

Fee Reduction Policy

SEMSWA Permit and Review Fees

Intent of Policy Document

Although the intent is to recover SEMSWA's costs, there may be special situations when it is *worthwhile to reduce fees as an investment in the stormwater system* or for *unique projects difficult to contemplate in the Fee Adoption*.

- Provide the basis for a reduction in project-specific review and permit fees
- Establish available fee reductions that benefit stormwater system
- Provide criteria and considerations for type and amount of fee reductions
- Outline procedures for requesting fee reduction and for authorizing fee reduction

Types of Potential Fee Reductions

- **Reciprocity in services**
- **Duplication/replication in services**
- **Beneficial exchange in services**
- **Executive Director determination**

Reciprocity in Services

Arapahoe County
Bronco's Parkway
Example:

No charge for SEMSWA
GESC Permit in exchange for
County Street Cut/ROW
Access Permit fee waiver for
SEMSWA's construction of
Pond W-4

Quebec/Asbury Pond
Example:

County paid for design of a
water quality facility for their
road-widening project that
also serves a local
neighborhood; SEMSWA paid
for construction and provides
maintenance.

Conditions:

- ❑ The owner is another governmental entity that provides planning, review, permitting and inspections services for the public components of the stormwater system.
- ❑ The owner is another governmental entity that provides a complimentary service that is of comparable value.

Duplication or Replication in Services

PJOS CC Trail Example :
Trail overlaps both County and City; only 1 review fee collected

APRD Horse Crossings Example (3 in City/1 in County); only 1 review fee collected

SEMA HQ Example:
Previously reviewed larger development plan; when smaller footprint re-submitted, no additional charge for review of smaller stormwater facilities

Lifetime Fitness Example:
Plans expired without completion of construction; administrative fee charged for re-approval of plan

Conditions:

- ☐ A project in for review is adjacent to and overlaps an existing Parcel in for review or previously reviewed (same owner)- limited or no additional review is required for the stormwater components of the adjacent, overlapping parcel
- ☐ SEMSWA review of an upgraded or enhanced stormwater system for a development that has been previously approved - not necessary to review entire development plan and it's impact on stormwater system
- ☐ Expired plans have no changes - no additional review required

Beneficial Exchange of Services

PJOS Stream Reclamation Example:

\$3 million in Master Plan stream improvements not required to be completed (could have preserved as Open Space without improvements) that SEMSWA would have to complete at a later date

Xcel Substation & Gun Club Road Pond Example:

Easement required for regional facility given to SEMSWA by Xcel in exchange for SEMSWA review fees reduced for Xcel substation expansion

Walgreens at Smoky Hill & Buckley Example:

Development tributary to sub-regional detention only pond; development only requires water quality upgrade for their development but agrees to retrofit entire pond for water quality

Conditions:

- ☐ A developer's stormwater improvement is not a requirement of development and reduces the need for a future project that is necessary to meet SEMSWA stormwater management goals
- ☐ A developer provides an easement/transfer of ownership for a parcel necessary for a SEMSWA regional construction project
- ☐ A developer upgrades or enhances a facility not required at time of construction and not required now, or 'advances the science' (LID, for example) with a pilot project that has the potential to benefit the regional stormwater system.

Executive Director Determination

Southgate W&S
District Water Line
installation:
Reduced Collateral per
an IGA

6002 Newport:
Single family homeowner,
unaware of floodplain or
WQ regulations, that
constructed retaining wall
in floodplain; waived
permit and review fees to
offset costs of removing
retaining wall to protect
downstream properties

Conditions:

- ☐ Formal Agreement with SEMSWA that memorializes benefit to stormwater system
- ☐ Unique projects difficult to contemplate in the Fee Adoption Policy
 - ☐ SEMSWA involved in project scoping, design and construction
 - ☐ Demonstration of a benefit to stormwater system or ratepayers

Implementation Process

☐ Applicant

- ☐ Complete Fee Reduction Application; \$250 administrative review fee per Application
- ☐ Complete Variance Request form and attend TRC Meeting to discuss

☐ SEMSWA

- ☐ Field verify Application
- ☐ Schedule TRC Meeting to review Application and supporting materials
- ☐ TRC decision and Executive Director authorization communicated to Applicant

☐ Appeals Process

- ☐ Formal written Appeal of Stormwater Fee Reduction To Executive Director within 30 days of TRC decision

Staff Recommendation

- ☐ Allow TRC and Executive Director limited discretion in reduction of fees per the criteria established in the Policy
- ☐ Instruct staff to prepare a Resolution authorizing Review and Permit Fee Reduction Policy

Budget Committee Revisions to Policy (May 13, 2010 meeting)

- ☐ Charge \$250 administrative review fee per Application
- ☐ Integrate 'Best Practices' as part of the justification for a reduced fee to compare the reduction in fees to the beneficial exchange received
- ☐ Evaluate the utilization and effectiveness of Policy for the Budget Committee to review in a year