

389)
9/10/18

**Proposed Fee Schedule
Flood Damage Prevention Order**

Background:

As prescribed by the provisions of Section 16.324, Texas Water Code, the Commissioners Court must itemize and set by Order the county's floodplain management program and permitting fees as part of the annual budget preparation process.

Staff recommends adopting an additional charge for developments initiated without securing required permits in the amount of \$250.00 for residential development and \$500.00 for commercial and subdivision developments. The current method of penalty has been through the doubling of permit fees. Unfortunately, this has not been a sufficient deterrent. Moreover, the County's expenses associated with review and remediation of those developments that occurred without the required permits and/or constructed in violation of the Flood Damage Prevention Order far exceed the minimal funds acquired through merely doubling permit fees.

Staff also recommends adopting fees for activities not previously charged (i.e., Appeals and Variances). Such activities are time-consuming for not only for the Planning staff but also the Planning Advisory Board and the County's Civil Legal Division to respond and address such matters.

Finally, staff recommends the elimination of the "Topographic GPS Surveys & Elevation Inspections" and its associated fees since this activity is no longer available through the Engineering Department.

All other fees to remain the same as approved with the FY 17-18 budget.

The proposed fee schedule is attached hereto.

Previous Court Action:

Since the original enactment of these provisions (September 1, 2001), each fiscal year the Webb County Commissioners Court has adopted its fee schedules for floodplain management as presented during the Court's budget hearings and/or workshops.

Budget Account Number: 2007-1070-341230

Funding Source: Permit Revenues

Balance: N/A

Proposed Fee Schedule (developments subject to Flood Damage Prevention Order)

1. Fees for the issuance of permits, certifications, and inspections required for floodplain management activities, shall be as follows:

TYPE	REQUEST	FEE
Residential & Agricultural Developments		
Residential	Floodplain Determination (includes issuance of Exemption Permit, if applicable)	\$ 30.00 ea.
Residential	Floodplain Development Permit or LOMC [includes Elevation Certificates, CLOMRs & LOMCs (Letters of Map Change) for amendments or revisions to NFIP map for individual residential developments within a SFHA or floodplain]	\$ 48.00 ea. Certificate or LOMC application
Residential	Variance (historical structures)	\$ 48.00 per structure
Residential	Appeal (fee refundable only if appeal granted due to error by Floodplain Administrator)	\$ 150.00 each development permit
Residential <i>Delete</i>	Topographic GPS Surveys & Elevation Inspections (Not applicable for LOMCs)	\$ 240.00 ea. visit
Commercial and Industrial Developments		
Commercial	Floodplain Determination (includes issuance of Exemption Permit, if applicable)	\$ 100.00 ea.
Commercial	Floodplain Development Permit or LOMC [includes Elevation Certificates, CLOMRs & LOMCs (Letters of Map Change) for amendments or revisions to NFIP map for commercial & subdivision developments within a SFHA or floodplain]	\$ 150.00 ea. Certificate or LOMC application
Commercial	Variance (historical structures)	\$ 150.00 per structure
Commercial	Appeal (fee refundable only if appeal granted due to error by Floodplain Administrator)	\$ 300.00 each development permit

2. Agricultural uses shall be charged at residential rates;
3. Residential subdivision developments with two (2) or more residential tracts shall be charged at the commercial rate for all LOMC requests or applications (existing or proposed);
4. There shall be an additional \$250.00 charge added to permitting fees for any residential development that initiated construction prior to obtaining the required floodplain development permit(s); and
5. There shall be an additional \$500.00 charge added to permitting fees for any commercial or subdivision development that initiated construction prior to obtaining the required floodplain development permit(s).

NOTE: All recommended changes to fees are highlighted. All other fees to remain the same as adopted in the FY 2017-2018 Fee Schedule.