

County of El Paso Subdivision Regulations/Design Standards and Flood Damage Prevention Order Comment Matrix

Comment Period 5/16/2022 to 5/27/2022 Comments Responses

No.	Comment	Date	Comment Response
1	Thank you for including me as a member of CPC. I see the proposed new fee schedules, but I would rather know about the old versus new Subdivision Regulations/Design Standards and Flood Damage Prevention Order. Can you send?	5/16/2022	The Update to the Subdivision Standards in process. The County is in process of coordinating updates with the City of El Paso. The County plans to issue the Updated Subdivisions Standars in the Summer of 2022.
2	Can you please provide any proposed changes to the subdivision design standards applying to commercial properties .	5/17/2022	The Update to the Subdivision Standards in process. The County is in process of coordinating updates with the City of El Paso. The County plans to issue the Updated Subdivisions Standars in the Summer of 2022.
3	The fee structure has a lot of new fees and processes that the County does not have as per their Subdivision Order.		The New Subdivision Order will include all proposed fees. Additionally, the County is working to address a number of operational and procedure issues that will require new processes be implemented under the authority of a modern and updated subdivision Order.

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4	Why 5-day review fee??? The County does not have 5-day reviews. What's the justification for 5-day reviews?? Will the County actually review and provide comments in 5-days???		The County does not currently offer a five-day review. This item may be discussed further as it may align with the requests for comments issued by partner agencies, including the City of El Paso, which require the County to submit comments in an expedited fashion. If such a request may be made, the County is exploring the opportunity to provide this service to the community consistent with the practices of other regional agencies.
5	What is considered "supplemental" reviews?		In the Original review fee, 3 reviews are included. Any additional reviews after the 3rd review is required to pay the supplemental fee to proceed with that additional review. However, any comments that are initiated by the County thereafter and are not the fault of the developer or design engineering consultant shall not count against the three allotted reviews.
6	Re-plats are typically slightly higher than a normal plat since it requires public notification, which staff need more time to prepare.		In addition, the Advertisement cost will be assessed to developer.

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7	A timeline shall be tied to the subdivision review fees.	5/19/2022	Timelines will be implemented in the Subdivision Regulation Update by the County in an effort to provide transparency and accountability to the review process. If the self-imposed deadlines are not met, the developer or engineering consultant shall not be subject to paying the full fee as required by the Order.
8	Why a difference between inspection for roadway with sewer and without sewer??		Inspection cost is less in Subdivision that does not include sewer given that inspections on backfills are limited to other utilities.
9	What does "Subdivision Completion" mean?		Fees associated with close-out of Subdivision, Final Inspection, Punch List Verification, Warranty Inspection.

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10	a. Why does the County charge a fee in an improvement that the County is not providing any service??		The County is still responsible for proper installation of all improvements within ROW which can impact roadway infrastructure. While this infrastructure is not maintained by the County, it is located within the County's right-of-way. There have been instances where subsequent road cuts have been necessary to help remedy infrastructure that was not installed per plan within the County ROW. In order to provide for the maintenance and longevity of improvements dedicated to the County, these items will be inspected accordingly alongside any representatives or inspectors from other partner agencies.
11	What is the basins are not dedicated to the County? Why have an inspection??		Fees will apply to Basins dedicated to the County.
12	Identify what park staff will be inspecting?		The Public Works Departments, which include both Planning & Development as well as Parks & Recreation, will coordinate on the inspection of any facilities being dedicated to the County. Park staff will coordinate with Planning as needed to provide resources and guidance needed to collaborate on the inspection of any park facilities.

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13	1. Should not be compared to the City of El Paso since the County does not follow time limits for review and processing; thus, length of time to process a plat in the COUNTY is significantly longer and thus more expensive than in the City of El Paso. Fees in the County should not be significantly increased due to that fact. Time is money as well as higher fees for quicker more efficient service should go hand in hand.	5/23/2022	Timelines will be implemented in the Subdivision Regulation Update by the County in an effort to provide transparency and accountability to the review process. If the self-imposed deadlines are not met, the developer or engineering consultant shall not be subject to paying the full fee as required by the Order.
14	2. Processing applications that is in the City of El Paso ETJ as well as County of El Paso is already so expensive- fees proposed in the County should be adjusted to compensate for that.		The update of fees are intended to cover the cost of inflation since fees have not been updated in nearly 20 years. Additionally, the County is uniquely positioned as the local unit of government to accept the public dedication of infrastructure within the extraterritorial jurisdiction of any municipality given recent legislative changes limiting the ability for a municipality to involuntarily annex new development. As such, the County's inspection of plans and construction remain a top priority given that the County is the agency who will accept and maintain all publicly dedicated infrastructure, not any other municipality.
15	3. In summary- we would recommend an increase that is not as significant as what is being proposed.		The update of fees are intended to cover the cost of inflation since fees have not been updated in nearly 20 years.

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<i>El Paso County Floodplain Fee Structure - Comments</i>			
16	Flood determination is to determine if a property is in a flood zone and if requested by the property owner. It is not project based or required per project. An Engineer can determine the flood zone by utilizing FEMA map store tools. I see the County charging this fee for every subdivision project or any type of project to check the flood.		Applicants may avoid paying this fee by having their own engineer complete sign and seal a floodplain determination form with required attachments.
17	What happens if the LOMC consists of residential and non-residential land uses? How is that figured? Why does a LOMC review differ between residential and non-residential? The review is the same and preparing the document for a LOMC is the same. Please justify the reason for different fee structures.		The fee for both types of developed will be combined into one single fee structure of \$150 plus the hourly rate for a third-party review, as needed.

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18	Fee for the County review of \$150 seems excessive compared to the consulting fee of \$165. County shall demonstrate the cost breakdown for the County review	5/19/2022	<p>Please see the detailed breakdown below for an estimated amount of review time needed across the various staff in the Department. Additionally, the rate is based on the following estimate with the expectation that certain permits may well exceed the four (4) hours of work outlined below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Position</th> <th style="text-align: right;">Hourly Rate</th> <th style="text-align: right;">Estimate Hours</th> <th style="text-align: right;">Subtotal</th> </tr> </thead> <tbody> <tr> <td>Floodplain Administrator</td> <td style="text-align: right;">\$60.45</td> <td style="text-align: right;">1.5</td> <td style="text-align: right;">\$90.68</td> </tr> <tr> <td>Civil Engineer</td> <td style="text-align: right;">\$32.17</td> <td style="text-align: right;">2.5</td> <td style="text-align: right;">\$80.43</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td style="text-align: right;">\$171.05</td> </tr> </tbody> </table>	Position	Hourly Rate	Estimate Hours	Subtotal	Floodplain Administrator	\$60.45	1.5	\$90.68	Civil Engineer	\$32.17	2.5	\$80.43	Total			\$171.05
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Total			\$171.05																
19	\$300 an hour for County review shall be justify the fee and demonstrate the cost breakdown. Seems excessive at \$300. Why the increase in hourly rate?		The fee for both types of developed will be combined into one single fee structure of \$150 plus the hourly rate for a third-party review, as needed.																
20	What is the reviewer going to review? What's the purpose of the review? What's the checklist for the County/reviewer to be reviewing?? A maximum hours shall be placed. This can get out of control on reviews. Also, are the reviews comments going to be technical or "for spelling and graphical". Has the County ever prepared a CLOMR/LOMR for FEMA review?		<p>Per the "Federal Emergency Management Agency (FEMA) IS-1119: Letters of Map Amendment and Letters of Map Revision—Based on Fill Course Overview," Lesson 3 provides the roles and responsibilities of a floodplain development applicant, the community Floodplain Administrator (FPA), licensed professionals, and FEMA, as related to the Letter of Map Change (LOMC) process. Specifically, the FPA should review LOMC applications to ensure project is compliant with local regulations, assist property owners with LOMC application, when needed, coordinate CLOMA and CLOMR-F proposals with other departments and programs and other various items in line with this requirement. Given the direction from FEMA to define the role of the FPA, these fees are necessary to provide for these services in accordance with the best practices and guidance provided.</p> <p>(See Course Link Here: https://emilms.fema.gov/is1119/curriculum/1.html)</p>																