

ORDINANCE NO. 9622 (New Series)

AN ORDINANCE AMENDING SCHEDULE F OF SECTION 362 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO REDUCE FEES FOR BUILDINGS USING SUSTAINABLE BUILDING PRACTICES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that building permit fees shall be reduced and expedited plan review shall be provided for Green Buildings in order to support and promote the use of sustainable building practices in San Diego County. The amendments made by this ordinance are intended to implement necessary changes to the fee schedules.

Section 2. Schedule F of Section 362 of Article XX of the San Diego County Administrative Code is hereby amended to read as follows:

SCHEDULE F - PROVISIONS

1. TIME AND MATERIAL RATES

Time and material rates shall be calculated and charged at the following standard hourly billing rates for minor services such as general research:

Building Division:	<u>FY 03-04</u>
Deputy Director	\$143.00
Structural Engineer (Assoc./Senior)	\$109.00
Analyst	\$71.00
Building Inspector (I/II/Supv.)`	\$75.00
Cashier	\$42.00
Chief, Electrical Engineer	\$82.00
Chief, Land Use	\$114.00
Fire Code Specialist	\$74.00
Fire Services Coordinator	\$92.00
Intermediate Clerk	\$40.00
Land Use Tech (II/III)	\$64.00
Administrative Secretary	\$52.00
Permit Processing Coordinator	\$77.00
Plans Examiner	\$78.00
Senior Acct. Clerk	\$50.00
Student Worker (I/II/III/IV)	\$18.00

Code Enforcement:	<u>FY 03-04</u>
Deputy Director	\$143.00
Chief, Land Use	\$109.00
Code Enforcement Coordinator	\$102.00
Code Enforcement Officer	\$77.00
Environmental Management Specialist	\$114.00
Engineering Technician	\$78.00
Building Inspector	\$75.00
Intermediate Clerk	\$40.00
Student Worker (1/II/III/IV)	\$18.00

2. **PLAN REVIEW FEES FOR RESIDENTIAL TRACTS:** When a plan is registered with the Building Official as a Master Plan, all subsequent plan reviews for that Master Plan will be charged the fee listed in Item 1 of Schedule E, Building Permit Fees. The minimum fee will be charged for each unique floor plan in the phase regardless of the total number of dwelling units in the phase. If more than two hours is required to intake and review each unique floor plan, the time in excess of two hours will be charged at the Time and Material Rate described in Schedule F, Item 1. Minor, nonstructural changes to Master Plans are acceptable, however, all additional staff time spent processing any plan changes will be added to the plan review fee.
3. **EXTENSION OF AN EXPIRED PLAN REVIEW:** When plans are submitted subsequent to plan review expiration, as permitted by Section 51.0107, subsection 107.4, the plan review extension fee shall be 25 percent of the plan review fee prescribed above for newly submitted plans.
4. **PLAN CHANGES, ADDITIONS, REVISIONS OR INCOMPLETE PLANS:** Additional plan review required by plan changes, additions, or revisions to approved plans or because the plans are incomplete shall be charged at the time and material labor rate and the minimum charge shall be one-half hour.
5. **FEE REDUCTION FOR BUILDINGS USING SUSTAINABLE BUILDING PRACTICES:** For building permit applicants who voluntarily participate in the County of San Diego Green Building Program, as established by Board of Supervisors Policy F-50, the plancheck and permit fees shall be reduced by 7.5%. To qualify for this fee reduction, the project shall use one of the following sustainable building practices:
 - a) **Energy Conservation.** The project shall exceed California Energy Commission Standards by 15% or more for residential and 25% or more for commercial and industrial developments.
 - b) **Natural Resource Conservation.** The project shall incorporate straw bale construction for all exterior walls or use recycled content in the building system. To be eligible for the fee reduction by using recycled content, the applicant must demonstrate to the satisfaction of the Building Official that 20%

or more of the primary materials being used in the building system contain 20% or more post-consumer recycled content. Any reused materials will be found to satisfy the 20% post-consumer recycled content requirement. A fee reduction may also be approved when the applicant demonstrates to the satisfaction of the Building Official that at least one primary building material (e.g. roofing material) is 50% or more post-consumer recycled content.

- c) Water Conservation. The project shall include the installation of a graywater system. A permit is required from the Department of Environmental Health for the graywater system in addition to the building permit issued by Department of Planning and Land Use.
6. EXPEDITED PLAN REVIEW: When requested by the applicant and approved by the Building Official staff may use overtime to expedite a plan review. An additional fee shall be charged for this service. The fee amount shall be determined using the time and material labor rate multiplied by the amount of time staff spends on expedited plan review.
7. INSPECTIONS OUTSIDE OF NORMAL BUSINESS HOURS: When the Building Official approves inspections outside of normal business hours the fee shall be charged hourly at the rate of one and one-half times the standard time and material labor rate described in Schedule F, item 1. The minimum time charged shall be two hours.
8. REFUNDS: An applicant who has paid the applicable plan review or permit fees may withdraw the application by submitting a written request to the Director of Planning and Land Use. The Department shall discontinue work on such application within one working day from the receipt of said request, except that the Department may continue to process an application involving the violation of a County ordinance.

The Director of Planning and Land Use shall not authorize the refund of any fee and/or deposit(s) paid except upon written application filed by the original applicant, received not later than one year after the date of fee payment.

Where a refund is requested of a flat fee, the refund amount shall be based upon work completed based on standard project tasks and milestones by permit types.

Flat fee refunds of \$5,000 or more must receive Board of Supervisor approval prior to payment.

Final permits and/or documents shall not be issued until all required fees/deposits are paid in full.

The Administrative Authority may authorize the full refund of any fee paid hereunder which is erroneously collected by the County.

Refund of fees described in Schedules E, F and G shall be made in accordance with San Diego County Code Sections 51.0107(107.6), 52.503, 53.117 or 58.117.

9. VIOLATIONS: When a violation of any County code includes or results from the failure to obtain a required permit a violation fee may be assessed as prescribed in San Diego County Code Sections 51.0107(107.5), 52.801 through 52.806, 53.124 through 53.125, 55.117, and 58.119 through 58.120.

In all cases the additional violation fee or deposit amount shall be treated as a non-refundable flat fee, even if the initial amount is a deposit.

10. CHARGES FOR TECHNICAL REPORTS: Information, circulars, reports of technical work, and other reports prepared by the Department of Planning and Land Use when supplied to other government agencies, individuals or groups requesting copies of same may be charged for by the Department in a sum not to exceed the cost of publication and distribution of such documents.
11. HOMEOWNER AND BUSINESS OWNERS RELIEF - WAIVER OF PLAN REVIEW AND PERMIT FEES: Notwithstanding the fees otherwise specified in Schedules E and G, and San Diego County Code, Sections 51.0107(107.2), and 53.109, the plan check review fee and the permit fee shall not be charged for the following improvements:

Cargo containers of 320 square feet or less, when used for storage.

Exterior siding or plastering.

Non-masonry fencing and free-standing walls.

Re-roofs.

Skylights that are ICBO approved.

Window replacements with the same net openable area.

Door replacements that are not required to be fire-rated.

Replacement or repair of interior drywall when on a wall or ceiling which is not required to be fire rated.

Electric heat pump and air conditioner replacements provided there is no alteration to the electrical system which supplies power to the heat pump or air conditioning unit.

Residential Photovoltaic Electrical Systems.

Replacement hot water heater installation when there is no modification or alteration of the electrical or gas system which supplies the water heater.

Emergency repair of gas lines.

Lawn sprinkler systems.

Septic to sewer connections.

12. HOMEOWNER RELIEF WAIVER OF PLAN REVIEW FEES: Notwithstanding the fees otherwise specified in Schedules E and G, no fee shall be charged for the plan check review of the following improvements if the improvement is accessory to a single-family dwelling, a duplex, or a mobilehome built pursuant to county standard plans:

Carports over 300 square feet.

Patio covers over 300 square feet.

Fireplaces.

Retaining walls built to County standards.

13. HOMEOWNER RELIEF EXEMPTION FOR SEISMIC RETROFITS: Notwithstanding the fees otherwise specified in Schedules E and G, and San Diego County Code Sections 51.0107(107.3), and 51.0107(107.23), the application fee and the plan check review fee shall not be charged for a seismic retrofit to a single-family dwelling, a duplex or a mobilehome built pursuant to County standard plans.
14. MISCELLANEOUS-HOURLY RATES: The fee for items not listed in the above fee schedules or those designated "Time and Materials" shall be determined by the actual costs incurred by the Department of Planning and Land Use. The cost will be determined by using the labor rates specified in Schedule F, Item 1, Time and Material Labor Rates.
15. SURFACE MINING INSPECTION DEPOSIT: The deposit for conducting annual inspections of surface mining operations to review compliance with the Major Use Permit, Reclamation Plan and Interim Management Plan shall be \$2,000. The deposit shall be due within 60 days after the adoption of this ordinance and on July 1 of each year thereafter. The \$2,000 amount shall apply to all existing surface mining operations for the first year and for the first year of each new surface mining operation. Thereafter, the Director shall determine the appropriate amount of the deposit for each surface mining operation. Approval and inspections of an Interim Management Plan shall be an expense of the inspection deposit.
16. SIGNS - REFUNDABLE DEPOSIT: The refundable deposit required prior to the approval of any administrative sign permit or minor use permit, as prescribed in the County Zoning Ordinance Section 6207 b. 1. xiv., shall be \$1,000.
17. MISSED APPOINTMENT FEE: The Building Official may charge this fee when an applicant does not show up for a scheduled plan submittal appointment or cancels the appointment less than 24 hours in advance.

18. FEE WAIVER FOR STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTER. Notwithstanding the fees otherwise specified in Schedules E and G of this section, the plan check review fee and the permit fee may be waived for an applicant who is rebuilding legally built structures which have been damaged or destroyed by a wildfire or other natural disaster and which are located within the boundaries of a geographic area which has been declared by resolution of the Board of Supervisors to be eligible for this fee waiver. The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced.

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 10th December, 2003.