



Board of County Commissioners - Staff Report

Meeting Date: January 25, 2020

Presenter: Rian Rooney

Submitting Dept: Planning & Building Services

Subject: Planning & Building Services Department Fee Schedule Workshop

Statement / Purpose:

Workshop to discuss the Planning & Building Services Department Fee Schedule, specifically regarding the history of the Planning Review of Building Permit fee, the Fee-in-Lieu for Residential Subdivision in the proposed update to the Fee Schedule dated December 2, 2020, and the relationship between Planning & Building Services Department fees and costs.

Background:

At the October 20, 2020 Board of County Commissioners meeting, the Board authorized the commencement of the comment period for an update to the Planning & Building Services Department Schedule of Fees, which began on October 28, 2020. Pursuant to the Wyoming Administrative Procedures Act, a 45-day comment period must be advertised and comments invited prior to adoption of new rules. Following receipt of public comment and additional internal review, staff released an update to the initial draft for consideration on December 2, 2020. At the December 15, 2020 Board of County Commissioners meeting to review the proposed update, the Board moved to continue the item to a workshop on January 25, 2021 for further discussion.

The Planning & Building Services Department has not updated its Schedule of Fees for Planning Permits and Building Permits since 2014, when a revised Schedule was adopted to align with the restructured Teton County Land Development Regulations (LDRs) that went into effect January 1, 2015. This Fee Schedule, which was adopted in 2014, incorporated fees related to Planning and Building Permits that are processed and reviewed by other departments and divisions, including Jackson Hole Fire/EMS (Electrical Permit Fees) and the Teton County Engineering Services Division (Engineering Permit Fees). The Teton County Engineering Services Division updated the Engineering Permit Fees section of the Fee Schedule in 2020.

The intent of the changes proposed to the Fee Schedule, represented in the draft dated December 2, 2020, was not a comprehensive reexamination of Planning and Building Permit fees, but rather a basic update to list fees that were not included in the 2014 update and to reflect current procedures and administrative processes since that update.

Staff Analysis:

Additional Information on Fees Proposed in December 2, 2020 Draft

During the December 15, 2020 meeting on the proposed Fee Schedule update, two proposed fees from the December 2, 2020 draft were specifically identified for further discussion: 1) Planning Review of Building Permit and 2) Exaction for Residential Subdivision Fee-in-Lieu.

Planning Review of Building Permit Fee

In 2020, the Teton County Building Permit Technician identified that CityView, the Planning and Building Department's permit processing software, was automatically adding a Planning Review Fee to residential and commercial Building Permit applications but that these fees were not listed on the Fee Schedule. Following this realization, the Planning Review Fees were removed from new Building Permit applications.

The Planning Review Fees generated in CityView were consistent with Planning Review Fees included on the Fee Schedule prior to the major 2014 update. This version of the Fee Schedule was originally approved in 1994, likely in association with the adoption of the 1994 Land Development Regulations, and subsequently

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amended seven times. Specifically, the final version of this Fee Schedule, amended March 2, 2010, listed the following Planning Review of Building Permit fees:

Planning Review of Building Permit Applications (In addition to Building Division plan review and permit fees)

Residential Structures on Platted Lot:	\$50	Plus \$50 per 1000 s.f. greater than 5000 s.f.
Residential Structures on Unplatted Parcel:	\$100	Plus \$50 per 1000 s.f. greater than 5000 s.f.
Non-Residential Structures:	65%	of Building Permit Fee

Staff notes that these Planning Review of Building Permit fees date back to at least the July 2001 version of this Fee Schedule. The old Fee Schedule indicates that these fees were to be assessed in addition to the Building Permit and Plan Review fees collected by the Building Division. Staff also asked multiple former members of the Planning & Building Services Department staff for additional information about the history of the Planning Review of Building Permit fee, but none could explain for certain how it was originally created nor why it was not included in the 2014 Fee Schedule update.

In theory, the collection of Planning Review of Building Permit fees was intended to account for Planning staff time required to process Building Permit applications. The 65% of Building Permit Fee rate for non-residential structures escalates as structures increase in size and cost because the Building Permit Fee derives from project size and construction costs. For large commercial projects, these fees can therefore become substantial. The Planning Review Fee for residential structures also escalates as the size of residential buildings increases, but it is not tied to the value of the Building Permit and is essentially capped at \$350. In general, review time tends to increase with the size of the project and commercial projects require more Planning review time than residential ones.

In reviewing fee data since 2018, staff found that the Planning Review Fee was not consistently collected for commercial projects but was consistently collected for residential projects. Many of the commercial building permit applications during this period were for renovations or small additions and had small Building Permit and Planning Review fees. The total fees assessed from 2018 – 2020 for Planning Review of a Building Permit were:

Planning Review of Building Permit Fees Assessed 2018-2020				
Year	Residential	Commercial	Total	
2018	\$ 24,600	\$ 59,943	\$	84,543
2019	\$ 21,850	\$ 9,344	\$	31,194
2020*	\$ 10,913	\$ 2,077	\$	12,990
Total	\$ 57,363	\$ 71,364	\$	128,727

**Note that in July 2020, the Planning & Building Services Department stopped collecting these fees.*

While the Planning Division is involved in Building Permit review, it is important to consider that many projects requiring significant Planning review also must go through additional Planning reviews prior to application for a Building Permit. All commercial projects greater than or equal to 3,500 square feet must apply for a Development Plan review and commercial projects greater than or equal to 25,000 square feet must also apply for Sketch Plan review. Residential projects of 5-10 units require Development Plan review and projects greater than 10 units must also apply for Sketch Plan. The current fees for Development Plan and Sketch Plan reviews are both \$2,500, i.e., a commercial project of 25,000 sf or more would pay \$5,000 in fees to the Planning Division for Sketch Plan and Development Plan prior to applying for a Building Permit. Much of the Planning review that occurs for a substantial project occurs during the Development Plan application process. Subsequent Building Permit review by the Planning staff builds on the work already done during Development



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Plan and Sketch Plan. In the case of small commercial (<3500 sf) and residential projects (<5 units, including all single-family homes), staff from the Planning Division does not review the proposed development until the Building Permit application is submitted.

The Town of Jackson does not assess a fee for Planning Review of Building Permits. The Town of Jackson is currently in the process of increasing its Building Permit fees for new residential and commercial permits by 33%. A recent analysis by Town staff of Building Permit fees found that the current Town rates are substantially lower than Teton County and other mountain resort communities.

Exaction for Residential Subdivision Fee-in-Lieu

The December 2, 2020 draft update to the Fee Schedule proposed to list the Exaction Fee-in-lieu of Land Dedication for residential subdivision, which is assessed with both Subdivision Plat and Exempt Land Division applications. As proposed in the December 2, 2020 draft, the Fee-in-lieu of Land Dedication Exaction for residential subdivision reflects the new calculation for exactions as described in the amendment to Division 7.5 of the Land Development Regulations (LDRs) that the Board of County Commissioners adopted and approved on November 5, 2019 (AMD2019-0003 Amendment of LDR Div. 7.5 Development Exactions). The adopted text amendment is reflected in the latest version of the Teton County LDRs, published January 6, 2021.

Exactions of land or a fee-in-lieu are assessed to address the demand for public services generated by increased residential density through subdivision. Prior to AMD2019-0003, the payment of a fee-in-lieu of land dedication was based on the average market value of unimproved land in the vicinity of the subdivision. However, the adopted amendment shifted to a County-wide market land value; the amendment to Division 7.5 states that "the fee-in-lieu shall be equal to the required acreage multiplied by the median, per-acre, market land value (not including improvements) most recently established by the Teton County Assessor for private land in Teton County." The median per-acre market value of unimproved land in the County is updated annually after assessments have been made.

The fee of \$19,883.67 per parcel included in the December 2, 2020 draft Fee Schedule is calculated using the Teton County Assessor's 2020 median market land value per acre. Because this fee is now standardized throughout the County, staff had originally intended to include it on the Fee Schedule and update the Fee Schedule annually to enhance clarity and predictability for landowners and developers. However, for more efficient administration in the future, staff instead proposes to include the formula on the Fee Schedule and to bring the updated fee-in-lieu per parcel forward to the Board for independent approval annually.

Relationship of Planning and Building Permit Fees to Departmental Costs

The December 15, 2020 Board of County Commissioners meeting prompted discussion of the greater theory and purpose of Planning & Building Services Department fees and the relationship between permit fees and the cost of providing services. The current Fee Schedule states that "fees are based upon the estimated cost of processing the application (staff time, advertising, and overhead), and in the case of Building Permits, on the valuation of the construction proposed." A version of this statement has been included on the Fee Schedule for over twenty years, however, the fees charged for Planning Permits do not cover the budget of the Planning Division each year. Additionally, there is a range of work conducted by the Planning Division for which fees are not charged, including Long-Range Planning, management of the Teton County Scenic Preserve Trust, special assignments, and administrative items like this Fee Schedule review. On the other hand, Building Permit fees are based on valuation of proposed construction, which may be generally correlated with but are not directly linked to processing costs to the Planning & Building Services Department.

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Overall, there are significant differences between the fees collected by the Building Division and those collected by the Planning Division. Staff conducted an analysis of fees assessed for Planning Permits and Building Permits over the past three years. In general, the Planning Division is responsible for processing applications and collecting fees for Planning Permits and the Building Division is responsible for processing applications and collecting fees for Building Permits, although there is often some interdivisional work required to process applications. The Building Division also collects a variety of other fees for Inspections and Reviews, Mechanical Code and Fuel Gas Code Permits, Plumbing Permits, Sewer Connection, and the Energy Mitigation Program. These additional fees were not included in this analysis.

Building Permit Fees

Fees Assessed Related to Building Permit Applications 2018-2020				
	<i>Building Division Fees</i>			<i>Planning Division Fees</i>
Year	Building Permit	Plan Review	Total	Planning Review
2018	\$ 608,465	\$ 391,599	\$ 1,000,064	\$ 84,543
2019	\$ 588,759	\$ 392,677	\$ 981,436	\$ 31,194
2020	\$ 774,629	\$ 480,560	\$ 1,255,189	\$ 12,990

As the table above shows, the Building Division has collected approximately \$1 million annually (with a jump to \$1.25 million in 2020) in combined Building Permit and Plan Review fees associated with Building Permit applications. Building Permit fees are calculated following the most current cost figures per square foot as shown in the International Building Code, Building Valuation Data Table published by the International Code Council, and a Permit Fee Multiplier. The Building Division's Plan Review fee, assessed at 65% of the Building Permit Fee, is codified in the Teton County Building Codes Resolution, Amended June 5, 2018, and is consistent with the Plan Review Fee charged by similar communities for Building Division Plan Review. This Building Division Plan Review Fee is separate from the Planning Review of Building Permit Fee discussed in the previous section.

Planning Permit Fees

Fees Assessed Related to Planning Permit Applications 2018-2020		
Year	Fees	Planning Permit Application Count
2018	\$ 187,487	323
2019	\$ 161,031	265
2020	\$ 145,746	272

The table above shows total fees assessed related to Planning Permit Applications from 2018-2020. It does not include fees charged that are passed through for technical review and environmental review by outside experts. Planning Permit fees generate significantly less revenue than Building Permit fees each year.

The approximate cost of an Associate Planner to Teton County is \$84,722 annually. This figure does not include overhead, equipment, or training. Fees assessed annually associated with Planning Permits do not cover the costs of the Current Planning team nor the costs of the Planning Division as a whole. The current Fee Schedule includes a rate of \$50 per hour after the first hour to reflect Planner of the Day and miscellaneous services and research. This \$50 per hour has been considered the average value of an hour of work by an Associate Planner.

If the Board of County Commissioners believes that the Planning Division should cover its costs through fees, then a comprehensive reassessment of the current Fee Schedule would be required. This reassessment could

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aim to recover solely the cost in staff time and resources to process and review permit applications, or it could aim to recover all Division costs. Under the latter scenario, Long-Range Planning would be subsidized by the rest of the Division, as most Long-Range Planning projects are undertaken internally and do not collect fees from an applicant.

Stakeholder Analysis & Involvement:

Public comment received on the Fee Schedule Update is attached to this report. In response to additional suggestions received through public comment, staff prepared the December 2, 2020 draft for consideration at the December 15, 2020 Board of County Commissioners meeting.

The proposed updates in the December 2, 2020 draft of the Fee Schedule were compiled and reviewed by staff from the Planning & Building Services Department.

Legal Review:

Gingery

Staff Input / Recommendation:

Staff recommends approval of the proposed updates to the Teton County Planning & Building Services Fee Schedule at a future Board of County Commissioners meeting, with the removal of the Planning Review of Building Permit fee for commercial development, as proposed at 65% of the Building Permit fee. As noted in the Staff Analysis above, commercial development of 3,500 sf or more is reviewed by Planning staff through a Development Plan application, which carries a fee of \$2,500, prior to application for Building Permit. Staff instead recommends a uniform Planning Review of Building Permit fee for both Residential and Commercial projects that would match what is proposed for Residential development. That fee would be \$100 plus \$50 for every 1,000 sf over 5,000 sf and would reflect time that Planning staff dedicates to Building Permit review and inspections. The table below illustrates the Planning Review fees that would be assessed for development projects of various sizes:

Development Size (sf)	Proposed Planning Review Fee
3,000	\$100
5,000	\$100
10,000	\$350
25,000	\$1,100
100,000	\$4,850
200,000	\$9,850

Prior to review at a future meeting, staff will produce a new draft update to the Fee Schedule reflecting changes directed at this workshop for consideration of approval.

Attachments:

1. Redlined version of the Teton County Planning & Building Services Schedule of Fees showing proposed updates, dated December 2, 2020
2. Public Comment

Suggested Motion:

I move to continue review of the update of the Planning & Building Services Schedule of Fees to a regular meeting of the Board of County Commissioners for consideration of approval with the following changes:

- 1.



SCHEDULE OF FEES

Teton County Planning & ~~Development Department~~ Building Services
P.O. Box 1727, 200 S. Willow Street, Jackson WY 83001
Phone (307)733-3959 ~~Fax (307)739-9208~~
~~www.tetonwyo.org~~ www.tetoncountywy.gov

APPLICABILITY

This schedule outlines fees assessed for processing applications required by the Teton County Land Development Regulations, as well as fees associated with administrative tasks and other services provided by the Teton County Planning and ~~Development~~ Building Services Department. Fees are based upon the ~~estimated~~ usual cost of processing the application (staff time, advertising, and overhead), and in the case of Building Permits, on the valuation of the construction proposed. The Board of County Commissioners or Planning Director may consider a reduction or waiver of application or permit fees within the discretion granted by the adopted ~~Board policy regarding application fees~~ Teton County Fee Waiver Policy.

PAYMENT TYPES ACCEPTED

Cash, checks and credit cards are accepted. Out of state checks must be certified. A 2.5% convenience fee is assessed for credit card payments, with a minimum charge of \$1.95 on all credit card transactions.

FEES

Planning Permit Fees

Building Permit Fees

Electrical Permit Fees

Engineering Permit Fees

Administrative Fees and Services

Fee Waiver Policy

PLANNING PERMIT FEES

All planning permit fees are due at the time of application submittal, unless otherwise specified. Fees are cumulative; if multiple permits are required for a proposal, the fee for each permit will be assessed. In addition to the permit fee, an applicant may also be responsible for direct costs associated with required technical reviews, for example, the fee charged by the County Surveyor for review of a Subdivision Plat application. These direct costs will vary, depending on the application and external technical reviews required, but applications where such costs may apply are noted.

For information on affordable and workforce housing mitigation fees, see the “Affordable Housing Mitigation Requirement Calculator” located on the Jackson/Teton County Affordable Housing Department website: <http://www.tetonwyo.org/885/Developer-Resources>.

Planning Permit Fees

Type of Review	Initial Application Fee
Pre-Application Conference (per pre-app meeting)	
General Pre-Application Conferences	
For Sketch Plan, Special Use, or Planned Unit Development Applications	\$600.00
For Conditional Use, Development Plan, <u>Zoning</u> Map Amendment or Development Option Plan Applications	\$300.00
For Grading and Erosion Control Applications or an optional/elective pre-application conference with staff	\$150.00
<u>For optional/elective pre-application conference with Planning Commission or the Board of County Commissioners</u>	<u>Additional fee in the amount of original pre-application fee</u>
Environmental Analysis Pre-Application Conference	
<u>For</u> Applicant-hired consultant	\$300.00
<u>For</u> County-hired consultant	\$900.00
Environmental Analysis	
Applicant-hired consultant	\$1,500.00
County-hired consultant	\$1,500.00 + cost of preparation*
Physical Development	
Sketch Plan	\$2,500.00
Development Plan	\$2,500.00
Building Permit	See Building Permit Fees
Grading Permit	See Engineering Permit Fees
Sign Permit	
Per Sign	\$75.00
Master Signage Plan	\$300.00
Use	
Basic Use Permit	\$500.00
<u>For Small Wireless Facility</u>	<u>\$500.00 for up to five facilities + \$100.00 for each additional facility</u>
Conditional Use Permit	
Use Permit Only	\$2,500.00
Concurrent with another application requiring public hearing	\$500.00
Special Use Permit	\$2,500.00
Development Option or Subdivision	
Development Option Plan	\$500.00
Subdivision Plat	\$450.00 + technical review*
<u>Exaction fee in-lieu of land dedication</u>	<u>\$19,883.67 per parcel*</u>
Exempt Land Division	Free
<u>Exaction fee in-lieu of land dedication</u>	<u>\$19,883.67 per parcel*</u>
Boundary Adjustment	
Plat Required	\$450.00 + technical review*
Without Plat	\$450.00 + technical review*
Interpretations	
Formal Interpretation	\$500.00
Zoning Compliance Verification	\$500.00
Amendments	

LDR Text Amendment	\$1,500.00
Zoning Map Amendment	\$1,500.00
Planned Unit Development	\$5,000.00

Relief	
Administrative Adjustment	\$500.00
Variance	
Variance Only	\$1,500.00
Concurrent with another application requiring public hearing	\$500.00
Beneficial Use Determination	50% of all actual costs*; \$2000.00 initial deposit required
Enforcement	
After the fact permit	Double the initial fee
Amendments of Permits or Approvals	
Re-submittal while still in review process	½ original <u>application</u> fee
Amendment of approved plans and permits (see <u>LDR</u> Section 8.2.13 for explanation)	Fee for permit required <u>Current application fee for type of application being amended</u>
Revalidation or u Update of an expired Environmental Analysis	\$400.00
Amendment to a condition requiring Board or Planning Director approval	\$500.00
<u>Teton County Scenic Preserve Trust</u>	
<u>Stewardship Fee (payment shall be made to the Teton County Scenic Preserve Trust)</u>	<u>\$13,200.00*</u>
<u>Easement Review (new or amendment)</u>	<u>\$500.00</u>
Miscellaneous	
Administrative decisions elevated to public hearing (not including appeals)	\$500.00 per hearing
Planner of the Day services or miscellaneous services and research	\$50/hr after the 1 st hour*
<u>Special Purpose Fencing Exemption request</u>	<u>\$50.00</u>
<u>Review of required annual monitoring report</u>	<u>\$50.00/hr</u>
<u>Environmental Analysis Exemption request</u>	<u>\$50.00</u>
<u>Revalidation of an Environmental Analysis</u>	<u>\$50.00</u>

*Not due at time of initial application, but due prior to issuance of permit/review or as condition of approval as directed by Planning Director or Board of County Commissioners

BUILDING PERMIT FEES

The Building Division is responsible for the collection of fees adopted by the County in association with building permits. Depending on the nature of the project these fees may include the building permit and plan review fees, miscellaneous, demolition, mechanical, plumbing, development, grading and erosion control, septic, sewer, exaction, affordable housing, and energy mitigation program fees.

When submitting your Building Permit application plans, you will be required to pay both a plan review fee and a planning review fee. ~~This~~ The plan review fee is equal to 65% of your building permit fee and is charged in addition to the building permit fee. The planning review fee varies depending on the building permit application and is described below. The remainder of the fees are due and payable at the time you pick-up the approved building permit. You may also be responsible for Engineering Permit fees, such as Grading and Erosion Control or Small Wastewater Facility, or sewer connection fees, depending on the nature of the project.

Refunds

If you decide not to build after you have submitted your plans and paid the plan review fee, you may be eligible for a refund of up to 80% of that fee. Section 108.6 of the International Building Code, as amended by Teton County, states:

“The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of plan review payment, and then only under the following conditions:

1. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
2. The Building Official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official may authorize refunding of not more than 80 percent of the fee paid for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.”

Building Permit Fees

Building Permit Fees for new construction will be established using the most current Building Valuation Data published by the International Code Council and a Permit Fee Multiplier as listed below:

1 – 2,500 square feet	0.006
2,501 – 5,000 square feet	0.009
5,000 + square feet	0.012

The valuation for remodels shall be 75% of the new construction valuation.

The calculation for Building permit Fees is as follows:

$$\begin{aligned}
 & 1^{\text{st}} 2,500 \text{ square feet X square foot construction costs X } 0.006 = \text{fee} + \\
 & 2^{\text{nd}} 2,500 \text{ square feet X square foot construction costs X } 0.009 = \text{fee} \\
 & + \text{remaining square feet X square foot construction costs X } 0.012 = \underline{\text{fee}} \\
 & \qquad\qquad\qquad = \textbf{Total Building Permit Fee}
 \end{aligned}$$

Plan Review Fee

65% of Total Building Permit Fee

Planning Review Fee

Residential Structures

\$100.00 + \$50.00 per 1000 sf greater than 5000 sf

Non-Residential Structures

65% of Total Building Permit Fee

Minimum Building Permit Fee 250.00

Minimum Miscellaneous Permit Fee 250.00

Inspection and Review Fees

Inspection or Review	Fee	Notes
Inspections outside of normal business hours	\$75.00	Per hour ¹ ; minimum 2-hour charge
Re-Inspection Fees	\$50.00	Per hour ¹ ; minimum 1-hour charge ; for fees assessed under provisions of Sections 109.3.4 and R109.4
Inspections for which no fee is indicated	\$50.00	Per hour ¹ ; minimum 1/2 1-hour charge
Additional plan review	\$100.00	Per hour ¹ ; minimum 1/2 1-hour charge; for review required by changes, additions or revisions to plans
Use of outside consultants	Actual cost ²	
Demolishing any building or structure	\$50.00	
New housing built off-site Mobile Homes	\$350.00	Per modular mobile unit; includes plumbing and mechanical inspections without separate permitting
Fire sprinkler and alarm systems		Permit fees based on the valuation of the systems equipment and installation
To Town of Jackson and Wilson Sewer District S ewer connection Permit	\$100.00	

Mechanical Code and Fuel Gas Code Permit Fees

Permit, Review or Inspection	Fee	Notes
For issuing each permit	\$50.00	
For issuing each supplemental permit	\$25.00	For which the original permit has not expired, been cancelled, or finalized
Furnaces		

¹ Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of employees involved. Minimum charge is one hour.

² Actual costs include administrative and overhead costs.

Sewer Connection Fees

<u>Furnaces</u>		
For the installation or relocation of each forced-air or gravity-type furnace or burner including ducts and vents attached to such appliance, up to and including 100,000 BTU/h	\$15.00	
For the installation or relocation of each forced-air or gravity-type furnace or burner including ducts and vents attached to such appliance, over 100,000 BTU/h	\$20.00	
For the installation or relocation of each floor furnace, including vent	\$15.00	
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted heater	\$15.00	
Gas Piping Systems		
For each gas piping system of 1-5 outlets	\$5.00	
For each additional gas piping system outlet	\$1.00	Per outlet
Appliance Vents		
For the installation, relocation or replacement of each appliance vent not installed and not included in an appliance permit	\$8.00	
Repairs or Additions		
For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$14.00	
Boilers, Compressors, and Absorption Systems		
For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6KW) or each absorption system to and including 100,000 BTU/h (29.3KW)	\$15.00	
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6KW) to and including 15 horsepower (52.7KW), or each absorption system over 100,000 BTU/h (29.3KW) to and including 500,000 BTU/h (146.6 KW)	\$30.00	
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7KW) to and including 30 horsepower (105.5 KW), or each absorption system over 500,000 BTU/h to and including 1,000,000 BTU/h	\$40.00	

Permit, Review or Inspection	Fee	Notes
Boilers, Compressors, and Absorption Systems Cont'd		

For the installation or relocation of each boiler or compressor over 30 horsepower (105.5KW) to and including 50 horsepower (176KW), or each absorption system over 1,000,000 BTU/h (293.1KW) to and including 1,750,000 BTU/h	\$55.00	
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For the installation or relocation of each boiler or compressor over 50 horsepower (176KW) or each absorption system over 1,750,000 BTU/h	\$95.00	
Air Handlers		
For each air-handling unit to and including 10,000 cubic feet per minute (cfm) including ducts attached thereto	\$10.00	This fee does not apply to an airhandling unit which is a portion of a factory assembled appliance for which a permit is required elsewhere in the Mechanical Code
For each air-handling unit over 10,000 cfm	\$20.00	
Evaporative Coolers		
For each evaporative cooler other than portable type	\$10.00	
Ventilation and Exhaust		
For each ventilation fan connected to a single duct	\$10.00	
For each ventilation fan which is not a portion of any heating or air-conditioning system authorized by a permit	\$10.00	
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$10.00	
Incinerators		
For the installation or relocation of each domestic-type incinerator	\$20.00	
For the installation or relocation of each commercial or industrial-type incinerator	\$15.00	
Miscellaneous		
For each appliance or piece of equipment regulated by the Mechanical Code but not classified in other appliance categories or for which no other permit is listed in this table	\$10.00	
Inspections Outside of Normal Business Hours		
Inspections outside of normal business hours	\$75.00	Per hour ¹ ; minimum 2 hour charge
Re-Inspection Fees		For fees assessed under provisions of Section 107.2.3 ¹
Inspections for which no fee is indicated		Per hour ¹ ; minimum 2 hour charge
Additional plan review		Per hour ¹ ; minimum ½ hour charge; for review required by changes, additions or revisions to plans

Plumbing Permit Fees

Permit, Review or Inspection	Fee	Notes
For issuing each permit	\$50.00	

¹ Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of employees involved.

For each supplemental permit	\$25.00	
For each plumbing fixture or trap, or set of fixtures on one trap	\$7.00	Including water, drainage piping, and backflow protection thereof
Rainwater systems (inside building)	\$7.00	Per drain
For each water heater and/or vent	\$7.00	
For each industrial waste pre-treatment interceptor	\$7.00	For its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps
For installation, alteration or repair of water piping and/or water treating equipment	\$10.00	Each
For each repair or alteration of drainage or vent piping	\$10.00	Each
For each lawn sprinkler system on any one meter	\$7.00	Including backflow protection devices therefore
For atmospheric-type vacuum breakers		For those not included in rainwater systems
1-5	\$5.00	
Over 5, each	\$1.00	
For each backflow protective device other than atmospheric-type vacuum breakers		
2 inches and smaller	\$7.00	
Over two inches	\$15.00	
For each medical gas piping system serving 1-5 inlets or outlets for a specific gas	\$50.00	
For each additional gas inlet/outlet	\$5.00	
Inspections outside of normal business hours	\$75.00	Per hour; minimum 1 hour charge
Re-inspection fees	\$50.00	Each; for fees assessed under provisions of Section 107.3.3
Inspections for which no fee is indicated	\$50.00	Per hour; minimum ½ hour charge
Additional plan review	\$100.00	Per hour; minimum ½ hour charge; for review required by changes, additions, or revisions to approved plans

Energy Mitigation Program Fees

Residential Energy Efficiency Fees

Fees shall be assessed for new construction and additions of all detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than 3 stories high with separate means of egress with conditioned space over 2,500 square feet in compliance with this section. Fees shall be applied only to new square footage; additions to structures built after January 21, 2010 shall be included as total square footage, and the fee structure shall apply. Refunds shall be distributed not more than one (1) time upon issuance of a Certificate of Occupancy for the fees assessed for the gross square footage. Any upgrades made after issuance of a eCertificate of eOccupancy are not eligible for a refund. Fees assessed for Non-essential Building Elements are not eligible for refund.

Gross Square Footage

Buildings of 2,500 square or less shall meet the energy requirements of the International Residential Code. Fees for structures described above over 2,500 square feet of conditioned space shall be as follows:

Structures of 2,501 sq. ft. – 5,000 sq. ft. (Gross sq. ft. of conditioned space - 2,500 sq. ft.)	\$4.00/sq. ft.
Structures over 5,000 sq. ft. \$10,000 + (gross sq. ft. of conditioned space – 5,000 sq. ft.)	\$8.00/sq. ft.

Non-essential Building Elements

The following fees shall be assessed for items deemed non-essential to the operation of the structure. Credits, as described below, are not applicable to these fees.

Solid fuel burning decorative devices	\$5,000 Exception: a single fireplace on the property
Decorative fuel gas burning appliance or any fuel gas decorative device	\$5,000 Exception: sealed combustion, direct vent fuel gas fireplace heater
Exterior fuel burning decorative device	\$1,000
Exterior heated hardscape	\$10.00 per sq. ft. e.g. driveways, walkways, and patios
Pools and spas	\$10.00 per sq. ft. Exception: manufactured units with less than 100 sq. ft. of surface area fitted with a tight fitting cover having a minimum R-value of 12
Ponds and water features with a pump	\$150.00 per hp. Min 1 hp.

*Denotes referenced standards table in Chapter 6 of the IECC where the HERS, ASHRAE, and other relevant standards are clarified

Home Energy Rating System (HERS) index square footage thresholds

Below 2500 sq. ft.	Minimum HERS score of 100	Meets 2006 IECC
2500-5000 sq. ft.	Minimum HERS score of 75	Exceeds 2006 IECC by 25%
Above 5000 sq. ft.	Minimum HERS score of 50	Exceeds 2006 IECC by 50%

Leadership in Energy and Environmental Design (LEED) – All projects using the LEED rating system must be registered with the US Green Building Council at time of plan submittal, and achieve a minimum of “certified” rating.

Projects meeting the Home Energy Rating System (HERS) standards and Leadership in Energy and Environmental Design (LEED) certification are eligible for credits.

Credits

Fees as described above may be offset by the installation of devices or systems installed on site to reduce the energy demands of the structure. Credits shall not exceed the fees assessed and shall be paid to the homeowner upon issuance of a Certificate of Occupancy. Fees assessed for Non-essential Building Elements are not refundable.

Photovoltaic solar electric system	\$5,000 Per kw
Solar hot water system	\$5,000
Ground source heat pump	\$5,000 with minimum coefficient of performance of 4 or greater
Super-insulated thermal envelope	\$8,000 R60 ceilings and R-28 walls
Average fenestration U-factor < 0.29	\$8,000
Approved passive solar design	\$8,000 e.g., south windows > north windows with properly sized roof overhangs to provide summer shading
Zone Ductless Primary Heating System	\$8000.00 e.g., hydronic floor heating heating
Whole house ventilation system utilizing Heat Recovery System(s)	\$1,500

Commercial Energy Efficiency Fees

Fees shall be assessed for new construction and additions of residential, commercial and industrial buildings. Fees shall be applied only to new square footage, additions to structures built after January 21, 2010 shall be included as total square footage, and the fee structure shall apply. Refunds shall be distributed not more than one (1) time upon issuance of a Certificate of Occupancy for the fees assessed for the gross square footage. Any upgrades made after issuance of a eCertificate of ~~e~~Occupancy are not eligible for a refund. Fees assessed for Non-essential Building Elements are not eligible for refund.

Exception: Single-family structures as regulated by the International Residential Code and R-2 Occupancies providing the R-value for the entire envelop of each individual unit meets the minimum building envelope requirements of Chapter 4 of the International Energy Conservation Code.

Gross Square Footage

Buildings up to 10,000 sq. ft. shall meet the requirements of the International Energy Conservation Code or ASHRAE 90.1.2004. Fees for structures described over 10,000 sq. ft. of conditioned space shall be as follows.

Structures of 10,000 sq. ft. – 20,000 sq. ft. (gross sq. ft. of conditioned space – 10,000 sq. ft.)	\$4.00/sq. ft.
Structures over 20,000 sq. ft. \$10,000 + (gross sq. ft. of conditioned space – 10,000 sq. ft.)	\$8.00/sq. ft.

Non-Essential Building Elements

The following fees shall be assessed for items deemed non-essential to the operation of the structure. Credits, as described below, are not applicable to these fees.

Solid fuel burning decorative devices	\$5,000 Exception: a single fireplace on the property with an opening < 6 sq. ft.
Fuel gas burning exterior decorative device	\$5,000
Exterior heated hardscape	\$10.00/sq. ft. e.g. driveways, walkways, and patios except where determined by the Building Official to be necessary for required egress and/or accessibility

Pools and spas	\$10.00 per sq. ft. including package units over 100 sq. ft. of surface area, not equipped with an evaporative cover on the water surface with an insulation value of R-12
Ponds and water features with a pump system	\$150 Per hp. Min 1 hp.

Credits

Fees as described above may be offset by the installation of devices or systems installed on site to reduce the energy demands of the structure. Credits shall not exceed the fees assessed and shall be paid to the owner upon issuance of a Certificate of Occupancy. Fees assessed for Non-essential Building Elements are not eligible for refund.

Structures less than 20,000 sq. ft.

- a) The building shall be super insulated (R-60 ceilings, R-26 walls) and be equipped with high efficiency heating (90 AFUE) and cooling (13 SEER) systems and have a maximum glass-to-wall area of 40% or less; or
- b) Compliance, and certification, with LEED or ASHRAE's ADEG for small offices, with a 3rd party commissioning report of mechanical systems.

Structures 20,000 sq. ft. or greater

- a) 14% more energy efficient than the current edition of ASHRAE 90.1. with a 3rd party commissioning report of mechanical systems.

ELECTRICAL PERMIT FEES

The fees assessed for electrical permits are processed, reviewed and inspected by Jackson Hole Fire/ EMS. Electrical permits and fees are often required in conjunction with building permits, and so are incorporated here for convenience of reference. Questions about electrical permits or associated fees should be directed to Jackson Hole Fire/EMS.

ENGINEERING PERMIT FEES

The following fees are assessed for permits processed and reviewed by the Teton County Engineer's Office, but commonly reviewed and issued in conjunction with a Planning or Building Permit. Fees are cumulative, and due at the time of application submittal. Application fees are determined based upon the estimated cost of the project and processing the application (staff time, advertising, and overhead). Upon consideration of the complexity of the project, the Engineer may assess additional fees or require external/third party review by a qualified professional of the County's choosing and at the Applicant's expense.

Engineering Permit Fees: Grading & Erosion Control (GEC)

GEC Permit Fees

Individual Residential (primary +1 accessory)

Statement	\$400
Plan Level	\$700

Multi-Unit Residential (3+ units)

Statement	\$200/unit
Plan Level	\$350/unit

Multi-Lot Residential/Subdivision

Plan Level Only	\$350/lot
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Commercial Development

Based on total development area	\$0.10/ft ²
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Permit Revisions

Revisions to all GEC permits	half of new permit fee for work shown
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Compliance Fees

Failure to obtain a permit prior to commencing development = DOUBLE application fee

Engineering Permit Fees: Septic/Small Wastewater Facility

SWF Permit Fees

New Residential

Base fee (includes 1 bedroom or equivalent)	\$250
PLUS \$100 per bedroom (for 2+ bedrooms)	\$100/bedroom

New Commercial

Base fee (includes 1 bedroom or equivalent)	\$400
PLUS \$1 per gal/day of the system design flow	\$1/GPD

Other Septic Fees

Repair	\$50
Adams Canyon Sewer Connection	\$100
Adams Canyon Sewer Usage Fee	\$100/year

Compliance Fees

Failure to obtain a permit prior to commencing development = DOUBLE application fee

Engineering Permit Fees: Bridge Permits

	<u>Bridge Permit Fees</u>	
Small-Scale Project		\$300
Construction cost less than \$75,000		
Large-Scale Project		\$600
Construction cost greater than \$75,000		
Third Party Review (if required)		At cost to be reimbursed

Compliance Fees

Failure to obtain a permit prior to commencing development = DOUBLE application fee

ADMINISTRATIVE FEES AND SERVICES

The following fees are assessed for copies, scanning, maps, and other miscellaneous administrative services provided by the Planning Department. These fees may be stand-alone, or may be assessed in conjunction with any application for which the listed service is requested or required.

Administrative Fees

<u>Type of Administrative Task</u>	<u>Fee</u>
Notice and Hearings	
Neighbor Notice Mailings when more than 25 notices are required	\$1.50 per notice <u>over 25 notices</u>
Cancel or postpone <u>public</u> hearing at applicant request	
Re-advertising or new neighbor notices required	Actual cost
No required re-advertising or new neighbor notices	\$50.00
<u>Preparation of hearing transcript</u>	
Miscellaneous Services	
Financial assurance administration—renewal, reduction, amendment or release; reduction and release are separate requests	\$50.00 per change <u>request</u>
<u>Review of Periodic Monitoring Reports</u>	\$50.00 <u>per hr</u>
Renaming of road (<u>unplatted</u>)—discretionary requests	\$100.00 <u>\$500.00</u>
<u>Physical address change</u>	<u>\$200.00</u>
<u>Assignment of physical address (no existing address)</u>	<u>Free</u>
Required recording of documents with Teton County Clerk	Actual cost
Required technical reviews	Actual cost
Copies and Scans	
Standard black and white	
10 pages or less (double-sided counts as 2 pages)	Free
More than 10 pages	\$0.20 per page
Color (up to 11x17 page size)	\$2.00 per page
Scans	
10 pages or less	Free
More than 10 pages	\$0.10 per page
Large format over 11x17	\$1.00 per page
Maps and Documents	
Geographic information system (GIS) maps	
8.5x11 black and white line drawing	\$1.25 each
8.5x11 color line drawing	\$2.50 each
8.5x11 color aerial photo	\$6.50 each
Print 11x17 size	\$1.00 addt'l fee per map
Copy of complete Jackson Teton County Comprehensive Plan	\$50.00
Copy of complete Teton County Land Development Regulations	\$50.00
Large format zoning map	\$20.00

Rian Rooney

From: Rian Rooney
Sent: Thursday, December 3, 2020 4:45 PM
To: 'Susan Johnson'
Cc: County Planning Commission; Board Of County Commissioners
Subject: RE: Updated fee schedule
Attachments: TCFeeSchedule_20201202_redline.pdf

Dear Susan,

I have reviewed your suggestions with the rest of the Planning Division and have created an updated draft proposal of changes reflecting many of your suggestions as well as some additional clarifications identified by staff.

- Regarding PUD fees, your point is well taken on the administrative review differences in processing minor amendments to some of the resort master plans. However, because the “minor amendment” term is not defined across all PUD master plans, staff is hesitant to introduce a term to the fee schedule that could create additional confusion or debate in instances when it is not defined. For amendments to PUDs which are defined as “minor” in a master plan, staff notes that the fee waiver request is an available option and that the nature of the amendment and review process can be further discussed at the pre-application conference. Additionally, some of the master plans outline an alternative review process for minor amendments (for example, the Snake River Canyon Ranch master plan directs certain minor amendments to follow a Development Option Plan review, which has a \$500 fee). An available option is to amend a PUD master plan to have minor amendments follow specific review procedures in the LDRs, similar to the Snake River Canyon Ranch master plan.
- Staff has proposed to separate “Revalidation of an Environmental Analysis” (\$50) from “Update of an Environmental Analysis” (\$400), in line with your suggestion.
- Staff has proposed to enumerate the fees associated with Miscellaneous Planning Requests, including Special Purpose Fencing Exemption Request (\$50), Environmental Analysis Exemption Request (\$50), and Review of Monitoring Reports (\$50/hr), under the “Miscellaneous” category of the Planning Permit Fees section of the schedule.
- Staff has updated the proposed language to “Amendments to approved plans and permits” to say: “Current application fee for type of application being amended,” in accordance with your suggestion for clarity.

Thank you again for the review of the fee schedule update and suggestions for improvement. I’ve attached an updated draft of revisions to the fee schedule for your consideration.

Best,

Rian Rooney
Associate Long Range Planner
Teton County Planning & Building Services
PO Box 1727 | 200 S. Willow Street
Jackson, WY 83001

From: Rian Rooney
Sent: Monday, November 23, 2020 9:57 AM
To: Susan Johnson <susan@sjplanningsolutions.com>
Cc: County Planning Commission <planningcom@tetoncountywy.gov>; Board Of County Commissioners

<commissioners@tetoncountywy.gov>

Subject: RE: Updated fee schedule

Dear Susan,

Thank you for these comments. I appreciate your thoughtful review. I will be reviewing these suggestions with the department this week and will provide an update as soon as possible on our recommendations.

Have a wonderful Thanksgiving.

Best,

Rian Rooney

Associate Long Range Planner

Teton County Planning & Building Services

PO Box 1727 | 200 S. Willow Street

Jackson, WY 83001

From: Susan Johnson <susan@sjplanningsolutions.com>

Sent: Wednesday, November 18, 2020 12:24 PM

To: Rian Rooney <rrooney@tetoncountywy.gov>

Cc: County Planning Commission <planningcom@tetoncountywy.gov>; Board Of County Commissioners <commissioners@tetoncountywy.gov>

Subject: Updated fee schedule

Dear Rian,

Thank you for the opportunity to provide comments on the proposed updated fee schedule. I hope that you found the notes that I left on this topic. I gave them to Danielle Carpenter (previous Admin Coordinator) before I left the Planning Department in the fall of 2019. Since the fee schedule was last updated, there are some application fees that are regularly charged, but are not on the schedule. Below are my comments on suggested additional changes to the fee schedule:

- All of the Resort Master Plans (except JH Golf and Tennis) include an administrative process for Minor Amendments to the Master Plan. These are small changes that must meet certain criteria outlined in each Master Plan in order to qualify as a Minor Amendment. Minor Amendments should not cost \$5,000.00, as they are generally very specific, have little to no material impact, and have no public hearing requirements at all. Major Amendments to a Resort Master Plan are generally substantive, complex, and require a minimum of four public hearings (before both the Town and the County Planning Commissions, as well as the Town and County elected officials), which is why a higher fee is charged. I would recommend lowering the fee for a Minor Amendment from the current \$5,000.00 fee to a \$500.00 fee, which is in alignment with fees for other administrative reviews that require a moderate amount of staff time.
- The fee of \$400.00 for a Revalidation of an expired Environmental Analysis (EA) is not consistent with the amount of work entailed in that review process. A revalidation of an EA occurs when an EA has expired, but conditions on the property or in the regulations have not changed, and therefore this simply entails the submittal of a memo by an Environmental Consultant attesting that nothing has changed since the EA was completed X number of years ago (EAs are currently valid for 3 years). This is a quick review by staff who generally reads the memo, verifies the situation via side-by-side comparison of aerial photos from the original EA and the most recent aerials, and provides a quick letter to the applicant that the EA has been extended for another 3 years. This should take no more than one hour of staff time and should entail a \$50.00 fee, commensurate with the cost of one hour of staff research time. The \$400.00 fee for an update to an EA is appropriate, as there are actual changes that have occurred and need to be analyzed, such as a newly established eagle nest on a property or changes to wetlands, which could now be causing potential impacts to an approved development area, for example.

- There are also administrative reviews that are common, but are not on the fee schedule, such as Wildlife Friendly Fencing exemption requests for special purpose fencing and administrative reviews for reception/event site monitoring reports. These should be included on the fee schedule as well. The review fee that has typically been charged for these reviews (even though it is not a listed fee) is \$50.00, which is appropriate.
- Regarding “Amendments of approved plans and permits,” the fee is called out as “Original application fee.” To me this sounds like an applicant is supposed to go back in the record and see what the fee was for the original permit application. I don’t think this is the intent. For example, we probably don’t want to go back to the original fee charged in 1980 for a final plat when we are bringing forward an application today to amend that original 1980 plat. I think the intent is to charge the same fee for the revision as would be charged for a new application. If that is the case then this should say “Current application fee for type of application being revised.”

I also attached the redline version of the proposed amended fee schedule with my recommended changes highlighted, for ease of review. Thank you for considering my comments.

Best Regards,

Susan

Susan Johnson | SJ Planning Solutions

PO Box 523 | 60 E. Simpson Ave

Jackson, WY 83001

307.413.2694

December 11, 2020

Teton County Commissioners
Attn: Chairwoman Natalia Macker
PO Box 3594
Jackson, WY 83001

RE: Public Comment on Teton County Planning and Building Services Schedule of Fees

Dear Chairwoman Macker:

This letter is in response to proposed changes to the Teton County Planning and Building Services Schedule of Fees discussed as a matter from staff your October 20, 2020 regular meeting. We understand this item is on your schedule for consideration at the December 15th, 2020 regular BCC meeting.

Having received Sketch Plan approval last winter from your Board for our commercial condominium project on Tract H-1 at Teton Village, we are now approaching submitting final building and grading permits to enable construction to begin in the early spring of 2021.

Considering the scale of the project, our projected building permit fee and building permit review fees are significant dollar amounts, but are an regularly anticipated cost of construction. What stands out in the proposed Fee Schedule changes is the addition of a Plan Review fee for Planning Department Review – in an equal amount to the plan review fee for the building department (65% of the building permit fee). This is effectively doubling the plan review fees for commercial projects.

We do not disagree that reviewing building plans on large commercial projects can take substantial staff time and effort, but this doubling of fees appears to be significantly disproportionate to the services being provided especially when considering the magnitude of fees for large commercial projects such as those allowed at Teton Village.

To provide some context, following is a recent estimate of the building permit/review fees for the Tract H-1 project considering the addition of a \$247,947 fee for planning review. With this, the County would receive almost \$900,000 in total fees building plan fees with almost \$500,000 for plan review alone. This seems significantly disproportionate to the total review effort.

Total Fee Schedule:	
\$381,458.17	Building Permit
\$247,947.81	Building Review (65%)
\$247,947.81	Planning Review (65%)
\$877,353.78	Total Fees

It is also worth noting where the project H-1 fees fall when compared to fees for the same scale project in other municipalities within the Rocky Mountain region. Interestingly, it appears that none of these locations make distinctions between commercial or residential projects in their permit fee calculations and we found no evidence of additional plan review fees beyond those for building permit review.

Building Permit & Review Comparison						
	Teton County	Aspen	Denver	Bozeman	Laramie	Sun Valley
Building Permit	\$381,458	\$377,750	\$231,685	\$200,909	\$231,909	\$244,589
Building Review	\$247,948	\$245,538	\$115,843	\$70,318	\$146,246	\$158,983
Planning Review	\$247,948	\$0	\$0	\$0	\$0	\$0
Total Fee	\$877,354	\$623,288	\$347,528	\$271,227	\$378,154	\$403,572

Based on these observations and the potential magnitude of the fees for commercial projects in areas of the County like Teton Village we respectfully ask that you not support the recommendation to add a separate Planning Review fee equal to 65% of the building permit review fee. A reasonable alternative could be fee methodology similar to that proposed for residential uses where there is a \$500 flat fee plus \$50.00 /1000 sf of project over 10,000 sf. This would appear to scale more in line with services being provided especially when considering the proposed planning review fees for a 10,000 sf residence look to be a grand total of \$350.

Thank you for your consideration.

Regards,

DocuSigned by:

 Rob DesLauriers

Owner's Representative
 Cody Land Development Corp.