

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AMENDING CERTAIN SECTIONS OF
CHAPTER 10 (BUILDING) OF THE CITY'S MASTER FEE
SCHEDULE

WHEREAS, the City conducted studies necessary to determine the direct and indirect costs associated with the full array of reviews conducted, and permits issues, for development and construction related activities; and

WHEREAS, the Cost of Service Analysis of the Development Services Fee Study prepared by the City resulted in recommended changes to Building fees necessary to ensure the City recovers the estimated reasonable cost of providing building services; and

WHEREAS, in order to achieve full and equitable cost recover for building services provided, the Council wishes to amend Chapter 10 of the City's Master Fee Schedule, as set forth in Exhibit 1, attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, the proposed fees do not exceed the estimated reasonable cost of providing the associated services; and

WHEREAS, Article XIII C of the California Constitution requires a vote of the electorate to increase any levy, charge, or exaction imposed by a local government, unless specifically exempted; and

WHEREAS, the proposed fees are exempt from the vote requirement per Sections 1(e)(2) and 1(e)(3); and

WHEREAS, California Government Code Section 66015 limits rooftop solar energy system permit fees to the reasonable cost of providing the service for which the fee is charged and Section 66015(a) further limits permit fees for residential rooftop solar energy systems to five hundred dollars (\$500) plus fifteen dollars (\$15) per kilowatt for each kilowatt above 15kW and Section 66015(b) further limits permit fees for commercial rooftop solar energy systems to one thousand dollars (\$1,000) for systems up to 50kW plus seven dollars (\$7) per kilowatt for each kilowatt between 51kW and 250kW, plus five dollars (\$5) per kilowatt for each kilowatt above 250kW, unless specific findings are made; and

WHEREAS, pursuant to California Government Code Section 65850.5(g), the City adopted an expedited, streamlined permitting process for small residential rooftop solar energy systems (Ordinance 3376, Chula Vista Municipal Code Chapter 15.29); and

WHEREAS, the City intends to establish a permit fee of \$453 for residential solar systems qualifying for expedited, streamlined processing, as provided for in Chula Vista

Municipal Code Chapter 15.29, falling below the maximum fee set by Government Code Section 66015(a); and

WHEREAS, the City intends to establish a permit fee of \$722 for residential solar systems which do not qualify for expedited, streamlined processing, which may, in certain circumstances, result in a fee in excess of the maximum set by Government Code Section 66015(a); and

WHEREAS, the City intends to establish a permit fee of \$1,683 per commercial solar system (first 500 panels), plus \$345 for each additional set of 500 panels, which may, in certain circumstances, result in a fee in excess of the maximum set by Government Code Section 66015(b); and

WHEREAS, the administrative cost of issuing a rooftop solar energy permit, as defined in California Government Code Section 66015(d) has been calculated, as shown in Exhibit 2, attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, out of an abundance of caution, the City wishes to adopt findings as required by California Government Code Section 66015(c); and

WHEREAS, the proposed amendments to the Master Fee Schedule Chapter 10 shall not become effective until 60 days after adoption of this Resolution by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Chula Vista, that it finds that: the City has adopted appropriate ordinances, permit fees, and processes to streamline the approval of permits for solar energy systems pursuant to the practices and policies in state guidelines and model ordinances; it has performed a calculation related to the administrative cost of issuing solar rooftop permits, as shown in Exhibit 2 to this Resolution; and the amended fees will result in a quick and streamlined approval process for the larger and more complicated rooftop solar permit applications that do not qualify for expedited permit processing, by funding appropriate staff and other resources necessary to assure timely processing.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it does hereby amend certain sections of Chapter 10 (Building) of the City's Master Fee Schedule as set forth in Exhibit 1 to this Resolution.

Presented by

Approved as to form by

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney