

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

Resolution No. 26- _____

Resolution Amending the Monterey County Fee)
Resolution relating to Fee Articles for)
processing applications for land-use permits and)
entitlements, effective May 10, 2026, as)
follows:)
a. Find that modification of permit fees is)
statutorily exempt from the California)
Environmental Quality Act (CEQA))
pursuant to Section 15273 of the CEQA)
Guidelines; and)
b. Amend the Monterey County Fee Resolution,)
Article X – Public Works to adjust fees.)
)

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 services rendered, 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. Periodically, fees for these services are amended to recover at least a portion of the costs to provide these services.
4. The Public Works Division of the Department of Public Works, Facilities, and Parks is proposing adjustments to fees as a result of the consolidation of staffing from the Housing and Community Development Department (HCD), together with an elimination of certain fees for services now fully rendered by HCD staff.
5. The land use fee adjustments made by this resolution are to recover staff costs of processing applications for land use for permits and entitlements and associated planning, monitoring, and enforcement activities performed by HCD. The increased

fees do not exceed estimated reasonable or actual costs of performing the services, processing land-use applications and entitlements, and associated permitting, monitoring, and enforcement activities. Any adjustments to the fees reflect no more than the actual costs of the services or benefits received by the payor. To the extent that the fees do not result in full cost recovery, the shortfall may impact the County General Fund.

6. The fees for services provided by the Public Works Division of the Department of Public Works, Facilities, and Parks are in **Article X** of the Monterey County Fee Resolution Fee Articles. Said **Article X** was last updated in 2021 (Resolution 21-169).
7. 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 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.
8. This action to modify land use fees is not a project under the California Environmental Quality Act (CEQA) 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).)
9. Said amendments to the Public Works fees shall take effect no sooner than 60 days following adoption of the amendment.
10. A notice of this matter was provided by publication of notice in a newspaper 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 THAT the Board of Supervisors of the County of Monterey does hereby:

1. Certify that the foregoing recitals are true and correct.
2. Amend the Monterey County Fee Resolution, to take effect May 10, 2026, relating to fees for services provided by Public Works, as follows:

- a. Find that modification of permit fees is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15273 of the CEQA Guidelines; and
- b. Amend Article X-Public Works to make adjustments to fees.

Article X-Public Works, as amended herein, are attached hereto and incorporated herein by reference.

PASSED AND ADOPTED upon motion of supervisor _____, seconded by Supervisor _____ and carried this 10th day of March 2026, by the following vote, to wit:

AYES:
NOES:
ABSENT:

I, Valerie Ralph, 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 resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book _____ for the meeting on _____.

Dated:
File Number:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

ARTICLE X – Public Works

