



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Potter, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

Held Public hearing and adopted Resolution No.14-042 amending the Monterey County Fee Resolution to:

- a. Establish new fees and revise existing fees for land use permitting activities in the following Articles of the County Fee Resolution
 - i. Article I (Environmental Health);
 - ii. Article IX (RMA-Planning);
 - iii. Article X (RMA-Public Works);
 - iv. Article XVII (County Counsel);
 - v. Article XIX (RMA-Building Services); and
 - vi. Article XX (RMA-Environmental Services)
- b. Incorporate amendments to Article XI (Water Resources Agency) into the Monterey County Fee Resolution, contingent upon adoption of said amendments by the Board of Supervisors of the Monterey County Water Resources Agency and said amendments taking effect.

(Fee Update - REF130022/County Master Fee Resolution, County-wide)

PASSED AND ADOPTED on this 25th day of February 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Salinas and Potter
NOES: Supervisor Calcagno
ABSENT: Supervisor Parker

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 77 for the meeting on February 25, 2014.

Dated: February 25, 2014
File Number: RES 14-010

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

By Denise Hancock
Deputy

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

Resolution No. 14-042

A Resolution Establishing New Fees and)
Revising Existing Fees for land use permitting)
activities in Articles I.E, IX, X, XVII, XIX,)
and XX (new article) of the Monterey County)
Fee Resolution and Incorporating Amendments)
to Article XI 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. On May 7, 2013, the Board of Supervisors approved modifications to a few specific fees for the current fiscal year.
4. On July 9, 2013, the Board of Supervisors directed staff to analyze separating the fee for condition compliance from the upfront application fee and to review the hourly rate for fee calculations.
5. Several of the land use departments are proposing to amend fees for land use permitting activities 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 add fees where new services are required by law or where gaps in collecting fees were identified. 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.

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 are intended to take effect on the 61st day following adoption.
11. The Board of Supervisors held a duly noticed public hearing on February 25, 2014 to consider these fee adjustments. Notice of this matter was provided by publication of notice in newspapers of general 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 Bureau), IX (RMA-Planning), X (RMA-Public Works), XVII (County Counsel), XIX (RMA-Building Services), and XX (RMA-Environmental Services) of the Monterey County Fee Resolution are hereby amended as set forth in the Articles attached hereto and incorporated herein by reference.
3. The amended 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 upon motion of Supervisor Potter, seconded by Supervisor Salinas and carried this 25th day of February 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Salinas and Potter
NOES: Supervisor Calcagno
ABSENT: Supervisor Parker

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 77 for the meeting on February 25, 2014.

Dated: February 27, 2014
File Number: RES 14-010

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

By *Denise Hancock*
Deputy

Article I.E
Environmental Health Bureau

ARTICLE I.E
HEALTH DEPARTMENT FEES (1,4,7,8)

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors, Resolution No. 13-143, adopted May 7, 2013 by the Monterey County Board of Supervisors, and per Resolution No. 14-###, adopted ####, 2014 by the Monterey County Board of Supervisors)

SECTION 1. FOOD

(remains unchanged)

SECTION 2. SPA/POOLS.

(remains unchanged)

SECTION 3. SANITATION

Remains unchanged except for subsections C and D of Section 3, which are amended to read as follows:

C. Onsite Wastewater Treatment Systems (OWTS) as regulated in Chapter 15.20 of the Monterey County Code or as mandated by state or federal regulations. Minimum based fees for new wastewater system permits are collected at the Planning and Building Inspection Department or Environmental Health. Additional hourly fees may be collected by the Bureau of Environmental Health.

10. 30% Slope Exception \$ 520.00 Each

D. Nonpotable Water Reuse and Catchment Systems as regulated by the latest edition of the California Plumbing Code.

1. Graywater System (Single Family Dwelling)

- | | | |
|---|-----------|------|
| a. Application | \$ 130.00 | Each |
| b. Plan check when property served by Package Treatment Plant or Wastewater Treatment Facility (10) | \$ 130.00 | Each |
| c. Plan check and site evaluation when property served by OWTS (10) | \$ 260.00 | Each |
| d. Permit issuance and inspection | \$ 130.00 | Each |
| e. Re-inspection (hourly) | \$ 130.00 | Hour |

2. Graywater System (Multi-Family, Centralized Graywater Treatment or Commercial)

- | | | |
|---|-----------|------|
| a. Application | \$ 130.00 | Each |
| b. Plan check when property served by Package Treatment Plant or Wastewater Treatment Facility (10) | \$ 260.00 | Each |
| c. Plan check and site evaluation when property served by OWTS (10) | \$ 390.00 | Each |
| d. Permit issuance and inspection | \$ 390.00 | Each |
| e. Re-inspection (hourly) | \$ 130.00 | Hour |

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3. Rainwater Harvesting System / Cistern		
a. Application	\$ 130.00	Each
b. Plan check		
i. Tank only (> 360 gallons)	\$ 130.00	Each
ii. Tank with Outdoor Reuse, subsurface irrigation	\$ 130.00	Each
iii. Tank with Outdoor Reuse, spray or ornamental	\$ 260.00	Each
iv. Tank with Indoor reuse	\$ 390.00	Each
c. Inspection	\$ 130.00	Each
d. Witness cross-connection testing	\$ 260.00	Each
e. Re-inspection (hourly)	\$ 130.00	Hour

SECTION 4. HOUSING

(remains unchanged)

SECTION 5. LAND USE

Section 5, relating to Land Use fees, has been amended as follows.

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 Disposal by existing Wastewater Treatment Facility (10)		
a. Standard Subdivision: Preliminary Map/Tentative Map/Vesting Tentative Map (3, 9)	\$ 2,600.00	Deposit
b. Standard Subdivision: Amendment or Revision	\$ 910.00	Each
c. Minor Subdivision: Tentative Map / Vesting Tentative Map (7)	\$ 1,300.00	Deposit
d. Minor Subdivision (Adopted Community Plan, initial study)	\$ 1,300.00	Deposit
e. Minor Subdivision (Adopted Community Plan, no initial study)		
i. Application Fee	\$ 1,040.00	Each
ii. Condition Compliance Fee	\$ 260.00	Map
f. Minor Subdivision: Amendment or Revision	\$ 780.00	Each
2. Sewage Disposal by OWTS, Package Treatment Plant or New Wastewater Treatment Facility (10)		
a. Standard Subdivision: Preliminary Map/Tentative Map/Vesting Tentative Map (3, 9)	\$ 6,500.00	Deposit
b. Standard Subdivision: Amendment or Revision	\$ 1,235.00	Each
c. Minor Subdivision: Tentative Map / Vesting Tentative Map (7)	\$ 2,600.00	Deposit
d. Minor Subdivision (Adopted Community Plan, initial study)	\$ 2,600.00	Deposit
e. Minor Subdivision (Adopted Community Plan, no initial study)		
i. Application Fee	\$ 2,080.00	Each
ii. Condition Compliance Fee	\$ 520.00	Map
f. Minor Subdivision: Amendment or Revision	\$ 1,040.00	Each
3. Standard or Minor Subdivision: Amended Final or Parcel Map (7)	\$ 1,300.00	Deposit
4. Subdivision Condition Compliance (8)		
a. Minor Subdivision Parcel Map	\$ 650.00	Deposit
b. Standard Subdivision Final Map	\$ 2,600.00	Deposit

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5. Extraordinary Development Applications (3,7)	\$ 6,500.00	Deposit
6. Lot Line Adjustment		
a. General	\$ 780.00	Each
b. Amendment or Revision	\$ 390.00	Each
c. Williamson Act	\$ 780.00	Each
7. Conditional Certificate of Compliance		
i. Application Fee	\$ 416.00	Each
ii. Condition Compliance Fee	\$ 104.00	Permit
8. Appeal (2)	\$ 130.00	Each
9. Permit Extension for Applications Filed under Title 19 of the County Code	\$ 390.00	Each

B. Fees for Processing Various Land Use Permits Established in Monterey County Code, Title 20 (Coastal Implementation Plan) and Title 21 (Non-coastal Zoning Ordinance) and Related Planning Services (Government Code §§ 65104, 65909.5, 66014). Fees are collected by the Monterey County Resources Management Agency.

1. Use Permit		
a. General		
i. Application Fee	\$ 1,040.00	Each
ii. Condition Compliance Fee	\$ 260.00	Permit
b. Oil and Gas (3)	\$ 1,300.00	Deposit
2. Variance		
i. Application Fee	\$ 65.00	Each
ii. Condition Compliance Fee	\$ 65.00	Permit
3. Coastal Development Permit		
i. Application Fee	\$ 806.00	Each
ii. Condition Compliance Fee	\$ 201.00	Permit
4. Rezoning or Code Text Amendment (3)	\$ 2,600.00	Deposit
5. General Development Plan		
i. Application Fee	\$ 624.00	Each
ii. Condition Compliance Fee	\$ 156.00	Permit
6. General and Area Plan Amendment (3)	\$ 2,600.00	Deposit
7. Specific Plan and Amendments (3)	\$ 2,600.00	Deposit
8. Administrative Permit		
i. Application Fee	\$ 520.00	Each
ii. Condition Compliance Fee	\$ 130.00	Permit
9. Coastal Administrative Permit		

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i.	Application Fee	\$ 806.00	Each
ii.	Condition Compliance Fee	\$ 201.00	Permit
10.	Coastal Implementation Plan Amendment (3)	\$ 2,600.00	Deposit
11.	Development Agreement (3)	\$ 2,600.00	Deposit
12.	Appeal (2)	\$ 130.00	Each
13.	Design Approval on property served by OWTS (10)		
a.	Administrative	\$ 65.00	Each
b.	Public Hearing	\$ 130.00	Each
14.	Minor and Trivial Amendment on property served by OWTS (coastal, no public hearing) (10)	\$ 130.00	Each
15.	Minor Amendment on property served by OWTS (non-coastal, no public hearing) (10)	\$ 130.00	Each
16.	Extraordinary Development Applications (3,7)	\$ 6,500.00	Deposit
17.	Permit Amendment, Renewal and Revision of any application filed under Titles 20 or 21 of the County Code	\$ 390.00	Each
18.	Permit Extensions of any application filed under Titles 20 or 21 of the County Code	\$ 130.00	Each
C. Miscellaneous Permits and Fees:			
1.	Development Review Conferences (3 hour minimum) (5)	\$ 390.00	Deposit
2.	Big Sur Viewshed Acquisition	\$ 748.00	Each
3.	Building Permit review when property served by OWTS or Package Treatment Plant (10)		
a.	Residential, new or additions to existing	\$ 292.00	Each
b.	Residential, minor additions under 500 s.f.	\$ 292.00	Each
c.	Ground Mounted Solar and Significant Demolition	\$ 130.00	Each
d.	Grading Permit	\$ 260.00	Each
4.	Building Permit review for Commercial or Industrial		
a.	Commercial or Industrial, new	\$ 520.00	Each
b.	Commercial or Industrial, addition to existing		
i.	Application Fee	\$ 130.00	Each
ii.	Plan Check Fee	\$ 390.00	Each
c.	Tenant Improvement (Commercial or Industrial)	\$ 130.00	Each
5.	Environmental Review-Initial Study		
a.	Single Family Dwelling (SFD)	\$ 260.00	Each
b.	Commercial / Industrial	\$ 260.00	Each
c.	Standard Subdivision (7)	\$ 520.00	Deposit

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d. Minor Subdivision (7)	\$ 260.00	Deposit
e. Other	\$ 260.00	Each
6. Addendum – Tiered from Earlier EIR	\$ 130.00	Each
7. Environmental Impact Report review (3, 13)	\$ 2,600.00	Deposit
8. Mitigation Monitoring and Condition Compliance for Projects with Mitigation Measures (6, 8)		
a. 1 to 20 Conditions and Mitigation Measures	\$ 650.00	Deposit
b. 21 to 40 Conditions and Mitigation Measures	\$ 1,300.00	Deposit
c. Over 40 Condition and Mitigation Measures	\$ 2,600.00	Deposit
9. Change of Commercial or Industrial Use	\$ 130.00	Each
10. Deed Restriction/Notification Processing (ministerial permits) (11)	\$ 130.00	Hour
11. Hydrogeologic Report (12)		
a. Preparation – Contract Administration (7)	\$ 1,300.00	Deposit
b. Review	\$ 390.00	Each

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 in quarter hour (.25) increments. 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. Where there are conflicting deposit amounts, the lower deposit shall apply.
- ² 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. The Appeal fee is based upon the fee adopted by the Board of Supervisors on May 7, 2013, which sets the fee substantially lower than the actual cost. The Appeal Fee is subsidized by the County General Fund.
- 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 application fees. Fees for Condition Compliance on Combined

Development Permits shall be 85% of the total combined Condition Compliance fees on each permit assessed an application fee as part of the Combined Development Permit.

- ⁵ Fees collected for Development Review 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 These fees shall apply, in lieu of other condition compliance fees set forth in this Article, to any permit approved after the effective date of this article that incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document. If these fees apply, the other condition compliance fees set forth in this Article do not apply. Projects approved after the effective date of this article with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to the effective date of this article 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 Environmental Health fees are based on an hourly rate approved by the Board of Supervisors through Health Department Fees, Article I.E. A flat fee is based on the estimated reasonable cost, averaged across all applications, or 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 in quarter hour (.25) increments multiplied by the hourly rate representing actual hours worked by Environmental Health 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 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.
- ⁸ The condition compliance fee shall be collected after project approval and after all administrative appeals have been exhausted, based on the fee in effect at the time of collection, to cover the cost of staff time monitoring condition compliance. If the permit incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document, the condition compliance fees that apply are the fees set forth under the category “Mitigation Monitoring and Condition Compliance For Projects with Mitigation Measures.” Those fees are based on actual time spent on monitoring condition compliance and require a deposit. Additionally, project applications whose application fees were based on actual time, rather than flat fee, will continue to be subject to fees based on actual time for condition compliance, and the County may require an additional deposit for condition compliance. For all other projects, the fee for condition compliance is as indicated in the fee schedule. Where the applicable condition compliance fee is a flat fee, it is based on the estimated reasonable cost of staff time for monitoring condition compliance. Because such flat fees represent an average across all similar permits, such flat fee shall be required of all permits having at least one condition of approval, regardless of the total number of conditions and regardless of the land use department or agency that originated the condition.
- ⁹ 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 July 13, 2003 and August 20, 2006 and on or after the effective date of this article are full-cost recovery projects and require a deposit.
- ¹⁰ An Onsite Wastewater Treatment System, referred to throughout Article I.E. as “OWTS”, is a system used to collect and treat wastewater from a single family dwelling or buildings that dispose of the treated wastewater below ground on the same parcel as the structure(s) that the OWTS serves. A Package Treatment Plant means a non-regional wastewater treatment facility that treats two-thousand and five hundred gallons or more per day of wastewater and does not include OWTS. A Wastewater Treatment Facility means a facility designed to receive wastewater from a regional area, e.g. The Monterey Regional Water Pollution Control Agency

(MRWPCA) or the Carmel Area Wastewater District (CAWD). Definitions of the terms referenced herein are consistent with the 2010 Monterey County General Plan.

- 11 The applicant for a discretionary land use development permit, use permit, construction permit, Williamson Act agreement, Mills Act contract, lot line adjustment, and/or any procedure that requires processing through the Health Department and includes recording/filing of a document with the Monterey County Recorder shall, in addition to the payment of any and all other County and/or Health Department fees, be required to pay any and all applicable standard recording/filing fees no later than the time of the recording/filing of that document. The payment of the applicable recording/filing fee shall be required whether or not the document is processed on behalf of the applicant by an employee of the County of Monterey (e.g., Health Department staff or Clerk of the Board) or is processed by the applicant. Failure to ensure full payment of such recording/filing fee by the time of the recording/filing shall be grounds for rejection of the recording/filing of that document with no liability to the County.
- 12 When a hydrogeologic report is required to be prepared for a subdivision or other application subject to Title 19 of Monterey County Code, the report shall be based on a comprehensive hydrological investigation prepared by a certified hydrogeologist, selected by the County and under contract with the County, at the applicant's expense. A deposit for staff costs associated with preparation and administration of the contract, and review of the hydrogeologic report shall be in addition to the deposit for the development application. When an application is not subject to Title 19, the applicant shall consult with the Water Resources Agency (WRA) to develop the scope of work for the hydrological investigation; however, selection, contract and preparation of the hydrogeologic report shall occur independent of the County. EHB will review the hydrogeologic report in consultation with WRA.
- 13 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.

SECTION 6. WATER

(remains unchanged)

SECTION 7. SOLID WASTE

(remains unchanged)

SECTION 8. TOXICS/HAZARDOUS MATERIALS

(remains unchanged)

SECTION 9. MISCELLANEOUS

(remains unchanged)

Article IX
RMA - Planning

**ARTICLE IX
RMA-PLANNING FEES (1)(2)(7)(12)(13)**

(Per Resolution No. 13-143, adopted May 7, 2013 by the Monterey County Board of Supervisors, Resolution No. 13-345, adopted November 5, 2013 by the Monterey County Board of Supervisors, and Resolution No. 14-XXX, adopted ###, 2014 by the Monterey County Board of Supervisors)

SECTION I. LAND USE

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

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Administrative Permit		
a. General	\$2,151.94	Each
b. Signs	\$1,129.77	Each
2. Appeals		
a. General – Project (3)	\$807.00	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. 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. Over the Counter	\$161.40	Each
b. Administrative	\$484.19	Each
c. Public Hearing Required	\$806.98	Each
6. Emergency Permit	\$2,420.93	Each

7.	Extraordinary Development Applications (1)(4)	\$12,000.00	Deposit
8.	General Development Plan	\$3,227.91	Each
9.	General/Area Plan Amendments (4)	Extraordinary Development Application Fee	
10.	Minor and Trivial Amendment (coastal, 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)	Extraordinary Development Application Fee	
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
17.	Minor Amendments (non-coastal, no public hearing)	\$1,936.75	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.	Development Review Conference (5) (3 hour minimum)	\$161.40	Hour
7.	Scenic Easement Amendments	\$1,613.96	Each
8.	Research (1) (2 hour minimum)	\$322.79	Deposit
9.	Specific Plans and Amendments (4)	Extraordinary Development Application Fee	
10.	Building Permit Review		
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
11.	Williamson Act Contracts/Amendments	\$1,452.56	Each
12.	Storage and Electronic Conversion of files fees	1% of planning permit	
13.	Convenience Fee for Credit Card Use	Current County Rate	
14.	General Plan Implementation (7) fees	3% of all land use permit	
15.	Letters of Public Convenience and Necessity	\$806.98	Each
16.	Road Abandonment	\$806.98	Each
17.	Conformance Determinations (Specific Plan)		
	a. Director	\$1,129.77	Each
	b. Public Hearing	\$3,222.53	Each
18.	Technology Fee (13)	4% of planning permit	
19.	Mills Act Contract (Government Code Section 50281)		
	a. Application Fee	\$1,291.16	Each
	b. Selected Contract Processing Fee	\$645.58	Each
20.	Oak Woodland Guidelines Consistency Certification (Government Code 65401; Fish and Game Code 1366(f))	\$322.79	Each
21.	Restoration Plan (1)	\$1,936.80	Deposit
22.	Change of Commercial or Industrial Use	\$80.70	Each
23.	Development Agreement (4)	Extraordinary Development Application Fee	
24.	Deed Restriction Processing (ministerial permits)	\$161.40	Each

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 (disturbed area greater than 20 acres)	\$7,600.00	Each
3. Surface Mine Annual Inspection (disturbed area less than 20 acres)	\$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. Commercial/Industrial	\$5,987.78	Each
c. Standard Subdivision (1)	\$16,139.56	Deposit
d. Minor Subdivision (1)	\$5,987.78	Each
e. Other	\$4,250.09	Each
2. Addendum-tiered from earlier EIR	\$1,129.77	Each
3. Environmental Impact Reports (4)(9)		
a. Project Review	Extraordinary Development Application Fee	
4. Mitigation Monitoring (11)		
a. 1 to 20 Mitigation Measures	\$3,000.00	Deposit
b. 21 to 40 Mitigation Measures	\$6,000.00	Deposit
c. Over 40 Mitigation Measures	\$9,000.00	Deposit

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. TECHNOLOGY FEE

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, 2016 shall include an additional four percent surcharge for the purchase and maintenance of information system technologies.

SECTION 7. RECORDATION FEE

The applicant for a discretionary land use development permit, use permit, construction permit, Williamson Act agreement, Mills Act contract, lot line adjustment, and/or any procedure that requires processing through RMA-Planning and includes recording/filing of a document with the Monterey County Recorder shall, in addition to the payment of any and all other County and/or RMA-Planning fees, be required to pay any and all applicable standard recording/filing fees no later than the time of the recording/filing of that document. The payment of the applicable recording/filing fee shall be required whether or not the document is processed on behalf of the applicant by an employee of the County of Monterey (e.g., RMA-Planning staff or Clerk of the Board) or is processed by the applicant. Failure to ensure full payment of such recording/filing fee by the time of the recording/filing shall be grounds for rejection of the recording/filing of that document with no liability to the County.

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 in quarter hour (.25) increments 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 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) 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. The Appeal Fee is based upon the fee adopted by the Board of Supervisors on May 7, 2013 which sets the fee substantially lower than the actual cost. The Appeal Fee is subsidized by the County General Fund.

- 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 Development Review 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: Application Requests, Appeals, Appeals of Administrative Determinations, Appeals of Fee Determinations, and Landscape Review.
- 8) Code Enforcement fees as land use fees will be credited back to the RMA-Building Services- Code Enforcement section.
- 9) 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 #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 July 13, 2003 and August 20, 2006 and on or after the effective date of this article are full-cost recovery projects and require a deposit.
- 11) Projects approved after the effective date of this article with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to the effective date of this article 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 in quarter hour (.25) increments. 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.

- 13) A Technology fee of 4% of the planning permit fee is required for all permits covered under this article except for the following: Application Requests, Appeals, Appeals of Administrative Determinations, Appeals of Fee Determinations, and Landscape Review. This fee begins July 1, 2008 and will only be in effect until June 30, 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
RMA – Public Works

**ARTICLE X
PUBLIC WORKS DEPARTMENT FEES ¹**

(Per Resolution No. 13-143, adopted May 7, 2013 by the Monterey County Board of Supervisors, and Resolution No. 14-XXX, adopted xxxx, 2014 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>Amount¹</i>	<i>Unit/Time</i>
1.	Administrative Permit		
a.	General		
	i. Application Fee	\$744.00	Each
	ii. Condition Compliance	\$186.00	Permit
b.	Signs	\$372.00	Each
2.	Appeals ²	\$108.00	Each
3.	Coastal Administrative Permit		Each
a.	General		
	i. Application Fee	\$744.00	Each
	ii. Condition Compliance	\$186.00	Permit
b.	Signs	\$372.00	Each
4.	Coastal Development Permit		
a.	General		
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance	\$186.00	Permit
b.	Signs	\$372.00	Each
c.	Tree Removal		
	i. Application Fee	\$372.00	Each
	ii. Condition Compliance	\$186.00	Permit
5.	Coastal Implementation Plan Amendment ^{3,4}	Extraordinary Development Application Fee	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 the effective date of this article.

6	Extraordinary Development Applications ^{3,4}	\$5,000.00	Deposit
7.	General Development Plan		
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance	\$372.00	Permit
8.	General/Area Plan Amendment ^{3,4}	Extraordinary Development Application Fee	Each
9.	Rezoning/Reclassification	Extraordinary Development Application Fee	Each
10	Use Permit		Each
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance	\$372.00	Permit
	iii. Sign	\$372.00	Each
	iv. Tree Removal	\$372.00	Each
11.	Variance		Each
	i. Application Fee	\$744.00	Each
	ii. Condition Compliance	\$186.00	Permit
12.	Permit Amendments, Extensions, Renewals, and Revisions (includes minor and trivial amendments)	\$186.00	Each

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

<i>Description</i>		<i>Amount</i> ¹	<i>Unit/Time</i>
1.	Conditional Certificate of Compliance		
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance Fee	\$186.00	Each
2.	Lot Line Adjustment		Each
a.	General		
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance Fee	\$372.00	Each
b.	Williamson Act		
	i. Application Fee	\$1,116.00	Each
	ii. Condition Compliance Fee	\$744.00	Each

c.	Amendments, Extensions, and Revisions	\$186.00	Each
3.	Minor Subdivision Tentative Map/Vesting Tentative Map		
a.	Application Fee	\$4,000.00	Deposit
b.	Adopted Community Plan (Initial Study)		
i.	Application Fee	\$4,000.00	Deposit
c.	Adopted Community Plan (No Initial Study)		
i.	Application Fee	\$4,000.00	Each
ii.	Condition Compliance Fee	\$2,511.00	Map
d.	Extensions	\$744.00	Each
4.	Standard Subdivision (including Tentative and Vesting Maps)	\$5,000.00	Deposit
a.	Tentative Map/Vesting Tentative Map Extension ⁵	\$1,488.00	Each
5.	Record of Survey	\$744.00	Each
6.	Certificate of Correction	\$279.00	Each
7.	Corner Record ⁸	\$24.00	Each
8.	Final Map Processing ⁵	\$2,976 + \$279.00/lot	Each
9.	Subdivision Condition Compliance ⁹		
a.	Minor Subdivision Parcel Map	\$3,000.00	Deposit
b.	Standard Subdivision Final Map	\$5,000.00	Deposit
10.	Subdivision Amendments or Revisions		
a.	Minor Subdivisions	\$1,860.00	Each
b.	Standard Subdivisions	\$2,232.00	Each
11.	Subdivision Amending Map		
a.	Minor Subdivision Parcel Map	\$3,000.00	Deposit
b.	Standard Subdivision Final Map	\$5,000.00	Deposit
12.	Improvement Plan Processing	\$744.00	Plan
	Plus fee per square foot of pavement	\$0.05	s.f.
13.	Preliminary Map/ Preliminary Project Review Map	\$4,000.00	Deposit

14.	Subdivision Improvement Agreement Extension	\$1,488.00	Each
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Section 2. Miscellaneous

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

<i>Description</i>		<i>Amount</i> ¹	<i>Unit/Time</i>
1.	Big Sur Viewshed Acquisition	\$186.00	Each
2.	Building Permit - Commercial/Industrial	\$372.00	Each
3.	Building Permit - Residential	\$372.00	Each
4.	Building Permit - Miscellaneous	\$372.00	Each
5.	Development Agreement ^{3,4}	Extraordinary Development Application Fee	Each
6.	Development Review Conference (3 hour minimum) ⁷	\$558.00	Deposit
7.	Specific Plans and Amendments ³	Extraordinary Development Application Fee	Each
8.	Research	\$186.00	Hour
9.	Road Name	\$1,860.00	Each
10.	House Number	\$93.00	Each
11.	Road Abandonment	\$4,650.00	Each
12.	Mitigation Monitoring and Condition Compliance ⁶		
	a. 1 to 20 Conditions/Mitigation Measures	\$1,000.00	Deposit
	b. 21 to 40 Conditions/Mitigation Measures	\$2,000.00	Deposit
	c. Over 40 Conditions/Mitigation Measures	\$3,000.00	Deposit
13.	Public Service Easement Abandonment	\$3,720.00	Each
14.	License to Cross Non-Access Strip	\$1,860.00	Each
15.	Franchise Agreement	\$3,720.00	Each

16.	Franchise Agreement Extension/Amendment	\$1,860.00	Each
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Section 3. Environmental Review

<i>Description</i>		<i>Amount</i> ¹	<i>Unit/Time</i>
1.	Initial Environmental Review	\$744.00	Each
	i. Addendums	\$186.00	Each
2.	Environmental Impact Report ^{3,4}	Extraordinary Development Application Fee	Each

Notes:

- ¹ RMA-Public Works fees are based on an hourly rate of \$186.00 (in FY 2013-14), 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 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 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 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 and after the effective date of this article are full-cost recovery projects and require a deposit.
- ⁶ These fees shall apply, in lieu of other condition compliance fees set forth in this Article, to any permit approved after the effective date of this article that incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document. If these fees apply, the other condition compliance fees set forth in this Article do not apply. Projects approved after the effective date of this article with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to the effective date of this article 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 Development Review Conferences (Section 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.
- ⁸ Per Section 8773.2 of the State of California Business and Professions Code, fees for Corner Records are based on recording fees of the County Recorder. Corner Record fees may be adjusted to reflect adjustments in Recorder’s fees and/or State code.
- ⁹ The condition compliance fee shall be collected after project approval and after all administrative appeals have been exhausted, based on the fee in effect at the time of collection, to cover the cost of staff time monitoring condition compliance. For projects requiring maps, map checking will be included with condition compliance. If the permit incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document, the condition compliance fees that apply are the fees set forth under the category “Mitigation Monitoring and Condition Compliance for Projects with Mitigation Measures.” Those fees are based on actual time spent on monitoring condition compliance and require a deposit. Additionally, project applications whose application fees were based on actual time, rather than flat fee, will continue to be subject to fees based on actual time for condition compliance, and the County may require an additional deposit for condition compliance. For all other projects, the fee for condition compliance is as indicated in the fee schedule. Where the applicable condition compliance fee is a flat fee, it is based on the estimated reasonable cost of staff time for monitoring condition compliance. Because such flat fees represent an average across all similar permits, such flat fee shall be required of all permits having at least one condition of approval, regardless of the total number of conditions and regardless of the land use department or agency that originated the condition.

Article XVII
County Counsel

**ARTICLE XVII
COUNTY COUNSEL FEES**

(Per Resolution No. 08-132, adopted April 22, 2008 by the Monterey County Board of Supervisors, and Resolution No. 13-143, adopted May 7, 2013 by the Monterey County Board of Supervisors, and Resolution No. 14-XXX, adopted _____, 2014 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 (Non-coastal 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		
1. Application fee	\$146.00	Each
2. Condition Compliance fee	\$49.00	Permit
Administrative Permit—Signs		
	\$146.00	Each

¹ Unless noted otherwise, County Counsel fees are based on an hourly rate of \$195.00, representing a weighted blend, rounded to the nearest dollar, of the fully burdened labor rate for the Senior Deputy County Counsel and Deputy County Counsel IV, Step 7 job classifications as of July 1, 2013. Where indicated in this Article, fees have been separated into an application fee and a condition compliance fee. Unless a “deposit” is indicated, the application 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. The deposit for County Counsel time on such matters shall generally be the deposit required on Extraordinary Development Applications; however, 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.

The condition compliance fee shall be collected after project approval and after all administrative appeals have been exhausted, based on the fee in effect at the time of collection, to cover the cost of staff time monitoring condition compliance. If the permit incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document, the condition compliance fees that apply are the fees set forth under the category “Mitigation Monitoring and Condition Compliance For Projects with Mitigation Measures.” Those fees are based on actual time spent on monitoring condition compliance and require a deposit. Additionally, project applications whose application fees were based on actual time, rather than flat fee, will continue to be subject to fees based on actual time for condition compliance, and the County may require an additional deposit for condition compliance. For all other projects, the fee for condition compliance is as indicated in the fee schedule. Where the applicable condition compliance fee is a flat fee, it is based on the estimated reasonable cost of staff time for monitoring condition compliance. Because such flat fees represent an average across all similar permits, such flat fee shall be required of all permits having at least one condition of approval, regardless of the total number of conditions and regardless of the land use department or agency that originated the condition.

Appeal—inland permits and coastal permits if not appealable to Coastal Commission ²	\$146.00	Each
Appeal of Administrative Interpretation ³	\$146.00	Each
Appeal of Fee Determination ⁴	\$146.00	Each
Coastal Administrative Permit--General		
1. Application fee	\$146.00	Each
2. Condition compliance fee	\$49.00	Permit
Coastal Administrative Permit – Signs	\$98.00	Each
Coastal Development Permit ⁶ – General		
1. Application fee	\$731.00	Each
2. Condition compliance fee	\$244.00	Permit
Coastal Development Permit– Signs	\$146.00	Each
Coastal Development Permit– Tree Removal Only		
1. Application fee	\$146.00	Each
2. Condition compliance fee	\$49.00	Permit
Coastal Implementation Plan Amendment	Extraordinary Development Application Fee	Deposit
Design Approval – Administrative	\$49.00	Each
Design Approval Requiring Public Hearing	\$195.00	Each
Development Agreement	Extraordinary Development Application Fee	Deposit
Emergency Permit		
1. Application fee	\$49.00	Each

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 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 upon the fee adopted by the Board of Supervisors on May 7, 2013, rounded down, which sets the fee substantially lower than actual cost. The appeal fee is subsidized by the County General Fund..

³ This appeal fee applies to appeals of administrative interpretations of the zoning or subdivision ordinance, regardless of planning area. County Counsel’s appeal fee is based upon the fee adopted by the Board of Supervisors on May 7, 2013, rounded down, which sets the fee substantially lower than actual cost. The appeal fee is subsidized by the County General Fund..

⁴ This appeal fee is based upon the fee adopted by the Board of Supervisors on May 7, 2013, rounded down, which sets the fee substantially lower than actual cost. The appeal fee is subsidized by the County General Fund.

2.	Condition compliance fee	\$49.00	Permit
	Extraordinary Development Application ⁵	\$1950.00	Deposit
	General Development Plan		
1.	Application fee	\$146.00	Each
2.	Condition compliance fee	\$49.00	Permit
	General/Area Plan Amendment	Extraordinary Development Application Fee	Deposit
	Minor Amendment (non-coastal; no public hearing)	\$98.00	Each
	Minor and Trivial Amendment (coastal zone; no public hearing)	\$98.00	Each
	Rezoning or Code Text Amendment	Extraordinary Development Application Fee	Deposit
	Scenic Easement Amendment	\$390.00	Each
	Specific Plan	Extraordinary Development Application Fee	Deposit
	Specific Plan Amendment	Extraordinary Development Application Fee	Deposit
	Specific Plan Conformance Determination	\$585.00	Each
	Use Permit ⁶ -- General		
1.	Application fee	\$439.00	Each
2.	Condition compliance fee	\$146.00	Permit

⁵ “Extraordinary Development Applications” are those applications which will require staff time well beyond the typical application, as determined by the Director of Planning, and other applications 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.

⁶ 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. Condition compliance fees on Combined Development Permits shall be 85% of the total combined condition compliance fees for each constituent permit that was assessed an application fee as part of the Combined Development Permit.

Use Permit--oil and gas	Extraordinary Development Application Fee	Deposit
Use permit– signs	\$146.00	Each
Use permit—tree removal only		
1. Application fee	\$146.00	Each
2. Condition compliance fee	\$49.00	Permit
Use Permit Amendment, Renewal, or Revision	\$585.00	Each
Use Permit Extension	\$98.00	Each
Variance (Application fee)	\$195.00	Each

Vested Rights Determination	Extraordinary Development Application Fee	Deposit
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B. Various Subdivision Activities as Established in Monterey County Code, Title 19 (Subdivision Ordinance) (Government Code §§ 66499.35, 66451.2)

Certificate of Compliance		
A. request for 1 or 2 lots	\$1170.00	1 - 2 lots
B. each additional lot requested	\$390.00	Per ea addt'l Lot > 2

Conditional Certificate of Compliance (applic.fee)	\$585.00	Per Lot
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Certificate of Correction	\$98.00	Each
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Lot Line Adjustment		
1. Application fee	\$146.00	Each
2. Condition compliance fee	\$49.00	Permit

Lot Line Adjustment – Williamson Act		
1. Application fee	\$1462.00	Each
2. Condition compliance fee	\$488.00	Permit

Lot Line Adjustment Amendment, Revision or Extension	\$195.00	Each
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Minor Subdivision Tentative /Vesting Tentative Map Application--General		
1. Application fee	Extraordinary Development Application Fee	Deposit
2. Condition compliance fee/ Parcel map review	Extraordinary Dev. App. Fee	Deposit

Minor Subdivision Tentative/Vesting
Tentative Map Application –adopted Community Plan

A. If initial study required:			
1.	Application fee	Extraordinary Dev. App. Fee	Deposit
2.	Condition compliance fee/ Parcel map review	Extraordinary Dev. App. Fee	Deposit
B. If no initial study required:			
1.	Application fee	\$1170.00	Each
2.	Condition compliance fee/ Parcel map review	\$390.00	Map
Minor Subdivision Tentative Map Amendment or Revision		\$975.00	Each
Minor Subdivision Tentative Map Extension		\$585.00	Each
Minor Subdivision Final Map Amendment		\$1950.00	Deposit
Parcel Legality Determination ⁷			
A.	request for 1 or 2 lots	\$1170.00	1 - 2 lots
B.	each additional lot requested	\$390.00	Per ea addt'l Lot > 2
Standard Subdivision, Tentative/Vesting Tentative Map			
1.	Application fee	Extraordinary Dev. App. Fee	Deposit
2.	Condition compliance fee/ Final map review	Extraordinary Dev. App. Fee	Deposit
Standard Subdivision Tentative Map Amendment or Revision		\$1950.00	Each
Standard Subdivision Tentative Map Extension		\$585.00	Each
Standard Subdivision Final Map Amendment		\$1950.00	Deposit
C. Fees for Environmental Review Pursuant to California Environmental Quality Act (Public Resources Code § 21089; Government Code §§ 65104, 65909.5, 66014)			
Initial Study			
a.	Single Family Dwelling (SFD)	\$390.00	Each

⁷ 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.

b.	Commercial/industrial	\$1170.00	Each
c.	Minor subdivision	\$1170.00	Deposit
d.	Standard subdivision	\$1560.00	Deposit
e.	Other	\$780.00	Each
Addendum (tiered from earlier EIR)		\$780.00	Each
Environmental Impact Report—Project review	Extraordinary Development Application Fee		Deposit
Environmental Impact Report – Contract and contract amendment administration	\$390.00		Each
Mitigation Monitoring and Condition Compliance For Projects with Mitigation Measures ⁸			
1-20 Conditions/Measures	\$585.00		Deposit
21-40 Conditions/Measures	\$1170.00		Deposit
Over 40 Conditions/Measures	\$1950.00		Deposit

D. Fees For Miscellaneous Services (reference: Gov't Code §65104 and as noted below)

Airport Land Use Commission application review (Pub. Util. Code §21671.5)	\$98.00		Each
Deed restriction processing (ministerial permit) ⁹	\$390.00		Each
Letter of Public Convenience and Necessity	\$390.00		Each
Mills Act Contract (Government Code § 50281.1)			
a. Application Fee	\$195.00		Each
b. Selected contract processing fee	\$780.00		Each

⁸ These fees shall apply, in lieu of other condition compliance fees set forth in this Article, to any permit approved after the effective date of this Article that incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document. If these fees apply, the other condition compliance fees set forth in this Article do not apply. Projects approved after the effective date of this Article with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to the effective date of this Article 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.

⁹ This fee applies only to deed restrictions that are not pursuant to a condition of approval for a discretionary entitlement to which a condition compliance fee applies. If the deed restriction is pursuant to a condition of approval for a discretionary entitlement, the applicable condition compliance fee would apply instead of the deed restriction processing fee.

Oak Woodlands Guidelines Consistency Certification (Government Code § 65401; Fish & Game Code § 1366(f))	\$195.00	Each
Road Abandonment (Streets and Highway Code § 8321)	\$390.00	Each
Williamson Act or Farmland Security Zone Contract	\$1560.00	Each
Williamson Act Contract Amendment	\$975.00	Each
Surface Mining Reclamation Plan	\$780.00	Each

E. Recordation Fee

The applicant for a discretionary land use development permit, use permit, construction permit, Williamson Act agreement, Mills Act contract, lot line adjustment, and/or any procedure that requires processing through the County and includes recording/filing of a document with the Monterey County Recorder shall, in addition to the payment of any and all other County fees, be required to pay any and all applicable standard recording/filing fees no later than the time of the recording/filing of that document. The payment of the applicable recording/filing fee shall be required whether or not the document is processed on behalf of the applicant by an employee of the County of Monterey (e.g., Clerk of the Board) or is processed by the applicant. Failure to ensure full payment of such recording/filing fee by the time of the recording/filing shall be grounds for rejection of the recording/filing of that document with no liability to the County.

Article XIX
RMA – Building Services

ARTICLE XIX

Building Services Master Fee Matrix

I. ADMINISTRATIVE FEES

FEE

FEE BASIS¹

A. Approval Fees

1. Alternate Methods of Construction

300 fixed

2. Code Modification Request

a. Simple with minimal review

90 fixed

b. Standard with review

195 fixed

c. Complex requiring Administrative Review (2hour min.)

195 hourly

3. Special Inspection Agency/Fabricator

a. Initial Application

400 fixed

b. Renewal Application

150 fixed

4. Temporary Certificate of Occupancy

150 fixed

5. Early Utility Connection

150 fixed

B. Appeal Fees

1. Building Appeal Board

a. Simple with minimal review

195 fixed

b. Standard with review

585 hourly

2. Accessibility Review Board

a. Simple with minimal review

195 fixed

b. Standard with review

585 hourly

C. Extension Fees

1. Permit/Application expired < one year

90 fixed

2. Permit/Application expired > one year

220 fixed

3. Temporary Certificate of Occupancy

150 fixed

D. Miscellaneous Fees

1. Deed Restriction

160 fixed

3. Replacement of Inspection card

90 fixed

4. Change of Record on Permit

90 fixed

5. Credit Card Surcharge

1.70% % of invoice

6. Misc. Not otherwise classified.

90 fixed

II. PERMIT FEES		
A. Issuance Fees		
1.Simple Permit (No Plans Required)	90	fixed
2.Combination Permit	220	fixed
3.Sub Trade Permit	90	fixed
4. PV/EV Permit		
a.Roof Mounted PV	90	fixed
b.Ground Mounted PV	90	fixed
c.EV Charging Station	90	fixed
5.Deferred Submittal	90	fixed
6.Demolition Permit	90	fixed
7.Final Processing		
a.Standard	90	fixed
b.Extended (greater than 1 hour)	90	hourly
B. Routing Fees		
1.OTC Review and Issuance	90	fixed
2.Plan Review (Building Only)	150	fixed
3.Plan Review (Multi-Agency)	500	fixed
C. Plan Review Fees		
1.Over the Counter Plan Review	195	hourly
2.Standard Plan Review ²	80% of Inspection Fee	%
3.Foundation Only Plan Review (50% of Standard PC Fee) ³	50% of PC Fee	% of PC Fee
4.Standard Plan review	195	hourly
5.Expedited Plan Review (50% of Scheduled Fee) ⁴	50% of Scheduled Fee	% of PC Fee
6.Deferred Submittal	195	hourly
7.PV/EV Plan Review		
a.Roof Mounted PV	195	hourly
b.Ground Mounted PV	195	hourly
c.EV Charging Station	195	hourly
8.Demolition Plan Review	195	hourly
9.HCD Approved Structures Plan Review	195	hourly

10. Plan Review not Otherwise Classified	195	hourly
<u>D. Inspection Fees</u>		
1. Standard Building Inspection ⁵	Per Valuation Table	calculated/valuation
2. Foundation Only Building Inspection (50% of Standard Insp. Fee) ⁶	50% of Inspection Fee	% of inspection fee
3. Re-Inspection (1 hour Min.)	195	hourly
4. Simple Permits		
a. Minor	180	fixed
b. Standard (up to 3 inspections)	360	fixed
c. Additional Inspections	180	hourly
5. Permit Renewal Investigation	360	fixed
6. Temporary Certificate of Occupancy	360	fixed
7. Early Utility Connection	360	fixed
8. After Hours Inspections		
a. After normal hours (2 hour min)	180	hourly
b. Weekend (4 hour min)	180	hourly
9. Inspections not otherwise classified	180	hourly
<u>E. Fee Assessments</u>		
1. California Building standards Surcharge		calculated/state regs
2. Strong Motion-Commercial		calculated/state regs
3. Strong Motion-Residential		calculated/state regs
4. Technology Fee-Building		calculated/county ordinance
5. Technology Fee-Planning		calculated/county ordinance
6. General Plan Update		calculated/county ordinance
<u>F. Bonds</u>		
1. Temporary Occupancy Bond (\$5000 min) ⁷		TBD
<u>III. RECORD FEES</u>		
<u>A. Escrow Report</u>		
1. Single Family Residence	277	
2. Condominium/Townhouse	277	
3. Multi-family Residence	277	
4. Commercial/Industrial/Agricultural	277	

IV. CODE ENFORCEMENT FEES		
A. Work without a Permit		
1.Simple Improvements (No Plans Required)		Dbl PC & Insp Fees
2.Major Improvements (Plans Required)		Dbl Pc & Insp Fees
B. Administrative Costs		
1.Code Enforcement Investigations and Compliance Support	180	hourly
FOOTNOTES		
^[1] Hourly fees are charged in .25 hour increments		
^[2] Shell only applications shall be charged at 80% of scheduled fee		
^[3] Foundation only fee is in addition to the full fee per schedule		
^[4] Expedited fee is in addition to the full fee per schedule		
^[5] Shell only applications shall be charged at 80% of scheduled fee		
^[6] Foundation only fee is in addition to the full fee per schedule		
^[7] TCO Bond is 110% of valuation of uncompleted work		
Inspection Valuation Table		
Schedule		
Valuation	Fee	
\$0 to \$10,000	\$120.00	
\$10,001 to \$200,000	0.01323xValue-\$12.5	
\$200,001 and Up	0.01317xValue	

Article XX
RMA – Environmental Services

ARTICLE XX
RMA-ENVIRONMENTAL SERVICES FEES (1)(2)(7)(11)
(Per Resolution No. 14-XXX, adopted xxxx, 2014 by the Monterey County Board of Supervisors)

SECTION 1. LAND USE

A. Fees for Processing Various Land Use Permits Established in Monterey County Code, Title 20 (Coastal Implementation Plan) and Title 21 (Zoning).

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1. Administrative Permit	\$1,312.00	Each
2. Appeals (3)	\$164.00	Each
3. Coastal Administrative Permit	\$1,312.00	Each
4. Coastal Development Permit	\$1,312.00	Each
5. Coastal Implementation Plan Amendment (4)	Extraordinary Development Application Fee	
6. Emergency Permit	\$656.00	Each
7. Extraordinary Development Applications (1)(4)	\$4,920.00	Deposit
8. General Development Plan	\$984.00	Each
9. General/Area Plan Amendments (4)	Extraordinary Development Application Fee	
10. Minor and Trivial Amendment (Coastal, no public hearing)	\$328.00	Each
11. Minor Amendment (Non-Coastal, no public hearing)	\$328.00	Each
12. Rezoning or Code Text Amendments (4)	Extraordinary Development Application Fee	
13. Use Permit	\$1,312.00	Each
14. Permit Amendments, Renewals, and Revisions (public hearing)	\$656.00	Each
15. Permit Extensions	\$656.00	Each

B. Fees for Processing Various Subdivision Activities as Established in Monterey County Code, Title 19 (Subdivisions)

1.	Minor Subdivision Tentative Map/ Vesting Tentative Map	\$3,935.00	Deposit
	A. Adopted Community Plan (No Initial Study)	\$1,312.00	Each
2.	Minor Subdivision Extensions	\$656.00	Each
3.	Minor Subdivision Amendments or Revisions	\$984.00	Each
4.	Standard Subdivision Preliminary Map (9)	\$3,935.00	Deposit
5.	Standard Subdivision Tentative Map/ Vesting Tentative Map (4)	Extraordinary Development Application Fee	
6.	Standard Subdivision Extension	\$984.00	Each
7.	Standard Subdivision Amendments or Revisions	\$1,640.00	Each
8.	Standard or Minor Subdivision Amended Final or Parcel Map	\$2,623.00	Deposit

SECTION 2. MISCELLANEOUS

A. Various Fees for Services Provided by the RMA- Environmental Services.

	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>UNIT/TIME</u>
1.	Development Review Conference (5)	\$492.00	Deposit
2.	Specific Plans and Amendments (4)	Extraordinary Development Application Fee	
3.	Construction Permit Review		
	a. Building Permit New Single Family Dwelling (tract home)	\$328.00	Each
	b. Building Permit New Single Family Dwelling (6)	\$984.00	Each
	c. Building Permit New Commercial or Industrial (6)	\$1,312.00	Each
	d. Building Permit Dwelling Additions (6)	\$656.00	Each
	e. Building Permit Commercial or Industrial Additions (6)	\$984.00	Each
	f. Building Permit Tenant Improvement (Commercial or Industrial)	\$328.00	Each
	g. Grading Permit	\$1,312.00	Each

h. Stormwater Pollution Prevention Plan Review	\$328.00	Each
i. Site Inspection	\$246.00	Each

SECTION 3. 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	\$656.00	Each
2. Environmental Impact Reports (4)(8)	Extraordinary Development Application Fee	
3. Mitigation Monitoring (10)	\$163.96	Hour

SECTION 4. CODE ENFORCEMENT

A. Fees for Code Enforcement Activities and Processes 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	\$163.96	Hour

Notes:

- 1) RMA-Environmental Services fees are based on an hourly rate of \$163.96, representing a weighted blend of the fully burdened labor rate for a Senior Water Resources Hydrologist, Civil Engineer, Water Resources Hydrologist, and Grading Inspector. The application and condition compliance fees are included in the total. 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 in quarter hour (.25) increments multiplied by the hourly rate representing actual hours worked by 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 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. Some fees have been rounded to the nearest dollar.
- 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 application fees.
- 3) 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 Development Review 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.
- 6) This fee shall be reduced by 50% for the first Building Permit and Grading Permit following approval of a discretionary planning entitlement.
- 7) Code Enforcement fees as land use fees will be credited back to RMA-Environmental Services when appropriate.
- 8) 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 #4 above.
- 9) 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 July 13, 2003 and August 20, 2006 and on or after April 13, 2014 are full-cost recovery projects and require a deposit.
- 10) Projects approved after April 13, 2014 with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to April 13, 2014 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. When applicable, RMA-Environmental Services will charge \$163.96/hour towards the deposit collected by the Planning Department.
- 11) 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 in quarter hour (.25) increments. 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. Where there are conflicting deposit amounts, the lower deposit shall apply.

Article XI
Water Resources Agency

**ARTICLE XI
MONTEREY COUNTY WATER RESOURCES AGENCY FEES**

(Per Resolution No. 13-002, adopted May 7, 2013 by the Board of Supervisors of the Monterey County Water Resources Agency, Resolution No. 13-143, incorporated May 7, 2013 into the Master Fee Schedule by the Monterey County Board of Supervisors, and Resolution No. 14-XXX, adopted February 25, 2014 by the Board of Supervisors of the Monterey County Water Resources Agency)

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	General	
i. Application Fee	\$780.00	Each
ii. Condition Compliance Fee	\$195.00	Permit
2. Appeal (8)	\$365.00	Each
3. Permit Amendment, Renewals, Revisions, or Extension	\$610.00	Each
4. Coastal Administrative Permit		
a. General		
i. Application Fee	\$780.00	Each
ii. Condition Compliance Fee	\$195.00	Permit
5. Coastal Development Permit		
a. General		
i. Application Fee	\$780.00	Each
ii. Condition Compliance Fee	\$195.00	Permit
b. Tree Removal Only	\$244.00	Each
6. Coastal Implementation Plan Amendment (1)	Extraordinary Development Application Fee	
7. General Development Plan		
a. General		
i. Application Fee	\$976.00	Each
ii. Condition Compliance Fee	\$244.00	Permit
8. General/Area Plan Amendments (1)	Extraordinary Development Application Fee	
9. Extraordinary Development Applications (1)	\$7,318.00	Deposit

10.	Rezoning or Code Text Amendments (1)	Extraordinary Development Application Fee	
11.	Initial Environmental Review	\$486.00	Each
12.	Initial Environmental Review Addendum	\$243.00	Each
13.	Use Permit		
	a. General		
	i. Application Fee	\$780.00	Each
	ii. Condition Compliance Fee	\$195.00	Permit
14.	Variance		
	a. General		
	i. Application Fee	\$683.00	Each
	ii. Condition Compliance Fee	\$170.00	Permit
B.	Various subdivision activities as established in Title 19, Monterey County Code (Subdivisions)		
1.	Lot Line Adjustment		
	a. General		
	i. Application Fee	\$585.00	Each
	ii. Condition Compliance Fee	\$146.00	Permit
2.	Lot Line Amendment, Revisions, or Extensions	\$610.00	Each
3.	Minor Subdivision Tentative Map, or Vesting Tentative Map (10)		
	a. Application Fee	\$2,927.00	Deposit
	b. Adopted Community Plan (initial study)		
	i. Application Fee	\$2,927.00	Deposit
	c. Adopted Community Plan (no initial study)		
	i. Application Fee	\$1,170.00	Each
	ii. Condition Compliance Fee	\$293.00	Map
4.	Minor Subdivision Amendment, Revisions, or Extensions	\$610.00	Each
5.	Standard Subdivision Preliminary Map (10)	\$2,927.00	Deposit
6.	Standard Subdivision Tentative Map, or Vesting Tentative Map (1)	Extraordinary Development Application Fee	
7.	Subdivision Condition Compliance		
	a. Standard or Minor Subdivision Final or Parcel Map (11)	\$2,917.00	Deposit

8.	Standard or Minor Subdivision Amended Final or Parcel Map	\$2,917.00	Deposit
9.	Standard Subdivision Amendments, Revisions, or Extensions	\$610.00	Each

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. Development Review Conference (9)	\$364.00	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	\$731.00	Each
b. New Commercial or Industrial	(3) \$487.00	Each
c. Dwelling Addition 500 sq.ft. or more	\$487.00	Each
d. Commercial or Industrial Addition	\$487.00	Each
e. Plan Check for building/grading permits that have an associated planning permit	\$365.00	Each
f. Building and/or Grading Permits for projects located within the 100-year floodplain. (Applied by MCWRA only)(10) After 24 hours	\$2,917.00 \$121.00	Deposit Hour
4. Monterey Peninsula Water Management District Allocation Tracking: Water Release Form processing fee	\$182.00	Each
5. Big Sur Viewshed Acquisition	\$244.00	Each
6. Environmental Impact Report Review	Extraordinary Development Application Fee	
7. Mitigation Monitoring and Condition Compliance for Projects with Mitigation Measures (2)		
a. 1 to 20 Conditions/Mitigation Measures	\$731.00	Deposit
b. 21 to 40 Conditions/Mitigation Measures	\$1,463.00	Deposit
c. Over 40 Conditions/Mitigation Measures	\$2,194.00	Deposit

- | | | | |
|----|--|---------|------|
| 8. | Floodzone Inquiry Report – including supporting maps | \$83.00 | Each |
| 9. | Floodzone Inquiry Report – cover sheet only | \$55.00 | Each |

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

- | | | | |
|----|--|----------|------|
| 1. | Well Construction Fees for Wells Producing Over 5 acre-feet per year in Zone 2C and additional areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency | \$610.00 | Each |
| 2. | Well Reconstruction/Destruction Fees for Wells in Zone 2C and additional areas of Monterey County inclusive of the jurisdiction of the Pajaro Valley Water Management Agency | \$365.00 | Each |
| 3. | Well Construction/Destruction Database Maintenance Fees County Wide (4) | \$365.00 | Each |
| 4. | Well Construction Fee for New Domestic Well, in the inland areas of Monterey County (5) | \$121.00 | Each |
| 5. | Well Construction Fee for New High Capacity Well, in the inland areas of Monterey County (6) | \$243.00 | Each |

C. Hydrogeologic Report Review and Long Term Sustainable Water Supply Determination as required by 2010 General Plan Policy (PS-3.2)(12)

- | | | |
|----|--|---|
| 1. | Hydrogeologic Report Technical Review, and Advice of General Manager (1) | Extraordinary Development Application Fee |
|----|--|---|

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

- | | | | |
|----|-------------------------|------------|---------|
| 1. | Contract Administration | \$2,721.00 | Deposit |
|----|-------------------------|------------|---------|

SECTION 3. AUTOMATIC ANNUAL FEE ADJUSTMENT

The dollar amounts listed in this Article are for 2013-2014 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) These fees shall apply, in lieu of other condition compliance fees set forth in this Article, to any permit approved after the effective date of this article that incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document. If these fees apply, the other condition compliance fees set forth in this Article do not apply. Projects approved after the effective date of this article with mitigation measures shall be subject to the mitigation monitoring fees set forth in this Article. Projects approved prior to the effective date of this article 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, 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 application fees. Fees for Condition Compliance on Combined Development Permits shall be 85% of the total combined Condition Compliance fees on each permit assessed an application fee as part of the Combined Development Permit.
- 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. The Appeal Fee is based upon the fee adopted by the Board of Supervisors on May 7, 2013 which sets the fee substantially lower than the actual cost. The Appeal Fee is subsidized by the County General Fund.
- 9) Fees collected for Development Review 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.
- 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 July 13, 2003 and August 20, 2006 and on or after the effective date of this article are full-cost recovery projects and require a deposit.
- 11) The condition compliance fee shall be collected after project approval and after all administrative appeals have been exhausted, based on the fee in effect at the time of collection, to cover the cost of staff time monitoring condition compliance. If the permit incorporates mitigation measures, such as permits that required adoption of a Mitigated Negative Declaration, certification of an EIR, or carryover of mitigation measures from a previously adopted/certified environmental document, the condition compliance fees that apply are the fees set forth under the category "Mitigation Monitoring and Condition Compliance for Projects with Mitigation Measures." Those fees are based on actual time spent on monitoring condition compliance and require a deposit. Additionally, project applications whose application fees were based on actual time, rather than flat fee, will continue to be subject to fees based on actual time for condition compliance, and the County may require an additional deposit for condition compliance. For all other projects, the fee for condition compliance

is as indicated in the fee schedule. Where the applicable condition compliance fee is a flat fee, it is based on the estimated reasonable cost of staff time for monitoring condition compliance. Because such flat fees represent an average across all similar permits, such flat fee shall be required of all permits having at least one condition of approval, regardless of the total number of conditions and regardless of the land use department or agency that originated the condition.

- 12) When a hydrogeologic report is required to be prepared for a subdivision or other application subject to Title 19 of the Monterey County Code, the report shall be based on a comprehensive hydrological investigation prepared by a certified hydrogeologist, selected by the County and under contract with the County, at the applicant's expense. A deposit for staff costs associated with preparation and administration of the contract, and review of the hydrogeologic report shall be in addition to the deposit for the associated development application. When an application is not subject to Title 19, the applicant shall consult with the Water Resources Agency (WRA) to develop the scope of work for the hydrological investigation; however, selection, contract, and preparation of the hydrogeologic report shall occur independent of the County. WRA will review the hydrogeologic report in consultation with the Environmental Health Department.
- 13) WRA fees are based on an hourly rate of \$121.58. 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 in quarter hour (.25) increments 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 General Manager of the Water Resources Agency 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. All fees have been rounded down to the nearest dollar.