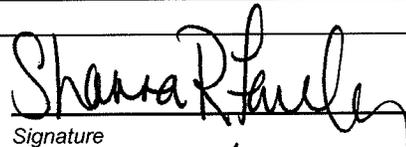


STAFF REPORT
COUNCIL MEETING DATE
June 11, 2012

ITEM FOR COUNCIL CONSIDERATION

Request for waiver of the permit processing fees associated with Project 12-1615-CUPR/CDP for the Boys and Girls Club located at 4849 Foothill Road.

**Report prepared by: Shanna R. Farley,
Assistant Planner
Community Development Department**


Signature

**Reviewed by: John Thornberry,
Administrative Services Director**


Signature

Reviewed by: Dave Durlinger, City Manager


Signature

STAFF RECOMMENDATION

Action Item ; Non-Action Item

Consider fee waiver request for a Revised Conditional Use Permit for the Boys and Girls Club Private Rental Events.

I. BACKGROUND

In January 2012, the Carpinteria Boys and Girls Club (B&GC) applied for a Temporary Use Permit for two private events to occur in February 2012 and requested a fee waiver for the review costs associated with the Temporary Use Permit application. At its regular meeting of January 23, 2012, the City Council considered and granted the fee waiver request in the amount of \$310.00.

In February 2012, the B&GC applied for a Revised Conditional Use Permit (CUP) to allow rental of the club facilities for private parties on a regular ongoing basis. The application included a request to waive the permit processing fees. The Planning Commission approved the Revised

Conditional Use Permit in April 2012. Total City staff and City Attorney processing costs were \$2,110.39.

The City Council received a written request from B&GC to waive all fees associated with the processing of the Revised CUP. Council members Stein and Armendariz requested that the matter be considered by the City Council. The City Council has no policy concerning fee waiver requests but has considered them occasionally on an ad hoc basis. As a matter of practice, the City Council has reduced or waived fees in cases where a public benefit was determined.

II. DISCUSSION

The B&GC operates as a non-profit organization that primarily serves to promote and provide positive and safe youth development facilities for local communities. The B&GC operates a licensed after school program at its Foothill Road facility providing childcare and tutoring for children 5-12 years of age. The facility includes a Teen Center which provides activities to youths 13-18 years of age. The Club can accommodate a maximum of 50 children per day. Childcare services require payment of fees by parents, but much B&GC funding is achieved through grants, federal awards and other fundraising activities. The facility offers a limited number of scholarships to families meeting certain income limits. The facilities are also used for youth and adult athletic activities. The B&GC generates a portion of its funding through the private rental of the property for activities such as adult recreation, wedding receptions, parties and community events.

The B&GC applied to amend its CUP to allow use of the facility for purposes other than the permitted use of a youth recreation center and day care facility. In particular, B&GC wished to appropriately establish a permit to allow for use of the facility as an event rental center, which has been an important revenue source for B&GC. The gymnasium at B&GC has also been used historically in this capacity for various community events.

The B&GC submitted an initial deposit of \$2,000.00, which was used to cover staff costs associated with processing the Revised CUP through the Planning Commission review process. Total permitting fees were \$2,110.39.

The City provides annual funding for the B&GC through allocations made in the General Budget Community Services Support Program. The City also allocates funds through the Community Development Block Grant Program. Further discussion of these allocations is made in Section III – Financial Considerations.

III. FINANCIAL CONSIDERATIONS

In the 2011-2012 Budget, the City has provided the B&GC with \$17,000 for youth services through the General Fund Community Services Support Program. The City also allocated \$6,404.50 from Community Development Block Grant funds. The TUP fee waiver authorized earlier this year was for \$310.00. The cumulative total of all subsidies provided by the City to the Boys and Girls Club in fiscal year 2011 – 2012 would be \$25,824.89, should the subject request be granted.

If a full or partial waiver of the permit processing fees of \$2,110.39 is granted, the deficit in permit processing revenue will be backfilled by the General Fund.

IV. LEGAL

Municipal Code Chapter 3.34 outlines the City's goal to reasonably recover the costs for services and products provided. The City's cost study is used to reasonably estimate the costs associated with providing services, like permit processing, to the public. The City administers the Master Fee Schedule, including hourly rates for staff time. The City also processes charges for costs associated with contract services provided to the public, such as City Attorney contract services. Such charges are based on time accrued for services included in review of a project, communications regarding the project with applicants and interested parties, written staff reports, presentation of reports to the Council, Planning Commission or other Boards.

Municipal Code 2.04.630 dictates that the City Council holds legislative power otherwise not given to staff. The City Council can, through its authority, make decisions which otherwise regulate the acts of the City. As such, the City Council may consider the request to waive the subject permit fees and associated City Attorney charges.

V. OPTIONS

The City Council may consider the following options to respond to the request for a Fee waiver:

1. Approve the B&GC request and waive the subject fees; direct staff to refund the deposit previously submitted for the CUP review process. If this option is selected, the fees and charges due would be added to the amount budgeted to cover contract costs between the City and B&GC in the Community Services Support program. This is a General Fund expense.
2. Deny the fee waiver and retain the amount of the deposit necessary to cover the CUP review process fees.
3. Grant a partial waiver of the total permit processing fees of \$2,110.39 as determined appropriate by the Council. Similar to option one, if selected, the fees and charges due would be added to the amount budgeted to cover contract costs between the City and B&GC in the Community Services Support program; a General Fund expense.

VI. ATTACHMENTS

Attachment A: Waiver Request, dated January 27, 2012

Attachment A

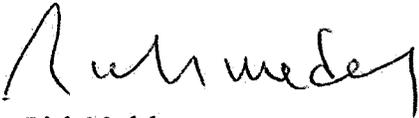
Waiver Request
Dated January 27, 2012

1/27/12

Dear City Manager and City Council Member

The Carpinteria Boys & Girls Club is requesting a fee waiver for the conditional use permit. Thank you for your past support and especially in these hard economic times.

Thank you



Rich Medel
Unit Director
Carpinteria Boys & Girls Club



BOYS & GIRLS CLUBS

UNITED BOYS & GIRLS CLUBS OF
SANTA BARBARA COUNTY

Carpinteria Clubhouse
4849 Foothill Road
Post Office Box 643
Carpinteria, CA 93014
(805) 684-1568 Office
(805) 566-3418 Gym
(805) 684-4718 Day Care
Fax: (805) 684-7250
Fed. Tax ID# 23-7087814
Calif. #0609891UBOA6

Email-
carpathletics@unitedbg.org

Professional Staff

Richard Medel
Club Director

Alan Pottkotter
Athletic Director

Javier Morales
Resource Room Coordinator

Casey Noveski
Games Room Coordinator

Kai Shih
Teen Coordinator/Night Court

Amanda Lyon
Teen Leader/Night Court

Bobby Morales
Gym Supervisor

Phara Alvarado
Office Manager

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JAN 27 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

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