



County of Orange

MEMO

DATE: November 2, 2007

TO: Chris Norby, Chairman
Board of Supervisors

FROM: Thomas G. Mauk
County Executive Officer

SUBJECT: Exception to the Rule 21

071107-2 PM 12:17

S32C

The County Executive Office is requesting a supplemental agenda item for the November 6, 2007 Board Meeting:

Board Meeting Date: November 6, 2007

Subject: Waiver of Development Fees Associated with Santiago Fire Damage

Calendar: Supplemental

Districts: All Districts

Recommended Actions:

1. Consider waiving building permit and demolition permit fees for fire damaged or destroyed building property within the Santiago Fire Area and provide direction to staff as to implementation.
2. Direct staff to give priority to permit applications for reconstruction of such buildings and to return on 11/20/07 with a proposed resolution and process.

Reason for Supplemental: Necessity to respond to Santiago Fire.

Concur: 
Chris Norby, Chairman
Board of Supervisors

**SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT**



ASR Control

07:11:21 PM:17

MEETING DATE: November 6, 2007

LEGAL ENTITY TAKING ACTION: Board of Supervisors

BOARD OF SUPERVISORS DISTRICT(S): 3

SUBMITTING AGENCY/DEPARTMENT: Resources and Development Management Department (RDMD)

DEPARTMENT CONTACT PERSON(S): Bryan Speegle (714) 834-4346
Tim Neely (714) 834-2552

Bob Wilson

SUBJECT: Waiver of Development Fees Associated with Santiago Fire Damage

CEO CONCUR: *[Signature]* **COUNTY COUNSEL REVIEW:** *N/A No review necessary RPF* **CLERK OF THE BOARD Discussion:**

Budgeted: No **Current Year Cost:** Estimated to be \$400,000 **Annual Cost:** N/A

Staffing Impact: N/A **# of Positions:** N/A **Sole Source:** N/A

Current Fiscal Year Revenue: N/A

Funding Source: TBD

Prior Board Action: None

RECOMMENDED ACTION(S)

- 1) Consider waiving building permit and demolition permit fees for fire damaged or destroyed building property within the Santiago Fire Area and provide direction to staff as to implementation.
- 2) Direct staff to give priority to permit applications for reconstruction of such buildings and to return on 11/20/07 with a proposed resolution and process.

SUMMARY:

Waiving building permit and demolition permit fees will provide all building owners who were affected by the Santiago Fire relief from building and demolition permit costs needed to rebuild or repair buildings.

BACKGROUND INFORMATION:

The recent Santiago Fire resulted in significant property destruction and damage. The Orange County Fire Authority's latest damage assessments indicate that eight (8) residential structures were damaged and fifteen (15) destroyed. Additionally, twelve (12) outbuildings were damaged and nine (9) destroyed. The

estimated cost to waive all fire reconstruction building permits and building demolition permits for 15 destroyed residential buildings and 8 damaged structures is estimated to be \$400,000 in FY 2007-08.

The estimated cost is based on replacement of destroyed residential structures with an equivalent structure, which will not require any discretionary permits. New homes that exceed the equivalency of the previous structure (e.g. substantial increase in floor area, replacement of previous single story structure with a multistory structure) could trigger the need for a discretionary permit and thus increase the estimated cost of waiving these fees.

In 2005 the Board approved Ordinance 05-015, a time-and-materials based deposit and fee structure for plan check, inspection and planning services. With the time-and-materials methodology, RDMD charges private applicants at levels to cover the cost of providing services. In the interim, RDMD/Planning and Development Services (PDS) will defer collection of any fees until later in the permitting process, pending a final determination regarding fee waivers. RDMD staff will work with state and federal agencies to explore additional funding sources.

CEQA Compliance: The proposed waiver of permit fees is exempt from CEQA pursuant to Section 15061 (b)(3).

FINANCIAL IMPACT:

CEO and RDMD/PDS are working to secure possible reimbursement from Federal Emergency Management Agency (FEMA) and private insurance firms.

STAFFING IMPACT:

N/A

REVIEWING AGENCIES:

County Counsel

EXHIBIT(S):

None

ATTACHMENT(S):

None