

**NATURAL RESOURCES DEPARTMENT
MEMORANDUM**

DATE: August 20, 2021

TO: City Manager Judie Zimomra

FROM: Natural Resources Director Holly Milbrandt

RE: Recommendation for New Fees Pertaining to Vegetation Permits and Re-Inspections

To improve efficiency within the Natural Resources Department and to deter contractors and/or property owners from conducting vegetation work without first obtaining a required vegetation permit or from failing to comply with the pre-requisites, requirements, and conditions of a vegetation permit resulting in repeated re-inspections by staff, it is recommended that City Council adopt new fees for after-the-fact vegetation permit applications, re-inspections, and landscape plan review.

After-the-fact permit application

Section 90-8 establishes the fee for an after-the-fact permit application as follows, “the application fee specified in this chapter shall be doubled.” However, as several vegetation permit types have no associated fees (Section 90-17), doubling the fee has no impact. Establishing a minimum flat fee would offset the operational staff costs associated with processing an after-the-fact vegetation permit application.

Vegetation Re-inspections

A vegetation permit typically requires (3) site inspections: one pre-inspection (Section 122-147) and two re-inspections (Section 122-148), including an inspection prior to the issuance of a completion certificate and a follow-up inspection 6-months to one-year post-completion. No new fees are proposed for these (3) required inspections. Section 90-13 establishes a fee of \$215 for or a request for a reinspection prior to issuance of a completion certificate. That is, “If after a developer indicates a development is complete and requests a final inspection prior to issuance of a completion certificate, and the inspection reveals the development has not been completed in accordance with applicable requirements, the developer shall pay a fee of \$215.00 prior to each subsequent reinspection.” However, if a contractor or property owner fails to comply with the pre-requisites, requirements, and conditions of a vegetation permit, it is often necessary for Natural Resources staff to conduct multiple re-inspections in addition to those noted above. Some of the most common examples include failure to stake property boundaries and/or the development footprint prior to the vegetation inspection, failure to properly quantify native vegetation to be impacted by development, failure to completely eradicate invasive exotic vegetation, failure to install require mitigation when native plants are removed. Establishing a re-inspection fee that

reflects the amount of staff time invested in completing such inspections would offset the operational staff costs of conducting such inspections and may incentivize contractors and property owners to ensure timely compliance with vegetation permit pre-requisites, requirements, and conditions. Section 14-188 establishes re-inspection fees for certain activities associated with building permits (\$42.75), but no such fee is established for re-inspections associated with vegetation permits. For vegetation-related Code Enforcement cases where a vegetation permit is not required, such as the removal of invasive vegetation (e.g., Brazilian pepper) from a developed parcel, the proposed re-inspection fees should also apply.