

RESOLUTION NO. RES-2020-225

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE TEMPORARY WAIVER OF BUILDING PERMIT AND ENCROACHMENT PERMIT FEES, THE TEMPORARY WAIVER OF CERTAIN PARKING FEES, AND THE REDUCTION OF PARK PERMIT FEES SPECIFIC TO COVID-19 HEALTH ORDER REQUIREMENTS ON BUSINESSES REDUCING OR ELIMINATING INDOOR BUSINESS OPERATIONS

WHEREAS, in March 2020, following Governor Newsom's COVID-19 State of Emergency declaration, the County of Sonoma instituted the first of a series of health orders which, in part, limit business operations; and

WHEREAS, certain business operations are required to cease or dramatically reduce all indoor operations, causing a collapse of revenue streams and the need to reduce workforce hours and staffing levels; and

WHEREAS, in an effort to assist businesses unable to operate or operating in a limited capacity, the City implemented policies and procedures allowing certain business operations to relocate indoor functions to exterior spaces within private property or in the public right-of-way; and

WHEREAS, additional assistance has been provided within the downtown parking district through the temporary reduction of certain parking user fees and a waiver of parking fees associated with outdoor seating areas; and

WHEREAS, under the current fee schedule, Encroachment, Building and Park permits have associated application processing, plan review and inspection fees that apply; and

WHEREAS, a temporary waiver of the fees associated with any building or encroachment permits related to the required temporary relocation of any internal business operations to the exterior of the building will provide much needed financial relief to the segment of the business community that has experienced significant impacts due to COVID-19 restrictions, while also simplifying the permitting process and encouraging permit compliance; and

WHEREAS, under the current fee schedule, an encroachment permit for the utilization of the right of way for temporary business operations results in a total fee of \$128.00; and

WHEREAS, building permits with a total average permit fee of \$650.00 are required for business operation transitions to exterior spaces on privately owned parcels with approximately 50% of the total average fee collected assigned to the Fire Department; and

WHEREAS, the Economic Recovery Task Force is recommending that the City temporarily waive building permit and encroachment permit fees for the relocation of business operations to the public right-of-way and exterior spaces on private property for any businesses required to reduce or eliminate interior operations under Sonoma County Health Orders

associated with COVID-19; and

WHEREAS, the Economic Recovery Task Force is recommending the 24 properties that were previously charged fees for encroachment permits associated with the relocation of business operations to exterior spaces within the public right of way be refunded those additional payments, as indicated in Exhibit A, attached; and

WHEREAS, the total amount to be refunded, as shown on Exhibit A, is \$3,072.00, which represents less than 1% of the 5-year annual revenue averages associated with building and encroachment permit, plan review and inspections fees and approximately 3% of the 5-year annual revenue average associated with the Fire plan review and inspection fee revenue; and

WHEREAS, under the current fee schedule, a Park permit allowing use of park space for such business uses as fitness, recreational and educational classes results in a total fee of between \$25.00 per day for up to 25 attendees to \$1,400.00 per day for over 1,001 participants; and

WHEREAS, under the current fee schedule, a business utilizing a park to move their indoor operations outdoors will generally trigger a per day fee of \$25.00 or \$50.00, and those businesses and individuals with ongoing Park Permits of ten days or more of operations in parks are eligible for a 15% reduction of the daily permit fees; and

WHEREAS, under Council Policy 000-09 – Event Permits, the City Manager or his designee is authorized to issue permits for events which take place on outdoor public property managed and operated by the City under this policy for the purpose of providing a coordinated process for reviewing and issuing event permits and to create a mechanism for reasonable cost recovery; and

WHEREAS, Council Policy 000-09 – Event Permits states that applicant must pay the application processing fee and all other fees related to the event as established by City Council in advance of the event; and

WHEREAS, the Economic Recovery Task Force seeks to better enable use of parks to conduct classes and services currently not allowed indoors by increasing the discount given to such ongoing uses from 15% to 80% for all individuals and businesses residing within the City Limits that have been impacted by Sonoma County COVID-19 Health Order restriction; and

WHEREAS, under the current fee schedule, garage parking fees offer the first hour for free, then an hourly rate of \$0.50 for the 7th Street and 1st Street Garages, \$0.75 for the 5th Street and D Street Garages, and \$1.00 for the 3rd Street Garage; and

WHEREAS, under the current fee schedule, street parking meter rates are \$0.75 in Value Zone parking areas, and \$1.50 in Premium Zone parking areas; and

WHEREAS, the Parking Department seeks to reduce parking fees as shown in the

Reduced Parking Fee Schedule attached hereto as Exhibit B, effective January 1, 2021, and terminating on the earlier to occur of June 30, 2021 or the date in which the County is elevated into the State's Yellow Tier as determined by the California Department of Public Health.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes a temporary waiver of building permit and encroachment permit fees for the relocation of business operations to the public right-of-way and exterior spaces on private property for any businesses required to reduce or eliminate interior operations under Sonoma County Health Orders associated with COVID-19.

BE IT FURTHER RESOLVED that the Council approves the temporary building and encroachment permit fee waivers for the period commencing upon the date of this Resolution and terminating on the earlier to occur of: June 30, 2021 or the date upon which the County is elevated into the State's Yellow Tier as determined by the California Department of Public Health.

BE IT FURTHER RESOLVED that the Council approves issuance of a refund to the 20 properties identified on Exhibit A of the building permit and encroachment permit fees paid for the relocation of business operations to exterior spaces within the public right of way.

BE IT FURTHER RESOLVED that the Council authorizes the Chief Financial Officer to pay these refunds to individual properties from Fund 1100-4230.

BE IT FURTHER RESOLVED that the Council approves the temporary increase of the reduction of Park Permit fees associated with ongoing activities performed under a Park Permit from 15% to 80% for all individuals and businesses residing within the City Limits that have been impacted by Sonoma County COVID-19 Health Order restrictions, provided this temporary fee reduction commences upon the date of this Resolution and terminates on the earlier to occur of: June 30, 2021 or the date upon which the County is elevated into the State's Yellow Tier as determined by the California Department of Public Health.

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BE IT FURTHER RESOLVED that the Council approves the Reduced Parking Fee Schedule attached hereto as Exhibit B effective January 1, 2021, to the earlier to occur of June 30, 2021 or the date in which the County is elevated into the State's Yellow Tier as determined by the California Department of Public Health.

IN COUNCIL DULY PASSED this 15th day of December, 2020.

AYES: (6) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Tibbetts

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Fee Refund COVID Encroachment Permits
Exhibit B – Parking Fee Schedule