

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE
COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING)	RESOLUTION NO. 10-00
THE LAND DEVELOPMENT FEES FOR)	
PLANNING AND DEVELOPMENT)	
)	
)	
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)	
)	
)	

WHEREAS:

1. The Board of Supervisors finds that the fees set forth in the attached schedule of fees 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 in connection with processing the land development applications subject to this resolution; and
2. The County has authority to adopt and has adopted land development fees pursuant to the Mitigation Fee Act, Government Code section 66000 et seq.,

IT IS HEREBY RESOLVED THAT:

1. The Land Development Fee Schedule shall be set forth in Exhibit A, which is attached and incorporated by reference. This change to the Land Development Fees shall become effective sixty (60) days after adoption of this resolution.
2. All other fees of Planning and Development, not referenced in Exhibit A, shall remain in full force and effect.
3. Upon a showing of good cause, the Board of Supervisors may, by minute order or resolution, adjust or waive the fees set forth in Exhibit A.

4. The fees set forth in the attached schedule of fees are exempt from California Environmental Quality Act review pursuant to 14 CCR 15273 and Public Resources Code §21080. sub. (b) (8) (A) and (B) in that the fees will be used for operating expenses and for the purchase of supplies, equipment and materials in connection with processing land development applications.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of January, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

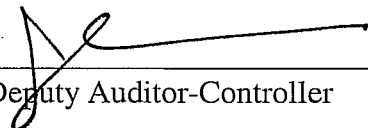
By _____
Deputy

APPROVED AS TO FORM

DENNIS A. MARSHALL
COUNTY COUNSEL

By 
Deputy County Counsel

ROBERT GEIS
AUDITOR-CONTROLLER

By: 
Deputy Auditor-Controller

PLANNING AND DEVELOPMENT

Land Development Fee Schedule

The County of Santa Barbara requires payment for all processing costs associated with the review of applications for permits for development and other uses of property as required by the County Zoning Ordinances. Planning and Development (P&D) reviews each application and determines what permits or other approvals are required and how the California Environmental Quality Act and other state and local regulations apply. P&D uses the criteria outlined below to determine whether a **FIXED FEE** or **COST REIMBURSEMENT** shall be required. The Director or designee shall determine the appropriate fee based on similarity of processing requirements with other cases if a project does not fall within any of the permit categories listed in the land development fee categories listed in Exhibit A. Upon submittal of an application the applicant will be required to submit a signed Agreement for Payment of Processing Fees and applicable fixed fees or a security deposit.

I. FIXED FEE

P&D collects a non-refundable **FIXED FEE** when a project requires only a ministerial or minor discretionary permit or other approval with a consistently predictable level of staff review for that application type. These fees are computed using the following formula: average number of hours multiplied by the Standard Salary Cost plus Non-Salary Costs. If a **FIXED FEE** is collected for the application, applicants will not be billed for any additional costs unless the case is converted to a **SECURITY DEPOSIT** as described below.

CONVERSION OF FIXED FEES TO A SECURITY DEPOSIT: P&D carefully assesses a case during the review of the application and may reconsider the appropriateness of submitted fixed fees if the case has unique characteristics or raises complex issues which would make the case much more expensive to process than the typical case upon which the **FIXED FEE** was established, or if the applicant submits substantial revisions later in the review process, or if unforeseen circumstances arise. Factors that may warrant conversion from a **FIXED FEE** to a **SECURITY DEPOSIT** include: development on constrained lots, projects that are not CEQA exempt, a zoning violation onsite, coastal frontage, special site characteristics, or changes to the scope of the project by the applicant. For such cases, the P&D Director or designee may require the case be converted to full cost recovery. Any unused portion of the **FIXED FEE** will be credited to the project account. The applicant will be required to submit a security deposit before case processing is resumed. Staff will inform applicants in writing when this situation arises.

COORDINATION WITH OTHER DEPARTMENT FEE COLLECTIONS

P&D is also charged with collecting fees, as authorized by separate Board of Supervisors resolutions, for other County departments involved in the review of land use developments. In the interest of improved public service it is the intent of the Board that P&D serve as the lead department in the review of development applications and collect all initial county land development processing fees based on a single integrated schedule. P&D is authorized to determine which fees, including those identified in separate resolutions of the Board for other County departments, are inappropriate to be collected for specific development proposals. P&D may also require additional fees for the Air Pollution Control District for any project that requires extraordinary review by the District. The information in this resolution refers to P&D fees only. Please see *County of Santa Barbara Land Development Fees* (available at P&D Zoning Counter) for information on other department fees.

II. SECURITY DEPOSIT FOR COST REIMBURSEMENT

A SECURITY DEPOSIT is collected when a project requires higher level review, preparation of an environmental document or a public hearing for approval. For such cases, the level of staff effort required varies significantly based on complexity, specific site characteristics and the extent of public interest rather than on permit type. A SECURITY DEPOSIT, equivalent to approximately two months costs for a typical project of the same type will be required and will be held on account to ensure cost reimbursement.

Applicants will receive a monthly invoice for all charges incurred in the previous four weeks and any unpaid balance due. Applicants will be required to pay the invoice within 25 days. Non-payment of an invoice will result in staff stopping work and possible denial of the project in the event that processing cannot be completed due to inability of P & D to adequately assess the case and prepare necessary documentation for decision-maker hearing.

During the first 30 days of review, staff will provide the applicant with a Project Cost Estimate Worksheet. The Project Cost Estimate Worksheet provides applicants with the estimated processing costs of the project based on current information. If changes to the project description or other factors are encountered that will change the scope or length of processing, staff will provide the applicant with an updated Project Cost Estimate Worksheet.

If an Environmental Impact Report (EIR) is required, a separate payment for the EIR consultant costs may be required prior to approval of the contract or notice to proceed.

After the final decision all unexpended funds will be refunded to the applicant.

III. STANDARD COSTS

SALARY COST: P&D's standard salary cost (the hourly rate at which planner's time is billed) is approved by the Auditor-Controller's office annually. It is calculated using the average hourly cost including salary and benefits for planners and indirect salary costs attributable to the case processing function, e.g. supervision, clerical support, and planner case processing functions. The billing rate for trainees is 75% of standard salary cost. A technology fee charge is applied to the hourly rate to support and maintain computer hardware and software that supports the permit process. A fee is also applied to the hourly rate to support general plan activities.

The Director of Planning and Development ("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. Each County department that provides services for fees shall provide to the Director by March 10th of each year the proposed Schedule of Fees for his or her department that includes the appropriate CPI increase. 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 the first day of the pay period that includes July 1st. Each County department will review annually revenues and expenditures to ensure that fees are charged fairly and reflect the cost of the services provided. 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 County to recover fees necessary to cover the cost of the services provided.

CONTRACT CASE PROCESSING COSTS: If an applicant elects to utilize outside contractors to expedite permit processing, consultant costs plus indirect overhead and the technology and general plan fees will be charged on an hourly basis, as agreed upon in writing between the applicant and the County.

NON-SALARY COSTS: P&D has developed standard charges to recover non-salary costs associated with processing cases. The charges recover costs ranging from office supplies to public hearing costs. A charge will be made against the fee or deposit for each non-salary cost category which applies to that case.

NON-SALARY COSTS for SECURITY DEPOSIT CASES	
HEARING RELATED CHARGES	
Consent Agenda (Zoning Administrator or Planning Commission)	\$280
Planning Commission Hearing (not consent)	\$1,250
Zoning Administrator Hearing (not consent) Montecito Planning Commission	\$375
BAR Final/Revised	\$185
Continuance (Applicant Requested) ¹	\$185
Environmental Review Hearing	\$565
Hearing Stenographer	Actual Cost
Special Planning Commission Hearing	Actual Cost
Director Decision	\$280

1. A continuance fee is charged if notice has been completed and the Applicant or Representative does not attend the hearing; a continuance is requested within 72 hours of hearing, or an applicant driven hearing reschedule requires new noticing.

OTHER NON-SALARY CHARGES	
Any Case Not Falling Into Any Other Category Of Non-Salary Charges & Ministerial Permit Noticing	\$70
Required Special Noticing	\$280
Environmental Review Noticing for Negative Declaration without Hearing	\$280
2nd Residential Unit In Coastal Zone	\$280
Case Withdrawal prior to Completion	\$185
Display Advertisement in Newspaper	Actual Cost
Posted Placard- Small / Large	\$25 / \$29
Mailed Notices to Owners and Residents 300ft	\$95
Mailed Notices to Owners and Residents 1,000ft	\$1.50 for each parcel noticed
Mailed Notice for Deposit Project- non salary cost	\$45

IV. MULTIPLE PERMIT APPLICATIONS

P&D recognizes that the cost for review of cases requiring multiple permits may not equal the costs of the permits taken separately. The department's policy is to process these cases in a concurrent fashion which minimizes overall time and cost requirements. For multiple ministerial cases with fixed fees P & D will collect the highest ministerial fee and \$150 for each additional fixed fee permit type; for discretionary cases with fixed fees the entire fixed fee will be collected for each discretionary case type; and for any security deposit case the highest security deposit will be collected. Grading and design review fees will be collected in full.

V. APPEALS

The appellant must submit FIXED FEES for Planning and Development, County Counsel and Clerk of the Board. Appeals for energy or industrial projects being processed by the Energy Division will be billed for all direct and indirect costs on a monthly basis.

Appeals on projects located within the Coastal Zone of the County of Santa Barbara which qualify under the State of California Public Resources Code §30603 are exempt from the appeal fees stated above.

VI. ZONING VIOLATIONS

All zoning violation cases (those cases where an actual violation is determined to exist) will be billed for actual staff time spent investigating and correcting the violation at the STANDARD SALARY COST and applicable NON-SALARY COSTS. The fee applies to cases where either the property owner elects to abate or discontinue the violation and therefore no permit is issued or cases where the property owner elects to obtain the permits required to legalize the violation. Where the applicant elects to obtain permits to legalize a violation, standard permit fees described in this fee schedule apply. A penalty equal to all applicable permit fees, but not to exceed \$2,000 is also required.

VII. NON-PAYMENT OF FEES OR DEPOSITS

P&D will not issue land development permits or building permits until all P&D case processing costs and/or zoning violation costs have been paid. The Building Official may defer the collection of zoning violation costs as a condition to issuance of the building permit if the official determines it is necessary to issue the building permit immediately to protect the health and safety of the public. Deferred zoning violation fees, plus charges for past due amounts, are still due to P&D.

If the owner or applicant owes an amount due on any other land use development case with the County, any past due amount must be paid by the applicant before P&D will accept a subsequent application from the applicant, unless waived by the Director of the department.

VIII. MISCELLANEOUS COSTS

Documents and other types of miscellaneous costs not detailed below will be sold at cost of reproduction plus 20% surcharge to cover handling costs, plus tax and shipping (if applicable).

MISCELLANEOUS COSTS	
Color Maps:	
8.5 x 11	\$3.00 + shipping
11 x 17	\$6.00 + shipping
Custom	Actual cost + shipping
Photocopies	\$.25/page
Assessor Parcel Maps w/ Zoning Information	\$ 1.50/page
Microfiche Copies	\$ 1.00/page
Electronic Parcel Information (disk/print-out)	\$50.00 flat fee + \$.07/parcel
Hearing Tape Copies (Cassette or Video)	Cost of tape + \$10.00/hr. reproduction time
Returned Check for Insufficient Funds	\$40.00/each
Maps (Zoning, Comprehensive Planning and Coastal)	\$ 1.50 taxable + \$5.00 map handling svcs charge + shipping

IX. ENERGY OR INDUSTRIAL PROJECTS

Energy and/or industrial projects are processed by the Energy Division and the Building & Safety Division of Planning and Development (P&D). Developers will be billed on a monthly basis for all direct and indirect costs (including technology and general plan fees) related to permit processing, including appeals, permit compliance, and engineering plan review. Direct costs are actual labor and office expenses, and indirect costs, based on the developer's pro-rated share of each month's direct expenses, including reimbursement for County and department overhead costs, which are calculated annually. A signed agreement for payment and an initial fee deposit must be submitted to the Energy Division prior to permit processing, compliance, activity, or engineering plan review.

After an application has been accepted as "complete", P&D will review average monthly costs for the first two months of case processing activity for the project and may request an additional deposit. It is P&D's intention to have on deposit a balance that would cover four months of project processing and compliance costs.

The direct and indirect costs associated with permit processing, on-going permit compliance and engineering plan review for staff of County Counsel and Air Pollution Control District may also be billed through P&D on a monthly basis. Any permits required by other departments will be billed separately by those departments.

Energy Division initial deposits include an amount for Building & Safety staff costs associated with engineering plan review. An additional deposit may be required by Building & Safety to cover costs associated with consultant plan review.

Deposits and fees for processing applications for change of owner, operator, or guarantor under Chapter 25B of the County code fall into four categories, as shown in the following table. In the simplest cases (25B-9.3 and 9.4), a flat fee will be charged for application processing. In the case of mergers and changes of business organization (25B-9.2), existing deposits for case processing or compliance can normally be utilized, and no additional deposit is required (unless special circumstances preclude drawing against the existing deposits). For changes of owner, guarantor, or operator (25B-9.1, 9.5, 9.6, and 10.1), deposits are required. However, the requirement for such a deposit may be waived in these cases, if existing deposits are available and considered sufficient.

ENERGY DIVISION INITIAL DEPOSITS	
PRE-APPLICATION	
Production and Processing	\$ 5,000
Transportation Facilities	\$ 5,000
Supply Base	\$ 5,000
Exploratory Drilling	\$ 2,500
Mine or Power Generation	\$ 5,000
Other Energy Projects	\$ 5,000
Other Industrial Projects	\$ 5,000
CASE PROCESSING: ONGOING (General Plan Amendment, Rezone, Conditional Use Permit, Development Plan, Production Plan)	
Total Capital Costs less than \$5,000,000	\$12,500
Total Capital Costs between \$5,000,000 and \$30,000,000	\$25,000
Total Capital Costs greater than \$30,000,000	\$50,000
Certificate of Financial Responsibility	\$ 5,000
Certificate of Financial Responsibility (certificate for reliance upon owner of facility and shipper of oil)	\$ 2,500
PERMIT COMPLIANCE: ONGOING	
Total Assessed Value less than \$5,000,000	\$12,500
Total Assessed Value between \$5,000,000 and \$30,000,000	\$25,000
Total Assessed Value greater than \$30,000,000	\$50,000
PERMIT COMPLIANCE: MINOR	
Review of Minor Projects	\$ 5,000
CHANGE OWNER, OPERATOR, OR GUARANTOR	
Existing partner becomes managing partner Change of non-managing partner of owner	\$300 (flat fee)
Merger or change of form of business organization of owner or operator	use existing deposit
Change of owner Change of guarantor	\$5,000
Change of operator Temporary operator	\$12,500

Ministerial Permits - Coastal Development & Land Use Permits

	Existing	Proposed	Fee Type ¹	Building Existing
Agricultural Structures:				
Addition to Agricultural Structure	299	343	F	63
Greenhouses < 300 sq ft	375	435	F	
Greenhouses 300 - 9,999 sq ft	985	1,164	F	125
Greenhouses 10,000 - 19,999 sq ft	1,596	1,893	F	125
New Agricultural Structure	375	435	F	63

Commercial/Industrial Structures:

Commercial/Industrial Minor Alterations	528	617	F	
Commercial/Industrial New/Addition to existing structure	528	617	F	125

Residential Structures:

Accessory Structures	604	708	F	
Addition to Residential Structures	604	708	F	63
Fences, Walls, Pools, Spas, Etc	375	435	F	
Guest houses/Pool houses/Artist studios	756	890	F	
New Residential Structure or Residential 2nd Unit	680	799	F	
Residential Development with Special Constraints or Zoning Clearance	1,500	1,500	D	

Other Review:

Carnival and Other Temporary Uses	299	343	F	125
Change of Use	528	617	F	63
Demolition	299	343	F	
Emergency Permit - Coastal Zone	1,596	1,893	F	250
Energy/Public Works Facilities	680	799	F	
Exemption from Coastal Development Permit/Land Use Permit	299	343	F	
Exemption - Simple Permit - minimal research less than 1 hr.	146	161	F	
Home Occupation	299	343	F	
Development with Special Constraints or Zoning Clearance	1,500	1,500	D	
Revision - Coastal Development Permit/Land Use Permit	299	343	F	
Time Extension - Coastal Development Permit/Land Use Permit	299	343	F	
Trailers	680	799	F	
Tree/Brush Removal	833	981	F	

Grading Plan Review & Permit:

Grading < 500 cubic yards	680	799	F	63
Grading 500 - 1,499 cubic yards	833	981	F	125
Grading 1,500-4,999 cubic yards	985	1,164	F	125
Grading > 5,000 yards	1,500	1,500	D	188

Discretionary Permits - Hearing Required

	Existing	Proposed	Fee Type ¹	Building Existing
Agricultural Preserves:				
Assumption Contracts	0	0		
Agricultural Preserve Cancellation	1,500	1,500	D	
Contract Modification/Replacement	0	0		
Contract Non-renewal	1,290	1,528	F	
Farm Land Security Zone Contract	0	0		
New Agricultural Preserve Contract	0	0		
Rezone or Community Plan change	0	0		

Coastal Development Permit with Hearing	1,500	1,500	D	
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Conditional Certificate of Compliance	4,189	1,500	F to D	
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Conditional Use Permits:

Conditional Use Permit Amendment - Director	3,000	3,000	D	
Conditional Use Permit - Major (New or Revised)	5,000	5,000	D	63
Conditional Use Permit - Minor or Residential 2nd Unit in Ag Zone Dist	1,500	1,500	D	63
Conditional Use Permit Trailer Renewal	1,500	1,738	F	
Substantial Conformity Determination	1,500	1,500	D	

Determination of Similar Use (Planning Commission)	1,500	1,500	D	
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Development Plans:

Development Plan Amendment - Director Review	1,500	1,500	D	125
Development Plan - Director Review (New/Revised-Final after Prelim)	3,000	3,000	D	250
Development Plan - Planning Commission (New or Revised)	8,000	8,000	D	250
Development Plan - Zoning Administrator (New or Revised)	3,000	3,000	D	250
Substantial Conformity Determination	1,500	1,500	D	63

General Plan Amendments	8,000	8,000	D	
General Plan Consistency (Sec 65402)	1,500	1,500	D	
General Plan Consistency (Sec 65402) - Non-Complex	422	535	F	
Hardship Determinations - Non-conforming use/structure	2,129	2,471	F	
Limited Exceptions Determination	1,500	1,500	D	

Maps

Lot Line Adjustment Planning Commission	3,000	3,000	D	63
Lot Line Adjustment Zoning Administrator	3,000	3,000	D	63
Parcel Map Waiver	1,500	1,500	D	
Recorded Map Modification - Planning Commission	3,000	3,000	D	63
Recorded Map Modification - Zoning Administrator	1,500	1,500	D	63
Tentative Parcel Map - Planning Commission	5,000	5,000	D	125
Tentative Parcel Map - Zoning Administrator	3,000	3,000	D	125
Tract Map	8,000	8,000	D	188

Mining Reclamation Plans	5,000	5,000	D	375
Modifications of Conditions	1,500	1,500	D	
Oak Tree Tier 4 Permit	1,500	1,500	D	
Oil & Gas Production/Exploration Plans	5,000	5,000	D	250

	Existing	Proposed	Fee Type ¹	Building Existing
Ordinance Amendments	5,000	5,000	D	
Overall Sign Plan	4,494	1,500	F to D	
Rezone	8,000	8,000	D	
Rezone, Consistency	1,500	1,500	D	
Road Naming - New or Rename - Director	1,195	1,374	F	
Road Naming - New or Rename - Zoning Administrator	1,290	1,469	F	
Site Investigation (Bldg)				125
Site Visit	528	617	F	
Specific Plan	8,000	8,000	D	
Substantial Conformity Determination	1,500	1,500	D	
Time Extensions Director	1,500	1,500	D	
Time Extensions Planning Commission	3,000	3,000	D	
Time Extensions Zoning Administrator	1,500	1,500	D	
Variance	1,500	1,500	D	63
Zoning Modifications	1,500	1,500	D	

Discretionary Follow-up Permits:

Coastal/Land Use /Zoning Clearance Following Planning Comm/Board	1,500	1,500	D	
Coastal/Land Use /Zoning Clearance Following Zoning Admin/ Director	833	981	F	
Parcel Map/Lot Line Adjustment Clearance - Conditions	1,500	1,500	D	63
Parcel Map/Lot Line Adjustment Clearance - No Conditions	680	799	F	63
Tract Map Clearance	3,000	3,000	D	63

Other Ordinances & Regulations

Alcoholic Beverage Control Affidavit	146	161	F	
Montecito Growth Mgmt Ordinance Exemption (Not Hardship)	223	252	F	
Montecito Growth Mgmt Ordinance Hardship Exemption	1,500	1,500	D	
Montecito Growth Mgmt Ordinance Points Allocation	680	799	F	
Permit Revocation	3,000	3,000	D	
Special Problems Area Intake Review	223	252	F	
Sign Certificate of Conformance	528	617	F	
Surface Mining Annual Inspection - Minor	375	435	F	
Surface Mining Annual Inspection - Moderate	833	981	F	
Surface Mining Annual Inspection - Extensive reclamation performed	1,500	1,500	D	125
Temporary Second Dwelling Agreement & Site Visit	680	799	F	125

Miscellaneous**Appeals to Decision-Makers:**

Appeal to Board of Supervisors (Pay Clerk of Board)	500	500	F	
Appeal to Planning Commission	500	500	F	

Consultations/Other Review:

Consultation 1.5 hours (+ hourly rate)	259	343	D	
Pre-Application	1,500	1,500	D	
Post Approval Review	223	252	F	

	Existing	Proposed	Fee Type ¹	Building Existing
Design Review:				
Board of Architectural Review - Conceptual Only	223	252	F	
Board Architectural Rev -Conceptual/Preliminary/Final-Toro,Summerla	1,081	1,215	F	
Board of Architectural Review-Conceptual/Preliminary/Final - Montecit	876	1,010	F	
Board of Architectural Review -Conceptual/Preliminary/Final-Other Are	961	1,095	F	
Board of Architectural Review Site Visit	1,672	1,984	F	
Community Design Guideline Review	299	343	F	

Landscape Plan Review:

Drainage Plan Review				250
Landscape Review Minor	528	617	F	
Other Landscape Review	833	981	F	
Performance Security & Administration	375	435	F	

Permit Compliance:

Permit Compliance - Major	1,500	1,500	D	
Permit Compliance - Minor	500	500	D	

¹FeeType: F = Fixed Fee D = Security Deposit

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