

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on:
Department Name: Public Works
Department No.: 054-04-08
Agenda Date: 04/06/04
Placement: Administrative
Estimate Time: N/A
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery,
Public Works Director

STAFF CONTACT: Thomas Fayram, Deputy Public Works Director
Cathleen Garnand, Civil Engineer Associate, Ext. 3561

SUBJECT: **Set a Hearing to Adopt a Resolution to Establish Water Quality Development Review Fees, All Supervisorial Districts**

Recommendation(s):

That the Board of Supervisors:

Set a hearing on the departmental agenda on April 27, 2004 to consider (Estimated Time 15 minutes):

Adopting a Resolution entitled "*In the Matter of Adopting a Fee Schedule for the Department of Public Works, Water Resources Division to Review Items Submitted to the Department of Planning and Development*" to reduce storm water pollutions as part of the County's Storm Water Management Plan.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 1 – An Efficient Government Able to Anticipate and Respond Effectively to the Needs of the Community; and Goal No. 3 – A Strong, Professionally Managed County Organization.

Executive Summary and Discussion:

Background

In August 2003, the County of Santa Barbara submitted the Storm Water Management Program to the Central Coast Regional Water Quality Control Board in compliance with the NPDES Phase II Small Municipal Separate Storm Sewer General Permit.

One of the elements of the National Pollutant Discharge Elimination System (NPDES) General Permit requires the County to reduce storm water pollution from urban runoff through the planning and design of new development and redevelopment projects. Specific design standards are included in this new State-mandated requirement. The design standards require additional review and conditioning for certain project categories. The proposed fee structure will fund the Public Works Department for the additional work necessary to condition these projects.

Public Works staff conducted two public workshops to discuss this process and the proposed fees to be charged. The workshops were held on February 25th in Santa Barbara, and March 3rd in Santa Maria. No objections to the proposed fees were raised at either meeting.

In order to compensate staff time for this review, staff is recommending your Board establish new fees for the following project categories:

- 1 acre or greater residential
- 0.5 acre or greater commercial, industrial, or transportation / vehicle facilities
- Single family hillside residence
- Automotive repair shops
- Retail gasoline outlets (greater than 5,000 sf)
- Restaurants (greater than 5,000 sf)
- Home subdivisions with 10 or greater units
- Parking lots 5,000 square feet or more
- Parking lots with 25 or more spaces (and exposed to storm water)

Although the proposed fee schedule is based upon Planning and Development Department's permit definitions (as shown in the Exhibit A of the resolution), fees would only be collected for those project categories listed above, determined on a case-by-case basis by Public Works and P&D staff.

Since this is a new requirement the fixed fees were calculated based on the Engineer's best estimate of the time necessary for review of project submittals times an average hourly rate. The rate was calculated using the average hourly cost including salary, benefits, and indirect staff salary costs, and was reviewed by the Auditor-Controller's office.

These fees will be reviewed annually or more frequently in order to confirm that the fees match the staff time required for review, and adjusted accordingly.

Discretionary projects that receive approval will require final plan review (Plan Check) based on actual hourly costs as detailed in Exhibit "A" of the resolution. Deposit and fees for Plan Check will be collected by the Public Works Department.

Mandates and Service Levels:

Reviewing new development and redevelopment projects to reduce storm water pollution is part of the County's Storm Water Management Program. The program plan was submitted to the Central Coast

Regional Water Quality Control Board in compliance with the NPDES General Permit. The plan outlines how the County will implement the requirements of the NPDES General Permit as mandated by the Federal Environmental Protection Agency under Section 403 of the Clean Water Act.

Fiscal and Facilities Impacts:

Staff has included in the proposed FY 2004-05 Budget \$25,000 in anticipated revenue associated with establishing this fee schedule. Establishment of these fees is necessary to offset costs of reviewing these projects to reduce storm water pollution. If fees are not established, this work will be for paid for by the General Fund.

Special Instructions:

Direct the Clerk of the Board to notice this hearing in two general circulation publications 10 and 5 days prior to the scheduled hearing pursuant to Government Code Section 66016.

Concurrence: County Counsel and Auditor-Controller