



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ESTABLISHING PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE AND POLICIES AND PROCEDURES

(Supersedes: Resolutions 080-2019 and 008-2019)

WHEREAS, pursuant to Government Code Sections 54985 and 66016 and County Ordinance Code Section 1.04.260, the Board of Supervisors of El Dorado County (Board) has established rates, charges, and fees for certain activities; and

WHEREAS, once established, rates, charges, and fees may be modified, set, or fixed by the Board by Resolution; and

WHEREAS, the Board adopted Resolution 204-93 on July 13, 1993, which established a consolidated fee schedule including Fee Schedule Policies for the Planning Department, Department of Transportation, and Environmental Management Department related to permit processing; and

WHEREAS, the Board adopted Resolution 180-2007 on July 10, 2007, which established the Building Fee Schedule and Policy; and

WHEREAS, all the functions covered by various resolutions included herein had been consolidated within the Community Development Agency (CDA); and

WHEREAS, the Board adopted a series of Resolutions establishing and amending a consolidated fee schedule and policies and procedures for those functions formerly under the CDA, which was most recently amended by Resolution 080-2019 on May 21, 2019; and

WHEREAS, at the time the fees were adopted in the Consolidated Fee Schedule and Policies and Procedures by Resolution 079-2016, adopted by the Board on May 3, 2016, the cost of providing services included on the consolidated fee schedule was documented in the CDA Fee Study, dated March 22, 2016; and

WHEREAS, it was discussed by the Divisions of CDA at the Board that they would return every couple years with an updated fee that is calculated based on the current approved hourly rate multiplied by the approved number of hours per cost of service provided by the Divisions; and

WHEREAS, on April 18, 2017, the Board adopted Ordinance 5051 reorganizing the CDA into separate departments. The CDA's Planning and Building Division and Long Range Planning Division, is now referred to as the El Dorado County, Planning and Building Department; and

WHEREAS, Planning and Building Department has performed the analysis to determine that the fees and charges for services included in Exhibit A, which is attached hereto and incorporated herein, do not exceed the estimated amount of time required to provide the services for which they are charged and the fees and charges represent only amounts necessary to recover the cost of providing the service and/or enforcing the regulations for which they are charged; and

WHEREAS, adoption of Planning and Building Department Policies and Procedures for the fees and charges in Exhibit B are necessary; and

WHEREAS, on September 10, 2019, the Board adopted Resolution 141-2019, which set the fees for the Commercial Cannabis Permitting Program and those fees should be memorialized in the fee schedule for the Planning and Building Department in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, the Board finds that the fees and charges for services included in Exhibit A do not exceed the estimated amount of time required to provide the services for which they are charged and the fees and charges represent only amounts necessary to recover the cost of providing the service and/or enforcing the regulations for which they are charged; and

BE IT FURTHER RESOLVED, pursuant to applicable provisions of state law and County Ordinance Code, the new, increased, or reduced fees set forth in Exhibit A – Planning and Building Department Fee Schedule, are hereby adopted and shall take effect sixty (60) days from execution of this Resolution; and

BE IT FURTHER RESOLVED, any existing fees not modified in Exhibit A shall remain in full force and effect and the Commercial Cannabis Permitting Program fees shall take effect sixty (60) days from September 10, 2019 as provided for in Resolution 141-2019; and

BE IT FURTHER RESOLVED, individual fees may be added and/or modified from time to time by Resolution amending the Planning and Building Department Fee Schedule in its entirety, incorporating those modifications in Exhibit A, subject to the necessary notice and analysis under the applicable provisions of state law; and

BE IT FURTHER RESOLVED, the Policies and Procedures set forth in Exhibit B – Planning and Building Department Policies and Procedures are hereby adopted and shall take effect upon execution of this Resolution; and

BE IT FURTHER RESOLVED, the Policies and Procedures may be modified from time to time by Resolution amending the Planning and Building Department Policies and Procedures in its entirety, incorporating those modifications in Exhibit B; and

BE IT FURTHER RESOLVED, all rates, charges, and fees established by either Resolution or Ordinance Code shall be subject to the Board of Supervisors Policy No. B-4 related to Recovery of Funds, and unpaid balances shall be subject to increase to include costs incurred by the County Department responsible for administering Revenue Recovery Services, as updated from time to time.

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:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors

PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE

	Current Fee	Proposed Fee	Net Change																			
BUILDING SERVICES																						
Hourly Rate	\$108.88	\$126.12	\$17.24																			
Building Permit Valuation																						
Construction - Building (This Multiplier is used to calculate the cost of building permits. Square footage of the building x Building International Code Council valuation data table x 0.0139) *	0.0139 x value with a minimum of \$109.00	0.0139 x value with a minimum of \$126.00	\$17.00																			
Trade Permits Plumbing, Mechanical, Electrical, etc.	0.0139 x value with a minimum of \$109.00	0.0139 x value with a minimum of \$126.00	\$17.00																			
Building Master Plan	25% of Building permit fee																					
Plan Review Fee (25% of Building fee)		0.0035 x value, with a minimum of \$126.00	\$17.00																			
Master Plan Options Fee		\$126.00 x each option provided	\$17.00																			
Site Specific Permit Fee		0.0104 x value with a minimum of \$126.00	\$17.00																			
Business License Inspection Fee (if inspection for Zoning & Code compliance required)	\$109.00	\$126.00	\$17.00																			
Grading																						
Residential (Single Family) Grading <1501 C.Y.																						
Application	\$109.00	\$126.00	\$17.00																			
Plan Check	\$163.00	\$189.00	\$26.00																			
Inspections	\$314.00	\$363.00	\$49.00																			
Residential (Single Family) Grading >1500 C.Y. & Multi-Family																						
Application	\$109.00	\$126.00	\$17.00																			
Plan Check	1% of Engineer's estimate of cost, or \$1,000 whichever is greater & T&M	1% of Engineer's estimate of cost, or \$1,000 whichever is greater & T&M																				
Inspections	1% of Engineer's estimate of cost, or \$1,000 whichever is greater & T&M	1% of Engineer's estimate of cost, or \$1,000 whichever is greater & T&M																				
Commercial Grading																						
Application	\$109.00																					
Plan Check	1% of Engineers estimate of cost, or \$1,000 whichever is greater & T&M																					
Inspections	1% of Engineers estimate of cost, or \$1,000 whichever is greater & T&M																					
General Plan Implementation Fee	\$2 minimum up to \$300 maximum, based on 0.0267% valuation	\$2 minimum up to \$300 maximum, based on 0.0267% valuation																				
Agricultural Building Record Fee (Inspection Exempt Barn Agricultural Buildings)	\$109.00	\$126.00	\$17.00																			
Outside Business Hours/Special Inspections		1.5 times the hourly rate, 2 hour min (\$378.00 minimum)																				
Plan Reviews/Revised and Resubmittals	T&M	T&M	-																			
Reinspections - All	\$109.00	\$126.00	\$17.00																			
Renewal Fee																						
Permits not based on Valuation	\$109.00	\$126.00	\$17.00																			
Building Permit Renewal Fee																						
Permits based on Valuation																						
	<table border="1"> <thead> <tr> <th>% Completed</th> <th>% Remaining</th> <th>Stage of Completion</th> </tr> </thead> <tbody> <tr> <td>10%</td> <td>90%</td> <td>Stem walls or footings</td> </tr> <tr> <td>15%</td> <td>85%</td> <td>Floor deck or slab</td> </tr> <tr> <td>50%</td> <td>50%</td> <td>Rough frame without Plumbing, Electrical, and HVAC</td> </tr> <tr> <td>75%</td> <td>25%</td> <td>Frame with ALL Plumbing, Electrical, and HVAC</td> </tr> <tr> <td>80%</td> <td>20%</td> <td>Through sheetrock</td> </tr> </tbody> </table>	% Completed	% Remaining	Stage of Completion	10%	90%	Stem walls or footings	15%	85%	Floor deck or slab	50%	50%	Rough frame without Plumbing, Electrical, and HVAC	75%	25%	Frame with ALL Plumbing, Electrical, and HVAC	80%	20%	Through sheetrock	Original valuation x .005 x % remaining work, or \$109 whichever is greater	Original valuation x .005 x % remaining work, or \$126.00 whichever is greater	\$17.00
% Completed	% Remaining	Stage of Completion																				
10%	90%	Stem walls or footings																				
15%	85%	Floor deck or slab																				
50%	50%	Rough frame without Plumbing, Electrical, and HVAC																				
75%	25%	Frame with ALL Plumbing, Electrical, and HVAC																				
80%	20%	Through sheetrock																				
Road Encroachment Fees																						
Application	\$109.00	\$126.00	\$17.00																			
Inspections																						
A. On improved County Rd w/curb and gutter or with an approved drainage facility (Site Review, Final)	\$218.00	\$252.00	\$34.00																			
B. Permit with non-improved road with stamped plans (Site Review, Sub Grade, Final)	\$327.00	\$378.00	\$51.00																			
C. Permit with non-improved road with unstamped plans (Site Review, Sub Grade, Rock Grade, Final)	\$436.00	\$504.00	\$68.00																			
Solar Permit Fees																						
Residential Ground Mount	\$366.00																					
Application		\$172.00, then \$15/kW for each kW above 15 kW	\$58.00																			
Inspection		\$252.00																				
Residential Roof Mount	\$242.00																					
Application		\$154.00, then \$15/kW for each kW above 15 kW	\$38.00																			
Inspection		\$126.00																				

PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE

BUILDING SERVICES (Cont.)

Non-Residential Ground Mount	\$532.00		
Application		\$364.00, then \$7/kW for kW between 51kW and 250kW, then \$5/kW above 251kW	\$84.00
Inspection		\$252.00	
Non-Residential Roof Mount	\$286.00		
Application		\$206.00, then \$7/kW for kW between 51kW and 250kW, then \$5/kW above 251kW	\$46.00
Inspection		\$126.00	
Master Plan Solar			
Plan Review Fee		\$126.00	
Site Specific Permit Fee-Application, per site		\$126.00	
Site Specific Permit Fee-Inspection, per site		\$77.00	
Tahoe Regional Planning Agency (TRPA) County Administrative Fee	\$300 (previously in Ordinance)	\$300.00	
Tahoe Regional Planning Agency (TRPA) Reservation of Allocation Fee	\$1,000 (previously in Ordinance)	\$1,000.00	
Technology Fee	\$3 minimum up to \$300 maximum , based on 0.0356% valuation	\$3 minimum up to \$300 maximum , based on 0.0356% valuation	
Temporary Mobile Home Commercial Modular on Construction Site	\$186.00	\$216.00	\$30.00
Temporary Mobile Home for Residential Use Application	\$413.00	\$478.00	\$65.00
Temporary Mobile Home or Commercial Modular Inspection	\$232.00	\$269.00	\$37.00
State / Mitigation / Impact Fees			
Community Service District Fee		per permit basis	-
Fire District Fees		per permit basis	-
Green Building Fee		per permit basis	-
Parks and Recreation Fee		per permit basis	-
Planning Mitigation Fee		per permit basis	-
School District Fee		per permit basis	-
Strong Motion Instrumentation & Seismic Hazard Mapping (SMIP) Fee		per permit basis	-
Traffic Impact Mitigation Fee		per permit basis	-

* The multiplier is adjusted yearly based upon the ICC Building Valuation Data August Issue. An area costs adjustment will also be applied. On work not described on the Valuation Table, the valuation shall be determined from the contract value or the value from the latest issue of the National Construction Estimator.

CODE ENFORCEMENT

Hourly Rate	Variable - Per Classification
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COMMERCIAL CANNABIS

Pre-Application	See Current Fee Schedule *
Conditional Use Permit	See Current Fee Schedule **
Cultivation	
Commercial Cannabis Annual Operating Permit - Initial Application	\$7,284.00 N/A
Commercial Cannabis Monitoring Program	\$4,933.00 N/A
Commercial Cannabis Annual Operating Permit - Renewal	\$4,983.00 N/A
Existing Retailers	
Commercial Cannabis Annual Operating Permit - Initial Application	\$4,553.00 N/A
Commercial Cannabis Monitoring Program	\$3,318.00 N/A
Commercial Cannabis Annual Operating Permit - Renewal	\$3,836.00 N/A
Retailers, Distribution, and Testing Laboratories	
Commercial Cannabis Annual Operating Permit - Initial Application	\$5,642.00 N/A
Commercial Cannabis Monitoring Program	\$3,318.00 N/A
Commercial Cannabis Annual Operating Permit - Renewal	\$3,836.00 N/A
Manufacturing	
Commercial Cannabis Annual Operating Permit - Initial Application	\$6,445.00 N/A
Commercial Cannabis Monitoring Program	\$4,158.00 N/A
Commercial Cannabis Annual Operating Permit - Renewal	\$4,419.00 N/A

CURRENT PLANNING SERVICES

Hourly Rate	\$119.27	\$139.82	\$20.55
Administrative Permits			
Administrative Permit - General	\$119.00	\$140.00	\$21.00
Administrative 10% Relief	\$775.00	\$909.00	\$134.00
Administrative Reduction - Front Setback Reduction	\$60.00	\$70.00	\$10.00
Administrative Relief - for Agricultural/Mineral Resources Setbacks	\$507.00	\$594.00	\$87.00
Administrative Relief - for Riparian Setbacks	\$358.00	\$419.00	\$61.00
Agricultural Setback Relief (see Variance)	\$507.00		
Commercial Building Permit Pre-Submittal Review	\$583.00	\$684.00	\$101.00
Ranch Marketing or Winery - Specific Uses	\$1,193.00	\$1,398.00	\$205.00
Appeals	\$239.00	TBD	
Bass Lake Hills Specific Plan - Supplemental Tentative Map Submittal Fee		See Ordinance 130.70.010	
Building Permits			
Grading (Not associated with a structure)	\$159.00	\$186.00	\$27.00
Non-residential, New Construction (new floor plan)	\$423.00	\$496.00	\$73.00
Tenant Improvements with a change in use or occupancy	\$246.00	\$288.00	\$42.00
Tenant Improvements with no change in use or occupancy	\$144.00	\$169.00	\$25.00

PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE**CURRENT PLANNING SERVICES (Cont.)**

Wall signs and misc. other non-residential	\$112.00	\$131.00	\$19.00
Miscellaneous: Plan check Revisions, review of 2nd Corrections, and any other activity not covered in the fee schedule	T&M	T&M	-
Residential: new dwellings, second dwelling units, multi-family	\$250.00	\$294.00	\$44.00
Accessory structures, expansion of existing structures, ag buildings, pools	\$123.00	\$144.00	\$21.00
Minor permit review (permits requiring limited review)	\$66.00	\$77.00	\$11.00
Special Zoning Review (Additional fee for flood zone, development eligibility review, TRPA MOU, or similar)	\$80.00	\$94.00	\$14.00
Certificate of Compliance			
Discretionary - Hearing Required	\$4,174.00	\$4,894.00	\$720.00
Discretionary - No Hearing Required	\$716.00	\$839.00	\$123.00
Major Revision to Approved Certificate	\$2,625 deposit, T&M	\$1,000 deposit, T&M	(\$1,625.00) reduced Deposit
Minor Revision to approved Certificate (No Changes to environmental document)	\$1,044.00	\$1,223.00	\$179.00
Conditional Use Permit		\$1,000 deposit, T&M	(\$6,563.00 - \$789.00) reduced Deposit
Planning Commission/Zoning Administrator, Major	\$7,563.00		
Planning Commission/Zoning Administrator, Medium	\$4,684.00		
Planning Commission/Zoning Administrator, Minor	\$1,789.00		
Major Revision to Approved Conditional Use Permit	75% of fee²	\$1,000 deposit, T&M	-
Minor Revision to Approved Conditional Use Permit	25% of fee²		-
Design Review		\$1,000 deposit, T&M	(\$6,156.00 - \$1,385.00) reduced Deposit
Major	\$7,156.00		
Minor	\$2,385.00		
Major Revision to Approved Design Review	75% of fee²	\$1,000 deposit, T&M	-
Minor Revision to Approved Design Review	25% of fee²		-
Development Agreement			
Initial Application	\$2,500 deposit, T&M	\$1,000 deposit, T&M	(\$1,500.00) reduced Deposit
Annual Review	\$800 deposit, T&M	\$1,000 deposit, T&M	\$200.00
Environmental Impact Report (EIR)			
Notice of Preparation	\$2,000 deposit, T&M	\$1,000 deposit, T&M	(\$1,000.00) reduced Deposit
EIR and Hearings and Staff Time (Consultant charges are based on cost identified by contract)	\$5,000 deposit, T&M	\$1,000 deposit, T&M	(\$4,000.00) reduced Deposit
Finding of General Plan Consistency	\$613.00	\$719.00	\$106.00
Fiscal Impact Analysis / Public Facilities Financing Plan		\$1,000 deposit, T&M	\$1,000 deposit, T&M
General Plan			
Map Amendment	\$4,000 deposit, T&M	\$1,000 deposit, T&M	(\$3,000.00) reduced Deposit
Text Amendment, Major (not CEQA exempt)	\$2,000 deposit, T&M	\$1,000 deposit, T&M	(\$1,000.00) reduced Deposit
Text Amendment, Minor (CEQA exempt)	\$1,000 deposit, T&M	\$1,000 deposit, T&M	-
Hearing Continuation Off-Calendar, Requested by Applicant	\$358.00	\$419.00	\$61.00
Boundary Lot Line Adjustment	\$358.00	\$419.00	\$61.00
Boundary Lot Adjustment Time Extension	\$82.00	\$96.00	\$14.00
Boundary Lot Line Merge	\$119.00	\$140.00	\$21.00
Mitigation Monitoring and Reporting Program / Conditions of Approval		\$500 deposit, T&M	\$500 deposit, T&M
Model Water Efficient Landscape Ordinance			
MWELO Application/Master Plan Verification Review		\$35.00	\$35.00
MWELO Prescriptive Review (500-2500 square feet)		\$140.00	\$140.00
MWELO Prescriptive Review (2501square feet or greater)		\$280.00	\$250.00
MWELO Master Plan Review		\$500 deposit, T&M	\$500 deposit, T&M
Parcel Maps			
Residential/Commercial Parcel Map	\$8,311.00	\$9,743.00	\$1,432.00
Major Revision to Approved Parcel Map	\$6,233.00	\$7,307.00	\$1,074.00
Minor Revision to Approved Parcel Map	\$2,078.00	\$2,436.00	\$358.00
Time Extensions	\$1,000 deposit, T&M	\$1,000 deposit, T&M	-
Corrections to Recorded Final/Parcel Map	\$1,806.00	\$2,117.00	\$311.00
Parcel Map Waiver	\$602.00	\$706.00	\$104.00
Planned Development			
Planned Development	\$6,000 deposit, T&M	\$1,000 deposit, T&M	(\$5,000.00) reduced Deposit
Major Revision to Approved Development Plan	\$4,000 deposit, T&M	\$1,000 deposit, T&M	(\$3,000.00) reduced Deposit
Minor Revision to Approved Development Plan (No change to environmental document)	\$1,379.00	\$1,616.00	\$237.00
Pre Application Review			
Minor	\$941.00	\$1,103.00	\$162.00
Major	\$3,594.00	\$4,213.00	\$619.00
Reactivation or Revision: Applications that are continued off-calendar, on hold, or incomplete one year or longer, when such delay is caused by or at the request of the applicant. Also, applications that are revised by applicant during the review process and require redistribution due to design changes or other significant change in the project.			
Reactivation	50% of fee ² T&M	\$1,000 deposit, T&M	\$1,000 deposit, T&M
Revision (Actual percentage to be determined by Planning Service based on extent of revision proposed)	25-50% of fee ² T&M	\$1,000 deposit, T&M	\$1,000 deposit, T&M
Reclamation			
Reclamation Plan	\$4,000 deposit, T&M	\$1,000 deposit, T&M	(\$3,000.00) reduced Deposit
Reclamation Plan Revision	\$2,000 deposit, T&M	\$1,000 deposit, T&M	(\$1,000.00) reduced Deposit
Annual Inspection and Report	\$1,000 deposit, T&M	\$1,000 deposit, T&M	-
Research Requests and Zoning Letters			
Reconstruction After Burn-Down Letter	\$119.00	\$140.00	\$21.00
ABC License Verification, DMV Zoning, and HCD Compliance	\$60.00	\$70.00	\$10.00
Public Convenience and Necessity	\$298.00	\$350.00	\$52.00
Unlisted Services and Research	\$119 deposit, T&M	\$140 deposit, T&M	\$21.00
Reversion to Acreage	\$179.00	\$210.00	\$31.00
Specific Plans and revisions (Staff costs only. Consultant costs are covered by separate contract)	\$5,000 deposit, T&M	\$1,000 deposit, T&M	(\$4,000.00) reduced Deposit
Subdivision Maps			
Preliminary Map	\$2,000 deposit, T&M	\$1,000 deposit, T&M	(\$1,000.00) reduced Deposit
Tentative Map (All types)	\$7,500 deposit, T&M	\$1,000 deposit, T&M	(\$6,500.00) reduced Deposit
Major Revision to Approved Tentative Map	\$5,000 deposit, T&M	\$1,000 deposit, T&M	(\$4,000.00) reduced Deposit
Minor Revision to Approved Tentative Map	\$2,500 deposit, T&M	\$1,000 deposit, T&M	(\$1,500.00) reduced Deposit
Final Map	\$2,385.00	\$2,796.00	\$411.00

PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE

Time Extensions	\$1,000 deposit, T&M	\$1,000 deposit, T&M	-
CURRENT PLANNING SERVICES (Cont.)			
Temporary Use Permit (All Categories)			
A. Subdivision Model Homes, Construction Yard, Office, Outdoor Sales	\$411.00	\$482.00	\$71.00
B. Christmas Tree Lots, Auctions, Temporary Signs	\$363.00	\$425.00	\$62.00
C. Outdoor Concerts, Itinerate Shows, Carnivals, Circuses, Rodeos, and Religious Revival Meetings	\$506.00	\$593.00	\$87.00
D. Other Uses: As determined by Department Development Services Division Director	\$423.00	\$496.00	\$73.00
Vacation Home Rentals			
Application	\$162.00	\$190.00	\$28.00
Renewal	\$152.00	\$178.00	\$26.00
Permit Modification	\$10.00	\$35.00	\$25.00
Variance	\$2,624.00	\$3,076.00	\$452.00
17-22-600 et. Seq. (Discretionary Variance)			
Williamson Act Contracts (Agricultural Preserve)			
Establish and Amendments (Rezzone to LA is no charge; Rezzone to AG or PA requires the full rezzone fee)	\$1,174.00	\$1,376.00	\$202.00
Immediate Cancellation (no fee for notice of non-renewal)	\$1,000 deposit, T&M	\$1,000 deposit, T&M	-
Zone Change	\$2,800 deposit, T&M	\$1,000 deposit, T&M	(\$1,800.00) reduced Deposit

*Based on a percentage of current fee shown under original application type.

LONG RANGE PLANNING

Hourly Rate		Variable - Per Classification	
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ADDITIONAL DEPARTMENT FEES

Returned Check Fee - Tied to Maximum allowed by State	\$25.00	\$25.00	-
Copies/Duplication	15 cents per page or "printer cost" plus 5% handling fee	15 cents per page or "printer cost" plus 5% handling fee	-
Scanning Fee		10 cents per page or "scan cost" plus 5% handling fee	10 cents per page or "scan cost" plus 5% handling fee
Size A (8 1/2" x 11")	\$5.00	\$5.00	-
Size B (11"x 17")	\$7.50	\$7.50	-
Size C (18" x 24")	\$10.00	\$10.00	-
Size D (24" x 36")	\$15 + \$2.50 per SF over 6 SF	\$15 + \$2.50 per SF over 6 SF	-
Miscellaneous Manuals, Etc.	Actual cost	Actual cost	-
Public Record Requests	Per Evidence Code 1563	Per Evidence Code 1563	-
Research Records	T&M	T&M	-
Revenue Recovery Referral Charge	14% of amount sent to collections	14% of amount sent to collections	-
Witness Fee	T&M per applicable Government Code	T&M per applicable Government Code	-

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

** As established by the most recent Conditional Use Permit set by resolution at the time of application submission for the Planning and Building Department, Environmental Management Department, and the Department of Transportation.

PLANNING AND BUILDING DEPARTMENT POLICIES & PROCEDURES

The following fee policies are applicable to fees collected or charged by the Planning and Building Department.

A. APPLICABILITY

All fees are due at time of filing the application or requesting the service. Fees are charged as either: fixed rates, fees, or charges or "Time and Materials." The fixed rates, fees, or charges are intended to cover the ordinary costs of Planning and Building Department for providing that service. The "Time and Materials" fees listed are an initial deposit and are described in more detail in the "Time and Materials" section.

B. TIME AND MATERIALS

In all of those instances in Exhibit A – Planning and Building Fee Schedule where a dollar amount is provided followed by a reference to "T&M," the dollar amount is the initial minimum deposit, and the T&M means the actual cost to the applicant to process the application or permit is based on a Time and Materials method of billing. For services subject to T&M charges, the applicant will receive a billing statement identifying the remaining deposit balance on account or the amount due if deposited funds have been exhausted. If monies are owed, they shall be paid within thirty (30) days as specified in Board of Supervisors Policy B-4. Any outstanding balances must be paid before action by the approving authority. To make certain there is no misunderstanding regarding the application deposit and billing process, the applicant will be required to sign an "Agreement to Pay" statement with application submittal acknowledging agreement to pay the processing costs regardless of whether the application is approved or denied.

C. CONVERSION TO TIME AND MATERIALS

When, in the opinion of the Chief Administrative Officer (CAO) or Planning and Building Department Director, or their designees, the costs of processing an application will significantly exceed the required fixed fee due to the unusual complexity of the project, either the CAO or Planning and Building Department Director may convert the application to a Time and Materials billing process. When this conversion is proposed, the applicant will be notified in writing and will be requested to submit a deposit in an amount estimated to be sufficient to cover the remaining staff work to bring the application to a final decision. Staff work on the application will stop until the required deposit is provided. This conversion would occur when it is obvious the required fee is going to be insufficient, which would typically occur during or soon after the Technical Advisory Committee meeting. However, it could occur later in the process if controversy becomes more evident and/or revisions are proposed to the project to mitigate project impacts or public concerns. After the conversion, the applicant will receive a monthly billing statement identifying the remaining processing fee and/or deposit, or the amount due if deposited funds have been exhausted. If monies are owed, they should be paid before action by the approving authority.

D. COUNTY AND NON-COUNTY AGENCIES ARE SUBJECT TO STANDARD FEES

All County and non-County agencies (special districts, non-profit, etc.) shall be required to pay full application costs to offset the affected departments' processing costs. No charges shall be levied for documents/plans (one copy each) provided to public agencies.

E. OTHER FEES

Where no fee exists to cover an application process or service not normally provided by Planning and Building, or when the circumstances of the application process are unique, and when it will take more than one hour to process the application or provide the service, a fee shall be paid or deposit collected, based on an estimate of processing costs by the CAO or Planning and Building Department Director, or their designees, using the approved hourly billing rate. If a deposit is collected, the applicant will be billed based on the Time and Materials basis described above. Or as an option, the CAO or Planning and Building Department Director, or their designees, may apply a fee in another category, if such fee would adequately cover the anticipated level of effort required to process the application.

F. FEE WAIVERS

Fee waivers cannot be approved by Planning and Building Department. Pursuant to Board of Supervisors Policy B-2, or its equivalent, the CAO has limited authority to waive certain fees.

G. COLLECTIONS

Unpaid balances are subject to Board of Supervisors Policy B-4, Collections – Recovery of Public Funds. Balances referred to County Revenue Recovery will be assessed an amount equal to the costs incurred by the County for administering revenue recovery services.

H. REFUNDS

- 1) Fixed application fees are not refundable except as designated in 2.b. and 2.f, below.
- 2) The CAO or Planning and Building Department Director, or their designees, may authorize a refund of any unexpended Time and Materials or fixed fees upon any of the following circumstances:
 - a) The project/application is approved or denied and no further work will be required and the Time and Materials account is closed.
 - b) The applicant withdraws the application and requests a refund in writing.
 - i) The County shall discontinue work on the application within one working day from the receipt of said request, except that the County may continue to process an application involving the violation of a County ordinance.
 - ii) Where a refund is requested of a fixed fee, the refund amount shall be based upon the percentage of work completed as estimated by the CAO or Planning and Building Department Director, or their designees.

- c) The application has been deemed incomplete, information has been requested in writing by Planning and Building, and the applicant has not provided the information within a one year period.
 - d) The project/application has been placed on-hold or moved off-calendar of a Planning Commission or Board of Supervisors hearing at the request of the applicant and the applicant has not responded or requested the matter to be rescheduled for hearing within a one-year period.
 - e) The project/application was moved off-calendar of a Planning Commission or Board of Supervisors hearing by the decision maker and the applicant has been requested to perform additional tasks such as: provide more information, consult with other agencies, or make revisions, but the necessary information has not been provided within a one-year period.
 - f) The deposit or fee was erroneously collected by the County.
- 3) Additional conditions applicable to refunds related to building permits are described in Section J.
 - 4) Any refund of \$25.00 or less will not be issued; therefore any deposit balance of \$25.00 or less will not be eligible for refund and will be retained by the County.
 - 5) It is the applicant's responsibility to keep track of the amounts submitted and to inform Planning and Building of all changes in address or ownership, including submission of a successor Agreement to Pay in the event of a change in ownership.
 - 6) After all notices have been given and four (4) years have passed the County can follow the County's escheatment process per Government Code Section 50050 – 50057 for disposing of unexpended fees.

I. VIOLATIONS

- 1) Whenever any work or activities for which a permit is required has been commenced, without first obtaining said permit, an investigation may be required before a permit is issued for such work.
- 2) An investigation fee, in addition to the permit fee, may be collected by the CAO or Planning and Building Department Director, or their designees, whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee. The payment of such investigation fee shall not exempt any person from penalty prescribed by ordinance or law. The CAO or Planning and Building Department Director, or their designees may, at his or her discretion, collect this investigation fee at the time of the application or permit issuance. The CAO or Planning and Building Department Director, or their designees, at his or her discretion, may not require investigation fees in cases where the owner of property is voluntarily revealing work done without a permit and securing a permit for the work.
- 3) When a violation of any County Ordinance includes or results from the failure to attain a required permit, the fee or deposit for obtaining the permit required to correct the violation

shall be double the fee or deposit amount shown, unless another ordinance or law provides for a greater amount, in which case the greater amount shall apply. The additional fee or deposit shall be treated as a non-refundable fixed fee, even if the initial amount is a deposit.

J. DEPARTMENT SPECIFIC FEES

1) Building Services

a) Application and Plan Review - Required Plans

When plans are required to be submitted, an application/plan review fee shall be paid at the time of the building application, in the amount equal to one-half (1/2) of the fee. Upon issuance of the permit these fees shall be applied to the total fee collected.

b) Application and Plan Review – 50% Reduction

When plans referenced in (J.1.a) above are from a master plan previously approved by the County with no modifications, are for a permanent manufactured dwelling on a permanent foundation, or have been reviewed and approved by a third-party professional previously approved by the County, the application/plan review fee as described in (J.1.a) above shall be reduced by fifty percent (50%).

c) Credit toward Replacement Application

An application submitted to replace one that has expired may be eligible for a credit toward the new application/plan review fee if it is re-submitted within 6 months of the time of the original application expiration. Based on a schedule established by the CAO or Planning and Building Department Director, or their designees, credit may be given for administration/plan review work already performed, which is still applicable under codes and regulations in force at the time of the new application. It is the responsibility of the applicant to provide documentation substantiating work eligible for credit as part of the original application.

d) Refund on Withdrawal

The CAO or Planning and Building Department Director, or their designees, may authorize the refund of not more than 80% of the building permit fee paid, less the application fee if any plan review activity has occurred. The minimum fee retained by the County shall be equal to the hourly rate applicable to the permit activity.

The CAO or Planning and Building Department Director, or their designees, shall not authorize the refunding of Building Services fees paid unless:

- i) Written request to withdraw an application or permit is provided by the current owner or original applicant or an authorized agent of either;
- ii) Said request is made within one year of the application or within two years of the original date of issuance to the Planning and Building Department; and
- iii) No work of any sort has been done under the permit in question.

e) Special Inspection

On those occasions where an inspection is authorized by the CAO or Planning and Building Department Director, or their designees, and to otherwise required by a valid

construction permit, a fee shall be charged for the special inspection and collected at the time if the application or request.

Special inspection applications must be one of the following:

- i) The record of owner of the property or his/her authorized agent. Proof of authorization is required.
- ii) A legal renter or leaseholder of the property. Proof of such lease or rent must be provided.

Any special inspection applications issued in error because of false or incorrect information on such application will be null and void and all fees collected for such application will be non-refundable.

- f) **Work Performed Outside of Normal Business Hours**
Any work, such as plan review or inspection services, performed outside of normal business hours shall be charged to cover increased employee cost. The minimum charge shall be two hours minimum, at 1.5 times the hourly rate.

2) Planning Services

Multiple Application Fees

In those instances where two or more applications are filed with Planning Services at the same time for the same project, all fees collected for that submittal shall be adjusted as follows:

First Application	=	Full fees
Second Application	=	20% reduction, requiring payment of 80% of the fees for the second application
Any Additional Applications	=	40% reduction, requiring payment of 60% of the third or additional application fees

The determination of which application pays the full amount, which has a 20 percent reduction, etc., is based on the amount of the application fee. The type of application which has the highest Planning Services fee is considered the first application; the application with the second highest Planning Services fee is the second application, etc. For multiple applications that are reviewed on a Time and Materials basis, only the deposit for the application with the highest listed deposit amount on the fee schedule shall be collected at the time of application submittal.

K. SEVERABILITY

If any title, article, section, subsection, sentence, clause, or phrase of these Policies and Procedures or any amendment thereto is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of these Policies and Procedures or amendments thereto. The Board of Supervisors declares that it would have approved these Policies and Procedures and each title, article, section, subsection, sentence, clause, and phrase of these Policies and Procedures irrespective of the fact that any one or more titles, sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

L. NON EXCLUSIVITY

Nothing in these Policies and Procedures or any amendment thereto shall limit or preclude the enforcement of other county ordinances, including penalties therein or any other federal, state, or local laws or regulations. The remedies provided herein are cumulative to all other remedies now or hereafter available to abate or otherwise enforce a fee or permit requirement for conduct described herein. The collection or acceptance of any fee does not constitute and shall not be construed as approval or authorization of any conduct, activity, or condition that violates any federal, state, or local laws or regulations.