

RESOLUTION NO. 2021-55

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA SETTING FEES FOR SHORT TERM RENTAL PERMITS
REQUIRED BY SAN JUAN BAUTISTA MUNICIPAL CODE SECTION 3-9-
400 FEES AND AMENDING THE FEE FOR HOME OCCUPATION PERMITS
REQUIRED BY SAN JUAN BAUTISTA MUNICIPAL CODE
SECTION 11-01-090**

SECTION ONE

WHEREAS the City of San Juan Bautista passed a Resolution 2019-07 approving a fee schedule and has conducted a review and analysis of the costs associated with services for processing administrative and planning applications; and

WHEREAS the City has established a direct relationship to the cost of providing planning services to the fees charged for processing and administering planning applications; and

WHEREAS the City has adopted Planning Application Fees (Attachment 1) to cover the administrative costs of implementing provisions of San Juan Bautista Municipal Code (SJB MC) Chapter 11-04; and

WHEREAS the City Council has adopted Municipal Code Chapter 3-9, which among other things requires a permit for rent of a residential dwelling for 29 days or less, Short Term Rentals (STR); and , Section 3-9-400 requires, in part that the City Manager set the content for a STR permit including a STR application fee; and

WHEREAS the City Manager has determined that it is necessary to ensure that each Short Term Rental adheres to basic fire safety and minimum housing code requirements for habitable dwellings to ensure the safety and general welfare of guests and the surrounding neighborhood;

WHEREAS the cost of inspection to ensure each STR adheres to such safety standards, in addition to administrative permit processing costs is estimated to be \$611.00 consisting of the following components:

- 1) Uniform Housing Code Inspection: \$119.00 per hour
- 2) Fire Code Safety Inspection: 116.00 per hour
- 3) Planning Dept processing fee: \$376

WHEREAS the minimum STR fee is \$611.00 and the actual fee charged may higher depending on the circumstances of the particular case;

WHEREAS any abatement costs related to Short Term Rentals will accrue to the owner of the Short Term Rental in accordance SJB MC Chapter 13 - 1.

SECTION TWO

WHEREAS Zoning Ordinance Section 11-07 requires that businesses that are operated from a home obtain a business license and also, under certain circumstances specified in Sections 11-07-030, 11-07-040, and 11-07-060 are either permitted, subject to review according to operating performance standards, or are conditional uses.

WHEREAS the City Manager has determined that the primary objective of the HOP ordinance is to ensure that commercial uses in residential areas are subordinate to the residential character of the surrounding neighborhood and area;

WHEREAS the current Home Occupation Permit Fee of \$376.50 applied to Home Occupations that are permitted or qualify for Administrative approval is an impediment to the successful implementation of the Home Occupation Permit such that such uses that are permitted or meet operating standards meet ministerial requirements are often just starting out and have minimal receipts;

WHEREAS ongoing Home Occupations in conflict with Operating Standards in 11-04-030 or prohibited pursuant to 11-07-050 are subject to fees and penalties that may accrue in accordance with SJB MC Section 2-7-120 and Chapter 13; and

WHEREAS Home Occupation Permits subject to a Conditional Use Permit requirement in SJB MC Section 11-07-060 will be required to pay a Minor Conditional Use Permit Fee of \$787.50.

NOW THEREFORE BE IT RESOLVED AS TO SECTION ONE that the City Council does hereby set the minimum processing fee a Short Term Rental Permit at \$611. The minimum processing fee for annual Renewal of a STR shall be \$376.

The City Manager or designee may adjust these fees to a higher amount on a case-by-case basis, depending on the documented cost of performing Fire Code and Housing Code compliance inspections and the cost of permit processing.

BE IT FURTHER RESOLVED AS TO SECTION TWO that the City Council does hereby determine that:

- 1) Home Occupation Permits that are consistent with the permitted activities described in Zoning Ordinance Section 11-07-040 will accordingly be required to pay the business license tax only and are not required to pay a Home Occupation Permit fee;
- 2) Home Occupation Permits that are not referenced in Section 11-07-040 and that meet operating standards listed in 11-07-030 will be required to pay, in addition to the business license tax, a minimum fee of \$75.00.
- 3) Those Home Occupations listed as requiring a Conditional Use Permit in Section 11-07-060 will be required to pay a fee of \$787.50 for a Minor Conditional Use Permit. This fee may be increased at the time that Conditional Use Permit fees are adjusted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby establishes and adopts the following planning fees and charges per Attachment 1.

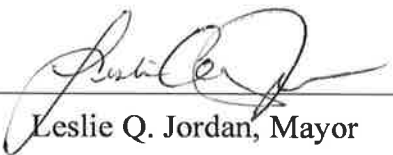
ADOPTED this 19th day of October 2021 at a regular meeting of the City Council of the City of San Juan Bautista by the following vote:

AYES: Jordan, Flores, Freeman

NOES: None

ABSTAIN: None

ABSENT: Edge, Freels



Leslie Q. Jordan, Mayor

ATTEST:



Trish Paetz, Deputy City Clerk

Attachment 1
PLANNING DEPT FEES
Adopted October 19, 2021
City Council Resolution 2021-55

Planning Application Fees

Conditional Use Permit (Major/Minor)	\$1,575/\$787.50
Conditional Use Permit (Amendment)	\$603.75
Site Plan and Design Review - Major	\$1,575
Site Plan and Design Review - Minor	\$603.75
Variance	\$1,575
Signs Permit - Banners and Flags	\$52.50
Sign Permit (New)	\$157.50
Sign Permit (Relocating/Changing existing)	\$52.50
Sign Program (Master sign)	\$525
Sign Permit - Portable Freestanding	\$105
Short Term Rental Initial Application	\$611 deposit (actual fee apply hourly rates) <ul style="list-style-type: none"> • Fire Safety Inspection: \$116/ hr • Housing Code inspections: \$119/hr • Administration: \$376
Renewal	\$300 plus hourly inspection fee
Historic Design Review (Major)	\$1,575
Historic Design Review (Minor)	\$262.50
Informal Review (Planning-HRS)	\$0
Planned Unit Development Permit Amendment	\$5,250
Tentative Map Major 5 lots or more	\$5,250
Tentative Map Minor 4 lots or less	\$2,625
Final Map	\$525
Lot Line Adjustment	\$525
Annexation	\$5,250
Pre-zoning	\$3,675
Rezoning	\$3,675
General Plan Amendment	\$3,675
Home Occupancy Permit/Appeal	\$367.50/50%
Home Occupation Permit (Permitted 11-07-040)	1. Business License Fee
Home Occupation (Operating Standards 11-07-030)	2. \$75.00
Home Occupation Permit (CUP 11-07-060) / Appeal	3. \$787.50 / 50%
Lighting Plan - Minor	\$262.50
Urban Growth Boundary	\$5,250

Planning Application Fees Cont'

Misc. Permit Amendments & Time Extension	30% of Application
Specific Plan	\$5,250
Appeal to City Council	\$525
Tree Removal Permit	\$25 per Tree
Lighting Plan - Major	\$525
Environmental Review Fees	
Initial Study	Consultant Cost + DF&W Fee
Environmental Impact Report	Consultant Cost + DF&W Fee
Notice of Exemption	\$262.50
Notice of Determination - County Clerk Fee	\$52.50

Staff/ Consultant Rates

City Manager	\$175/Hour
City Attorney	\$200/Hour
City Engineer	\$150/Hour
City Planner/Building Inspector/Code Enforcement	\$150/Hour
City Clerical	\$40/Hour
Public Works	\$40/Hour
Consultants/Others	Consultant Costs + 15%

Miscellaneous Charges

Copies - 8 x 11 and Color	\$0.30/\$1.00 /Page
Copies - 11 x 17 and Color	\$0.50/\$2.00 /Page
City Maps/Blueprints	Actual Cost + 15%
Postage	Actual Cost + 15%
Copy of General Plan/IS-MND/IS-ND	Actual Cost + 15%
Other	To be Determined by City Manager + 15%