



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: SEPTEMBER 16, 2008

ITEM NUMBER:

**SUBJECT: RESIDENTIAL REMODELING & BUILD GREEN INCENTIVE PROGRAMS**

**DATE: SEPTEMBER 4, 2008**

**FROM: DEVELOPMENT SERVICES DEPARTMENT**

**PRESENTATION BY: DONALD D. LAMM, DIRECTOR**

**FOR FURTHER INFORMATION CONTACT: KHANH NGUYEN (714) 754-5277**

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## **RECOMMENDATION**

Adopt the attached resolutions which would amend the City's "building and construction fees" schedule, thereby waiving applicable building fees for the 2009 Residential Remodeling and Build Green Incentive Programs.

## **BACKGROUND**

City Council, at your meeting on August 19, 2008, directed staff to conduct a 2008 Residential Remodeling Incentive Program (RRIP4) and 2008-09 Build Green Incentive Program (BGIP). To proceed with implementing the two programs, attached for Council's consideration are the necessary fee waiver resolutions which would temporarily suspend fees, as previously approved by Council, for both programs.

If Council adopts the fee waiver resolutions, the Residential Remodeling Incentive Program (RRIP4) will commence the following day on September 17<sup>th</sup> and continue through December 19, 2008. The Build Green Incentive Program (BGIP) would also commence on September 17<sup>th</sup> and continue through June 30, 2009.

## **ANALYSIS**

The features listed below were approved by Council for this fall's Residential Remodeling Incentive Program (RRIP4) and Build Green Incentive Program (BGIP2):

- Construction plan check, building, electrical, mechanical, and plumbing permit fees will be waived for structural remodeling, alterations, renovation, and additions, to any single family dwelling, provided the home is at least five years old.
- All or a portion of plan check and inspection fees will be waived for "green" installations such as solar panels, skylights, or "green building" certification.
- The City will mail a letter to each homeowner explaining how much they saved when a permit was issued to a contractor on behalf of a homeowner. Such a letter will ensure the homeowner is aware of the fee waiver.

**LEGAL REVIEW**

The City Attorney's Office has reviewed the attached fee waiver resolutions and approved as to form.

**CONCLUSION**

To actually implement the RRIP4 and/or Build Green incentive programs, City Council needs to adopt formal resolutions waiving building fees during the effective dates of each program.



DONALD D. LAMM, AICP  
Deputy City Mgr.- Dev. Services Dir.



KHANH NGUYEN, CBO  
Building Official



MARC PUCKETT  
Finance Director

ATTACHMENTS: RRIP Resolution  
BGIP Resolution  
Attachment 1 [http://www.ci.costa-mesa.ca.us/council/agenda/2008-08-19/AR-M355N\\_20060308\\_145900.pdf](http://www.ci.costa-mesa.ca.us/council/agenda/2008-08-19/AR-M355N_20060308_145900.pdf)

DISTRIBUTION: City Manager  
Assistant City Manager  
Finance Director  
City Attorney  
Public Services Director  
City Clerk (2)  
Staff (4)  
File (2)

File: 091608RRIPBuildGreen	Date: 090408	Time: 2:15 p.m.
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RESOLUTION NO. 08-\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA  
MODIFYING BUILDING AND CONSTRUCTION FEES TO ESTABLISH AND  
PROMOTE A RESIDENTIAL REMODELING INCENTIVE PROGRAM**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Section 5-1 of Chapter 1, Title 5 of the Costa Mesa Municipal Code authorizes the City Council to establish fees and fee schedules for permits, inspections, re-inspections and other activities relating to the regulation of building and construction activities in the City of Costa Mesa (hereinafter the "building and construction fees"); and

WHEREAS, pursuant to the aforesaid authority, the City Council has heretofore adopted its Resolution No. 08-\_\_\_ establishing building and construction fees for work and construction activities pursuant to the Costa Mesa Building Code, Costa Mesa Electrical Code, Costa Mesa Mechanical Code and Costa Mesa Plumbing Code (collectively referred to herein as the "Costa Mesa Building Codes"); and

WHEREAS, the City Council hereby desires to establish and promote a program known as the "Residential Remodeling Incentive Program (RRIP)" for 2008 to encourage and facilitate certain home repairs, remodeling and additions in compliance with applicable requirements of the Costa Mesa Building Codes and Development Ordinances, and to waive collection of the building and construction fees, for such work as described in Section 1 below of this Resolution; and

WHEREAS, the City Council hereby finds and determines that it is in the public's interest and general welfare to establish said RRIP as hereinafter set forth.

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

1. That Resolution No. 08-\_\_\_ is amended to waive any building and construction fees imposed and required hereunder, including any penalty fees, during the effective period of the RRIP, for any alterations/additions to single family dwellings (attached or detached) five years or more old, which may include any new accessory structures thereto.

2. That the effective period of the RRIP, including the waiver of the fees specified in Section 1 of the Resolution, shall apply to any completed permit applications received by or permits issued by the Building Safety Division of the Development Services Department, on or after September 17, 2008, and the effective period shall expire upon December 19, 2008.

3. Except as expressly set forth herein, nothing contained in this Resolution shall be deemed to waive any fees otherwise required by any other provision of law (including but not limited to fees for City zoning entitlements, and/or fees collected by the City on behalf of any other public agency or entity), nor otherwise waive compliance with any other applicable provisions of the Costa Mesa Building Codes, Grading Ordinances, Development Ordinances, or the Costa Mesa Zoning Code.

PASSED AND ADOPTED THIS 16th DAY OF SEPTEMBER, 2008.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
Costa Mesa

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

RESOLUTION NO. 08-\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA MODIFYING BUILDING AND CONSTRUCTION FEES TO ESTABLISH AND PROMOTE A GREEN BUILDING PROGRAM**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Section 5-1 of Chapter 1, Title 5 of the Costa Mesa Municipal Code authorizes the City Council to establish fees and fee schedules for permits, inspections, re-inspections and other activities relating to the regulation of building and construction activities in the City of Costa Mesa (hereinafter the "building and construction fees"); and

WHEREAS, pursuant to the aforesaid authority, the City Council has heretofore adopted its Resolution No. 08-\_\_\_ establishing building and construction fees for work and construction activities pursuant to the Costa Mesa Building Code, Costa Mesa Electrical Code, Costa Mesa Mechanical Code and Costa Mesa Plumbing Code (collectively referred to herein as the "Costa Mesa Building Codes"); and

WHEREAS, the City of Costa Mesa is an acknowledged environmental leader in Green Building; and

WHEREAS, the City of Costa Mesa recognizes and accepts its responsibility to implement and promote building practices that protect Costa Mesa's natural and built environment; and

WHEREAS, the City of Costa Mesa is a member of the U.S. Green Building Council, Build It Green, and the United States Environmental Protection Agency's ENERGY STAR program, all of which advocate for high performance buildings; and

WHEREAS, high performance sustainable building and development is a means of balancing economic development with the preservation of quality of life; and

WHEREAS, high performance buildings provide occupants and visitors with a healthier and more productive environment and this increase in worker productivity can produce enormous economic benefits, as worker salaries are historically an organization's largest expense; and

WHEREAS, the City of Costa Mesa commits to high performance building practices that protect the quality of our air, water and other natural resources; provide employees and the public with safe and healthy indoor environments; minimize our ecological footprint; reduce operating and maintenance costs over the life of the building; and serve as a model to others.

WHEREAS, the City Council hereby desires to establish and promote a Green Building program known as the "Build Green" program in 2008 and 2009 to encourage green and sustainable developments above and beyond applicable requirements of the Costa Mesa Building Codes and Development Ordinances, and to waive collection of the building and construction fees for such work as described in Section 1 below of this Resolution; and

WHEREAS, the City Council hereby finds and determines that it is in the public's interest and general welfare to establish said Build Green program as hereinafter set forth.

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

1. That Resolution No. 08-\_\_\_ is amended to waive any building and construction permit fees imposed and required hereunder:

- a. for certain home and business construction improvements requiring building permits for installing residential cool roofs, class A roof assembly, green roofs, whole house fans, renewable energy systems, photovoltaics, skylights, tankless domestic water heaters, grey water systems, high performance windows and doors, high efficiency HVAC systems, and other green installations or innovations as approved by the Building Official.
- b. not to exceed the lesser cost of the building and construction fees versus the cost of green certification per project, during the effective period of the Build Green program, for "green and sustainable developments."

"Green and sustainable developments" include any developments that achieved LEED certification by the U.S. Green Building Council, green certification by Build It Green, green certification by CA Green Builder, or green certification by other statewide green organization.

2. That the effective period of the Build Green program, including the waiver of the fees specified in Section 1 of the Resolution, shall apply to any complete permit applications received by, or permits issued by, the Building Division of the Development Services Department, on or after September 17, 2008, until June 30, 2009.

3. Except as expressly set forth herein, nothing contained in this Resolution shall be deemed to waive any fees otherwise required by any other provision of law (including but not limited to fees for City zoning entitlements, and/or fees collected by the City on behalf of any other public agency or entity), nor otherwise waive compliance with any other applicable provisions of the Costa Mesa Building Codes, Grading Ordinances, Development Ordinances, or the Costa Mesa Zoning Code.

PASSED AND ADOPTED THIS 16th DAY OF SEPTEMBER, 2008.

ATTEST:

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City Clerk of the City of  
Costa Mesa

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Mayor

APPROVED AS TO FORM

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City Attorney