



## RESOLUTION NO. xxx-2019

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

#### RESOLUTION ESTABLISHING FEES FOR EL DORADO COUNTY COMMERCIAL CANNABIS PERMITTING PROGRAM

**WHEREAS**, in accordance with Sections 324 and 1000 of the California Elections Code, the State of California held a statewide general election on November 6, 2018 in which El Dorado County placed five commercial cannabis ballot measures N, P, Q, R, and S that were passed by the El Dorado County voters; and

**WHEREAS**, in Measure N, pursuant to Article 5, Section 130.51.020 (Application Forms, Submittal Process, and Fees), application fees adopted by resolution of the Board of Supervisors shall be paid upon application submittal. Additional fees may be required subject to the provisions of the adopted fee schedule, such as for “time and material” fee categories; and

**WHEREAS**, Government Code Sections 54985 and 66016 and County Code Section 1.04.260 provide for the Board of Supervisors to establish rates, charges and fees for certain activities and services; and

**WHEREAS**, the County conducted a fee analysis of the time allocation of County staff and the full recoverable cost of those employees, to determine the reasonable cost of providing the services and regulatory activities for the County’s Commercial Cannabis Permitting Program, a summary of which is included as Attachment A to this Resolution, which is incorporated herein by reference; and

**WHEREAS**, the proposed fees are directly related to the cost reasonably necessary to provide each service in the County’s Commercial Cannabis Program; and

**WHEREAS**, pursuant to California Government Code Section 50076 and California Constitution Article XIII C, Section 1, subdivision (e)(1), (2) and (3), a fee for services and regulatory activities may be charged by the local government provided that it does not exceed the reasonable cost of providing the service or regulatory activity for which the fee is charged; and

**WHEREAS**, the Board finds that the fees set forth in this Resolution are exempt from CEQA review pursuant to 14 CCR §§ 15273 and 15378(b)(5) and Public Resources Code Section 21080, subdivision (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 that the fees provided in Exhibit A do not exceed the estimated amounts required to provide the services for which they are charged and represent only amounts necessary to recover the cost of providing the service and enforcing the regulation for which they are charged; and

**WHEREAS**, the Board finds, in accordance with 14 CCR § 15273(a) and (c), that the fees will be used for the purposes of meeting operating expenses and for the purchase of supplies, equipment and materials; and

**WHEREAS**, the Board hereby sets the fees for the Commercial Cannabis Permitting Program as determined to be reasonable by said fee analysis.

**NOW, THEREFORE, BE IT RESOLVED** the El Dorado County Board of Supervisors establishes the fees for the unincorporated portion of El Dorado County as shown in Exhibit A:

**BE IT FURTHER RESOLVED** that the Commercial Cannabis Permitting Program Fees Shall be subject to the Planning and Building Department Policies and Procedures and Commercial Cannabis Ordinances.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote of said Board:

Ayes:

Attest:

Noes:

Kim Dawson

Absent:

Clerk of the Board of Supervisors

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

\_\_\_\_\_  
Chair, Board of Supervisors

**COMMERCIAL CANNABIS PERMITTING PROGRAM FEE SCHEDULE****Planning and Building Department**

Commercial Cannabis Pre-Application – As established in the most recent Pre-Application Review – both minor and major – set by resolution at the time of the application submission for the Planning and Building Department, Environmental Management Department, and Transportation Department.

Commercial Cannabis Use Permit – As established in the most recent Conditional Use Permit – Planning Commission/Zoning Administrator, Major, or – Planning Commission/Zoning Administrator, Medium –or – Planning Commission/Zoning Administrator, Minor – set by resolution at the time of application submission for the Planning and Building Department, Environmental Management Department, and Transportation Department.

Commercial Cannabis Annual Operating Permit – Initial Application – \$7,301

Commercial Cannabis Monitoring Program – \$4,950 annually

Commercial Cannabis Annual Operating Permit – Renewal – \$5,000 annually