

PUBLIC HEALTH
ENVIRONMENTAL HEALTH
LAND DEVELOPMENT REVIEW

EXHIBIT B

**RESOLUTION OF THE BOARD OF SUPERVISORS
County of Santa Barbara, State of California**

IN THE MATTER OF ADOPTING FEES)
FOR ENVIRONMENTAL HEALTH)
SERVICES LAND DEVELOPMENT)
REVIEW)

RESOLUTION NO. _____

WHEREAS, the County of Santa Barbara is authorized to establish reasonable fees for the processing of land use permits, zone changes and other procedures authorized by local ordinance pursuant to Government Code §66014; and

WHEREAS, the County of Santa Barbara is authorized to establish reasonable fees for the processing of tentative, final, and parcel maps, and other procedures authorized by local ordinance pursuant to Government Code § 66451.2; and

WHEREAS, §16-47 of the Santa Barbara County Code provides that the Board of Supervisors may adopt by resolution a schedule or schedules of required fees for specified health services by the Public Health Department; and

WHEREAS, the present fees have remained unchanged since the adoption of Resolution 06-355 on November 14, 2006 and effective 60 days thereafter; and

WHEREAS, the fees established by this resolution will recover a portion of the costs of administering land use review by the Environmental Health Services Division of the Public Health Department within the County; and

WHEREAS, the Board of Supervisors finds that the fees set forth in this resolution are exempt from California Environmental Quality Act (CEQA) review pursuant to 14 CCR 15273 and Public Resources Code §21080, subd. (b)(8)(A) and (B) in that the fees will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, the County of Santa Barbara has in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code §6062a; and

WHEREAS, the County of Santa Barbara has complied with the notification requirements of Government Code §66016, subdivision (a), including making data for the fees available for public inspection for at least 10 days before the public hearing; and

WHEREAS, the fees may be revised as needed by the Santa Barbara County Board of Supervisors, and if the revision does not occur, the existing fees shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

That the fees set forth in the attached schedule of fees are hereby adopted pursuant to Government Code 66451.2 and §16-47 of the Santa Barbara County Code. Said fees are to become effective 60 days after approval by the Board of Supervisors.

Resolution 06-355, adopted November 14, 2006, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution 06-355 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DANIEL J. WALLACE,
COUNTY COUNSEL

By Celeste E. Andersen
Deputy County Counsel

APPROVED AS TO FORM:
ROBERT GEIS,
AUDITOR-CONTROLLER

By _____
Deputy

**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES DIVISION FEE SCHEDULE
LAND DEVELOPMENT**

1. Case Review

A fee amount, as shown below, shall be required for all land use case review, consultation, public meeting attendance, and determining compliance with project conditions. The fee amount is based upon the type of application being filed, as follows:

<u>Case Type</u>	<u>Fee / Hours</u>
Conditional Use Permit - Amendment, Major, Minor or Detached 2 nd Unit	\$ 715/ (2.0 hrs)
Coastal Development Plan (with Hearing)	1,255/(3.5 hrs)
Conditional Certificate of Compliance	365/(1.0 hrs)
Development Plan (New or Revised)	1,435/(4.0 hrs)
Development Plan Amendment	715/(2.0 hrs)
Tract Map	2,510/(7.0 hrs)
Tentative Parcel Map	2,510/(7.0 hrs)
Parcel Map Waiver	365/(1.0 hrs)
Recorded Map Modification	365/(1.0 hrs)
Lot Line Adjustment	715/(2.0 hrs)
Mining Reclamation Plan	365/(1.0 hrs)
Oil & Gas Production/Exploration Plan	180/(0.5 hrs)
Rezone	180/(0.5 hrs)
Specific Plan	365/(1.0 hrs)
General Plan Amendment	365/(1.0 hrs)
Other land use cases requiring review by Environmental Health Services staff	365/(1.0 hrs)

2. Fees

A fee, or fees, as set forth in item Section 1 above, shall be deposited with Santa Barbara County Planning and Development Department (Planning and Development) by the applicant, prior to determination by Planning and Development of application completeness. This fee will be applied to an applicant's accounting record for costs associated with full case review, site visits, consultation, report review, letter writing, public meeting attendance, and determining compliance with project conditions.

3. Hourly Rate

\$ 110

An hourly rate fee shall be charged for staff time in excess of the hours noted in Section 1 (Case Review) necessary to complete case review, condition compliance monitoring, pre-application assessments, special consultations, recycled water project review, generation of reports or correspondence, or other work related to a land use project and requested by a project applicant or the County Planning and Development Department, or required by conditions of approval.

- A. The hourly rate fee shall be determined by the number of person-hours, rounded up to the nearest one-quarter hour, including reasonable travel time, actually expended by County personnel in performing the above-noted tasks.

B. Such charges shall be due and payable upon receipt of an invoice from Environmental Health Services, and must be remitted prior to land use clearance.

4. Additional Program Charges

Photocopies, each	\$ 0.35
Check returned for non-sufficient funds	\$ 34.00

5. Prorating of Fees

The County reserves the right to prorate all fees described in this resolution.

6. Delinquent Fees

Fees that are invoiced by Environmental Health Services as outlined in this fee schedule, which are not paid by the due date on the invoice shall be considered delinquent, and the following additional charges added:

- A. For the first 30 days of delinquency, any unpaid portion will have a penalty of 10% assessed.
- B. After 30 days of delinquency, an additional 15% of the unpaid balance will be assessed and a Final Notice will be issued.
- C. If the fee is not paid within two weeks from the date of the Final Notice, the facility will be referred to the Santa Barbara County Treasurer/Tax Collector's office for collection. In addition to the fee(s) and any penalties associated with delinquent fee(s) as described above, accounts referred for collection shall be charged for the actual cost associated with collection efforts. The delinquency fees are in addition to any other remedies available to the County.
- D. If any person required to pay a fee pursuant to this resolution has an outstanding balance due for any service rendered by Environmental Health Services, any past due amount shall be paid before Environmental Health Services will approve a subsequent application from that person or renewal of an existing permit for that person, unless such past due amount is waived or reduced as provided in this resolution.

7. Contest of Charges

Any person required to pay fees pursuant to this fee resolution may file written notice of contest of fees accompanied by such materials as will support the claim for relief, including payment in full as invoiced, with the Director (or designee) of Environmental Health Services Division for determination of the correct amount of fees due under this resolution. If the staff time required to review and approve construction plans addressed by this resolution is at least 30 minutes less than that allotted for that particular fee category, the applicant may request a partial refund of the fee paid.

Such written notice shall be filed with the Director (or designee) within 45 days after mailing or personal delivery of the fee invoice. This period may be extended by the Director (or designee) upon a showing of good cause. Upon receipt of such written notice of contest of fees, the Director (or designee) shall make a decision on said contested fees. The decision shall be final with no further right of review. Failure to include payment in full, as invoiced, will result in denial of review.

Refunds made as a result of this process shall be paid by Environmental Health Services and shall not include interest.

8. Fee Waiver

Any person required to pay fees pursuant to this fee resolution may file a written application, including payment in full as invoiced, with the Board of Supervisors for a waiver or reduction of any said fees, or any part thereof. The Board of Supervisors may waive or reduce the fees to the extent permitted by law and public policy, upon a showing of good cause by the applicant. The application shall be filed with the Clerk of the Board of Supervisors within 45 days after mailing or personal delivery of the statement of fees. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by Environmental Health Services and shall not include interest.

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Health Department

Based on a preliminary review of the project, the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) N/A Case No: N/A

Location: COUNTY OF SANTA BARBARA

Project Title: ADOPTION OF FEE RESOLUTION

Project Description: RESOLUTION ESTABLISHING FEES FOR ENVIRONMENTAL HEALTH SERVICES LAND DEVELOPMENT REVIEW

Exempt Status: (Check One)

Ministerial Statutory Categorical Exemption Emergency Project

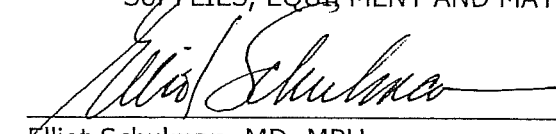
No Possibility of Significant Effect [Sec 15061(b,3)].

Cite specific CEQA Guideline Section:

14 CCR 15273 - PUBLIC RESOURCES CODE SECTION 21080(b)(8)(A) and (B)

Reasons to support exemption findings (attach additional material, if necessary):

FEES WILL BE USED TO MEET OPERATING EXPENSES AND FOR THE PURCHASE OF SUPPLIES, EQUIPMENT AND MATERIALS.



14 Feb 08

Elliot Schulman, MD, MPH
Director & Health Officer, Public Health Department

Date

NOTE: A copy must be posted in the County of Santa Barbara Planning and Development Department at least six days prior to consideration of the activity by the decision makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitation on legal challenges.

Distribution: Planning and Development Department

Date Filed with the County Clerk