

## 12.14.030 DRAINAGE FEES.

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A. The drainage plan and map entitled "2004 Storm Drainage Master Plan", dated October 2004, on file with the City Clerk is hereby adopted pursuant to §§ [66483](#) and [66487](#) of the State of California Government Code.

B. The City official having jurisdiction, shall not issue a building permit for construction resulting in a 120-square-foot or more increase in ground coverage, within the Fort Bragg Drainage Area until the fees as set forth in this ordinance have been paid. The official having jurisdiction may accept cash, or other consideration (in the form of actual construction of a part of drainage facilities by the applicant or his or her principal) in lieu of the fee when authorized to do so by the City Engineer. This fee shall not be required if the requested permit is to perform one (1) of the following.

1. To replace a structure destroyed or damaged by fire, flood, wind, or acts of God. This exception is only to the extent that the resultant structure has the same or less ground floor square footage as the original structure; if the ground floor square footage is increased, the square footage of the additional ground floor area shall be used to determine if the fee is due.
2. To construct a swimming pool, patio, or driveway.
3. To construct facilities (including dwellings) on lots greater than twenty (20) acres in area, provided less than 10% of the lot area is covered by impervious surfaces.
4. If the subdivision is for the conveyance of land to a government agency, public entity, public utility, or abutting property owner where a new building lot or site is not created as a result of the conveyance.

C. In the case of a new subdivision, the subdivider shall pay 100% of the drainage fees [due](#) at time of issuance of the building permit.

D. ~~The [Storm base fee, used to determine](#)~~ drainage fees, shall be established, from time to time, by City Council resolution. The fees will be adjusted annually, for implementation January 1 of each year, based on the change in the Engineering News-Record 20-City Construction Cost Index over the prior year.

1. Agricultural land (twenty (20)-acre minimum) shall not be assessed an acreage fee.
2. ~~Rural land (five acre minimum) shall only be assessed an acreage fee for one (1) acre in any parcel split. Additional acreage shall not be charged an acreage fee.~~

~~3.~~ Any development increasing the impervious area on a parcel by 120 square feet or more shall pay a storm drainage fee at the rate established in the City's Fee Schedule. Said fee shall be calculated by multiplying the area, in square feet, of the additional impervious area by the rate in the Fee Schedule. ~~Additions under 120 square feet are exempt.~~

~~4.~~ ~~For individual lots, the drainage fee shall be determined by multiplying the base fee per acre by the area of the lot, excluding the area falling within the public street right-of-way, calculated to the nearest hundredth of an acre, and multiplying this product by the runoff coefficient "C" designated to the lot.~~

~~3. 5.~~ For subdivisions, the drainage fee shall be determined by multiplying the ~~base~~ storm drain fee ~~per acre~~ by the ~~gross~~ net area of the subdivision excluding the area falling within the public street right-of-way ~~prior to the land being subdivided, and multiplying this product by the runoff coefficient "C" designated to this subdivision.~~

~~4. 6.~~ Runoff coefficients and storm drainage fee rates shall be determined from the Land Use Designation Map of the Fort Bragg General Plan or as actually zoned. The runoff coefficients (C values) for each of the various land use designations shall be as follows:

**TABLE-IV 1. RUNOFF COEFFICIENTS "C"**

	Land Use Zoning	Runoff Coefficient "C"
<i>Residential:</i>		
RVH	Very High Density Residential	0.75
RM	Medium Density Residential	0.70
RH	High Density Residential	0.65
RL	Low Density Residential	0.55
RS	Suburban Residential	0.40
RR	Rural Residential	0.35
<i>Commercial:</i>		
CN	Neighborhood Commercial	0.85

**TABLE-IV 1. RUNOFF COEFFICIENTS “C”**

	<b>Land Use Zoning</b>	<b>Runoff Coefficient “C”</b>
CO	Office Commercial	0.85
CBD	Central Business District	0.85
CG	General Commercial	0.85
CH	Highway Visitor Commercial	0.85
<i>Industrial:</i>		
IH	Heavy Industrial	0.90
HD	Harbor District	0.85
IL	Light Industrial	0.85
<i>Special Purpose Districts:</i>		
PR	Neighborhood Park	0.30
A	Agricultural	0.30
FP	Floodplain	0.25
OS	Regional Park and Agricultural Open Space	0.20

5. 7. Fee amounts are applicable to the proposed use. For example, a commercial use occurring in a residential zone shall pay a fee according to the commercial land use schedule.

~~E. No lot shall be subject to payment of the full amount of fee, under the terms of this ordinance, more than once.~~

E. F. With the filing of the improvement plans for the first unit of any subdivision, the subdivider or developer shall submit a master storm drainage plan for the entire area covered by the tentative map. In so doing, the subdivider or developer shall design the system to essentially conform to the Fort Bragg Drainage Study plan. The subdivider shall construct and dedicate to the City, the necessary storm water drainage improvements.

E. G. Whenever permanent off-site storm drainage facilities are required by the City to be constructed and installed as a part of the subdivision, in connection with the development of the subdivision, ~~an amount of~~

~~money-based on~~ the cost of construction of the storm drainage facilities shall be credited against storm drainage fees chargeable to the owners as defined in § [12.14.030](#), provided the facilities are owned by the City at the time the owner pays the fees, or will be owned by the City upon the acceptance thereof by the City, until the amount of the credit is exhausted. In the event that the amount so credited under this section exceeds the storm drainage fees which are chargeable to the owner, the amount of the excess shall be reimbursed as determined by the City Engineer, based on the estimated cost of facilities at the time of original construction. The reimbursement will be based on the percentage of the area that other benefited lands are in relation to the City benefit area. The subdivider will be reimbursed by the City from moneys received from the benefiting lands pursuant to this ordinance. Reimbursements under this paragraph shall terminate ten (10) years after acceptance by the City of the construction and installation of the facilities on which the reimbursement are based.

G. H. The fee collected in connection with nonresidential projects [where the increase in impervious area is on](#) ~~parcels~~ larger than 10,000 square feet shall not exceed 10% of the total project cost. When a partial fee is collected under this provision, the remaining portion shall be collected on the same basis at time of future construction activity ~~until the entire fee amount is collected~~. The fee collected in connection with construction projects on industrially zoned parcels larger than ten (10) acres shall be determined on a case by case basis following an evaluation of the need for new or upgraded facilities to accommodate the increased storm water discharge and the construction of storm water facilities by the applicant as a part of the project.