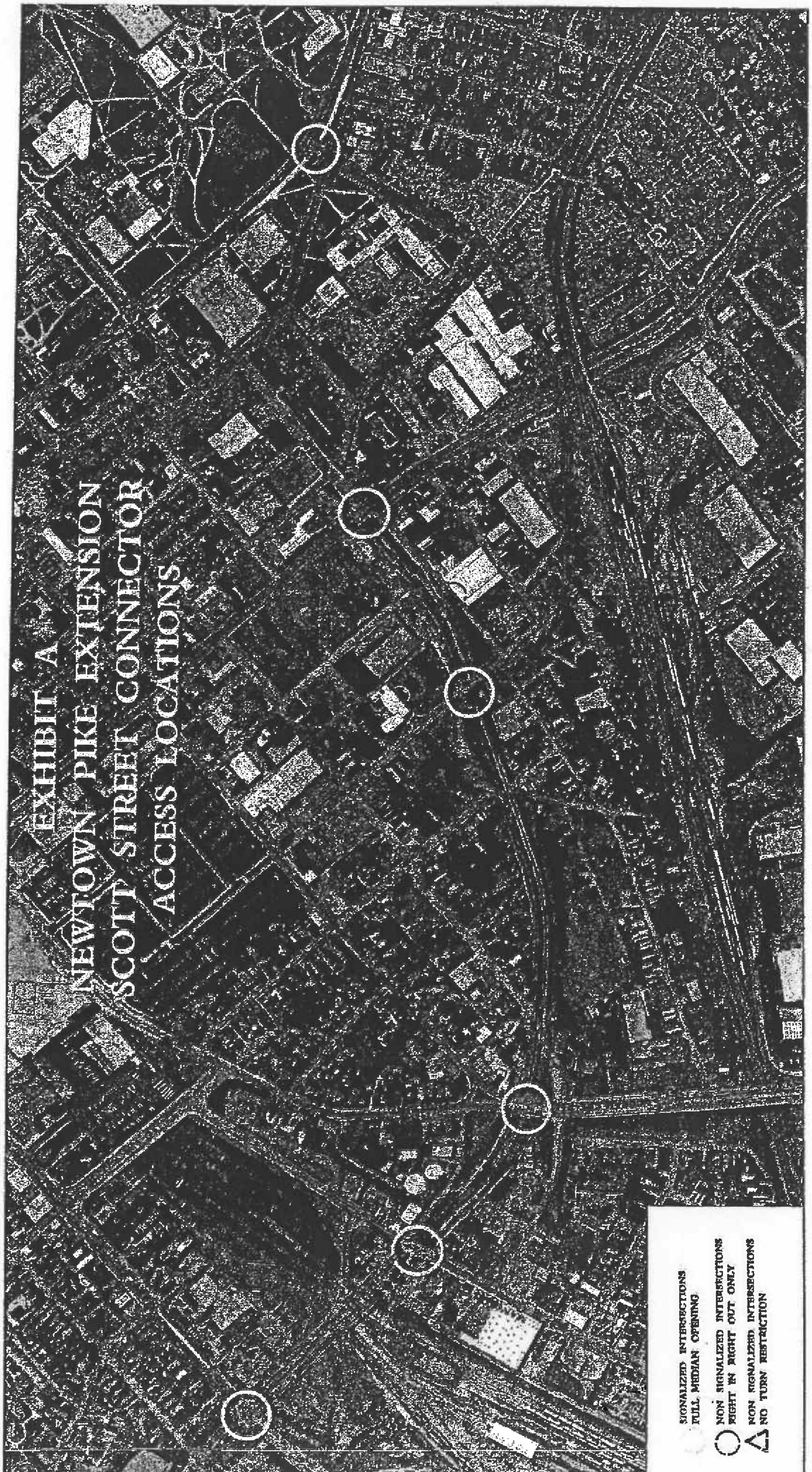
EXHIBIT A
NEWTOWN PIKE EXTENSION
SCOTT STREET CONNECTOR
ACCESS LOCATIONS
SIGNALIZED INTERSECTIONS
FULL MEDIAN OPENING
NON SIGNALIZED INTERSECTIONS
RIGHT IN RIGHT OUT ONLY
NON SIGNALIZED INTERSECTIONS
NO TURN RESTRICTION

Newtown Pike Extension Commercial Design and Property Access Standards

Planning Committee
November 18, 2008

Design and Access Study

- Purpose of study
  - To develop a recommended set of commercial standards to best accommodate intent of the *Newtown Pike Corridor Plan*
  - To develop a set of design standards that capture the essential urban character.
  - To develop a recommended set of "overlay" standards where the underlying zoning rules remain

Property Access Objectives

- **Goal**: Establish access management policies that work to balance the functions of the corridor in serving "through" trips, minimizing conflict points between motorists and pedestrians, and in support of the overall development pattern of the corridor

Study Area Map

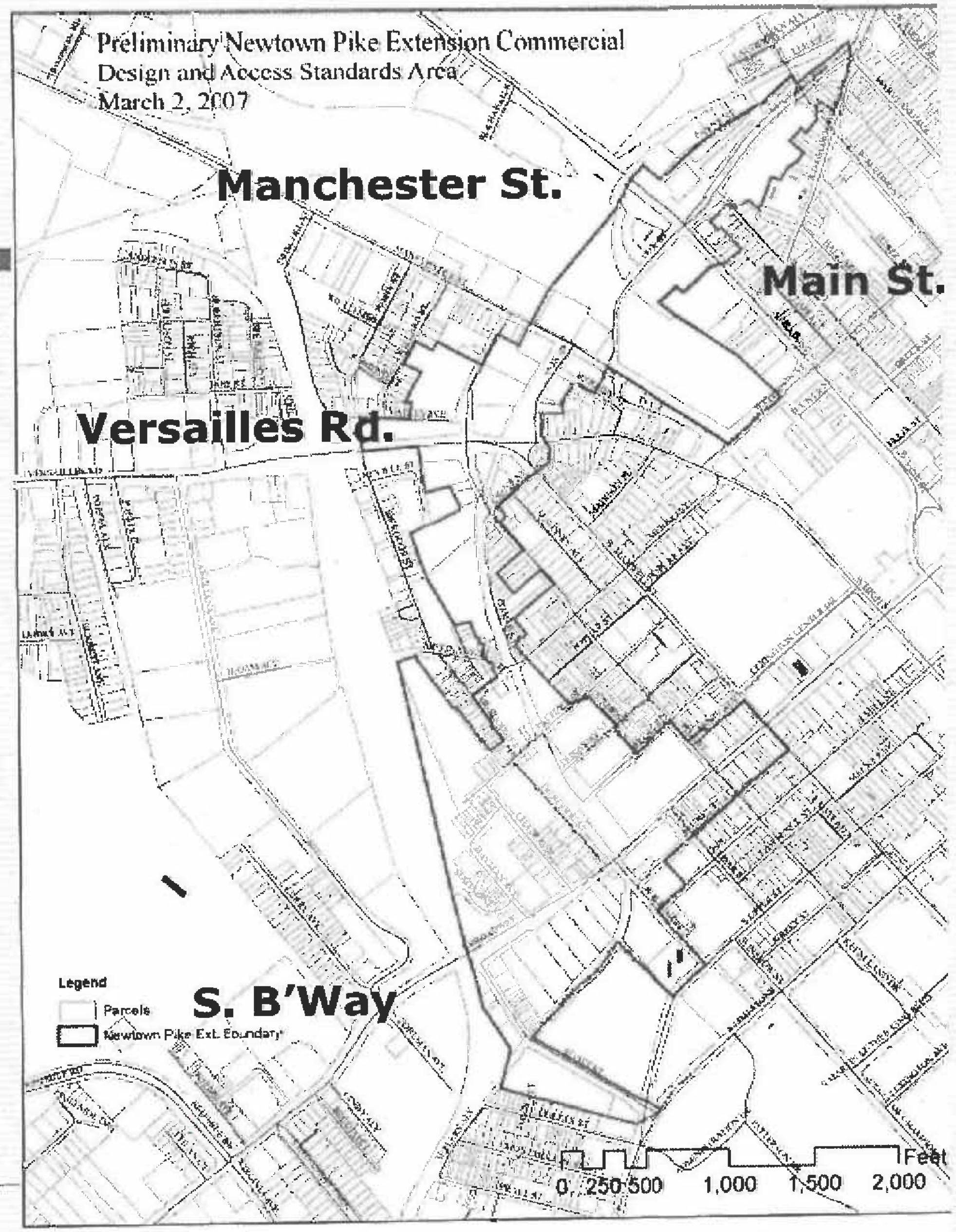

Fig. 01 Study Area Boundary Map

Study Area

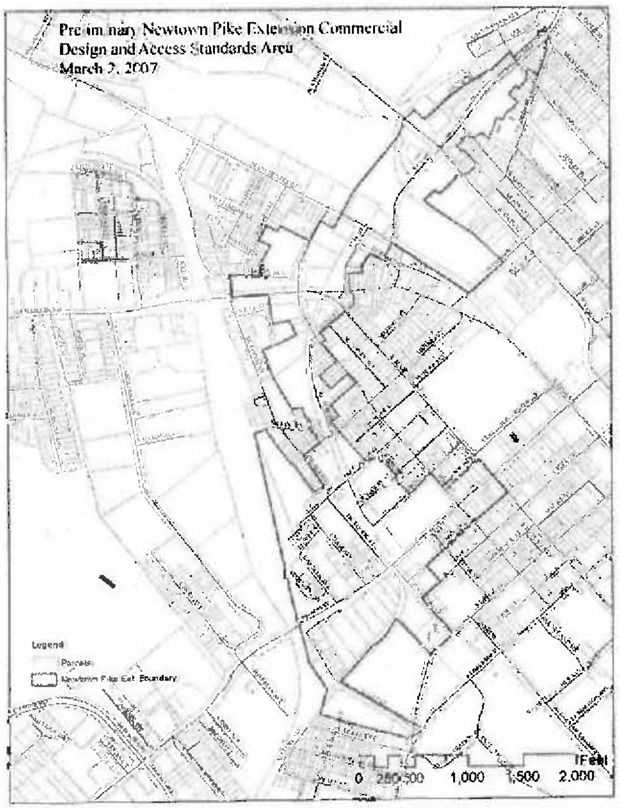

Fig 01 Study Area Boundary Map

Page 4

- Properties along the proposed corridor
- Several public meetings during study process
- Notifications sent to property owners
- Completed May 2007

Urban and Pedestrian Character

- Building Orientation to street and parking in rear to enhance pedestrian scale and safety

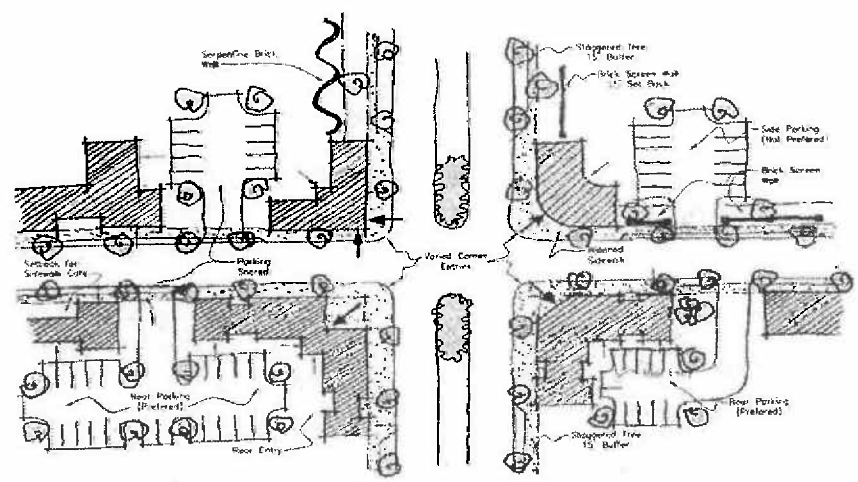

Fig. 06 Parking Lot Examples

Building scale

- Building façade at property line/
  - Accommodate outdoor pedestrian friendly program elements
- Bulk Plane Setbacks: Step back 15′ for buildings greater than two stories
  - Minimum two stories except for single family or duplexes

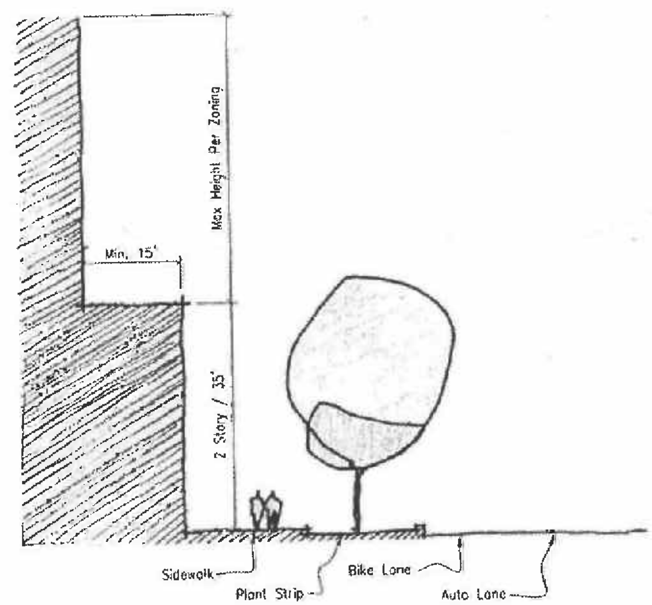

Fig. 04 Minimum Bulk Plane Set Back (see also Fig. 05)

Off Street Parking

- Surface parking lots adjacent to street to be "hard" screened
- No parking lots adjacent to the street shall be allowed on corner lots at major intersections within 250′ of intersection

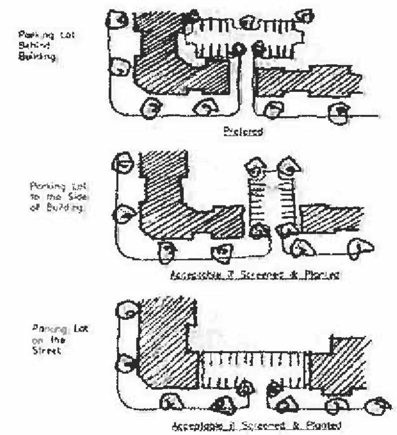

Fig. 07 Parking Lot Examples

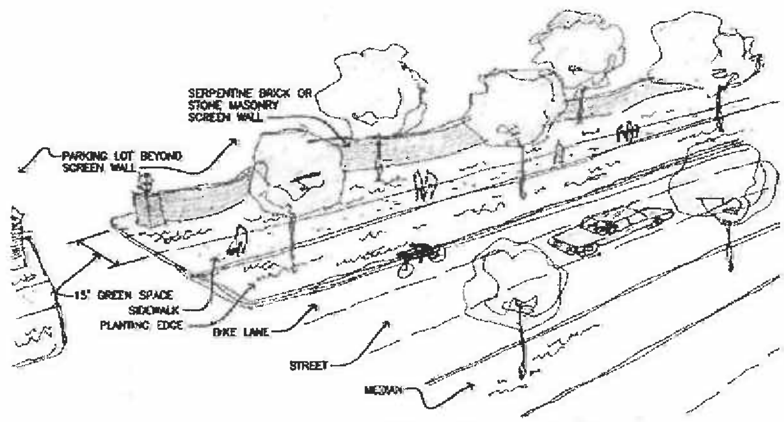

Fig. 08 Example of Street Frontage Parking

Off Street Parking

- Require commercial frontage along street level for structure parking

D. Parking Structures

1. Required Commercial Frontage:

Parking structures shall maintain the same relationship as commercial buildings to the street and have a minimum commercial space for 80% of all street frontages at the first floor. See Figures 09 and 10 for reference.

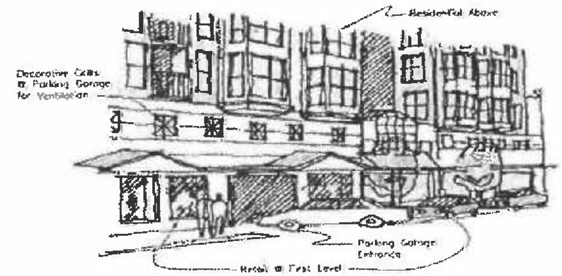

Fig. 09 Parking Structure Example

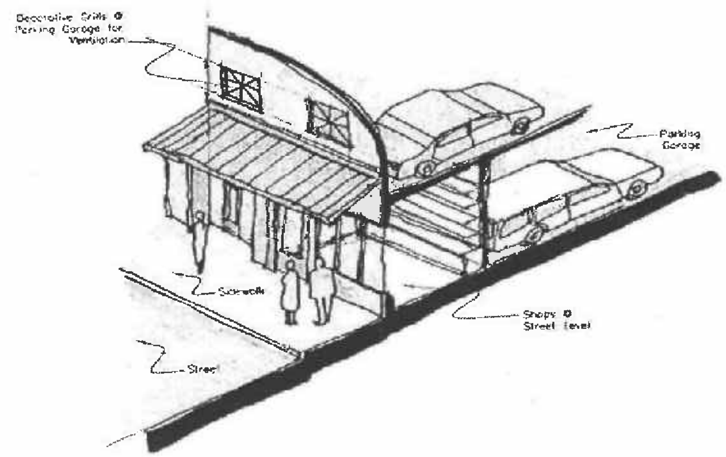

Fig. 10 Parking Structure Example

Requirements of the Ordinance

- All development excluding Single Family detached and Two-Family residential shall comply with the standards
- implemented through of a final development plan approved by the Planning Commission
- In addition to the requirements of the Zoning Ordinance and Land Subdivisions

Newtown Pike Extension Access Management

Newtown Pike Extension Access Management

- Fully Signalized Intersections
  - Newtown Pike Ext. and Main Street
  - Newtown Pike Ext. and Manchester Street
  - Newtown Pike Ext. and Versailles Road
  - Newtown Pike Ext. and Patterson Street
  - Newtown Pike Ext. and Broadway; and
  - Scott Street Connector and Limestone Street

Newtown Pike Extension Access Management

- Non-Signalized Intersections
  - Scott Street Connector and the existing Norfolk-Southern rail yard entrance (west side)
  - Scott Street connector and Magazine Street (east side)
  - Scott Street Connector and Chair Street (east side) and DeRoode Street (west side)

Newtown Pike Extension Access Management

- Right turn-in/right turn-out access points
  - Merino Street (northbound and southbound)
  - Spring Street (northbound), and
  - DeRoode Street between the Scott Street Connector and Broadway (southbound).

Newtown Pike Extension Access Management

- Additional right turn-in/ right turn-out access point located a minimum of 200 feet south of the intersection of Newtown Pike Ext. and Versailles Road to access the corner parcel (currently the Stop and Shop)

What's Next?

- Re-engage property owners and neighborhoods (Education and Feedback)
- "Tweak" Ordinance Language
- Develop Final Ordinance Map
- Report back to Council Planning Committee

Questions?

OVERVIEW OF THE LAND BANK PROGRAM UNDER KRS 65.350 - 65.375

I. STRUCTURE:

A. The land bank exists as a separate legal entity.

B. Parties: LFUCG, Fayette County School District and the Commonwealth of Kentucky

C. Parties must enter into an interlocal cooperation agreement (see KRS 65.210 - 65.300)

D. Governed by a board of directors:

1. Three (3) members, each serving a four-year term: one appointed by LFUCG, one by the Fayette County Schools Superintendent and one by the Governor

2. All board members must be residents of Fayette County.

3. Board members may (but are not required to) be employees of the parties.

II. OPERATION:

A. The land bank has the ability to automatically acquire properties at tax foreclosure sales if no one bids the required minimum.

B. Liens for delinquent state, local and school taxes are automatically extinguished for properties acquired at tax foreclosure sales.

C. The land bank may also acquire property by purchase, gift, etc., and the members may convey properties to the land bank.

D. Acquisition and disposal of properties is not subject to the internal regulations of the land bank's members, unless the interlocal cooperation agreement provides otherwise.

E. Property held by the land bank cannot be sold to an entity that does not intend to use or develop the property (i.e., property cannot be sold to purchasers who intend to hold it for investment purposes only).

III. RELATED TOOLS:

A. Vacant Property Review Commission (see KRS 99.700 through 99.730):

1. Reviews and certifies properties as blighted or deteriorated to the local legislative body, which may then acquire them by eminent domain

2. Members are appointed by the mayor and approved by the local legislative body

B. andoned Urban Property Tax (see KRS 132.012):

1. Allows communities to impose a higher tax rate on "abandoned urban property" (generally, properties which are vacant for at least one year, tax delinquent for at least three years and are unsafe, unsanitary or neglected)

   The Vacant Property Review Commission may be used to identify abandoned urban properties

3. Has been successfully used by Louisville Metro to get the attention of absentee or neglectful property owners.

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Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Andrea James, 1st District Councilmember

FROM: Department of Law

DATE: July 23, 2008

RE: Draft Ordinance – Abandoned Urban Property
Log No. 08-CC0957

Attached for your review and consideration is an initial draft of a proposed ordinance creating an additional ad valorem tax for "abandoned urban properties". The ordinance is modeled after the enabling legislation (KRS 92.305 and 132.012) and similar ordinances adopted in Louisville and Covington. The $1.00 per $100.00 of assessed value is more than 12 times the existing General Services ad valorem tax rate of $0.08, and was an educated guess as to what would be a reasonable amount to assess against such properties. The enabling legislation does not contain a maximum amount. I do not know how much Louisville or Covington assesses for these properties in relation to their respective base tax rates. In addition, the proposed deadlines for information to be provided to the Property Valuation Administrator will need to be verified.

Our Vacant Property Review Commission, which is to play an instrumental role in determining which properties are abandoned urban properties (KRS 92.305(2)), has not been active for several years, and would need to be re-established in order to review such properties and hear any appeals. There may also need to be some discussion as to whether the number of members of the Commission should be reduced from the existing seven members to avoid quorum issues, as well as whether this Commission is to otherwise play a viable role regarding its existing duties. If so, additional changes to Article IV, Chapter 12 of the Code of Ordinances would be in order.

You should also be aware that there are a number of other issues that have historically arisen with respect to similar properties reviewed by the Commission which come to mind in creating this property classification.

First, the number of properties that end up qualifying under the criteria may not be that numerous. Although, there are a substantial number of properties that are cited by the Division of Code Enforcement each year for nuisance-type violations, many of these would not qualify as being "abandoned urban properties". In order to so qualify, the property would need to be both: (1) vacant or unimproved for at least one year, and (2) either have significant safety or public health violations, or be tax delinquent for at least 3 years.

Second, if a property is deteriorated (and not just tax delinquent), its assessed value may not be very high. As an example, in many of the foreclosures in which the government participates, the sales price on properties which would appear to meet the necessary criteria is less than $20,000. Even at the $1.00 per $100 proposed rate, such a property would only command an additional $200 per year in taxes.

Third, the Commission had a difficult time identifying properties that other parties would have an interest in rehabilitating or making productive use of. Some properties that will meet the abandoned urban property criteria are located in undesirable areas or are not able to be built upon, and/or require significant additional expenditures (i.e., demolition).

Fourth, taxes have traditionally been viewed as "liquidated", and thus not capable of being reduced or waived by the government under the Kentucky Constitution. As a result, some of these properties may become more difficult to donate or transfer as a result of an additional tax, as all of the outstanding taxes, including any additional abandoned urban property tax, may still need to be paid.

Finally, the proposed tax may be an appropriate matter for inclusion and discussion as part of the overall issue of infill and development in Fayette County, rather than as a stand-alone proposal. At this time, the Land Bank Program suggested by the Downtown Development Authority has yet to be created. It may make sense to consider this proposal in conjunction with that program.

It is my understanding that your aide has contacted the Clerk's Office to determine whether a list of properties which are 3 or more years tax delinquent is available. In addition, it would be advisable to contact David Jarvis to determine how many properties his division believes might meet the statutory definition of abandoned urban properties.

Please contact me to further discuss the ordinance and the above issues.

David J. Barberie
Attorney Senior

ATTACH

cc: Jim Newberry, Mayor
Joe Kelly, Senior Advisor to the Mayor for Management
Tim Bennett, Commissioner of Public Safety
Kyna Koch, Commissioner of Finance
Bill O'Mara, Director, Division of Revenue
David Jarvis, Director, Division of Code Enforcement
Sarah Brown, Aide to Council
Rebecca Langston, Council Administrator

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ORDINANCE NO. ________-2008

AN ORDINANCE CREATING ARTICLE IV, SECTIONS 7-39 THROUGH 7-43 OF THE CODE OF ORDINANCES, LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, TO ESTABLISH AN ABANDONED URBAN PROPERTY CLASSIFICATION FOR THE PURPOSE OF AD VALOREM TAXATION, AND PROVIDING FOR AN ADDITIONAL ONE DOLLAR ($1.00) IN AD VALOREM TAX FOR EACH ONE HUNDRED DOLLARS ($100.00) OF ASSESSED VALUE FOR AN ABANDONED URBAN PROPERTY, A DETERMINATION BY THE VACANT PROPERTY REVIEW COMMISSION OF EACH SUCH PROPERTY WITH A LIST TO BE PROVIDED TO THE DIVISION OF REVENUE AND THE OFFICE OF THE FAYETTE COUNTY PROPERTY VALUATION ADMINSTRATOR BY JANUARY 1 OF EACH YEAR, THE STRIKING OF PROPERTIES FROM THE LIST UPON A SHOWING THAT THE PROPERTY NO LONGER MEETS THE CRITERIA, AN ANNUAL NOTICE OF DETERMINATION MAILED TO OWNERS OR OTHER INTERESTED PARTIES AND AN APPEAL WITHIN THIRTY DAYS, AND VACANT PROPERTY REVIEW COMMISSION TO ESTABLISH POLICIES AND PROCEDURES; AND AMENDING SECTION 12-82 OF THE CODE OF ORDINANCES TO PROVIDE FOR FULFILLMENT OF DUTIES BY VACANT PROPERTY REVIEW COMMISSION.

WHEREAS, KRS 92.305 provides that a city of the second class may levy a separate rate of taxation on abandoned urban property as defined in KRS 132.012; and

WHEREAS, the Lexington-Fayette Urban County Government enjoys the same rights and privileges as a second class city, and may utilize the benefit of KRS 92.305 and KRS 132.012; and

WHEREAS, the Lexington-Fayette Urban County Council finds and declares that abandoned urban property as defined in the applicable state law exists and hereby exercises its right to establish a separate and higher rate of taxation on abandoned urban property pursuant to KRS 92.305 and KRS 132.012; and

WHEREAS, KRS 132.012 provides that abandoned urban property means any vacant structure or vacant or unimproved lot or parcel of ground in a predominantly developed urban area which has been vacant or unimproved for a period of at least one year and which meets one or more additional criteria; and

WHEREAS, the Lexington-Fayette Urban County Council herein adopts the definitions provided by state law, and establishes an appropriate process for determining which properties within Fayette County are abandoned urban properties and the separate and higher rate of taxation on such properties.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Article IV, Sections 7-39 through 7-44 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created read as follows:

Sec. 7-39

"Abandoned urban property" is established as a separate classification of real property for the purpose of ad valorem taxation. As used in this Article, abandoned urban property means any vacant structure or vacant or unimproved lot or parcel of ground in a predominantly developed urban area which has been vacant or unimproved for a period of at least one (1) year and which:

(a) Because it is dilapidated, unsanitary, unsafe, vermin infested, or otherwise dangerous to the safety of persons, it is unfit for its intended use; or

(b) By reason of neglect or lack of maintenance has become a place for the accumulation of trash and debris, or has become infested with rodents or other vermin; or

(c) Has been tax delinquent for a period of at least three (3) years; or

(d) Is located within a development area established under KRS 65.7049, 65.7051, and 65.7053.

Sec. 7-40

Pursuant to KRS 92.035 and 132.012 there is hereby established and levied an ad valorem tax in the amount of one dollar ($1.00) on each One Hundred Dollars ($100.00) of the assessed value of all abandoned urban property within Fayette County as of the January 1 assessment date of each year, in addition to all other ad valorem taxes.

Sec. 7-41

The Vacant Property Review Commission shall each year determine which properties are abandoned urban properties, based upon referrals provided to it by the division of code enforcement or other appropriate government agencies. A list of such properties shall be prepared and furnished to the urban county government's division of revenue and Office of the Fayette County Property Valuation Administrator prior to January 1 of each year.

Sec. 7-42

Except as otherwise provided in Section 7-43, any property classified by the Vacant Property Review Commission as an abandoned urban property as of January 1 shall be taxed as an abandoned urban property for such tax year at the rate provided in Section 7-40. If a property classified as abandoned urban property is repaired, rehabilitated, or otherwise returns to productive use, the owner shall notify the Vacant Property Review Commission which shall, if it finds the property is no longer abandoned urban property, notify the division of revenue and Property Valuation Administrator to strike the property from the list of abandoned urban properties as of the succeeding January 1.

Sec. 7-43

(a) No later than February 15 of each year, the urban county government shall mail, by first class mail, to the owner or other party in interest as listed in the records of the Property Valuation Administrator of each abandoned urban property, notice that the property has been classified as abandoned urban property pursuant to this Article.

(b) The owner or other party in interest of any abandoned urban property who believes that the property has been incorrectly classified may appeal such classification to the Vacant Property Review Commission. Appeal to the Vacant Property Review Commission may only be made on the basis that the property was incorrectly classified as abandoned urban property in that it did not meet the criteria established in Section 7-39 as of January 1 of that tax year. Such appeal shall be in writing, and must be received by the Vacant Property Review Commission within thirty (30) days of the date the notice was mailed.

(c) The Vacant Property Review Commission shall afford the owner the opportunity for a hearing upon the timely filing of an appeal. All such hearings shall be scheduled to conclude by no later than May 31st of each year.

(d) If the Vacant Property Review Commission finds that the property was incorrectly classified as an abandoned urban property, it shall cause the property to be removed from the list of properties so classified and will provide the division of revenue and the Property Valuation Administrator with such changes so that they can be stricken for that tax year. In the event that an incorrectly classified property is not removed from the list of properties for that year, the owner may apply for and obtain a refund for any overpayment of the abandoned urban property tax for that tax year.

(e) The Vacant Property Review Commission shall develop policies and procedures for conducting such appeals consistent with Section 12-91 of the Code of Ordinances, that a minimum will provide the owner with at least ten (10) days written notice before the scheduling of the appeal. The decision of the Vacant Property Review Commission on an appeal shall be a final action appealable to the Fayette County Circuit Court.

Section 2 - That Section 12-82 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

> There is hereby created a vacant property review commission, whose purpose shall be to certify, to the urban county council, properties within the urban county that are blighted or deteriorated in the manner and form set forth in this article. <u>The commission shall also fulfill the duties provided in chapter 7, article IV of the code pertaining to abandoned urban properties.</u>

Section 3 - If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

____
MAYOR

ATTEST:

____
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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restoring
PROSPERITY

a roadmap for revitalizing America's older industrial cities

STATE POLICY TOOLKIT:
STATE LAND BANK ENABLING LEGISLATION

Restoring Prosperity is a new approach to helping older industrial cities transition to the 21st century: by investing and encouraging development in already-existing towns and cities, planning for communities where people want to live and work, and creating better transportation, housing, and job choices for the new economy.

Vacant properties can be costly and dangerous, reducing surrounding home values and spreading blight. These properties remain underutilized for a variety of reasons including a weak market, complicated title issues, and high redevelopment or demolition costs. One successful strategy to combat these problems is the development of a land bank. A variety of organizational structures may be employed (not necessarily requiring legislation) for entities that are generically called land banks[1]; however, this toolkit discusses specifically those independent authorities created by state statute. These public entities acquire, manage, and transfer ownership of tax-foreclosed properties not reclaimed or redeveloped by market forces. Land banks facilitate the properties' productive reuse through sales and transfers to city agencies, community development corporations, private developers, and adjacent property owners. State land bank statutes explicitly authorize the creation of local land bank entities, often at the city or county level, and grant them appropriate authority to accomplish state and local policy goals (e.g. to eliminate blight or create affordable housing). A state statute does not actually create the land bank, but merely allows for its creation (with the exception of the Michigan Land Bank Fast Track Authority); a subsequent local or county ordinance must be passed in order to establish a land bank authority.

States with Model Policies

Since the 1970s, eight states have passed enabling legislation: Georgia, Indiana, Kentucky, Maryland, Michigan, Missouri, Ohio, and Texas. The newest land banks in Michigan are created through what is widely considered to be the strongest state policy; today that law is arguably the most emulated. Legislation recently passed in Maryland and pending in New York mirrors many of the strategies piloted in Michigan. Lawmakers in Ohio are also considering enhancements to their legislation based partly on Michigan's.

Michigan state law allows land banks in the state to recapture 50 percent of the property tax revenues for the first five years after transfer of property to a private party, which provides an ongoing income stream. It also permits land banks to borrow money, issue tax-exempt financing, and select properties to acquire from tax delinquency roles. Although the Michigan land bank law has led to successful and varied authorities throughout the state (including the state authority, there are 10 at last count), the entities' true strength comes from first reforming tax foreclosure laws that reduced the time for foreclosing on vacant, tax delinquent properties and allowing Michigan land banks to acquire all tax-delinquent properties.

As a result, the impact of Genesee County's land bank in Flint neighborhoods has been particularly impressive. To date, 700 lots have been transferred for side yards, 90 affordable rentals and 80 single-family homes have been reconstructed, and the land bank's demolition program has increased home values. A recent study by the University of Michigan found that a $3.5 million investment in demolition over 3 years resulted in an increase in surrounding property values of more than $112.5 million.

IMPORTANT FEATURES OF A GOOD POLICY

- **Flexibility:** While neighborhoods are inherently dynamic, state statutes can be inflexible. State legislation should establish basic authority for the range of powers of land banks and set clear policy priorities, but it should also allow local governments to determine operating principles (e.g. pricing, land use priorities) and give land bank directors the authority to adapt their efforts to changing neighborhood conditions.
- **Revenue sources:** Many land banks struggle without flexible funding sources. States should consider allowing a land bank to generate revenue from its operations as well as other sources. (See Michigan for model language).
- **Tax foreclosure streamlining:** The primary inventory of properties entering a land bank comes through the tax foreclosure process. In many states, however, the laws that govern this process allow property to sit vacant for years before it can be foreclosed upon. In the context of considering land bank legislation, it may be helpful to analyze the state's tax foreclosure laws and determine if they are accidentally promoting blight.

[1] Land bank activities might occur through a dedicated, state-authorized entity, as part of a general-purpose governmental body, or within another entity such as a redevelopment authority. The decision about which structure can best meet the needs of the community should be determined based on considerations including local political conditions and government capacity.

STRUCTURING STATE LEGISLATION

Land bank statutes vary from state to state; however, to be most effective, their authors should consider the following issues:

- **Purpose:** Land banks are created to acquire, manage, and transfer ownership of property. They may help accomplish a variety of local and regional policy goals including removing blight, assembling parcels for redevelopment, creating affordable housing, and stabilizing property values. State statutes should present a broad mission statement and clearly communicate general policy priorities.

- **Interlocal agreements:** Often multiple jurisdictions exert some control and responsibility for vacant and tax-delinquent properties – tax assessment and collection often rests with the county, although municipalities also have jurisdiction over property within the city limits. Other governmental entities, including school boards, may also be able to levy taxes. Because of this fractured control, an interlocal, or intergovernmental, agreement is often necessary to ensure the land bank receives the appropriate powers to meet its goals. State legislation should provide clear parameters and statutory authority for interlocal agreements.

- **Structure:** State statutes should outline a system of governance for land banks (including the number of board members and how they will be appointed), and address how land banks should be staffed (by existing city agencies or independently).

- **Financing:** Many land banks receive revenue through multiple sources including operations, government grants, and tax revenue. States should ensure that land banks are given authority to generate revenue (e.g. by issuing bonds or notes). Specific financing needs will depend on the land bank's inventory and program priorities.

- **Acquisition:** Some state statutes restrict the types of properties land banks can acquire, but in most cases, it is advantageous to allow land banks the flexibility to acquire all types of properties (with and without structures, residential, commercial, and industrial) through a variety of means (deed in lieu of foreclosure, donation, voluntary conveyance, or purchase).

- **Disposition:** State statutes should give land banks the authority to transfer properties in variety of ways. Land banks might transfer ownership for an array of different purposes (housing, side lots, commercial development, or other productive uses) and to an array of different entities (private developers, neighboring property owners, or community development corporations). End use may factor into the pricing of the property (e.g. developers planning to create affordable housing may be able to purchase at below-market rates), and land banks may have to be prepared, especially in areas with weak markets, to hold properties for a long period of time.

THE GROUNDWORK FOR A GOOD POLICY

- **Know your community:** Gather data, including the number, location, and condition of vacant properties, and the costs they impose on governments and individuals. Identify current legal (and other) barriers to the creation of land banks and affiliated reforms, including tax foreclosures, so statutes can best address them. Seek to understand the motivations and opinions of elected leaders, developers, and other stakeholders, and their relationship to the range of issues addressed through land banking.

- **Identify critical policy goals:** Governments considering creating a land bank should identify the priority goals to be accomplished. Clearly stating these goals will help ensure that the programs and policies align. Possible goals might be to create affordable housing, add green space, hold property for future use, eliminate blight, or maximize revenue. Some goals may compete with each other so prioritizing them is important.

- **Catalyze leadership:** A group or individual that has credibility, strong ties to the state legislature, and the capacity to make inroads with potential opponents is critical to sustaining an advocacy effort. Likewise, a legislative champion who will take this issue to heart can be crucial to getting legislation passed.

- **Foster support:** A leader can't do it alone. Particularly where initial support is lacking in the legislature, identify allies and engage potential opponents early, and draw from a broad coalition. If the entity will be based in the county, build support across jurisdictions.

POLITICAL STRATEGY

A targeted political strategy is important to passing state land bank enabling legislation. Proponents have realized success in the past through committed leadership, a strong delegation of supporters, and clear messaging. Based on their unique political environments, advocates have pursued a variety of strategies:

- **Ohio:** In Ohio, the Cuyahoga County Treasurer led the effort to persuade legislators and cities that land bank legislation was needed to deal with the results of the mortgage crisis. As a result of his efforts, identical bills have been introduced in both houses of the legislature with top-level, bipartisan support. The bills amend existing law to authorize county governments to establish nonprofit Land Reutilization Corporations and to grant such entities access to an array of public funds along with authority to acquire, hold, and dispose of properties in accord with local land use plans.
- **Texas:** In Texas, a coalition of housing advocates, title attorneys and government officials concerned with vacant properties came together to brainstorm and look at best practices from other states. At the same time, government officials from the City of Dallas had begun to examine these issues. The two groups came together to draft state legislation that would allow a local land bank to be piloted in Dallas, which was passed in 2001. Based on its success in Dallas, in 2005, that legislation was expanded to apply to Houston, and in 2007, to apply statewide. Because the legislation was drafted with input from affordable housing groups and other community advocates, it has a strong policy focus on preserving affordable housing.
- **Pennsylvania:** While Pennsylvania has not yet passed legislation, land bank advocates have had great success in coalition building, passing six state bills aimed at curbing blight with broad bipartisan support. They started by issuing a report that mapped vacant properties in the state over a 20-year period, illustrating the costs of those properties to communities (see Sources of Information). They built a coalition of support, led by a credible nonprofit with a good relationship to the state legislature, and worked closely with potential opponents to assuage fears, build trust, and agree on common goals. Then, they worked with the legislature to pass some initial legislation that was uncontroversial, but represented important first steps and helped spur a dialogue. Now the state is poised to pass increasingly ambitious legislation to reclaim vacant properties and curb blight.

Coalition Building

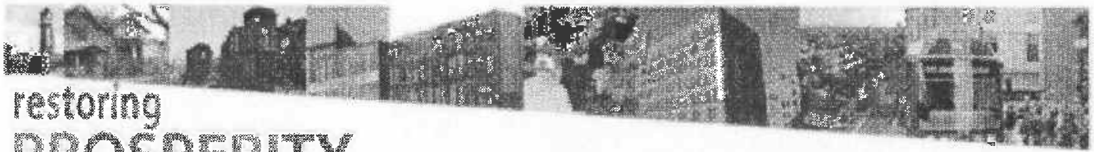
In some cases, state legislation has been passed with little opposition and a limited role for grassroots advocacy, particularly with early support from a legislative champion or one or more vocal local governments. In others, coalition building has been crucial. Part of an initial political strategy should be to determine if coalition building is necessary, or if the key state decision-makers are already on board. If properly engaged, affordable housing, environmental, and smart growth advocates, local governments, business leaders, developers and the real estate industry can all be allies. However, many of these groups will have a strong interest in how state legislation is structured, so outreach and compromise can be important steps in generating support. In general, a triumvirate of allies should be engaged early:

1) **Local governments**, particularly mayors trying to cope with vacant and abandoned properties. They may be immediate supporters, or they may need reassurance that sufficient local control of land use regulations will be retained.

2) **The business community**, including economic and business leaders, chambers of commerce, and developers who can speak to the financial and investment benefits of land banking. Real estate professionals and developers make unusual but important allies – shovel ready properties with clear title, as well as more stable communities, are delivered through land banks' activities.

3) **The affordable housing community**, including CDCs, who can ensure that affordable housing provisions are included in legislative language.

An excellent example of successful state coalition building can be found in Ohio, where a consortium of local government actors, nonprofits, and civic organizations concerned with vacant property issues formed ReBuild Ohio. The effort grew out of the 2005 Ohio Vacant Properties Forum when participants realized the need for continued concerted action. Since its formation, ReBuild Ohio's listserv and regional meetings have been valuable resources, and the group's research agenda has been critical for setting the stage for state legislation.



COMMUNICATIONS

Communicating the benefits of comprehensive land bank legislation, and gaining support from local governments, business leaders, nonprofits, and citizens is crucial. Although there are no 'natural enemies' of land banks, it is important to make sure people have a level of comfort and understanding about the way land banks function. Education, and a willingness to adjust statute language to meet valid concerns, is necessary.

MESSAGES THAT WORK

Vacant properties cost communities a great deal more than just money. Code enforcement, property maintenance, and increased crime and arson rates drain city coffers, while lost property tax revenues decrease the amount of money coming in. Neighboring properties lose value and neighbors lose their sense of well-being and safety.

While a central city may be the most obvious "winner" by instituting a land bank, contagious blight affects inner ring suburbs, and when property is put back on the tax rolls and values increase through productive reuse, the county and state reap the rewards as well.

Simply put, land bank legislation helps bring abandoned properties back into productive use, generating tax revenue, raising property values, and creating community amenities such as affordable housing and green space.

Addressing Concerns

A variety of stakeholders may have questions or voice concerns about land bank legislation. A dialogue can help clarify misunderstandings and assuage fears. The following represent some common sources of concern, as well as some ways to address them.

Land banks will erode local control.
In some instances, a state enabling statute might allow for the creation of county land banks that will acquire property within their municipalities. In many cases this makes sense as abandonment isn't just a core-city problem and creating an entity that can take a countywide approach to the issue is beneficial. It will be important to write the statutes and ordinances to ensure that property transfers adhere to the local government's vision.

Land banks reduce investment opportunities.
Land banks increase investment opportunities by offering a clear point of contact for real estate investors and transferring properties with clear title. There are "investors" who may profit less – speculators who have no ties to the community or real plans for property maintenance or reuse. Land banking properties is intended to result in upward momentum in a neighborhood rather than continued negligence.

Land banks only benefit urban areas
Blight is contagious – not only within neighborhoods but also across jurisdictions. Inner ring suburbs are seeing more abandonment, and as the mortgage crisis spreads to suburban and rural areas, the authority to create land banks is increasingly relevant to residents statewide. Using property productively and putting tax delinquent property back on the tax rolls benefits the entire county and state.

There will be fewer opportunities to create affordable housing.
Each land bank develops policy priorities and programs that support the vision of the municipality. Preserving and creating affordable housing often is a primary goal of a land bank; however, it is not the only goal. If the law allows, conveyance priorities and pricing policy can enable developers to acquire property for affordable housing at minimal cost.

The land bank will enter into "backroom deals" with developers.
Legislation should be drafted to ensure that land banks operate in a responsible, transparent manner. Land banks are public entities with a board that is generally appointed by elected officials who have to answer to constituents. It is the public's responsibility to hold these officials accountable when they believe unethical activities are taking place. The board should also develop policies and priorities that dictate most of the disposition strategies. No board or staff members, or their organizations or businesses, should be involved in any land transactions. Some land banks have community advisory councils.

Land banks are slumlords that own a large inventory of unmanaged vacant properties.
It is possible, in weak market cities, that a land bank may need to hold property for a long period of time. Not being compelled to immediately release properties back into the market gives leaders and the community time to plan and create opportunities for the right development. Set reasonable public expectations and compare land management and reuse against the alternative of unmaintained properties and their impacts on neighboring residents who have no idea who to turn to if there is a problem.

BUILDING THE CASE: RESEARCH

Good land bank legislation should be crafted in response to the conditions in the state and cities it is intended to serve. The coalition and legislators advocating for a land bank will be well served by having localized information about the costs of vacant and tax-delinquent properties in their communities and the benefits of reusing them. Often housing, code enforcement, or planning departments are already collecting relevant data. Many states prepare by issuing a study to explore these issues.

GATHERING DATA

An up-to-date, parcel-based, real property information system helps communities both make the case for land bank legislation as well as the most informed land use decisions. A good information system is flexible, accessible, user-friendly, and easily updated. If your area does not already track vacant properties, partnering with a university may be a successful way to begin this process.

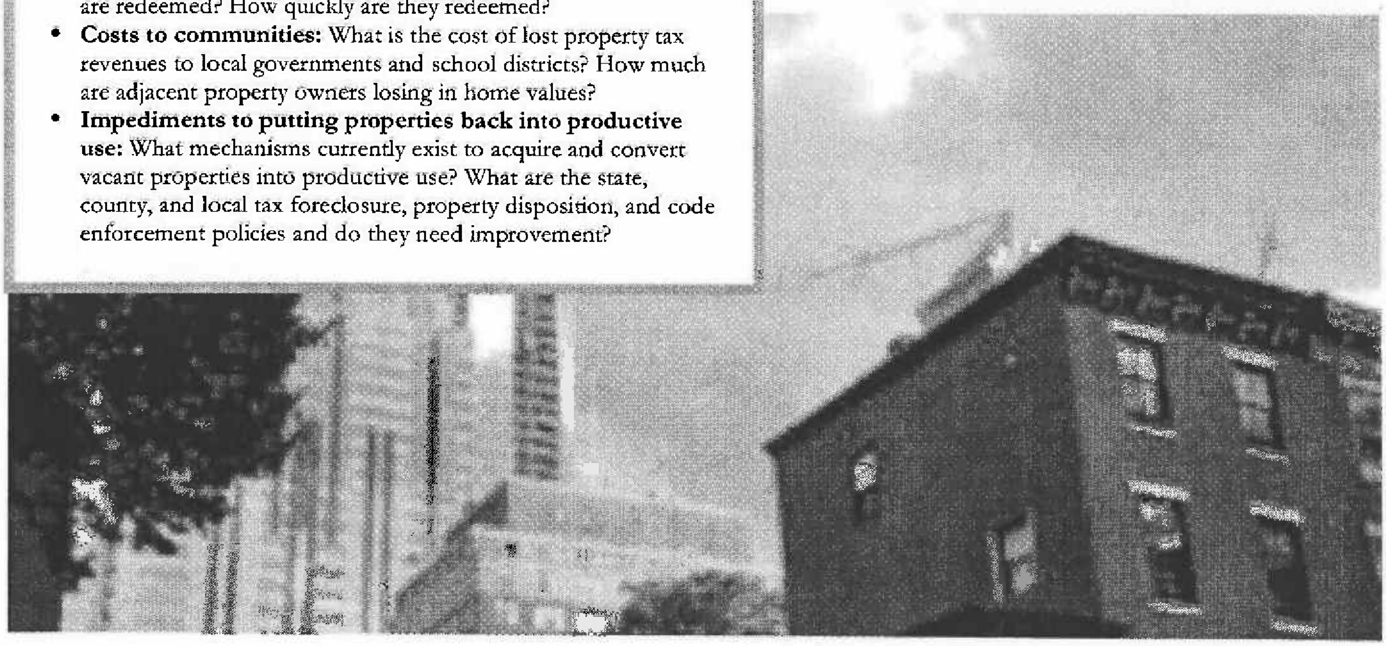
However, data gathering does not have to be sophisticated or expensive to be useful. Start with data you can obtain easily. Good sources include:

- City agencies, including housing, code enforcement, and planning departments;
- The Census Bureau; and
- HUD Aggregated USPS Administrative Data (www.huduser.org/DATASETS/usps.html)

Research Ideas

Data will not only help advocates make the case for a land bank statute, but will also help ensure that the statute is crafted in a way that addresses the needs of communities. Information should be gathered in each of the following areas without spending an undue amount of time or money:

- **Vacant properties in cities, counties, and statewide:** How many vacant properties are there? What type of properties are they? Where are they located? How long have they remained vacant? What condition are they in?
- **Tax delinquencies:** How prevalent are tax delinquencies? What portion of properties that become delinquent each year are redeemed? How quickly are they redeemed?
- **Costs to communities:** What is the cost of lost property tax revenues to local governments and school districts? How much are adjacent property owners losing in home values?
- **Impediments to putting properties back into productive use:** What mechanisms currently exist to acquire and convert vacant properties into productive use? What are the state, county, and local tax foreclosure, property disposition, and code enforcement policies and do they need improvement?



RESOURCES

A variety of reports, books, studies, and organizations can provide guidance and support to advocates as they craft legislative language, develop a political strategy, and frame relevant issues. Other states that have passed or attempted to pass land bank legislation can provide valuable insights as well.

Sample Legislative Language

Land Bank Authorities: A Guide for the Creation and Operation of Local Land Banks, written by Frank Alexander and published by the Local Initiatives Support Corporation, is an excellent resource. The guide provides sample language for state legislation, interlocal agreements, and local ordinances, as well as a wide variety of in depth information about land banks. Download the report for free at lisc.org/content/publications/detail/793.

SOURCES OF INFORMATION

Organizations
The Genesee Institute
geneseeinstitute.org

National Vacant Properties Campaign
vacantproperties.org

Policy Guidance
Bringing Buildings Back: From Abandoned Properties to Community Assets.
By Alan Mallach. Published by the National Housing Institute.
nhi.org/policy/BringingBuildingsBack.html

Landbanking in Metropolitan Policy (working title)
By Frank Alexander. Available from the Brookings Institution in fall 2008.
brookings.edu

Back on the Roll in Massachusetts: A Report on Strategies to Return Properties to Productive Use.
Sponsored by the Citizens' Housing and Planning Association
chapa.org/pdf/taxtitle2006.pdf

State Research
60 Million and Counting: The Cost of Vacant and Abandoned Properties in Eight Ohio Cities.
Published by Rebuild Ohio.
communityresearchpartners.org/uploads/publications//FullReport_Nonembargoed.pdf

Economic Impacts of Residential Property Abandonment and the Genesee County Land Bank in Flint, Michigan.
Published by the MSU Land Policy Institute
vacantproperties.org/resources/LPI_Genesee.pdf

Blight Free Philadelphia.
Published by Eastern Pennsylvania Organizing Project and Temple University.
www.temple.edu/cfd/content/BlightFreePhiladelphia.pdf

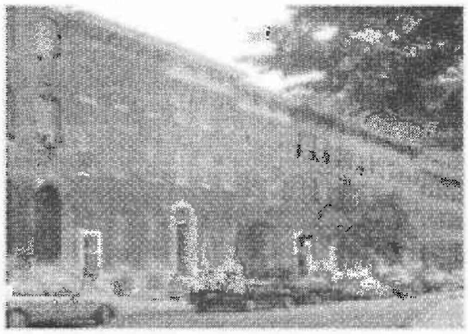
Existing Land Banks
Genesee County Land Bank: thelandbank.org

Louisville/Jefferson County Land Bank:
louisvilleky.gov/Housing/Landbank+Authority+Inc.htm

Indianapolis Land Bank: indylandbank.com

SAMPLE FACT SHEET: State Land Bank Legislation

Vacant properties can be costly and dangerous, reducing surrounding home values and spreading blight. These properties often remain underutilized for reasons including a weak market, title issues, and high redevelopment or demolition costs. A land bank is a tool that can help tackle these issues. These public entities acquire surplus quantities of publicly- or privately-owned land not reclaimed or redeveloped by market forces. A land bank typically acquires properties from tax foreclosure rolls and holding, managing, and/or facilitating their productive reuse through sales and transfers to city agencies, community development corporations, private developers, and adjacent property owners. State land bank legislation explicitly authorizes the creation of local land bank entities and grants them appropriate authority to accomplish state and local policy goals.



Safer neighborhoods

Vacant and abandoned properties contribute to blight, invite crime and pests, and provide unsafe play spaces. Because land banks help ensure that vacant properties are quickly reclaimed and properly managed, they can restore a sense of safety to neighborhoods and give surrounding property owners a place to turn if they have complaints or concerns.

Better redevelopment opportunities

Land banks are an effective mechanism to acquire and turn over vacant properties to owners who are ready to do something productive with them. The efficiency and predictability that land banks bring help create new opportunities for redevelopment and spur community revitalization.

More community amenities

Many land bank ordinances include side lot programs that allow adjacent property owners or community groups to turn vacant lots into gardens and other community green spaces, engaging community members in the beautification of their neighborhoods, and creating lasting amenities.

THE NEED IN [INSERT STATE]

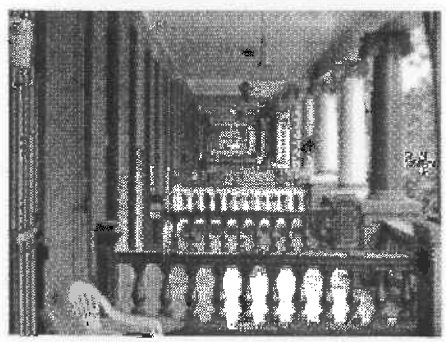
INSERT State-specific details, including:

- Number of vacant properties in the state

- Projections about potential payoffs of land banks, including reductions in crime, increases in neighboring property values, etc.

- Example(s) of a vacant property success story or need

- Specific problems or opportunities in the state related to vacant properties, including blight, affordable housing, crime, open space, etc.



SUPPORTERS

INSERT: List local supporters here. They might include business leaders, developers, affordable housing advocates, and smart growth organizations.

Planning Committee- Issues Outstanding

01.13.2009

Issue	Member Referred	Date Referred	Status
• Liberty Road Project Status	Stinnett	Jan 06	Bi Monthly Written Report
• Newtown Pike Status	Blues	Feb 06	Bi Monthly Report
• Loudon Avenue Phase 1 Status	James	Oct 06	Bi Monthly Written Report
• Buffering ED Zone	DeCamp	Jan 07	Fayette Alliance Reviewing
• Development Plan Adherence	Myers	Jan 07	Winter-Spring 09
• **Land Bank**	**James**	**June 07**	**Jan 09**
• Student Housing Issues	Stevens	Sept 07	Winter-Spring 09
• Fence Regulations	Blues	Dec 07	Unknown
• Mobile Home Trailer Park Quality of Life	James	Dec 07	
• Infill Redevelopment Committee Recommendations	DeCamp	Feb 08	Unknown
• Tree Protection Ordinance	James	Mar 08	Unknown
• Streetscape Plan	Stevens	Mar 08	
• Downtown Master Plan	DeCamp	Apr 08	
• **Electrical Inspector's Fee Schedule**	**McChord**	**May 08**	**Jan 09**
• Management Audit Recommendations	Stevens	May 08	Subcommittee Formed
• Family Care Center Audit	Stevens	May 08	
• Review Civil Penalties/Impose Fines on Property Owners Who Operate a Home Office/Occupation in Violation of the Zoning Ordinance	Henson	July 08	
• Impose Restrictions on Issuing Permits to Individuals/Property Owners When There are Pending Written Complaints Regarding Violations of Zoning Ordinances	Henson	July 08	
• Place Reasonable Time Limits for Completion of Construction projects approved for existing 1/2 Family Residential Building Permits and Fence/ Retaining Wall Permits	Henson	July 08	
• Special Districts	Myers	Sept 08	Workshop Winter 09
• Zoning Violation Fines	Myers	Sept 08	
• Day Treatment Facility	Stinnett	Oct 08	
• **Newtown Pike Design Ordinance**	**Gorton**	**Oct 08**	**Jan 09**
• Backyard Setback	Blevins	Oct 08	
• Courthouse Are Design Review Recommendations	Stevens	Dec 08	Winter-Spring 09