

Exaction Rate Table – 2019 Update

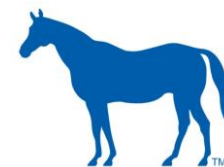
Budget, Finance and Economic
Development Committee

March 19, 2019

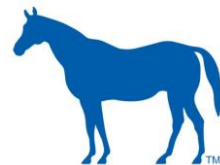
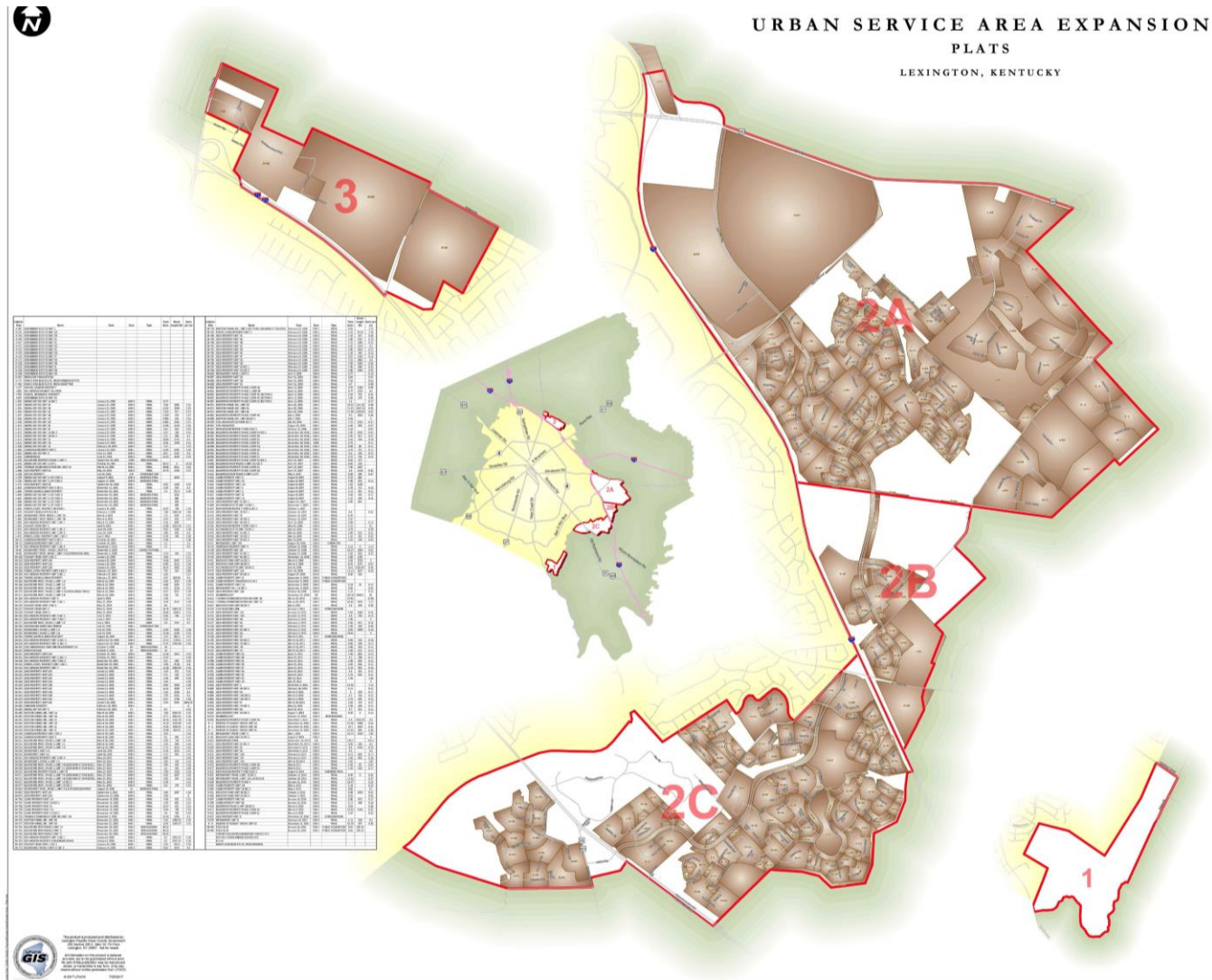
Division of Planning

Presentation Overview

- Overview of Exactions program
- Rate Table Update
- Next Steps

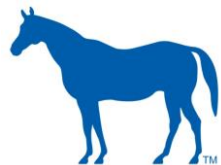


Expansion Areas (EAs)



Overview of Exactions Program

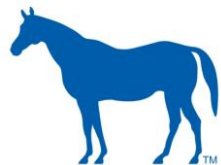
- The goal is to provide an equitable means of allocating a fair share of the cost of capital facilities which are needed to serve new growth and development.
- Exactions are a lawful means of mitigating the impact of new growth and development so long as the exaction is roughly proportional to the need for capital facilities generated by the new growth and development.



Overview of Exactions Program

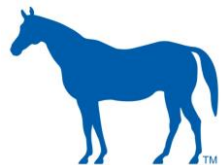
■ Facilities Covered

- Sanitary sewer capacity
- Sanitary sewer transmission facilities
- Collector roads
- Multi-neighborhood parks/Non-floodplain greenways
- Rural open space
- Stormwater management facilities



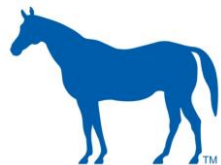
Overview of Exactions Program

- Exactions are assessed on a per-acre basis on Plats/Development Plans
- Exactions are due at the time of a building permit
- Amount of exaction varies depending upon specific expansion area and zoning
- Developers can construct exacted infrastructure for exaction credit and reimbursement
- Exaction rates are set by the Urban County Council
- Exaction rates are updated to reflect actual project costs
- Exactions are tracked for each lot created



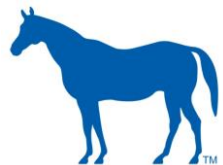
Overview of Exactions Program

- The Exaction rate table establishes the rates to be paid
 - Non-sewer: Roads, parks, stormwater, open space
 - Sewer: Transmission and capacity
- Developers can pay cash or enter into agreements if they choose to build system improvements
- Credits are given for infrastructure that is built
- Credits can be transferred/sold within the same expansion area



Article 23C-5(b) – Review, Adjustment and Amendment of Exactions

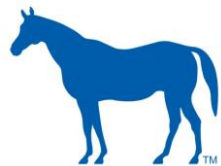
“...on a quarterly basis...the Department of Finance and the Department of Public Works shall review the methodology report and **recommend the increase or decrease of all exactions**, with the exception of the Open Space Exaction, based upon the actual costs of acquiring properties or interests in properties and the actual costs of constructing system improvements...”



Expansion Area Acreage

Table 1: Expansion Area Acreage per EAMP -- Adjusted for 90% of Full Development

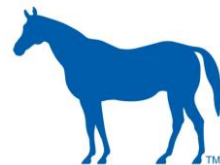
Land Use per EAMP	EA1	EA2a	EA2b	EA2c	EA3	Total
EAR1	552.60	328.73	30.73	548.24	67.86	1,528.16
EAR1-SRA	-	217.36	99.86	-	0.00	317.22
EAR2	-	683.83	255.91	324.40	55.56	1,319.69
EAR3	-	127.55	0.00	-	0.00	127.55
CC (res)	-	34.25	1.54	3.91	2.50	42.20
CC (nonres)	-	51.38	2.31	5.87	3.75	63.30
ED	-	198.54	0.00	-	333.75	532.29
Total	552.60	1,641.64	390.34	882.41	463.42	3,930.41



Remaining (Undeveloped) Acreage

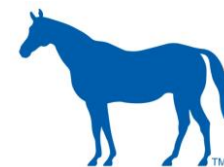
Land Remaining (Unplatted Land by Land Use and Expansion Area)						
Land Use	EA1	EA2a	EA2b	EA2c	EA3	Total
EAR1	552.60	198.58	5.38	138.22	67.86	962.64
EAR1-SRA	-	49.63	85.03	-	-	134.66
EAR2	-	181.05	122.45	(117.88)	55.56	241.18
EAR3	-	111.33	-	-	-	111.33
CC (res)	-	13.78	-	-	-	13.78
CC (nonres)	-	5.59	-	5.30	-	10.88
ED	-	69.54	-	-	265.78	335.32
Total	552.60	629.50	213.93	19.51	388.50	1,804.04

- Land Platted since 2010 Update: 913 acres
- Vacant land remaining (all EAs): 1,804 acres



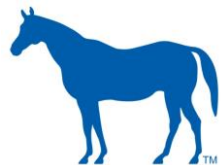
Road Improvements

- 2A/2B:
 - Polo Club Boulevard (18,427 lf total)
 - Blackford Parkway (14,433 lf total)
 - 2C: Hays Boulevard (10,150 lf total)
 - 3: Providence Parkway (7,105 lf total)
-
- Total Costs (all EAs): \$43.8 million
 - Collected: \$22.5 million
 - **Remaining Exactions: \$21.3 million**



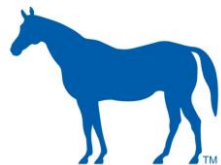
Sewer Capacity

- Costs for Treatment Capacity: \$13.95 million
- Estimated Cost of Diversion Line (N. Elkhorn Force Main and Pump Station): \$10.56 million
- Collections on Platted Land: \$7.12 million
- **Remaining Improvement Costs: \$17.39 million:**
 - Exaction Rate takes into account user fee credits (25 years) and present value, resulting in a cost/acre and credit/acre calc.
 - **Remaining Exactions: \$4.79 million (excluding 2C)**



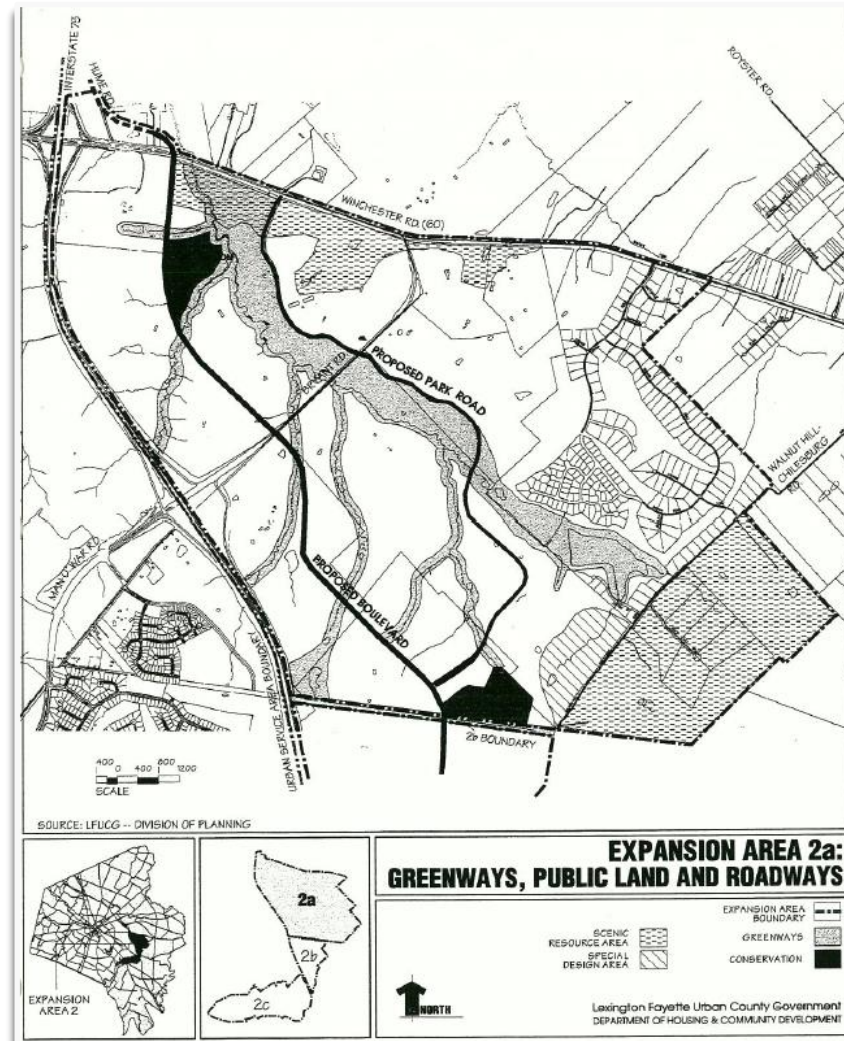
Sewer Transmission

- Installation of Transmission Lines and Pump Stations
- Total Costs: \$25.07 million
- Collections on Platted Land: \$12.06 million
- Remaining Exactions: \$13.02 million:



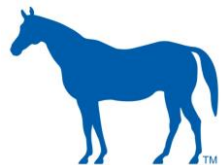
Parks & Greenways

- Parks and Greenways = 142 acres, \$9.1 million
- Collections due on platted land = \$4.7 million
- Remaining Exactions: \$4.3 million



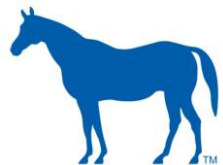
Stormwater Facilities

- EA 1 and 3 require on-site stormwater facilities, so no exactions
- Total Costs: \$17.95 million
- Collections on Platted Land: \$12.5 million
- **Remaining Exactions: \$5.4 million**
 - 2A Construction Costs = \$9.4 million, \$4.3 million to be collected
 - 2B Construction Costs = \$1.6 million, \$727,731 to be collected
 - 2C Construction Costs = \$6.9 million, \$400,000 to be collected



Open Space

- \$1,000 per acre
- Funds collected to be used to “...acquire open space, including, but not limited to, conservation easements in the Rural Service Area...”
 - Priority given to land within 1 mile radius of EA boundary
- Total: \$3.93 million
- Collected: \$2.17 million
- **Remaining: \$1.76 million**



Draft Exactions Rates (per acre)

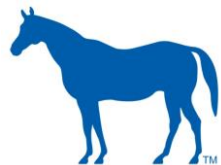
- Resolution and Updated Rate Table in Packet

Table 9: Total Exactions per Acre					
Land Use	EA 1	EA 2a	EA 2b	EA 2c	EA3
EAR1	\$9,703.46	\$16,030.34	\$14,665.92		\$8,513.43
EAR1-SRA	\$0.00	\$5,144.56	\$4,735.80		\$0.00
EAR2	\$0.00	\$33,863.42	\$30,030.22		\$19,670.27
EAR3	\$0.00	\$69,119.69	\$0.00		\$0.00
CC (res)	\$0.00	\$69,120.12	\$0.00		\$0.00
CC (nonres)	\$0.00	\$214,027.01	\$0.00		\$0.00
ED	\$0.00	\$131,301.08	\$0.00		\$48,029.20

Change in Exaction Rates -- 2010 to 2019					
Land Use	EA 1	EA 2a	EA 2b	EA 2c	EA3
EAR1	-\$1,322.48	-\$2,634.98	-\$5,897.49		\$1,117.42
EAR1-SRA	\$0.00	-\$804.12	-\$1,624.75		\$0.00
EAR2	\$0.00	-\$3,033.42	-\$9,796.88		\$5,279.21
EAR3	\$0.00	-\$8,472.63	\$0.00		\$0.00
CC (res)	\$0.00	-\$8,472.20	-\$84,572.18		-\$28,263.25
CC (nonres)	\$0.00	\$33,071.82	-\$188,310.15		-\$68,080.95
ED	\$0.00	\$50,291.51	-\$40,295.37		\$8,331.46

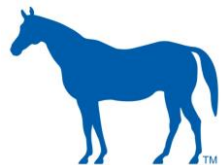
EA 2C

- Recommend deferral of EA 2C rate table update
 - Acreage before/after issues
 - Over collection on roads (\$968,192)
 - Over collection on sewer transmission (\$1,453,131)
 - Accounting/Offset – past refunds and credits to developer



Recommendation & Next Steps

- Approval of Rate Table Update (Resolution) for Expansion Areas 1, 2A, 2B, and 3
- Defer Expansion Area 2C Exaction Rate Update
- Next Steps:
 - 2C Rate Table Update
 - Final Implementation of New Exactions Database
 - Amendments to Article 23C of the Zoning Ordinance



Questions?