



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

DAVE ROBERTS
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: July 31, 2013 and September 11, 2013

06

TO: Board of Supervisors

SUBJECT: AN ORDINANCE ADOPTING FEE WAIVERS FOR DISABLED VETERANS
(DISTRICTS: ALL)

Overview

On May 15, 2013 (9), the Board of Supervisors directed the Chief Administrative Officer to draft an ordinance waiving the plan check and building permit fees for accessibility modifications for the homes of disabled veterans.

The Board also took action to support State Assembly Bill 151 (AB 151) which would authorize local jurisdictions to grant financial assistance to disabled veterans by reducing or waiving building inspections or permit fees for accessibility modifications to their home. The Board's support for AB 151 has been communicated to the State Legislature through correspondence and participation in legislative committee hearings.

Today's action would introduce an ordinance waiving plan check fees (\$116) and building permit fees (\$312) for accessibility modifications to the homes of disabled veterans. The ordinance would return to your Board for adoption on September 11, 2013.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

On July 31, 2013:

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed action may have a significant effect on the environment.
2. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Full Cost Recovery, for the waiver of plan check and building permit fees for accessibility home modifications for disabled veterans.
3. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

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AN ORDINANCE ADDING PROVISION 18 TO SUBSECTION (D) OF SECTION 362.1 OF THE ADMINISTRATIVE CODE, AND ADDING SECTION 91.1.109.5.20 TO THE COUNTY CODE, RELATED TO FEE WAIVERS FOR DISABLED VETERANS

If on July 31, 2013, the Board takes action as recommended, then on September 11, 2013:

1. Consider and adopt the Ordinance (second reading):

AN ORDINANCE ADDING PROVISION 18 TO SUBSECTION (D) OF SECTION 362.1 OF THE ADMINISTRATIVE CODE, AND ADDING SECTION 91.1.109.5.20 TO THE COUNTY CODE, RELATED TO FEE WAIVERS FOR DISABLED VETERANS

Fiscal Impact

Funds for this request are not budgeted. If approved, this request will result in underrealizing revenue of approximately \$5,000 in Fiscal Year 2013-14 in the Department of Planning & Development Services. Due to the small number of such requests, the Department will absorb this action through management of its expenditures and revenues to ensure the department remains fiscally stable. There will be no change in net General Fund cost and no additional staff years.

Business Impact Statement

N/A

Advisory Board Statement

N/A

Background

On May 15, 2013 (9), the Board of Supervisors directed the Chief Administrative Officer to draft an ordinance waiving the plan check and building permit fees for accessibility modifications for the homes of disabled veterans.

The Board also took action to support State Assembly Bill 151 (AB 151) which would authorize local jurisdictions to grant financial assistance to disabled veterans by reducing or waiving building inspections or permit fees for accessibility modifications to their home. The legislation was amended during the legislative process and the intent of the bill was expanded to also give local jurisdictions the ability to grant financial assistance, relief and support to a disabled veteran. The Board's support for AB 151 has been communicated to the State Legislature through correspondence and through participation in legislative committee hearings.

The Board previously adopted ordinances that reduce or waive certain building fees for military personnel. County Code section 91.1.109.5.10 waives certain fees for an applicant who is called to active military duty. Section 91.1.109.2.1 (c) specifies that a military applicant shall not be required to pay a new plan review fee when a call to military service caused a delay in the applicant's ability to proceed with the project. The Board has also adopted other fee reductions

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or waivers, such as those for unreinforced masonry seismic retrofits, and homeowner relief for minor improvements without specifically authorizing state legislation.

Currently, the Department of Planning & Development Services issues approximately 10 accessibility upgrades on homes per year, and a few of those are for disabled veterans. Since accessibility building requirements do not apply to single family homes, the upgrades are voluntary and usually require a building permit when the structure or the plumbing is being modified in some way. The cost for these permits is relatively minor; \$116 for plan check and \$312 for the building permit fees.

Today's action would introduce an ordinance waiving plan check fees (\$116) and building permit fees (\$312) for accessibility home modifications for disabled veterans. The ordinance would return to your Board for adoption on September 11, 2013.

Environmental Statement

The proposed project is exempt from environmental review under Section 15061(b)(3) of the State CEQA Guidelines, because the proposed amendment will merely waive the building permit and plan check fees for accessibility modifications for the homes of disabled veterans. The waiver of these fees would have no significant effect on the environment since review of the building plans and building inspections would still be required for any proposed structural modifications. For these reasons, there is no possibility that the project may have a significant effect on the environment and the project is not subject to CEQA.

Linkage to the County of San Diego Strategic Plan

Today's proposed action supports the County of San Diego's 2013-2018 Strategic Plan Safe Communities Initiative by providing financial assistance to disabled veterans in the form of fee waivers when permitting modifications to increase the accessibility of their homes.

Respectfully submitted,



SARAH E. AGHASSI
Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Ordinance - Clean Copy

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
May 15, 2013 (9), Land Use and Environment Group Land Use Fee Ordinance Amendments

BOARD POLICIES APPLICABLE:
B-29 Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery

BOARD POLICY STATEMENTS:
Board Policy B-29 mandates that departments seek to recover the full cost of all services they provide to agencies or individuals outside the County of San Diego organization. Reimbursement by fees, contracts, and grants will be for the full cost of all services, with certain exceptions. A waiver from Board Policy B-29 is requested for plan check and building permit fees for accessibility modifications for disabled veterans.

MANDATORY COMPLIANCE:
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: Planning & Development Services

OTHER CONCURRENCES(S): N/A

CONTACT PERSON(S):

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