

Attachment D
Draft Resolution
To adopt fee changes

Master Fee Resolution
REF130021

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ATTACHMENT D

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____)
A Resolution Amending Articles I.E, IX, X,)
XVII, and XIX, of the Monterey County Fee)
Resolution and Incorporating Amendments to)
Article IX into the Monterey County Fee)
Resolution)

This Resolution is made with reference to the following facts:

1. State law allows the County, after noticed public hearing, to adopt a resolution to adopt new fees or increase existing fees for processing permits and entitlements, provided the fees do not exceed the estimated reasonable cost of providing the service for which the fee is charged.
2. Section 1.40.010 of Chapter 1.40 of the Monterey County Code provides that all fees, penalties, refunds, reimbursements, and charges of any kind collected by the County may be specified in the Monterey County Fee Resolution.
3. Federal, state, and local laws and regulations mandate that the County provide certain services. In FY 2002-03, County land use departments completed a comprehensive update of the County Master Fee Resolution relative to fees for reviewing, processing and/or monitoring of land use development applications and entitlements (Board of Supervisors Resolution No. 03-161). This update established the baseline for the amount of time required to process land use applications. These baseline data have been periodically reanalyzed, and adjustments to fees have been made and approved in 2004 (Resolution No. 04-145), 2005 (Resolution No. 05-169), 2007 (Resolution No. 07-223), 2008 (Resolution Nos. 08-099 and 08-132), and 2010 (Resolution No. 10-130) to reflect adjustments in time spent on processing certain categories of permits and increases in County labor costs, to add new fee categories, and to refine the fee categories.
4. Several of the land use departments are proposing to amend some fees to keep pace with an increase in costs of providing some of these services, to modify fee categories to reflect more efficient operations, to clarify some fee categories, and to reduce the fee for land use permit appeals, resulting in greater County subsidy of the costs of processing appeals. Because the County employs a single point for collection of the fee from the applicant, consistency and uniformity across the departments in the structure of land use fees are needed in order to administer fees efficiently. To this end, the departments have restructured fees to further segment existing permit fees to better represent actual cost of service, clarify some fees for

more consistent application by the staff and better understanding by the public, or streamline existing permit fees to reflect updated data on processing times. The amendments to the land use fees are shown by ~~strikeout~~ and underline in the Articles attached hereto and incorporated herein by reference, with additions shown by underline and deletions shown in ~~strike through~~.

5. The fee articles also provide for extending an annual automatic adjustment of the fees on July 1 of each year for three years, through July 1, 2015. The adjustment will be made based on the United States Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area. Because the cost of providing the services for which the fees are charged is rooted in the labor cost of the employees providing the service, the automatic adjustment will allow the fees to keep pace with County's cost of providing the service. The automatic annual adjustment is proposed for a three-year period in order to monitor the fees to ensure they do not exceed the estimated reasonable cost of providing the service and to ensure a return to the Board to consider readjustments.
6. The County collects the fees for the Monterey County Water Resources Agency (MCWRA), and therefore Article XI for MCWRA fees is included within the County Fee Resolution pursuant to Section 1.40.010 of the Monterey County Code. The Board of Supervisors of the Monterey County Water Resources Agency is scheduled to consider the fee amendments shown in Article XI attached hereto, and accordingly, the Board intends by adoption of this resolution to include Article XI as amended into the County fee resolution if the Board of Supervisors of the Monterey County Water Resources Agency approves said amendments to Article XI and said amendments go into effect..
7. The land use fee adjustments made by this resolution cover a portion of the staff cost of processing applications for land use permits and entitlements and associated planning, monitoring, and enforcement activities. The fees do not exceed the reasonable or actual costs of performing the services, processing land use applications and associated permitting, monitoring, and enforcement activities. Any and all of the adjustments to the fees reflect no more than the actual cost of the service or benefit received by the payor. To the extent that the fees do not result in full cost recovery, the discount does not result in increased charges to other payors; the increased cost will be covered by an increased subsidy from the County General Fund.
8. These fees are not a "tax" and are exempt from voter approval under section 1(e)(1)-(3), (5) and (6) of Article XIII C of the California Constitution (Proposition 26, excepting from the definition of "tax" charges imposed for specific benefit conferred/privilege/service or product, and/or reasonable regulatory costs to a local government for issuing permits and the administrative enforcement thereof, fines and penalties and charges for violation of law, and property development charges.) These fees are imposed for a specific government service provided directly to the applicant that is not provided to those not charged,

are imposed for the reasonable regulatory costs to the County for issuing permits for property development and the administrative enforcement thereof, and do not exceed the reasonable costs to the County of providing these services.

9. This action to modify land use fees is not a project under the California Environmental Quality Act because it is a governmental funding mechanism which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. (CEQA Guidelines section 15378(b)(4).)
10. Said amendments to the land use fees shall take effect no sooner than 60 days following final action on the adoption of the amendments.
11. The Board of Supervisors held a duly noticed public hearing on May 7, 2013 to consider these fee adjustments. Notice of this matter was provided by publication of notice in newspapers of local circulation in the County and distribution of notice to interested persons, and all testimony from staff and the public has been heard and considered.

NOW, THEREFORE, BE IT RESOLVED by the Monterey County Board of Supervisors as follows:

1. The foregoing recitals are true and correct.
2. Articles I.E (Environmental Health), IX (Planning), X (Public Works), XVII (County Counsel), and XIX (Building Services) of the Monterey County Fee Resolution, attached hereto and incorporated herein by reference, are hereby amended as shown by strikeout and underline in the attached Articles.
3. Said amendments to the Articles shall take effect on the 61st day following adoption.
4. Amendments to Article XI (Water Resources Agency), attached hereto and incorporated herein by reference, shall be incorporated into Article XI of the Monterey County Fee Resolution, contingent upon approval of said amendments by the Board of Supervisors of the Monterey County Water Resources Agency and said amendments taking effect.

PASSED AND ADOPTED this 7th day of May, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ___ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By: _____
Deputy

Article I.E

Health Department Fees

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ARTICLE I.E
HEALTH DEPARTMENT FEES ^{1,4}

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors and Resolution No. 13-XXX, adopted May 7, 2013 by the Monterey County Board of Supervisors)

SECTION 1. FOOD

(remains unchanged)

SECTION 2. SPA/POOLS.

(remains unchanged)

SECTION 3. SANITATION

(remains unchanged)

SECTION 4. HOUSING

(remains unchanged)

SECTION 5. LAND USE

A. Land divisions subject to the requirements of Title 19 of the Monterey County Code. Fees are collected by the Monterey County Resources Management Agency.

1.	Sewage by existing Public Utility.		
a.	Standard Subdivision: Per Application.....	\$ 2,759.87	Each
b.	Standard Subdivision: Amendments, Revisions.....	\$ 1,242.74	Each
c.	Minor Subdivisions: Per Application.....	\$ 2071.24	Each
d.	Minor Subdivision: Amendments, Revisions.....	\$ 828.49	Each
2.	Sewerage by onsite Septic Tank Systems or New Treatment Facilities:		
a.	Standard Subdivision: Per application.....	\$ 3,659.38	Each
b.	Standard Subdivision: Amendments, Revisions.....	\$ 610.08	Each
c.	Minor Subdivision: Per Application.....	\$ 2,759.87	Each
d.	Minor Subdivision: Amendments, Revisions.....	\$ 1,103.95	Each
e.	Extraordinary Development Applications ³	\$ 7,204.70	Deposit ¹
	After 50 hours.....	\$ 143.10	Per Hour
3.	Lot line adjustments:		
a.	Per application.....	\$ 828.49	Each
b.	Amendments, Revisions.....	\$ 413.17	Each
4.	Certificate of compliance:		
a.	One or Two Lots.....	\$ 319.57	Each
b.	Each Additional lot above 2 lots.....	\$ 116.20	Per Lot
5.	Conditional certificate of compliance: Per application.....	\$ 551.96	Each

- 6. Appeal of any application filed under Titles 19, 20 or 21 of the County Code²:
 Per application\$ 244.25 ~~130.00~~—
Each
- 7. Requests for extension/renewal of any application filed under Titles 19, 20 or 21 of the County Code:
 Per application\$ 413.17 Each

B. Land Use Permits subject to the requirements of the Monterey General Plan, Title 20 (Coastal Implementation Plan) and Title 21 of the Monterey County Code. All filing fees are collected by the Monterey County Resource Management Agency:

- 1. Use Permit: General.....\$ 1,103.95 Each
Oil and Gas (3)Extraordinary Development Deposit
Application Fee
- 2. Variances\$ 51.96 Each
- 3. Coastal Development Permit\$ 1,103.95 Each
- 4. Rezoning or Code Text Amendment (3)Extraordinary Development Deposit
 Application Fee
- 5. General Development Plan.....\$ 826.49 Each
- 6. General/andArea Plan Amendment (3)Extraordinary Development Deposit
 Application Fee
- 7. Specific Plan and Amendments (3)Extraordinary Development Deposit
 Application Fee
- 8. 30% slope exception.....\$ 551.96 Each
- 9. Administrative Permit\$ 551.96 Each
- ~~10. Administrative Permit Senior Citizen.....\$ 464.820 Each~~
- ~~11~~10. Coastal Administrative Permit.....\$ 1,103.95 Each
- ~~12~~11. Coastal Implementation Plan Amendment (3) ...Extraordinary Development Deposit
 Application Fee
- ~~13~~12 Development Agreement (3)Extraordinary Development Deposit
 Application Fee

C. Miscellaneous Permits and Fees:

1.	Pre/post application conferences ⁵	\$ 143.10	Hour
2.	Big Sur Viewshed Acquisition.....	\$ 826.49	Each
3.	Building permit review fee:		
a.	Residential, new or additions to existing, Per application	\$ 276.53	Each
b.	Commercial, new or addition to existing, Per application	\$ 551.96	Each
c.	Tenant Improvement (Commercial or Industrial).....	\$ 143.10	Each
4.	Sewage treatment and reclamation facility as regulated in section 15.23.040 of the Monterey County Code:		
a.	Application.....	\$ 1,103.95	Each
b.	Permit fee	\$ 828.49	Each/Year
5.	Environmental Review-Initial Study:		
a.	Single Family Dwelling (SFD)	\$ 276.53	Each
b.	SFD (Tiered from earlier EIR).....	\$ 160.33	Each
c.	Minor Sub./Commercial/Industrial	\$ 276.53	Each
d.	Standard Subdivision	\$ 276.53	Deposit
e.	Other	\$ 276.53	Each
6.	Subsequent Final Map processing fee for phased development after first phase	\$ 492.00	Each
7.	Environmental Impact Report review ³	Extraordinary Development	Deposit
		Application Fee	
8.	Soil testing for sewage disposal feasibility.....	\$143.10	Hour
9.	Mitigation Monitoring ⁶ :		
	1-10 Measures	\$720.90	Each Deposit
	11-30 Measures	\$1,440.72	Each Deposit
	31-100 Measures	\$2,161.63	Each
	Over 100-30 Measures or Standard Subdivision.....	\$2,881.45	Deposit
10.	Change of Commercial or Industrial Use	\$ 130.00	Each

D. AUTOMATIC ANNUAL FEE ADJUSTMENT

The dollar amounts listed in this Article are for ~~2008-2009~~2012-2013 fiscal year, ~~as adopted in 2008 and adjusted annually pursuant to Board of Supervisors Resolution No. 08-132-effective as of the date set forth in the Board of Supervisors' resolution adopting these fees.~~ Thereafter and each year through July 1, ~~2012~~2015, the fees shall be

automatically adjusted as of July 1. ("adjustment date"). The Director of Health or his or her designee shall calculate the adjustment based on the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

Notes

- ¹ Unless a "deposit" is indicated, the fee is a flat fee based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement/activity for which the fee is charged. For certain matters, a "deposit" is indicated because the cost of processing varies widely depending on the particular application. Where a "deposit" is indicated, the fee will be based on actual cost, measured by actual time spent on a particular application. Environmental Health fees are based on an hourly rate of \$133.00/143.10. Applicant is required to pay the deposit, which is based on an estimate of minimum cost, and to increase the deposit if, in the course of processing the application, County determines that the deposit is insufficient to cover actual processing costs. The applicant is required to pay the indicated deposit and will be billed subsequently if the deposit is insufficient to cover actual processing time. On deposit matters, applicant and the Director of Health, or designee, may elect, on a case-by-case basis, to agree to a different deposit amount based on the estimated actual cost of processing a specific application.
- ² The appeal fee does not apply to appeals of projects in the coastal zone, as defined in County's Local Coastal Program. In the coastal zone, the appeal fee applies only to appeals of permits that are not appealable to the California Coastal Commission such as Administrative Permits, Design Approvals, Variances and Tree Removal Permits in certain coastal areas. The appeal fee does not apply to appeals of Coastal Development Permits that are appealable to the Coastal Commission.
- ³ "Extraordinary development applications" are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning. These applications may include, by way of example and without limitation, applications for large scale development involving multiple discretionary entitlements, significant technical review by other land use agencies, and/or an anticipated lengthy time frame for processing because of their scope and complexity. Consistent with these criteria, any project requiring the preparation of an EIR shall qualify as an extraordinary development application. The amount paid to the County is for staff costs. The County may utilize a consultant, whose expenses shall be fully funded by the project applicant.
- ⁴ Fees for Combined Development Permits under Chapter 21.76 of Title 21 and Chapter 20.70 of Title 20 shall be 85% of the total combined permit fees.
- ⁵ Fees collected for Pre-Application Conferences shall be credited against any subsequent discretionary permit, except design approval, provided the discretionary permit application is made within 6 months of the application appointment.
- ⁶ Projects approved after July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in the County Fee Resolution that was in effect on the project approval date.

SECTION 6. WATER

(remains unchanged)

SECTION 7. SOLID WASTE

(remains unchanged)

SECTION 8. TOXICS/HAZARDOUS MATERIALS

(remains unchanged)

SECTION 9. MISCELLANEOUS

(remains unchanged)

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Article IX

RMA-Planning Fees (1)(2)(7)(13)

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**ARTICLE IX
RMA-PLANNING FEES (1)(2)(7)(13)**

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors and Resolution No. 13-XXX, adopted May 7, 2013 by the Monterey County Board of Supervisors)¹

SECTION I. LAND USE

A. Various land use permits as established in Title 20.1, Monterey County Code (Coastal Implementation Plan) and Title 21, Monterey County Code (Zoning).

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Administrative Permit		
a. General	\$2,151.94	Each
b. Senior Citizen Unit	\$1,129.77	Each
eb. Signs	\$1,129.77	Each
2. Appeals		
a. General – Project (3)	\$807.00 \$3,916.54	Each
b. Appeal of Administrative Determination	\$2,507.01	Each
c. Appeal of Fee Determination	\$645.58	Each
3. Coastal Administrative Permit		
a. General	\$2,151.94	Each
b. Senior Citizen Unit	\$1,129.77	Each
eb. Signs	\$1,129.77	Each
3. Coastal Development Permit		
a. General	\$4,841.87	Each
b. Signs	\$2,259.54	Each
c. Tree Removal	\$2,259.54	Each
4. Coastal Implementation Plan Amendment (4)	Extraordinary Development Application Fee	
5. Design Approvals		
a. Reroofs on Approved List Over the Counter	\$161.40	Each
b. Director's Approval Administrative	\$484.19	Each
c. Public Hearing Required	\$806.98	Each
6. Emergency Permit	\$2,420.93	Each

¹ The proposed amendments are only those items shown in strikeout and underline format for clarity. Hourly rates in this amendment reflect the adjusted rate as of July 1, 2012.

7.	Extraordinary Development Applications (1)(4)	\$16,139.56	Deposit
8.	General Development Plan.	\$3,227.91	Each
9.	General/Area/Specific Plan Amendments (4)	Extraordinary Development Application Fee	
10.	Minor and Trivial Amendment (no public hearing)	\$1,936.75	Each
11.	Rezoning or Code Text Amendments (4)	Extraordinary Development Application Fee	
12.	Tree Removal		
	a. Director's Approval (Inland)	\$258.23	Each
	b. Waiver (Coastal)	\$258.23	Each
13.	Use Permit		
	a. General	\$4,034.89	Each
	b. Signs	\$2,259.54	Each
	c. Tree Removal	\$2,259.54	Each
	d. Oil and Gas (4)	<u>Extraordinary Development Application Fee</u>	
14.	Variance	\$3,227.91	Each
15.	Vested Rights Determination	\$6,455.82	Each
16.	Permit Amendments, Renewals, Extensions and Revisions (public hearing)	\$3,227.91	Each

B. Various subdivision activities as established in Title 19, Monterey County Code (Subdivisions)

1.	Certificate of Compliance (14)		
	a. One or Two Parcels	\$1,613.96	Each (1-2 Parcels)
	b. Each Additional Parcel above 2 Parcels	\$484.19	Each (> 2 Parcels)
2.	Conditional Certificate of Compliance	\$3,227.91	per Lot
3.	Certificate of Correction	\$645.58	Each
4.	Lot Line Adjustment		
	a. General	\$2,905.12	Each

	b.	Williamson Act	\$2,582.33	Each
5.		Lot Line Adjustment Amendments, Extensions and Revisions	\$1,613.96	Each
6.		Minor Subdivision Tentative Map		
	a.	Existing Sewer	\$6,455.82	Each
	b.	New Septic or systems	\$6,455.82	Each
7.		Minor Subdivision Vesting Tentative Map		
	a.	Existing Sewer	\$9,683.73	Each
	b.	Extension – Existing Sewer	\$3,227.91	Each
	c.	New Septic or Systems	\$9,683.73	Each
	d.	Extension - New Septic or systems	\$3,227.91	Each
8.		Minor Subdivision Amendments, Extensions and Revisions		
	a.	MS Amend, Revision (Exist Sewers)	\$3,227.91	Each
	b.	MS Extension (Exist Sewer)	\$3,227.91	Each
	c.	MS Amend, Revision (New Septic or systems)	\$3,227.91	Each
	d.	MS Extension (New Septic or systems)	\$3,227.91	Each
9.		Parcel Legality Determination by Parcel (14)		
	a.	1 to 2 Lots	\$806.98	Each
	b.	Each Additional Lot	\$484.19	Each
10.		Standard Subdivision Preliminary Map (10)		
	a.	Exist Sewers	\$6,445.06	Each
	b.	New Septic or systems	\$6,445.06	Each
11.		Standard Subdivision Project Review Map (10)		
	a.	Carmel Valley Master Plan (CVMP)	\$2,238.01	Each
12.		Standard Subdivision Tentative Map (10)		
	a.	Exist Sewers	\$12,911.65	Each
	b.	New Septic or systems	\$12,911.65	Each
13.		Standard Subdivision Vesting Tentative Map (10)		
	a.	Exist Sewers	\$12,911.65	Each
	b.	New Septic or systems	\$12,911.65	Each
14.		Standard Subdivision Amendments, Extensions, Revisions		
	a.	Amend, Revision (Exist Sewers)	\$3,873.49	Each
	b.	Amend, Revision (New Septic or systems)	\$3,873.49	Each
	c.	Extension (Exist Sewer)	\$3,873.49	Each

d.	Extension (New Septic or systems)	\$3,873.49	Each
e.	Amended Final Map (Exist Sewer)	\$3,873.49	Each
f.	Amended Final Map (New Septic or systems)	\$3,873.49	Each

SECTION 2. MISCELLANEOUS

A. Various fees pursuant to Government Code Section 65104 for planning services provided by the Department.

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Airport Land Use Commission Application Review	\$645.58	Each
2. Application Request (5)	\$484.19	Each
3. Field Review Prior to Application	\$322.79	Each
4. Big Sur Viewshed Acquisition	\$1,613.95	Each
5. Landscape/Fuel Management Plan Review		
a. Commercial	\$484.19	Each
b. Residential	\$242.10	Each
c. Re-inspection of Commercial and Residential	\$161.40	Per Hour
6. Mitigation Monitoring (9) (11)		
a. 1 to 10 Measures	\$3,227.91	Each <u>Deposit</u>
b. 11 to 30 Measures	\$6,455.82	Each <u>Deposit</u>
c. 31 to 100 <u>Over 30</u> Measures	\$9,683.73	Each <u>Deposit</u>
d. Over 100 Measures	\$9,683.73	Deposit
7. Pre/Post Application Conference (5)	\$161.40	Hour
8. Scenic Easement Amendments	\$1,613.96	Each
9. Research (1)	\$322.79	Each <u>Deposit</u>
10. Specific Plans <u>and Amendments</u> (4)	Extraordinary Development Application Fee	
11. Building Permit Review (6)		
a. New Single Family Dwelling (tract home)	\$161.40	Each
b. New Single Family Dwelling (6)	\$806.98	Each
c. New Commercial or Industrial (6)	\$968.37	Each
d. Dwelling Additions (6)	\$645.58	Each
e. Minor Review (Dwelling Additions under 500 sf) (6)	\$161.40	Each

	f. Ground Mounted Solar and Significant Demolition	\$161.40	Each
	g. Commercial or Industrial Additions (6)	\$806.98	Each
	h. Tenant Improvement (Comm. or Industrial)	\$80.70	Each
	i. Grading Permits not in conjunction with a Building Permit	\$968.37	Each
12.	Williamson Act Contracts/Amendments	\$1,452.56	Each
13.	Storage and Electronic Conversion of files fees	1% of planning permit	
14.	Convenience Fee for Credit Card Use	Current County Rate	
15.	General Plan Implementation (7) fees	3% of all land use permit	
16.	Letters of Public Convenience and Necessity	\$806.98	Each
17.	Road Abandonment	\$806.98	Each
18.	Conformance Determinations (Specific Plan)		
	a. Director.	\$1,129.77	Each
	b. Public Hearing	\$3,222.53	Each
19.	Technology Fee (13)	6% of planning permit	
20.	Mills Act Contract (Government Code Section 50281)		
	a. Application Fee	\$1,291.16	Each
	b. Public Hearing	\$645.58	Each
21.	Oak Woodland Guidelines Consistency Certification (Government Code 65401; Fish and Game Code 1366(f))	\$322.79	Each
22.	Restoration Plan (1)	\$1,936.80	Deposit
23.	Change of Commercial or Industrial Use	\$80.70	Each
24.	Development Agreement (4)	Extraordinary Development Application Fee	

SECTION 3. SURFACE MINING AND RECLAMATION

- A. Various fees for planning services required by Public Resources Code 2761 - 2764 (Surface Mining and Reclamation Act) and Chapter 16.04, Monterey County Code (Surface Mining and Reclamation)

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Surface Mine Reclamation Plan	\$12,911.65	Each
2. Surface Mine Annual Inspection	\$3,227.91	Each

SECTION 4. ENVIRONMENTAL REVIEW

A. Fees for environmental review and processes pursuant to the California Environmental Quality Act.

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Initial Study CEQA		
a. Single Family Dwelling (SFD)	\$4,250.09	Each
b. SFD (<u>Addendum</u> -tiered from earlier EIR)	\$1,129.77	Each
c. Minor Sub./Commercial/Industrial	\$5,987.78	Each
d. Standard Subdivision (1)	\$16,139.56	Deposit
e. Other	\$4,250.09	Each
2. Environmental Impact Reports (4)(9)		
a. Project Review/Contract Administration		Extraordinary Development Application Fee

SECTION 5. CODE ENFORCEMENT

A. Fees for code enforcement activities and process pursuant to Chapter 1.20, Chapter 20.90 and Chapter 21.84, Monterey County Code (8)

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Code Enforcement Activities	\$126.97	Hour

SECTION 6. AUTOMATIC ANNUAL FEE ADJUSTMENT

The dollar amounts listed in this Article are for ~~2008-2009~~ 2012-2013 fiscal year, as adopted in 2008 and adjusted annually pursuant to Board of Supervisors Resolution No. 08-132. ~~effective as of the date set forth in the Board of Supervisors' resolution adopting these fees.~~ Thereafter and each year through July 1, ~~2012~~ 2015, the fees shall be automatically adjusted as of July 1. ("adjustment date"). The Planning Director or his or her designee shall calculate the adjustment based on the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

SECTION 7. TECHNOLOGY FEE

(relocated from Article XXVI) Technology Surcharge Fee: All RMA-Planning fees for the processing of land use permits and entitlements and related fees as set forth in Article IX of the Monterey County Master Fee resolution for period of July 1, 2008 through June 30, ~~2013~~ 2016 shall include an additional six percent surcharge for the purchase and maintenance of information system technologies.

Notes:

- 1) RMA-Planning fees are based on an hourly rate of \$161.40 (in FY 2012-13), representing a weighted blend of the fully burdened labor rate for the Director, Assistant Director, Planning Services Manager, Project Planner, and support staff. A flat fee is based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement for which the fee is charged. On matters for which a deposit is required, fees will be based on actual time multiplied by the hourly rate representing actual hours worked by the project planner and other staff. The applicant is required to pay the indicated deposit and will be billed subsequently if the deposit is insufficient to cover actual processing time. On deposit matters, applicant and ~~the Planning Department~~ Director of Planning may elect, on a case-by-case basis, to agree to a different deposit amount based on the estimated actual cost of processing a specific application.
- 2) Fees for Combined Development Permits under Chapter 21.76 of Title 21 and Chapter 20.70 of Title 20 shall be 85% of the total combined permit fees.
- 3) ~~The appeal fee does not apply to appeals of projects in the coastal zone, as that are defined in the County's Local Coastal Program as appealable to the Coastal Commission.~~ In the coastal zone, the appeal fee applies only to appeals of permits that are not appealable to the California Coastal Commission such as Administrative Permits, Design Approvals, Variances and Tree Removal Permits in certain coastal areas. The appeal fee does not apply to appeals of Coastal Development Permits that are appealable to the Coastal Commission.
- 4) "Extraordinary development applications" are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning. These applications may include, by way of example and without limitation, applications for large scale development involving multiple discretionary entitlements, significant technical review by other land use agencies, and/or an anticipated lengthy time frame for processing because of their scope and complexity. Consistent with these criteria, any project requiring the preparation of an EIR shall qualify as an extraordinary development application. The amount paid to the County is for staff costs. The County may utilize a consultant, whose expenses shall be fully funded by the project applicant.
- 5) Fees collected for application appointments (Section 2.A.2) and Pre-Application Conferences (Section 2.A.7) shall be credited against any subsequent discretionary permit, except design approval, provided the discretionary permit application is made within 6 months of the application appointment.
- 6) This fee shall not apply to an application for the first Building Permit following approval of a discretionary planning entitlement, except Design Approvals.
- 7) A General Plan Implementation fee of 3% of the total permit fee is required for all permits covered under this article except for the following: Appeals, Appeals of Administrative Determinations, Appeals of Fee Determinations, Mitigation Monitoring, and Landscape Review.
- 8) Code Enforcement fees as land use fees will be credited back to the Monterey County Building Department – Code Enforcement section.

- 9) ~~The Planning Director shall have the authority to waive fees for mitigation measure monitoring where County staff or applicant can demonstrate to the Director, based on the facts, that monitoring of mitigation measures required by a permit will require little to no staff time.~~
- 9) The deposit paid to the County for staff costs as identified in the Reimbursable Funding or Reimbursement Agreement between the County and the Applicant. Staff costs shall be reimbursed as part of an Extraordinary Development Application as noted in #4 above.
- 10) These fees only apply to maps originally submitted prior to July 13, 2003 when applicants were charged "flat-fees" (the use of deposits for full-cost recovery projects became effective July 13, 2003) and those submitted after August 20, 2006. Maps submitted between these dates are full-cost recovery projects and require a deposit.
- 11) ~~These fees apply only to Mitigation Monitoring Projects submitted after August 20, 2006. Projects submitted on or before that date requires a \$500 deposit which was in effect during that period.~~ Projects approved after July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in the County Fee Resolution that was in effect on the project approval date.
- 12) Unless a "deposit" is indicated, the fee is a flat fee based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement/activity for which the fee is charged. For certain matters, a "deposit" is indicated because the cost of processing varies widely depending on the particular application. Where a "deposit" is indicated, the fee will be based on actual cost, measured by actual time spent on a particular application. Applicant is required to pay the deposit, which is based on an estimate of minimum cost, and to increase the deposit if, in the course of processing the application, County determines that the deposit is insufficient to cover actual processing time. The fee will be calculated at full cost recovery when the project is complete ~~per the Full Cost Recovery Agreement.~~
- 13) A Technology fee of 6% of the planning permit fee is required for all permits covered under this article except for the following: Appeals, Appeals of Administrative Determinations, Appeals of Fee Determinations, Mitigation Monitoring, and Landscape Review. This fee begins July 1, 2008 and will only be in effect until June 30, ~~2013~~ 2016.
- 14) Fees collected for parcel legality determinations (Section 1.B.9) shall be credited against any subsequent Certificate of Compliance application for the same requested property (same legal description).

Article X

Public Works Department Fees

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**ARTICLE X
PUBLIC WORKS DEPARTMENT FEES ¹**

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors and Resolution No. 13-XXX, adopted May 7, 2013 by the Monterey County Board of Supervisors)¹

Section 1. Land Use

A. Various land use permits as established in Title 20, Monterey County Code (Coastal Implementation Plan) and Title 21, Monterey County Code (Zoning).

<i>Description</i>		<i>Deposit</i>	<i>Fee¹</i>	<i>Unit/Time</i>
A.1.	Administrative Permit			
a.	General		\$434.69	Each
b.	Signs		\$217.35	Each
A.2.	Appeals ²		\$434.69 <u>\$108.68</u>	Each
A.3	Building Permit for Additions to Existing Commercial/Industrial Structures		\$217.35	Each
A.4	Building Permit for Additions to Existing Residential Structures		\$217.35	Each
A.5	Building Permit for New Commercial and Industrial Development		\$217.35	Each
A.6	Building Permit for New Single Family Dwelling		\$217.35	Each
A.7.	Coastal Development Permit - <u>General</u>		\$650.97	Each
A.8.	Coastal Implementation Plan Amendment		\$5,379.85 <u>Extraordinary Development Application Fee</u>	Each
A.9.	Development Agreement ^{3,4}		\$5,379.85 <u>Extraordinary Development Application Fee</u>	Each
A.10	Extraordinary Development Applications ^{3,4}	\$5,000	Extraordinary Development Application Fee	Each
A.11.	General Development Plan		\$650.97	Each
A.12.	General/Area Plan Amendment		\$5,379.85 <u>Extraordinary Development</u>	Each

¹ The proposed amendments are only those items shown in strikeout and underline format for clarity. Hourly rates in this amendment reflect the adjusted rate as of July 1, 2012.

			<u>Application Fee</u>	
A.13.	Rezoning/Reclassification		\$5,379.85 <u>Extraordinary Development Application Fee</u>	Each
A.14.	Use Permit		\$650.97	Each
A.15.	Variance		\$434.69	Each
A.16.	Permit Amendments, Extensions and Revisions		\$108.68	Each

B. Various subdivisions activities as established in Title 19, Monterey County Code (Subdivisions).

<i>Description</i>	<i>Deposit</i>	<i>Fee¹</i>	<i>Unit/Time</i>
B.1.	Conditional Certificate of Compliance, Coastal		\$650.97 Each
B.2.	Conditional Certificate of Compliance		\$650.97 Each
B.3.	Lot Line Adjustment		\$650.97 Each
B.4.	Minor Subdivision (Tentative Parcel Map)		\$2,387.58 Each
a.	Amended Parcel Map		\$1,085.65 Each
b.	Extension		\$434.69 Each
c.	Revised Tentative Parcel Map, Minor		\$1,085.65 Each
d.	Vesting Tentative Map		\$2,387.58 Each
e.	Vesting Tentative Map Extension		\$434.69 Each
B.5.	Standard Subdivision (including Tentative and Vesting Maps)		\$3,357.03 + \$335.70/lot Each
a.	Revised Tentative Map ⁵		\$1,303.00 Each
b.	Tentative Map Extension ⁵		\$868.30 Each
c.	Vesting Tentative Map, Revised ⁵		\$1,303.00 Each
d.	Vesting Tentative Map, Extension ⁵		\$868.30 Each
B.6.	Record of Survey		\$434.69 Each
B.7.	Certificate of Correction		\$163.54 Each
B.8.	Corner Record		\$11.84 \$18.00 Each
B.9.	Final Map Processing ⁵		\$1,678 + \$167.85/lot Each
B.10	Amended Final Map		\$2,171.30 Each
B.11.	Parcel Map Processing (includes Amended Parcel Map)		\$1,470.59 Each
B.12.	Improvement Plan Processing		\$434.69 Plan
	Plus fee per square foot of pavement		\$0.05 s.f.
B.13	Preliminary Map		\$1,085.65 Each
B.14	Preliminary Project Review Map (CVMP)		\$2,171.30 Each
B.15	Subdivision Improvement Agreement Extension		\$868.30 Each

Section 2. Miscellaneous

Various fees pursuant to Government Code Section 65104 for planning services provided by the Department.

<i>Description</i>		<i>Deposit</i>	<i>Fee</i> ¹	<i>Unit/Time</i>
1.	Big Sur Viewshed Acquisition		\$108.68	Each
2.	Pre/Post Application Conference ⁷		\$108.68	Hour
3.	Specific Plans <u>and Amendments</u> ³		\$5,379.85	
4.	Research		\$108.68	Each Hour
5.	Road Name		\$1,085.65	Each
6.	House Number		\$54.87	Each
7.	Road Abandonment		\$2,713.59	Each
8.	Mitigation Monitoring ⁶			
	a. 1 to 10 Measures		\$542.29	Each
	b. 11 to 30 Measures		\$1,085.65	Each
	c. <u>31 to 100 Over 30 Measures</u>		\$2,171.30	Each
	d. Over 100 Measures	\$2,171.30		
9.	Public Service Easement Abandonment		\$2,171.30	Each
10.	License to Cross Non-Access Strip		\$1,085.65	Each
11.	Franchise Agreement		\$2,171.30	Each
12.	Franchise Agreement Extension/Amendment		\$1,085.65	Each

Section 3. Environmental Review

<i>Description</i>		<i>Deposit</i>	<i>Fee</i> ¹	<i>Unit/Time</i>
1.	Initial Environmental Review		\$434.69	Each
2.	Environmental Impact Report ^{3,4}		\$5,379.85	Each
			<u>Extraordinary Development Application Fee</u>	

SECTION 4. AUTOMATIC ANNUAL FEE ADJUSTMENT

The dollar amounts listed in this Article are for ~~2008-2009~~ 2012-2013 fiscal year, as adopted in 2008 and adjusted annually pursuant to Board of Supervisors Resolution No. 08-132. ~~effective as of the date set forth in the Board of Supervisors' resolution adopting these fees.~~ Thereafter and each year through July 1, ~~2012~~ 2015, the fees shall be automatically adjusted as of July 1. ("adjustment date"). The Public Works Director or his or her designee shall calculate the adjustment based on the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

Notes:

- ¹ Unless a "deposit" is indicated, the fee is a flat fee based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement/activity for which the fee is charged. For certain matters, a "deposit" is indicated because the cost of processing varies widely depending on the particular application. Where a "deposit" is indicated, the fee will be based on actual cost, measured by actual time spent on a particular application. Applicant is required to pay the deposit, which is based on an estimate of minimum cost, and to increase the deposit if, in the course of processing the application, County determines that the deposit is insufficient to cover actual processing time. The fee will be calculated at full cost recovery when the project is complete per the Full Cost Recovery Agreement. RMA-Public Works fees are based on an hourly rate of \$108.68 (in FY 2012-13), representing a weighted blend of the fully burdened labor rate for the Director, Assistant Director, Community Development staff, and support staff. A flat fee is based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement for which the fee is charged. On matters for which a deposit is required, fees will be based on actual time multiplied by the hourly rate representing actual hours worked by Public Works staff. The applicant is required to pay the indicated deposit and will be billed subsequently if the deposit is insufficient to cover actual processing time. On deposit matters, applicant and RMA-Public Works may elect, on a case-by-case basis, to agree to a different deposit amount based on the estimated actual cost of processing a specific application.
- ² ~~The appeal fee does not apply to appeals of projects in the coastal zone, as defined in County's Local Coastal Program.~~
In the coastal zone, the appeal fee applies only to appeals of permits that are not appealable to the California Coastal Commission such as Administrative Permits, Design Approvals, Variances and Tree Removal Permits in certain coastal areas. The appeal fee does not apply to appeals of Coastal Development Permits that are appealable to the Coastal Commission.
- ³ ~~"Extraordinary development applications" are those which by their nature and complexity will require staff time well beyond the typical application, as determined by the Director of Planning and Building Inspection.~~
"Extraordinary development applications" are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning. These applications may include, by way of example and without limitation, applications for large scale development involving multiple discretionary entitlements, significant technical review by other land use agencies, and/or an anticipated lengthy time frame for processing because of their scope and complexity. Consistent with these criteria, any project requiring the preparation of an EIR shall qualify as an extraordinary development application. The amount paid to the County is for staff costs. The County may utilize a consultant, whose expenses shall be fully funded by the project applicant, as identified in the Funding Agreement between the County and the Applicant.
- ⁴ ~~The fee paid to the County is 5% of the consultant contract amount for an EIR prepared by the consultant (over and above the fees paid by the applicant for the Initial Environmental Review).~~
The deposit paid to the County for staff costs as identified in the Funding or Reimbursement Agreement between the County and the Applicant. Staff costs shall be reimbursed as part of an Extraordinary Development Application as noted in #3 above.

- ⁵ These fees only apply to maps originally submitted prior to July 13, 2003 when applicants were charged "flat-fees" (the use of deposits for full-cost recovery projects became effective July 13, 2003) and those submitted after August 20, 2006. Maps submitted between these dates are full-cost recovery projects and require a deposit.
- ⁶ ~~These fees apply only to Mitigation Monitoring Projects submitted after August 20, 2006. Projects submitted on or before that date requires a \$500 deposit which was in effect during that period. Projects approved after July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in the County Fee Resolution that was in effect on the project approval date.~~
- ⁷ Fees collected for Pre-Application Conferences (Section 2.2) shall be credited against any subsequent discretionary permit, except design approval, provided the discretionary permit application is made within 6 months of the application appointment.

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Article XVII

County Counsel Fees

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**ARTICLE XVII
COUNTY COUNSEL FEES**

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors, and Resolution No. XX-XXX, adopted May 7, 2013 by the Monterey County Board of Supervisors)

SECTION 1. LAND USE FEES.

A. Fees for Processing Various Land Use Permits Established in Monterey County Code, Title 20 (Coastal Implementation Plan) and Title 21 (Zoning Ordinance) and Related Planning Services (Government Code §§ 65104, 65909.5, 66014)

<u>DESCRIPTION</u>	<u>AMOUNT</u> ¹	<u>UNIT/TIME</u>
Administrative Permit—General	\$182.91	Each
Administrative Permit—Senior Citizen Unit	\$182.91	Each
Administrative Permit—Signs	\$182.91	Each
<u>Appeal—inland permits and coastal permits if not appealable to Coastal Commission</u> ²	\$146.33	Each
Appeal of Administrative Interpretation ³	\$146.33	Each
Appeal of Fee Determination	\$146.33	Each

¹ Unless noted otherwise, County Counsel fees are based on an hourly rate of \$170.00 for the base fiscal year 2008-2009, representing a weighted blend of the fully burdened labor rate for the County Counsel, Senior Deputy County Counsel, and Deputy County Counsel IV, Step 7 job classifications, as subsequently adjusted each July 1 thereafter through July 1, 2015 based on the C.P.I., per Section 1.E of this Article. Unless a “deposit” is indicated, the fee is a fixed, one-time fee based on the estimated reasonable cost, averaged across all applications, of processing the permit/entitlement for which the fee is charged. On matters for which a deposit is required, fees will be based on actual time multiplied by the hourly fully burdened labor rate of the individual providing the service; applicant is required to pay the indicated deposit and will be billed subsequently if the deposit is insufficient to cover actual processing time. On deposit matters, applicant and County Counsel may elect, on a case-by-case basis, to agree to a different deposit amount based on the estimated actual cost of processing a specific application. County Counsel time providing advice to the Board of Supervisors and Planning Commission or prosecuting or defending litigation is not incorporated into the fee calculations.

² The appeal fee applies to appeals of decisions or project applications in the non-coastal areas of the County. In the coastal zone, the appeal fee ~~does not apply to appeals of Coastal Development Permits that are appealable to the Coastal Commission.~~ applies only to appeals of permits that are not appealable to the California Coastal Commission such as most Administrative Permits, Design Approvals, Variances, and Use Permits for Tree Removal in certain coastal areas. County Counsel’s appeal fee is based on the time required to address procedural issues and does not include time spent on any substantive review of an appeal. The appeal fee rate ~~has been held constant since 2003-2004~~ is based on the 2003-2004 hourly rate of \$136.00, as subsequently adjusted on July 1, 2009 and annually thereafter through July 1, 2015 based on the C.P.I., per Section 1.E of this Article.

³ This appeal fee applies to appeals of administrative interpretations of the zoning or subdivision ordinance, regardless of planning area. County Counsel’s fee is based on the time required to address procedural issues and does not include time spent on any substantive review of an appeal.

Coastal Administrative Permit	\$182.91	Each
Coastal Development Permit ⁵		
– Signs	\$182.91	Each
– Tree Removal Only	\$182.91	Each
– All Others (General)	\$914.58	Each
Coastal Implementation Plan Amendment ¹	Extraordinary Development Application Fee	Deposit
Design Approval Requiring Public Hearing	\$182.91	Each
Emergency Permit	\$91.46	Each
Extraordinary Development Application ⁴	\$1,829.15	Deposit
General Development Plan	\$182.91	Each
General/Area Plan Amendment ^{1,4}	Extraordinary Development Application Fee	Deposit
Minor and Trivial Amendment (no public hearing)	\$91.46	Each
Rezoning or Code Text Amendment ^{1,4}	Extraordinary Development Application Fee	Deposit
Scenic Easement Amendment	\$365.83	Each
Specific Plan ^{1,4}	Extraordinary Development Application Fee	Deposit
Specific Plan Amendment ^{1,4}	Extraordinary Development Application Fee	Deposit
Specific Plan Conformance Determination	\$548.75	Each
Use Permit ⁵		

⁴ “Extraordinary Development Applications” are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning. These applications may include, by way of example and without limitation, applications for large scale development involving multiple discretionary entitlements, significant technical review by other land use agencies, and an anticipated lengthy time frame for processing because of their scope and complexity. Consistent with these criteria, any project requiring the preparation of an EIR shall qualify as an Extraordinary Development Application. The amount paid to the County is for staff costs. The County may utilize a consultant, whose expenses shall be fully funded by the project applicant.

⁵ Fees for Combined Development Permits under Chapter 21.76 of Title 21 and Chapter 20.70 of Title 20 shall be 85% of the total combined permit fees.

<u>-- oil and gas</u>	<u>Extraordinary Development Application Fee</u>	<u>Deposit</u>
- signs	\$182.91	Each
-- tree removal only	\$182.91	Each
- all others	\$548.75	Each
Use Permit Amendment, Renewal, Revision or Extension	\$365.83	Each
Variance	\$182.91	Each
Vested Rights Determination	\$1,829.15	Each

B. Various Subdivision Activities as Established in Monterey County Code, Title 19 (Subdivision Ordinance) (Government Code §§ 66499.35, 66451.2)

<u>DESCRIPTION</u>	<u>AMOUNT¹</u>	<u>UNIT/TIME</u>
Certificate of Compliance		
A. request for 1 or 2 lots	\$1,097.49	1 - 2 lots
B. each additional lot requested	\$365.83	Per ea addt'l Lot > 2
Conditional Certificate of Compliance	\$548.75	Per Lot
Development Agreement ⁴	<u>Extraordinary Development Application</u>	<u>Deposit</u>
Lot Line Adjustment	\$548.75	Each
Lot Line Adjustment – Williamson Act	\$1,829.15	Each
Lot Line Adjustment Amendment or Revision	\$182.91	Each
Minor Subdivision Tentative Map Application	\$1,646.24	Each
Minor Subdivision Vesting Tentative Map	\$1,646.24	Each
Minor Subdivision Amendment	\$731.66	Each
Minor Subdivision Map Extension	\$731.66	Each
Parcel Legality Determination ⁶		

⁶ Fees collected for a parcel legality determination may be credited toward a request for Certificate of Compliance for the same lot that was the subject of the parcel legality determination.

A.	request for 1 or 2 lots	\$1,097.47	1 - 2 lots
B.	each additional lot requested	\$365.83	Per ea addt'l Lot > 2
	Standard Subdivision, Tentative Map Application	\$3,658.29	Each
	Standard Subdivision, Vesting Tentative Map Application	\$3,658.29	Each
	Standard Subdivision Final Map Review	\$1,829.15	Per final map
	Standard Subdivision Amendment or Revision	\$1,463.32	Each
	Standard Subdivision Tentative Map Extension	\$914.58	Each

C. Fees for Environmental Review Pursuant to California Environmental Quality Act (Public Resources Code § 21089; Government Code §§ 65104, 65909.5, 66014)

<u>DESCRIPTION</u>	<u>AMOUNT¹</u>	<u>UNIT/TIME</u>
Initial Environmental Review (Initial Study)		
a. Single Family Dwelling	\$365.83	Each
b. SFD (tiered from earlier EIR)	\$731.66	Each
c. Minor subdivision/commercial/industrial	\$1,097.49	Each
d. Standard subdivision	\$1,463.32	Deposit
e. Other	\$731.66	Each
Environmental Impact Reports ^{4,5}	Extraordinary Development Application Fee	Deposit
Environmental Impact Report – Contract Administration	\$170.00	Each
Mitigation Monitoring ⁷		
1-10 Measures	\$365.83	tierDeposit
11-30 Measures	\$731.66	tierDeposit
Over 30 31-100 Measures	\$1,463.32	tierDeposit
Over 100 Measures or standard subdivision	\$1,463.32	Deposit

⁷ Projects approved after July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in the County Fee Resolution that was in effect on the project approval date.

D. Fees For Miscellaneous Services

<u>DESCRIPTION</u>	<u>AMOUNT¹</u>	<u>UNIT/TIME</u>
Mills Act Contract (Government Code § 50281.1)		
a. Application Fee	\$182.91	Each
b. Selected contract processing fee	\$731.66	Each
Oak Woodlands Guidelines Consistency Certification (Government Code § 65401; Fish & Game Code § 1366(f))	\$182.91	Each
Road Abandonment (Streets and Highway Code § 8321)	\$365.83	Each
<u>Williamson Act or Farmland Security Zone Contract</u>	<u>\$1463.52</u>	<u>Each</u>
Williamson Act Contract Amendment	\$914.58	Each
Surface Mining Reclamation Plan	\$731.66	Each

E. Annual Adjustment of Fees for Five Years

The dollar amounts listed in this Article are for the ~~2008-2009~~2012-2013 fiscal year, as adopted in 2008 and adjusted annually pursuant to Board of Supervisors Resolution No. 08-132, effective as of the date set forth in the Board of Supervisors' resolution adopting these fees. Thereafter and each year through July 1, 201215, the fees shall be automatically adjusted as of July 1 ("adjustment date"). The County Counsel or his or her designee shall calculate the adjustment based on the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

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Article XIX

RMA-Building Services Fees

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ARTICLE XIX

RMA-BUILDING SERVICES FEES¹

Amend Section VII.4 to read as follows:

SECTION VII MISCELLANEOUS

4. The dollar amounts listed in this Article are for FY 09-10, effective as of the date set forth in the Board of Supervisors' resolution adopting these fees. Thereafter and each year through July 1, ~~2013~~ 2015, the fees shall be automatically adjusted as of July 1 ("adjustment date"). The ~~Director of Building Services~~ Building Official or his or her designee shall calculate the adjustment based on the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

Add Section VII.5 to read as follows (relocated from Article XXVI):

5. Technology Surcharge Fee: All RMA-Building Services fees for permitting, plan review, construction inspections and code enforcement activities for the period of July 1, 2008 through June 30, ~~2013~~ 2016 shall include an additional six percent surcharge for the purchase and maintenance of information system technologies.

^{1 1} The proposed amendments are only those items shown in strikeout and underline format for clarity.

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Article XI

Water Resources Agency Fees

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ARTICLE XI

MONTEREY COUNTY WATER RESOURCES AGENCY FEES

(Per Resolution 13-XXX, adopted May 7, 2013 by the Monterey County Board of Supervisors)

SECTION I. LAND USE

A. Various land use permits as established in Title 20.1, Monterey County Code (Coastal Implementation Plan) and Title 21, Monterey County Code (Zoning).

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Administrative Permit	\$975.90	Each
2. Appeal (8)	\$365.83	Each
3. Permit Amendment Revisions or Extension	\$610.08	Each
4. Coastal Development Permits		
a. Tree Removal Only	\$244.25	Each
b. All Others	\$975.90	Each
5. Coastal Implementation Plan Amendment (1)	Extraordinary Development Application Fee	
6. General Development Plan	\$1,220.15	Each
7. General/Area Plan Amendments (1) Application Fee	Extraordinary Development	
8. Extraordinary Development Applications (1)	\$7,318.75	Deposit
9. Rezoning or Code Text Amendments (1) Application Fee	Extraordinary Development	
10. Initial Environmental Review	\$486.32	Each
11. Use Permit	\$975.90	Each
12. Variance	\$854.32	Each

B. Various subdivision activities as established in Title 19, Monterey County Code (Subdivisions)

1. Lot Line Adjustment	\$731.66	Each
2. Minor Subdivision Amendment, Revisions, Extensions	\$610.08	Each
3. Minor Subdivision Tentative Map	\$2,927.72	Each

4.	Minor Subdivision Vesting Tentative Map	\$2,927.72	Each
5.	Standard Subdivision, Amendments, Revisions or Extensions	\$610.08	Each
6.	Standard Subdivision Preliminary Map	\$2,927.72	Deposit
	After 24 hours	\$121.58	Hour
7.	Standard Subdivision Tentative Map	\$3,659.38	Deposit
	After 30 hours	\$121.58	Hour
8.	Standard Subdivision Vesting Tentative Map	\$4,878.45	Deposit
	After 40 hours	\$121.58	Hour
9.	Mitigation Monitoring (2)		
a.	1-10 Measures ²	\$731.66	EachDeposit
b.	11-30 Measures ²	\$1,463.32	EachDeposit
c.	31-100 Over 30 Measures ²	\$2,194.99	EachDeposit
d.	Over 100 Measures ²	\$2,927.72	Deposit
e.	After 24 hours	\$121.58	Hour

SECTION 2. MISCELLANEOUS

A. Various fees pursuant to Government Code section 65104 for planning services provided by the Water Resources Agency.

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Pre/Post Application Conference (9)	\$364.74	Each
2. Specific Plans and Amendments (1)	Extraordinary Development Application Fee	
3. Building/Grading Permit Review		
a. Standard Building Permits or Grading Permits including, but not limited to, development activities such as single family dwellings, additions of 50% or more, and routine grading	\$731.66	Each
b. New Commercial or Industrial w/out Initial Study ³	\$487.42	Each
c. New Commercial or Industrial w/Initial Study ³	\$487.42	Each
d. Dwelling Addition of Less than 50%	\$487.42	Each
e. Commercial or Industrial Addition w/out Initial Study	\$487.42	Each
f. Commercial or Industrial Addition w/Initial Study	\$487.42	Each
g. Plan Check for building/grading permits that have an associated planning permit	\$365.83	Each
h. Building and/or Grading Permits for projects		

	located within the 100-year floodplain. (Applied by MCWRA only)	\$2,917.92	Deposit
	After 24 hours	\$121.58	Hour
i.	NPDES Fee: Applied to Grading Permits that involve soil disturbance > or = 1 acre or are part of a larger common plan that disturbs > or = 1 acre	\$243.16	Each
4.	Monterey Peninsula Water Management District Allocation Tracking: Water Release Form processing fee	\$182.91	Each
5.	Big Sur Viewshed Acquisition	\$244.25	Each
6.	Environmental Impact Report Review	Extraordinary Development Application Fee	
7.	Floodzone Inquiry Report – including supporting maps	\$83.92	Each
8.	Floodzone Inquiry Report – cover sheet only	\$55.95	Each

B. Water well permits as required in Title 15.08, Monterey County Code

1.	<u>Well Construction Fees for Wells Producing Over 5 acre-feet per year in Zone 2CA and additional areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency</u>	\$610.08	Each
2.	<u>Well Reconstruction/Destruction Fees for Wells in Zone 2CA and additional areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency</u>	\$365.83	Each
3.	Well Construction/Destruction Database Maintenance Fees County Wide ⁴	\$365.83	Each
4.	<u>Well Construction Fee for New Domestic Well, in the inland areas of Monterey County⁵</u>	\$121.58	Each
5.	<u>Well Construction Fee for New High Capacity Well, in the inland areas of Monterey County⁶</u>	\$243.16	Each

C. Hydrogeologic Report Review for the Monterey County Environmental Health Department as required by Title 19, Monterey County Code (Subdivisions)

1.	Hydrogeologic Report Review	\$731.66	Each
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2. Hydrogeologic Report Review w/Diminimus Finding \$244.25 Each

D. Hydrogeologic Report Preparation as required by Title 19, Monterey County Code (Subdivisions)

1. Contract Administration \$2,721 Deposit
After 24 hours \$121.58 Hour

SECTION 3. AUTOMATIC ANNUAL FEE ADJUSTMENT

The dollar amounts listed in this Article are for 2012-2013 fiscal year, effective as of the date set forth in the Board of Supervisors' resolution adopting these fees. Thereafter and each year through July 1, 2015, the fees shall be automatically adjusted as of July 1 ("adjustment date"). The General Manager of the Monterey County Water Resources Agency or his or her designee shall calculate the adjustment based the U.S. Department of Labor Consumer Price Indexes, all item indexes, all urban consumers for the San Francisco-Oakland-San Jose area.

Notes:

- 1) "Extraordinary Development Applications" are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning. These applications may include, by way of example and without limitation, applications for large scale development involving multiple discretionary entitlements, significant technical review by other land use agencies, and/or an anticipated lengthy time frame for processing because of their scope and complexity. Consistent with these criteria, any project requiring the preparation of an Environmental Impact Report shall qualify as an extraordinary development application. WRA fees are based on an hourly rate of \$121.58. The amount paid to WRA is for staff costs. The WRA may utilize a consultant, whose expenses shall be fully funded by the project applicant.
- 2) Projects approved after July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to July 7, 2013 with mitigation measures shall be subject to the mitigation monitoring fees set forth in the County Fee Resolution that was in effect on the project approval date.
- 3) Buildings over 5,000 square feet and greenhouses.
- 4) This fee is added to the \$610.08 in B-1, ~~and~~ the \$365.83 in B-2, the \$121.58 in B-4, and the \$243.16 in B-5.
- 5) This fee is added to the \$610.08 in B-1 for new domestic wells with greater than fifteen (15) connections located in the inland areas of Monterey County within Zone 2C and areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency.
- 6) This fee is added to the \$610.08 in B-1 for new wells proposing a flow over 1,000 gallons per minute that are located in the inland areas of Monterey County within Zone 2C and areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency.
- 7) Fees for Combined Development Permits under Chapter 21.76 of Title 21 and Chapter 20.70 of Title 20 shall be 85% of the total combined permit fees.
- 8) In the coastal zone, the appeal fee applies only to appeals of permits that are not appealable to the California Coastal Commission such as Administrative Permits, Design Approvals, Variances and Tree Removal Permits in certain coastal areas. The appeal fee does not apply to appeals of Coastal Development Permits that are appealable to the Coastal Commission.

9) Fees collected for Pre-Application Conferences (Section 2.A.1) shall be credited against any subsequent discretionary permit, except design approval, provided the discretionary permit application is made within 6 months of the application appointment.