

RESOLUTION NO. 32-2015

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIBURON
ADOPTING A REVISED FEE SCHEDULE FOR THE
COMMUNITY DEVELOPMENT DEPARTMENT AND MICELLANEOUS SERVICES
PROVIDED BY OTHER TOWN DEPARTMENTS**

WHEREAS, the Tiburon Municipal Code requires that any changes to the Community Development Department's filing and processing fees be set forth by Resolution of the Town Council, and

WHEREAS, it is the intent of the Town Council that such fees be used to reimburse the Town for the costs of providing the services for which the fees are assessed, thereby maintaining productive and efficient service levels commensurate with the work demands within the Community Development Department, and

WHEREAS, from time to time it is necessary to revise fees to reflect actual costs incurred by the Community Development Department and/or other Departments in the normal course of its operation and according to its obligations to administer State statutory requirements under the authority of Town ordinances, and

WHEREAS, the Town of Tiburon has provided required notice and held a public hearing pursuant to state law and local ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiburon does hereby adopt a revised fee schedule for the Community Development Department and Miscellaneous Services Provided by Other Departments, said fee schedules being attached hereto as Exhibit A and Exhibit B, and including miscellaneous services provided by other Town Departments, said fee schedules to become effective 60 days from the passage of this resolution and supersede the fee schedule set forth in Resolution No. 04-2015.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Tiburon on August 19, 2015 by the following vote:

AYES: COUNCILMEMBERS: Doyle, Fraser, Fredericks, O'Donnell, Tollini

NAYS: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


FRANK DOYLE, MAYOR
TOWN OF TIBURON

ATTEST:


DIANE CRANE IACOPI, TOWN CLERK

EXHIBIT A: PLANNING/ZONING & MISCELLANEOUS OTHER FEES

PLANNING & ZONING PERMITS

*(Base fees do not include noticing, plan storage, technology recovery or CEQA fees, unless noted with **)*

General Plan Amendment, Rezoning, or Zoning Text Amendment	\$3,260*
Annexation Agreement**	\$255
Prezoning: Multiple Parcels/Undeveloped Parcel/Single Developed Lot	\$3,260/\$1,630/1,630*
Precise Development Plan.....	\$6,520 + \$260/each unit*
a. Amendment	\$1,630 + \$70/each unit*
b. Single Lot Residential Amendment.....	\$1,300*
Conceptual Master Plan	\$3,260 + \$140/each unit*
Conditional Use Permit and Amendment thereto	
a. Minor	\$1,300*
b. Major	\$6,520*
Condominium Conversion Conditional Use Permit and Amendment:	
a. 4 units or less = Minor Conditional Use Permit.....	\$1,300*
b. 5 units or more = Major Conditional Use Permit.....	\$6,520*
Secondary Dwelling Unit Permit**	\$595
Junior Accessory Dwelling Unit**	\$250
Keeping of Chickens or Bees Permit** (staff-level).....	\$250
Variance**.....	\$450
Reasonable Accommodation Request**	\$450
Tidelands Permit**.....	\$450
Temporary Use Permit**	\$300
Wireless Communications Facility Permit (Administrative/Expedited)	\$1,000*
Tree Permit**	
a. Single tree	\$170
b. 2 through 4 trees	\$260
c. 5+ trees	\$280 plus \$55 per each additional tree
Water Well Drilling Permit and Amendment thereto	
a. Potable Well	\$1,250*
b. Non-potable Well	\$640*
Home Occupation Permit**	
a. Initial.....	\$100
b. Annual Renewal	\$50
Extension of Time**	50% of initial fee

**Initial deposit amount only. Any remainder will be refunded; additional Staff time to process will be billed per the Town's Hourly Rate Schedule(s) adopted by separate resolution.*

SITE PLAN AND ARCHITECTURAL REVIEW (DESIGN REVIEW) PERMITS

(Design Review fees already include charges for noticing, plan storage, technology recovery, and California Environmental Quality Act exemption)

Existing Building/Developed Lot

Ministerial (over-the-counter).....	\$50
Minor Alteration (staff level) and amendments thereto	\$255
Design Review of less than 500 sq. ft. that do not qualify for staff level review	\$485
Design Review of between 500 and 1,000 sq. ft.	\$945
Design Review of 1,000 sq. ft. or more.....	\$1,325
Amendment to Design Review approval.....	50% of filing fee
(unless the application qualifies for staff-level review, then)	\$255

New Residential or Non-Residential Building

Initial Approval	\$2,825
Minor Amendment (qualifies for staff-level review)	\$255
Major Amendment involving increased floor area and/or significant design changes	50% of filing fee

Residential Floor Area Exception.....\$230

Grading, Filling, or Earthwork requiring design review approval.....\$805

SIGN PERMITS

(Sign Permit fees already include charges for plan storage, technology recovery, and California Environmental Quality Act exemption.)

Sign Permit (no Exceptions required)	\$90
Sign Permit Requiring a Minor Exception	\$125
Sign Permit Requiring a Major Exception	\$300

PLANNING CONFORMANCE CHECK ON BUILDING PERMIT APPLICATIONS

(Collected by Building Division at time of permit issuance)

Actual cost of Checker’s time based on the Hourly Rate Schedule; minimum charge is 0.5 hours).

SUBDIVISION AND RELATED PERMITS AND SERVICES

(Base fees do not include noticing, technology recovery, plan storage, or CEQA fees)

Lot Line Adjustment (Minor: four or fewer parcels).....	\$720*
Lot Line Adjustment (Major: five or more parcels)	\$1,800*
Lot Merger (Voluntary)	\$230
Tentative Map, where Final Map required:	
a. For the first 5 lots.....	\$19,600*
b. For each additional lot	\$260*
c. Amendment to previously approved Tentative Map	\$3,920*
Tentative Map, where Parcel Map required.....	\$3,920*
Planning Division Review of Final and Parcel Maps.....	\$9,760*
Extension of Time for Tentative Map.....	\$2,600*
Certificate of Compliance	\$1,300*
Reversion to Acreage.....	\$16,340*

CALIFORNIA ENVIRONMENTAL QUALITY ACT FEES

Determination of CEQA Exemption	\$50
Initial Study	\$1,600*
EIR (full or focused)	\$1,000 plus EIR contract cost
EIR Administrative Overhead.....	30% of EIR contract cost
Mitigation Monitoring and permit compliance review.....	Actual Town cost
State Fish & Game Review Fees & County Clerk Filing Fee (as established by State law effective January 1, 2013 and subject to change without notice; make checks payable to “Marin County Clerk”):	
a. Fish & Game and Filing Fee for Negative Declaration	\$2,210.00
b. Fish & Game and Filing Fee for Mitigated Negative Declaration	\$2,210.00
c. Fish & Game and Filing Fee for Environmental Impact Report	\$3,069.75
d. Environmental Document per Certified Regulatory Program.....	\$1,043.75
e. Marin County Clerk Processing Fee.....	\$50.00

**Initial deposit amount only. Any remainder will be refunded; additional Staff time to process will be billed per the Town’s Hourly Rate Schedule.*

ADMINISTRATIVE SERVICES / MISCELLANEOUS

Services

Street Name Change*	\$1,280
Change of Street Address.....	\$170
Residential Parking Permit (collected by Police Department).....	\$25
Noticing and Mailout of Permit Applications	\$100
Plan/Document Storage Fee.....	\$65
Technology Recovery Fee.....	\$25
Photocopies (regular)	\$.20/page
Photocopies (color)	\$.50/page
Microfiche Copies.....	\$.20/page
Staff Research Fee.....	\$70/hour
Official Plans Duplication & Affidavit	\$50 per affidavit, plus actual plan duplication cost
Copy of Meeting Recording (CD)	\$15 per meeting
Town Clerk Certification of Copies	\$1/page
Special Event Permit: Low impact=\$40; High impact=\$100; Renewal of Low impact = \$20	
Impounded Sign Recovery/Storage Fee	\$40/sign
Blackie's Pasture/Blackfield Drive Banner Posting Fee.....	\$25/banner

Publications & Maps

General Plan paper copy (full document including 11" X 17" color diagrams).....	\$50
General Plan on CD (full document).....	\$5
General Plan paper copy (Individual Elements, including diagrams therein)	\$10
Zoning Ordinance (including 11" X 17" color maps).....	\$30
Municipal Code (including 11" X 17" color zoning maps)	\$100
Design Review Guidelines (a.k.a. Hillside Guidelines Booklet).....	\$5
Downtown Design Handbook (color)	\$20
Downtown Design Handbook Furniture Supplement (B/W)	\$5
Open Space Resource Management Plan	\$25
All other publications.....	At cost
General Plan Land Use Diagram 2.2-1 (11" x 17" color).....	\$3
General Plan Land Use Diagram 2.2-1 (24" x 36" color).....	\$30
Other General Plan Diagrams (11" x 17" color)	\$3
Zoning Map (11" x 17" color)	\$3
Zoning Map (24" x 36" color)	\$30
Planned Development Map (11" x 17" color).....	\$3
Other maps	At cost

APPEALS

a. If applicant is the appellant**	\$500
b. If applicant is not the appellant	\$300

**Initial deposit amount only. Any remainder will be refunded; additional Staff time to process will be billed per the Town's Hourly Rate Schedule.*

***Project applicant is responsible for all reasonable Town costs, including expert services and outside consultants, necessary to process the application through a final Town decision.*

PUBLIC FACILITY FEES AND OTHER DEVELOPMENT-RELATED FEES

Traffic Mitigation Fees – varies by location (see Town Council Resolution No. 02-2007 or successor document).

In-Lieu Housing Fee – varies (based on a formula contained in Tiburon Municipal Code Title IV, Chapter 16).

Park & Recreation In-lieu Fee – varies (based on formula in Tiburon Municipal Code Title IV, Chapter 14).

GENERAL FEE PROVISIONS

- A. Fees shall be submitted in full at the time of application submittal to the Town. A penalty fine equal to 100% of the regular filing fee is assessed for after-the-fact permit applications.
- B. Pursuant to a written request, the Town Council may grant a full or partial waiver of fees pursuant to applicable fee waiver policies adopted by Resolution of the Town Council.
- C. Portions of fees may be refunded upon withdrawal of an application; the amount of the refund shall be determined by the Director based upon the amount of work performed and costs incurred by the Town prior to withdrawal.
- D. Full fee credits may be granted by the Director toward resubmitted applications if withdrawn and resubmitted within 60 days from the date of withdrawal.
- E. Where work requires more than one permit, the full fee shall be collected for each and every permit required.
- F. Pursuant to Tiburon Municipal Code Title IV, Chapter 16 (Zoning), some fee waivers are applicable to projects providing below market rate housing units.
- G. If the Director determines that a contract planner will be required to process an application, or assist Town Staff with processing of an application, the applicant shall be responsible for all reasonable costs associated with said contract planner.

EXHIBIT B: BUILDING DIVISION FEES

BUILDING PERMIT FEE

The basis for the Building Permit Fee shall be the total valuation of the project; the actual fee shall be calculated using attached Table 1. "Valuation of the project" includes all of the actual costs incurred for the completion of the project. These costs include, but are not limited to, architectural and engineering fees, site preparation, demolition, rough and finish carpentry, electrical, plumbing, mechanical, scaffolding and other equipment rentals, grading, drainage, and winterization activities. Where work is performed or materials supplied without monetary compensation, the fair market value of labor and/or materials supplied shall be used for project valuation calculation purposes.

If the total valuation is not provided, the following schedule shall be used to establish a minimum project valuation. Actual project valuation must be provided prior to final inspection and any additional fees, based on actual project valuation, will be due and payable prior to final sign-off.

- 1. Apartment Houses:
 - Type I or II F.R. \$171.00/sq.ft.
 - Type V - Masonry (or Type III)..... \$137.00/sq.ft.
 - Type V - Wood Frame \$132.00/sq.ft.
 - Type I Garage \$70.00/sq.ft.

- 2. Dwellings:
 - Type V-Masonry..... \$157.00/sq.ft.
 - Type V -Wood Frame..... \$150.00/sq.ft.
 - Garage..... \$60.00/sq.ft.

Miscellaneous valuations: If total valuation is not provided at the time of application, the following schedule shall be used:

- 1. Sprinklered Structure (retrofits only)\$4.00/sq.ft.
- 2. Tenant Improvements - Commercial \$45.00/sq.ft.
- 3. Block Walls & Pilasters (includes footings).....\$6.00/sq.ft.
- 4. Retaining Walls (includes footings)..... \$18.00/sq.ft.
- 5. Retaining Walls (wood).....\$6.00/sq.ft.
- 6. Greenhouse \$12.00/sq.ft.
- 7. Patio, Solid Cover..... \$14.00/sq.ft.
- 8. Patio, Lattice Cover \$11.00/sq.ft.
- 9. Aluminum Patio Enclosure \$60.00/sq.ft.
- 10. Deck \$12.00/sq.ft.

11. Demolition\$120.00
12. Re-roof:
Project valuation to be substantiated by providing contract; Building Permit Fee shall be calculated using Table 1.
13. Swimming Pool/Spa/Hot Tub:
Project valuation to be substantiated by providing contract; Building Permit Fee shall be calculated using Table 1.
14. Miscellaneous Work:
Building Permit Fee for any work not covered by the above shall be based on the total valuation for the project and the fees will be calculated using Table 1.

MISCELLANEOUS FEES

1. Plan Storage fees:

<u>Valuation</u>	
\$1 - \$100,000	\$60.00
\$100,001 - \$200,000	\$120.00
\$200,001 - \$800,000	\$180.00
\$800,001 - over	\$250.00

2. Residential Resale Inspection/Residential Building Report (RBR)\$250.00
(plus \$75 per each additional unit beyond the first)
3. Residential Resale Re-inspection:\$75.00
4. Business License:
Project value \$1 - \$5000\$15.00
Project value \$5001 - \$25,000\$25.00
Projects valued over \$25,000 0.0012 of the Project value
5. Plan Checking Fees: All construction plans must be checked for conformance with State and Town regulations. A plan checking fee shall be paid to the Town along with submittal of construction drawings and specifications for review. Plan checking fees shall be 65% of the building permit fees as set forth in Table 1. Where plans are incomplete, or changed so as to require an additional plan check review, an additional plan review fee shall be charged by the Town at a rate of \$75 per hour, with a minimum charge of one hour or a standard plan check fee, whichever is higher, in addition to any costs incurred by the Town for outside plan-checking services.
6. Work Performed Without a Permit: Whenever any work for which a permit is required is commenced without first obtaining a permit, a penalty fee shall be due and payable. The penalty fee shall be calculated using the Town’s current Resolution setting forth Administrative Fines.
7. Long-range planning/general plan maintenance fee surcharge: 10% of building permit fees (includes building, plumbing, electrical, mechanical, and grading fees)

8. Technology Recovery Fee surcharge as set forth in the following table:

TOTAL VALUATION	FEE
\$ 1.00 to \$ 5,000.00	\$15.00
\$ 5,001.00 to 25,000.00	\$ 15.00 for the first \$ 5,000.00 plus \$ 3.00.00 for each additional \$1,000.00, or fraction thereof, to and including \$ 25,000.00
\$ 25,001.00 to \$ 50,000.00	\$ 75.00 for the first \$ 25,000.00 plus \$ 2.50 for each additional \$1,000.00, or fraction thereof, to and including \$ 50,000.00
\$ 50,001.00 to \$ 100,000.00	\$ 137.50 for the first \$ 50,000.00 plus \$ 2.25 for each additional \$1,000.00, or fraction thereof, to and including \$ 100,000.00
\$ 100,001.00 to \$ 500,000.00	\$ 250.00 for the first \$ 100,000.00 plus \$ 2.00 for each additional \$1,000.00, or fraction thereof, to and including \$ 500,000.00
\$ 500,001.00 to \$ 1,000,000.00	\$ 1050.00 for the first \$ 500,000.00 plus \$ 1.75 for each additional \$1,000.00, or fraction thereof, to and including \$ 1,000,000.00
\$ 1,000,001.00 and up	\$ 1925.00 for the first \$ 1,000,000.00 plus \$ 1.50 for each additional \$1,000.00, or fraction thereof, but not to exceed \$7,500.00

9. Other Inspections and Fees

- a. Inspections outside of normal business hours: \$75/hour (minimum charge 2 hours)
- b. Re-inspection Fee: \$75.00/hour
- c. Inspections for which no fee is specifically indicated: \$75/hour (minimum charge is 1 hour)
- d. Additional plan review required by additions or revisions to plans: \$75/hour (minimum charge is 1 hour)
- e. Outside consultants for plan checking, inspections, or both: Actual costs, which include administrative and overhead costs incurred by the Town

10. California State Seismic Tax (Strong Motion Fee).....Set by State

11. State Building Standards Commission Fee, as follows:

PERMIT VALUATION	FEE
\$ 1.00 to \$ 25,000.00	\$ 1.00
\$ 25,001.00 to \$ 50,000.00	\$ 2.00
\$ 50,001.00 to \$ 75,000.00	\$ 3.00
\$ 75,001.00 to \$ 100,000.00	\$ 4.00
Every \$ 25,000 or fraction thereof above \$ 100,000.00	Add \$ 1.00

12. Undergrounding Extension Exception (Chapter 12A-3 of the Municipal Code)..... \$60.00

13. Stormwater Pollution Prevention Plan Review and Inspection Required by Tiburon Municipal Code Chapter 20A (Urban Runoff Pollution Prevention):

Minor Project: \$2,500*

Major Project: \$5,000*

* Initial deposit amount only. Any remainder will be refunded; additional consultant time to review and/or inspect will be assessed on a time and materials basis.

ELECTRICAL PERMIT FEES

Any fees required by this division shall be paid by the applicant before any electrical work, requiring a permit hereunder, is started and the permit issued.

Minimum Fee: The minimum fee for any electrical permit, unless otherwise indicated, is \$60.00

Miscellaneous Permit Fee: Any permit for miscellaneous electrical work not in conjunction with a building permit, and not itemized below, shall be a minimum fee of \$60.00, or 2% of the contract cost, whichever is greater.

New Service or Service Change: Any permit for new service or change of service not in conjunction with a building permit shall be charged as follows:

100-1000 amps	\$150.00
Over 1000 amps	\$250.00

Residential Dwelling: For each electrical permit for a one or two family unit, or a multi-family dwelling unit, the fee shall be based on 20% of the building permit fee, inclusive of carports and garages, and inclusive of additions and alterations.

Commercial: Fees for commercial or industrial electrical work (including retail stores, offices, and motels) in conjunction with a building permit are as follows:

Office	20% of building permit fees
Retail sales.....	20% of building permit fees
Food markets	25% of building permit fees
Restaurants	25% of building permit fees

MECHANICAL PERMIT FEES

Any fee required by this division shall be paid by the applicant before any mechanical work requiring a permit hereunder is started and the permit is issued.

Minimum Fee: The minimum fee for any mechanical permit, unless otherwise indicated, is \$60.00.

Miscellaneous Permit Fee: Any permit for miscellaneous mechanical work not in conjunction with a building permit, and not itemized below, shall be a fee of \$60.00 or 1% of the contract cost.

Residential Dwellings: For each mechanical permit for a one or two family dwelling unit or a multi-family dwelling unit, the fee shall be based on 9% of building permit fee, inclusive of additions and alterations.

Commercial: Fees for commercial or industrial mechanical work (including retail stores, offices, and motels) in conjunction with a building permit are as follows:

Office	9% of building permit fee
Retail sales	9% of building permit fee
Food Markets	12% of building permit fee
Restaurants	12% of building permit fee

PLUMBING PERMIT FEES

Any fees required by this division shall be paid by the applicant before any plumbing work requiring a permit hereunder is started and the permit issued.

Minimum Fee: The minimum fee for any plumbing permit is \$60.00, unless otherwise stated.

Miscellaneous Permit Fee: Any permit for miscellaneous plumbing work not in conjunction with a building permit, and not itemized below, shall be a fee of \$60.00 or 1.5% of the contract cost, whichever is greater.

Residential Dwellings: For each plumbing permit for a one or two family dwelling unit or a multi-family unit, the fee shall be based on 10% of the building permit fee, inclusive of additions and alterations.

Commercial: Fees for commercial or industrial plumbing work (including retail stores, offices, and motels) in conjunction with a building permit are as follows:

Office	10% of building permit fees
Retail sales.....	10% of building permit fees
Food markets	10% of building permit fees
Restaurants	15% of building permit fees

ROOF-TOP SOLAR ENERGY SYSTEM THAT PROVIDES DIRECT CURRENT (DC) ELECTRICITY*

Residential: \$500, plus \$15 per kilowatt for each kilowatt above 15kW (collected as electrical permit fee)

Non-residential: \$1,000 for systems up to 50 kW, plus \$7 per kilowatt for each kilowatt between 51kW and 250kW, plus \$5 per kilowatt for each kilowatt above 250kW (collected as electrical permit fee)

Appeal of Building Official’s Decision: Refer to “Appeals” section of Planning Division Schedule.

** Fees subject to substantial waiver if the criteria set forth in the Policy for Solar Collector Panels are met (Resolution No. 13-2011 or successor).*

Note: For non-roof-top solar energy systems, the permit fee is based on the valuation of the project as set forth in Table 1)

GRADING PERMIT FEE SCHEDULE

Plan Check Fees:

1 to 50 cubic yards	No fee
51 to 100 cubic yards.....	\$15.00

101 to 1,000 cubic yards.....	\$22.50
1,001 cubic yards to 10,000 cubic yards	\$30.00
For each additional 10,000 cubic yards or fraction thereof above 10,000 cubic yards:.....	\$15.00

Permit Fees:

1 - 50 C.Y.	\$15.00
51 - 100 C.Y.	\$22.50
101 - 200 C.Y.	\$33.00
201 - 300 C.Y.	\$43.50
301 - 400 C.Y.	\$54.00
401 - 500 C.Y.	\$64.50
501 - 600 C.Y.	\$75.00
601 - 700 C.Y.	\$85.50
701 - 800 C.Y.	\$96.00
801 - 900 C.Y.	\$106.50
901 - 1000 C.Y.	\$117.00
1001 - 2000 C.Y.	\$126.00
2001 - 3000 C.Y.	\$135.00
3001 - 4000 C.Y.	\$144.00
4001 - 5000 C.Y.	\$153.00
5001 - 6000 C.Y.	\$162.00
6001 - 7000 C.Y.	\$171.00
7001 - 8000 C.Y.	\$180.00
8001 - 9000 C.Y.	\$189.00
9001 - 10,000 C.Y.	\$198.00
Each additional 10,000 Cubic Yards is:.....	\$40.50

PUBLIC FACILITY DEVELOPMENT FEES

- Traffic Mitigation Fee – applies to development resulting in new vehicle trip generation; varies by location (see Town Council Resolution No. 02-2007 or successor document).
- Street Impact Fee – 1% of building permit project valuation
- Stormwater Runoff Fee – \$1 per each square foot of new impervious surface created

TABLE 1

TOTAL VALUATION OF THE PROJECT	BUILDING PERMIT FEE
\$1.00 to \$2,000.00	\$60.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and above	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each for each additional \$1,000.00, or fraction thereof