

## RESOLUTION NO. 3873-2015

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING UPDATED FEES FOR VARIOUS PLANNING AND DEVELOPMENT SERVICES

**WHEREAS**, the Fort Bragg Municipal Code, Title 17 (Coastal Land Use & Development Code), Title 18 (Land Use & Development Code), the California Environmental Quality Act Guidelines, Section 15045, and Government Code Sections 65104 and 66014 authorize the establishment of fees in order to recover and defray costs incurred in the processing of applications for planning and subdivision projects, annexations, and building permits, including inspections ("Planning and Development Fees"); and

**WHEREAS**, the City maintains a comprehensive "Consolidated Fee Schedule" to provide members of the public and City staff with a convenient method for determining fees and charges that apply to certain City services; and

**WHEREAS**, included in the Consolidated Fee Schedule is a list of fees for Planning and Development Fees; and

**WHEREAS**, the City has conducted an analysis of its Planning and Development Fees and the costs reasonably incurred in providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for such services; and

**WHEREAS**, based on the recent analysis of the cost of providing Planning and Development Fees, some of the fees and charges listed on the Consolidated Fee Schedule for such Services are no longer adequate to cover the estimated reasonable cost of providing those services; and

**WHEREAS**, pursuant to Government Code section 66016, the specific fees to be charged for such services must be adopted by the City Council after providing notice and holding an open and public meeting; and

**WHEREAS**, the City Council conducted an open and public meeting on December 14, 2015 to receive comments on the proposed fee schedule; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. All notices and publications have been given in accordance with Government Code section 66016; and
2. Information regarding the proposed fee increases, including the cost or estimated cost required to provide the service for which a specific fee is levied, have been made available to the public for at least ten (10) days prior to the public meeting; and
3. The fees collected for providing miscellaneous services are not a source of additional general fund revenues nor are they a "special tax" as described in California Government Code section 50076; and
4. Modifications to current fees, as identified in Exhibit "A" have been reviewed and are found to not exceed the estimated reasonable cost of providing the services for which the fees are levied.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby adopt the fees as shown on Exhibit "A", attached, showing the fees to be charged for the services described therein; and

**BE IT FURTHER RESOLVED** that the City Clerk is authorized and directed to update the Consolidated Fee Schedule to reflect the fees described in Exhibit "A"; and

**BE IT FURTHER RESOLVED** that these fees shall become effective upon adoption.

The above and foregoing Resolution was introduced by Councilmember Hammerstrom, seconded by Councilmember Cimolino, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14<sup>th</sup> day of December, 2015, by the following vote:

**AYES:** Councilmembers Cimolino, Deitz, Hammerstrom, and Mayor Turner.  
**NOES:** None.  
**ABSENT:** Councilmember Peters.  
**ABSTAIN:** None.



**DAVE TURNER,**  
Mayor

**ATTEST:**

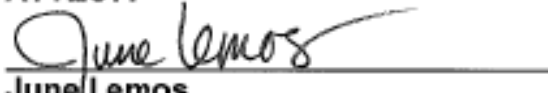
  
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June Lemos  
City Clerk

EXHIBIT A

PLANNING AND DEVELOPMENT FEES		
CATEGORY	FEE	NEW FEE
Address Listing Fee	\$20	\$20
<u>Administrative Permits:</u>		
* Administrative Coastal Development Permit	\$850	\$890
* Administrative Design Review	\$300	\$350
* Administrative Variance	\$400	\$550
* Amendment to Administrative Permit (major/minor)	\$575	\$500
* Certificate of Appropriateness	\$575	\$500
* Floodplain Development Permit	\$575	\$500
* Limited Term Permits not requiring TAC review	\$150	\$145
* Initial Review - Mobile Vending Unit Fee		\$550
* Annual Renewal - Mobile Vending Unit Fee		\$500
* Minor Use Permit	\$700	\$700
* Public Hearing (when requested for Administrative Permit)	\$1,050	\$900
Amendment to Design Review, CDP, Use Permit (Minor - no environmental and no public hearing required)	\$500	\$425
Annexation	Costs Incurred	Costs Incurred
Appeal to Planning Commission or City Council	\$1,000	\$1,000
Assign Street Address	\$15	\$50
Building Permit Surcharge on Construction Permits	1% of valuation of building permit	1% of valuation of building permit
NOTE: Fee is not assessed for re-roof permits and certain utility permits.		
Certificate of Compliance	\$900	\$715
<u>Code Enforcement Fees</u>		
* <b>Type 1 Code Enforcement Activity:</b> sign permit, fence & retaining wall issues, expired permit, overgrown vegetation, lawn parking, inoperable vehicle, broken windows, and other similar code enforcement activities.	\$290	\$275
* <b>Type 2 Code Enforcement Activity:</b> building maintenance, unsafe dangerous building, nuisance conditions, condition of approval violation, illegal home occupation, blight, and other similar code enforcement activities	\$440	\$450
* <b>Type 3 Code Enforcement Activity:</b> illegal second unit, construction without permits, change of use without permit, establishment of an un-permitted use, and other similar code enforcement activities.	\$600	\$600
* <b>Type 4 Code Enforcement Activity:</b> illegal marijuana cultivation, nuisance conditions such as abandoned buildings that provide setting for illegal activities.	\$820	\$920
* <b>Double Fee for Non-Compliance with Request to Stop Violation.</b> For code violations not abated within 45 days (or a longer time period as established by the Community Development Director, if warranted by the violation) of the code violation letter.	Double Fee	Double Fee

**EXHIBIT A**

<b>PLANNING AND DEVELOPMENT FEES</b>		
<b>CATEGORY</b>	<b>FEE</b>	<b>NEW FEE</b>
<b>Construction &amp; Demolition Waste Recycling Deposit:</b>		
* New construction projects	0.37/sf	0.37/sf
* Remodel or renovation projects of more than 500 sq. ft.	0.47/sf	0.47/sf
* Demolition projects of more than 1,000 sq. ft.	0.52/sf	0.52/sf
* Road, sidewalk, or driveway renovation/demolition projects that result in removal of 200 sq. ft. or more of asphalt or concrete	0.26/sf	0.26/sf
* Waste Management Checklist Processing Fee	\$25	\$35
NOTE: Waste Recycling Deposits are refunded based on a pro-rated percentage of the recycling target met.		
Development Agreement	Costs Incurred	Costs Incurred
Emergency Permit	\$525	\$510
Environmental Review: Negative Declaration; Environmental Impact Re	Costs Incurred	Costs Incurred
General Plan Amendment	Costs Incurred	Costs Incurred
<b>General Plan Maintenance Fee:</b>		
NOTE: This fee is not assessed for reroof permits and certain utility permits.		
* Construction Permits	1.5% of total permit valuation	1.5% of total permit valuation
* Residential Mobile Homes	1.5% of assigned valuation based on gross floor area of mobile home times \$51 per sq. ft.	1.5% of assigned valuation based on gross floor area of mobile home times \$51 per sq. ft.
* Affordable housing units (as defined by Fort Bragg Municipal Code Title	may grant exemptions upon written request	may grant exemptions upon written request
Geographic Information System (GIS) Site Map	\$20	\$20
Inclusionary Housing Fees (Interim)	Determined at time of application	Determined at time of application
Local Coastal Plan Amendment	Costs Incurred	Costs Incurred
Lot Line Adjustment	\$775	\$740
Medical Marijuana Cultivation Minor Use Permit	\$445	\$440
Mitigation Monitoring	Costs Incurred	Costs Incurred
<b>Parking In-lieu Fees:</b>		
* Existing Commercial Building **	\$0	\$0
* New Commercial Building	\$0	\$0
** NOTE: The Council adopted Resolution No. 3780-2015 establishing a temporary moratorium on the collection of Parking In-lieu Fees to December 31, 2016.		
<b>Permits Requiring Planning Commission Review:</b>		
* <b>Hearing Cost (then add fee below)</b>	\$1,100	\$1,115
* Adult-Oriented Business Permit	\$1,300	\$1,400
* Certificate of Appropriateness	\$500	\$515

Updated: 12/14/2015

**EXHIBIT A**

<b>PLANNING AND DEVELOPMENT FEES</b>		
<b>CATEGORY</b>	<b>FEE</b>	<b>NEW FEE</b>
* Coastal Development Permit	\$850	\$890
* Coastal Development Permit for Second Units	\$550	\$660
* Design Review	\$300	\$365
* Use Permit	\$700	\$700
* Variance	\$400	\$565
Planning Commission Sign Permit (no public hearing required)	\$200	\$200
Planned Development Permit	Costs Incurred	Costs Incurred
<u>Planning Permit Extension</u>		
* Non-subdivision; does not require a public hearing	\$180	\$165
* Non-subdivision; requires a public hearing before the Director	\$295	\$270
* Non-subdivision; requires a public hearing before the Planning Com	\$1,440	\$1,250
Pre-Application Analysis	Costs Incurred; Minimum \$750 Deposit	Costs Incurred; Minimum \$550 Deposit
Research Fee	\$60/hour	\$45/hour
Rezoning	Costs Incurred	Costs Incurred
<u>Sign Permit:</u>		
* Permanent & Temporary	\$50	\$40
* Political (refundable deposit)	\$100	\$100
Specific Plan	Costs Incurred	Costs Incurred
<u>Subdivision Map:</u>		
* Extension of Time	\$225	\$215
* Final Map	\$690 plus \$20/parcel	\$550 plus \$20/parcel
* Improvement Plan, Plan Check, Construction Inspections	Costs Incurred	Costs Incurred
* Minor Subdivision (<5 Parcels)	Costs Incurred	Costs Incurred
* Major Subdivision (>5 Parcels)	Costs Incurred	Costs Incurred
* Parcel Merger	Costs incurred	Costs incurred
* Parcel Map	\$690 plus \$20/parcel	\$550 plus \$20/parcel
* Reversion to Acreage	Costs incurred	Costs incurred
Technical Advisory Committee Review (Fee waived for non-profit events)		
* Minor	\$695	\$580
* Major	Costs Incurred	Costs Incurred
Violations - Penalty fee shall be equal to fee for required application(s) or, where there is not a set fee	\$1,000	\$1,000
NOTE: A penalty fee shall be collected for each violation, regardless of whether abatement involves removal of the violation or submittal of a permit application. When the City imposes a penalty fee, it shall follow the procedures in FBMC Chapter 6.12 which shall provide the property owner with an opportunity to present evidence regarding the violations before payment of the penalty fee is due. The City may require payment of the penalty fee in addition to any remedies provided under FBMC Chapter 6.12.		
Zoning Letter	\$105/hour	\$110/hour

EXHIBIT A

<b>PLANNING AND DEVELOPMENT FEES</b>		
<b>CATEGORY</b>	<b>FEE</b>	<b>NEW FEE</b>
<p>NOTE: For applications requiring payment of "costs incurred," a deposit account will be established for the project. The opening deposit will be determined based upon the estimated cost to complete the permitting process. The minimum deposit will be \$2,000. Costs for staff time will be based on fully-loaded hourly rates. City Attorney costs will be based on the City's actual costs incurred and vary depending on which attorney is providing services. Costs of consultants are based on the City's actual costs incurred in accordance with professional service agreements for said services.</p>		
<p>NOTE: At the discretion of the Director, a deposit account may be required in lieu of a flat fee for any planning permit(s) deemed likely to substantially exceed the City's typical costs in processing the permit.</p>		