

MEMORANDUM

Agenda Item # 45

DATE: September 9, 2010
TO: Metropolitan Planning Commission
FROM: Mark Donaldson, Executive Director
SUBJECT: **Report to Planning Commission
 2010-11 Fee Schedule for Plats**

REQUEST

Planning Commission has requested a report from staff regarding the recently amended fee schedule as it relates to the applications for final plats, particularly for plats with less than 6 lots, called minor plats.

BACKGROUND

The FY2009-10 fees and recently adopted FY2010-11 applicable for Final Plats are as follows:

	FY 2009-10	FY 2010-11
Administrative Plat (no variance request)	\$150	\$200
Corrected Plat	\$100	\$200
Final Plat - 1 to 5 Lots	\$200 + \$15 per lot	\$500
Exempt Subdivision Plat	\$125	\$250
Boundary Closure* (County only)	\$100 (3 rd review)	\$100* (each submittal)
Variances	No Charge	\$250
Resubmission of revised final plat (within 120 days of denial by MPC)	\$150	\$250
Postponement Request	\$50 (second request)	\$50 (each request)

* City charges \$185 to review boundary closure

ANALYSIS

Fees serve to recover a portion of the costs to run the Development Services division of MPC and assign some of those costs to those who directly benefit from the action. Without fees the general public would cover the entire cost to MPC through revenue from the City and County general funds.

The recording of an approved plat is required to create lots or convey property.

- A type of final plat is the **administrative plat**. These plats create no more than one additional lot, or where the plat combines lots, adjusts a lot line, records an easement or corrects information on an existing plat. A corrected plat is a type of administrative plat.
- Some subdivisions are exempt from the subdivision regulations, but still require review by MPC staff to ascertain the exempt status. These are called **exempt plats** and are a type of administrative plat.
- A final plat that creates less than 6 lots is a called a **minor final plat**. A minor plat may be approved without the prior approval of a concept plan.
- Final plats that create 6 or more lots are called **major final plats** and require prior approval of a concept plan.

There may be as many as three components to the total fee structure for some final plats: 1) a fee for the plat application; 2) a fee for checking plat boundary closure for plats not in the city; and 3) a fee for variances requested. Each component requires MPC staff review. Plat and variance requests require reviews by multiple agencies that are coordinated by MPC staff.

- Plat application. This request requires intake by MPC staff, coordination of review and comments by staff of other agencies, review by MPC staff, preparation of staff reports, scheduling on an MPC agenda and presentation to the planning commission.
- Closure. The requirement that surveyors submit a plat that closes (the plat map can be checked by following the bearing and length for each line around the lot's perimeter and it gets back to where it started) is checked by MPC staff for plats that are not within the City of Knoxville. Within Knoxville, the City engineering department checks for boundary closure and charges \$185. MPC has one staff member whose primary responsibility is to check for plat boundary closure. Prior to FY 2010-11, there has been no cost for checking closure until the 3rd review required by MPC staff.
- Variances. Variances from the subdivision requirements may be requested concurrent with a plat application. Often they come as a result of MPC review and are requested in lieu of modifying the plat. A variance changes or waives a subdivision regulation and is usually pursued to save money for the applicant. Variance requests require intake by MPC staff (often after the initial plat review), coordination of review and comments by staff of other agencies, review by MPC staff, preparation of staff reports, scheduling on an MPC agenda and presentation to the planning commission. The most common type of variances are from the requirements dealing with road geometry (horizontal and vertical curves), but commonly are from minimum requirements for right of way dedication. MPC staff desires to minimize deviations from the regulations.

The City of Knoxville charges \$185 to check each plat for boundary closure. MPC approved a fee of \$100 for FY2010-11.

An administrative plat in the county that requires no variances and checks for closure on the first submittal cost \$150 (fee only) in FY2009-10 and will cost \$300 (fee plus closure cost) in FY2010-11. In the city the cost in FY2009-10 was \$335 (fee plus city closure cost) and in FY 2010-11 will be \$385.

A minor plat with 5 lots that requires no variances and checks for closure on the first submittal cost \$275 in FY2009-10 and \$600 in FY2010-11. In the city the cost in FY2009-10 was \$460 and in FY2010-11 will be \$685.

An application fee for each requested variance from the zoning ordinance costs \$250. MPC approved in FY2010-11 a fee of \$250 for any number of variances from the subdivision regulations.

POSSIBLE MPC ACTION

The Planning Commission could eliminate the charge for certain services related to final plat approval, such as boundary closure or variance requests, or change the fees for certain services related to final plats.

STAFF RECOMMENDATION

Staff recommends maintaining a fee for boundary closure and a fee for variance requests. These fees will help to recover the costs associated with plat review, assign those costs to those who benefit, and provide an incentive for complete and accurate plat applications.