RESOLUTION NO. 078-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA SETTING NEW FEES FOR VARIOUS PLANNING APPLICATIONS AND REPEALING RESOLUTION NO. 023-53

WHEREAS, Resolution No. 023-53 was adopted by the City Council on May 21, 2003, setting fees for processing various planning and zoning applications; and

WHEREAS, the fee schedule adopted in Resolution No. 023-53 was based on recovery of the City's actual average costs of processing most planning and zoning applications; and

WHEREAS, the City completed a fee recovery study and documented that the City was significantly subsidizing the processing of planning and zoning applications; and

WHEREAS, various provisions of State law provide that fees for planning services shall not exceed the estimated reasonable cost of providing the service for which the fee is charged; and

WHEREAS, a public hearing conducted in accordance with the requirements of state law was held at a regular meeting of the City Council on June 4, 2008, at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arcata hereby approves and adopts the following:

Section 1: Findings:

- a. The amounts of the fees and service charges established herein do not exceed the estimated reasonable costs to the City of Arcata of providing the service for which the fees or service charges are levied.
- b. A public hearing on the fee increases has been duly noticed and conducted in the manner prescribed by applicable provisions of state law.

Section 2: Planning and Zoning Fees:

Attachment A includes a table establishing the minimum fees which shall be collected for planning and zoning applications.

- a. The fees shall be collected as a deposit and applicants will be charged 100% of actual City cost based on fully burdened rates of pay.
- b. All initial deposits are minimum fee amounts and are non-refundable.
- c. In addition to the fees established in Attachment A, an additional 10 percent (10%) shall be collected and placed into a segregated fund to help pay for future Housing Element and General Plan Updates.
- d. The planning and zoning fees shall be increased to the 75% cost recovery level effective July 1, 2009 and to the 100% cost recovery level effective July 1, 2010.
- e. Projects that are inactive for a six-month period will be required to resubmit the application and pay a new fee.

Section 3: Effective Date:

Resolution No. 023-53, adopted on May 21, 2003, is hereby repealed effective at the close of the business day on August 4, 2008. The foregoing fees and services charges shall take effect August 5, 2008.

DATE: June 4, 2008	
ATTEST:	APPROVED:
/s/ Michael Hackett	/s/ Mark E. Wheetley
City Clerk, City of Arcata	Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Resolution No. 078-59**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, California, held on the 4th day of June, 2008, by the following vote:

AYES: WHEETLEY, STILLMAN, MACHI, GROVES, PITINO

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

<u>/s/ Michael Hackett</u> City Clerk, City of Arcata