



Legislation Text

File #: 10-0607, **Version:** 3

HEARING - Consider adoption of Resolution revising the Development Services Department's Planning Services Fee Schedule, including Policies and Procedures. (Est. Time: 30 Min.) (Cont'd 7/27/10, Item 29)

Resolution 125-2010

Background: The currently in use Planning fees (Resolution 58-2006) were effective April 29, 2006. Operating for four years under this fee schedule has resulted in the identification of the following problems with the fees:

1. There are many services for which no fees are charged.
2. The costs of providing services have increased and the fees do not .
3. A number of permits which require Time and Materials (T&M) fees are challenging to administer.
4. Some services and fees are no longer provided or applicable.
5. Some services can be broken down into sub-categories with lower fees.

Since 2006, the Planning Services Division has been tracking all staff time on work activities. This information can now be used to refine and update the fee schedule adopted in 2006. The proposed fee schedule reflects project processing times under the current regulations, including the General Plan. Pursuant to Section 66014 of the California Government Code, the proposed fees do not exceed the estimated reasonable cost of providing services.

Draft fee schedules were discussed by the Board of Supervisors on April 13, 2010 (Item 23, Legistar 10-0173). Additional issues were identified by the public and the Board:

1. Due to the economy, fees should not be increased.
2. Fees should not be increased without improved accountability in the Department.
3. Ways should be found to reduce the cost of processing permits.

For the Planning Division fee schedule, most fees are not being increased. The hourly rate for the Division will remain at \$100 per hour. Using the DOT cost accounting structure, that means that for every \$100 hourly fee being collected there is an additional \$15 General Fund subsidy to cover the true cost.

The proposed fee schedule will primarily do the following:

1. Convert T&M services to fixed fees: Certificates of Compliance, Design Review, Parcel Maps, Special Use Permit, and Variances.
2. Adjust the deposit amounts on the remaining T&M services to more accurately reflect the average cost of the various services : Development Agreement, General Plan Amendment, Planned Development, Major Pre-Application, Subdivision Maps, and Zone Changes.

3. Increase minor permit fees, or establish new fees, to cover the average cost of providing services in the following areas: Appeals, Boundary Line Adjustment, Building Permit review, Minor Certificates of Compliance, Minor and Standard Design Review, Pre-Application, Research, Site Plan Review, Minor Special Use Permits, Final Maps, Temporary Mobile Home, and Administrative Variances.

These changes do not cover the full cost of the services provided because they are based on calculations for providing services from the adopted \$100 hourly rate. These fees are estimated to generate approximately \$40,000 per year for the Planning Division (using the DOT cost accounting structure there would be another 15% needed to cover the true costs - which under the proposed fee schedule would continue to be borne by the General Fund).

The proposed fee schedule is intended to improve the accountability of the Division by converting a large number of T&M applications to fixed fees. This change will provide certainty for the applicant as well as incentive for the Division. Although conversion of applications to T&M will remain an option, it will be implemented only with the applicant's concurrence.

The Department is cognizant of the time and expense of permit processing. State regulations drive most of the processing costs. Improvements to local regulations and Department processes are currently regularly addressed by two Committees appointed by the Board of Supervisors: the Building Industry Advisory Committee and the Regulatory Reform Subcommittee of the Economic Development Advisory Committee. The Department processes were previously reviewed by the 2007/2008 Ad Hoc Committee.

One of the Board of Supervisors directions from the Ad Hoc Committee on December 9, 2008 (Item 37, Legistar 08-0642) was to direct staff to return with options for a fee schedule that includes more categories for flat fees as well as other options to recover costs associated with overhead, General Plan, Technology, and Code Enforcement.

The proposed fee schedule for the Planning Division establishes more flat fees and increases minor fees to recover costs.

The Development Services Department recommends the Board of Supervisors adopt resolution replacing Resolution 058-2006 with the revised fee schedule for Planning Services (Attachment C).

Public notices of the hearing to take place at this meeting were placed in both the Mountain Democrat and the Tahoe Tribune per current law. Should your Board approve the recommended change in fees, the new fees will become effective 60 days after adoption.

Action to be taken following Board approval: The Clerk of the Board will provide one executed copy of the Resolution to Development Services Department for implementation.

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