

RESOLUTION NO. 24899

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING MODIFIED USER FEES RELATED TO THE DEVELOPMENT SERVICES, ANIMAL CONTROL, AND SPECIAL PROGRAM COMPLIANCE DEPARTMENTS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR FISCAL YEAR 2021-22.

WHEREAS, the City, under various statutory provisions under California Government Code, may set and collect fees for the costs of providing various public services to the community; and

WHEREAS, the City has retained qualified consultants to analyze user fees and to compare the direct and indirect administrative costs in providing various public services to the community; and

WHEREAS, the proposed modifications to certain development fees, permit fees, and/or regulatory fees that are subject to the Mitigation Fee Act, codified at California Government Code (CGC) §66000 *et seq.*, and more specifically in accordance with CGC §66016, §66013, or §66014, and the City in considering these fee modifications, adhered to the procedures of CGC §66016(a); and

WHEREAS, on May 27, 2021, following legal notice in accordance with CGC §66000 *et seq.*, the City Council conducted a public hearing, at which oral and written presentations were made, and has reviewed and considered the information in the staff report and supporting data, and information provided at the public hearing by staff and the public.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Factual Findings Pursuant to Government Code §66013, §66014, or §66016.

A. The City has completed an analysis of certain city fees and charges and desires to amend the fees and charges.

B. The current user fees are insufficient to cover all the city's costs and expenses associated with providing the various public services, or in the case of sewer facility fees, exceed the costs of the provided service.

C. The cost of city services should generally be borne by those who are the special beneficiaries, rather than the citizenry at large.

D. There is a reasonable relationship between the amount of the fee and the

estimated reasonable cost of providing the type of services for which the fee is imposed.

E. The amount of services provided does not exceed what is reasonably necessary in order to process the requested service.

F. The cost estimates set forth in the associated staff report are reasonable and best approximate the direct and indirect (overhead) costs of city staff and consultants for providing the necessary service to respond to public requests.

G. The method of allocating the City's administrative costs of processing service bears a fair and reasonable relationship to the public burden on, and benefit from, the services requested by the public.

H. The fees do not exceed the estimated reasonable cost of providing the service for which the fee is charged.

SECTION 2. Fees Imposed.

A. The City Council hereby amends the Comprehensive Fee Schedule adopted on July 24, 2019, specifically related to Developer Fees subject to the Mitigation Fee Act, codified at CGC §66000 *et seq.*, which shall be implemented upon the effective date of this ordinance.

B. Each person requesting a service in the City of Palm Springs for which a user fee or charge is imposed shall pay the new fee as set forth in the City's Comprehensive Fee Schedule.

C. The user fees and charges may also be adjusted if the City conducts a public hearing, when required, to implement a new or revised fee or fees based upon a new study or analysis.

D. The adoption of this Resolution does not affect the ability of the City to request an agreement between an applicant and the City to pay extraordinary processing costs and to establish deposit accounts.

E. The City Council, in its discretion, may establish reduced or lower fees for residential projects that construct lower-cost housing, workforce housing, or affordable housing meeting state-mandated income levels.

SECTION 3. Severability.

Each component of the fees and all portions of this Resolution are severable. Should any individual component of the fee or other provision of this Resolution be adjudicated to be invalid and unenforceable, the remaining provisions shall be and continue to be fully effective, and the fee shall be fully effective except as to that portion that has been judged to be invalid.

SECTION 4. Effective Date.

In accordance with Government Code §66017, all modified development fees, permit fees, and/or regulatory fees that are subject to Government Code §66000 *et seq.* shall be effective sixty (60) days after the adoption of this Resolution.

SECTION 5. Comprehensive Fee Schedule.

The Director of Finance is hereby authorized and directed to incorporate the modified Developer Fees and other user fees included as "Attachment A" to this Resolution into the Comprehensive Fee Schedule.

SECTION 6. Phasing of Cannabis Business Fees.

The fee increase for the Cannabis Business and Activity Application and the Renewal Application shall be phased over a three-year period pursuant to the following schedule:

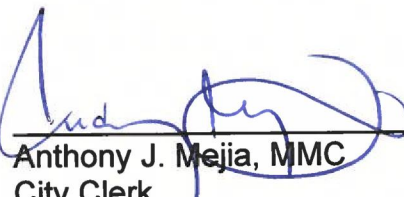
Description	July 1 2021	July 1 2022	July 1 2023
Cannabis Business and Activity Application Fee	\$6,389	\$8,687	\$10,984
Renewal Application	\$4,328	\$7,656	\$10,984

PASSED, APPROVED AND ADOPTED THIS 27th DAY OF MAY, 2021.



Justin Clifton, City Manager

ATTEST:



Anthony J. Mejia, MMC
City Clerk

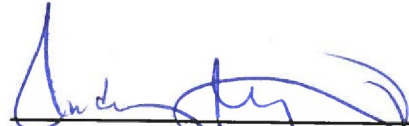
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Springs, hereby certify that Resolution No.24899 is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on May 27, 2021 by the following vote:

AYES: Councilmembers Garner, Kors, Woods, Mayor Pro Tem Middleton and Mayor Holstege
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this 22nd day of June, 2021.



Anthony J. Mejia, MMC, City Clerk
City of Palm Springs, California

ATTACHMENT A

CITY OF PALM SPRINGS COMPREHENSIVE FEE SCHEDULE PLANNING DIVISION

DESCRIPTION	2020-2021	INCREASE/ DECREASE	PROPOSED FEE	UNIT
ARCHITECTURAL REVIEW				
MAJOR ARCHITECTURAL REVIEW				
COMMERCIAL/INDUSTRIAL/MULTIPLE SF/MF...	\$9,510.00	-\$6,185.00	\$3,325.00	
HILLSIDE SF.....	\$5,551.00	-\$720.00	\$4,830.00	
DEVELOPMENT PERMIT				
MAJOR DEVELOPMENT PERMIT				
COMMERCIAL/INDUSTRIAL/MULTIPLE SF/MF...	N/A	--	\$6,727.00	
MINOR DEVELOPMENT PERMIT				
STAFF APPROVAL.....	N/A	--	\$3,325.00	
AGRICULTURAL FACILITIES.....	N/A	--	\$11,102.00	
CANNABIS FACILITIES – OVERLAY ZONE.....	N/A	--	\$11,102.00	
NOTIFICATION CHARGES				
PLANNING COMMISSION ONLY.....	\$1,859.00	-\$1,109.00	\$750.00	
PLANNING COMMISSION AND CITY COUNCIL.....	\$2,601.00	-\$1,101.00	\$1,500.00	
PRE-APPLICATION				
GOLF COURSE CONVERSION.....	N/A	--	\$3,476.00	
SIGN PERMITS				
SIGN PROGRAM.....	\$2,189.00	-\$389.00	\$1,800.00	
SUBDIVISION MAPS				
TENTATIVE TRACT MAPS.....	\$5,126.00	-\$866.00	\$4,260.00	PLUS NOTIFICATION
TENTATIVE PARCEL MAPS.....	\$4,272.00	-\$879.00	\$3,393.00	PLUS NOTIFICATION
TECHNOLOGY SURCHARGE	\$1.92	-\$0.96	\$0.96	PER \$1000 NEW CONST.

NOTE: NO MODIFICATION IS PROPOSED TO THE 50% FEE DISCOUNT, WHICH IS APPLIED WHERE MULTIPLE ASSOCIATED APPLICATIONS ARE PROCESSED SIMULTANEOUSLY.

POLICE DEPARTMENT – ANIMAL CONTROL

DESCRIPTION	2020-2021	INCREASE/ DECREASE	PROPOSED FEE	UNIT
BREEDING PERMIT FEES (ANIMAL CONTROL)				
BREEDING PERMIT.....	N/A	--	\$100.00	ANNUAL FEE

SPECIAL PROGRAM COMPLIANCE

DESCRIPTION	2020-2021	INCREASE/ DECREASE	PROPOSED FEE	UNIT
CANNABIS BUSINESS AND ACTIVITY				
APPLICATION FEE.....	\$4,092.00	+\$6,892.00	\$10,984.00 ¹	PER APPLICATION
RENEWAL APPLICATION.....	\$1,000.00	+\$9,984.00	\$10,984.00 ²	PER RENEWAL

¹ Fee increase to be phased equally over a period of three years.

² Fee increase to be phased equally over a period of three years.

**COMPREHENSIVE FEE SCHEDULE
ENGINEERING DIVISION – WASTEWATER**

DESCRIPTION	FEE	UNIT
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SEWER FACILITY FEE

EXCLUSIVE OF STREET MAIN CHARGES OR STREET LATERAL FEE

NEW CONSTRUCTION SHALL PAY THE SEWER FACILITY FEE IN EFFECT AT THE TIME A BUILDING PERMIT IS ISSUED BY THE CITY, AND SAID FACILITY FEE SHALL BE PAID PRIOR TO THE GRANTING OF A BUILDING PERMIT. SAID FACILITY FEES SHALL BE DEPOSITED IN THE SEWER FUND

A. RESIDENTIAL UNITS *	\$3,000 \$1,006	/EDU (EQUIVALENT DWELLING UNIT)
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(INCLUDING SINGLE-FAMILY DWELLINGS, APARTMENTS, CO-OP APARTMENTS, CONDOMINIUMS, AND MOBILE HOME PARK SPACES)

1) IF THE COST OF ON-SITE SEWER CONSTRUCTION AND CONNECTION, EXCLUSIVE OF SEWER FACILITY FEE, SHALL EXCEED THE SUM OF \$4,776 PER DWELLING UNIT, OR SUCH GREATER SUM AS SHALL HEREAFTER BE DETERMINED BY RESOLUTION OF THE CITY COUNCIL, AMOUNTS SHALL BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE ENGINEERING NEWS RECORD CONSTRUCTION COST INDEX.

2) IF THE COST OF SEWER MAIN CONSTRUCTION, IN THE EVENT NO SEWER MAIN EXISTS IN PROXIMITY TO SAID PROPERTY SHALL EXCEED \$7,960 PER DWELLING UNIT, OR SUCH GREATER SUM AS SHALL HEREAFTER BE DETERMINED BY RESOLUTION OF THE CITY COUNCIL, AMOUNTS SHALL BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE ENGINEERING NEWS RECORD CONSTRUCTION COST INDEX.

B. COMMERCIAL AND INDUSTRIAL UNITS *	\$306 \$100	FIXTURE UNIT
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C. HOTEL ROOMS (AS DEFINED BY THE ZONING ORDINANCE)

WITHOUT KITCHENS *	\$1,290 \$343	UNIT
WITH KITCHENS *	\$1,500 \$663	UNIT

D. RECREATIONAL VEHICLE SPACE *	\$2,340 \$246	SPACE
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(FOR BUILDING PERMITS)

E. ASSESSMENT DISTRICTS

THE SEWER FACILITY FEE TO BE PAID FOR PREMISES WITH SERVICE MADE AVAILABLE BY AN ASSESSMENT DISTRICT SHALL BE THE FEE IN EFFECT AT THE TIME A PETITION REPRESENTING 60% SUFFICIENCY IS FILED WITH THE CITY, PROVIDED SAID CONNECTION OCCURS DURING THE COURSE OF CONSTRUCTION BUT IN NO EVENT LATER THAN 30 DAYS AFTER FILING OF NOTICE OF COMPLETION OF THE ASSESSMENT DISTRICT. SHOULD A PERMIT NOT BE SECURED WITHIN THE TIME FRAME SET FORTH HEREIN, THE FACILITY FEE TO BE PAID SHALL BE THAT FEE IN EFFECT AT THE TIME THE PERMIT FOR CONNECTION IS SECURED.

PROPERTIES ADJACENT TO CITY *	\$6,000 \$2,012	UNIT
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PROPERTIES OUTSIDE OF THE CITY SHALL PAY A SEWER FACILITY FEE EQUAL TO TWICE THE RATE ESTABLISHED FOR PROPERTIES WITHIN THE CITY LIMITS.

ENGINEERING DEPARTMENT - WASTEWATER

DESCRIPTION

FEE

UNIT

* NOTE: ALL BUILDING PERMIT APPLICATIONS THAT WERE RECEIVED BY THE CITY'S BUILDING DIVISION ON OR BEFORE JULY 1, 2006, AND BASED UPON THE SUBMISSIONS MADE BY THAT DATE HAVE BEEN DEEMED BY THE CITY TO BE ACCEPTED FOR REVIEW TO DETERMINE THEIR COMPLIANCE WITH CITY'S REQUIREMENTS, SHALL BE PROCESSED ON A FIRST-COME, FIRST SERVED BASIS, IN ACCORDANCE WITH THE CITY'S STANDARD POLICIES AND PRACTICES, AND THOSE PERMITS THAT ARE ISSUED ON OR BEFORE AUGUST 21, 2006, SHALL BE SUBJECT TO THE FEES THAT APPLIED PRIOR TO ADOPTION OF RESOLUTION 21622.

SEWER MAIN SURCHARGE FEE

IN ADDITION TO SEWER STREET MAIN CHARGE, INSPECTION FEE AND ANY OTHER APPLICABLE FEES, WHEN A SEWER REIMBURSEMENT AGREEMENT REQUIRES THE COLLECTION OF A SEWER MAIN SURCHARGE FEE, THE BUILDING DIVISION SHALL COLLECT AND REMIT THE AMOUNT PRESCRIBED BY SUCH AGREEMENT, (INCLUDING INTEREST, IF REQUIRED BY THE SUBJECT AGREEMENT).

SEWER STREET MAIN CHARGES

IN ADDITION TO THE INSPECTION FEE AND ANY OTHER APPLICABLE FEES, WHEN A PROPERTY CONNECTING TO A CITY SEWER HAS NOT PAID ITS SHARE OF THE COST OF SAID SEWER, THERE SHALL BE PAID A STREET MAIN CHARGE. SAID STREET MAIN CHARGE SHALL BE DETERMINED BY THE BUILDING DIVISION, BASED UPON ONE OF THE FOLLOWING FORMULA, WHICHEVER IS THE GREATER:

- 1) SIXTEEN DOLLARS (\$16) PER LOT FRONT FOOT ALONG SAID SEWER, OR \$16 PER FOOT
- 2) AT THE RATE ESTABLISHED IN A SEWER REIMBURSEMENT AGREEMENT ADOPTED BY RESOLUTION OF THE CITY COUNCIL FOR SEWERS CONSTRUCTED BY A DEVELOPER, OR
- 3) AT THE RATE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL FOR SEWERS AND/OR SEWAGE COLLECTION SYSTEM CONSTRUCTED BY THE CITY IN A SPECIFIED APPLICABLE AREA.

AREAS APPROVED BY RESOLUTION XXXXX ON MAY 27, 2021

EXECUTIVE DRIVE EXTENSION AREA	\$26,310*	EDU
RACQUET CLUB ROAD EXTENSION AREA	\$26,469*	EDU
CAMINO DEL NORTE EXTENSION AREA	\$22,231*	EDU
CHINO CANYON/PANORAMA EXTENSION AREA	\$44,772*	EDU
PANGA WAY EXTENSION AREA	\$29,750*	EDU
SANTA ROSA DRIVE EXTENSION AREA	\$42,500*	EDU
CAHUILLA HILLS DRIVE EXTENSION AREA	\$48,774*	EDU
EL CAMINO/CRENSHAW EXTENSION AREA	\$14,167*	EDU
INDIAN CANYON COMMERCIAL EXTENSION AREA	\$19,469*	EDU

*THESE FEES MAY BE AMORTIZED OVER AN EXTENDED PERIOD OF TIME BY WAY OF AN AGREEMENT BETWEEN THE CITY AND THE PROPERTY OWNER. IT WILL BE RECORDED ON TO THE PROPERTY AS A CLOUD AGAINST TITLE TO ENSURE THAT ANY FUTURE PROPERTY OWNERS ARE PUT ON NOTICE OF THE OBLIGATION TO REPAY THE SEWER STREET MAIN CHARGES UNDER THE AGREEMENT.

ENGINEERING DEPARTMENT – WASTEWATER

DESCRIPTION	FEE	UNIT
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SAID STREET MAIN CHARGES SHALL BE DEPOSITED IN THE SEWER FUND, EXCEPT FOR THOSE CHARGES COLLECTED THROUGH A SEWER REIMBURSEMENT AGREEMENT WHEREIN THE ORIGINAL COSTS PLUS INTEREST ARE REIMBURSED TO THE SECOND PARTY OF SAID AGREEMENT.

SEWER SURCHARGE LIFT STATION NO. 1 AREA FEE

NEW DEVELOPMENT, NATURALLY CONTRIBUTORY OF SEWAGE FLOWS TO LIFT STATION NO. 1 FOR SECTIONS 20, 29, 20 AND PALM HILLS

NEW RESIDENTIAL UNITS *	\$365	PER UNIT
COMMERCIAL AND INDUSTRIAL UNITS *	\$32	PER FIXTURE UNIT
HOTEL ROOMS *		
WITHOUT KITCHENS	\$161	PER UNIT
WITH KITCHENS	\$182	PER UNIT

* NOTE: FOR WHICH A BUILDING PERMIT IS ISSUED ON OR AFTER MAY 18, 1983

SUB-SURFACE SEWAGE DISPOSAL REVIEW FEE	\$17	PER UNIT
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ENGINEERING DEPARTMENT – WASTEWATER

DESCRIPTION	FEE	UNIT
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SEWER SERVICE CHARGES

(MONTHLY RATES)

EFF. JULY 1, 2021

A) RESIDENTIAL USES	\$20	MONTHLY PER UNIT
B) COMMERCIAL AND INDUSTRIAL USES	\$20	MINIMUM CHARGE, PLUS
(INCLUDING COMMERCIAL FACILITIES IN HOTELS)	\$1.98	MONTHLY PER FIXTURE UNIT
C) HOTELS (AS DEFINED IN THE ZONING ORDINANCE)	\$20	PER MONTH, PLUS
ROOMS WITHOUT KITCHENS	\$6.81	MONTHLY PER UNIT
D) HOTELS (AS DEFINED IN THE ZONING ORDINANCE)	\$13.17	MONTHLY PER UNIT
ROOMS WITH KITCHENS		
E) MOBILE HOME PARKS (AS DEFINED IN THE ZONING ORDINANCE) -	\$20	MONTHLY PER UNIT, PLUS
ONE BILL TO PARK OPERATOR FOR COMMUNITY FACILITIES		
	\$1.98	PER FIXTURE UNIT
F) PROPERTIES ADJACENT TO CITY	150%	OF ESTABLISHED CITY RATE
(PROPERTIES OUTSIDE OF THE CITY SHALL PAY A SEWER SERVICE		
CHARGE EQUAL TO 150% OF THE ESTABLISHED RATES FOR		
PROPERTIES WITHIN THE CITY LIMITS.)		
G) RECREATIONAL VEHICLE PARKS	\$4.90	MONTHLY PER SPACE, PLUS
FOR COMMUNITY FACILITIES	\$1.98	PER FIXTURE UNIT
H) SEPTAGE DUMPING FEE		
(*LOADS NOT IN EXCESS OF 1,000 GALLONS)		
(* FLAT FEE PER LOAD BASED ON RATED CAPACITY OF TANK ON		
VEHICLE)		
PROPERTIES WITHIN CITY LIMITS (ANY PART THEREOF)	\$67.58 \$0.07	EACH LOAD **PER GALLON
PROPERTIES OUTSIDE CITY LIMITS (ANY PART THEREOF)	\$135.16 \$0.14	EACH LOAD **PER GALLON
I) SEPTAGE PERMIT FEE	\$1,930.50	PER APPLICATION
(FOR DISCHARGING SEPTAGE AT THE CITY'S WASTEWATER		
TREATMENT PLANT)		

J) SAID SEWER SERVICE CHARGES SHALL BE DEPOSITED IN THE WASTEWATER TREATMENT PLANT FUND.