

**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.**

This Ordinance is promulgated with reference to services provided by the County Surveyor under the Subdivision Map Act (California Government Code sections 66410 et seq.), the Professional Land Surveyor's Act (California Business & Professions Code sections 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 develop the recommended fees in the attached schedule (Exhibit A). The recommended fees 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 amounts of the fees are reasonably necessary to recover the costs of providing the services described herein and are based on fee studies of the costs 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 that reflects the current costs 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 costs of providing the services and ensuring compliance with state law and regulations and Santa Barbara County ordinances for which the fees are levied.

The setting of these fees is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. section 15273, subdivisions (a)(1) and (a)(2), and section 15378, subdivisions (b)(4) and (b)(5), and California Public Resources Code section 21080, subdivisions (b)(8)(A) and (B), as the activities are the establishment, modification, structuring, restructuring, or approval of rates or other charges by Santa Barbara County for the purpose of meeting operating expenses and purchasing or leasing supplies, equipment, or materials.

**SECTION 2. Ordinance Recital**

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

- a) Santa Barbara County Ordinance 5132 adopted for the collection of fees for subdivision maps 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 subject to County Ordinance 5132;
- b) The fee schedule for the review and approval of subdivision and survey related documents and maps is set forth in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference;
- c) Fees and procedures outlined in Exhibit A shall be controlling of and shall supersede fees collected by the County of Santa Barbara Planning and Development Department for Surveyor projects pursuant to resolutions or ordinances enacted to control the County of Santa Barbara Planning and Development Department's fees;
- d) The County of Santa Barbara Department of Public Works shall reimburse the County of Santa Barbara Office of County Counsel from the fees collected by the County of Santa Barbara Department of Public Works at the appropriate hourly rate as determined by the County of Santa Barbara Auditor-Controller for services the County of Santa Barbara Office of County Counsel provides in connection with the services the County Surveyor Division provides that are described herein;

- e) All other fees levied by the County of Santa Barbara Public Works Department, including those levied by the County Surveyor Division, 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, reduce or waive the fees set forth in Exhibit A;
- g) That these activities are exempt from review under the California Environment Quality Act (CEQA) pursuant to 14 C.C.R. section 15273, subdivisions (a)(1) and (a)(2), and section 15378, subdivisions (b)(4) and (b)(5), and Public Resources Code section 21080, subdivisions (b)(8)(A) and (B), in that these activities are the establishment, modification, structuring, restructuring, or approval of rates or other charges by Santa Barbara County for the purpose of meeting operating expenses and for the purpose of purchasing or leasing supplies, equipment, or materials.

**SECTION 3. Effective Date**

This Ordinance and the fees set forth herein shall take effect and be in force sixty (60) days after adoption. 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 News-Press, a newspaper of general circulation published in the County of Santa Barbara.

**PASSED, APPROVED, AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 202~~36~~ by the following vote: AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
**BOB NELSON ~~DAS WILLIAMS~~**

CHAIR, BOARD OF SUPERVISORS

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
 CLERK OF THE BOARD

APPROVED AS TO FORM:

RACHEL VAN MULLEM  
 COUNTY COUNSEL

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

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

Deputy

Deputy

APPROVED AS TO ACCOUNTING:

BETSY SCHAFFER, **CPA, CPFO**  
 AUDITOR-CONTROLLER

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

Deputy

## **EXHIBIT "A"**

### **COUNTY OF SANTA BARBARA**

#### **PUBLIC WORKS DEPARTMENT / COUNTY SURVEYOR DIVISION**

##### *Fee Schedule for Review and Approval of Subdivision and Survey Related Documents and Maps*

The County of Santa Barbara requires payment for all costs associated with the review and processing of maps and documents for subdivisions, mergers, lot-line adjustments, certificates of compliance, and other legal surveying documents reviewed, processed, and approved by the County Surveyor Division of the Public Works Department. The County Surveyor reviews such documents for compliance with state law and regulations and Santa Barbara County ordinances before submitting as final documents to the County Recorder. The Public Works Department uses the criteria outlined below to determine whether a **FIXED FEE** or **DEPOSIT FOR FULL COST RECOVERY** shall be required. These 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. If a fixed fee is collected at application submittal, applicants will not be billed for additional costs unless the project raises complex issues causing the project to be more expensive to process than is typical for cases upon which the fixed fee was based. In such cases, the Director of Public Works or designee may convert the fixed fee project to a full cost recovery billing. Staff will notify the applicant in writing before the project is converted to a cost recovery billing process. An Agreement for Payment of Processing Fees form, identifying the Financially Responsible Party shall be collected after staff notifies the applicant of conversion to a full cost recovery project and before continued staff processing.

#### **2. DEPOSIT FOR FULL COST RECOVERY**

A **DEPOSIT** is collected when a project has a significant chance that it will deviate substantially from the average level of staff review for a 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). An Agreement for Payment of Processing Fees form, identifying a Financially Responsible Party, shall be collected at project submittal. A **DEPOSIT** shall also be collected at application submittal and will be held in trust to ensure cost reimbursement. Actual charges (hourly billing rates) will be applied to project deposits on a monthly basis. The Financially Responsible Party will be charged for any County contractor costs (direct and indirect). Staff will notify the Financially Responsible Party in writing of the need for a consultant prior to charges being incurred. Additional deposits will be requested when the remaining project deposit balance has been determined to be less than the remaining estimated costs of work to be performed before closure of the project. Further staff review for the project will not be performed without sufficient funds in the project deposit balance.

After closure of the project, the applicant will receive a refund of any remaining project deposit balance, unless the project deposit balance is less than twenty (\$20) dollars.

#### **3. EXPEDITED PROCESSING**

**EXPEDITED PROCESSING** is a voluntary process whereby the applicant can request in writing at time of application submittal that a project subject to regulation by this fee ordinance be reviewed on an expedited basis. The decision to approve or deny the request for expedited processing will be at the County Surveyor's discretion and will also be subject to staff and/or County contractor availability.

**EXPEDITED PROCESSING COST:** Each project for which the applicant requests **EXPEDITED PROCESSING** shall require 1 ½ (one and one-half) times the **FIXED FEE** or **DEPOSIT**, depending

on the type of the project for which EXPEDITED PROCESSING is requested. Overtime charges will be charged against the project deposit balance at 1 ½ (one and one-half) times the normal hourly billing rate of County staff processing the project. All indirect costs will also be paid (overnight mail, etc.) by the Financially Responsible Party. The Financially Responsible Party will be charged all County contractor costs (direct and indirect).

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

The Financially Responsible Party and/or 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 the County Auditor-Controller. The Public Works Department shall collect these fees for County Counsel which shall be SEPARATE from the fees collected by the County Surveyor from the Financially Responsible Party and/or applicant for the services provided by the County Surveyor staff, County qualified contractors, or consultants for projects subject to this Fee Ordinance. All fees collectable by the Public Works Department 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 for which a complete application is submitted prior to the effective date of this Ordinance are not subject to this Ordinance, and all fees for those projects will be paid in accordance with the previously adopted Ordinance until project completion or closure. Projects for which an application is submitted on or after the effective date of this Ordinance shall be subject to this Ordinance.

#### **6. CPI ADJUSTMENT**

The Director of the Public Works Department (“Director”) shall annually review and may adjust fees adopted herein in accord with changes to the Consumer Price Index (CPI). Adjustments to fees shall be rounded to the nearest dollar and become effective no earlier than July 1 of each year and appropriate notice shall be provided 60 days prior to the adjustment effective date. CPI adjustments shall be based on the All Urban Consumers, Los Angeles-Long Beach-Anaheim area and shall use the percent change of that index from January to December of the year prior to the effective date.

#### **7. APPEALS**

If an applicant wishes to appeal a decision made by the County Surveyor in accordance with Chapter 21 and Chapter 21A 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, the Clerk of the Board of \$250, and the Public Works Department of \$1,500. After the Board of Supervisors’ final decision on the appeal, no remaining balance will be refunded to the appellant 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 or survey related document or map until all project fees have been paid. This includes those FEES collected by the Public Works Department for County Counsel. For DEPOSIT projects, work will be held in abeyance until all DEPOSIT amounts have been paid. Failure to pay additional deposits within thirty (30) calendar days of billing date shall be grounds for suspension of processing of the project. If the applicant or its Financially Responsible Party owes an amount due on any other project to be reviewed, processed, or approved by the County Surveyor, all past due amounts must be paid by the applicant and/or Financially Responsible Party before the County Surveyor will commence work on any subsequent application from the applicant.

## 9. RECORD OF SURVEY

The County shall subsidize a portion of the DEPOSIT for reviewing a Record of Survey for a project located in the unincorporated area as stated in the Subdivision Map and Document Review Fee Schedule, except that the Financially Responsible Party for which such an application is filed shall be responsible for payment of the remainder of the DEPOSIT in the form of a FIXED FEE in the amounts of \$~~582653~~ for the initial review and \$~~25687~~ for each subsequent review. This Section 9 shall remain in effect for completed project applications submitted prior to July 1, 202~~67~~, and as of that date this Section 9 is repealed, unless a later ordinance that is enacted before July 1, 202~~67~~, deletes or extends that date. If this Section 9 is repealed, the DEPOSIT for reviewing a Record of Survey as stated in the Subdivision Map and Document Review Fee Schedule shall be replaced by a FIXED FEE in the amounts of \$~~582653~~ for the initial review and \$~~25687~~ for each subsequent review, as adjusted for changes to the Consumer Price Index (CPI) in accord with Section 6, CPI Adjustment, of this Fee Ordinance.

**PUBLIC WORKS/COUNTY SURVEYOR**  
*Subdivision Map and Document Review Fee*  
*Schedule Effective \_\_\_\_\_*  
*County Ordinance No. 236 \_\_\_\_\_*

Project Type	Old Fee Type	Old Fee	New Fee Type	New Fee
Agricultural Preserve (Cancellation)	Fixed	\$ <del>366410</del>	Fixed	\$366410
Agricultural Preserve (New)	Fixed	\$ <del>366410</del>	Fixed	\$366410
Agricultural Preserve (Replacement)	Fixed	\$ <del>366410</del>	Fixed	\$366410
Boundary Line Agreement (Ch 21A only (Base))	Fixed	\$ <del>3,1983,590</del>	Deposit	\$3,1983,590
Certificate of Compliance	Deposit	\$ <del>2,1322,393</del>	Deposit	\$2,1322,393
Certificate of Correction	Fixed	\$14	Fixed	\$14
Conditional Certificate of Compliance	Deposit	\$ <del>657737</del>	Deposit	\$657737
Corner Record	Fixed	\$17	Fixed	\$17
Final Map - 1 to 49 lots	Deposit	\$ <del>9,06110,172</del>	Deposit	\$9,06110,172
Final Map - 50+ lots	Deposit	\$ <del>14,92416,754</del>	Deposit	\$14,92416,754
Lot Line Adjustment	Deposit	\$ <del>3,1983,590</del>	Deposit	\$3,1983,590
Monument Inspection (Final Maps per visit)	Deposit	\$ <del>1,0661,197</del>	Deposit	\$1,0661,197
Parcel Map	Deposit	\$ <del>5,3305,984</del>	Deposit	\$5,3305,984
Parcel Validity Review	Fixed	\$ <del>146164</del>	Fixed	\$146164
Record of Survey <sup>^*</sup>	Deposit	\$ <del>3,6242,675</del>	Deposit	\$2,5002,675
Recorded Map Modification	Fixed	\$ <del>1,4081,581</del>	Fixed	\$1,4081,581
Reversion to Acreage Map (Final Map)	Fixed	\$ <del>5,3305,984</del>	Deposit	\$5,3305,984
Reversion to Acreage Map (Parcel Map)	Fixed	\$ <del>5,3305,984</del>	Deposit	\$5,3305,984
Road Name (Each Road)	Fixed	\$ <del>348390</del>	Fixed	\$348390
Road Right of Way Determination	Deposit	\$ <del>853957</del>	Deposit	\$853957
Tentative Final Map - 1 to 49 lots	Fixed	\$ <del>3,6574,106</del>	Fixed	\$3,6574,106
Tentative Final Map - 50+ lots	Fixed	\$ <del>4,9935,605</del>	Fixed	\$4,9935,605
Tentative Lot Line Adjustment (PC)	Fixed	\$ <del>2,6152,936</del>	Fixed	\$2,6152,936
Tentative Lot Line Adjustment (ZA)	Fixed	\$ <del>2,6152,936</del>	Fixed	\$2,6152,936
Tentative Parcel Map	Fixed	\$ <del>2,2492,525</del>	Fixed	\$2,2492,525
Voluntary Merger	<del>Fixed</del> Deposit	\$ <del>1,5991,795</del>	Deposit	\$1,5991,795
Survey Specialist	Hourly	\$ <del>183206</del>	Hourly	\$183206
Survey Supervisor	Hourly	\$ <del>207232</del>	Hourly	\$207232

**\*New fee**

^ In accordance with Section 9 of Exhibit A, Santa Barbara County may subsidize this fee for a project located in the unincorporated area of the County of Santa Barbara. The fee for such a project shall be \$~~582653~~ for the initial review and \$~~25687~~ for each subsequent review. A project located in an incorporated area shall require the stated DEPOSIT, unless the city in which that project is located has entered into an agreement with Santa Barbara County to subsidize this fee. In such a case, the DEPOSIT for a project located in that incorporated area shall be reduced by the amount of the subsidy agreed upon by Santa Barbara County and that city.