June 2, 2015

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Planning Division Fee Schedule Update

Dear Board Members:

RECOMMENDATION: Adopt proposed resolution updating fees for zoning and land use applications, environmental review documents, and other planning-related services.

SUMMARY:

Over the past 7 months, staff worked with a subcommittee of the Board of Supervisors comprised of Supervisors Arnold and Kinsey to re-evaluate and update user fees charged by the Planning Division. The County has not adjusted Planning fees for approximately six years while the agency's cost of providing user fee services has increased during that time frame.

Fees for processing discretionary planning permits and administering other planning-related services are established by the Board of Supervisors with a cost recovery target of 50%. The proposed fee adjustments result in an average decrease in fees by 7%, reflecting changes to the development review program made over the past several years that streamlined processes, modified the levels of service, and increased the use of technology such as online subscription-based notifications. The proposed fee adjustments will not exceed the cost for providing fee-related services and are comparable to similar fees charged by the Cities of Novato, San Rafael, and Mill Valley, and the Counties of Sonoma, San Mateo, and Santa Cruz.

The following provides a summary of key aspects of the revised fee schedule.

- The fee schedule has been simplified by renaming and combining permit types into “Major” and “Minor/Amendments.” With exception to planning services (like Street Name Changes), fees for most Planning applications are proposed as a deposit. Existing administrative practices, such as the methodology for calculating the fees involving multiple applications (by reducing the amount of the deposit/fee for the second and subsequent applications by 50%) and refunds have been included in the fee schedule for clarity.

- Fees charged by the Department of Public Works and Environmental Health Services for review of Planning applications are proposed to be listed separately and charged on a deposit basis. These range from $500 to $1,200 deposits depending on the type of Planning application.

- Fees charged for filing a Notice of Exemption from the requirements of the California Environmental Quality Act have been reduced from $370 to $200 and combined with the application fee. This fee includes a $50 County Clerk filing fee.
• The Long Range Planning surcharge on certain Planning and Building Permit applications is proposed to be reduced from 10.5% to 10.0%. This surcharge is intended to partially offset County costs associated with funding long-range community planning activities to implement the Countywide Plan and other general plan update and maintenance needs. This will result in a small reduction to the revenue collected through the surcharge by less than $2,000 annually.

• Consistent with the County's affordable housing goals, fees for Second Unit Permits are proposed to be reduced by over 50%, from $1,135 to $500. Fees for Sign Permit and Review applications are proposed to be reduced from $515 and $2,425 to $200 and $1,500, respectively.

• The existing fee waiver or reduction for affordable housing projects, community-based projects, and photovoltaic projects are proposed to be retained.

• New fee types that are proposed include: (1) Major Temporary Use Permit fee of $800; (2) General Planning Services retainer of $1,000 for consultation services that affect more than one property; (3) Tree Permit (Major) of $600 for removal of major trees, such as heritage trees; and (4) Technology Fee of $15/application to offset annual software maintenance costs for the Agency's comprehensive permit tracking system (COMET) used for the processing of Planning applications.

• Fees charged to process an appeal of the Planning Commission's decision to the Board of Supervisors are proposed to be increased from $770 to $1,200. Appeals of decisions to the Planning Commission will remain at $600.

• The proposed resolution includes a provision that future adjustments to the fees based on the San Francisco Bay Area Consumer Price Index (CPI) from April to April will be confirmed annually by the Board of Supervisors through adoption of a resolution as part of the approval of the County's annual budget.

FISCAL IMPACT: The budget for the Planning Division is partially funded through development review fees. The proposed fees should offset the County's General Fund subsidy of the Current Planning program's budget by at least 50%. Staff will monitor ongoing fee revenues and, if necessary, work with the County Administrator's Office to consider adjustments to maintain alignment between the Current Planning program's cost recovery target and the County budget.

REVIEWED BY:
☐ Auditor-Controller ☒ N/A
☒ County Counsel ☐ N/A
☐ Human Resources ☒ N/A

Respectfully submitted

Thomas Lai
Assistant Director

Reviewed by:

Brian C. Crawford
Director

Attachment: (1) Proposed Resolution with Exhibit A (Fee Schedule)
(2) Planning Fee Comparisons