

ORDINANCE NO. C.S. 1082

AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR SERVICES BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

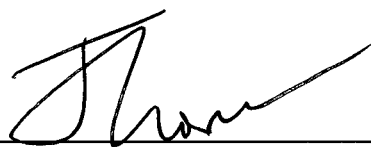
THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1: The Board of Supervisors hereby adopts the Department of Planning and Community Development 2010 Fee Schedule, attached as Exhibit A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

Section 2. This ordinance shall be published once before the expiration of 15 days after passage of this ordinance, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California, and the ordinance shall take effect either (a) pursuant to section 25123 of the Government Code, 30 days after the date of publication, or (b) pursuant to section 66017 of the Government Code, 60 days following the final action on the adoption of the fees or charges, whichever date occurs last.

Upon motion of Supervisor DeMartini, seconded by Supervisor Monteith, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the 8th day of June, 2010, by the following called vote:

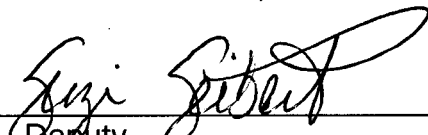
- AYES: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover
- NOES: Supervisors: None
- ABSENT: Supervisors: None



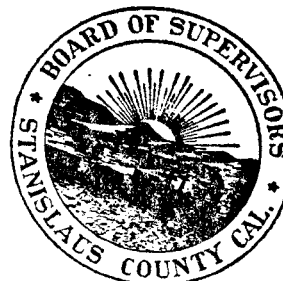
 Jeff Grover, Chairman of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By 

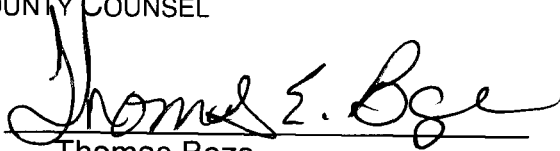
 Deputy



APPROVED AS TO FORM:

JOHN P. DOERING
COUNTY COUNSEL

By

A handwritten signature in cursive script, appearing to read "Thomas E. Boze", written over a horizontal line.

Thomas Boze
Assistant County Counsel

PROPOSED 2010 PLANNING FEES (EFFECTIVE JULY 19, 2010)

| FEES | ACTUAL COST | PLANNING | PUBLIC WORKS ⁽⁷⁾ | DER ⁽⁷⁾ | PLAN. COMM. CLERK | CLERK OF THE BOARD | GEN PLAN MAINT | FLOOD PLAIN ADMIN | GIS MAINT | TOTAL FEE |
|--|----------------------------------|----------|-----------------------------|--------------------|-------------------|--------------------|----------------|-------------------|-----------|--|
| Adult Business Permit | | \$469 | \$70 | \$410 | | | \$50 | \$50 | \$21 | \$1,070 |
| Ag Grievances *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$210 | \$410 | \$106 | \$200 | \$200 | \$200 | \$78 | \$4,056 Deposit |
| Alcohol Beverage Control (ABC) License | | \$72 | | | | | | | \$1 | \$73 |
| Appeal of Planning Commission Decision to Board of Supervisors | | \$510 | | | | \$100 | | | \$12 | \$622 |
| Appeal of Staff Determination to Planning Commission | | \$510 | | | \$106 | | | | \$12 | \$628 |
| Building Permit Review *(4) SEE BELOW | | \$82 | | | | | \$1.28/ \$1000 | | | \$82 plus \$1.28/ \$1000 |
| Business License Application | | \$72 | | | | | | | | \$72 |
| Combination Application *(2) | | | | | | | | | | See Note 2 Below |
| Community Plan Amendment | Actual Cost Min Charge/ Deposit: | \$2,652 | \$340 | \$410 | \$106 | \$200 | \$200 | \$200 | \$81 | \$4,189 Deposit |
| Condition of Approval or Development Standard Modification *(6) | | \$1,509 | \$350 | \$160 | \$64 | | | | \$37 | \$2,080 |
| Continuance Request for PC | | \$206 | | | \$64 | | | | | \$270 |
| Continuance Request for BOS | | \$206 | | | \$64 | \$100 | | | | \$370 |
| Development Agreement *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$210 | \$410 | \$106 | \$200 | \$200 | \$200 | \$78 | \$4,056 Deposit |
| Environmental Impact Report *(1) Separate fee charged in addition to regular application fee | Actual Cost | | | | | | | | | Actual Cost - To be determined on case-by-case basis |
| General Plan Amendment *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$210 | \$410 | \$106 | \$200 | \$200 | \$200 | \$78 | \$4,056 Deposit |
| Historical Site Review (Staff Approval) | | \$469 | \$70 | \$410 | | | \$50 | \$50 | \$21 | \$1,070 |
| Historical Site Permit (@ site/Planning Commission) | | \$1,437 | \$210 | \$410 | \$64 | | \$100 | \$100 | \$46 | \$2,367 |
| Landscape Plan Review | | \$139 | | | | | | | | \$139 |
| Landscape/Site Inspection | | \$103 | | | | | | | | \$103 |
| Minor Lot Line Adjustment in R, C, M, PD, PI, IBP, LI Zones | | \$170 | \$210 | \$160 | \$53 | | \$50 | \$50 | \$14 | \$707 |
| Minor Lot Line Adjustment in A-2 Zone without Williamson Act | | \$345 | \$695 | \$160 | \$53 | | \$50 | \$50 | \$27 | \$1,380 |
| Lot Line Adjustment in A-2 Zone with Williamson Act | | \$618 | \$695 | \$160 | \$53 | \$50 | \$50 | \$50 | \$33 | \$1,709 |
| Merger | | \$77 | | | | | | | \$2 | \$79 |
| Mine Use Permit/ Reclamation Plan (RP)/ RP Amendment *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$255 | \$160 | \$106 | | \$200 | \$200 | \$70 | \$3,643 Deposit |
| Mines Inspections | | \$783 | | | | | | | | \$783 |
| Mine Reinspection (if required, 3 hour min @ \$72/hr) | Actual Cost Min Charge/ Deposit: | \$222 | | | | | | | | \$222 Deposit |
| Mobile Home Application | | \$361 | | | | | | | \$7 | \$368 |
| Mobile Home Renewal | | \$52 | | | | | | | \$1 | \$53 |
| Mobile Home Renewal -Late Fee | | \$98 | | | | | | | \$1 | \$99 |
| Parcel Maps (R, C, M, LI, IBP, PD, PI Zones) *(6) | | \$1,169 | \$350 | \$410 | \$106 | | \$100 | \$100 | \$41 | \$2,276 plus \$30/lot |
| Parcel Maps (A-2 Zone, non-Williamson Act and < 4 parcels + remainder) *(6) | | \$1,277 | \$350 | \$410 | \$106 | | \$100 | \$100 | \$43 | \$2,386 plus \$30/lot |
| Parcel Maps (A-2 Zone, with Williamson Act or > 4 parcels + remainder) *(6) | | \$1,967 | \$350 | \$410 | \$106 | | \$100 | \$100 | \$57 | \$3,090 plus \$30/lot |
| Recirculation of Mitigated Negative Declaration *(1) | Actual Cost Min Charge/ Deposit: | \$1,118 | \$210 | \$160 | \$106 | | | | | \$1,594 |
| Rezone *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$210 | \$410 | \$106 | \$300 | \$200 | \$200 | \$78 | \$4,156 Deposit |
| Specific Plans *(1) | Actual Cost Min Charge/ Deposit: | \$2,652 | \$340 | \$410 | \$106 | \$200 | \$200 | \$200 | \$81 | \$4,189 Deposit |
| Staff Approval Permit - with referral | | \$469 | \$70 | \$160 | | | \$50 | \$50 | \$16 | \$815 |
| Staff Approval Permit - without referral & Single Family Residence in Ag Zone | | \$324 | | | | | \$20 | \$20 | \$7 | \$371 |

| FEES | ACTUAL COST | PLANNING | PUBLIC WORKS ⁽⁷⁾ | DER | PLAN. COMM. CLERK | CLERK OF THE BOARD | GEN PLAN MAINT | FLOOD PLAIN ADMIN | GIS MAINT | TOTAL FEE | |
|--|--|----------|-----------------------------|-------|-------------------|--------------------|----------------|-------------------|-----------|-----------|--------------------------|
| Street Name Change | | \$324 | \$125 | | \$106 | | | | \$11 | \$566 | |
| Subdivision Ord. Exception | | \$1,931 | \$140 | \$410 | \$106 | | \$100 | \$100 | \$55 | \$2,842 | |
| Tentative Subdivision Map ^{*(3)} | Actual Cost Min Charge/ Deposit: | \$2,652 | \$550 | \$820 | \$106 | | \$200 | \$200 | \$89 | \$4,617 | Deposit plus \$30/lot |
| Time Extensions | | \$407 | | | \$106 | | | | \$10 | \$523 | |
| Use Permit - Agricultural - All Tiers ^{*(6)} | | \$1,931 | \$350 | \$410 | \$106 | | \$100 | \$100 | \$55 | \$3,052 | |
| Use Permit - non-agriculture zones ^{*(6)} | | \$1,421 | \$350 | \$410 | \$106 | | \$100 | \$100 | \$45 | \$2,532 | |
| Use Permit - Requiring Board of Supervisors Approval ^{*(6)} | | \$1,931 | \$350 | \$410 | \$108 | \$200 | \$200 | \$200 | \$63 | \$3,462 | |
| Zoning Ordinance Variance | | \$1,931 | \$160 | \$410 | \$108 | | \$100 | \$100 | \$55 | \$2,864 | |
| Verification Letter - single SFD | | \$62 | | | | | | | \$1 | \$63 | |
| Verification Letter - all other uses | | \$129 | | | | | | | \$3 | \$132 | |
| Waiver - Noise Control | | \$510 | | | \$106 | | | | \$12 | \$628 | |
| Williamson Act Contract | | \$134 | \$70 | | | \$60 | | | \$4 | \$268 | |
| Williamson Act Notice of Non-Renewal | | \$118 | | | | | | | \$2 | \$120 | |
| Williamson Act Cancellation | | \$608 | | | | \$400 | \$200 | \$200 | \$28 | \$1,436 | |
| Zoning Ordinance Text Amendment | Actual Cost Min Charge/ Deposit: | \$1,931 | \$210 | \$410 | \$108 | \$400 | \$200 | \$200 | \$68 | \$3,527 | Deposit |

(1) Fees described above that require a deposit and are charged at "actual cost" have a minimum charge associated with them. The deposit required is this minimum charge and is non-refundable. This DOES NOT include any necessary consultant costs for environmental review, specialized studies, financial consulting or any other expert consulting services potentially needed by the County for processing these applications. Monthly draws against the deposit will be made based on staff time and materials needed to process the applications. Staff costs and expenses for Planning, Public Works, and DER will be billed at fully burdened weighted labor rates as provided by the Auditors Office at the time of services rendered.

All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate. Invoices will be calculated on a quarterly basis and forwarded to the applicant for payment. If the deposit reaches a balance of 20% of the initial deposit or less, the Applicant will be asked to make a subsequent deposit in an amount dependent upon the amount of work left to complete on processing. Applicants will be expected to pay the subsequent deposit within 30 days of invoice date. In the event that the account is not paid within 30 days of the invoice date, processing will be suspended until such time that payment is made. Any remainder will be used to reconcile your final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to you. Public hearings will not be scheduled until payment in full is received.

*(2) Applications for two or more actions (for example: Tentative Map and Exception) will be charged the highest application fee, **except applications for a Williamson Act Cancellation**. For those applications for two or more actions that include an action that is charged at "actual cost" (for example: General Plan Amendment, Rezone, & Parcel Map) they will be charged the highest deposit amount as a minimum charge and deposit. The deposit is non-refundable*. All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate per note #1 above. If a Lot Line Adjustment in an Agricultural zone is included in a Combination Application, an additional \$695 will be required beyond the set fee or deposit amount in order to obtain a "Certificate of Compliance" from Public Works. **Applications for a Williamson Act Cancellation shall pay a separate fee except when combined with an "actual cost" action.**

*(3) Department of Environmental Resources charges for Tentative Map Review reflect a minimum charge of 8 hours at a weighted labor rate of \$103.00 per hour. Additional time required for tentative map review will be charged at the same hourly rate.

*(4) A General Plan Maintenance Fee will be charged for every Building Permit of \$1.28 per \$1,000 of improvement valuation. This fee will be collected with other Building Permit fees and will be calculated based on the total valuation of the improvement as determined through the normal Building Permit process.

*(5) If your project falls within an Airport Planning Boundary, a separate application and fee will be required for the Airport Land Use Commission (ALUC). You will be required to contact the ALUC and submit an application for review. For information purposes only: Projects are identified by the ALUC as either "Major" or "Minor" and the ALUC has adopted the following project review fees as of November 2005: Major: \$1,200, Minor: \$225. An amendment to the ALUC Plan will be charged as "Actual Cost" with a deposit and minimum charge of \$2,950, and an appeal of a Staff determination to the ALUC is charged \$629 the same as a general plan amendment and appeal of a staff determination as reflected on the current Planning fee schedule. Applicants should check with the ALUC to verify application costs.

*(6) Department of Public Works charges for Condition of Approval or Development Standards Modifications, Parcel Maps, and Use Permits reflect a minimum charge of 5 hours at a weighted labor rate of \$70.00 per hour. Additional time required for these types of request will be charged at the same hourly rate.

*(7) Fees for the Departments of Public Works and the Department of Environmental Resources shall only apply when processing of the application(s) require referral to and/or action by the respective Departments.

*(8) A 1% Administrative Cost Recovery Fee will be charged to Public Works, Department of Environmental Resources, and Clerk of the Board for fees collected during the Land Use Application process. An addition 2.5% fee will be charged for fees collected by credit card.

* Fees may be refunded if the Planning Director, or his appointed designee, determines extraordinary circumstance warranting a refund exist.

ADDITIONAL FEES REQUIRING SEPARATE PAYMENT

| | | |
|---|----|-------|
| California State Archaeology Clearinghouse Fees - Applicable to MANY discretionary Permits - inquire with staff | \$ | 60.00 |
| Make Check payable to "Central California Information Center" | | |
| Payable at the time of Application Submittal | | |

*** Fees subject to change without County approval required.

| | | |
|--|----|----------|
| California Fish and Game Environmental Fees - Applicable to ALL discretionary Permits unless found exempt from CDFG Fees | | |
| Environmental Impact Report | \$ | 2,792.25 |
| Mitigated Negative Declaration / Negative Declaration | \$ | 2,010.25 |
| Make Check payable to: Stanislaus County | | |
| Payable within 5 days of Planning Commission or Board of Supervisors Action on Project | | |

*** Fees subject to change without County approval required.

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|--|----|-------|
| County Clerk Recorder Fee - Applicable to ALL discretionary Permits, Williamson Act actions, CDFG DeMinimus Findings, and CEQA filings | \$ | 57.00 |
| Make check payable to: Stanislaus County Clerk Recorder | | |
| Payable within 5 days of Planning Commission or Board of Supervisors Action on Project | | |

ADDITIONAL RECORDER FEES WILL BE REQUIRED IF DOCUMENTS MUST BE RECORDED
Fees are set by the Recorders Office

DOCUMENTS

| | |
|-----------------------------------|-------------|
| TOTAL General Plan (complete set) | \$ 63.00 |
| 1. General Plan | \$ 40.00 |
| 2. Support Document | \$ 18.00 |
| 3. Agricultural Element | \$ 5.00 |
| Subdivision Ordinance | \$ 10.00 |
| Zoning Ordinance | \$ 10.00 |
| Airport Land Use Comm Plan | \$ 10.00 |
| Community Plans | Cost |
| Economic Strategic Plan | Cost |
| Public Facility Fees | \$ 3.50 |
| Salida EIR | Cost |
| Salida PD Guidelines | Cost |
| Economic Strategic Plan | Cost |
| Planning Comm Audio Tape | \$ 10.00 |
| Planning Comm DVD | \$ 10.00 |
| Planning Comm Video Tape | \$ 15.00 |
| Photocopy (1st.) | \$ 1.00 |
| Photocopy (additional) | \$ 0.25 |
| Specific Plan/EIR | actual cost |

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STANISLAUS COUNTY ORDINANCE C.S. 1082

Upon motion of Supervisor DeMartini, seconded by Supervisor Monteith, Ordinance C.S. 1082 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 8th day of June 2010, by the following called vote:

AYES: SUPERVISORS: O'Brien, Chiesa, Monteith, DeMartini and Chairman Grover
NOES: None
ABSENT: None
ABSTAINING: None

Ordinance C.S. 1082 establishes new fees and amends existing fees for the Stanislaus County Department of Planning and Community Development - Planning Division. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Kirk Ford, Director of the Planning and Community Development Department at (209) 525-6330 or at 1010 10th Street, Suite 3400, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: June 8, 2010

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus,
State of California



BY:

Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Jun 12, 2010

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

June 14th, 2010

(Signature)

Marie Dieckman

PUBLIC NOTICE
STANISLAUS COUNTY
ORDINANCE C.S. 1082

Upon motion of Supervisor DeMartini, seconded by Supervisor Monteith, Ordinance C.S. 1082 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 8th day of June 2010, by the following called vote: AYES: SUPERVISORS: O'Brien, Chiesa, Monteith, DeMartini and Chairman Grover; NOES: None; ABSENT: None; ABSTAINING: None. Ordinance C.S. 1082 establishes new fees and amends existing fees for the Stanislaus County Department of Planning and Community Development - Planning Division. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Kirk Ford, Director of the Planning and Community Development Department at (209) 525-6330 or at 1010 10th Street, Suite 3400, Modesto, CA. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: June 8, 2010. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk
Pub Dates June 12, 2010