RESOLUTION - ACTION REQUESTED 2018-17

MEETING: January 9, 2018
TO: The Board of Supervisors
FROM: Dallin Kimble, County Administrative Officer
RE: Habitat for Humanity Fee Waiver

RECOMMENDATION AND JUSTIFICATION:
Waive Up to $8846 in Building Permit Fees Associated with Two Habitat for Humanity of Mariposa County (Habitat) Project Houses to be Built at 5055 and 5063 Stroming Road.

On September 26, 2017, the Board approved waiving fees incurred by Habitat for Humanity (Habitat) to process two conditional use permit applications and two design review applications for two houses to be built on Stroming Road for low-to-very-low income families. At that time Jim Evans, Vice President and Interim Treasurer of the Mariposa chapter of Habitat for Humanity, also requested a waiver of all building permit fees associated with the two projects. Several Board members indicated a willingness to consider the action but none was taken at that time.

On November 17, 2017, Habitat incurred a plan check fee on one house with a partial amount of $1071.72 being paid. A request for waiver of that fee was then received by the Clerk of the Board from Jim Evans. Rather than bringing a series of items to waive individual fees incurred through the building process, staff is requesting a waiver of all fees up to $4,423 per home.

It should be noted that staff is unable to provide an exact amount of the requested waiver because actual permit costs are based upon plans that have not yet been received from Habitat. The two most recent Habitat projects averaged $3846 in fees per home. While the final amount may be more or less if submitted plans are substantially different from past projects, staff has accounted for a 15% contingency to account for possible variation.

In considering this item, the Board should be aware of two references in County documents regarding fee waivers. The current General Plan Housing Element, which was used to support the conditional use permit and design review processing fee waivers, states that the County will "offer and support regulatory and financial incentives, such as density bonuses and fee waivers, for projects that include housing units affordable to very low- and/or low-income households".

Likewise, a prior planning fee resolution from 1992 stated: "The Board of Supervisors may consider waivers of application fees upon the filing of a written request. A waiver may be granted in situations which the Board of Supervisors consider equitable and in the public interest (health and safety)."
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The Board should also be aware that waiving fees in this instance may set a precedent for other nonprofits in the community that may be interested in residential construction. Staff is making its recommendation to waive these fees based upon the relative scarcity of available housing, the Board's expressed desire to encourage construction and the guiding documents quoted here.

Because the Building Department is an enterprise fund, the Board has typically provided general funds to reimburse the department for lost fees. Staff will request an appropriate allocation of funds for reimbursement as a part of the midyear budget process.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On September 26, 2017, the Board approved a waiver of the Planning Department fees to process two conditional use permit applications and two design review applications for these two projects.

The Board has waived other Building permit fees on past occasions with the most recent being on August 8, 2017, when the Board waived owner payments for fees for electrical permits (blue tags) to reestablish power lost due to the Detwiler Fire.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
A negative action is a denial of the fee waiver request and will mean that Habitat for Humanity will be responsible to pay the full amount required for building permit fees for the two projects on Stroming Road.

Alternative actions include modifying the total amount to be waived per house, or waiving fees for only one house.

ATTACHMENTS:
Building Department Estimate of Fees - Habitat Stroming Road (PDF)
Habitat 17 Nov 2017 Receipt (PDF)
11-22-2017 Email Request from Jim Evans (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING STANDARDS</td>
<td>8.00</td>
</tr>
<tr>
<td>CONTINUING EDUCATION FEE</td>
<td>3.00</td>
</tr>
<tr>
<td>ENERGY CALCULATION CHECK</td>
<td>51.75</td>
</tr>
<tr>
<td>ISSUANCE FEE—MAJOR</td>
<td>72.75</td>
</tr>
<tr>
<td>PLANNING FEE, SITE REVIEW</td>
<td>40.00</td>
</tr>
<tr>
<td>SMIP RES OVER $3850</td>
<td>23.20</td>
</tr>
<tr>
<td>PLAN CHECK FEES—BUILDING</td>
<td>1071.72</td>
</tr>
<tr>
<td>PLAN CHECK FEES—GRADING</td>
<td>50.00</td>
</tr>
<tr>
<td>PLAN CHECK FEES—SPRINKLERS RESIDENTIAL</td>
<td>140.00</td>
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<tr>
<td>PERMIT FEES—BUILDING</td>
<td>1648.80</td>
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<tr>
<td>PERMIT FEES—ELECTRICAL, RESIDENTIAL PE</td>
<td>99.50</td>
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<tr>
<td>PERMIT FEES—GRADING</td>
<td>230.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>3846.07</strong></td>
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</table>

Press Enter to continue.
F3=Exit    F7=Print summary    F12=Cancel
**Application type**: DWELLING, SINGLE FAMILY-DETACHED  
**Job description**: HABITAT HOME  
**Reference location**:  

<table>
<thead>
<tr>
<th>Fee Description</th>
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<tr>
<td>PERMIT FEES - MECHANICAL, RESIDENTIAL PE</td>
<td>63.35</td>
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<tr>
<td>PERMIT FEES - PLUMBING, RESIDENTIAL PERM</td>
<td>64.00</td>
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<tr>
<td>PERMIT FEES - SPRINKLERS RESIDENTIAL PER</td>
<td>280.00</td>
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</table>

**Total**: 3846.07

Press Enter to continue.  
F3=Exit   F7=Print summary   F12=Cancel
PERMIT

PERMIT NO: 14-00031068
TYPE: DWELLING, SINGLE FAMILY-DETACHED
JOB ADDRESS: 4176 SEBASTOPOL RD
APN: 04-250-0800

OWNER:
HABITAT FOR HUMANITY
MARIPOSA COUNTY
PO BOX 1420
MARIPOSA CA 95336

CONTRACTOR:
EDWARDS BUILDING MAINTENANCE
PO BOX 1973
MARIPOSA CA 95336
209-966-2151

LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that the person named above is a licensed contractor as defined in the California Business and Professions Code and my home is listed in the above permit and such work is being done by the contractor named above in the above permit. (Section 7015.5 Business and Professions Code)

Signature:  
License No: 444018K
Date: 06/01/14

OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that the home is exempt from the permit because the owner is a licensed contractor as defined in the California Business and Professions Code and my home is listed in the above permit and such work is being done by the contractor named above in the above permit. (Section 7015.5 Business and Professions Code)

Signature:  
Date: 06/01/14

WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury that I have a workers' compensation insurance policy in effect which covers all employees who may perform work on the property named above. (Section 3700 Labor Code)

Signature:  
Date: 06/01/14

AUTHORITY DECLARATION

I hereby affirm under penalty of perjury that I have a valid authority certificate for the performance of the work which is exempt from the permit. (Section 15367 Labor Code)

Signature:  
Date: 06/01/14

APPLICATION APPROVAL

The Permit does not become valid until issued by the Building Official or his Deputy. Fees are paid

NOTES:

Issued by: ____________________________

Applicant's Signature: ____________________________

For Inspection Call (209) 966-3934
PERMIT

PERMIT NO: 10-00029183
TYPE: DWELLING, SINGLE FAMILY-DETACHED
JOB ADDRESS: 4146 SEBASTOPOL RD
APN: (01-1-120)

OWNER: DUDLEY, HOWARD/JOY, JR
12061 NIETA DR
GARDEN GROVE CA 92840-3563

CONTRACTOR:
NAME: MARISOSA CA 95338

WORKER'S COMPENSATION #: EXEMPT PER CSLB
EXPIRATION DATE: 01/31/11

VALUATION: 162,364

OCCUPANCY:
CONSTRUCTION:

DESCRIPTION OF WORK:

QTY
BASE PERMIT FEE

33,000 VALUATION 100,000-500,000
63,000 336.00

FEE

FEE: BUILDING PERMIT FEES 1,508.01
FEE: PLAN CHECK FEES 980.21
FEE: ELECTRICAL RESIDENTIAL PERMIT FEES 122.50
FEE: MECHANICAL RESIDENTIAL PERMIT FEES 55.00
FEE: OTHER AGENCIES REQUIRED NO CHARGE FOR PERMIT
FEE: PLUMBING RESIDENTIAL PERMIT FEES 55.50

APPLICATION FEES:

APPLICATION FEES: 7.00
CONTINUING EDUCATION FEE 3.00
ENERGY CALCULATION CHECK 45.00
ISSUANCE FEE: MAJOR 56.00
PLANNING FEE, SITE REVIEW 20.00
SMIP RES OVER $5,000 16.22

TOTAL 2,888.44

SPECIAL NOTES AND COMMENTS:

DRIVING DIRECTIONS:

APPLICATION APPROVAL

THIS PERMIT DOES NOT BECOME VALID UNTIL SIGNED BY THE BUILDING OFFICIAL OR HIS DEPUTY AND FEES ARE PAID.

Issued by Delia Wallis Issued: 11/19/10
Applicant's Signature: Owner ( ) Agent ( ) Contractor ( )
For Inspection Call: (209) 966-3024
Batch ID: LWELLS  11/17/17 00  Receipt no:  7646

Year   Number Type SvcCd Description         Amount
2017   33266 BP   BUILDING PERMITS       $1071.72

5063 STRONGING RD
MARIPOSA, CA 95338

Trans number:  1986341
Total tendered:  $1071.72
Total payment:   $1071.72

Trans date:  11/20/17     Time:  15:40:46

COUNTY OF MARIPOSA

Habitat for Humanity of Mariposa County
Ms. LaRoche,

Habitat for Humanity of Mariposa County (HfHMC) requests County fee waivers for the construction of two single family homes to be constructed at 5055 & 5063 Stroming Road, Mariposa town. HfHMC estimates the cost of the fee waivers to be less than $3,000 (Building and Encroachment permits).

HfHMC justifies this request for 2 reasons. Housing Objectives and Programs section 2.3 of the Mariposa County Housing Element states that the County shall "offer...fee waivers for projects that include housing units affordable to very low and/or low income households." Habitat for Humanity International mandates that affiliate homes are to be occupied by very low and/or low income households. Secondly, the Mariposa County Board of Supervisors waived Conditional Use Permit fees for the two subject properties (Resolution 17-650).

As requested, please find attached a copy of the Customer Receipt for the Building Permit for 5063 Stroming Road, Mariposa CA 95338. Please let me know if you require any additional information.

Thank you for your efforts in this matter.

Sincerely,
Jim Evans, Treasurer
Habitat for Humanity of Mariposa County

On 11/15/2017 10:30 AM, Rene LaRoche wrote:

Hi, Jim. As we discussed a couple of weeks ago, I did speak with the Building Department about this and was told that they cannot determine the amount of the fee to be waived until Habitat comes in with the plans. Once fees are determined, an item can then be crafted to go before the Board. It probably makes sense that the item comes from Building but, regardless, we can work with everyone to make sure it happens.

Give me a heads-up when you are ready to go in for the permit so that I can be sure to be available.

René

René LaRoche, CCB
Clerk of the Board
209.966.3222

5100 Bullion Street
P.O. Box 784
Mariposa, California 95338
To: Rene LaRoche  
Cc: Roger Powell  
Subject: Fee Waivers Habitat for Humanity of Mariposa County

Hi Rene,

We are going to "pull" building permits shortly. During the discussion of Resolution 2017-650 at the 9/26/17 meeting, Supervisor Cann "noted that he would like the Board to discuss the full range of fees and consider backfilling them."

You informed me that you were trying to identify which Department would be best to prepare an Agenda item. Have you made any progress? Is there any way we at Habitat can be of assistance?

Please advise,

Jim Evans, Vice-President  
Habitat for Humanity of Mariposa County