

ORDINANCE NO. 3462 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY
AMENDING SECTION 19-103 SCHEDULE OF FEES AND SERVICE CHARGES
AND DEVELOPMENT PROJECT FEES:
PUBLIC HEARING, NOTICE, PROVISION OF DATA

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, on June 2, 1992, the Council of the City of Monterey adopted Ordinance 3100 (now codified as Monterey City Code Article 4 Chapter 19 Establishing a Fee and Service Charge Revenue/Cost Comparison System) with the intent to require the ascertainment and recovery of costs reasonably borne from fees, charges and regulatory license fees levied therefore in providing the products or services enumerated therein;

WHEREAS, the fee and service charge revenue/cost comparison system set forth in the Monterey City Code provides a mechanism for ensuring that fees adopted by the City for services rendered do not exceed the reasonable estimated cost for providing the services for which the fees are charged;

WHEREAS, certain development related permit and planning services have been provided by the Plans and Public Works Department free of charge and should be added to the City's list of City costs to be recovered.;

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2: Monterey City Code, Chapter 19, Section 103 is hereby amended to read as follows (proposed new text in **bold**):

Sec. 19-103. Schedule of Fees and Service Charges

- (a) The fees and service charges listed below shall be automatically adjusted annually in July for Consumer Price Index (CPI) increase so as to recover the listed percentage of costs reasonably borne necessary to provide the listed regulation, product or service. **The CPI increase shall be based on the published CPI for SAN FRANCISCO AREA (San Francisco - Oakland - San Jose) April edition.** The City Manager, Finance Director, and each City department head, under the direction of the City Manager, shall review the fees and services charges periodically and provide, if necessary, an adjusted fee or charge schedule to the City Council for its consideration, in place of or in addition to the automatic annual CPI increase. A full analysis of City costs reasonably borne, as defined in Section 19-102, shall be conducted not less than every five years.

Regulation, Product or Service to Be Recovered	Percentage of Costs Reasonably Borne
I. Development Services:	
1. Residential Property Inspection	100
2. Amendment to Zoning Map or Text	100
3. Amendment to General Plan, Area Plan, or LCP Map or Text	100
4. Environmental Determination	100
5. Environmental Impact Report Review	100
6. Historic Preservation Review (Major, Minor, Mill's Act, Survey – HPC Review/DPR Form Review, Report Review, Revised Report Review)	100
7. PUD Review	100
8. Conditional Use Permit (Major)	100
9. Conditional Use Permit (Minor)	100
10. Reopen Use Permit	100
11. Variance Permit (Major)	100
12. Variance Permit (Minor)	100
13. Parking Adjustment Review	50
14. Permit Reconsideration	100
15. Permit Extension	100
16. Fisherman's Wharf Project Review (Major)	100
17. Fisherman's Wharf Project Review (Minor)	100
18. Architectural Review Committee Review (Major)	100
19. Architectural Review Committee Review (Minor)	100
20. Sign Review (Major)	100
21. Sign Review (Minor)	100
22. Architectural Review Committee or Historic Preservation Commission Appeal	20
23. Planning Commission Appeal	20
24. Zoning Administrator or Staff Determination Appeal	20
25. Demolition Permit	100
26. Preliminary Map	100
27. Minor Subdivision Map	100
28. Tentative Subdivision Map	100
29. Lot Line Adjustment	100
30. Parcel Map Check	100
31. Final Subdivision Map Check	100
32. Certificate of Compliance	100

33. Special Permit (Bingo, Pet, Temporary Use, Tree Removal)	100
34. Banner Permit	100
35. Storm water Erosion Control Plan	100
36. Administrative Fee for Notification to Obtain a Necessary Permit	100
37. Maintenance of General Plan and Other Planning and Policy Documents	100
38. Residential Plan Check (Major)	100
39. Residential Plan Check (Minor)	100 (Ord. 3310; 08/02)
40. Commercial Plan Check (Major)	100
41. Commercial Plan Check (Minor)	100 (Ord. 3310; 08/02)
42. Residential Building Permit (Major)	100
43. Residential Building Permit (Minor)	100 (Ord. 3310; 08/02)
44. Commercial Building Permit (Major)	100
45. Commercial Building Permit (Minor)	100 (Ord. 3310; 08/02)
46. Temporary Encroachment Permit	100
47. Permanent Encroachment Permit	100
48. Street Opening Permit	100
49. Street Patch Charge	100
50. Driveway, Curb, Gutter, and Sidewalk Permit	100
51. Public Improvement Design Service	100
52. Public Improvement Plan Check	100
53. Public Improvement Inspection	100
54. Parking Adjustments	fees set by resolution
55. Illegal Construction	200
56. Traffic Control Plan Approval	100
57. Lease Administration	100
58. Storm Water Plan Administration	100

(b) The services listed in subsection (a) above shall be as defined in that certain document entitled "Cost Control System for the City of Monterey" dated April, 1991, as produced by Management Services Institute, Inc., of Anaheim, California.

(c) The fees and charges set pursuant to this Article shall take effect immediately upon the

passage of a resolution by the City Council setting forth said specific fee amounts, with the exception of Development Project fees which, pursuant to Government Code Sec. 66017, may not become effective until 60 days after passage of the resolution adopting same; **and with the exception of the annual automatic CPI adjustment, which shall take effect every July 1 and shall not require passage of a resolution by the City Council.**

- (d) The schedule of frequency of rate adjustments may be varied by the City Manager to adjust revenues sufficient to meet debt service coverage requirements of any bond, certificate, ordinance, resolution, indenture, contract, or action under which securities have been issued by the City which contain any coverage factor requirement. (Ord. 3427 § 2, 2009)

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 2nd day of August 2011, by the following vote:

AYES:	4	COUNCILMEMBERS:	Downey, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Haferman
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:



Mayor of said City




City Clerk thereof

STATE OF CALIFORNIA
COUNTY OF MONTEREY
CITY OF MONTEREY

I, CATHERINE A. RAYNOR, SENIOR ASSISTANT CITY CLERK OF THE CITY OF MONTEREY, AND EX-OFFICIO CLERK OF THE COUNCIL THEREOF, HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS DULY PASSED TO PRINT IN THE OFFICIAL NEWSPAPER OF SAID CITY BY THE COUNCIL THEREOF ON THE 19th DAY OF July, 2011, BY THE FOLLOWING VOTE:

AYES	5	COUNCILMEMBERS:	Della Sala, Downey, Haferman, Selfridge, Sollecito
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None



CITY CLERK OF SAID CITY

PUBLICATION: July 23, 2011