

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, AMENDING THE CITY'S MASTER FEES AND CHARGES
4 SCHEDULE IN RESOLUTION NO. 21960, AS AMENDED, PROVIDING
FOR ADJUSTMENTS TO THE MILLS ACT FEES.

5 WHEREAS, the City has the authority to impose fees pursuant to its authority under Article
6 XI, §7 of the California Constitution and under its complementary powers under Section 37112 of the
7 California Government Code and Section 200 of the Riverside City Charter; and

8 WHEREAS, the City has established a policy of recovering the full costs reasonably borne as
9 a result of providing special services of a voluntary and limited nature, such that general taxes are not
10 diverted from general services of a broad nature and thereby utilized to subsidize unfairly and
11 inequitably such special services; and

12 WHEREAS, in Chapter 3.30 of the Riverside Municipal Code, the City Council established its
13 policy as to the recovery of costs and more particularly the percentage of costs reasonably borne to be
14 recovered from users of City services and directing staff as to the methodology for implementing said
15 Chapter 3.30; and

16 WHEREAS, the adoption of a schedule of fees and charges to be paid by those requesting such
17 special services and the percentage of costs reasonably borne by those persons receiving such special
18 services are necessary so that the City might effectuate its policies; and

19 WHEREAS, a citywide fee study ("Fee Study") has been prepared in which a cost analysis
20 was prepared to determine the cost to administer services and programs, including the Mills Act
21 Program; and

22 WHEREAS, the City desires to provide for the reduction of Mills Act fees, which consists of
23 the application and contract initiation fees, as well as the removal of all City surcharges and added
24 fees; and WHEREAS, the on July 19, 2023, the Cultural Heritage Board ("CHB") reviewed the Mills
25 Act fees to comparable cities, using population and city expenditures per capita as a means of
26 comparison; and

27 WHEREAS, the CHB acknowledged that a fee should be collected but at a lower rate; and
28

1 WHEREAS, the CHB found that the community benefits from the maintenance, preservation
2 and restoration of historic resources through the Mills Act program because property owners with
3 Mills Act contracts generally spend greater on the property maintenance and rehabilitation than the
4 tax reduction received from the program; and

5 WHEREAS, the community benefits from increased property values when the property is
6 maintained in good condition; and

7 WHEREAS, the CHB found that a reduction of fees would be justified due to the community
8 benefit and recommended all current and future Mills Act fees be set at a cost recovery amount of 30%
9 paid by the applicant and 70% of the cost subsidized by the City; and

10 WHEREAS, the CHB recommended that the 14% City Surcharge from all Mills Act fees be
11 removed; and

12 WHEREAS, the CHB recommended no new fees be added to the cost of the Mills Act
13 program; and

14 WHEREAS, the City Council held a duly noticed public hearing on March 19, 2024, and has
15 considered all oral and written evidence presented regarding the revision to the Master Fees and
16 Charges Schedule; and

17 WHEREAS, all requirements of law regarding the notice and the provision of data are hereby
18 found to have been met; and

19 WHEREAS, all the proposed fee revisions fall within the stated exceptions to the definition of
20 “tax” established by Proposition 26, and are therefore not subject to the requirements of Article XIIC
21 of the California Constitution; and

22 WHEREAS, the City desires to amend the Master Fees and Charges Schedule, Resolution No.
23 21960 and its related amendments, to reflect the reduction of fees for all current and future Mills Act
24 fees and to set a cost recovery amount of 30% paid by the applicant and 70% of the cost subsidized
25 by the City, the removal of the 14% City surcharge from all Mills Act fees, and that no new fees be
26 added to the cost of the Mills Act program.

27 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
28 California, as follows:

1 Section 1: The above recitals are hereby found to be true and correct and are hereby
2 incorporated herein as if stated in full.

3 Section 2: The City Council hereby determines that the specific fees to be charged for the
4 Mills Act Fees, which are set forth in Exhibit “A,” attached hereto and incorporated herein by
5 reference, are supported by the Fee Study cost analysis for the implementation of the Mills Act
6 Program and subsidy is justified due to the community benefits the Mills Act program provides, and
7 hereby adopts the same.

8 Section 3: Resolution No. 21960 and all applicable amendments thereto are hereby
9 amended to include the new fees as shown in Exhibit “A” herein.

10 Section 4: This Resolution, together with any other resolution amending Resolution No.
11 21960 and the Master Fees and Charges Schedule (Resolution No. 21960), shall collectively be known
12 as, and hereinafter may be interchangeably referred to as, the “Fees and Charges Resolution,”
13 “Schedule of Fees and Charges,” or the “Master Fees and Charges Schedule.”

14 Section 5: All fees set by this Resolution are for the Mills Act Program; additional fees
15 shall be required for each additional process or service that is requested or required.

16 Section 6: The fees and charges revisions set forth in Exhibit “A” are authorized by California
17 Government Code section 50281.1 and fall within the stated exceptions to the definition of “tax”
18 established by Proposition 26, and therefore, are not subject to the requirements of Article XIIC of
19 the California Constitution.

20 Section 7: The Chief Financial Officer is hereby directed and authorized to maintain a
21 current Master Fees and Charges Schedule which will include all amendments to the Fees and Charges
22 Resolution.

23 Section 8: If any portion of this Resolution is for any reason declared invalid or
24 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect
25 the validity of the remaining portions of this Resolution; the City Council hereby declaring that it
26 would have adopted this Resolution and every other section, subsection, paragraph, subparagraph,
27 item, sub-item, clause, phrase, or portion thereof, irrespective of the fact that any one or more section,
28 subsection, paragraph, subparagraph, item, sub-item, sentence, clause, phrase, or portion be declared

1 invalid or unconstitutional.

2 Section 9: Resolution No. 21960 and all amendments thereto are hereby amended as of the
3 date this Resolution becomes operative and any previously established fee or charge not amended
4 herein remain in full force and effect.

5 Section 10: The provisions of this Resolution shall become effective as of January 1, 2024.

6 Section 11: Any and all future amendments to the Fees and Charges Resolution shall be
7 operative on the date of adoption of such resolution(s) approving the proposed amendments, except as
8 otherwise required by California law.

9 ADOPTED by the City Council this _____ day of _____, 2024.

11 _____
PATRICIA LOCK DAWSON
Mayor of the City of Riverside

12 Attest:

13
14
15 _____
DONESIA GAUSE
City Clerk of the City of Riverside

16 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
17 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
18 its meeting held on the _____ day of _____, 2024, by the following vote, to wit:

19 Ayes:

20 Noes:

21 Absent:

22 Abstain:

23
24 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
25 City of Riverside, California, this _____ day of _____, 2024.

26
27 _____
DONESIA GAUSE
City Clerk of the City of Riverside

28 24-0182 TAT 02/22/24

EXHIBIT "A"

**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING**

CODE	FEE DESCRIPTION		FY 2023/24
	Re-Inspections	\$	159.00
2792	MILLS ACT PRESERVATION REVIEW		
	Per application	\$	126.00
	Per Contract / Review / Initiation Process	\$	957.00
SIGNS			
2772	ADMINISTRATIVE SIGN REVIEW		
	Per application	\$	189.00
2772	ESTABLISHING SIGN CRITERIA (per application)	\$	988.00
2772	NEW OR REPLACEMENT SIGNS	\$	272.00
VARIANCES, MODIFICATIONS, EXCEPTIONS, AND FAIR HOUSING REQUESTS			
2740	WITH SIGNATURES - RESIDENTIAL ZONES ONLY	\$	1,854.00
2740	WITHOUT SIGNATURES - ALL ZONES	\$	2,780.00
ZONING PLAN CHECK WITH BUILDING PERMITS			
2779	PLAN CHECK - AFTER HOURS° (per hour)	\$	210.00
2779	COMMERCIAL, INDUSTRIAL, AND MULTI-FAMILY TENANT IMPROVEMENTS, MINOR ADDITIONS, OR EXTERIOR REMODEL° (per submittal)	\$	323.00
2779	LANDSCAPE / IRRIGATION - MINOR° (Not subject to WELO or WQMP requirements)	\$	54.00
2779	NEW CONSTRUCTION° (per submittal)		
	Commercial, Industrial, and Multi-Family	\$	578.00
	Single-Family Residential	\$	289.00
2779	PATIO COVERS, ETC.°	\$	54.00
OTHER FEES			
2708	CONDITIONAL USE PERMIT° (per application)	\$	9,261.00