

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # 9:15 a.m. (B)

Urgent  Routine

AGENDA DATE April 28, 2009

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services

STAFF RECOMMENDATIONS:

Introduce and waive the first reading of an ordinance to establish new fees and amend existing fees for planning services.

FISCAL IMPACT:

The increase in revenue, that would result from the approval of the fee proposal, is expected to partially offset direct costs related to processing land use applications and the ongoing provision of services. The fee schedule includes new revenue sources to address existing costs that do not have any identified revenue stream addressed by the existing fee schedule. It is anticipated that with the total adjustments as proposed, revenues to the Planning and Community Development Department could potentially increase by approximately \$20,898 annually.

BOARD ACTION AS FOLLOWS:

No. 2009-279

On motion of Supervisor Grover, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION: Introduced and waived the first reading of Ordinance No. C.S. 1060

ATTEST: Christine Ferraro  
CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-J-7

**DISCUSSION:**

The last Planning and Community Development Department initiated increase to the fee schedule for planning services was adopted by the Board of Supervisors on April 18, 2006. The approved fee schedule reflects separate fees for the Planning and Community Development Department (Planning Division and Planning Commission Clerk), Department of Public Works, Department of Environmental Resources (DER), and Clerk of the Board. DER amended their portion of the fees in 2008, but all other fees remain the same as adopted in 2006.

This item proposes an approximate 3% increase to the Planning and Community Development Department portion of the fees. This increase reflects increases in operating costs (such as salaries, benefits, and office materials and equipment) and addresses external increases in other direct costs incurred in the processing of discretionary permits. Since 2006, the Consumer Price Index (CPI) has risen 5 percent. According to the CPI Calculator published by the Bureau of Labor Statistics, \$1 in 2006 has the same buying power of \$1.05 in 2009.

In addition to the above 3% increase, the following changes and new fee types have been incorporated into the fee structure:

1. A new fee for Geographical Information System (GIS) Usage and General Maintenance at a cost of 2% has been added to the fee schedule to help cover costs related to on-going maintenance and development of critical GIS resources. The 2% is based on the total of all individual fees for each fee type. There is currently no direct revenue stream defined to cover GIS costs. The Planning and Community Development Department's Application Specialist III is responsible for maintaining the Assessor's Parcel, Zoning, General Plan and other GIS layers used on a county-wide basis.
2. A new fee to help cover the costs of the mandated duties and responsibilities of the County Flood Plain Administrator has also been added to the fee schedule. The Planning and Community Development Department currently supports staff designated by the Public Works Director to act as the Flood Plain Administrator and to review all permits in accordance with Chapter 16.50.150 of the County Code. There is currently no revenue stream identified to cover these costs. This fee will allow cost recovery in addressing increasing Federal Emergency Management Agency (FEMA) flood plain requirements and local requirements for a Flood Plain Administrator. The fees would range from \$50 to \$200 depending on the complexity of the project. Based on the Fiscal Year 2008-2009 permit issuance to date, the Department would anticipate the Flood Plain Administrator fee to generate approximately \$10,170 in revenue.
3. The Planning Commission Clerk fee for an appeal of staff determination to the Planning Commission has been increased beyond 3%, from \$60 to \$103, to reflect actual costs primarily associated with public notice costs. This increase is consistent with other similar Planning Commission Clerk fees.

Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services

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4. Alcohol Beverage Control (ABC) Licenses and Landscape/Site Inspections have been added to the fee schedule. These fee types reflect work already being conducted by the Planning and Community Development Department, but with no fee for cost recovery. The fee amounts reflect staff time and, in the case of the inspections, mileage costs associated with processing. The proposed new fee amounts of \$71 and \$100, respectively, are based on the current average actual costs of providing such services. Based on the Fiscal Year 2008-2009 permit issuance to date, the Department would anticipate both fees to generate approximately \$2,000 per year.
5. Staff Approval Permit fees have been changed to reflect referral requirements. In many cases, these permits do not require referrals to the Departments of Public Works and Environmental Resources, yet the current schedule reflects a referral cost for all types except a single family residence in the Agricultural zone. The current fees are \$720 and \$325, respectively. The proposed changes would allow for a tiered fee based on referral requirement. The proposed new fee would be \$801 for permits requiring a referral and \$362 for permits not requiring a referral or a permit for a single family residence in the Agricultural zone. This change will be reflected as a fee reduction for many customers, since referrals are not required in many cases.
6. Verification letter fees have been changed to reflect the higher cost of processing complex requests. The proposed fee schedule provides a lower cost for requests involving only a Single-Family Dwelling (SFD) and a higher cost for all other requests. The proposed new fees are \$61 and \$128, respectively. Currently, all requests for a verification letters are charged the same fee of \$55. Verification letters are commonly referred to as a "burn down letter" by the real estate and finance industries and are most commonly requested at the time of property sale, transfer, or refinance. Requests involving only a single SFD are typically easy to research and prepare. Verification letters for multiple dwellings or non-residential uses require additional staff time to research and, in some case, require site visits.
7. The fee schedule has been changed to omit the listing of specific weighted labor rates for the various Departments. Note (1) of the fee schedule has been amended to reflect weighted labor rates as provided by the Auditor's Office at the time of services rendered and not as stated in the fee schedule adopted by the Board of Supervisors. The current fee schedule notes weighted labor rates are subject to change during the year and charges will be based on rates as approved by the Auditor's Office at the time of services rendered. This change eliminates the need for the fee schedule to be updated regularly to reflect changes to weighted labor rates, but will not result in a higher cost to the customer.
8. The fee schedule has been changed to update Airport Land Use Commission fees reflected in Note (5). As approved by the Airport Land Use Commission in November of 2005, the minimum charge for an Actual Cost application and appeal of a staff determination are the same as the Planning and Community Development Department's General Plan Amendment (actual cost with a deposit of \$3,976) and appeal of a staff determination (\$610).

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9. The current fee schedule specifies that deposit amounts are non-refundable. The fee schedule has been changed to authorize the Planning Director to issue a refund when it is determined extraordinary circumstances warranting a refund exist.
10. The Department of Public Works is requesting an increase in their separate fee charged for Community Plan Amendments (currently \$210), Mine Use Permit/Reclamation Plan (currently \$160), and Specific Plans (currently \$210). The proposed new fees are \$340, \$255, and \$340, respectively, to more accurately reflect direct costs of application review.
11. The Clerk of the Board is requesting an increase in their separate fee charged for Williamson Act Cancellation (currently \$60) and Zoning Ordinance Text Amendment (currently \$200) to \$400 each. The fee increase covers public notice costs. In both cases, State regulations require a 1/8th page public notice be published twice in a newspaper of local circulation. The Clerk of the Board is also requesting removal of their current separate fee of \$100 each for Mine Use Permit/Reclamation Plan and Recirculation of Mitigated Negative Declaration.

These requests do not require Board of Supervisors consideration unless the Planning Commission decision is appealed. If an appeal occurs, a separate fee for the Clerk of the Board is already in place.

12. The fee for a Building Permit Review has been changed on the fee schedule to reflect the increases in direct costs to provide the service from \$75 to \$80.
13. The proposed fee schedule omits the Use Permit fee of \$1,330 for a Single Family Residence in the Agricultural zone. The Zoning Ordinance has been amended to eliminate the need for such a use permit.

The remaining fee structure remains the same as that adopted by the Board in 2006 and amended in 2008.

A review of comparable County agencies (Monterey, Kern, Fresno, San Joaquin, Sonoma, Solano, Sacramento, and Ventura) shows the proposed total fee amounts are in most cases equal to, in respect to charging actual cost, or less than the total fees charged by other agencies. Both Sacramento and Ventura County charge a GIS fee. Sacramento incorporates their GIS fee as part of an Information Technology (IT) fee and Ventura charges a per GIS layer fee. The counties with some fees less than the County's proposed total fee amounts include Kern, Fresno, and Solano County. A fee comparison is provided in Attachment 2.

A public hearing is required pursuant to Government Code Section 66016 as it relates to proposed fee increases which provide that: *a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a regularly scheduled meeting.*

**POLICY ISSUES:**

The Board should determine if this action is consistent with its stated priorities of striving for effective partnerships and the efficient delivery of public services.

**STAFFING IMPACT:**

There is no staffing impact associated with this item.

**ATTACHMENTS:**

1. Proposed Ordinance and Draft Fee Schedule - 2009
2. Fee Comparison with Comparable County Agencies

**ORDINANCE NO. C.S.**

**AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR PLANNING SERVICES**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:**

**Section 1:** The Board of Supervisors hereby adopts the Planning Services 2009 Fee Schedule, attached as Exhibit A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

**Section 2.** This ordinance shall be published once before the expiration of 15 days after passage of this ordinance, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California, and the ordinance shall take effect either (a) pursuant to section 25123 of the Government Code, 30 days after the date of publication, or (b) pursuant to section 66017 of the Government Code, 60 days following the final action on the adoption of the fees or charges, whichever date occurs last.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Jim DeMartini, Chairman of the Board of Supervisors of the County of Stanislaus, State of California

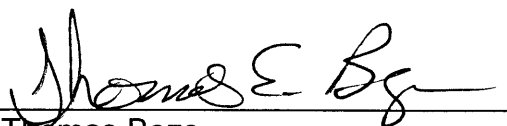
ATTEST:

CHRISTINE FERRARO TALLMAN  
CLERK OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

JOHN P. DOERING  
COUNTY COUNSEL

By 

Thomas Boze

~~Assistant~~ County Counsel

*Deputy*

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FEES	ACTUAL COST	PLANNING	PUBLIC WORKS	DER	PLAN. COMM. CLERK	CLERK OF THE BOARD	GEN PLAN MAINT	FLOOD PLAIN ADMIN	GIS MAINT	TOTAL FEE	
Minor Lot Line Adjustment in R, C, M, PD, PI, IBP, LI Zones		\$ 165	\$210	\$160	\$52		\$50	\$50	\$14	\$700	
Minor Lot Line Adjustment in A-2 Zone without Williamson Act		\$ 335	\$695	\$160	\$52		\$50	\$50	\$27	\$1,368	
Lot Line Adjustment in A-2 Zone with Williamson Act		\$ 600	\$695	\$160	\$52	\$50	\$50	\$50	\$33	\$1,690	
Merger		\$ 75							\$2	\$77	
Mine Use Permit/ Reclamation Plan <sup>(1)</sup>	Actual Cost Min Charge/ Deposit:	\$ 2,575	\$255	\$160	\$103		\$200	\$200	\$70	\$3,563	Deposit
Mines Inspections		\$ 760								\$760	
Mine Reinspection (if required, 3 hour min @ \$72/hr)	Actual Cost Min Charge/ Deposit:	\$ 216								\$216	Deposit
Mobile Home Application		\$ 350							\$7	\$357	
Mobile Home Renewal		\$ 50							\$1	\$51	
Mobile Home Renewal -Late Fee		\$ 95							\$1	\$96	
Parcel Maps (R, C, M, LI, IBP, PD, PI Zones)		\$ 1,135	\$210	\$410	\$103		\$100	\$100	\$41	\$2,099	plus \$30/lot
Parcel Maps (A-2 Zone, non-Williamson Act and < 4 parcels + remainder)		\$ 1,240	\$210	\$410	\$103		\$100	\$100	\$43	\$2,206	plus \$30/lot
Parcel Maps (A-2 Zone, with Williamson Act or > 4 parcels + remainder)		\$ 1,910	\$210	\$410	\$103		\$100	\$100	\$57	\$2,890	plus \$30/lot
Recirculation of Mitigated Negative Declaration <sup>(1)</sup>	Actual Cost Min Charge/ Deposit:	\$ 1,085	\$210	\$160	\$103					\$1,558	
Rezone <sup>(1)</sup>	Actual Cost Min Charge/ Deposit:	\$ 2,575	\$210	\$410	\$103	\$200	\$200	\$200	\$78	\$3,976	Deposit
Specific Plans <sup>(1)</sup>	Actual Cost Min Charge/ Deposit:	\$ 2,575	\$340	\$410	\$103	\$200	\$200	\$200	\$81	\$4,109	Deposit

FEES	ACTUAL COST	PLANNING	PUBLIC WORKS	DER	PLAN. COMM. CLERK	CLERK OF THE BOARD	GEN PLAN MAINT	FLOOD PLAIN ADMIN	GIS MAINT	TOTAL FEE	
Staff Approval Permit - with referral		\$ 455	\$70	\$160			\$50	\$50	\$16	\$801	
Staff Approval Permit - without referral & Single Family Residence in Ag Zone		\$ 315					\$20	\$20	\$7	\$362	
Street Name Change		\$ 315	\$125		\$103				\$11	\$554	
Subdivision Ord. Exception		\$ 1,875	\$140	\$410	\$103		\$100	\$100	\$55	\$2,783	
Tentative Subdivision Map <sup>(1)</sup>	Actual Cost Min Charge/ Deposit:	\$ 2,575	\$550	\$820	\$103		\$200	\$200	\$89	\$4,537	Deposit plus \$30/lot
Time Extensions		\$ 395			\$103				\$10	\$508	
Use Permit - Agricultural - All Tiers		\$ 1,875	\$160	\$410	\$103		\$100	\$100	\$55	\$2,803	
Use Permit - non-agriculture zones		\$ 1,380	\$160	\$410	\$103		\$100	\$100	\$45	\$2,298	
Use Permit - Requiring Board of Supervisors Approval		\$ 1,875	\$160	\$410	\$105	\$200	\$200	\$200	\$63	\$3,213	
Zoning Ordinance Variance		\$ 1,875	\$160	\$410	\$105		\$100	\$100	\$55	\$2,805	
Verification Letter - single SFD		\$ 60							\$1	\$61	
Verification Letter - all other uses		\$ 125							\$3	\$128	
Williamson Act Contract		\$ 130				\$60			\$4	\$194	
Williamson Act Notice of Non-Renewal		\$ 115							\$2	\$117	
Williamson Act Cancellation		\$ 590				\$400	\$200	\$200	\$28	\$1,418	
Zoning Ordinance Text Amendment	Actual Cost Min Charge/ Deposit:	\$ 1,875	\$210	\$410	\$105	\$400	\$200	\$200	\$68	\$3,468	Deposit

\*(1) Fees described above that require a deposit and are charged at "actual cost" have a minimum charge associated with them. The deposit required is this minimum charge and is non-refundable\*. This DOES NOT include any necessary consultant costs for environmental review, specialized studies, financial consulting or any other expert consulting services potentially needed by the County for processing these applications. Monthly draws against the deposit will be made based on staff time and materials needed to process the applications. Staff costs and expenses for Planning, Public Works, and DER will be billed at fully burdened weighted labor rates as provided by the Auditors Office at the time of services rendered.

All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate. Invoices will be calculated on a quarterly basis and forwarded to the applicant for payment. If the deposit reaches a balance of 20% of the initial deposit or less, the Applicant will be asked to make a subsequent deposit in an amount dependent upon the amount of work left to complete on processing. Applicants will be expected to pay the subsequent deposit within 30 days of invoice date. In the event that the account is not paid within 30 days of the invoice date, processing will be suspended until such time that payment is made. Any remainder will be used to reconcile your final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to you. Public hearings will not be scheduled until payment in full is received.

\*(2) Applications for two or more actions (for example: Tentative Map and Exception ) will be charged the highest application fee. For those applications for two or more actions that include an action that is charged at "actual cost" (for example: General Plan Amendment, Rezone, & Parcel Map) they will be charged the highest deposit amount as a minimum charge and deposit. The deposit is non-refundable\*. All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate per note #1 above. If a Lot Line Adjustment in an Agricultural zone is included in a Combination Application, an additional \$695 will be required beyond the set fee or deposit amount in order to obtain a "Certificate of Compliance" from Public Works.

\*(3) Department of Environmental Resources charges for Tentative Map Review reflect a minimum charge of 8 hours at a weighted labor rate of \$103.00 per hour. Additional time required for tentative map review will be charged at the same hourly rate.

\*(4) A General Plan Maintenance Fee will be charged for every Building Permit of \$1.28 per \$1,000 of improvement valuation. This fee will be collected with other Building Permit fees and will be calculated based on the total valuation of the improvement as determined through the normal Building Permit process.

\*(5) If your project falls within an Airport Planning Boundary, a separate application and fee will be required for the Airport Land Use Commission (ALUC). You will be required to contact the ALUC and submit an application for review. For information purposes only: Projects are identified by the ALUC as either "Major" or "Minor" and the ALUC has adopted the following project review fees as of November 2005: Major: \$1,200, Minor: \$225. An amendment to the ALUC Plan will be charged as "Actual Cost" with a deposit and minimum charge of \$3,950, and an appeal of a Staff determination to the ALUC is charged \$629. Applicants should check with the ALUC to verify application costs.

\* Fees may be refunded if the Planning Director, or his appointed designee, determines extraordinary circumstance warranting a refund exist.

**ADDITIONAL FEES REQUIRING SEPARATE PAYMENT**

<b>California State Archaeology Clearinghouse Fees - Applicable to MANY discretionary Permits - inquire with staff</b> Make Check payable to "Central California Information Center" Payable at the time of Application Submittal	\$ 60.00
<b>*** Fees subject to change without County approval required.</b>	

<b>California Fish and Game Environmental Fees - Applicable to ALL discretionary Permits unless found exempt from CDFG Fees</b> <b>Environmental Impact Report</b> <b>Mitigated Negative Declaration / Negative Declaration</b> Make Check payable to: Stanislaus County Payable within 5 days of Planning Commission or Board of Supervisors Action on Project	\$ 2,768.25 \$ 1,993.00
<b>*** Fees subject to change without County approval required.</b>	

<b>County Clerk Recorder Fee - Applicable to ALL discretionary Permits, Williamson Act actions, CDFG DeMinimus Findings, and CEQA filings</b> Make check payable to: Stanislaus County Clerk Recorder Payable within 5 days of Planning Commission or Board of Supervisors Action on Project	\$ 57.00
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**ADDITIONAL RECORDER FEES WILL BE REQUIRED IF DOCUMENTS MUST BE RECORDED**

Fees are set by the Recorders Office

**DOCUMENTS**

TOTAL General Plan (complete set)	\$ 63.00
1. General Plan	\$ 40.00
2. Support Document	\$ 18.00
3. Agricultural Element	\$ 5.00
Subdivision Ordinance	\$ 10.00
Zoning Ordinance	\$ 10.00
Airport Land Use Comm Plan	\$ 10.00
Community Plans	Cost
Economic Strategic Plan	Cost
Public Facility Fees	\$ 3.50
Salida EIR	Cost
Salida PD Guidelines	Cost
Economic Strategic Plan	Cost
Planning Comm Audio Tape	\$ 10.00
Planning Comm DVD	\$ 10.00
Planning Comm Video Tape	\$ 15.00
Photocopy (1st.)	\$ 1.00
Photocopy (additional)	\$ 0.25
Specific Plan/EIR	actual cost

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## Fee Comparison with Comparable Counties

	2009 Proposed Stanislaus	Monterey	Kern	Fresno	San Joaquin	Sonoma	Solano	Sacramento	Ventura
General Plan Amendment	Actual Cost \$3976 Deposit	COST \$667 Deposit	COST \$1,355 Deposit	\$12,240	\$7,775	COST Min \$3,683 deposit	\$4,520	\$25,365	COST \$3,000 deposit
Lot Line Adjustment	\$700 to \$1690	\$5,611 to \$6,507	\$350	\$1,050	\$1,865	\$1,111 to COST	\$3,608	\$3,309	\$750
Parcel Map	\$2099 to \$2890 + \$30/lot	\$15,906	\$1,455	\$1,562 + \$33/lot	\$4,450 + \$442/lot	\$2,388 + \$358/lot	\$4,696	\$10,245	COST \$2,000 deposit
Tentative Subdivision Map	Actual Cost \$4537 + \$30/lot Deposit	\$27,888 +\$300/lot	COST \$1,100 deposit +\$25/lot	\$4,490 +\$457/lot	\$12,365 + \$35/lot	COST Min \$4,300 deposit	\$6,581 + \$314/lot	\$14,679	COST \$2,500 deposit
Rezone	Actual Cost \$3976 Deposit	COST \$667 Deposit	COST \$900 + \$25/lot deposit	\$6,214	\$5,569 + \$63/ac >10ac	COST Min \$3,222 deposit	\$3,100	\$21,726	COST \$1,000 deposit
Use Permit	\$2298 to \$3213	\$7,264	COST \$1,400 + \$25/lot deposit	\$9,123	\$4,445 to \$12,525	COST Min \$4,594 deposit	\$5,537	\$12,079	COST \$1,500 to \$4,000 deposit
Variance	\$2,805	\$5,237	COST \$1,300 + \$25/lot deposit	\$3,204 to \$6,049	\$4,190	\$4,873	\$1,065	\$10,553	COST \$2,000 deposit



**BUILDING INDUSTRY ASSOCIATION  
OF CENTRAL CALIFORNIA**

*Serving Mariposa, Merced, Stanislaus and Tuolumne Counties*

April 27, 2009

Kirk Ford  
Director, Planning and Community Development  
County of Stanislaus  
1010 Tenth Street, Suite 3400, 3rd Floor  
Modesto, CA 95354

2009 APR 27 PM 3:00

✓ BOARD OF SUPERVISORS

Re: **Proposed Increase to Planning and Building Fees**

Dear Mr. Ford:

The Building Industry Association of Central California (BIACC) is a trade association representing hundreds of businesses and thousands of employees involved in one of the most important segments of our local economy. New housing construction as a stand alone industry ranks in the top five in terms of economic output and accounts for nearly 3 percent of California's total output.

Earlier this month staff from the County of Stanislaus met on two occasions with the Building Industry Association of Central California for purposes of discussing the necessity of a proposed increase to user fees related to planning, building and certain other services provided by the County of Stanislaus. We appreciate the effort made by county staff to provide advance notice of the fee increase and to meet with the association to answer questions related to the proposed action.

The stagnant local economy has now evolved from an event larger in magnitude than just the downward velocity of the housing market and is now impacted by a confluence of other debilitating economic events. This has created seriously challenging conditions for both the government and private sectors. The private sector is responding by decreasing costs and lowering pricing. The government sector is responding, apparently, by continuing to increase costs to the private sector and property owners.

There are a number of reasons why the association does not support the proposed inflationary increases to various building and planning fees. For your edification, we will enumerate the primary reasons below:

1. The new inflationary increases are layered on top of a methodology that bases various fees on the total cost of the project. This sliding scale approach results in fee charges that increase in magnitude based upon the assessed value of the permitted activity.

Mr. Kirk Ford  
County of Stanislaus  
April 27, 2009  
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Our preference is that cost recovery be limited to the *exact* cost of the county to provide the service regardless of the assessed value of the project.

2. While we appreciate that the county would like to recover the cost of providing services related to issuing permits; performing building inspection services; providing planning services and reviewing plans, we are not able to determine what the accurate costs for providing the services are and what the corresponding fees should be. We think the fees should capture the cost of providing the specific service such. Cost recovery should include direct compensation that can be attributed to the actual time devoted to providing the specific service. All other costs should be allocated incrementally for only activities that support the provision of the specific service. We cannot determine from the information provided if certain costs are incurred for common or joint purposes not directly related to providing a fee based service. It is our position that the "fully burdened" methodology is wide open to interpretation. Different information than what has been provided would be necessary to accurately determine if the county charges are reasonable or accurate.
3. We are aware that it is county policy to defer fees for services provided to evaluate or permit certain agricultural improvements. The county has not made any effort to quantify the magnitude of the revenue that will not be recovered. Consequently, we can only assume that the burden for these costs has been shifted to other consumers of services.

Finally, we recognize that county staff has delayed introduction of a new study that purports to significantly increase user fees in order achieve 100 percent cost recovery for planning and building services. Our position may seem counterintuitive, but we would rather that the county presents such a study to be objectively vetted by stakeholders and constituents. We believe that by doing so, it provides the opportunity to accurately identify costs and will foster developing a reasonable approach to equitable cost recovery.

Sincerely,



Stephen D. Madison  
Executive Officer

Copy to: Board of Supervisors

# **Planning and Community Development Amended Fee Schedule**



# Planning and Community Development Amended Fee Schedule

- 1992, 1995, 2001 - Fee Adjustments
- 2001 – Adopted Departmental Strategic Plan
- 2002-2006 – Annual Fee Adjustments
- 2007-2008 –No Adjustments necessary
- 2009 Minor Modifications and increases

# Planning and Community Development Amended Fee Schedule

- ~3% increase in Planning Division Fees
- 2% GIS Maintenance Fee
- New Flood Plain Administrator Fee – variable depending on complexity of project (\$50-\$200)
- Advertising Fee for PC Clerk for appeal reflects actual cost of publication

# Planning and Community Development Amended Fee Schedule

- ABC License Fee (\$71)
- Landscape Plan Monitoring/Inspection Fee (\$100)
- Staff Approval tiered (Lowers most costs for permits not requiring referrals to other Depts.)
- Zoning Verification fees tiered (SFDwelling = lower)

# Planning and Community Development Amended Fee Schedule

- Updated ALUC Fees consistent with Deposit amt.
- Public Works Review fees modified to reflect costs for Community Plan Amendments, Mining Applications and Specific Plans

# Planning and Community Development Amended Fee Schedule

- Clerk of the Board Advertising Fees (\$400 for Williamson Act Cancellations & Ordinance Amendments.)
- Planning Building Permit Review increased from \$75-\$80

# Planning and Community Development Amended Fee Schedule

TOTAL ADDITIONAL REVENUE ANTICIPATED:

Planning Division: ~\$21,000

# Planning and Community Development Amended Fee Schedule

Fee Comparison with Comparable Counties									
	Proposed Stanislaus	Monterey	Kern	Fresno	San Joaquin	Sonoma	Solano	Sacramento	Ventura
<b>General Plan Amendment</b>	AT COST	AT COST	AT COST	\$12,240	\$7,775	AT COST	\$4,520	\$25,365	AT COST
<b>Lot Line Adjustment</b>	\$700 to \$1690	\$5,611 to \$6,507	\$350	\$1,050	\$1,865	\$1,111 to COST	\$3,608	\$3,309	\$750
<b>Parcel Map</b>	\$2099 to \$2890 + \$30/lot	\$15,906	\$1,455	\$1,562 + \$33/lot	\$4,450 + \$442/lot	\$2,388 + \$358/lot	\$4,696	\$10,245	COST \$2,000 deposit
<b>Use Permit</b>	\$2298 to \$3213	\$7,264	\$1,400 + \$25/lot deposit	\$9,123	\$4,445 to \$12,525	COST Min \$4,594 deposit	\$5,537	\$12,079	\$1,500 to \$4,000 deposit

# **Planning and Community Development Amended Fee Schedule**

## **RECOMMENDATION:**

**Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services**

**The fee increase becomes effective:  
60 days following approval**



ORDINANCE C.S. 1060

NOTICE IS HEREBY GIVEN that on May 19, 2009, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of Ordinance C.S. 1060 establishing new fees and amending existing fees for planning services.

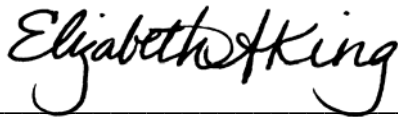
NOTICE IS FURTHER GIVEN that a full copy of the proposed ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Kirk Ford, Director of the Stanislaus County Planning and Community Development Department at (209) 525-6330 or at 1010 10th Street, Suite 3400, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 28, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:



\_\_\_\_\_  
Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

May 06, 2009

ORDINANCE C.S. 1060  
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**Pub Dates May 6, 2009**

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I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

**MODESTO, California** on

May 7th, 2009

(Signature)



A handwritten signature in cursive script, appearing to read "Rama Sof", is written over a solid horizontal line.