



MARIN COUNTY
 COMMUNITY DEVELOPMENT AGENCY
 BRIAN C. CRAWFORD, DIRECTOR

AGREEMENT FOR PAYMENT OF APPLICATION FEES

Application fees for certain applications and services provided by the Planning Division are charged on a deposit/at cost basis. The fees noted in the fee schedule are minimum fees to be paid at the time of application filing and function as a retainer. This agreement acknowledges the property owner's agreement in advance of processing the application to reimburse the Community Development Agency for all costs, both direct and indirect, associated with the review and processing of the accompanying application(s) with respect to the property located at: _____
 (Assessor's Parcel Number(s): _____).

Reimbursable costs include, but are not limited to, all services provided by the County as well as the cost of retaining and managing professional and technical consultant services and any services necessary to perform the functions related to review and processing of the application. The Planning Division reserves the right to require the payment of additional fees if the costs associated with the processing of the application(s) exceed the fees that have been submitted.

Costs typically include all County staff time for reviewing project plans and other materials submitted with the application, conducting research and site inspections, meeting with the project applicant, other agency staff, and interested parties, photocopying documents, and preparing and mailing correspondence, reports, and public notices.

The applicant may be billed periodically for additional retainer fees during the processing of the application, and fees must be paid to the CDA within 10 days of receiving the invoice unless a longer submittal period is agreed upon. This agreement also signifies the owner's understanding that nonpayment of the fees will result in the temporary or permanent cessation of processing of the application until the proper fee amount has been submitted. Nonpayment of the fees may also result in the denial or withdrawal of the application, an order to cease further work, or withholding of the issuance of further permits, plan checks, inspections, and other administrative processing functions until all required fees have been paid. Upon completion of the application review process, any unused portion of the retainer fees will be refunded. Refunds will be paid to the applicant of record listed in the Zoning/Development Application form regardless of whether the original retainer fee and any subsequent retainer fees were paid by other parties.

By signing below, I certify that I have read and understood the terms of this agreement, including the attached Retainer Policies for the Community Development Agency Planning Division.

 Signature of Property Owner

 Date

Attachment: Retainer Policies

i:/forms/applications/agreement_cost_accounting_01_25_10.doc

Community Development Agency – Planning Division Retainer Policies

1. Fees for specified applications noted on the fee schedule are charged on a deposit/at cost basis. The fees noted in the fee schedule function as a retainer and represent minimum fees to be paid at the time of application filing to cover the County's cost of review. A signed agreement for payment of application fees between the County and the property owner shall be required at the time of application filing. Should actual costs exceed the amount of the fee, the owner will be billed for additional costs.
2. Services will be billed at a rate of \$128 per hour, except services provided by professional and technical consultant services under contract to the Planning Division will be billed at the actual fee charged to the Planning Division plus overhead.
3. Should the actual costs exceed the amount of the retainer, work on the project will be halted and the owner will be billed for additional costs. Nonpayment of the fees may also result in the denial or withdrawal of the application, an order to cease further work, or withholding of the issuance of further permits, plan checks, inspections, and other administrative processing functions until all required fees have been paid.
4. The Community Development Agency Director may defer the collection of the fees as a condition to issuance of the building permit if it is found necessary to issue the permit immediately to protect the public health and safety.
5. Time spent on the application will be tracked in minimum 15-minute increments.
6. An invoice for payment of additional retainer fees will be issued when the balance of the retainer fees drops below \$2,000. The amount of the additional retainer will be based on a good faith estimate of the anticipated projects costs for the duration of the permit processing. A subsequent, updated invoice may be issued if changes to the project or other factors are encountered that will change the scope or length of time needed to process the application(s).
7. The fee to be collected upon initial submittal of a project with both fixed and deposit-based permits shall be calculated as follows: (1) the flat fee-based permit fee will be collected at 100% of the fee; (2) the first deposit-based retainer fee will be collected at 100% of the published rate based on the highest deposit-type permit, thereafter all other deposit-based fees will be collected at 50% of the published retainer fee; and (3) for a project involving at least one deposit-based fee where there is at least one other flat fee-based permit, 50% of the deposit-based retainer will be collected at the time of the application filing. The adjustments noted herein do not apply to the calculation of the code enforcement penalty portion of the fees.
8. The calculation of the refund amount for projects involving both flat fee and deposit-based fees shall be based on the following: (1) for a project involving at least one deposit-based retainer fee and a flat fee-based permit, if the total amount of time spent on the project is less than the time that would be covered by the fees for the flat fee-based permit, 100% of the flat fee will be kept and 100% of the deposit-based retainer fees will be refunded; and (2) for a project involving at least one deposit-based retainer fee and a flat fee-based permit, if the total amount of time spent on the project exceeds the fees for the flat fee-based permit, 100% of the flat fee will be kept and the unused portions of the deposit will be refunded. Refunds will be paid to the applicant of record listed in the Zoning/Development Application form regardless of whether the original retainer fee and any subsequent retainer fees were paid by other parties.
9. Interest will not be calculated on the daily balance of any unused deposit.
10. The Long Range Planning Surcharge is calculated based on the fees due at the time of application filing, and will not be refunded or adjusted if there is a refund of unused portions of a deposit fee, or recalculated if there is an increase in the amount of the deposit.
11. If a request for withdrawal is made before the first public hearing or the decision on the application, all unused portions of the retainer fee will be refunded. For projects that include both fixed and deposit-based fees, the fixed fee shall be drawn as a retainer, prior to the deposit-based fees.
12. A minimum fee of \$128 to cover administrative and accounting expenses incurred by the department will be charged if a request for withdrawal of an application is made prior to the initiation of the application processing by the planner.