RESOLUTION NO. 2018-3752

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, UPDATING THE CITY'S PERMIT APPLICATION AND REVIEW AND PROCESSING FEES AND DEPOSITS, AND RESCINDING RESOLUTION NO. 2017-3608, AND DETERMINING THAT THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Moorpark provides Film Permit application review, processing, and inspection services; and

WHEREAS, the City Council has determined that the cost of these services shall be fully offset by fees that accompany permit requests; and

WHEREAS, these fees are reviewed periodically to determine if any adjustments are necessary to reflect actual processing costs; and

WHEREAS, on July 5, 2017, the City Council adopted Resolution No. 2017-3608, adopting the Permit Review and Processing Fees and Deposits, which included Film Permit fees; and

WHEREAS, information on the costs required to provide the permit application review and processing services was made available to the public as required by Section 66016 of the Government Code; and

WHEREAS, on October 3, 2018, the City Council conducted a public hearing as required by Sections 66016 and 66018 of the Government Code to consider updates to Film Permit fees, took and considered oral and written presentations both for and against the proposed fees, and reached a decision on this matter; and

WHEREAS, the City Council desires to restructure Film Permit fees to more precisely reflect the City's costs to issue a Film Permit; and

WHEREAS, the proposed Film Permit fees do not exceed the estimated reasonable cost of providing the service for which the fees are charged, as required by Section 66014 of the Government Code; and

WHEREAS, the City Council desires to establish a fee for rental of City-owned parking lots when rented in conjunction with a Film Permit; and

WHEREAS, the Community Development Director has determined that the updates to Film Permit fees and establishment of parking lot rental fees are exempt from the provisions of the California Environmental Quality Act (CEQA), in that the action of the City Council does not involve construction or affect the physical environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. ENVIRONMENTAL DETERMINATION: The City Council concurs with the Community Development Director's determination that the updates to Film Permit fees and establishment of parking lot rental fees are exempt from the provisions of the California Environmental Quality Act (CEQA), in that the actions of the City Council do not involve construction or affect the physical environment.

SECTION 2. COST RECOVERY: City of Moorpark staff shall bill actual time spent on land use applications and other items eligible for cost recovery where a deposit is required at a real time cost accounting rate as established by City Council Resolution No. 2018-3596 as may be amended from time to time. Additional deposits will be required when staff time charges are projected to exceed the deposit balance. Any remaining deposit amount left from entitlement processing shall be applied to condition compliance. Upon certificate of occupancy or final building permit, when all permit review and processing has been completed, any remaining condition compliance deposit shall be returned after all costs are deducted for final processing.

SECTION 3. COSTS FOR CONTRACT SERVICES: Contract services shall be billed at cost, plus fifteen percent (15%), including, but not limited to, City Attorney, geotechnical/geological services, traffic engineer services, landscape architect review and inspection services, lighting engineer review and inspection services, and planning consultant services.

SECTION 4. REDUCTION OF DEPOSITS FOR PROJECTS WITH MULTIPLE PERMITS: The Community Development Director has the authority to reduce deposit amounts up to fifty percent (50%) per entitlement application, where the project involves multiple applications for the same project on the same property, to be processed concurrently. The applicant retains the responsibility to pay for all costs associated with the processing of the applications at the adopted billing rates.

SECTION 5. ADOPTION OF FEE SCHEDULE: The Permit Application Review and Processing Fees and Deposits is adopted as shown in Exhibit A of this Resolution, thereby updating Film Permit fees and establishing parking lot rental fees.

SECTION 6. EFFECTIVE DATE: This Resolution shall become effective immediately upon adoption.

SECTION 7. Resolution No. 2017-3608 is hereby rescinded upon the effective date of this Resolution.

SECTION 8. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 3rd day of October, 2018.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Schedule of Permit Application Review and Processing Deposits and Fees

EXHIBIT A: CITY OF MOORPARK PERMIT APPLICATION REVIEW AND PROCESSING FEES AND DEPOSITS

APPLICATIONS REQUIRING DEPOSITS	DEPOSIT	NOTE OR ADDITIONAL AMOUNT
Pre- Applications and General Plan Amendment Pre-Screening		
Pre Application (Non GPA)	$1,400	
General Plan Amendment Pre- Screening Application	$8,400	
Entitlement Applications		
Specific Plan	$43,000	
General Plan Amendments	$5,700	
Zone Change	$5,700	
Zone Ordinance Amendment	$5,700	
Development Agreements	$34,000	
Tentative Tract Map (Less than thirty (30) lots)	$10,000	
Tentative Tract Map (Thirty (30) lots or more)	$21,500	
Vesting Tentative Tract Map	$28,500	
Tentative Parcel Map	$7,900	
Commercial/Industrial Planned Development - New Const (Less than 50,000 sf) ♦ ♦	$21,500	$300 flat fee for Police Department review also required.
Commercial/Industrial Planned Development - New Const (50,000 sf or more)	$28,500	$300 flat fee for Police Department review also required.
Commercial Planned Development - Conversion of Residence to Retail of Office in Downtown Specific Plan Area where permitted by Specific Plan	$5,500	$300 flat fee for Police Department review also required.
Residential Planned Development (Less than thirty (30) units)	$21,500	$300 flat fee for Police Department review also required.
Residential Planned Development (Thirty (30) units or more)	$28,500	$300 flat fee for Police Department review also required.
Conditional Use Permit	$5,500	$300 flat fee for Police Department review also required.
Conditional Use Permit for a Restaurant Use with or without Beer and Wine, or for a Use Relocating from a Place within the City where an existing Conditional Use Permit has been granted for the use and there is no change in use, only location	$3,900	$300 flat fee for Police Department review also required.
Variance	$5,500	
Public Hearing Notice	$1,300	
Appeal of Planning Commission Decision	$2,900	
Environmental Documentation		
Initial Study & Negative Declaration	$5,700	
Environmental Analysis	see note	100% of cost plus 15% administrative fee. Staff to provide estimated cost.
Environmental Impact Report Supplement or Addendum	$7,200	
Special Studies and Reports		
Other Studies, Reports or Analysis as determined necessary by Director	see note	100% of cost plus 15% administrative fee. Staff to provide estimated cost.

Modifications/Extensions		
Modification-Commercial/Industrial/Residential with existing Planned Development Permit ♦ ♦	see note	80% of initial deposit amounts. $10,000 deposit for Modifications if no substantial change to site plan or architectural design, not to exceed 80% of initial deposit.
Development Agreement - Annual Review	$2,900	
Time Extension of Approval – Planning Commission or City Council Decision	$2,200	
Time Extension of Approval – Staff Decision	$700	
Miscellaneous		
Parcel Map Waiver, or Conditional Certificate of Compliance	$7,200	
Condition Compliance		
Planning Condition Compliance Review	see note	100% of original Map/PD deposit to be paid within 30 days of project approval
Landscape Review & Inspection	see note	100% of cost plus 15% administrative fee applied with City consultant services. Staff to provide estimated cost.
Lighting Plan Review/Inspection	see note	
Violation (Penalty) Conditions of Approval	see note	100% of staff time for investigation and enforcement.

City of Moorpark staff shall bill actual time spent on land use applications and other items eligible for cost recovery where a deposit is required at a real time cost accounting rate as established by City Council Resolution No. 2015-3383 as may be amended from time to time. Additional deposits will be required when staff time charges are projected to exceed the deposit balance. Any remaining deposit amount left from entitlement processing shall be applied to condition compliance. Upon certificate of occupancy or final building permit, when all permit review and processing has been completed, any remaining condition compliance deposit shall be returned after all costs are deducted for final processing.

APPLICATIONS REQUIRING FEES	FEE	NOTE OR ADDITIONAL AMOUNT
Planning and Zoning Permits		
Zoning Clearance	$110	
Zoning Letter/Re-Build Letter	$330	
Home Occupation Permit	$110	Also requires Business Registration
Home Occupation Permit for Persons Under the Age of 18 with Annual Gross Income of less than $10,000	$0	
Administrative Exception	$720	
Administrative Permit - Residential	$860	
Administrative Permit - Commercial/Industrial	$1,400	$300 flat fee for Police Department review also required.
Administrative Permit – Relocation of a Business with an Existing Administrative Permit (not involving expansion of more than 50% of floor area, change in the nature of the business, or sale of alcoholic beverages)	$430	$300 flat fee for Police Department review also required.
Administrative Permit – Relocation of a Permitted Business that did not Require an Administrative Permit when Established (not involving expansion of more than 50% of floor area, change in the nature of the business, or sale of alcoholic beverages)	$720	$300 flat fee for Police Department review also required.

Lot Line Adjustment, Certificate of Compliance, or Reversion to Acreage	$2,800 +$110/lot	Deposit required for Conditional Certificate of Compliance (see above)
Permit Adjustment - Residential	$430	
Permit Adjustment - Commercial/Industrial	$860	
Mobile Home Rent Increase Review	$430	Applies to cost-of-living increases only.
Sign Permit	$220	
Sign Permit for Change of Copy on Existing Permitted Sign	$110	
Sign Program	$860	
Temporary Sign and Use Permits		
Temporary Sign/Banner Permit	$50	
Temporary Use Permit - Minor	$170	i.e. Outdoor sales, RV as dwelling during residential construction.
Temporary Use Permit - Major	$430	i.e. Parades, concerts, carnivals, shows. $300 flat fee for Police Department initial review also required. An additional deposit may also be required for anticipated additional staff and police monitoring costs.
Appeals		
Appeal of Community Development Director Decision Requiring Public Notice	$1,000	
Appeal of Community Development Director Decision without Public Notice	$860	
Film Permits		
Film Permit – Private Property Only	$300 +$140 per location + $105 per day	An additional $300 flat fee for Police Department review may also be required. An additional deposit may also be required for anticipated additional staff and police monitoring costs. If a permit is issued for both private property and City property/right-of-way locations, then: the $405 base rate for City property/right-of-way shall be used; private property locations shall use the $140 'per location' fee, and City property/right-of-way locations shall use the $180 'per location' fee; and a 'per day' fee of $300 shall apply to any day in which filming takes place on City property/right-of-way, and a 'per day' fee of $105 shall apply to any day in which filming takes place entirely on private property.
Film Permit – Involving City Property or Public Right-of-Way	$405 +$180 per location + $300 per day	An additional $300 flat fee for Police Department review may also be required. An additional deposit may also be required for anticipated additional staff and police monitoring costs. If a permit is issued for both private property and City property/right-of-way locations, then: the $405 base rate for City property/right-of-way shall be used; private property locations shall use the $140 'per location' fee, and City property/right-of-way locations shall use the $180 'per location' fee; and a 'per day' fee of $300 shall apply to any day in which filming takes place on City property/right-of-way, and a 'per day' fee of $105 shall apply to any day in which filming takes place entirely on private property.

Film Permit – Still Photography Only	$110	A deposit may also be required for anticipated additional staff costs.
Parking Lot Rental with Film Permit	$250 per lot, per day	A refundable clean-up deposit of $1,000 or more may also be required at the City's discretion.
Special Business Permit Review		
Annual Abandoned Shopping Cart Prevention Plan Review	$55	
Annual Bingo Game Permit	$50	
Annual Street Vendor Permit	$110	
Annual Adult Business Permit	$550	
Annual Adult Business Performer Permit	$110	
Secondhand Dealer, Thrift Shop, and Pawnbroker Permit	$440	$4,400 deposit for police review expenses must be maintained and replenished on a monthly basis. Thrift shops owned and operated by 501(c)(3) non-profit organizations are exempt from providing daily police reports and the corresponding police review deposit.
Open House Directional Sign Permits		
Annual Encroachment Permit for Individual Owner/Seller or Real Estate Agent	$110	5 sign stickers provided, 50% of annual encroachment permit fee if after July 1
Annual Encroachment Permit for Real Estate Office	$330	60 sign stickers provided, 50% of annual encroachment permit fee if after July 1
Additional Sign Stickers	$5	
Retrieved Sign Storage Fee	$5 per day	Stored signs that are not retrieved within 30 calendar days will be destroyed in accordance with the law.
Business Registration Permits		
Initial Business Registration Permit	$100	$1 Annual State Mandated Surcharge for Certified Access Specialist required in addition to Business Registration fee pursuant to Government Code Section 4467
Annual Renewal of Business Registration Permit	$40	
Annual Business Registration Permit Limited to Individual Vendor at City-Permitted Swap Meet or Farmers' Market	$50	
Business Registration Permit to Persons Under the Age of 18 with Annual Gross Income of less than $10,000	$0	
Additional Vehicle Stickers (1 provided with Business Registration for Mobile Business)	$2	

MISCELLANEOUS FEES (NOT A DEPOSIT)		NOTE OR ADDITIONAL AMOUNT
Records Imaging		
Building and Safety Drawing Sheets	$2.00	Per Sheet
Engineering Improvement Plan Drawing Sheets	$ 2.00	Per Sheet
Planning Drawing Sheets	$ 2.00	Per Sheet
Final Map Sheets	$ 2.00	Per Sheet
Building and Safety Permit Files	$ 0.30	Per Sheet
Planning Entitlement Files	$ 0.30	Per Sheet
Advance Planning		
Advance Planning Fee (Includes G P Updates and Traffic Model Maintenance)	see note	5% of Building Permit Fee for Valuation of $10,000 or greater
Construction and Demolition Material Management Plan		
Review Fee for Projects where No Deposit Fund Exists (otherwise review will be charged to the project deposit fund based on actual time at existing billing rates).	$160	

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, Maureen Benson, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2018-3752 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 3rd day of October, 2018, and that the same was adopted by the following vote:

AYES: Councilmembers Mikos, Pollock, Simons, Van Dam, and Mayor Parvin
NOES: None
ABSENT: None
ABSTAIN: None

WITNESS my hand and the official seal of said City this 5th day of October, 2018.

Maureen Benson
Maureen Benson, City Clerk
(seal)