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**AGENDA COVER MEMO**

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**AGENDA DATE:** May 6, 2003

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

**DEPARTMENT:** Public Works – Land Management Division

**PRESENTED BY:** Jeff Towery, Acting Manager

**AGENDA ITEM TITLE:** REPORT BACK/Revenue Options for Long-Range Planning in Land Management Division

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**I. Introduction**

During discussion following the presentation of the Land Management Task Force's recommendations on April 8, 2003, the Board asked for a detailed review of several potential revenue sources for an expanded long range planning program.

**II. Discussion**

**A. Funding Overview**

The following chart identifies the staffing levels and costs of the current and Task Force recommended long range planning programs.

<b>Long Range Planning Program - FY03-04</b>					
<b>Classification</b>	<b>Position</b>		<b>Current</b>		<b>LMTF Rec.</b>
	<b>Cost</b>	<b>FTE</b>	<b>Cost</b>	<b>FTE</b>	<b>Cost</b>
Planning Program Manager	100,778	0.2	20,156	0.3	30,233
Associate Planner	85,466	1.0	85,466	1.0	85,466
Planner	60,494	0.0	0	2.0	120,988
Land Management Technician	52,430	0.0	0	1.0	52,430
Senior Office Assistant	57,942	0.2	11,588	0.2	11,588
Materials & Services			39,690		65,040
<b>Total</b>		<b>1.4</b>	<b>156,900</b>	<b>4.5</b>	<b>365,746</b>

The costs for the current program are included in the base FY 03-04 Proposed Budget. The three additional positions recommended by the Task Force were submitted as an Add Package and are currently identified as an Unmet Need in the budget document.

Based on the Board's action last week regarding Building and Planning fees and an assumption that the County will receive adequate Video Lottery revenues to implement the Economic Development Standing Committee's recommendations for General Allocation dollars, approximately \$120,000 in additional revenue would be required to fund the expanded program. After staff from Public Works, County Counsel and County Administration met to review funding alternatives, three revenue sources

appear to have the best potential for immediate implementation: filing fees for subdivisions and partitions, Title III and Road Fund.

One possible funding scenario using these sources is detailed in the table below:

Revenue Type	
<i>Current</i>	
Planning Surcharge <sup>1</sup>	120,787
Video Lottery	135,025
<i>Proposed</i>	
Filing Fees <sup>2</sup>	14,000
Title III <sup>3</sup>	65,000
Road Fund <sup>4</sup>	40,000
<b>Total</b>	<b>374,812</b>
<b>Net Over (Under)</b>	<b>9,066</b>

<sup>1</sup>Would require reduction of 86,131 in FY03-04 Proposed Budget, most likely from Compliance abatement.

<sup>2</sup>Dependent on increased fees for subdivision and partition filing.

<sup>3</sup>Assumes determination of eligibility for funds formerly dedicated to fuel break activity.

<sup>4</sup>Requires dedication of 0.5 FTE to Metro planning or other eligible activities.

A more detailed discussion of each proposed revenue source follows.

## B. Filing Fees

Currently, recording fees are a part of discretionary General Fund revenue that supports the operation of Deeds and Records, Elections and the Board of Property Tax Appeals. Some years, that revenue also supports other General Fund activities. In the last four fiscal years, revenues range from \$1,133,991 to \$1,980,237. Through March of the current year, \$1,815,915 has been received. While the Board could redirect a portion of that revenue to support all or part of the expanded planning program, that option would not be consistent with the approach used to prioritize services and subsequently make the reductions necessary to submit a balanced budget for FY 03-04.

The funding scenario above assumes that the Board raises recording fees for the filing of subdivisions and partitions. Those activities generated less than \$2,900 last year and Lane County's fees for those activities are consistently at or below those charged by several other counties (see Attachment A). The scenario does assume the more aggressive funding option (subdivisions at \$10/lot, partitions at \$45) shown in Attachment B. If the Board is interested in this mechanism, but more comfortable with a lesser increase, it can consider a less aggressive funding option (subdivisions at

\$5/lot, partitions at \$45) and still secure adequate funding for the expanded program. Due to the uncertainty of some of the other revenue sources, the first option does provide a little more security. The revenue estimates for both options are based on the filings in 2002, but Attachment B also indicates that 2002 was a typical year for these types of filings.

### **C. Title III**

The pending fee increase for planning applications in the forest zones will free up the \$65,000 of Title III funds currently budgeted in FY 03-04 thereby allowing the funds to be used for other qualifying expenses such as the long range planning work program tasks identified below. Planning Program work tasks that would qualify for Title III reimbursement are efforts to educate homeowners in fire-sensitive areas about the consequences of wildfires and techniques in the placement of homes, construction and landscaping that can increase the protection of people and property from wildfires. Other qualifying work tasks are those planning efforts to reduce or mitigate the impact of development on adjacent Federal lands (it is important to note the distinction of *adjacent* or *nearby* when determining eligible costs) and to increase the protection of people and property from wildfires.

Practical examples of these planning efforts are implementation of Lane County's development code in the forest zones (F-1 and F-2) which cover approximately 89% of Lane County's land area. Other examples are the urban and rural development policies that direct new development inside existing urban areas and unincorporated communities in order to concentrate development in these areas and protect the resource values of forest lands. Comprehensive planning studies (e.g., Periodic Review, etc.) for the Rural Comprehensive Plan implement statewide land use planning rules and regulations which are geared to direct growth and development inside Urban Growth Boundaries and protect resource lands. These efforts conserve forest lands by maintaining the forest land base, reducing the risk of wild fires and other activities that would be detrimental to federal lands thereby ensuring the quality of habitat for species using federal and non-federal lands as well as protecting soil, air and water and providing for recreational opportunities.

Staff members are in the process of identifying these types of projects and are calculating the amounts that may qualify for Title III reimbursement. Upon review and confirmation by County Administration, the information will be provided to the Board, preferably during the presentation of this Report Back.

### **D. Road Fund**

Among the arguments presented to the Task Force for an expanded planning program was the importance of a County presence during Metro and Small City planning efforts. The Road Fund currently provides \$20,000 per year to LCOG for coordination activities related to Metro Planning. The justification for the expenditure is that data generated in the course of Metro Planning are integral to the County's transportation system planning efforts. To the extent that similar information is produced during Small City planning, the use of road funds for County staffing would be similarly justified. The \$40,000 identified in the funding scenario would dedicate 0.5 FTE to Road Fund eligible long range planning activities.

## **E. Additional Revenue Considerations**

Several other revenue options have been scrutinized as well. Each has a number of factors limiting the potential for use in support of long range planning, especially in the near term. While the Task Force did not support increasing the planning surcharge, the Board could pursue that alternative to fund all or part of the program. A limited connection between long range planning and the Corners Fund reserves and its ongoing revenues coupled with the fact that current revenue does not cover current costs for the Corners Fund make this option less viable than those identified earlier. The use of recording fees (other than those for subdivision and partition filing) would be more viable in the event of a statutory increase and/or a dedication of a portion of those funds for long range planning by the Legislature. Another revenue source requiring legislative action would be right of way fees for utilities. While there is a connection between compliance activities and Solid Waste Fund revenues, no similar connection exists for long range planning.

## **III. Summary**

After discussion and deliberation, any Board direction will be welcome. Increased filing fees and use of Title III funds will require formal Board action and will be returned to the Board with necessary Board Orders. Use of Road Funds and the implementation of the increased staffing levels would be addressed as part of the budget process. Other issues may be appropriately addressed in future Board meetings or work sessions upon further analysis. Due to some aspects of the funding scenario provided, most notably the uncertainty related to Video Lottery funds, it is anticipated that the expanded program would be phased in over time or near the conclusion of the current legislative session. The time to conduct the recruitment and selection process could also impact full implementation of the program.

**LANE COUNTY**

<b>PLATS</b>		
Approval of the Board of County Commissioners - Recording Fees	\$5.00	ORS 205.350 Lane Code 2.900 (1-7)
20 lots or less	\$15.00	
21 to 29 lots	\$20.00	
30 to 49 lots	\$25.00	
50 to 74 lots	\$30.00	
75 to 100 lots	\$35.00	
Over 100	\$35.00 Plus \$0.50 for each additional lot	

**Deschutes County**

Plats - By Lot Size (ORS 205.320)	Fees
20 lots or less	\$71.00
21 through 29 lots	\$76.00
30 through 49 lots	\$81.00
50 through 74 lots	\$86.00
75 through 100 lots	\$91.00
Over 100 Lots	\$91.00 + \$0.10 per lot over 100
Partition Plats	\$46.00

**Benton County**

**Plat Fees:**

Board of Commissioners Approval Fee..... 5.00

Subdivision Plat	Fees
20 lots or less	20.00
21 through 29 lots	25.00
30 through 49 lots	30.00
50 through 74 lots	35.00

75 through 100 lots	40.00
Over 100 Lots	40.00 Plus \$.25 per additional lot
Partition Plats	20.00

### Clackamas County

<b>RECORDING FEES</b>	
Per side of each page	\$ 5.00
For each additional release, assignment or satisfaction embodied in one document - an additional	\$ 5.00
For each additional transaction embodied in one document - an additional	\$ 5.00
Nonstandard document fee for noncompliance of first page requirements (ORS 205.234) and/or page/print size (ORS 205.232)- an additional	\$20.00
Plat Recording fee	\$45.00
Over 100 lots, each additional lot	\$ .10
Surveyor PLC fee - an additional	\$10.00
Oregon Land Info System Fee - an additional	\$ 1.00
A & T Fee - an additional	\$10.00
<b>OTHER FEES</b>	
Surveyor's Fee for Affidavit of Correction of Survey or Plat (in addition to recording fees)	\$50.00

### MARION COUNTY

Plats for Recording: ( LCP, Rev. & OLIF fee applies to all plats & included below)

Partition Plats:		\$46.00
Subdivision Plats:	20 lots or less:	\$46.00
	21 thru 29 lots	\$51.00
	30 thru 49 lots	\$56.00
	50 thru 74 lots	\$61.00
	75 thru 100 lots	\$66.00
	100 lots & over	\$66.00+
	+ .10 per lot over 100	

## Lane County Filing Fee Options

Subdivisions	Fee	# of Lots/ Filings	Current Total Fees	Fee per Lot	
		1,127	\$1,065.00	\$5	\$10
Current				\$5,650.00	\$11,295.00
Alternative				\$4,585.00	\$10,230.00
New					
<b>Partitions</b>					
Current	\$15	120	\$1,800.00		
Alternative	\$45	120	\$5,400.00		
New			\$3,600.00		
<b>Total New</b>				<b>\$8,185.00</b>	<b>\$13,830.00</b>

## Lane County Filing History - 1990-2002

Year	Partitions	Subdivisions	Total
1990	68	35	103
1991	120	25	145
1992	123	47	170
1993	134	57	191
1994	179	79	258
1995	159	89	248
1996	149	67	216
1997	139	61	200
1998	141	60	201
1999	108	73	181
2000	117	49	166
2001	89	50	139
2002	120	57	177
<b>Total</b>	<b>1,646</b>	<b>749</b>	<b>2,395</b>
<b>Low</b>	<b>68</b>	<b>25</b>	<b>103</b>
<b>High</b>	<b>179</b>	<b>89</b>	<b>258</b>
<b>AVG</b>	<b>127</b>	<b>58</b>	<b>184</b>