

RESOLUTION NO. ____-2016

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 November 28, 2016 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 _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 28th day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

DAVE TURNER,
Mayor

ATTEST:

June Lemos
City Clerk



Exhibit A 2017 Fee Schedule

Updated 11/28/2016

PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
General Information and Letters		
Address Listing Fee	\$20	\$30
Assign Street Address	\$50	\$0
Geographic Information System (GIS) Site Map	\$20	
Inclusionary Housing Fees	Determined at time of application	
Parking In-lieu Fees:		
* Existing Commercial Building **	fee waived	
* New Commercial Building	fee waived	
** NOTE: City Council Resolution No. 3780-2015 establishes a temporary moratorium on collection of Parking In-lieu Fees until December 31, 2016.		Staff recommends that the moratorium be extended until Dec 31, 2017.
Research Fee	\$45/hour	
Technical Advisory Committee Review (Fee waived for non-profit events)		
* Minor	\$580	
* Major	Costs Incurred	
Zoning Letter	\$110/hour	\$115/hour
Building Permit Fees		
Building Permit Surcharge on Construction Permits	1% of valuation of building permit	
NOTE: Surcharge is not assessed for reroof permits and certain utility permits.		
General Plan Maintenance Fee:		
* Construction Permits	1.5% of total permit valuation	
* Residential Mobile Homes	1.5% of assigned valuation; based on gross floor area x \$51/sq. ft.	
* Affordable housing units (as defined by Fort Bragg Municipal Code Title 18)	City Council may grant exemptions upon written request	
Construction & Demolition Waste Recycling Deposit:		
* New construction projects	0.37/sf	
* Remodel or renovation projects of more than 500 sq. ft.	0.47/sf	
* Demolition projects of more than 1,000 sq. ft.	0.52/sf	



Exhibit A 2017 Fee Schedule

Updated 11/28/2016

PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
* projects that result in removal of 200 sq. ft. or more of asphalt or concrete	0.26/sf	
* Waste Management Checklist Processing Fee	\$35	\$40
NOTE: Waste Recycling Deposits are refunded based on a pro-rated percentage of the recycling target met.		
Sign Permit		
* Permanent & Temporary	\$40	\$45
* Political (refundable deposit)	\$100	
Planning Commission sign permit (No public hearing required)	\$200	
Planning Permits		
Pre-Application Analysis & Meeting(s)	Costs Incurred; \$550 Deposit	
Administrative Permits:		
* Administrative Coastal Development Permit	\$890	\$1,035
* Administrative Design Review	\$350	\$560
Administrative Design Review of Public Art & Murals		\$25
* Administrative Variance	\$550	\$560
* Amendment to Administrative Permit (major/minor)	\$500	\$560
* Certificate of Compliance	\$715	\$770



Exhibit A 2017 Fee Schedule

Updated 11/28/2016

PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
* Floodplain Development Permit	\$500	\$560
* Limited Term Permits not requiring TAC review	\$145	\$180
* Mobile Vending Unit Permit (includes business license fee)	\$550	
* Annual Renewal - Mobile Vending Unit Permit	\$500	
* Minor Use Permit	\$700	\$815
Medical Marijuana Cultivation Minor Use Permit	\$445	\$510
* Public Hearing (when requested for Administrative Permit)	\$900	
Amendment to Design Review, CDP, Use Permit (Minor -	\$425	\$490
Emergency Permit	\$525	\$565
<u>Permits Requiring Planning Commission Review:</u>		
* Hearing Cost (in addition to permit fee, below)	\$1,115	\$760
* Adult-Oriented Business Permit	\$1,400	\$1,525
* Certificate of Appropriateness	\$515	Costs Incurred
* Coastal Development Permit	\$890	\$1,035
* Coastal Development Permit for Second Units	\$660	\$755
* Design Review	\$365	\$430
* Use Permit	\$700	\$815
* Cannabis Manufacturing Use Permit		Costs Incurred
* Variance	\$565	\$645
<u>Planning Permit Extension</u>		
* Non-subdivision; does not require a public hearing	\$165	\$140
* Non-subdivision; requires a public hearing before Director	\$270	\$200
* Non-subdivision; requires a public hearing before the Planning Commission	\$1,250	\$1,000



Exhibit A **2017 Fee Schedule**

Updated 11/28/2016

PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
Appeal of Planning Commission decision to City Council	\$1,000	\$500 Note: DDA will be charged for all costs incurred by City in processing appeal. Appeal fee will be credited to DDA. Council retains authority to reimburse appeal fees.
Development Deposit Account Projects		
Annexation	Costs Incurred	
Development Agreement	Costs Incurred	
Environmental Review: Negative Declaration; Environmental	Costs Incurred	
General Plan Amendment	Costs Incurred	
Local Coastal Plan Amendment	Costs Incurred	
Mitigation Monitoring	Costs Incurred	
Planned Development Permit	Costs Incurred	
Rezoning	Costs Incurred	
Specific Plan	Costs Incurred	
Subdivision		
Subdivision Map:		
* Extension of Time	\$215	\$165
* Final Map	\$550 plus \$20/parcel	Costs Incurred
* Improvement Plan, Plan Check, Construction Inspections	Costs Incurred	
* Minor Subdivision (<5 Parcels)	Costs Incurred	
* Major Subdivision (>5 Parcels)	Costs Incurred	
* Parcel Merger	Costs incurred	
* Parcel Map	\$550 plus \$20/parcel	Costs Incurred
* Reversion to Acreage	Costs incurred	



Exhibit A 2017 Fee Schedule

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PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
Certificate of Compliance	\$715	
Lot Line Adjustment	\$740	DDA
Code Enforcement		
Code Enforcement Fees		
* 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.	\$275	\$205
* 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.	\$450	\$290
* 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.	\$600	\$445
* Type 4 Code Enforcement Activity: illegal marijuana cultivation, nuisance conditions such as abandoned buildings that provide setting for illegal activities.	\$920	\$790
* Double Fee for Non-Compliance with Request to Stop Violation. 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	
Violations - Penalty fee shall be equal to fee for required application(s) or, where there is not a set fee, \$1000	\$1,000	



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PLANNING AND DEVELOPMENT FEES		
CATEGORY	2016 FEE	2017 FEE only fee changes are noted
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.		
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.		
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.		