

County builders plan to challenge increased planning fees in court

SANTA CRUZ — The Santa Cruz County Builders Exchange will include the new and increased planning/building fees in its lawsuit against the county claiming such fee increases are illegal.

So stated Builders Exchange representative Patti Bonar after supervisors voted 3-2 to increase planning and building fees and add some new fees this morning. They also voted to increase fees charged by the Agricultural Commission, the Animal Shelter, the Health Services Agency and the Sheriff's Department.

Supervisors' Chairwoman Robley Levy and Supervisors Gary Patton and Joe Cuchiara voted for the new fee schedule, while Supervisors Dan Forbus and E. Wayne More Jr. were opposed.

Bonar said the increases and new fees for planning and building will be added to the lawsuit which was filed several months ago challenging fee increases and new fees adopted by the board last summer.

The planning and building fees are the only fees challenged in the lawsuit because they are affected by a recent state law which says that these fees can be increased to a point of "full cost recovery."

This means supervisors can only raise planning and building fees to the point where each fee pays for the service being given by the county to the person paying the fee. New fees also can be adopted based on this "full cost recovery" system.

The Builders Exchange believes the county has erred in its calculations in bringing fees up to the point of "full cost recovery."

County Administrative Officer George Newell studied the Planning Department's methodology after questions

were raised by the Builders Exchange and found calculations to be "sound."

But Builders Exchange President Bruce Reed, in a letter to supervisors, said, "... the county administrative officer's approval of the Planning Department methodology is misleading and further substantiates that all of the fee increases based on the 'full cost recovery' theory are excessive and unreasonable."

Bonar, in urging the board not to adopt the increases, said there were "tremendous discrepancies" in the way fees were calculated.

In other building related matters before the board this morning:

- Supervisors unanimously approved an amendment which takes out the condition that one-time movements on the building permit allocations list can only be made when interest rates are 14 percent or higher.

In adopting this change, supervisors made it clear that those on the list can either make a trade in position or move to the bottom of the list, but not both.

A move by Forbus to allow someone who has traded places to also go to the bottom of the list one time failed in a 2-3 vote with Levy, Patton and Cuchiara against.

- Supervisors also unanimously approved an amendment which takes out the condition that building permits can only be extended for 180 days only when interest rates are 14 percent or higher.

Supervisors made such extensions possible until January 4, 1982, when the whole issue of movements on the allocations list and building permit extensions will be taken up again.

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