

RESOLUTION NO. 4163-2019

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 (Inland 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 and Municipal Improvement District Board opened a public hearing on January 28, 2019, following proper notice, to obtain comments on the proposed fee schedule changes, continued the public hearing to April 22, 2019 and on April 22, 2019, continued the public hearing until May 13, 2019 and on that date obtained comments on the proposed fee schedule changes; 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 August 1, 2019.

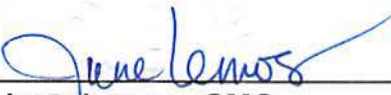
The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Morsell- Haya and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 13th day of May, 2019, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haya, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



WILLIAM V. LEE
Mayor

ATTEST:



June Lemos, CMC
City Clerk

EXHIBIT A
City of Fort Bragg
Schedule of Proposed Fee Changes

CATEGORY		Proposed 2020 Fee
PLANNING AND DEVELOPMENT FEES		
General Information and Letters		
24	Address Label	\$33
25	Assign Street Address	\$68
26	Geographic Information System (GIS) Site Map	\$21
27	Research Fee (Hourly)	\$55
Technical Advisory Committee Review (Fee waived for non-profit events)		
28	Zoning Letter (Hourly)	\$104
Appeals		
29	Appeal of Code Enforcement Case	\$440
30	Appeal of Administrative Permit to Planning Commission	\$375
31	Appeal of Sign Permit to Planning Commission	\$218
Building Permit Fees		
32	Over the counter Building Permit	\$158
33	Building Permit with Review by Planning, Public Works and/or Fire Dept.	
	From \$0 to \$10,000 in valuation	\$158
	From \$10,001 to \$25,000 in valuation	\$250
	From \$25,001 to \$75,000 in valuation	\$750
	Over \$75,000 Developer Deposit Account	Costs incurred
34	Waste Management Checklist processing Fee	\$40
	Note: Waste recycling deposits are refunded based on a pro-rated percentage of the recycling target met.	
Sign Permit Fees		
35	Permanent & Temporary	\$30
36	Planning Commission Sign Permit (no public hearing required)	\$208
Administrative Permits		
37	Administrative Coastal Development Permit	\$1,143
38	Administrative Design Review	\$603
39	Administrative Variance	\$603
40	Amendment to Administrative Permit (major/minor)	\$603
41	Certificate of Compliance	\$805
42	Floodplain Development Permit	\$603
43	Limited Term Permits not requiring TAC review	\$156
44	Mobile Vending Unit Permit (includes business license fee)	\$571
45	Annual Renewal - Mobile Vending Unit Fee	\$500
46	Minor Use Permit	\$966
47	Medical Marijuana Cultivation Minor Use Permit	Costs incurred
48	Public Hearing (requested for Administrative Permit)	\$1,018
49	Amendment to Design Review, CDP, Use Permit (Minor - no environmental and public hearing required)	Costs incurred
50	Emergency Permit	\$634
Permits Requiring Planning Commission Review		
51	Hearing Cost (in addition to permit fee, below)	\$935
52	Adult-Oriented Business Permit	Costs incurred
53	Certificate of Appropriateness	\$440
54	Coastal Development Permit	\$1,143
55	Coastal Development Permit for Second Units	\$800
56	Design Review	\$603
57	Use Permit	\$966
58	Cannabis Manufacturing Use Permit	Costs Incurred
59	Variance	\$722

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CATEGORY		Proposed 2020 Fee
PLANNING AND DEVELOPMENT FEES		
	Planning Permit Extension	
60	Non-subdivision; does not require a public hearing	\$150
61	Non-subdivision; requires a public hearing before the Director	\$300
62	Non-subdivision; requires a public hearing before the Planning Commission	\$1,242
Developer Deposit Account (DDA) Projects		
63	Annexation	Costs incurred
64	Development Agreement	Costs incurred
65	Environmental Review: Negative Declaration; Environmental Impact Report	Costs incurred
66	General Plan Amendment	Costs incurred
67	Local Coastal Plan Amendment	Costs incurred
68	Mitigation Monitoring	Costs incurred
69	Planned Development Permit	Costs incurred
70	Rezoning	Costs incurred
71	Specific Plan	Costs incurred
Subdivisions		
	Subdivision Map:	
72	Extension of Time	\$150
73	Final Map	Costs incurred
74	Improvement Plan, Plan Check, Construction Inspections	Costs incurred
75	Minor Subdivision (<5 Parcels)	Costs incurred
76	Major Subdivision (>5 Parcels)	Costs incurred
77	Parcel Merger	Costs incurred
78	Parcel Map	Costs incurred
79	Reversion to Acreage	Costs incurred
80	Lot Line Adjustment	Costs incurred

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CATEGORY		Proposed 2020 Fee
PLANNING AND DEVELOPMENT FEES		
Code Enforcement fees		
81	Type 1 Code Enforcement Activity: sign permit, fence & retaining wall issues, expired permit, overgrown vegetation, lawn parking, inoperable vehicle, broken windows, and other similar code enforcement activities.	\$203
82	Type 2 Code Enforcement Activity: building maintenance, unsafe dangerous building, nuisance conditions, condition of approval violation, illegal home occupation, blight, and other similar code enforcement activities.	\$364
83	Type 3 Code Enforcement Activity: illegal second unit, construction without permits, change of use without permit, establishment of an un-permitted use, and other similar code enforcement activities.	\$613
84	Type 4 Code Enforcement Activity: illegal marijuana cultivation, nuisance conditions such as abandoned buildings that provide setting for illegal activities.	\$1,010
<p>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.</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>		