



CITY OF DEL MAR PLANNING AND LAND USE SERVICES

AN EXPLANATION OF FEES AND CHARGES

(Revised December 2009)

This handout provides information to applicants and the general public about the fees and charges required by the City to process land use and planning permits for development projects. The handout contains a number of explanatory notes, followed by the City's Schedule of Fees and Charges for Planning and Land Use Services. Please note that this handout addresses only the City's land use and planning fees. Information about fees for other types of permits or authorizations issued by the City can be obtained by contacting Del Mar City Hall at (858) 755-9313. Information is also available on the City's website at: www.delmar.ca.us. Information about Building Permit fees can be obtained by contacting the firm the City has retained to provide building services. That firm, EsGil Corporation, operates out of the Solana Beach City Hall at (858) 722-4450.



Explanation of Schedule of Fees and Charges for Planning and Land Use Services

Background information:

In 2008, the City commissioned a study by the consulting firm, FCS Group, to analyze the administrative costs that the City incurs to process each of its planning and land use applications. The study included a detailed review of the various services staff performs to process the applications, functions such as: intake; publishing of public hearing notices; coordinating reviews by other City departments; project analysis; preparation of staff reports; attendance at public hearings; and all of the follow-up documentation required to shepherd the proposal from application to permit entitlement.

The detailed study showed that, based on the fees in place at the time of the study, the City was recovering an average of 30% of the actual costs that were incurred, leaving the rest of those costs to be subsidized by the General Fund. The City Council directed staff to prepare a revised fee schedule, one in which the City would recover not all, but at least a greater percentage of the administrative costs of reviewing application submittals.

The modified Schedule of Fees and Charges was reviewed by the City Council at a series of noticed public hearings. If you would more information about the consultant's study or about the City Council's action on the modified fee schedule, please contact a member of the Planning and Community Development Department.

Explanation of Flat Fees vs. Time-and-Material Deposit Charges:

Flat Fees: The flat fees listed for some application types were established by the City Council following a detailed study of the average of the administrative costs that the City incurs to process the different application types listed.

Time-and-Material Deposits: The charges for some application types, due to their complexity, are based on the recovery of the actual administrative costs that will be incurred by the City in processing of particular application, essentially a time-and-material recovery charge. When a deposit is required, it is submitted at the time of application, in accordance with Initial Deposit figure listed in the Schedule of Fees and Charges. Depending on the extent of work required, supplemental deposits may be required to complete the processing of an application. Staff will track the time-and-materials expenses and notify the applicant when 80% of the amount of the submitted deposit has been expended. At that time, the applicant will be required to replenish the deposit account. Failure to do so will result in all staff work on the project ceasing until the required deposit is submitted. Any unspent portion of a deposit will be returned to the applicant following completion of the application review process.

Timely Payment of application Fees/Charges: Full payment of Fees and or Charges shall be made at the time of application submittal. If full payment is not received within 14 calendar days of application submittal, the application shall be considered void and staff will initiate a refund of all funds received minus an administrative fee time spent on application intake. If an applicant determines to move forward with a project proposal after an application has been deemed void pursuant to this policy, a new application will be required, accompanied by full payment of all application fees/charges.



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Conversion of charge from flat fee to Time-and-Material Deposit: In circumstances where it is recognized that a particular application involves unique complexities or controversies that will involve additional staff work, the City shall have the option to convert the form of the application charge from a flat fee to a deposit system. The City shall notify the applicant in writing of the conversion from a flat fee to a deposit for a time-and-materials charge and shall inform the applicant of the Initial Deposit amount required.

Multiple application fees and deposits: If the project includes multiple applications, the applicant shall pay 100% of all required fees and/or deposits.

Refunds>Returns of fees and charges on withdrawn application:

Application fees and charges collected pursuant to this schedule are non-refundable. However, at the discretion of the Director of Planning and Community Development, a portion of a submitted fee may be refunded if an application is withdrawn. The withdrawal of the application and the request for refund shall be made in writing. The Director of Planning and Community Development shall determine the amount of the refund based on the administrative costs expended on the project as of the date the application is withdrawn, and using the following general guidelines:

- Application withdrawn after intake and routing but prior to preparation of staff reports for public hearings - up to 75% of fee/charge refunded.
- Application withdrawn after preparation of staff reports but prior to public hearing - up to 33% of fee/charge refunded.
- Application withdrawn after preparation of staff reports and attendance at one or more public hearings but before work on documents that follow public hearing action - up to 10% of fee/charge.

Waiver of fees for projects providing affordable housing opportunities:

The Director of Planning and Community Development may waive all, or a portion of, planning fees for projects that include affordable housing units, as those units are defined in the Del Mar Housing Element.

Determination of charges for application types not listed in Fee/Charge Schedule

When a request for a planning service is submitted that is not listed in the Schedule of Fees and Charges, the Director of Planning and Community Development shall determine which of the items that is listed on the Schedule would most closely match the expected staff workload required to review and administer the application/request. That fee or charge shall be applied to the unlisted request.

Double fee penalty for work commenced prior to receipt of required permits:

Work started prior to authorization of proper required permits shall be subject to payment of double the amount of the fees/charges otherwise applicable to the required permit application(s).

Handout applies to planning and land use fees only:

The planning and land use application fees and charges listed in the Schedule are separate and distinct from the charges that the City may apply to other types of City authorizations such as requests for Operations Permits or Building Permits.



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Adjustment of fees for “repeat” projects:

Most City permits have a defined period during which they are valid. If the applicant does not commence work and vest the permit within that timeframe, the permit expires. Sometimes an applicant will resubmit an application for a project that is the same as one for which previous permits expired. In such cases, the Director of Planning and Community Development has the discretion to reduce the amount of the required fees or deposit charges by 50%, if it is determined that there have not been changed circumstances which would necessitate additional staff analysis to prepare staff reports and other related documents for processing the new application.

Other charges for associated reviews may apply

The fees and charges listed in the Schedule of Fees and Charges are associated with the City staffs' administrative costs for processing the types of applications listed therein. In some cases, additional costs may be incurred by the City due to the necessity of using a consultant to assist the Planning Department with the development review. In such cases, the costs of the consultant's services will be passed through to the applicant on a time-and-materials basis. Examples of such consultant reviews include, but are not limited to, costs for review by the City Engineer, City Attorney, City Traffic Engineer, or City Arborist. Where such additional consultant costs are required, the applicant shall submit a deposit to the City prior to commencement of the consultant's work.

No remittal of interest accrued on deposits

Any interest accrued from deposits submitted in accordance with the Schedule of Fees and Charges shall be used to off-set the City's administrative costs to maintain said deposits. Accrued interest shall not be reimbursed to the applicant.

Schedule of fees to be adjusted on yearly basis based on CPI index

At the time of establishment of the Schedule of Fees and Charges, the City Council determined that the figures listed for Flat Fees should keep pace with inflationary figures as listed in the Consumer Price Index. Accordingly, a revised Schedule reflecting the CPI increases will be prepared yearly.