

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY**

DEPT: Board of Supervisors

BOARD AGENDA:5.A.6
AGENDA DATE: May 23, 2023

SUBJECT:

Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1343 to Amend Existing Fees for Planning Services

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2023-0235

On motion of Supervisor B. Condit Seconded by Supervisor Chiesa
and approved by the following vote,
Ayes: Supervisors: B. Condit, Chiesa, Grewal, C. Condit, and Chairman Pro Tempore Withrow
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

WAIVED THE SECOND READING AND ADOPTED ORDINANCE C.S. 1343

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. ORD-58-B-1

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Board of Supervisors

BOARD AGENDA:5.A.6
AGENDA DATE: May 23, 2023

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1343 to Amend Existing Fees for Planning Services

STAFF RECOMMENDATION:

1. Adopt and waive the second reading of Ordinance C.S. 1343 to amend existing fees for planning services.

ATTACHMENT(S):

1. Ordinance C.S. 1343

ORDINANCE NO. C.S. 1343

AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR PLANNING 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 2023 Fee Schedule for planning services, 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 B. Condit, seconded by Supervisor Chiesa, 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 23rd day of May 2023, by the following called vote:

AYES: Supervisors: B. Condit, Chiesa, Grewal, C. Condit
and Chairman Pro Tempore Withrow

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None



Terrance Withrow
Chairman of the Board of Supervisors, of
the County of Stanislaus,
State of California

Ordinance No. C.S. 1343

Adopted May 23, 2023

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ATTEST:

Elizabeth A. King
Clerk of the Board of Supervisors,
of the County of Stanislaus,
State of California

By: 
Deputy Clerk of the Board

APPROVED AS TO FORM:

Thomas E. Boze,
County Counsel

By: 
G. Michael Ziman,
Deputy County Counsel

Proposed Ordinance and 2023 Planning Fee Schedule

FEES	ACTUAL COST ⁽¹⁾	PLANNING	PUBLIC WORKS ⁽⁷⁾⁽⁸⁾	DER ⁽⁷⁾⁽⁸⁾	PLAN. COMM. CLERK	CLERK OF THE BOARD ⁽⁹⁾	GEN PLAN MAINT	FLOOD PLAIN ADMIN	GIS MAINT	TOTAL FEE ⁽⁵⁾⁽¹⁰⁾⁽¹¹⁾⁽¹²⁾	
Adult Business Permit	Actual Cost Min Charge/ Deposit:	\$3,000	\$80 \$147	\$643 \$685			\$50	\$50	\$21	\$3,204 \$3,953	Deposit
Ag Grievances	Actual Cost Min Charge/ Deposit:	\$3,000	\$240	\$543 \$685	\$234	\$200	\$200	\$200	\$78	\$4,162 \$4,837	Deposit
Alcohol Beverage Control (ABC) License		\$118 \$122							\$1	\$119 \$123	
Appeal of Planning Commission Decision to Board of Supervisors		\$1,345 \$1,385				\$100 \$200			\$12	\$1,467 \$1,597	
Appeal of Staff Determination to Planning Commission		\$2,000 \$2,153			\$234				\$12	\$2,336 \$2,399	
Building/Grading Permit Review (4)		\$87 \$89					\$1.28 /\$1,000			\$87 \$89	plus \$1.28/ \$1,000
Business License Application		\$94 \$97								\$94 \$97	
Combination Application (2)										See Note 2 Below	
Community Plan Amendment	Actual Cost Min Charge/ Deposit:	\$5,000	\$390	\$543 \$685	\$234	\$200	\$200	\$200	\$81	\$6,848 \$6,990	Deposit
Condition of Approval or Development Standard Modification (6)		\$1,996 \$2,056	\$520	\$212 \$274	\$162				\$37	\$2,927 \$3,049	
Continuance Request for PC		\$366 \$377			\$162					\$528 \$539	
Continuance Request for BOS		\$363 \$374			\$154	\$144 \$200				\$664 \$728	
Development Agreement (Including Amendments and Renewals)	Actual Cost Min Charge/ Deposit:	\$5,000	\$240	\$543 \$685	\$234	\$200 \$400	\$200	\$200	\$78	\$6,695 \$7,037	Deposit
Development Plan	Actual Cost Min Charge/ Deposit:	\$5,000			\$234	\$200	\$200		\$63	\$5,697	Deposit
Environmental Impact Report Separate Fee Charged In Addition To Regular Application Fee	Actual Cost Min Charge/ Deposit:									Deposit - To be determined based on cost estimate	
Environmental Studies & Peer Reviews	Actual Cost Min Charge/ Deposit:									Deposit - To be determined based on cost estimate	
Field Inspections & Site Visits (9) To Verify Conditions Of Approval/Mitigation Measures	Actual Cost Min Charge/ Deposit:	\$151								\$151	Deposit
General Plan Amendment	Actual Cost Min Charge/ Deposit:	\$5,000	\$240	\$543 \$685	\$234	\$200	\$200	\$200	\$78	\$6,695 \$6,837	Deposit
Historical Site Review (Staff Approval)		\$444 \$457	\$80 \$800	\$543 \$685			\$50	\$50	\$21	\$1,188 \$2,063	
Historical Site Permit		\$4,159 \$4,284	\$240 \$800	\$543 \$685	\$234		\$100	\$100	\$46	\$5,422 \$6,249	
Landscape Plan Review		\$87 \$89								\$87 \$89	
Landscape/Site Inspection		\$175 \$180								\$175 \$180	
Minor Lot Line Adjustment In R, C, M, PD, PI, IBP, LI Zones		\$387 \$399	\$242 \$240	\$212 \$274			\$50	\$50	\$14	\$938 \$1,027	
Minor Lot Line Adjustment In A-2 Zone Without Williamson Act		\$539 \$555	\$892 \$800	\$212 \$274			\$50	\$50	\$27	\$1,628 \$1,756	
Lot Line Adjustment in A-2 Zone With Williamson Act		\$833 \$858	\$892 \$886	\$212 \$274		\$50	\$50	\$50	\$33	\$1,978 \$2,201	
Merger		\$298 \$306							\$2	\$300 \$308	
Mine Use Permit/ Reclamation Plan (RP)/ RP Amendment	Actual Cost Min Charge/ Deposit:	\$15,000	\$295	\$212 \$274	\$234		\$200	\$200	\$70	\$16,211-\$16,273	Deposit
Mine Inspections	Actual Cost Min Charge/ Deposit:									Deposit - To be determined based on cost estimate	
Mine Reinspection	Actual Cost Min Charge/ Deposit:									Deposit - To be determined based on cost estimate	
Mobile Home Application		\$298 \$306							\$7	\$305 \$313	
Mobile Home Renewal		\$69 \$71							\$1	\$70 \$72	
Mobile Home Renewal - Late Fee		\$137 \$141							\$1	\$138 \$142	

Proposed Ordinance and 2023 Planning Fee Schedule

FEES	ACTUAL COST ⁽¹⁾	PLANNING	PUBLIC WORKS ⁽⁷⁾⁽⁸⁾	DER ⁽⁷⁾⁽⁸⁾	PLAN. COMM. CLERK	CLERK OF THE BOARD ⁽⁹⁾	GEN PLAN MAINT	FLOOD PLAIN ADMIN	GIS MAINT	TOTAL FEE ^{(5)(X10)(11)(12)}	
Parcel Maps (R, C, M, LI, IBP, PD, PI Zones) (6)		\$3,054 \$3,143	\$520	\$543 \$685	\$234		\$100	\$100	\$41	\$4,589 \$4,823	plus \$30/lot
Parcel Maps (A-2 Zone, Non-Williamson Act And < 4 Parcels + Remainder) (6)		\$3,644 \$3,753	\$520	\$543 \$685	\$234		\$100	\$100	\$43	\$5,184 \$5,435	plus \$30/lot
Parcel Maps (A-2 Zone, With Williamson Act Or > 4 Parcels + Remainder) (6)		\$3,644 \$3,753	\$520	\$543 \$685	\$234		\$100	\$100	\$57	\$5,498 \$5,449	plus \$30/lot
Parcel Map (Ministerial Review)	Actual Cost Min Charge/ Deposit:	\$1,000								\$1,000	
Permit and Zoning Research (9)	Actual Cost Min Charge/ Deposit:	\$151								\$151	Deposit
Recirculation of Mitigated Negative Declaration	Actual Cost Min Charge/ Deposit:	\$3,000	\$240	\$242 \$274	\$234					\$3,686 \$3,748	Deposit
Rezone	Actual Cost Min Charge/ Deposit:	\$10,000	\$240	\$543 \$685	\$234	\$490 \$525	\$200	\$200	\$78	\$11,985-\$12,162	Deposit
SMARA Determination	Actual Cost Min Charge/ Deposit:	\$1,000					\$50	\$50	\$16	\$1,116	Deposit
Specific Plans	Actual Cost Min Charge/ Deposit:	\$20,000	\$390	\$543 \$685	\$234	\$200	\$200	\$200	\$81	\$21,848-\$21,990	Deposit
Staff Approval Permit - With Referral		\$675 \$592	\$80 \$180	\$242 \$274			\$50	\$50	\$16	\$883 \$1,162	
Staff Approval Permit - Without Referral & Single-Family Residence In Ag Zone		\$342 \$322					\$20	\$20	\$7	\$369 \$369	
Street Name Change	Actual Cost Min Charge/ Deposit:	\$500	\$445 \$75		\$162				\$11	\$848 \$748	Deposit
Subdivision Ordinance Exception		\$3,436 \$3,539	\$460 \$221	\$543 \$685	\$234		\$100	\$100	\$55	\$4,628 \$4,934	
Tentative Subdivision Map (3)	Actual Cost Min Charge/ Deposit:	\$6,500	\$635	\$4024-\$1096	\$234		\$200	\$200	\$89	\$8,882 \$8,954	Deposit plus \$30/lot
Time Extensions		\$4,996 \$2,056			\$162				\$10	\$2,168 \$2,228	
Use Permit - Agricultural - All Tiers (6)		\$3,753 \$3,865	\$520	\$543 \$685	\$234		\$100	\$100	\$55	\$5,305 \$5,559	
Use Permit - Non-Agriculture Zones (6)		\$3,753 \$3,865	\$520	\$543 \$685	\$234		\$100	\$100	\$45	\$5,295 \$5,549	
Use Permit - Requiring Board Of Supervisors Approval (6)		\$4,397 \$4,529	\$520	\$543 \$685	\$234	\$200	\$200	\$200	\$63	\$6,357 \$6,631	
Verification Letter - Single SFD		\$434 \$138							\$1	\$435 \$139	
Verification Letter - All Other Uses		\$220 \$227							\$3	\$223 \$230	
Waiver - Noise Control	Actual Cost Min Charge/ Deposit:	\$3,000			\$234				\$12	\$3,246	Deposit
Williamson Act Contract		\$487 \$502	\$80 \$147			\$80			\$4	\$634 \$713	
Williamson Act Notice of Non-Renewal		\$457 \$162							\$2	\$459 \$164	
Williamson Act Cancellation (2)		\$4,047 \$1,078				\$490 \$525	\$200	\$200	\$28	\$1,965 \$2,031	
Zoning Ordinance Text Amendment	Actual Cost Min Charge/ Deposit:	\$5,000	\$240	\$543 \$685	\$234	\$400 \$525	\$200	\$200	\$88	\$6,885 \$7,152	Deposit
Zoning Ordinance Variance		\$3,436 \$3,539	\$485 \$200	\$543 \$685	\$234		\$100	\$100	\$55	\$4,663 \$4,913	

Proposed Ordinance and 2023 Planning Fee Schedule

PLANNING FEE SCHEDULE NOTES

(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 the 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 will be billed at fully burdened weighted labor rates 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 balance of payment. If the deposit reaches 20% of the initial deposit or less, the Applicant will be asked to make a subsequent deposit in

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

(2) Applications for two or more actions (e.g., Tentative Map and Exception) will be charged the highest application fee, except applications for a Lot Line Adjustment or Williamson Act Cancellation. See Exceptions note below. For those applications for two or more actions that include an action that is charged at "actual cost" (e.g., General Plan Amendment, Rezone, & Parcel Map) they will be charged the highest deposit amount as a minimum charge and deposit; this 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 staff costs to be billed at weighted labor rate per note (1).

(3) Department of Environmental Resources charges for Tentative Map review reflect a minimum charge of eight hours at a weighted labor rate of ~~\$128.00~~ **\$137.00** 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 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 ~~\$495~~ **\$520**. Additional time required for these request will be charged at ~~\$145~~ **\$145** per hour for construction engineering services or ~~\$145~~ **\$145** per hour for plan checking/engineering services.

(7) Fees for the Department 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.

(9) Deposit reflects a two hour minimum charge calculated annually based on the July 1st average weighted labor rate of planner staff (assistant/associate/senior/deputy director) assigned to performing the work. Actual cost for field inspections/site visits shall include mileage.

(10) Any application which has been inactive for one year or more will be recharged current applicable fees, unless it is determined by the Director that the work performed under the original fee will not need to be revised and/or updated.

(11) Any application submitted to legalize or correct for a violation of Stanislaus County Code shall be charged actual cost with a deposit amount equal to the adopted application fee.

(12) An additional 3.5% charge will be added to any fee collected by credit card.

ADDITIONAL FEES REQUIRING SEPARATE PAYMENT

California State Archaeology Clearinghouse Fees - Applicable to MANY discretionary Permits - inquire with staff Make Check payable to "Central California Information Center" Payable at the time of Application Submittal	per hr \$150.00 min. 0.15 per copy
*** Fees subject to change without County approval required. Contact Elizabeth Greathouse at (209) 667-3307 for current fees	

CEQA Environmental Document Filing Fees - California Department of Fish and Wildlife (CDFW) imposes and collects a filing fee to cover the costs of managing and protecting California's fish and wildlife resources. CDFW is required to adjust the fees annually (Fish & G. Code Section 713). For a list of current fees visit: https://www.wildlife.ca.gov/Conservation/CEQA/Fees
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County Clerk Recorder Fee - Applicable to ALL discretionary Permits, Williamson Act actions, CDFW DeMinimus Findings, and CEQA filings 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, IN ADDITION TO ANY OTHER FEES, WILL BE REQUIRED IF DOCUMENTS MUST BE RECORDED Fees are set by the Clerk Recorder's Office	\$57.00
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DOCUMENTS & OTHER MEDIA: Reproduction costs for any document or other media retained by the Planning Department shall be actual cost.	
Photocopy Charges:	
1st Page	\$1.00
Additional Pages	\$0.25 per page

STANISLAUS COUNTY
PUBLIC NOTICE

Upon motion of Supervisor B. Condit, seconded by Supervisor Chiesa, the following ordinances were passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 23rd day of May 2023, by the following called vote:

AYES: SUPERVISORS: B. Condit, Chiesa, Grewal, C. Condit, and Chairman Pro Tempore Withrow
NOES: None
ABSENT: None
ABSTAINING: None

- A. Ordinance C.S. 1342 adopted new fees, amended existing fees, and eliminated fees for the Department of Environmental Resources. The proposed fee adjustments would consist of:
- Weighted Labor Rate (WLR) for the Department
 - Hazardous Materials: Increase in Underground Storage Tank, Aboveground Petroleum Storage Act Program, and the California Electronic Reporting System
 - Environmental Health: Food Program Increase, Description Changes, New Fee Categories, and Elimination of Fees; Body Art Increase; Recreational Health Increase; Well Construction Program Elimination of Fees; Water Program Increase and New Fee Category; Land Use Program Increase
 - Milk and Dairy: Increase to Grade A Inspection Fee
 - Solid Waste: Elimination of Fees and Increase to Small Hauler Annual Permit and Truck Fee
 - Landfill: Increase in Ash Tipping; Increase in Normal Refuse disposal rate
- For further information, contact Stephanie Musso at (209) 525-6700, smusso@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA.
- B. Ordinance C.S. 1343 amended existing fees for the Department of Planning and Community Development Planning Services Fees. For further information, please call Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330, between the hours of 8:30 a.m. and 4:30 p.m. or send an email to: planning@stancounty.com or at 1010 10th Street, Suite 3400, Modesto, CA.
- C. Ordinance C.S. 1344 amended existing fees for the Department of Public Works as they relate to development permits, grading permits, building permits, encroachment permits, and other projects involving construction activities in Stanislaus County. For further information, please contact Frederic Clark, Public Works Department Deputy Director, at (209) 525-4302, clarkf@stancounty.com or at 1716 Morgan Road, Modesto, CA.

NOTICE IS FURTHER GIVEN that a full copy of the ordinances are available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: May 23, 2023

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California

BY: 
Kelly Rodriguez, Assistant Clerk