



Atascadero City Council

Staff Report – Administrative Services Department

Amendments and Additions to Fee Schedule

RECOMMENDATION:

Council Adopt Draft Resolution A amending certain fees in the Schedule of Fees and Charges for City Services, specifically related to:

1. Reducing Building Permit fees for commercial sign permits for a period of 18 months commencing on March 1, 2015; and
2. Reducing Signage Administrative Use Permit fees for commercial sign permit fees for a period of 18 months commencing on March 1, 2015; and
3. Adding Administrative Fees for Concealed Carry Weapons Licensing.

DISCUSSION:

Background: The City offers a variety of services to the community which are funded in part by fees paid by the users. The California Government Code allows the City to charge fees to recipients of certain services to recover “costs reasonably borne” by the City in providing those services. In May 2014, an updated Fee Schedule was adopted by the Council to more accurately reflect costs of providing City services. Recently, circumstances have changed and staff is recommending the reduction of certain commercial sign related fees and the addition of fees for concealed carry weapons licensing.

Commercial Sign Fees

As part of the City Council’s 2014 Strategic Planning process, the Council discussed the appearance of the City’s commercial district. At the February 11, 2014 City Council meeting, the Council agreed that the appearance of the commercial district along El Camino Real needs to be improved and that temporary and un-permitted signs are a concern.

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The Council tasked staff with developing a program to improve the appearance of commercial signage. In partnership with the Atascadero Chamber of Commerce, a team and strategy were put together to address commercial signage. The team's strategy involved building a "Good for Business" outreach message that focused on education and outreach programs over 2014.

Some of the program highlights included:

- *Sign Company Outreach Meetings (June 2014)*
City staff and Chamber members met with three local sign companies to discuss permitting issues.
- *Business Walk Outreach to All El Camino Real Businesses (September 2014)*
The Chamber created the Business Walk as an outreach program where the every business on El Camino Real could be contacted in a single day. There were 475 businesses that were visited and 350 surveys were completed about the business climate and the signage issues.
- *Business Appearance Workshop Meeting with Pierre Rademaker (October 2014)*
Following the Business Walk, the City and Chamber hosted a business appearance workshop at the Galaxy Theater. The workshop included the results of the Business Walk and a business appearance and signage presentation by Pierre Rademaker.

Analysis: One of the concerns that came out of the 2014 outreach effort was the cost of building permits for signs. A typical sign permit costs about \$450. This fee is a disincentive to local businesses to install permanent signs. Last year, the City only issued 15 commercial sign permits, which likely indicates signs were installed without permits. Businesses that need an exception to the Sign Ordinance are required to obtain a Signage Administrative Use Permit (AUP) which cost \$665 plus noticing fees. Businesses rarely follow the City's sign exception process, primarily due to the costs involved.

Staff recommends a temporary 18-month reduction of all commercial sign permits to a \$50 flat fee and all Signage Administrative Use Permit fees for commercial sign permits to a flat fee of \$100. The proposed period of fee reductions begins March 1, 2015 and ends August 31, 2016. Fees for all other types of Administrative Use Permits would not change.

Concealed Carry Weapons

Another fee, unrelated to commercial sign permits, is proposed to be added to the City's current fee schedule. San Luis Obispo Sheriff's Department terminated the agreement with the Atascadero Police Department to process Concealed Carry Weapons (CCW) Licenses effective February 15, 2015. The Atascadero Police Department is responsible for the processing of all requests from that date forward. State law allows Police Departments to charge the applicant for the cost of processing a new CCW License application up to a maximum of \$100. Renewal applications may be charged a

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fee of \$25, and amendments to existing applications may be charged \$10. In addition, the applicant would be responsible for all State and Federal agency fees related to their CCW application. Staff is proposing to add the \$100 CCW application fee, \$25 CCW renewal fee, and \$10 CCW amendment fee to the Fee Schedule.

The Police Department will bring the issue of CCW licenses before the City Council at the March 10, 2015, meeting to explain the process and legal requirements related to CCW applications.

FISCAL IMPACT:

The proposed Commercial Sign Program will reduce permitting revenues and increase staff workloads. Commercial Sign Permit fees would be reduced by about \$400 each and the Signage Administrative Use Permit fees would be reduced by about \$565 each. Based on the number of permits issued last fiscal year, this could be a reduction in General Fund Revenue in the range of \$7,000-\$12,000. This amount will vary depending on the level of permits requested. However, the long term financial benefit of improving the commercial districts and making it more competitive with surrounding communities is expected to result in an ongoing financial benefit to the City.

The addition of Concealed Carry Weapons License fees would increase staff workloads and increase General Fund service revenues by \$100 per application. Application activity is not expected to exceed 50 per year.

ALTERNATIVES:

- Council may adjust any of the proposed fees.
- Council may refer the item back to staff for additional analysis.
- Council may decide to take no action.

ATTACHMENT:

Draft Resolution including an exhibit with the amended fees.

DRAFT RESOLUTION A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING CERTAIN FEES IN THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES, SPECIFICALLY RELATED TO COMMERCIAL SIGN PERMITS AND CONCEALED CARRY WEAPONS LICENSING

WHEREAS, the City of Atascadero, in partnership with the Atascadero Chamber of Commerce and the City's business community, was interested in a program to improve the appearance of commercial signage along El Camino Real; and,

WHEREAS, the City, in partnership with the Atascadero Chamber of Commerce, have conducted an extensive business outreach to all El Camino Real businesses in Atascadero; and,

WHEREAS, the City, in partnership with the Atascadero Chamber of Commerce, have conducted sign company outreach meetings to discuss permitting issues; and,

WHEREAS, the City, in partnership with the Atascadero Chamber of Commerce held a business appearance workshop with a presentation by Pierre Rademaker on business appearance and signage; and,

WHEREAS, the City and the Atascadero Chamber of Commerce aspire to maintain a positive, business-friendly approach to improving the appearance of commercial signage along El Camino Real; and,

WHEREAS, at the January 27, 2015 City Council meeting, the City Council decided to reduce building permits for commercial sign permits for a period of 18 months commencing on March 1, 2015 and ending on August 31, 2016; and,

WHEREAS, at the January 27, 2015 City Council meeting, the City Council decided to reduce the Signage Administrative Use Permit fee for commercial sign permits for a period of 18 months commencing on March 1, 2015 and ending on August 31, 2016; and,

WHEREAS, the San Luis Obispo Sheriff's Department terminated the agreement with the Atascadero Police Department to process Concealed Carry Weapons Licenses effective February 15, 2015; and,

WHEREAS, the Atascadero Police Department is now responsible for the processing of all requests for Concealed Carry Weapons Licenses as of February 15, 2015; and,

WHEREAS, California Penal Code Section 26190 allows the licensing authority of any city to charge fees for processing the application for a new, renewed, or amended Concealed Carry Weapons License; and,

WHEREAS, pursuant to Government Code sections 66016 and 66018, the enactment or increase in any fees to be charged for services must be adopted by the City Council by ordinance or resolution, after providing notice and holding a public hearing; and,

WHEREAS, the City Council finds that the fee schedule detailed in Exhibit A attached hereto is consistent with the City of Atascadero General Plan; and,

WHEREAS, pursuant to Government Code sections 66016 and 66018, the data required to be made available to the public prior to increasing the amount of the fees by this resolution was made available for public review at least 10 days prior to February 24, 2015; and,

WHEREAS, pursuant to Government Code sections 66014, 66106, 66018 and 6062a, notice of a public hearing on the increase to the amount of fees was published in the Atascadero News twice, with at least five days intervening the two publications, commencing at least ten days prior to the date of this meeting; and,

WHEREAS, a duly noticed public hearing before the City Council was held on February 24, 2015, at which public testimony was received and duly considered on the proposed fees; and,

WHEREAS, the City Council has previously adopted Resolution No. 2014-028 setting forth such fees, and desires to amend that resolution, without rescinding said adoption, with certain fees as detailed in Exhibit A; and,

WHEREAS, the amount of the Fees do not exceed the true cost of providing the services; and,

WHEREAS, the increase to the amount of the fees is not a “project” subject to the California Environmental Quality Act because it is a funding mechanism having no physical effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Atascadero

SECTION 1. Recitals. The foregoing recitals are true and correct and the City Council so finds and determines.

SECTION 2. Establishment of the Temporary Fees. The temporary fees are hereby established in the amounts and time periods detailed in Exhibit A.

SECTION 3. Collection of the Fees. The fees levied pursuant to this resolution shall be paid to the City either at the time the service is requested or required or shall, in certain cases, be advanced to the City in the form of an advance deposit.

SECTION 4. Constitutionality. If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

SECTION 5. Repealer. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ADOPTED:

CITY OF ATASCADERO

Tom O'Malley, Mayor

ATTEST:

Marcia McClure Torgerson, C.M.C.
City Clerk

APPROVED AS TO FORM:

Brian Pierik, City Attorney

EXHIBIT A

DRAFT FEE SCHEDULE

Proposed Effective date February 25, 2015

Ref #	Fee Name	Previously Adopted Fees	Proposed Fee	Change in fees
COMMUNITY DEVELOPMENT				
14-001	SIGNAGE ADMINISTRATIVE USE PERMIT REVIEW	\$665 per application	\$100 per application for period March 1, 2015 - August 31, 2016	\$565 per application reduction during the period March 1, 2015 - August 31, 2016. Cost will revert to \$665 per application on September 1, 2016.
14-041D	EXPRESS SIGN PERMIT	\$450 per permit + 2.85% for document imaging	\$50 per permit for period March 1, 2015 - August 31, 2016	\$400 + document imaging fee per permit reduction during the period March 1, 2015 - August 31, 2016. Cost will revert to \$450 per permit + 2.85% document imaging on September 1, 2016.
POLICE				
14-082	CONCEALED CARRY WEAPON LICENSING	New fee.	\$100 CCW license application fee- \$20 of license application fee is due with application (non-refundable) \$80 of license application fee is due upon issuance of license \$25 CCW license renewal fee \$10 CCW license amendment fee + applicable State and Federal agency fees	New fee.