

ORDINANCE NO. 9917 (New Series)

AN ORDINANCE TO AMEND SECTIONS 364.2 AND 459.8 OF THE ADMINISTRATIVE CODE TO ADJUST FEES AND DEPOSITS CHARGED BY THE DEPARTMENT OF PUBLIC WORKS, CLARIFY EXISTING RIGHTS TO OFFSETS AND ESTABLISH PRE-INTAKE ASSISTANCE CHARGES.

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that it is necessary to amend Sections 364.2 and 459.8 of the Administrative Code pertaining to Department of Public Works fees and deposits for land development related projects. The amendments made by this ordinance are intended to adjust the fees and deposits charged for County review of land development projects to ensure full cost recovery in accordance with Board Policy B-29, clarify existing rights with regard to offsets claimed by the County against deposits that would otherwise be returned to a debtor, and establish new deposits that will reimburse the County for costs incurred to perform pre-intake work on projects that have not yet been filled with the County for review and approval.

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Section 2. Section 364.2 of the Administrative Code is hereby amended to read as follows:

SEC. 364.2. DEPARTMENT OF PUBLIC WORKS. The following fees and initial deposits shall be paid to the Department of Public Works for the processing of the following permits and applications:

SCHEDULE A-PUBLIC WORKS FEES AND DEPOSITS

All amounts collected under Schedule A shall be initial deposits unless otherwise specified to be a fee.

<u>APPLICATION NAME</u>	<u>AUTHORITY</u>	<u>FEES/DEPOSITS</u>	<u>FEES/DEPOSITS</u>
		<u>FY 07-08</u>	<u>FY 08-09</u>
ADMINISTRATIVE PERMIT:			
Application	459(County Admin Code)(CAC))	\$735	\$765
Time Extension	459(CAC)	\$735	\$765
APPEALS:			
Administrative Decision	459.2(CAC)	\$735	\$760
To Board of Supervisors	459.1(CAC)	\$735	\$760
To Planning Commission	459.1(CAC)	\$1,170	\$1,215
ASSESSMENT DISTRICT FORMATION	459.2.1 (CAC)	\$5,080	\$5,275
BOUNDARY ADJUSTMENT PLATS:			
Application (2-4 Lots)	459.3(CAC)	\$1,165	\$1,215
BUILDING PLAN PRE-SUBMITTAL SCREENING	460.8(CAC)	\$40 Fee	\$45 Fee
CENTERLINE REVIEW:	81.804 (San Diego County Code (County Code))	\$1,335	\$1,385
CERTIFICATE OF COMPLIANCE:			
Application (1-4 Lots)	459.4(CAC)	\$450	\$470
Each Additional Lot Increment	459.4(CAC)	\$75	\$80
Per Lot W/Boundary Adjustment (2-4 Lots)	459.4(CAC)	\$1,160	\$1,205
Each Additional Lot Increment	459.4(CAC)	\$80	\$80
Violations	459.4(CAC)	\$3,705	\$3,850
TPM, Review	459.4(CAC)	\$1,090	\$1,130

CONSTRUCTION & ENCROACHMENT PROJECTS:			
Inspection	71.408-& 71.609 (County Code)	5% Const. Cost<= \$100K + 3% Const. Cost > \$100K \$600 Minimum	5% Const. Cost<= \$100K + 3% Const. Cost > \$100K \$600 Minimum
Encroachment Permit Fee	71.608(CRC -County Code)	\$100	\$105 Fee
Construction Permit Fee	71.407(CRC)	\$80	\$80 Fee
ENVIRONMENTAL REVIEW AND ACTIONS:			
CEQA Exemption Review	459.5(CAC)	\$220	\$225
Policy I-119 Review	459.5(CAC)	\$1,230	\$1,280
EIR Review	459.5(CAC)	\$1,855	\$1,930
Extended Initial Studies & Technical Reviews	459.5(CAC)	\$1,795	\$1,860
Negative Declaration Review	459.5(CAC)	\$1,435	\$1,490
ENVIROMENTAL REVIEW GRADING			
CEQA Exemption	81.205 (County Code)	\$385	\$400
Update to Previous Environmental	87.301(County Code)	\$1,190	\$1,235
AEIS for Average size project	87.301(County Code)	\$2,850	\$2,950
AEIS for Large size project	87.301(County Code)	\$4,405	\$4,560
EXCAVATION PROJECT:			
Inspection & Material Testing	71.314(County Code)	\$5 Per Linear Foot (LF) for first 1000 LF. Thereafter \$1.75 for each additional LF. \$600 Minimum	\$5 Per Linear Foot (LF) for first 1000 LF. Thereafter \$1.75 for each additional LF. \$600 Minimum
Permit Fee	71.307(County Code)	\$80 Fee	\$80 Fee
GENERAL PLAN AMENDMENT W/OUT REZONE:			
	460.33(CAC)	\$945	\$980

GRADING PERMIT (PLAN CHECK BY CU. YDS):			
Minor DPW Grading Permit	87.206(County Code)	\$1,330	\$1,380
Major Grading Permit (Under 10,000)	87.208(County Code)	\$2,085	\$2,170
Major Grading (10,000 or Greater)	87.208(County Code)	\$2,950	\$3,070
Inspection	87.301(County Code)	5% Const. Cost<=\$100K+3% Const .Cost>\$100K \$600 Minimum	5% Const. Cost<=\$100K+3% Const .Cost>\$100K \$600 Minimum
Materials	87.301(County Code)	1.5% Const. Cost<=\$50K+1% Const. Cost>\$50K \$400 Minimum	1.5% Const. Cost<=\$50K+1% Const. Cost>\$50K \$400 Minimum
IMPROVEMENT PLAN REVIEW:			
Curb Grade Review	71.408, 81.206 & 87.301(County Code)	\$2,260	\$2,350
Inspection	71.408, 81.206 & 87.301(County Code)	5% Const. Cost<=\$100K + 3% Const. Cost >\$100K \$3,000 Minimum	5% Const. Cost<=\$100K + 3% Const. Cost >\$100K \$3,000 Minimum
Material Testing	71.408, 81.206 & 87.301(County Code)	1.5% Const. Cost<=\$50K + 1%Const. Cost >\$50K \$400 Minimum	1.5% Const. Cost<=\$50K + 1%Const. Cost >\$50K \$400 Minimum
Permit Fee	71.407(County Code)	\$80 Fee	\$80 Fee

Parcel Map (TPM) Review	81.205 & 87.301(County Code)	\$1,970	\$2,050
Inspection-Public Improvement	81.206 & 87.301(County Code)	5% Const. Cost<= \$100K + 3% Const. Cost>\$100K \$3,000 Minimum	5% Const. Cost<= \$100K + 3% Const. Cost>\$100K \$3,000 Minimum
Inspection-Private Improvement	81.206 & 87.301(County Code)	5% Const. Cost<= \$100K + 3% Const. Cost>\$100K \$800 Minimum	5% Const. Cost<= \$100K + 3% Const. Cost>\$100K \$800 Minimum
Material Testing	81.206 & 87.301(County Code)	1.5% Const. Cost<= \$50K + 1% Const. Cost >\$50K \$400 Minimum	1.5% Const. Cost<= \$50K + 1% Const. Cost >\$50K \$400 Minimum
Subdivision Map (TM) Review	81.205 & 87.301 (County Code)	\$5,615	\$5,840
Inspection	81.206 & 87.301(County Code)	5% Const. Cost<= \$100K + 3% Const. >\$100K \$1,100 minimum	5% Const. Cost<= \$100K + 3% Const. >\$100K \$1,100 minimum
Material Testing	81.206-& 87.301(County Code)	1.5% Const. Cost<= \$50K+1%Const. >\$50K \$1,100 Minimum	1.5%Const.Cost<= \$50K+1%Const. >\$50K \$1,100 Minimum
LOT STAKING: Deposit Amount Full Subdivision	460.31(CAC)	\$1,100 Minimum +\$27 per acre for 1-50 acres+\$13 per acre for 51-100 acres + \$7 per	\$1,100 Minimum + \$27 per acre for 1-50 acres+ \$13 per acre for 51-100 acres + \$7 per acre for

		acre for 101 or more acres. The above formula produces the following per acre deposits (Acres/Amount): 1-50 \$1,127 - 2,450 51-100 \$2,463 - 3,100 101+ \$3,107+	101 or more acres. The above formula produces the following per acre deposits (Acres/Amount): 1-50 \$1,127-2,450 51-100 \$2,463-3,100 101+ \$3,107+
Self Certification with Right-of-way only	460.31(CAC)	1/3 above formula with Minimum \$650	1/3 above formula with Minimum \$650
MAJOR USE PERMIT:			
Review	460.32(CAC)	\$1,830	\$1,905
Modification	460.32(CAC)	\$1,165	\$1,215
Time Extension	460.32(CAC)	\$1,165	\$1,215
MINOR USE PERMIT:			
Application	459.7(CAC)	\$1,195	\$1,245
Minor Deviation	459.7(CAC)	\$1,195	\$1,245
Modification	459.7(CAC)	\$1,195	\$1,245
MOVING PERMITS:			
Single Trip	71.204.1(County Code)	\$16 Fee	\$16 Fee
Annual Permit	71.204.1(County Code)	\$90 Fee	\$90 Fee
PRE-APPLICATION CONFERENCE:			
Pre-Application Plan Presubmittal	459.8(CAC)	\$215	\$225
Pre-Application Minor Projects	459.8(CAC)	\$500	\$520
Pre-Application Major Projects	459.8(CAC)	\$1,350	\$1,405
RECLAMATION PLAN:			
Application	459.9(CAC)	\$2,115	\$2,200
Modification	459.9(CAC)	\$1,115	\$1,160
RECORD OF SURVEY:			
	460(CAC)	\$465 Fee for first sheet plus \$55 Fee for each additional sheet	\$465 Fee for first sheet plus \$55 Fee for each additional sheet
REZONE-RECLASS W/OUT GPA:			
	460.33(CAC)	\$1,370	\$1,425

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ROAD MATTERS: Opening/Vacation Route Locations Stamp	461 & 462(CAC)	\$1,750 \$35	\$1,820 \$40
Remandment Review	460.1(CAC)	\$1,445	\$1,500
ROUTE EVALUATION, MOVING:	71.209.5(County Code)	\$210 Fee	\$220 Fee
SEWER PLAN REVIEW:	460.34(CAC)	\$675	\$700
SENSITIVE LAND ORDINANCE:	460.30(CAC)	\$380	\$395
SITE PLAN REVIEW: Application Minor Deviation Modification Plan Review Time Extension	460.2(CAC) 460.2(CAC) 460.2(CAC) 460.2(CAC) 460.2(CAC)	\$1,015 \$440 \$725 \$515 \$350	\$1,055 \$455 \$755 \$535 \$365
SPECIFIC PLAN/LARGE SCALE:	395(CAC)	\$590	\$610
STORMWATER: Minor SWMP Major SWMP BMP Maintenance	460.36(CAC) 460.36(CAC) 460.36(CAC)	\$585 \$1,320 \$5,400	\$605 \$1,375 \$5,610
STREET LIGHT REVIEW:	460.3.1 (CAC)	\$385	\$400
STREET LIGHTING DISTRICT ANNEXATION:	460.3.1 (CAC)	\$365	\$380
STREET NAME SIGNS FEE: Sign Installation/Replacement	460.3(CAC)	\$210 Fee	\$215 Fee
SUBDIVISION, MAJOR (TENTATIVE MAPS): Final Map Review: 1-20 Lots 21-50 Lots 51 or more Lots Map Modification: Phase 1 Qualification Phase 2 Hearing & Modification TM Review TM Review, Expired TM Review, Replacement TM Review, Revised TM Review, Time Extension	81.205(County Code) 81.205(County Code) 81.205(County Code) 81.205(County Code) 81.205(County Code) 81.205(County Code) 81.202(County Code) 81.202(County Code) 81.311(County Code) 81.311(County Code) 81.202(County Code)	\$9,200 \$9,850 \$11,445 \$1,020 \$2,140 \$6,750 \$2,310 \$510 \$1,455 \$510	\$9,570 \$10,245 \$11,910 \$1,060 \$2,225 \$7,025 \$2,405 \$530 \$1,515 \$530

TM Resolution, Amendment	81.203.5(County Code)	\$1,015	\$1,055
SUBDIVISION, MINOR (TENTATIVE PARCEL MAPS):			
Parcel Map Review	81.205(County Code)	\$3,475	\$3,615
Map Modification:	81.205(County Code)		
Phase 1 Qualification	81.205(County Code)	\$1,020	\$1,060
Phase 2 Hearing & Modification	81.205(County Code)	\$2,140	\$2,225
Release of Improvement on Parcel Map	81.205(County Code)	\$235 Fee	\$245 Fee
TPM Review	81.608(County Code)	\$2,190	\$2,275
TPM Review, Modifications	81.608(County Code)	\$655	\$680
TPM Review, Revised	81.608(County Code)	\$1,455	\$1,515
TPM Review, Time Extension	81.608(County Code)	\$520	\$540
VARIANCES:			
Administrative	460.4(CAC)	\$685	\$710
Application	460.4(CAC)	\$685	\$710
Modification	460.4(CAC)	\$685	\$710
Time Extension	460.4(CAC)	\$685	\$710

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SCHEDULE B-PROVISIONS

1. **STANDARD HOURLY RATES:** All fees, deposits, and time and material charges shall be calculated and will be charged using the following standard hourly rates.

<u>POSITION</u>	<u>HOURLY RATE</u>	<u>HOURLY RATE</u>
	<u>FY 07-08</u>	<u>FY 08-09</u>
Administrative Analyst I, II, III	\$115.05	\$119.08
Assistant Engineer	\$144.30	\$150.15
Assistant Land Surveyor	\$144.30	\$150.15
Associate Transportation Specialist	\$118.40	\$123.20
Civil Engineer	\$144.30	\$150.15
Construction Technician	\$144.30	\$150.15
County Counsel Attorney	\$183.00	\$189.41
County Counsel Paralegal	\$105.00	\$108.68
Engineering Aid	\$105.30	\$109.20
Engineering Technician I, II, III	\$105.30	\$109.20
Equipment Operator (New)	\$72.22	\$75.36
Intermediate Clerk Typist	\$72.15	\$76.05
Junior Engineer	\$115.05	\$120.90
Land Surveyor	\$144.30	\$150.15
Land Use/Environmental Planner I, II	\$103.60	\$107.30
Land Use/Environmental Planner III	\$136.90	\$142.45
Land Use/Environmental Planning Mgr	\$148.00	\$153.55
LUEG Program Manager	\$189.15	\$196.95
Project Manager, DPW	\$156.00	\$161.85
Public Works Program Coordinator	\$137.34	\$141.46
Senior Civil Engineer	\$156.00	\$161.85

2. **INITIAL DEPOSITS AND FEES:** The initial deposit or fee specified in Schedule A, above, shall be paid at the time of application submittal.

3. **SUBSEQUENT DEPOSITS:** If it is determined that a deposit is insufficient to recover actual costs, the project manager will scope the work remaining on the project and calculate an additional subsequent deposit. The subsequent deposit shall be calculated based on factors identified during the initial project analysis, established processing time standards, standard hourly rates and key project stages.

Unanticipated factors arising during project processing such as, but not limited to, complexity, controversy or environmental issues which require additional project review will be conveyed to the applicant as soon as they are known and the subsequent deposit will be recalculated using the criteria outlined above.

Subsequent deposits shall be paid in the amount calculated by the project manager prior to completion of key milestones. The County may discontinue processing a project a project and recommend denial of the project based on the applicant's refusal to pay a subsequent deposit.

4. **REFUNDS:** At the completion of all tasks associated with an application for which a deposit is required and after all final documents and review are completed, the

difference between the deposited amount and the actual cost shall be refunded to the applicant within 180 days. Fees paid to the County are non-refundable unless no work was performed by County on the project for which the fee was paid.

Notwithstanding any other provision of this section or in any other ordinance or resolution authorizing the Department of Public Works to collect fees or deposits, when the applicant is owed a refund but is in deficit on a separate account(s) at any County department within the Land Use and Environment Group, the refund may be applied by the County to the account(s) in deficit as an offset, unless a different disposition of the refund is required by state law.

5. FEE WAIVER FOR STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTER: Notwithstanding the fees and deposits otherwise specified in Schedule A of this section, the grading permit fees or deposits may be waived for an applicant who is rebuilding legally built structures which have been damaged or destroyed by a wildfire or other natural disaster and which are located within the boundaries of a geographic area which has been declared by resolution of the Board of Supervisors to be eligible for this fee or deposit waiver. The fee or deposit waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced.

Section 3. Section 459.8 of the Administrative Code is hereby amended to read as follows:

SEC. 459.8. PRE-APPLICATION ASSISTANCE.

In those cases where, in anticipation of filling an application, a request is made for the Department of Public Works to review, research, give opinions, make recommendations, or perform other work related to a future project, the Department shall collect a pre-intake assistance deposit or pre-application deposit as a condition to performing any work as follows:

A. Board Established Pre-Intake Assistance Deposits.

In those instances where the Board has established a pre-intake assistance deposit or pre-application deposit, the Department shall collect the deposit before performing any work on the project. If the funds deposited are inadequate to complete the work requested, additional funds shall be deposited with the Department in an amount estimated by the Director of the Department of Public Works to ensure the actual costs of the Department are paid in advance by the requestor. Additional deposits required by the Director shall be calculated on a time and materials basis using, when available, Board approved fee schedules.

B. Department Established Pre-Intake Assistance Deposits.

In those instances where the Board has not established a pre-intake assistance deposit or pre-application deposit, the Department shall, prior to

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performing any work on the project, collect a deposit in an amount estimated by the Director of the Department of Public Works to be sufficient to cover the Department's costs. The deposit shall be calculated on a time and materials basis using, when available, Board approved fee schedules.

Any portion of a pre-intake assistance deposit or pre-application deposit remaining at the time of application submittal shall be applied to the deposit or fee otherwise due at the time of submittal. The Department shall not be required to refund any unused portions of the pre-intake assistance deposit until after all work on the project has been completed or terminated.

Section 4. This Ordinance shall take effect and be in force sixty (60) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED THIS 30th day of January, 2008