

ORDINANCE NO. 15-08 N.S.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AMENDING ORDINANCE NO. 3-07 OF THE RICHMOND
MUNICIPAL CODE TO DECREASE THE AMOUNT OF THE
COMPREHENSIVE PLANNING FEE**

The Council of the City of Richmond do ordain as follows:

Section I. **Amendment of Ordinance No. 3-07.**

Sections I and II of Ordinance No. 3-07 of the City of Richmond are hereby amended to decrease the amount of the Comprehensive Planning Fee from 0.6810% to 0.1769% and to read as follows:

“Section I. Findings

- A. A Comprehensive Planning Fee (CPF) is authorized by Government Code Section 66014(b) which permits local agencies to collect fees to cover the costs reasonably necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make findings and determinations necessary for land use decisions.**
- B. The City of Richmond Planning and Building Services Department provides a variety of services and activities to prepare and revise land use decision guidance documents, such as the General Plan, Specific Plans, and Zoning Ordinance.**
- C. The Planning and Building Services Department and the Finance Department have conducted a study (“Fee Study”) to determine the reasonably necessary costs incurred in preparing and revising the City’s General Plan.**
- D. The Fee Study concludes that in order to recover one hundred percent of the costs of preparing and updating the General Plan, a fee of *zero point one seven six nine percent (0.1769%)* of construction value should be collected on each project requiring a building permit.**
- E. A CPF of *0.1769%* of construction value levied on each project requiring a building permit will recover sufficient revenue to cover the reasonably necessary costs associated with maintaining up-to-date Specific Plans, Zoning Ordinance, and other plans and policies that must be adopted before the Zoning Administrator, Design Review Board, Planning Commission, and City Council can make the findings and determinations necessary for land use decisions.**
- F. The Planning and Building Services Department and the Finance Department may conduct further studies to determine the reasonably necessary costs incurred in providing the services and activities that may be funded through the Comprehensive Planning Fee. If such studies conclude that the City of Richmond’s CPF should be increased to recover the full costs of preparing and revising plans and policies that must be adopted in order to make the findings and determinations necessary for land use decisions, the Finance Department may propose a fee increase to the City Council.**
- G. Collection of a CPF is necessary to insure that the cost of maintaining the General Plan, Specific Plan, Zoning Ordinance and other adopted land use plans and policies does not draw disproportionately on the General Fund.**

“Section II. Master Fee Schedule Amendment

The Council of the City of Richmond do ordain as follows:

Section 2.34.040 of the Richmond Municipal Code is hereby amended to add to the Master Fee Schedule a Planning Fee in the Miscellaneous category for services described as “Maintenance of General Plan, Specific Plans, Zoning Ordinance, and other adopted plans and policies required to make necessary

findings and determinations regarding land uses” to recover 100% of the costs of maintaining such plans and policies.

The fee shall be known as the “Comprehensive Planning Fee.” It shall be levied on every project requiring a building permit and shall be *zero point one seven six nine percent (0.1769%)* of construction values unless and until amended by the City Council of the City of Richmond.”

Section II. **Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section III. **Effective Date.**

This ordinance becomes effective thirty (30) days after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond, California, held June 17, 2008, and finally passed and adopted at a regular meeting thereof held July 29, 2008, by the following vote:

AYES: Councilmembers Bates, Butt, Marquez, Rogers, Sandhu,
Thurmond and Viramontes

NOES: None

ABSTENTIONS: None

ABSENT: Councilmember Lopez and Mayor McLaughlin

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 15-08 N.S., finally passed and adopted by the Council of the City of Richmond at a meeting held on July 29, 2008, published in accordance with law.