

**BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, CALIFORNIA**

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Adopting a Schedule of Fees for Services Provided  
by the Department of Public Works, County Surveyor Division in Connection with  
the Review and Approval of Subdivision and Survey Related Documents and Maps  
within the jurisdiction of Santa Barbara County**

**SECTION 1. Purpose and Findings.**

The County Surveyor Division of Public Works fee Ordinance is promulgated in accordance with services provided by the County Surveyor under California Government Code Section 66410 Et. seq., California Business & Professions Code Section 8700 Et. seq., and Chapters 21 and 21A of the Santa Barbara County Code. The County Surveyor Division and an independent consultant worked together to convert the County's current system of deposit-based fees to fixed cost-based fees. The recommended fees presented in the study reflect the full cost of providing the services with the exception of those governed or prohibited by law.

Pursuant to Government Code Section 54985, the Board of Supervisors has determined the fee rate reasonably necessary to recover the cost of providing the services set forth above is based on fee studies of the cost required to provide each service. The fee amounts set forth and adopted in this Ordinance are based upon the results of a fee study reviewed by the County Auditor-Controller to reflect the current cost of providing the services and enforcing the related regulations and statutes governing County Surveyor services.

In adopting this Ordinance, the Board finds that the fees charged by this Ordinance are set in an amount equal to or less than reasonably necessary to recover the County's average actual cost of providing the services and ensuring compliance with State Law, County Ordinances and regulations for which the Department of Public Works, County Surveyor Division charges.

The setting of these fees is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15273 and California Public Resources Code section 21080(b)(8)(A) and (B), as the fees will be used for operating expenses, supplies, equipment and materials.

**SECTION 2. Ordinance Recital**

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

- a) County Resolution 07-411 adopted for the collection of fees for Subdivision Map and other Document Review by the County Surveyor is hereby rescinded for projects submitted after the effective date of this Ordinance. Fees for projects submitted prior to the effective date of this Ordinance shall remain under the jurisdiction of County Resolution 07-411;
- b) The Subdivision Map and Document Review Fee Schedule shall be set forth in Exhibit A, which is attached and incorporated by reference;
- c) Fees and procedures outlined in Exhibit A shall be controlling of and shall supercede fees collected by Planning and Development for Public Works pursuant to resolutions or ordinances enacted to control Planning & Development fees;
- d) The Department of Public Works shall reimburse County Counsel from the fees collected by them at the appropriate hourly rate as determined by the Auditor-Controller for services provided in connection with those contained within this Ordinance;
- e) All other fees of Public Works including those for the County Surveyor not referenced in Exhibit A shall remain in full force and effect;
- f) Upon a showing of good cause, the Board of Supervisors may, by minute order or Ordinance, adjust or waive the fees set forth in Exhibit A;

- g) That the fees set forth in the attached schedule of fees are exempt from the California Environment Quality Act (CEQA) review pursuant to 14 CCR 15273 and Public Resources Code Section 21080, subd. (b)(8)(A) and (B) in that the fees will be used for operating expenses and for the purpose of supplies, equipment and materials.

**SECTION 3. Effective Date**

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage, it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Daily Sound, a newspaper of general circulation published in the County of Santa Barbara.

**PASSED, APPROVED, AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM

MICHAEL F. BROWN  
CLERK OF THE BOARD

DENNIS MARSHALL  
COUNTY COUNSEL

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_  
Kevin E. Ready, Sr., Senior Deputy

APPROVED AS TO ACCOUNTING:  
ROBERT GEIS  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy

## **EXHIBIT "A"**

### **PUBLIC WORKS/COUNTY SURVEYOR** *Subdivision Map and Document Review Fee Schedule*

The County of Santa Barbara requires payment for all processing costs associated with the review of maps and documents for subdivisions, mergers, lot-line adjustments, certificates of compliance, and other legal surveying documents reviewed by the County Surveyor Division of Public Works. The County Surveyor reviews each document for compliance with State Law and local Ordinances before submitting final documents to the County Recorder. The Public Works Department uses the criteria outlined below to determine whether a FIXED FEE or DEPOSIT shall be required. The Public Works Subdivision Map and Document Review Fees are listed in this Exhibit below.

#### **1. FIXED FEE**

The County Surveyor collects a FIXED FEE when a project has a consistently predictable level of staff review for that document type. These fees are computed using the following general formula: *Average number of hours multiplied by the Standard Salary Cost plus Non-Salary Costs*. If a FIXED FEE is collected for the project, applicants will not be billed for any additional costs, nor will fees be refunded, unless the applicant is informed that the case is being converted to a DEPOSIT as described below.

CONVERSION OF FIXED FEES: The County Surveyor assesses a case during the review of the application and may reconsider the appropriateness of submitted fixed fees. This may happen if the case has unique characteristics which would make the case much more expensive to process than the typical case upon which the FIXED FEE was established, if the applicant submits substantial revisions later in the review process, if the applicant submits subsequent reviews that require additional revisions an excessive number of times (more than 3 reviews in total), or if unforeseen circumstances arise. For such cases, the Public Works Director, the County Surveyor, or their designee may require the case to be converted to a DEPOSIT (full cost recovery). Any unused portion of the FIXED FEE will be credited to the project account. The applicant will be required to submit an AGREEMENT for Payment of Processing Fees and may be required to submit an additional deposit before case processing is resumed. Staff will inform applicants in writing when this situation arises.

#### **2. DEPOSIT FOR COST REIMBURSEMENT**

A DEPOSIT is collected when a project requires a higher level of review, has a significant chance that it will deviate substantially from the average project of its type (e.g. Certificates of Compliance may require 10, or as many as 100 hours to process due to the complexity of the chain of title), or is otherwise converted from a FIXED FEE to a DEPOSIT as outlined above. A DEPOSIT is required to ensure cost reimbursement. Initial fees will take the form of a PREDETERMINED DEPOSIT due upon application submittal which is generally the average cost of reviewing that particular type document. Additional fees will be requested when the project balance has been determined to be less than the remaining estimate of work to be performed before closure of the project. The DEPOSIT amount will be applied to direct costs of staff review at established STANDARD SALARY COST and NON-SALARY COSTS. After the documents are reviewed and approved for recording and all project related costs have been charged, the applicant will receive a refund of any remaining balance. In no case will the project be finalized without sufficient funds on deposit with the Public Works Department without approval from the Board of Supervisors.

**STANDARD SALARY COST:** The Public Works standard salary cost (the hourly rate at which staff's time is billed) is approved by the Auditor-Controller's office. It is calculated using the average hourly cost including salary and benefits for staff and indirect salary costs attributable to the function though not to a specific project, e.g. supervision, clerical and support services, public information, equipment, and training.

**NON-SALARY COSTS:** The Public Works Department has developed standard charges to recover non-salary costs associated with the processing of projects. The charges recover costs ranging from office supplies and equipment to expedited mailings. A charge will be made against the DEPOSIT for each non-salary cost category that applies to that project.

### **3. EXPEDITED PROCESSING**

**EXPEDITED PROCESSING** is a voluntary process whereby the applicant can request that a Record of Survey or any project subject to regulation by Chapter 21 of the County Code be reviewed by a qualified contractor or regular county employee on overtime as selected by the County Surveyor. This request must be made in writing.

**EXPEDITED PROCESSING COST:** Any project that is subject to this section will require 1 ½ (one and one-half) times the initial fee for FIXED FEE projects or will be processed at 1 ½ (one and one-half) times the normal hourly approved billing rate of county staff processing the project for DEPOSIT based projects. All indirect costs will also be paid (overnight mail, etc.) by the applicant. Qualified contractors will be considered to be billed at the same hourly rate as county staff.

### **4. REIMBURSEMENT OF COUNTY COUNSEL**

The Applicant shall reimburse County Counsel for staff time while working on any project subject to this Fee Ordinance at the hourly rate as approved by County Counsel. The Public Works Department shall collect said fees for County Counsel which shall be SEPARATE from the FIXED FEES and/or DEPOSITS collected by the County Surveyor from the applicant of the above type projects. All fees collected by the County Surveyor for County Counsel shall be received PRIOR to the recordation or filing of any project subject to this Fee Ordinance.

### **5. IN PROGRESS PROJECT FEES**

All projects submitted prior to the effective date of this Ordinance are not subject to it and all fees will be paid in accordance with the previously adopted Resolution until project completion. Projects submitted on or after the effective date of this Ordinance shall be subject to this Ordinance.

### **6. CPI ADJUSTMENT**

The Director of Public Works ("Director") shall annually increase all fees adopted pursuant to the Mitigation Fee Act, Government Code section 66000 et seq., by the Consumer Price Index, All Urban Consumers, Los Angeles-Anaheim-Riverside, and shall use the percent change of that index from January to December of each year. The Director will review such proposed increases to ensure these accurately reflect the appropriate CPI adjustment and, if satisfied with the accuracy of the fee adjustment, shall increase fees and provide appropriate notice to the public of the increase on or before May 1 of each year. Adjustments to fees shall be effective on July 1 of each year, beginning in 2010. Nothing herein shall be construed as limiting the authority of the Board to consider and adopt other adjustments to land development fees where such actions are appropriate for the County to recover fees necessary to cover the cost of the services provided.

## **7. APPEALS**

If an applicant wishes to appeal a decision made by the County Surveyor in accordance with Chapter 21 of the County Code, then the appellant must submit a FIXED FEE of \$2,000, which consists of FIXED FEES for County Counsel of \$250 and the Clerk of the Board of \$250 and a FIXED FEE amount of \$1,500 to Public Works. Upon completion of processing the appeal, no remaining balance will be refunded to the applicant should there be any. No costs will be charged beyond the initial FIXED FEE amount if there are overages.

## **8. NON-PAYMENT OF FEES OR DEPOSITS**

The County Surveyor will not finalize or record any subdivision map or document review project until all project processing costs have been paid. This includes those FEES collected by the County Surveyor for County Counsel. For DEPOSIT applications, work will be held in abeyance until the DEPOSIT amount estimated by staff has been paid. Failure to pay initial deposit within ten (10) calendar days and/or additional deposits within thirty (30) calendar days of billing date shall be grounds for suspension of processing of the project. If the owner or applicant owes an amount due on any other subdivision map or document review project with the County Surveyor, any past due amount must be paid by the applicant before the County Surveyor will accept a subsequent application from the applicant. Further, the applicant will be required to submit full estimated costs of processing plus 50% at the time the deposit for the subsequent application is due.

**PUBLIC WORKS/COUNTY SURVEYOR**  
*Subdivision Map and Document Review Fee Schedule*  
*Effective \_\_\_\_\_*  
*County Ordinance No. 10-\_\_\_\_\_*

<b>Project Type</b>	<b>Old Fee Type</b>	<b>Old Fee</b>	<b>New Fee Type</b>	<b>New Fee</b>
Agricultural Preserve (Cancellation) *	FIXED	\$730	FIXED	\$403
Agricultural Preserve (New)	FIXED	\$0	N/A	\$0
Agricultural Preserve (Non-renewal) *	FIXED	\$270	FIXED	\$403
Agricultural Preserve (Replacement)	FIXED	\$0	N/A	\$0
Boundary Line Agreement (Ch 21A only (Base))	FIXED	\$1,250	FIXED	\$1,117
Boundary Line Agreement (Ch 21A (Add/lot))	DEPOSIT	\$50	N/A	N/A
Certificate of Compliance	DEPOSIT	\$1,000	DEPOSIT	\$1,702
Certificate of Correction	FIXED	\$10	FIXED	\$15 ***
Conditional Certificate of Compliance	DEPOSIT	\$1,000	DEPOSIT	\$475
Condominium Map (Final or Parcel Map) **	N/A	N/A	FIXED	\$2,746
Corner Record	DEPOSIT	\$10	FIXED	\$18 ***
Final Map (Base)	DEPOSIT	\$3,100	N/A	N/A
Final Map (Additional per lot)	FIXED	\$50	N/A	N/A
Final Map – 1 to 25 lots	N/A	N/A	FIXED	\$4,921
Final Map – 26 to 75 lots	N/A	N/A	FIXED	\$5,749
Final Map – 76 + lots	N/A	N/A	FIXED	\$9,498
Lot Line Adjustment (Base)	DEPOSIT	\$1,250	FIXED	\$1,416
Lot Line Adjustment (Additional per lot)	FIXED	\$50	N/A	N/A
Monument Inspection (Final Maps per visit)	DEPOSIT	\$250	FIXED	\$362
Parcel Map (Base)	DEPOSIT	\$1,850	FIXED	\$2,746
Parcel Map (Additional per lot)	FIXED	\$50	N/A	N/A
Parcel Validity Review **	N/A	N/A	FIXED	\$57
Record of Survey	FIXED	\$344	FIXED	\$450
Record of Survey – (Ea review after 3 <sup>rd</sup> )	N/A	N/A	FIXED	\$200
Recorded Map Modification *	FIXED	\$130	FIXED	\$898
Reversion to Acreage Map (Final Map)	FIXED	\$988	FIXED	\$1,413
Reversion to Acreage Map (Parcel Map)	FIXED	\$843	FIXED	\$1,413
Road Name (Each) *	FIXED	\$50	FIXED	\$111
Road Right of Way Determination **	N/A	N/A	DEPOSIT	\$750
Tentative Final Map *	FIXED	\$425	N/A	N/A
Tentative Final Map - 1 to 25 lots *	N/A	N/A	FIXED	\$991
Tentative Final Map - 26 to 75 lots *	N/A	N/A	FIXED	\$1,107
Tentative Final Map – 76+ lots *	N/A	N/A	FIXED	\$1,272
Tentative Lot Line Adjustment (PC) *	FIXED	\$200	FIXED	\$1,229
Tentative Lot Line Adjustment (ZA) *	FIXED	\$200	FIXED	\$1,229
Tentative Parcel Map *	FIXED	\$160	FIXED	\$977
Voluntary Merger	DEPOSIT	\$600	FIXED	\$1,075
County Counsel Fee			HOURLY	\$168
Survey Specialist/Party Chief			HOURLY	\$133
Eng Tech II/I			HOURLY	\$91
Mapping GIS Tech			HOURLY	\$92
Mapping GIS Analyst			HOURLY	\$135
Office Professional II			HOURLY	\$83
Deputy County Surveyor			HOURLY	\$185

\* Fees initially collected through P&D

\*\* New fee

\*\*\* This indexing fee is equivalent to the cost of recording a document and will adjust accordingly if there are additional sheets or the recording fees change

A minimum of three (3) reviews will be conducted per FIXED FEE submitted before the fixed fee project can be converted to a DEPOSIT except Record of Surveys as shown above