

RESOLUTION NO. 71-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA TO
ESTABLISH A MAXIMUM APPLICATION DEPOSIT FEE FOR OUTDOOR
COMMERCIAL PERMITS (FILE NO. 2022-017)**

Initiated by: City of Pacifica

WHEREAS, the City Council of the City of Pacifica adopted Ordinance No. 885-C.S. on October 10, 2022 to establish a permanent Outdoor Commercial Permit ordinance (“Ordinance”).

WHEREAS, the City of Pacifica operates on a deposit system and the City Council of the City of Pacifica seeks to establish a maximum application deposit fee for Outdoor Commercial Permit applicants; and

WHEREAS, the City of Pacifica Master Fee Schedule establishes a Planning/Engineering Hourly Rate; and

WHEREAS, the City Council of the City of Pacifica provided feedback to staff on the proposal of setting a maximum hourly deposit for Outdoor Commercial Permit applications using the City existing Planning / Engineering Hourly Rate line item in the Master Fee Schedule on September 26, 2022.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Pacifica as follows:

1) That the City of Pacifica hereby establishes the following deposit fees to be collected from applicants for Outdoor Commercial Permits:

a. A maximum application deposit equivalent to 10 hours of the “Planning / Engineering Hourly Rate” as approved at the hourly rate set forth in the applicable Master Fee Schedule for Outdoor Commercial Permit applications with a designated outdoor commercial area in the Parking Lane of the Public Right of Way as defined in the Ordinance; and

b. A maximum application deposit equivalent to 6 hours of “Planning / Engineering Hourly Rate” as approved at the hourly rate set forth in the applicable Master Fee Schedule for Outdoor Commercial Permit applications with a designated outdoor commercial area in all other permitted designated outdoor commercial area scenarios as detailed in the Ordinance.

BE IT FURTHER RESOLVED, that a renewal of an Outdoor Commercial Permit shall be subject to the maximum application deposit fee in the same manner as new Outdoor Commercial Permit.

BE IT FURTHER RESOLVED that since funds collected with an Outdoor Commercial Permit shall be considered a deposit, any remaining funds not used for the processing of the Outdoor Commercial Permit would be returned to the applicant.

BE IT FURTHER RESOLVED that the City of Pacifica shall not impose any City costs associated with processing the Outdoor Commercial Permit application that exceed the maximum application deposit amount set forth herein.


BE IT FURTHER RESOLVED that the maximum application deposit fee for an Outdoor Commercial Permit shall not apply to related City fees and expenses associated with processing additional permits and approvals, which may include, but is not limited to, encroachment permits, building permit, development permits (e.g., Coastal Development Permit) and the City of Pacifica shall collect deposits or funds in accordance with standard practice.

BE IT FURTHER RESOLVED that the City Council of the City of Pacifica does hereby approve the maximum application deposit fee for Outdoor Commercial Permits as detailed in this Resolution.

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 10th day of October 2022:

- AYES**, Councilmembers: Beckmeyer, Bier, Bigstyc, O'Neill, Vaterlaus.
- NOES**, Councilmembers: n/a.
- ABSENT**, Councilmembers: n/a.
- ABSTAIN**, Councilmembers: n/a


 Mary Bier (Oct 20, 2022 16:20 PDT)

 Mary Bier, Mayor

ATTEST:



 Sarah Coffey, City Clerk

APPROVED AS TO FORM:



 Michelle Kenyon, City Attorney










For Signature: ResolutionNo71-2022_Outdoor Commercial Permit Fees-Approved

Final Audit Report

2022-10-20

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