



24-4301

**DATE:** February 6, 2024

**TO:** Board of Supervisors

**FROM:** Jacqueline R. Onciano, Director, Department of Planning and Development  
Stewart Patri, Deputy Director, Department of Planning and Development

**SUBJECT:** Fiscal Year 2024 Adjusted Building Plan Check and Inspection Fee Proposal

**RECOMMENDED ACTION**

Public hearing to consider adjustment of fees for Building Plan Check and Inspection Services provided by the Department of Planning and Development.

Possible action:

- a. Open public hearing and receive testimony.
- b. Close public hearing.
- c. Adopt Resolution adjusting existing fees for services provided by or through the Building Section of the Department of Planning and Development (Department Recommendation).

OR

- d. Adopt Resolution adjusting existing fees for services provided by or through the Building Section of the Department of Planning and Development (Even Distribution).

**COMMITTEE RECOMMENDATIONS**

The Department of Planning and Development (Department) presented the findings of a fee study along with recommendations for Building Plan Check and Inspection fee adjustments for Fiscal Year (FY) 2024-2025 at the November 16, 2023 Housing, Land Use, Environment and Transportation Committee (HLUET) meeting. The Committee had an extensive discussion about the proposed fee adjustments and requested additional contextual information about the Department's fee structure relative to other jurisdictions. The Committee forwarded the proposal to the Board of Supervisors (Board) for consideration

Adopted: 01/23/2024

without recommendation.

## **FISCAL IMPLICATIONS**

The Department has not reviewed its fee structure for cost recovery for services provided by the Building Section since 2015 due to repeated turnover in the Department's administrative leadership. (Annual fee studies have been instituted on a go-forward basis.) As a result, the County General Fund has, in effect, offset the total cost of Land Use Entitlements, Building and Grading Permits and Inspections, and Code Enforcement activities as fees did not keep pace with the cost of direct services and remained below market relative to local jurisdictions with similar fee structures.

Additionally, unlike many other local jurisdictions, the County has not instituted impact fees to offset the cost of road or stormwater infrastructure or other impacts. School districts directly charge developers for school impacts. Coupled with the Department's below-market fee structure, the General Fund has offset the cost of private development for the Department's largest developer by volume, a private educational institution, at the expense of other core services.

The County's main role is as a safety net provider of services. To the extent that the General Fund is offsetting the cost of private development, fewer General Fund resources are available for our core mission. The FY 2024-2025 General Fund budget shortfall is currently estimated to be between \$180 million and \$380 million. County Administration is reviewing all revenue opportunities to avoid direct service reductions and employee impacts and has requested that departments County-wide review their operational functions to find efficiencies and review fees and charges to ensure they are achieving full cost-recovery.

County departments received their reduction targets on November 3, 2023. The Department's Primary Target is \$2.0 million. County departments have undertaken formal reviews of revenues and expenditures to prepare budget proposals to meet their assigned reduction target.

The Department proposes to increase Building Plan Check and Inspection fees to achieve cost recovery, which would result in a net positive fiscal impact to the General Fund in the form of a reduced General Fund obligation to support the Department's Development Services Division operations.

The Department's recommendation would be to approve fees in the current fiscal year and annualize the estimated revenue in the next fiscal year's base budget. The proposed fee adjustments are necessary to recover the costs of services provided to private and public developers and reflect increases in salaries and benefits, overhead, and other costs since the last Building Section fees adjustments were adopted by the Board. (Please refer to the June

24, 2014, Board of Supervisors meeting, Item No. 10, for additional information regarding the last Building Section fees adjustments adopted by the Board.)<sup>1</sup>

The budgeted revenue in the current fiscal year for the Building Section of the Development Services Division of the Department is \$4.5 million. If the Department's recommended fee increases to plan check (review of building permits) and inspection fees are adopted this fiscal year, effective 60 days from the date of Board adoption, it is estimated that an additional \$400,000 (\$1.7 million on an annualized basis) can be collected in Building fees in FY 2023-2024.

This would increase the cost recovery level for the Building Section in the Development Services Division in FY 2023-2024 from 45.7% (estimate based on the 2023-2024 Adopted Budget) to 49.7% (63% on an annualized basis). A subsequent fee increase is recommended in FY 2025-2026 that would increase the cost recovery level for the Building Section to 90% and, based on current activity projections, would result in a 100% cost recovery level<sup>2</sup> by FY2027.

In the absence of Building Plan Check and Inspection fee increases, the Department would alternatively propose additional expenditure reductions to meet the target reduction to support County-wide efforts to close the FY2025 budget shortfall. The Department, like many County departments, maintains services to the community with direct employee support. Of the \$25.5 million FY2024 Adopted Budget for the Department, salary and benefits total \$18.6 million or 73% of the budget.

For the Department to reduce the budget by 8% (\$2.0 million) without fee increases, cost reductions would likely come from the elimination of positions along with reduction of services. Currently, the Department has 14.0 full-time equivalent (FTE) vacancies budgeted at approximately \$2.8 million. A substantial reduction to the Department's staff resources would impact permit processing, land use development review, code enforcement response times in achieving code compliance, and building services. Additionally, staff is considering modifications to Insite Public Portal (Online Permitting Portal) and administrative services. If budget conditions do not improve during FY2025, there is a high potential of additional budget reduction targets, which could carry more substantial service reduction and employee impacts.

## **REASONS FOR RECOMMENDATION AND BACKGROUND**

Fees in the Building Section of the Development Services Division of the Department have not been increased since FY2015. This has resulted in a substantial reduction to the cost recovery level of the Department because salaries and benefits, overhead, and other costs have increased over the last ten years. The Department has multiple fees that are charged for building plan checks, land development engineering (grading), and inspections that the

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<sup>1</sup> The Board adopted a resolution on April 17, 2018, to consolidate, standardize, and eliminate archaic fees, which did not include any fee increases (April 17, 2018, Board of Supervisors meeting, Item No. 7).

<sup>2</sup> Cost recovery level estimates are based on FY2024 costs. It is anticipated that as costs to provide Building services to the community (considering wage increases and other inflationary cost increases) rise over the next three years cost recovery will be reduced.

Development Services Division provides. However, this report is focused on efforts addressing the Building Section fees as they relate to Building Plan Checks and Inspections in FY2024. The Department is planning to perform a comprehensive fee study across all remaining divisions and sections and is anticipating that this study will be ready for Board consideration in FY2025. As fee adjustments are considered through these efforts, the Department is committed to creating an internal process that allows for the annual consideration of fee adjustments by the Board in future years.

The County's Fees and Charges Policy<sup>3</sup> provides that fees charged by the Department fully recover the cost of services provided. As a General Fund Department, any costs to support the services provided to the community that are not recouped through fees are supplemented by the General Fund. The Department recommends fee increases to cover the increased cost of staff salaries and benefits for the services provided to County customers.

Adoption of the recommended fee adjustments will move the Department closer to achieving full cost recovery and reduce the dependence on General Fund support. The recovery of costs for permit services is allowed under state law as a charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, and the administrative enforcement and adjudication thereof or as charges imposed as a condition of property development.

To ensure that Building Section fees directly relate to the cost of services provided, the Department completed a comprehensive analysis of the cost of activities and services in the Building Section. The findings of the analysis can be found below.

## **Building Section Fees Analysis**

The Department maintains a Building Permit Valuation fee table and a Building Permit and Service Fee schedule for the Building Section. Attachments A-1 and B-1 show the revised Building Permit Valuation fee table based on project valuation under the Department-recommended approach and the Even Distribution approach, respectively. The valuation of a project includes the total value of all construction work, including materials and labor, such as electrical, gas, mechanical, plumbing equipment, and other permanent construction and equipment. The Valuation fee table covers a broad range of construction types and occupancies and accounts for most of the building permit application fees charged by the Department.

Attachments A-2 and B-2 are the revised Building Section fee schedule for itemized mechanical, electrical, and plumbing permits, and other plan review and inspection services provided by the Building Section.<sup>4</sup> Attachment A-2 reflects the Department-recommended approach and Attachment B-2 reflects the Even Distribution approach. The itemized building

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<sup>3</sup> <https://saecommon.sccgov.org/countypolicy/Fees-and-Charges.pdf>

<sup>4</sup> Residential Renewable Energy Systems (solar, wind, fuel cell) service fees are not recommended for adjustment as they are capped by California Government Code § 66015(a)(1) unless the Board finds, based on substantial evidence, that a higher fee is required to cover the reasonable costs to issue the permit.

permit and service fees are calculated using Board-approved formulas and the building permit valuation fees are calculated based on an approved 2004 valuation table that has been scaled in subsequent years based on increases to staff and benefit costs and overhead rates.

The methodology used by the Department was a combination of a time analysis and a comparison of departmental cost increases related to Building Section services between FY2015 and FY024. The Department used current year salary and benefits, overhead, and cost plan allocations data to determine the fully burdened cost of the Building Section. Staff utilization was determined by performing a time analysis over a period of weeks to estimate time spent engaged in project work compared to time spent on ancillary administrative tasks. The results show that Building Section staff are generally engaged in fee-based project work between 65-93% of their time. Senior management staff spend more time on administrative tasks than on fee-based work. In conjunction with increases in salaries and benefits across all positions, the addition of three new positions, and overhead cost increases since FY2015, the Building Section costs increased by a total of 83% (an increase of \$4.5 million). Total costs are projected at approximately \$9.9 million in FY024, while FY2015 costs were projected at \$5.4 million.

Since permit activity and construction valuation can deviate based on economic conditions and trends in the overall construction market, the Department reviewed historical data to ensure that any proposed fee adjustments would aim to achieve a 100% cost recovery level. The Department compared the 83% cost increase with both activity and fee revenue projections over the next three-year period (FY2025 – FY2027) and historical fee revenue for the Building Section.

Table 1 sets forth the base activity and revenue level between FY025 and FY027 if no fee adjustments were adopted. Additional information regarding the projections outlined in Table 1 can be found in the Fee Adjustment Proposals for Consideration section below.

**Table 1**  
**FY2025 – FY2027 Base Level Fee Projections**

<b>Fiscal Year</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Base Revenue</b>	<b>\$4.5 million</b>	<b>\$5.3 million</b>	<b>\$5.9 million</b>

Over the last five years (FY2019 – FY2023), the Building Section fee collection reached a high of \$6.6 million (FY2019) and a low of \$4.8 million (FY2021). Over the next three years the Department is projecting to reach a level of \$5.9 million in fee collection if no fee adjustments are made. If this level of fee collection is reached an adjustment of up to 68% would be required to generate \$9.9 million of fees to reach a 100% cost recovery level, based on FY2024 Building Section costs.

Based on a comparison between overall cost increases and current activity levels/revenue collection trends, the Department is recommending a fee increase of up to 68% across all

Building Section fees. It is estimated that this would result in a 100% cost recovery level for the Building Section by FY2027 based on FY2024 costs. Additional information regarding the base activity/revenue level that leads to a higher weighting of fee increases in FY2026 and FY2027 can be found in Table 2 below.

### Fee Adjustment Proposals for Consideration

To moderate the impact to customers, the Department brought forward a recommendation for an incremental fee increase over a three-year period (48% - 10% - 10%), to the HLUET Committee on November 16, 2023. HLUET forwarded the proposal to the Board for consideration without Committee recommendation, including a request from Vice Chairperson Simitian that the Department provide options for Board consideration. After additional analysis and pursuant to direction from Administration, the Department is recommending a two-year incremental increase for Board consideration. This recommendation provides for a total 68% increase over a two-year period, with the first adjustment of 34% effective 60 days from Board adoption and a subsequent 34% increase in FY2026. An alternative option is provided for Board consideration that provides an even distribution of the recommended 68% fee increase over a three-year period (24% - 22% - 22%). Table 2 displays both phase-in options with a 100% cost recovery target (\$9.9 million) being achieved by FY2027 based on FY2024 costs.

The Department had anticipated a decrease in residential permit activity and a reduction in high valuation commercial construction projects when estimating revenue projections for FY2024. As a result, fee revenue estimates in the Building Section were reduced by \$1.7 million, from \$6.2 million (the amount collected in FY2023) to \$4.5 million in FY2024. Although residential permit activity remains strong and the Department anticipates that FY2024 will exceed this revenue estimate, the base activity/revenue level is maintained at \$4.5 million in FY2025 as a conservative target. If the economic outlook remains strong and applications for high value commercial construction projects that are anticipated in future years are submitted by applicants, the Department anticipates the base activity/revenue level to increase in FY2026 and FY2027. This will result in a higher weighting of fee increases in future years, with each option presented in Table 2 reaching 100% cost recovery by FY2027.

**Table 2  
Fee Adjustment Phase-In Options<sup>5</sup>**

Fiscal Year	FY2025 <sup>6</sup>	FY2026	FY2027
Base Revenue	\$4.5 M	\$5.3 M	\$5.9 M

<sup>5</sup> Fee adjustments included in this table do not reflect future labor increases, which may require additional adjustments to maintain cost recovery targets.

<sup>6</sup> The first-year increase will be effective 60 days from Board adoption, thus the increase may occur in FY2024.

Proposal	Fee Inc.	Revenue Est.	Cost Rec. %	Fee Inc.	Revenue Est.	Cost Rec. %	Fee Inc.	Revenue Est.	Cost Rec. %
Department Recommendation	34%	\$6.2 M	63%	34%	\$8.9 M	90%	0%	\$9.9 M	100%
Even Distribution	24%	\$5.7 M	57%	22%	\$7.7 M	78%	22%	\$9.9 M	100%
<b>For Comparison</b>									
Proposal to HLUET	48%	\$6.9 M	70%	10%	\$8.4 M	85%	10%	\$9.9 M	100%

Fee adjustments are anticipated to begin in FY2024 and would be effective 60 days from the date of Board adoption, with subsequent adjustments occurring in FY2026 (July 1, 2025) and, depending on the option adopted by the Board, FY2027 (July 1, 2026). The Department is recommending that a comprehensive fee study (to consider expansion, consolidation, elimination, and/or standardization of fees) for the Building Section be completed after these adjustments are phased-in, which could be considered by the Board in FY2027 or FY2028.

**Service Impact – FY2025 Budget Reduction Proposals**

As discussed in the Fiscal Implications section, the Department’s FY2025 budget reduction target is comprised of a Primary Target of \$2.0 million. Each phase-in option for Board consideration is set forth below with an analysis of potential reduction proposals to be submitted to the Office of the County Executive in preparation of the FY2025 Recommended Budget, including the potential service delivery impacts.

Over the last four calendar years (2020 – 2023) the Department has been faced with staffing shortages as vacancy rates have remained over 10.4% and reached a high of 23.5% in December 2021. This has resulted in higher processing times for permitting and other services across the Department. Since the high of 23.5% in December of 2021, the Department has focused efforts on recruitment and has made substantial improvements to staffing levels resulting in the current vacancy rate of 13.5%. All the options recommended below may still require the elimination of vacant positions, which will continue to impact processing times across the Department. For the Building Section specifically, the performance measure goals displayed in Table 7 may not be achievable if positions remain unfilled and/or eliminated.

**Department Recommendation – Service Impact**

This option recommends a 34% increase in year one that is estimated to generate an additional \$1.7 million in fees on an annualized basis. This increase would cover most of the Primary Target of \$2.0 million. The Department is confident that the remaining \$0.3 million for the Primary Target balance could be reached by identifying Services and Supplies savings and with the elimination of **1.0 Permit Technician** position. The table below displays the reduction proposals needed with this fee increase.

**Table 3**  
**Department Rec. (34% Fee Increase) – FY2025 Reduction Targets**

Target	Primary
Target Amount	\$2.0 million
Fee Increase (34%)	\$1.7 million
<b>Over/(Short) of Target</b>	<b>(\$0.3 million)</b>
Salaries and Benefits	\$0.1 million
Services and Supplies	\$0.2 million
<b>Net Adjustments</b>	<b>-</b>

Even Distribution – Service Impact

This option recommends a 24% increase in year one that is estimated to generate an additional \$1.2 million in fees on an annualized basis. This increase would cover more than half of the Primary Target of \$2.0 million. To cover the remaining \$0.8 million for the Primary Target balance, the Department would have to eliminate 3.0 positions and identify Services and Supplies savings of approximately \$0.2 million. Current vacancies suggest the Department would have to eliminate **1.0 Permit Technician** position, **1.0 Planner** position, and **1.0 Management Analyst** position. The table below displays the reduction proposals needed with this fee increase.

**Table 4**  
**Even Distribution (24% Fee Increase) – FY2025 Reduction Targets**

Target	Primary
Target Amount	\$2.0 million
Fee Increase (24%)	\$1.2 million
<b>Over/(Short) of Target</b>	<b>(\$0.8 million)</b>
Salaries and Benefits	\$0.6 million
Services and Supplies	\$0.2 million
<b>Net Adjustments</b>	<b>-</b>

The positions identified for potential elimination are critical positions that the Department has been actively recruiting to fill.

The Administrative Services Division (1.0 Permit Technician and 1.0 Management Analyst positions) is the information and coordination hub of the Department. The Division would continue to see a backlog of processing application requests and elevated permit processing times in the Permit Center. Additionally, the Management Analyst position provides a critical role as the legislative coordinator (coordinates staff reports and referrals for various legislative bodies), a role that has currently been supported by other staff members since its vacancy, resulting in the delay or deferment of various Board referrals and department initiatives.

The Planning Services Division (1.0 Planner position) is the division that processes land use entitlements, environmental reviews pursuant to the California Environmental Quality Act (CEQA), analyzes and incorporates legislative changes throughout the County's General Plan and local ordinance(s), and develops long-range policy documents, such as the Santa Clara Valley Agricultural Plan and Stanford Community Plan. A reduction in Planning staff could impact customers by longer wait times for land use application consultations, responses to general inquiries, application processing timelines under CEQA and the Permit Streamlining Act, and longer wait times for condition compliance site visits after issuance of building/grading permits. With a reduction in Planning Division staff, finalizing Board referrals could also be impacted (Code Enforcement, Agricultural Worker Housing, Agricultural Mitigation Program, Rural Zoning Updates, etc.).

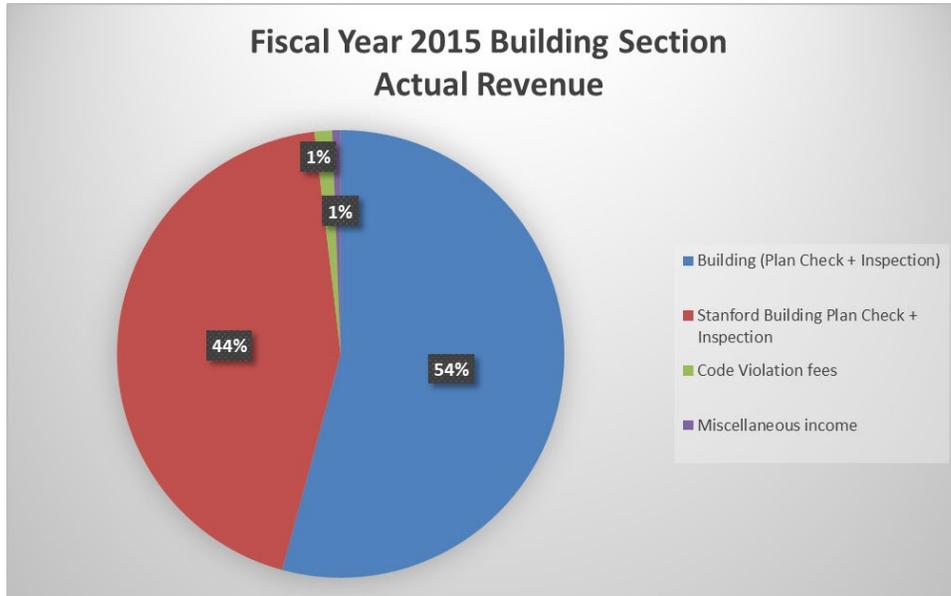
For the past 10 years the Planning Services Division has not been adequately staffed to meet the development demand of the unincorporated county. Data indicates that the Planning Division has maintained a consistent and significant workload of Planning applications from pre-pandemic times (2019 - 243 new applications) to present day (2023 - 245 new applications). Furthermore, with legislative demands from recent changes in State law (Housing Element, Safety Element, Health and Environmental Justice Element, Senate Bill 9, Senate Bill 330, etc.), combined with large and complex planning applications (Lehigh/Permanente Quarry, Stevens Creek Quarry, Sargent Ranch Quarry, Stanford, Z-Best Composting Facility, Christopher Ranch, etc.), the Planning Division has found challenge in maintaining a "good" to "excellent" customer service level.

## **Community and Customer Impact**

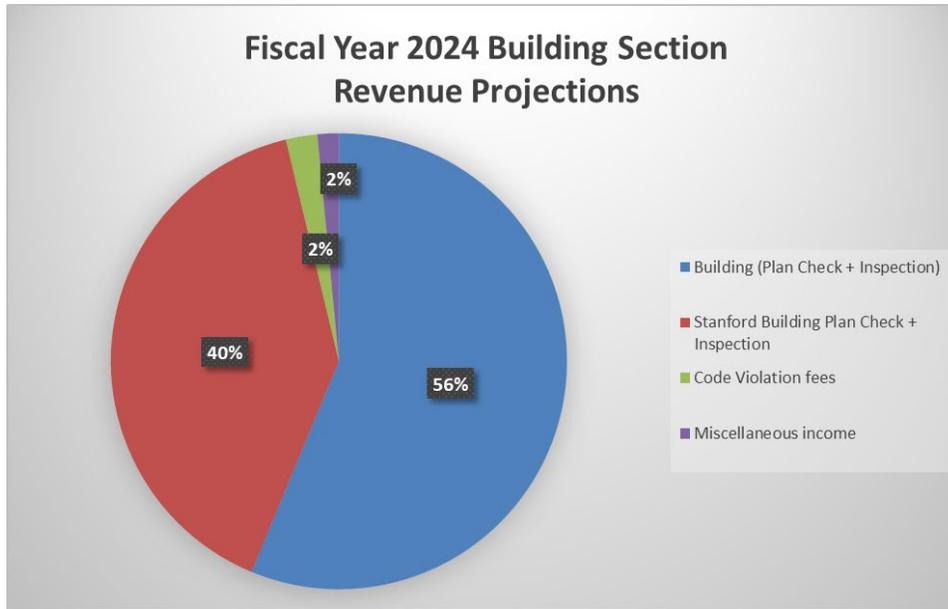
Figure 1 and Figure 2 below illustrate the distribution of fees collected in FY2015 and projected by the Building Section for FY2024. Most of the applications are based on the construction valuation of a project. As shown below, between 40 – 44% of the Building Section's revenue is based on construction activity at the Department's largest developer, a private educational institution, with the remainder of the revenue generated from FAF projects, and other non-residential and residential building permit applications from developers and homeowners. The FY2024 estimates are based on the expectation that historical trends will continue considering a near term reduction in the number of new non-

residential applications with a construction valuation exceeding \$5 million.

**Figure 1**



**Figure 2**



**Local Jurisdiction Fee Comparison**

Table 5 below compares the building permit fees of neighboring jurisdictions that use a similar methodology based on project valuation to calculate building permit fees. It should be noted that not all jurisdictions within the County use the same methodology. To provide an adequate sample of jurisdictions for comparison the County of San Mateo and County of Alameda were also included. The proposed building permit fees for the County compares favorably with the City of Sunnyvale and are significantly less than the fees charged by the County of San Mateo. However, the proposed County building permit fees would exceed the fees charged by the Alameda County and the City of Gilroy. It should be noted that some jurisdictions adopted their current fees in prior years.

**Table 5  
Neighboring Jurisdiction Building Permit Fee Comparison**

Valuation	Building Permit Fee					
	SCC FY15	SCC FY24	County of San Mateo (2021)	Sunnyvale (2022)	Gilroy (2023)	County of Alameda (2022)
\$2,000	\$148	\$198	\$165	\$127	\$270	\$140
\$10,000	\$383	\$514	\$495	\$418	\$441	\$381
\$40,000	\$944	\$1,265	\$1,650	\$1,076	\$866	\$647
\$75,000	\$1,420	\$1,903	\$2,970	\$1,585	\$1,191	\$941
\$250,000	\$2,836	\$3,800	\$6,959	\$3,475	\$2,384	\$2,637
\$750,000	\$5,190	\$6,954	\$16,959	\$8,119	\$5,424	\$4,556
\$1,500,000	\$8,784	\$11,771	\$31,959	\$13,240	\$8,670	\$7,331

Sample projects that would be considered at the valuation levels in Table 5 can be found below:

- \$2,000 – Water Heater replacement
- \$10,000 – Abate violation, remove covered patio, and demolition of three shed structures
- \$40,000 – Install roof flush mount PV system
- \$75,000 – Remodel with roof pitch change
- \$250,000 – 498 SF addition to (E) single-family residence
- \$750,000 – New single-family residence (2,984 SF) with attached garage & new ADU
- \$1,500,000 – Improvements to Non-Residential Building (Standard)

Table 6 shows a sample comparison of proposed Building Plan Check and Inspection hourly rates and itemized service fees between the County and cities of San Jose, Sunnyvale, Cupertino, Santa Clara, and the County of Monterey when considering a 34% increase. It should be noted the types of Building fees and the way they are charged (i.e., hourly versus flat rate) can vary greatly across jurisdictions. The sample of jurisdictions was chosen due to their geographic location and the alignment of fees charged when compared to the County. These fee adjustments will place the County in a comparable range to local jurisdictions.

**Table 6**  
**Comparison of Plan Checks and Inspection Hourly Rates**

Fee	County of Santa Clara (Current)	County of Santa Clara (34% Inc.)	City of San José	City of Sunnyvale	County of Monterey	City of Santa Clara	City of Cupertino
Plan Check (hourly)	\$171	\$229	\$288	\$223	\$195	\$230	\$243
Inspection (hourly)	\$162	\$217	\$295	N/A <sup>7</sup>	\$195	\$230	\$243
Inspection OBH (4 hrs.)	\$972	\$1,302	\$1,768	\$446	\$1,172	N/A	N/A
Reinspection	\$79	\$106	\$295	\$323	\$195	\$230	\$243
Build/Elec/Plum/Mech	\$79	\$106	\$295	\$327	N/A	N/A	N/A
Cert. Temp. Occup.	\$317	\$425	\$590	\$573	\$500	\$1,150	\$487
Alternate M&M of Con.	\$321	\$431	\$576	N/A	\$195	N/A	N/A
Plan Check/Permit Ext.	\$80	\$107	\$99	N/A	\$195	\$95	\$243

Although a comprehensive analysis of Development Impact Fees was beyond the scope of this fee study, it should be noted that Development Impact Fees, typically charged to new developments to mitigate the cost of public facility needs for growing or expanding

<sup>7</sup> Any jurisdiction fee labeled “N/A” either did not have a comparable fee or was calculated in a different manner than the County fee schedule.

communities, are not currently being charged to new developments by the County. Other local jurisdictions compared in Tables 5 and 6 have various Development Impact Fees that add to the overall cost of new development.

### Comprehensive HLUET Response

At the November 16, 2023, HLUET meeting the Committee requested the Department prepare additional information for review related to the implementation of fee adjustments. The sections below provide a comprehensive response to the information requested by the Committee.

#### Sliding Scale Fees

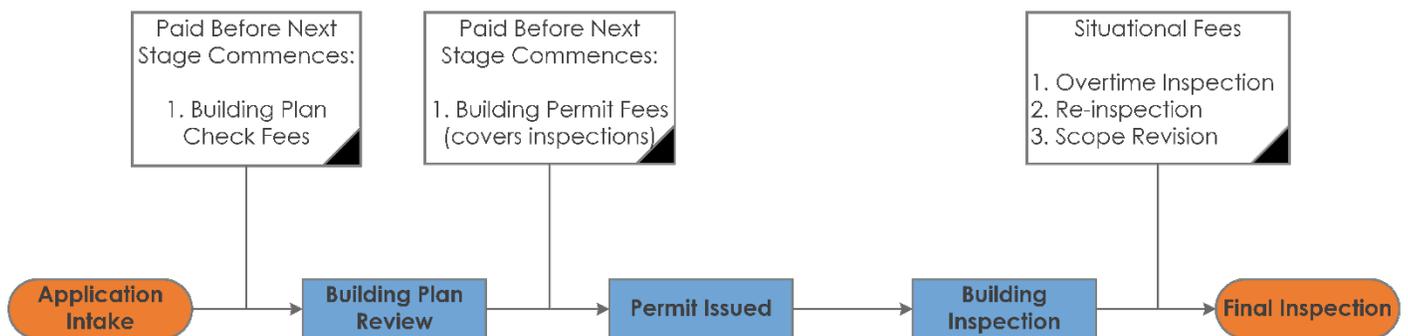
In FY2010, the Building Section conducted a comprehensive and complex time study and fee analysis to compare staff costs with fees for various projects. According to the staff report dated April 27, 2010 (Board of Supervisors meeting, Item No. 13), the results of the data collection and analysis revealed that the time spent on inspections and plan checks of certain lower value projects (typically residential construction) were greater than the sliding-scale fees collected. The reverse was true for larger projects with valuations greater than \$500,000 (typically commercial construction). As a result, the Department, at the time, recommended that fees for higher value projects be adjusted downward and fees for lower value projects be adjusted upward, on a sliding scale. Due to the comprehensive analysis completed in 2010 and the subsequent adjustments made since that time, the Department does not recommend any additional modifications to the Building Permit fee valuation methodology.

#### Building Permit Process

The chart below presents the permitting process and the points at which an applicant must submit payment for services.

**Chart 1**

#### Building Permit Process



Once an applicant submits an application for review, they have the opportunity to pay Building Plan Check Fees and Building Permit Fees upfront, which cover the cost of average

inspection services. Any applicant that has submitted an application may choose to remit payment before fees are increased. For reference, as of January 24, 2024, the Department had 19 applications on file at the Application Intake stage and 181 applications in Building Plan Review.

## Customer Outreach

The Department communicated these findings to frequent design industry customers at the December 20, 2023, Developers’ Roundtable meeting (a quarterly meeting hosted by the Department with local developers) and shared the recommended fee increases for Building Section services as presented to HLUET in November 2023. At this meeting, the Department also notified frequent customers that a comprehensive fee study will be conducted for all other sections beginning in 2024. The Department has provided public notice of the proposed fee increase and will notice and link new fee schedule information after the adoption of new fees on the Insite Public Portal (Online Permitting Portal) and on the Department’s public website.

## Performance Measures

Current performance metrics for the Building Plan Review section are provided in Table 7 below. The plan check group is currently composed of 5.0 Associate Plan Check Engineers (2.0 vacant positions), 1.0 Architectural Plans Examiner, 2.0 Senior Plan Check Engineers, and 1.0 Principal Development Services Engineer positions. On average, review times have approached or slightly exceeded the maximum time allowed due to vacancies and a high volume of building permit applications. The Department has been required to augment plan check service capacity using third-party plan check services for residential building permit applications. Approximately 16% of the residential building permit applications received in 2023 were routed to third-party consultants.

**Table 7  
Building Plan Review Performance Measures**

<b>Application Type</b>	<b>2022-2023 Actual<sup>8</sup></b>	<b>2023-2024 Target</b>
<b>Single Family Residential (New)</b>		
- First Review	26.7 days	42 days
- Resubmittal	12.7 days	14 days
- Revision	22.3 days	14 - 42 days
<b>Accessory Dwelling Unit (Only)</b>		
- First Review	53.6 days	42 days
- Resubmittal	22.3 days	14 days
- Revision	44.0 days	14 - 42 days

<sup>8</sup> Reported data is in calendar days, inclusive of County holidays and weekends.  
Board of Supervisors: Sylvia Arenas, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian  
County Executive: James R. Williams  
Agenda Date: February 6, 2024

<b>Additions/Remodels (Residential)</b>		
- First Review	51.8 days	56 days
- Resubmittal	22.9 days	14 days
- Revision	19.0 days	14 - 42 days
<b>Commercial</b>		
- First Review	28.2 days	56 days
- Resubmittal	10.0 days	28 days
- Revision	8.0 days	14 - 42 days
<b>Photovoltaic Roof Mounts (Solar)<sup>9</sup></b>		
- First Review	26.7 days	14 days
- Resubmittal	12.7 days	14 days
- Revision	22.3 days	14 days

### **CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

### **SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

### **SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve the recommended action may impact the ability of the Department to meet the performance metrics shown in Table 7 above and state-mandated review timelines. It will also adversely impact the Department’s ability to approach full cost recovery, add to the General Fund obligation to support the services provided by the Department, and may require consideration of staff reductions.

### **STEPS FOLLOWING APPROVAL**

The Clerk of the Board will notify the Department of Planning and Development when the resolution has been adopted. The Department will implement the fees 60 days after Board adoption.

<sup>9</sup> The Department is anticipating a significant reduction in processing times for Photovoltaic Roof Mounts in FY2024 as SolarAPP+, an online permitting solution that allows contractors to receive near instant permits for residential rooftop solar and energy storage systems, began as a pilot program in March 2023 and the service was fully adopted in September 2023.

## **ATTACHMENTS:**

- Attachment A-1 - Building Section Valuation-Based Fee Schedule - Department Recommendation.pdf
- Attachment A-2 - Building Section Services Fee Schedule -Department Recommendation.pdf
- Attachment B-1 - Building Section Valuation-Based Fee Schedule - Even Distribution.pdf
- Attachment B-2 - Building Section Services Fee Schedule - Even Distribution.pdf
- Attachment C - Controller-Treasurer Fees and Charges Review Checklist.pdf
- Copy of Public Notice Fee Adjustments 2.6.24
- Resolution Adjusting Building Section Fees for DPD (Department Recommendation)
- Resolution Adjusting Building Section Fees for DPD (Even Distribution)