



Proposed Changes to License Procedures Update

Finance, Audit and Accountability
Committee

January 23, 2006



Background

- Items on license fees and procedures were briefed to the committee on several occasions, beginning in September of 2003 and with the last briefing being December 12, 2005
- This briefing contains additional information requested at that meeting, along with an appendix of all previous briefings

Proposed Changes

- Residential license fees and procedures
 - Changes apply to residential home owners and neighborhood associations only
- Recommendations:
 - Extend the provisions of the 5-year program initiated in 2004 and continue for the term of the existing licenses for landscaping and appurtenant irrigation systems, and neighborhood signs and monuments
 - Add streetscape to the list of uses that may be licensed
 - Implement the following fees for landscaping and appurtenant irrigation systems, neighborhood signs and monuments and streetscape uses

Proposed Changes

- Recommendations: (cont'd)
 - \$350 one-time fee
 - One-time fee applies for a single use or any combination of uses of the public rights-of-way licensed under a single ordinance
 - Example: 10 signs and monuments, landscaping, and streetscape applied for at the same time and covered by the same license ordinance would pay the recommended one-time fee of \$350
 - a recording fee (currently \$50), plus
 - the \$250 annual cost of insurance for those groups who select the city umbrella policy for general liability insurance
 - \$20 publication fee
 - 40-year term

Proposed Changes

- All existing license fees for the affected uses of the public rights-of-way will remain \$0 until the expiration of the term of the license
 - Example: An ordinance adopted in 2001 for landscaping for a term of 40 years - in 2004, the fee was reduced to \$0 under the current 5-year program, then the fee would remain \$0 until January 2, 2041
- License renewals will become subject to the \$350 one-time fee for the next term of the license

Proposed Changes

- General Liability Insurance – Residential only
 - Home owner or neighborhood association provides evidence of insurance they have obtained, or
 - City provides a master policy for general liability
 - City is the named insured
 - neighborhood associations may be added as an additional insured
 - Premium: \$250 fee annually per neighborhood association (no cost to city)
 - Need plat of license area, name and address of Association
 - Neighborhood association will receive certificates of participation evidencing insurance
 - Insurance would cover the use of public right-of-way by the neighborhood association, but the policy will not cover other neighborhood association-related responsibilities

Proposed Changes

- General Liability Insurance – Residential only

- Master policy established upon receipt of the request for insurance and payment of the first \$250 premium by a neighborhood association. Thereafter, additional groups can be added as license requests are approved
- The premium must be submitted with the license request. The City will forward the fee to insurance provider, and the insurance provider will add the licensee to master policy as an additional insured. The licensee will receive a certificate of insurance evidencing coverage
- Recommended policy amount: \$1M (\$250 premium per neighborhood association)
- Failure to pay the annual premium for the insurance will result in the insurance expiring and the license terminating



Other Changes

- Legal descriptions
 - Recommendation: For the uses listed below, staff will accept measured drawings prepared by an engineer, architect or surveyor satisfactory to the city in lieu of a metes and bounds description
 - Allowable uses:
 - Landscaping and irrigation systems
 - Signs/monuments
 - Streetscape
 - Decorative lighting
 - Combinations of the above uses

Revenue Impact

Current Fees being received under the 5-year Program adopted in 2004

- Existing Licenses
 - Landscaping
 - \$0 annually
 - Signs/monuments
 - \$0 annually
 - Decorative Lighting
 - \$0 annually
- Combination uses
 - \$0 annually
- New Licenses in 2005: \$1,000 in one-time fees in 2005 (one license request fell into these categories)
- Total revenue previously received for these uses prior to 5-year program
 - \$11,000 annually (reflects uses by residential home owners and neighborhood associations only for these categories)

Fees to be paid pursuant to these recommendations would apply to new licenses only

- New Licenses
 - Landscaping
 - \$350 one-time fee
 - Signs/monuments
 - \$350 one-time fee
 - Decorative Lighting
 - 350 one-time fee
 - Streetscape
 - \$350 one-time fee
 - Combination Uses
 - \$350 one-time fee
- New Licenses: \$2,100 in one-time fees anticipated in 2006 (\$350 one-time fee per individual or combination use) – Based on the city receiving 6 license requests for these uses or combination of uses
- Existing license fees for these uses will remain \$0

Administration

- License request would include:
 - Letter requesting license and stating the purpose
 - Drawing indicating the location of the area to be licensed
 - Deeds showing ownership
 - Request supported abutting owners and 2/3 of the owners located within 300' of the license area (signs and monuments only)
 - \$350 application fee, recording fee and \$250 fee for general liability insurance, if desired and a \$20 publication fee
 - Legal description of the area to be licensed (field notes or measured drawing)

Administration

- Processing of application would remain the same, except:
 - After City Council approval of the license and improvements, Building Inspection will review plans to verify compliance with the terms for locations and setbacks
 - License added to license management report and tracked for current insurance annually



Administration

- Violations under the license would be handled by Development Services – Real Estate and Building Inspection
 - Licensees who do not respond when notified of a violation will be fined under the provisions of the Dallas City Code - \$500 a day for each day the violation exists



Future Action

- Proposed Code amendments to be submitted to the City Council following city attorney approval of an ordinance
- Changes to the insurance requirements, if any, will be implemented as a matter of policy or by ordinance



APPENDIX



Update: Proposed Changes to License Procedures and Fees

Finance, Audit and Accountability
Committee

December 12, 2005



Background

- Items on license fees were briefed to the committee on October 10 and November 14, 2005
- Additional information regarding insurance applicable to homeowners associations and individual home owners in residential neighborhoods was requested

Proposed Changes

- Residential license fees
 - Reduce the fees to \$500 (one-time fee and a \$50 recording fee) plus the annual cost of insurance (\$250)
 - Make the provisions of the 5-year program permanent for landscaping, neighborhood signs and monuments in residential neighborhoods subject to the reduced fee
 - Limit the reduced fee of \$500 and the annual costs of insurance to landscaping and appurtenant irrigation systems, signs and monuments and streetscape

Proposed Changes

- Residential License fees
 - License term of 20 years (expected life of signs or monuments) or 40 years
 - Permit the one-time fee to apply for a single use or any combination of uses of the same area of public right-of-way licensed under one ordinance for a term not to exceed 20 years (expected life of signs or monuments) or 40 years
 - Add new use: streetscape

Proposed Changes

- Commercial License Changes
 - Add new uses: banners, decorative lighting and streetscape
 - Continue the 5-year program for commercial landscaping and appurtenant irrigation systems, signs and monuments, awnings, canopies, banners, decorative lighting, sidewalk cafes and streetscape as provided in the City Code until 2010
 - Continue to require insurance from commercial licensees



Proposed Changes

- Commercial Licenses
 - Permit a single use or any combination of uses of the same area of public right-of-way licensed under one ordinance for one fee at a term not to exceed 20 years (expected life of signs or monuments) or 40 years

Proposed Changes

- Insurance – Residential only
 - City provides a master policy for general liability
 - City is the named insured
 - Homeowners associations added as an additional insured
 - Premium: \$250 flat fee annually per homeowners association (no cost to city)
 - Need plat of license area
 - Need address of Association
 - Need full name of Association
 - Homeowners Association to receive certificates of participation evidencing insurance
 - Insurance would only cover the license areas

Proposed Changes

- Insurance – Residential only
 - Premium submitted with license request, city forwards fee to insurance provider and insurance provider adds licensee to master policy as an additional insured
 - Once master policy is established, additional insureds can be added by e-mail as license requests are approved
 - Coverage amount to be determined by the committee: \$500,000 is current requirement (\$250 premium per Homeowners association remains constant)
 - Failure to pay the annual premium will result in the insurance expiring and the license terminating

Alternative to Licenses Changes

- Maintenance Agreements
 - Allow public rights-of-way to be used pursuant to a maintenance agreement in lieu of licenses
 - Limit use to homeowners associations or individuals only
 - Homeowners Associations or individual owners must agree to maintain the sign, monument, landscaping, etc.
 - Indemnity and hold harmless provisions required
 - No fee or insurance required, unless desired
 - City would become owner of objects in public rights-of-way and would remove if not properly maintained

Alternative to Proposed Changes

- Maintenance Agreements (cont'd)
 - Term of 20 years with 20-year option to renew
 - Can be done administratively, with the approval of the city attorney and city manager
 - All locations must be approved by Public Works and Transportation
 - Would be consistent with the MowMentum Agreement which allows use of medians for landscaping but not parkways



Other Changes

- Legal descriptions
 - Recommendation: For the above uses, allow measured drawings prepared by an engineer, architect or surveyor satisfactory to the city in lieu of a metes and bounds description

Setback Requirements Follow Up

- TXDOT requirements for signs and monuments in medians are as follows:
 - <45 mph roadways, a 3' clear zone setback from a curbed roadway is required
 - For items in a median over 30" (24"+6" curb), all sight and stopping distance standards must be observed
 - There is no minimum, other than the 30' clear zone for setbacks from median noses. Breakaway facilities are not required in <45 mph design speed roadways
 - For roadways/freeways with design speeds >45 mph, 30' clear zone from median noses with breakaway facilities
 - Transportation has indicated it will require signs and monuments to be no taller than 24" when located in a median and 50' back from all median noses

Revenue Impact

· Landscaping	\$51,000 annually
· Signs	\$6,000 annually
· Decorative Lighting	\$3,000 annually
· Awnings/Canopies	\$14,000 annually
· Combination uses	\$54,694 annually
<small>(includes monuments, banners, landscaping, signs, etc.)</small>	
Total Impact	(\$128,694 annually)



Future Action

- Proposed Code amendments to be submitted to the City Council following city attorney approval of an ordinance
- Changes to the insurance requirements, if any, may be implemented as a matter of policy or by ordinance

Proposed Revisions to License Procedures - Update

Finance, Audit and
Accountability Committee
November 14, 2005

Background

- › An item regarding license fees was briefed to the committee on October 10, 2005
- › Additional information was requested
 - › Make the proposed changes applicable to homeowners associations and individual homeowners in residential neighborhoods
 - › Provide research on insurance requirements
 - › Homeowners league
 - › City group policy

Background

- › These proposed changes are in response to homeowner groups who have expressed an interest in reducing the fees further to accommodate the budgets of their associations and individual owners who want to provide beautification projects within the city

Proposed Revisions

- › Reduce fees on certain types of license uses for homeowners associations and individual homeowners in residential neighborhoods for the term of the license, not to exceed 40 years

The City Code provides that an application for a license to place a subdivision sign in a residential subdivision must be submitted by a duly formed and existing homeowners association with jurisdiction over the residential subdivision, be supported by the owner abutting the sign and approval of 2/3 of the property owners located within 300' feet of the sign

- › Make the provisions of the 5-year program permanent for landscaping, neighborhood signs and monuments in residential neighborhoods

Proposed Revisions

- › Include or exclude businesses from reduced fee?
 - › Equity issues if businesses excluded
- › Add new uses - decorative lighting and streetscape
- › Limit the types of licenses affected by the proposed revisions to:
 - › Landscaping and appurtenant irrigation systems
 - › Signs and monuments*
 - › Awnings and canopies
 - › Decorative lighting
 - › Streetscape

*Note: Signs and monuments can be no taller than 24" when located in a median and 50' back from all median noses

Proposed Revisions

- › Reduced fees recommended for the above license uses
 - › Recommendation 1: \$750 one-time fee for a single use or a combination of uses provided under one ordinance for a term not to exceed 40 years, including a \$50 recording fee
 - › Recommendation 2: Fees for sidewalk cafes and business park signs and monuments (if not included in fee reduction) under the 5-year program are to continue as provided in the City Code until 2010

Proposed Revisions

› Other Changes

- › Insurance (City Attorney and Human Resources - Risk Management strongly recommend continuation of the insurance requirement)
 - › Continue to require general liability insurance naming the city as an additional insured from all licensees under current procedures
 - › Continue to require general liability insurance naming the city as an additional insured only from homeowner associations and/or individuals who already have insurance available
 - › Provide a group policy for those homeowners associations or individuals who have no insurance available

Proposed Revisions

- § Option 1 – City obtains insurance coverage for itself
- § Option 2 – City obtains insurance coverage for itself and names the homeowners associations or private individuals as an additional insured
 - § Constitutionally impermissible to pay for costs associated with the coverage of private parties
 - § Costs – To be provided at a later date
- § Option 3 – Dallas Homeowner League obtains insurance policy
 - § League unwilling to take on a group policy due to funding constraints
- § Option 4 - City accepts risks
 - § Would allow homeowner associations to provide beautification projects throughout the city – no insurance
 - § More objects would be in the rights-of-way which may increase City's exposure

Proposed Revisions

› Other Changes

› Insurance (cont'd)

› Other cities

- § Austin, Fort Worth, Plano, San Antonio and Richardson allow signs or monuments in public rights-of-ways.
- § Austin charges \$425, Fort Worth charges a permit fee, San Antonio charges a \$20 one time permit fee plus a fee based on size. Plano does not charge and Richardson charges on a case-by-case basis.
- § Richardson and Fort Worth both require insurance.
- § Grand Prairie allows neighborhood signs and monuments pursuant to a maintenance and indemnity agreement subject to Transportation Department approval and a sign permit

Proposed Revisions

- › Insurance (cont'd)
 - › Other cities
 - § Houston - does not allow signs/monuments in the public rights-of-way. They did at one time but discontinued the practice.
 - § No responses were received from Corpus Christi or El Paso.
 - › Legal Descriptions
 - › Recommendation: For the above uses, at the City's discretion, allow measured drawings prepared by an engineer, architect or surveyor satisfactory to the Director of Development Services, or designee, in lieu of a metes and bounds description (Richardson and Austin require field notes, other cities responding use site plans)

Proposed Revisions

- › Maintenance Agreements – allow monuments and signs in public rights-of-way pursuant to a maintenance agreement in lieu of a license
 - › City would become the owner of the monuments/signs
 - › Require indemnity and hold harmless provisions (coverage is limited without insurance)
 - › Homeowners associations or individual homeowners would agree to maintain signs or monuments
 - › Signs or monuments would be removed if not properly maintained
 - › No fee and no insurance would be required
 - › Limit maintenance agreements to homeowners and individual home owners only
 - › All locations must be approved by Public Works and Transportation

Revenue Impact – Starts 2010

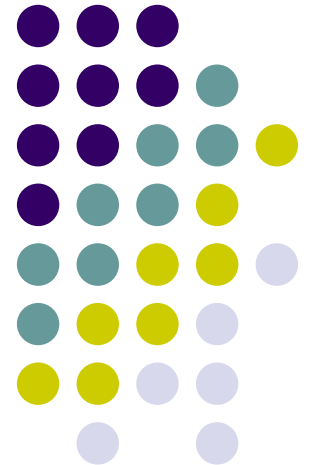
› Landscaping	\$51,000 annually
› Signs	\$6,000 annually
› Decorative Lighting	\$3,000 annually
› Awnings/Canopies	\$14,000 annually
› Combination Uses –	\$54,694 annually
<small>(includes monuments, banners, landscaping, signs, etc.)</small>	
Total	\$128,694 annually

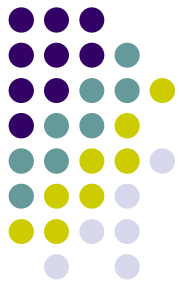
Future Action

- › Proposed Code amendments to be submitted to the City Council following city attorney approval of an ordinance
- › Changes to the insurance requirements, if any, will be implemented as a matter of policy

PROPOSED REVISIONS TO LICENSE PROCEDURES

Finance, Audit and
Accountability Committee
October 10, 2005

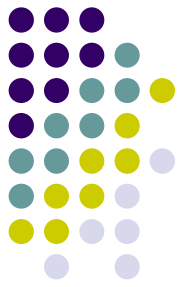




Background

- In 2003, the Business and Commerce Committee was briefed on changes concerning licenses and license fees
- Subsequently, a 5-year program implementing these changes was approved by the Council. The intent of these changes was to:
 - stimulate beautification projects within the city,
 - provide relief from some of the fees associated with license requests to new businesses, and

Background



- make valet parking easier to implement
- Licenses impacted by these changes included sidewalk cafes, residential monuments or signs, business park monuments or signs, awnings, canopies, valet and landscaping

Background

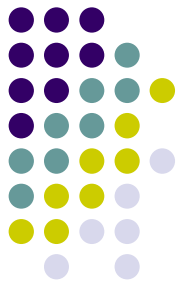


- Recommended fees approved by the city council in 2004:
 - Sidewalk Cafes: the lesser of \$2,500 or area X market value X 85% X 12% but not less than \$1,000 annually
 - Awnings/Canopies: \$1,000 one-time processing fee per awning/canopy
 - Landscaping: \$1,000 one-time processing fee



Background

- Recommended fees approved by the city council in 2004:
 - Valet Licenses – \$250 per space for the first six spaces plus \$1,000 for each additional space – **This was a permanent fee reduction.**
 - Residential Subdivision Signs/Monuments: \$1,000 one-time processing fee per sign or monument
 - Business Park Signs/Monuments: \$1,000 one-time processing fee per sign or monument



Background

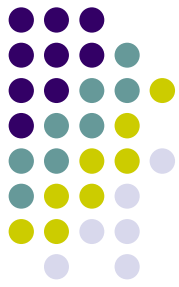
- Applications received from beginning May 2004 to present:
 - Sidewalk cafes 3
 - Awnings/Canopies 4
 - Valet Licenses – No changes proposed
 - Residential Subdivision Signs/Monuments 3
 - Business Park Signs/Monuments 0
 - Landscaping 1
 - **Total 11**



Proposed Changes

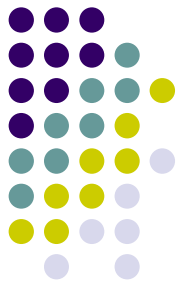
- Recently homeowner groups have expressed an interest in reducing the fees further to accommodate the budgets of their associations and individual owners who want to provide beautification projects

Proposed Changes



· Fees

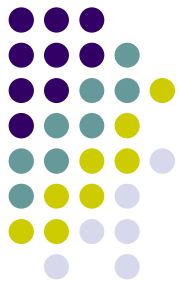
- Make the provisions of the 5-year program permanent for landscaping, signs/monuments - \$1,000 one-time fee or a \$1,000 annual fee for the term of the license, not to exceed 40 years
- Add new uses: banners, decorative lighting, and streetscape - \$1,000 one-time fee or a \$1,000 annual fee for the term of the license, not to exceed 40 years



Proposed Changes

- Fees
 - Allow any combination of these uses of public right-of-way for either the \$1,000 one-time fee or \$1,000 annual fee for the term of the license, not to exceed 40 years
 - for example, landscaping, irrigation, signs and awnings in the same portion of right-of-way would be charged a \$1,000 annual fee or a \$1,000 one-time fee for all uses submitted under one application
 - Delete the Code requirement to apply the application fee to the first year fee

Proposed Changes



- Fees
 - Other alternatives
 - Continue 5-year program and grandfather fees for those licenses granted during this 5-year period for a term of 40 years

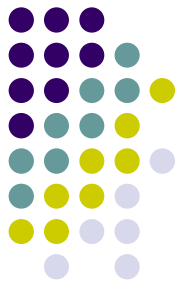
Proposed Changes



Other Changes

- Legal Descriptions - allow measured drawings prepared by an engineer, architect or surveyor satisfactory to the City in lieu of metes and bounds descriptions
- Insurance
 - § Currently, the city receives insurance certificates for general liability insurance obtained by applicant/licensee naming it as an additional insured (usually added to the existing insurance policy of the applicant). These certificates are provided annually and the City is notified in the event of non-renewal of the policy

Proposed Changes



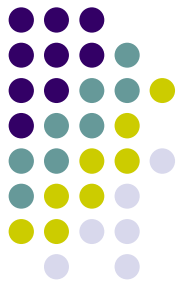
Other Changes

Insurance

Existing requirements:

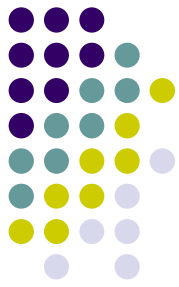
- § Commercial: \$500,000 per occurrence, \$500,000 annual aggregate
- § Residential: \$300,000 per occurrence, \$300,000 annual aggregate
- § These requirements are set by Risk Management
- § There is no current legal requirement for insurance but has been required historically as a matter of policy

Proposed Changes



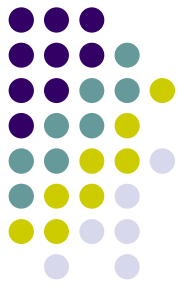
Outstanding Issues:

- § Should the City continue to require general liability insurance for licenses?
 - § (City Attorney's office strongly recommends continuation of the insurance requirement)
- § Should the City provide insurance coverage for the private uses of public rights-of-way by obtaining an insurance policy for this purpose?
 - § Include licensee as additional insureds – legal impediment
 - § Self insurance
 - § Availability and terms
 - § Costs (premiums and administration)
- § If so, should the minimum policy limits per occurrence/annual aggregate be changed?



Possible Solutions

- Grant licenses for a \$1,000 one-time fee and keep the indemnity, hold harmless and waiver of subrogation provisions in the ordinance – no insurance
- Continue the insurance requirement and review the adequacy of the insurance limits for a term of 40 years
- The changes will apply to the following uses:
 - Landscaping and appurtenant irrigation systems
 - Residential monument signs
 - Banners
 - Awnings/canopies
 - Decorative lighting
 - Streetscape uses



Possible Solutions

- Sidewalk cafes - continue the 5-year program, insurance requirements and revert to the previously established city code provisions
- Business park monuments/signs – continue the 5-year program, insurance requirements and revert to the previously established city code provisions



Revenue Impact – Starts 2010

· Landscaping	\$51,000 annually
· Signs	\$6,000 annually
· Decorative Lights	\$3,000 annually
· Awnings/Canopies	\$14,000 annually
· Combinations – (Monuments, banners, landscaping, signs, etc.)	\$54,694 annually
Total	\$128,694 annually



Future Action

- Proposed Code amendments to be submitted to the City Council following city attorney approval of an ordinance
- Changes to the insurance requirements, if any, will be implemented as a matter of policy

LICENSES FOR THE USE OF PUBLIC RIGHTS-OF-WAY

BUSINESS AND COMMERCE
COMMITTEE

SEPTEMBER 2, 2003



Purpose

- The purpose of this briefing is to recommend changes in Chapter 43-115 and 43-126 of the City Code concerning licenses for the use of city rights-of-way
 - Sidewalk cafes/kiosks
 - Awnings/Canopies
 - Valet
 - Signs and monuments
 - Landscaping in public rights-of-way (medians and parkways)



Background

- Central Business District businesses and organizations have expressed a desire to make valet parking easier to implement and to encourage more downtown retail by allowing kiosks and lowering the fees for sidewalk cafes, awnings and landscaping



Background

- Several Council members have expressed a desire to ease the requirements for individuals, businesses and homeowners associations to landscape public rights-of-way (medians and parkways), to maintain that landscaping, and install subdivision signs/monuments



Proposal

- Fees for private use of city right-of-way to be reduced
- Anticipated outcome - reduction in fees will encourage new retail uses and civic beautification and improvement projects
- Reduced fees would expire on December 31, 2009, unless extended by the City Council
- Currently required indemnification and insurance would continue with annual proof of insurance



PROPOSED NEW LICENSE FEES



Target Areas

- Apply new guidelines to:
 - CBD/TIF area only
 - Entire CBD or
 - Citywide



Sidewalk Cafes

- Current annual fee: the greater of \$1,000 or the area X market value X 85% X 12%
- Proposed annual fee: the lesser of \$2,500 or area X market Value X 85% X 12% but not less than \$1,000 annually
- Estimated revenue loss: current revenues would be reduced by \$1,771 - \$25,881 annually
- Anticipated outcome – number of new sidewalk cafés would increase



Awnings/Canopies

- Current annual fee: \$1,000 per license
- Proposed fee: \$1,000 one-time processing fee per awning/canopy
- Estimated revenue loss: current revenues are estimated to be reduced by \$5,000 - \$15,000 annually
- Anticipated outcome: increased use of awnings bringing character and beauty to downtown/citywide



Valet Licenses

- The fee change for valet licenses is proposed to be a permanent reduction
- The target area for this fee change is inside the freeway loop downtown
- Current annual fee: \$350 per space for the first two spaces in the public right-of-way plus \$1,000 for each additional space
- Proposed annual fee: \$250 per space for the first 6 spaces plus \$1,000 for each additional space
- Estimated revenue loss: current revenues would be reduced by \$4,700 annually

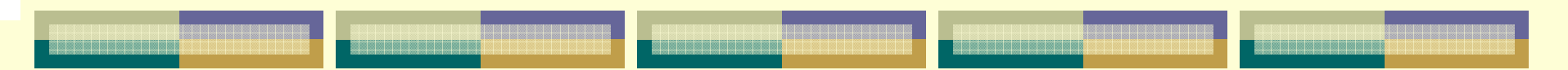


Valet Licenses (cont'd)

- Anticipated outcome – Reduction in congestion and unsafe practices and an increase in revenues long term



SIGNS AND MONUMENTS



Residential Subdivision Signs/Monuments

- Amend the sign regulations to allow residential subdivision signs/monuments
 - May only contain the name of a single family, duplex, or townhouse residential neighborhood
 - Allow a maximum of 2 signs/monuments per street entrance
 - Allow a maximum total area of 40 square feet with a maximum height of 6 feet
 - One-time processing fee of \$1,000 and in lieu of \$1,000 annual fee



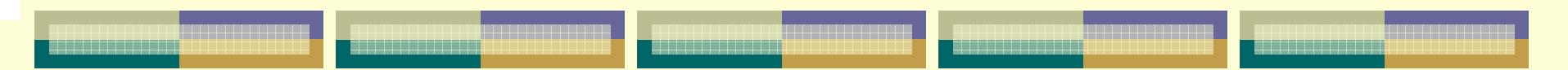
Residential Subdivision Signs/Monuments

- All currently required indemnification and insurance for licenses would continue with annual proof of insurance
- License applications are to be submitted by homeowners associations
- Estimated revenue: \$3,000 - \$5,000 annually



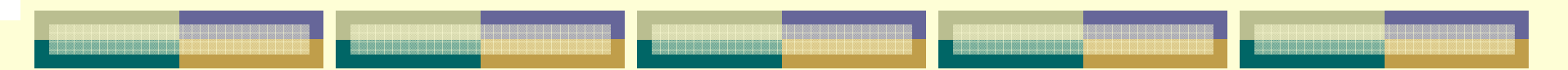
Residential Subdivision Signs/Monuments

- Licenses and sign permits would not be granted unless:
 - Agreed to by the owner of the property abutting the proposed sign/monument location, if on the parkway
 - Supported by two-thirds of the property owners within 300 feet of the proposed sign location
 - Color, design, materials used are approved
 - Lighting and visibility issues are addressed



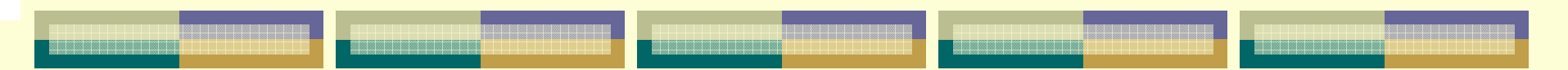
Business Park Signs/Monuments

- Amend sign regulations to allow signs and monuments for business parks/campuses
 - May only contain the name of a single business park
 - Allow a maximum of 2 signs/monuments per street entrance
 - Allow a maximum total area of 40 square feet per sign/monument with a maximum height of 6 feet



Business Park Signs/Monuments

- One-time processing fee of \$1,000 per sign/monument in lieu of \$1,000 annual fee
- Estimated revenue loss: \$1,000 annually
- All currently required indemnification and insurance would continue with annual proof of insurance



Business Park Signs/Monuments

- License and sign permit applications may be submitted by the owner or entity leasing or maintaining the business park
- Licenses would not be granted unless:
 - Supported by the owners of the property abutting the proposed sign/monument location
 - Color, style and material to be used are approved
 - Lighting and visibility issues are addressed



LANDSCAPING



Landscaping

- Simple landscaping would include trees, shrubs, flowers, irrigation systems, directional signs, etc.
- Complex landscaping would include substantial structures such as lighting, monuments, columns, sculptures, large stones, etc.



Landscaping

- Current fee for landscaping: \$1,000 annually
- Proposed fee: \$1,000 one-time processing fee
- Estimated revenue loss: \$1,000 to \$53,000 annually
- Anticipated outcome: attractively landscaped parkways and medians
- Continue to require indemnification and insurance

Landscaping

Other cities

	Corpus Christi	San Antonio	Houston	Austin	Fort Worth	El Paso	Farmers Branch	Plano	Richardson
License Fee	\$300	No	No	\$350	No	No	No	No	No
City Program	No	No	No	No	Yes	No	No	No	Yes
Admin. Review	Hardship situations only	Yes	Yes	Yes	No	No	No	Yes	Yes
Ownership of Improvements	Property Owner	Property Owner	Property Owner	City	City	Property Owner	Property Owner	City	City
Insurance Required	Yes	No	No, indemnity	Yes	Yes	No	No	No	No



Landscaping Medians

● Simple landscaping

- Continue to use the MowMentum Agreement administered by the Department of Street Services to allow groups to “adopt” a median
- No license currently required except for irrigation systems
- Continue to provide partial funding for median landscaping through the MowMentum Program



Landscaping Medians

- Simple landscaping (continued)
 - Continue to require indemnification
 - Modify the MowMentum Agreement to specify that the city owns any landscaping placed on the median and add irrigation systems as a use
 - Also specify that the “adopting” group has all maintenance responsibilities



Landscaping Medians/Parkways

- Complex landscaping
 - City would not own
 - License required
 - One-time \$1,000 processing fee
 - Indemnity and insurance required
 - Handled under current review process



Landscaping Parkways

- Parkway are the right-of-way areas adjacent to pavement of the street and private property
- City Code currently requires the abutting property owner to maintain the parkway
- City Code, however, requires property owners to obtain a license and pay a \$1,000 annual fee for landscaping, irrigation systems, and other structures in the parkway



Landscaping Parkways

- Simple landscaping

- City code to be amended to provide for the city to own the landscaping, irrigation systems and directional signs and property owner to be solely responsible for their operation and maintenance pursuant to a maintenance agreement, subject to DDS, Engineering and Transportation approvals
- Property owner indemnify city
- No fee would be required



REVENUE IMPACT

● Sidewalk Cafes

- Citywide: (\$26,000 annually)
- TIF Area: (\$2,000 annually)
- CBD: (\$26,000 annually)

● Awnings/Canopies

- Citywide: (\$15,000 annually)
- TIF Area: (\$0 annually)
- CBD: (\$5,000 annually)



REVENUE IMPACT

● Valet Licenses

- Estimated Decrease: \$4,700 annually

● Signs and Monuments

- Citywide: (\$3,000 annually)
- TIF Area: \$0
- CBD: \$2,000 annually

● Landscaping

- Citywide: (\$53,000 annually)
- TIF Area: (\$1,000 annually)
- CBD: (\$10,000 annually)



REVENUE IMPACT

- Total net decrease:
 - Citywide: (\$82,000 - \$91,000 annually)*
 - TIF Area: (\$3,000 annually)
 - CBD: (\$43,700 annually)

* proposed budget already assumes \$100,000 reduction



FUTURE ACTION

- Proposed code amendments will be submitted to the City Council in November/December
- Additional review by the City Attorney's office will be necessary prior to bringing code amendments forward