

RESOLUTION 2011-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES FOR FISCAL YEAR 2011/2012

WHEREAS, in 2007, the City of Solana Beach conducted an extensive and exhaustive analysis of its services, the costs reasonably borne for providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, in 2009, the Solana Beach City Council adopted the Schedule of Fees for Fiscal Year 2009/2010 and directed City Staff to conduct user fee studies on a routine basis to ensure fees are set appropriately to recover costs reasonably borne for providing services; and

WHEREAS, a fee study is required to recover cost for new services or changes in service; and

WHEREAS, the City wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and

WHEREAS, the City established a policy of recovering the full costs reasonably borne for providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, pursuant to Government Code Section 66016, the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, on November 9, 2011, the City Council held a duly noticed public hearing per California Government Code Section 6062a, oral and written presentations made and received, and the required public hearing held; and

WHEREAS, a schedule of fees and charges to be paid by those requesting such special services need be adopted so that the City might carry into effect its policies; and

WHEREAS, the City Council adopted a revised schedule of fees and charges based on the City's budgeted and projected costs reasonably borne for the Fiscal Year 2010; and

WHEREAS, pursuant to California Government Code Section 6062a, a general

explanation of the hereinafter contained schedule of fees and charges has been published as required; and

WHEREAS, the City has complied with all requirements of California Government Code Section 66016.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. **Fee Schedule Amendment.** The charges for the following services: New/Changed Registration (Business Certificate), Business Certificate Renewal, Commercial Photovoltaic Plan Check and Inspection Fee, CalGreen Plan Check and Inspection Fees, and a Zoning Letter, as reflected in Exhibit A, are hereby adopted and various City Departments are directed to compute and to apply said fees, and to be collected by the City Finance Department for the herein listed special services when provided by the City or its designated contractors.
3. **Separate Fee for Each Process.** All fees set forth by this Resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per unit of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.
4. **Added Fees and Refunds.** Where additional fees need to be charged and collected for completed Staff work, or where a refund of excess deposited monies is due, and where such charge or refund is ten dollars (\$10.00) or less, a charge or refund need not be made, pursuant to California Government Code Sections 29373.1 and 29375.1 and amendments thereto.
5. **Interpretations.** This Resolution may be interpreted by the several City department heads in consultation with the City Manager and should there be a conflict between two fees then the lower in dollar amount of the two shall be applied.
6. **Adjustments to Fees.** It is the intention of the City Council to conduct an extensive analysis of its services periodically and review the fees and charges as determined and set out herein based on the City's Annual Budget and all the City's costs reasonably borne as established at that time and, if warranted, to revise such fees.

7. **Constitutionality**. If any portion of this Resolution is declared invalid or unconstitutional, then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

8. **Effective Date**. This Resolution shall go into full force and effect on November 9, 2011, except for all development related fees which hereby shall be effective no sooner than 60 days following the adoption of this Resolution in compliance with State of California, Government Code Section 66017(a). The effective date of all development related fees shall be January 8, 2011.

PASSED AND ADOPTED this 9th day of November, 2011, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES:	Councilmembers – Heebner, Kellejian, Roberts, Nichols, Campbell
NOES:	Councilmembers – None
ABSENT:	Councilmembers – None
ABSTAIN:	Councilmembers – None



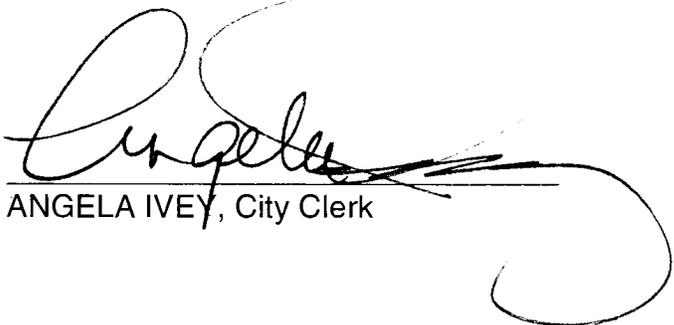
LESA HEEBNER, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



ANGELA IVEY, City Clerk

Exhibit A
Resolution 2011-151
FY 2011-12 Schedule of Fees

Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-001	Community Dev	Conditional Use Permit - Processing	<p style="text-align: center;">All CUPs: \$9,300 Bluff Retention Device CUPs</p> Require addtl deposit for various third-party reviews at Cost + 15% <p style="text-align: center;">Wireless Communication Facility CUPs</p> Require addtl deposit for third-party review at Cost = 15%	Per application. Bluff retention device CUPs will include deposit based on estimated costs for third-party geotechnical review, consultant review, and legal services. Optional; expediting fee and CEQA document preparation fee, upon request.
S-002	Community Dev	Conditional Use Permit - Revise/Modify	\$2,168	Per application
S-003	Community Dev	Conditional Use Permit - Time Extension	\$1,568	Per application
S-004	Community Dev	Community Development Dir. Use Permit	\$2,327	Per application
S-005	Community Dev	Community Development Dir. Use Permit - Revision	\$1,222	Per application
S-006	Community Dev	Community Development Dir. Use Permit - Time Extension	\$1,020	Per application
S-008	Community Dev	Minor Exception - Review Process	\$845	Per application (Second year of a three year phase in. Will increase to \$845 in FY10)
S-011	Community Dev	Temporary Use Permit - Processing	\$1,425	Per application (Second year of a three year phase in. Will increase to \$1425 in FY10)
S-012	Community Dev	Temporary Use Permit - Time Extension	\$630	Per application (Second year of a three year phase in. Will increase to \$630 in FY10)
S-014	Community Dev	Variance - Processing	\$2,163	Per application
S-017	Community Dev	Appeal Community Development Dir. To City Council	Resident/\$1,063 Others \$2,658	Per appeal
S-018	Community Dev	General Plan Amendment	\$10,000 Deposit	\$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs. City staff will track time related to the project so that 100% of costs are recovered.
S-019	Community Dev	Rezoning Review/Specific Plan	\$10,000 Deposit	\$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs. City staff will track time related to the project so that 100% of costs are recovered.

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Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-020	Community Dev	Zoning Text Amendment	\$5,000 Deposit	\$5,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs. City staff will track time related to the project so that 100% of costs are recovered.
S-021	Community Dev	Development Review Permit - Processing	Resident/\$3,030 Others \$6,058 Projects w/EIR \$10,000 Deposit	Projects not requiring an EIR \$3,030/Resident; \$6,058/Others; Projects requiring an EIR \$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs.
S-022	Community Dev	Development Review Permit - Revise/Modify	Resident/\$1,595 Others \$3,352	Per application
S-023	Community Dev	Development Review Permit - Time Extension	\$1,977	Per application
S-024	Community Dev	Major Subdivision - Tentative Map	\$10,858	Per map
S-025	Community Dev	Major Subdivision - Final Map	\$5,777	Per map
S-026	Community Dev	Major Subdivision - Amend. Of Condition	\$3,332	Per application
S-027	Community Dev	Major Subdivision - Time Extension	\$2,615	Per application
S-028	Community Dev	Minor Subdivision - Tentative Map	\$8,674	Per application
S-029	Community Dev	Minor Subdivision - Parcel Map	\$4,002	Per map
S-030	Community Dev	Minor Subdivision - Amend. Of Condition	\$2,593	Per application
S-031	Community Dev	Minor Subdivision - Time Extension	\$2,418	Per application
S-032A	Community Dev	Environ. Documents Initial Study- In house Exempt	\$291 plus any additional costs	Per application plus any outside costs
S-032B	Community Dev	Environ. Documents - Outsourced Non-exempt	Cost + 15%	Per application. Deposit based on 115% of contract estimate.
S-034	Community Dev	Environ. Documents - with Negative Declaration	Cost + 15%	Per application. Deposit based on 115% of contract estimate.
S-035	Community Dev	Environ. Impact Report	Cost + 15%	Per application. Deposit based on 115% of contract estimate.

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S-036	Community Dev	Structure Develop. Permit - Processing	\$744	Per application. This fee should not be charged in conjunction with a Development Review Permit (S-021)
S-036A	Community Dev	Structure Develop. Permit - Time Extension	\$660	Per application. This fee should not be charged in conjunction with a Development Review Permit-Time Extension (S-023)
S-037	Community Dev	View Assessment - Applicant	\$600 neighbor \$600 Original applicant	Per application
S-038A	Community Dev	View Assessment Committee (VAC) - Appeal to City Council	\$300	Per application
S-038B	Community Dev	View Assessment - Community Development Dir. Appeal to City Council	\$600	Per application
S-039	Community Dev	Standard Sign Permit - Processing	\$287	Per application
S-040	Community Dev	Comprehensive Sign Plan - Review Process	\$574	Per application
S-041	Community Dev	Comprehensive Sign Plan - Amendment	\$532	Per application
S-042	Community Dev	Zoning Letter	\$135	Per Lot
S-044	Community Dev	Temporary Special Event Sign	\$58	Per application
S-045	Community Dev	Landscape Plan Review/Inspection	\$320	Per application
S-046	Community Dev	Street Address Change	\$223	Per application
S-047	Engineering	Lot Line Adj./Cert. Of Compl. - Review	\$1,387	Per application
S-048	Engineering	Public Improv. Plan - Check & Inspection	Construction Valuation Minimum fee: \$1,020 \$0 - \$20,000 - 5% \$20,001 - \$80,000 - 4.5% \$80,001 - \$400,000 - 4% Over \$400,000 - 3%	Per application. Based on construction valuation. This is a tiered fee that is calculated based on the valuation at each tier Example: \$100,000 valuation = (\$20,000 x .05) + (\$60,000 x .045) = (\$20,000 x .04) = \$4,200

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Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-050	Engineering	Grading Plan - Check & Inspection	Construction Valuation Minimum fee: \$1,020 \$0 - \$20,000 - 5% \$20,001 - \$80,000 - 4.5% \$80,001 - \$400,000 - 4% Over \$400,000 - 3%	Per application. Based on construction valuation.
S-050B	Engineering	Thrid-party geotechnical Review - Outsourced Non-exempt	Cost + 15%	Per application. Deposit based on 115% of contract estimate.
S-051A	Engineering	Encroachment Permit - Street Cut	\$611	Per permit
S-051B	Engineering	Encroachment Permit - Standard	\$261	Per permit
S-052	Community Dev	Pre-application review	\$1,546	Per application. 50% of the fee to be credited against future fees if the project actually goes forward.
S-053	Community Dev	Building Plan - Check & Inspection	See attached valuation tables Attachments A & B	Per application/inspection
S-053A	Fire	Fire Building (Non-Sprinkler) Plan Check Review	\$70 per plan check	Per application
S-053B	Community Dev	CalGreen Building Plan Check & Inspection	0-50,000 SF - 3% of Buililding Permit Plan Check and 3% of Inspection fee Above 50,001 - 1% of Building Permit Plan Check and 1% Inspection Fee	Per Appiaction/Inspection
S-053C	Community Dev	Commercial Photovoltaic Plan Check & Inspection	Based on the Project Valuation \$0-\$100,000- \$695 \$100,000-\$500,000- \$865 \$500,000- 1,000,000- \$950 Above \$1,000,000- \$1,120	Per Application/Inspection
S-054	Fire	Fire Sprinkler Plan Check & Inspection (Residential, Commercial, etc.)	Plan Check 1-10 heads = \$45; 11-50 heads = \$135; 51+ heads = \$270 Inspection - 1-10 heads = \$70; 11-50 heads = \$300; 51+ heads = \$600	Per plan check/inspection
S-055	Fire	Fire Alarm System - Check & Inspection	Plan Check 1-10 devices = \$135; 11-50 devices = \$270; 51+ devices = \$400 Inspection - 1-10 devices = \$70; 11-50 devices = \$135; 51+ devices = \$200	Per application

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Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-055A	Fire	Fire Specialty Protection System Plan Check & inspection	Plan Check = \$135; Inspection = \$70	Per plan check/inspection
S-056	Community Dev	Building Permit Extension Review	\$329	Per application
S-057A	Code Enfrmnt	Short Term Vacation Rental Permit	New \$110 Late Fee:\$100 plus the cost the Certificate Renewal \$17 Late Fee: 31-90 Days late = \$17 plus renewal fee 91+ days = Per SBMC 4.02.230	Per application; Same as Business Certificate per Municipal Code SBMC 4.47.040(H)
S-059	Community Dev	Tobacco Sales License	New \$135/Renewal \$110 Duplicate = \$10 Late Fee: Renewal Fee + 10%	Per application; Per Municipal Code SBMC 6.17
S-068	Fire	Underground Tank Installation - Removal P.C. Inspection	\$351	Per permit
S-069	Fire	New Development Flow Test	\$191	Per test
S-071	Fire	After Hour Inspection	\$351	Per inspection. \$330 minimum plus actual cost using fully allocated hourly rates.
S-073	Fire	Standby Charge	\$500	Per request. \$470 minimum plus actual cost using fully allocated hourly rates.
S-077	Marine Safety	Marine Safety Junior Lifeguard	\$350 Non-Resident / \$325 Resident	Per course.
S-079	Engineering	Special Beach Construction Permit	Ramp Fee \$5.30 per round trip Trip Fee (for scheduling of daily beach access) \$2.70 per ton plus \$27 per day for days 1-30 and \$53 per day for subsequent days past 30 plus Marine Safety Equipment Use of \$4.64 per hour plus Actual Staffing Costs	Per Permit

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Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-080	Public Safety	Special Event Permit	\$50 Resident/Non-profit \$250 Non-resident	Per permit; Neighborhood Watch Block Parties are exempt
S-085	Recreation	Contract Enrichment Classes	100% cost recovery	Per class; Class instructor receives 70% of the class fee and the City receives 30% of the class fee.
S-086	Recreation	Day Camp Program	\$106 resident / \$123 non-resident \$27 aftercare	Per camp
S-091	Recreation	Sports Field Management	Residents \$0 Non-residents \$20	Per hour
S-094	Recreation	Facility Rental (Community Center)	\$60 Resident \$65 non-resident	Per hour
S-112	Community Dev	New/Chgd Business Registration	Home Based/Outside City \$110 Other: 0-1,000 SF- \$150 1,001-3,500 SF- \$170 3,501-10,000 SF- \$265 Over 10,001 SF- \$570 Late Fee: 31-90 Days Late= \$100 Plus Cost of Certificate After 91 Days Late=Per SBMC Section 4.02.230	Per application; recommend applying to anyone doing business in the City, not just those physically located in Solana Beach.
S-113	Community Dev	Business Certificate Renewal	Home Based/Outside City -\$17 Other: 0-1,000 SF-\$55 1,000-3,500 SF- \$75 3,501-10,000 SF-\$170 Over 10,001 SF-\$475 Late Fees: 31-90 Days Late= \$17 Plus the Cost of Renewal 91 Days Late= Per SBMC Section 4.02.230	Per application; recommend applying to anyone doing business in the City, not just those physically located in Solana Beach.
S-114	Code Enfrcmnt	Regulatory Permits	See attached regulatory permit fee schedule Attachment C	Attached regulatory permit fee schedule shows current fees.
S-115	City Clerk	Notary Public Service	\$10	Per signature; limited to \$10 by State law.
S-116	City Clerk	Document Certification	\$35	Per item

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Service Code #	Dept	Description of Service	Fee for Service FY 2010/2011	Fee Instructions/Notes
S-117	City Clerk	Audio/Video Tape Reproduction	Audio CD or DVD \$15 Convert VHS to DVD \$45	Per item
S-118	City Clerk	Annual Agenda Mailing Subscription	\$474 per subscriber per year	Per Annual Subscription
S-118A	City Clerk	Annual Agenda Packet Mailing Subscription	\$1,542 per subscriber per year	Per Annual Subscription
S-118B	City Clerk	Special Notice Subscription	\$47 per subscriber, per request, per year	Per Annual Subscription
S-119	City Clerk	Document Print/Copy	B/W \$1 first pg + \$0.10 per adtnl pg Color \$1 first pg + \$0.20 per adtnl pg Doc/lmg \$1 first pg + \$0.02 per adtnl pg Data copy \$8 Agenda packet \$65 Maps & Blueprints 100% Cost	Per request
S-121	City Clerk	Initiative Processing	\$200	Per initiative; fee set by the State
S-122	City Clerk	Verification of Residency	\$12.50	Per request
S-123	Finance	Insufficient Funds Fee	\$35	Per incident
S-124	Community Dev	Regional Transportation Congestion Program RTCIP Fee	Single family \$3,623 per dwelling unit Multi-family \$2,899 per dwelling unit	Per application; fee set by SANDAG and adjusted annually, no less than 2% per year.
S-125	Community Dev	Park Development Fees	Flat Fee (Vacant Lot) \$600	Per application
S-126	Community Dev	Public Facilities Fee	1% of project valuation	
S-127	Community Dev	Public Art Fee	.5% of project valuation	Per application; commercial projects with valuation of \$500,000 or more; deposit paid up front; reimbursement under MAP guidelines if public art is incorporated into the project
S-128	Community Dev	Public Art Consignment Fee	\$100 + 25% of sale price if sold	Per application for requests from artists to display their art in the public right of way per the MAP guidelines.



CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SOLANA BEACH)

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO
HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution
2011-151 Amending the Schedule of Fees and Charges for City Services for Fiscal
Year 2011/2012** as duly passed and adopted at a Regular Solana Beach City
Council meeting held on the 9th day of November 2011 and the original is on file in
the City Clerk's Office.


ANGELA IVEY, CITY CLERK

Date of this Certification: 11-15-2011