



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
BRIAN C. CRAWFORD, DIRECTOR

**INFORMATION ABOUT NEW APPLICATION FEES FOR PLANNING SERVICES
(December 23, 2009)**

The Marin County Board of Supervisors recently adopted a new fee schedule for services provided by the Planning Division. The new fees will take effect on January 1, 2010. The CDA administers programs pertaining to building safety, environmental health, planning, and sustainability that protect the natural beauty and character of the County as well as the general public health, safety, and welfare. The Planning Division administers development regulations through permit services that are paid for through user fees. Please refer to the frequently asked questions listed below for more information about the recent adjustments to the fee schedule for the Planning Division.

Q: Why were the fees changed?

A: The Planning Division regularly adjusts its fees to ensure that the fees keep pace with inflation and the changes in the cost of delivering permit review services. A recent study of the fee structure for the Planning Division found that the fees do not cover the direct and indirect costs of providing the services. The adjustments to the fees charged for planning services were needed in order to allow the County to maintain existing levels of service and meet cost recovery targets for the Planning program.

Q: Is it acceptable to submit a partial or incomplete application before January 1, 2010 so I can take advantage of the existing fee and hold my place in line?

A: Applications that do not meet the minimum filing requirements will not be accepted for processing. The goal of the CDA is to process development applications expeditiously and in a thorough manner. Submitting partial applications could cause a delay in the processing of your application, and may result in additional time spent by you and Planning staff.

Q: Do I need to submit the full application fees at the time the permit is filed?

A: Yes, full fees are due at the time of application submittal.

Q: I've been told that I need to submit a retainer fee for certain types of Planning permits. How will the retainer fees be utilized?

A: The project planner will keep track of time spent processing your application, utilizing an hourly rate of \$128. At the end of the review process, your account will be closed and any unused portion of the deposit will be refunded.

Q: Will I receive a refund of my retainer if my project is denied? Does the payment of fees guarantee project approval?

A: If the project involves a retainer fee, unused portions of the deposit will be refunded after a decision is issued. If the project involves a flat rate fee, no refund of the fee will be made after a decision is issued. The payment of fees does not guarantee project approval. Our staff will work with you by identifying areas of the project that may not merit approval as soon as possible to that you would be given the opportunity to revise the project. Alternatively, you may elect to seek a withdrawal of your application should you decide not to pursue it further, and any unused deposit will be refunded.

Q: Will you be sending me regular invoices for additional fees? What if I run out of money?

A: Regular invoices will be provided upon request for projects involving deposit-type fees. You will be sent an invoice requesting additional fees when there is less than \$2,000 dollars remaining in your retainer. The amount of the additional retainer would be based on a good faith estimate by the project planner taking into account the stage of review and projected costs to complete the Planning review.

Q: What if I disagree with the calculation of time that I am being billed for?

A: Any disputes regarding the calculation of fees must be submitted in writing. Upon receiving your written objection, staff will arrange an appointment with you to review the calculation of time spent processing the application. The time spent processing your application will be itemized to demonstrate how the deposit fees were utilized.

Q: What is the difference between Major and Minor development applications?

A: Major projects generally involve new construction, substantial remodels, and other projects that could potentially result in environmental or community impacts.

Q: What forms of payment do you accept?

A: The Planning Division accepts payment in the form of personal or cashiers checks and cash. We do not currently accept credit card payments, but hope to be able to do so sometime in the near future.

Q: What if I have been “red tagged” and need to submit permits to retroactively legalize work that was done without permits? Is there a penalty fee?

A: Planning applications submitted in order to resolve a code enforcement case will be charged a code enforcement penalty fee ranging from 100% to 300% of the application fees. Fees for code enforcement cases will be collected at the time of initial submittal of the Planning application. A separate code enforcement investigative surcharge fee will be collected as part of the Building Permit application based on actual time spent by the Code Enforcement staff.

Q: What if my home is located within a Stream Conservation Area (SCA) in San Geronimo Valley and I was affected by the Building Permit Moratorium?

A: The Board of Supervisors will consider deferral of the new fee schedule to properties in the San Geronimo Valley that were subject to the building moratorium. Until a final decision is made on the matter, we will collect fees based on the 2009 fee schedule as an interim practice. Please be apprised that should a deferral not be approved, you will be subject to payment of the full amount of the fees based on the new fee schedule.