

COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

January 28, 2020

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

SUBJECT: Proposed Ordinance to amend Title 19 of Marin County Code and adopt updated building permit fees and technology fee adjustments.

Dear Board Members:

RECOMMENDATION:

1. Read proposed Ordinance by title only.
2. Schedule a merit hearing for February 11, 2020, 10:30 A.M., or as soon thereafter as the matter may be heard.

SUMMARY:

The proposed Ordinance (Attachment 1) adopts and amends the Community Development Agency (CDA) Building and Safety Division permit fees, as provided in Section 19.04.032 of Marin County Code. The Building and Safety fees have changed only once since 2009, as a result of a 6% increase to the division's hourly rate approved by your Board in July 2018 to reflect recent inflationary impacts (Ordinance No. 3690). This Ordinance would adjust each permit fee (Exhibit A) to reflect the annualized average allocation of service and resources to ensure 100% cost recovery of the division budget through full utilization of division staff, while still remaining below or comparable to the average fees of our six comparator counties and cities.

These fee adjustments, proposed to take effect on July 1, 2020, are needed to provide the necessary revenue to support ongoing core services and continuous improvements to the county's building permitting program, such as the resumption of public services at the agency's office on Fridays, timely building inspections; maintaining express permitting five days each week; further reductions in redundant plan reviews and further reducing delays in the plan review and approval process for building permit applications.

The proposed Ordinance also authorizes the CDA Director to increase permit fees three percent per year, when determined necessary to adjust for inflationary impacts, through the County's annual budget approval process,

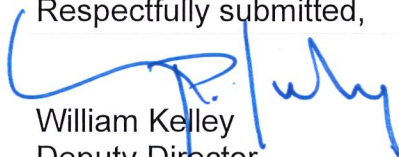
and clarifies additional fees collected with permits for work performed by Land Development, Environmental Health and Marin County Fire. Finally, the proposed Ordinance provides for a new permit fee waiver for accessibility improvements to existing structures and retains allowances for agricultural exemptions, up to 100 percent fee waivers for affordable housing projects and up to a 35 percent fee reduction for projects resulting in public benefit.

Early in 2019 staff conducted a detailed comparative fee study for each of our building permit fees with the counties of San Mateo, Santa Cruz and Sonoma, as well as the local jurisdictions of Mill Valley, Novato and San Rafael. The results of this comparative study revealed our current fees to be substantially below the average fees of the six comparator jurisdictions. This Ordinance proposes each fee to remain comparable to or below the average fees of our comparators but does not propose adjusting any existing permit impact fee.

Consistent with your Board's direction to ensure that the County's building permitting program remain fully cost covered, this proposed Ordinance would also increase the building permit technology fee from 5 percent of the building permit fee to 6 percent of the building permit fee to fund current and future technology improvements to enhance the services technology provides to our building permit customers. By way of example, these improvements include online permitting, electronic plan review and inspection scheduling via text.

FISCAL/STAFFING IMPACT: Increased revenue estimated between \$1.6 – 1.9 M as a result of this action (based on FY 17-18 workload), to be used solely for the building fund and provide 100 percent recovery of annual building division costs resulting in zero net impact to the County General Fund beginning FY 2020-2021. We will return to your Board with resulting budget adjustments.

Respectfully submitted,


William Kelley
Deputy Director


Tom Lai
Assistant Director

REVIEWED BY: [N/A] Auditor-Controller [X] CAO
 [X] County Counsel [N/A] Human Resources

ATTACHMENTS:

- (1) Proposed Building Permit Fee Ordinance, with EXHIBIT A (FY 2020, 2021 Master Fee and Service Schedule)
- (2) Proposed Permit Fees Cost Allocation and Comparison
- (3) Proposed Tech Fee Cost Allocation