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

DEP1:	Board of Supervisors		AGENDA DATE: May 21, 2024
			ing of Ordinance C.S. 1370 to Amend
BOARD A	CTION AS FOLLOW	S:	RESOLUTION NO. 2024-0243
and approv	ed by the following vote	,	Seconded by Supervisor B. Condit
Ayes: Supe	rvisors: B. Condit, Chie	sa, Withrow, C. Co	ndit, and Chairman Grewal
Noes: Supe	ervisors:	None None	
Abstaining:	: Supervisor:	None	
1) <u>X</u>	Approved as recomme	nded	
2)	Denied		
3)	Approved as amended		
4)	Other:		

WAIVED THE SECOND READING AND ADOPTED ORDINANCE C.S. 1370

ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

MOTION:

File No. ORD-58-K-1

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AGENDA ITEM

DEPT: Board of Supervisors BOARD AGENDA:6.A.4

AGENDA DATE: May 21, 2024

CONSENT:

✓

CEO CONCURRENCE: YES 4/5 Vote Required: No

SUBJECT:

Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1370 to Amend Existing Fees for Planning Services

STAFF RECOMMENDATION:

1. Adopt and waive the second reading of Ordinance C.S. 1370 to amend existing fees for planning services.

ATTACHMENT(S):

1. Ordinance C.S. 1370

ORDINANCE NO. C.S. 1370

AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR PLANNING SERVICES BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

Section 1. The Board of Supervisors hereby adopts the Department of Planning and Community Development 2024 Fee Schedule for planning services, 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.

B.Cond regular meeting of	<u>lit</u> , the foregoing resolution the Board of Supervisors of the	, seconded by Supervisor was passed and adopted at a e County of Stanislaus, State of by the following called vote:
AYES:	Supervisors: B.Condit, Chi and Chairmar	

NOES:

Supervisors: None

ABSENT:

Supervisors: None

ABSTAINING:

Supervisors: None



Wani G∀ewal

Chairman of the Board of Supervisors,

of the County of Stanislaus,

State of California

//

Ordinance No. C.S. 1370
Adopted May 21, 2024
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ATTEST:

Elizabeth A. King, Clerk of the Board of Supervisors, of the County of Stanislaus, State of California

By:

Deputy Clerk of the Board

APPROVED AS TO FORM:

Thomas E. Boze, County Counsel

Robert J. Naro,

Assistant County Counsel

		2 PLANTING DEPARTMENT FEE SCHEDUICE NON-PLANNING DEPARTMENT FEES (DAT)									EES ⁽³⁾⁽⁷⁾	Collected by Planning Dept
FEES	ACTUAL COST/ DEPOSIT (1)	PLANNING	PLAN. COMM. CLERK	GEN PLAN MAINT	GIS MAINT	TOTAL PLANNI (8)(9)(10)(11	ING FEE	CLERK OF THE BOARD	DER	PUBLIC WORKS (PW)	PW FLOOD PLAIN ADMIN	TOTAL APPLICATION FEE (8)(9)(10)(11)
Adult Business Permit	x	\$3,000		\$50	\$21	\$3,071			\$685	\$ 1 47 \$152	\$50	\$3,953 \$3,958
Agricultural Grievances	x	\$3,000	\$234	\$200	\$78	\$3,512		\$200	\$685	\$240	\$200	\$4,837
Alcohol Beverage Control (ABC) License		\$122 \$126			\$1	\$123 \$127						\$ 123 \$127
Airport Land Use Commission (ALUC) - Minor Project Review (5)						See Note 5 Below						See Note 5 Below
Airport Land Use Commission (ALUC) - Major Project Review (5)						See Note 5 Below						See Note 5 Below
Airport Land Use Commission (ALUC) - Plan Adoption or Amendment (5)						See Note 5 Below						See Note 5 Below
Airport Land Use Commission (ALUC) - Appeal of Staff Determination (5)						See Note 5 Below						See Note 5 Below
Appeal of Planning Commission Decision to Board of Supervisors		\$ 1,385 \$1,433			\$12	\$ 1,397 \$1,445		\$200				\$1,597 \$ 1,645
Appeal of Staff Determination to Planning Commission		\$2,153 \$2,226	\$234		\$12	\$ 2,399 \$2,472						\$ 2,399 \$2,472
Building/Grading Permit Review (4)		\$89 \$92		\$1.28 /\$1,000		\$ 89 \$92	plus \$1.28/ \$1,000					\$89 \$92
Business License Application (6)		\$32.55 \$34				\$32.65 \$34						Collected by Tax Collector
Combination Application (2)						See Note 2 Below						See Note 2 Below
Community Plan Amendment	×	\$5,000	\$234	\$200	\$81	\$5,515		\$200	\$685	\$390 \$404	\$200	\$ 6,990 \$7,004

	***	PARISHO DE PARISHE DE SIDERUE						NON	Collected by Planning Dept			
FEES	ACTUAL COST/ DEPOSIT (1)	PLANNING	PLAN. COMM. CLERK	GEN PLAN MAINT	GIS MAINT	TOTAL PLANNI (8)(9)(10)(11	ING FEE	CLERK OF THE BOARD	DER	PUBLIC WORKS (PW)	PW FLOOD PLAIN ADMIN	TOTAL APPLICATION FEE (8)(9)(10)(11)
Condition of Approval or Development Standard Modification		\$2,056 \$2,126	\$162		\$37	\$ 2,255 \$2,325			\$274	\$520 \$532		\$3,049 \$ 3,131
Continuance Request for PC		\$377 \$390	\$162			\$530 \$552				i.		\$530 \$552
Continuance Request for BOS		\$374 \$387	\$154			\$528 \$541		\$200				\$728 \$741
Development Agreement (Including Amendments and Renewals)	x	\$5,000	\$234	\$200	\$78	\$5,512		\$400	\$685	\$240 \$248	\$200	\$7,037 \$7,045
Development Plan	x	\$5,000	\$234	\$200	\$63	\$5,497		\$200				\$5,697
Environmental Impact Report Separate Fee Charged In Addition To Regular Application Fee	x	De	Deposit - To be determined based on cost estimate									Deposit - To be determined
Environmental Studies & Peer Reviews Separate Fee Charged in Addition to Regular Application Fee	x	De	eposit - To b	e determined b	ased on co	ost estimate						Deposit - To be determined
Field Inspections & and Site Visits (8) To Venify Conditions Of Approval/Mitigation Measures	x	\$151 \$186				\$151 \$186						\$151 \$186
General Plan Amendment	x	\$5,000	\$234	\$200	\$78	\$5,512		\$200	\$685	\$240 \$248	\$200	\$6,837 \$6,845
Historical Site Review (Staff Approval)		\$457 \$473		\$50	\$21	\$528 \$544			\$685	\$800 \$828	\$50	\$2,063 \$2,107
Historical Site Permit		\$4,284 \$4,429	\$234	\$100	\$46	\$4,664 \$4,809			\$685	\$800 \$828	\$100	\$6,249 \$6,422
Landscape Plan Review	•	\$80 \$92				\$80 \$92						\$89 \$92
Landscape Site Inspection		\$180 \$187				\$180 \$187						\$180 \$187
Minor Lot Line Adjustment In R, C, M, PD, PI, IBP, LI Zones (2)		\$399 \$412		\$50	\$14	\$4 63 \$476			\$274	\$240 \$248	\$50	\$1,027 \$1,048

		PLANNING DEPARTMENT FEE SCHEDULE NON-PLANNING DEPARTMENT FEES (3)(7)							ES (3)(7)	Collected by Planning Dept		
FEES	ACTUAL COST/ DEPOSIT (1)	PLANNING	PLAN. COMM. CLERK	GEN PLAN MAINT	GIS MAINT	TOTAL PLANNI (8)(9)(10)(11		CLERK OF THE BOARD	DER	PUBLIC WORKS (PW)	PW FLOOD PLAIN ADMIN	TOTAL APPLICATION FEE (8)(9)(10)(11)
Minor Lot Line Adjustment In A-2 Zone Without Williamson Act (2)		\$555 \$5 74		\$50	\$27	\$632 \$651			\$274	\$800 \$828	\$50	\$1,756 \$1,803
Lot Line Adjustment In A-2 Zone With Williamson Act (2)		\$858 \$888		\$50	\$33	\$941 \$971		\$50	\$274	\$886 \$917	\$50	\$2,201 \$2,262
Merger		\$306 \$31 7			\$2	\$308 \$319						\$308 \$319
Mine Use Permit/ Reclamation Plan (RP)/ RP Amendment	x	\$15,000	\$234	\$200	\$70	\$15,504			\$274	\$205 \$305	\$200	\$16,273 \$16,283
Mine Inspections	×	De	Deposit - To be determined based on cost estimate									Deposit - To be determined
Mine Reinspection	×	De	eposit - To b	e determined b	ased on co	ost estimate						Deposit - To be determined
Mobile Home Application		\$306 \$317			\$7	\$313 \$324						\$313 \$324
Mobile Home Renewal		\$71 \$73			\$1	\$72 \$74						\$72 \$74
Mobile Home Renewal - Late Fee		\$141 \$146			\$1	\$142 \$1 47						\$142 \$14 7
Parcel Maps (R, C, M, LI, IBP, PD, PI Zones)		\$3,143 \$3,249	\$234	\$100	\$41	\$3,518 \$3,624	plus \$30/lot		\$685	\$520 \$532	\$100	\$4,823 \$ 4,941
Parcel Maps (A-2 Zone, Non-Williamson Act And < 4 Parcels + Remainder)		\$3,753 \$3,881	\$234	\$100	\$43	\$4,130 \$4,258	plus- \$30/lot		\$685	\$520 \$532	\$100	\$5,435 \$5,575
Parcel Maps (A-2 Zone, With Williamson Act Or > 4 Parcels + Remainder)		\$3,753 \$3,881	\$234	\$100	\$57	\$4,144 \$ 4,272	plus- \$30/lot		\$685	\$520 \$532	\$100	\$5,449 \$5,589
Parcel Map (Ministerial Review)	×	\$1,000				\$1,000						\$1,000
Permit and Zoning Research (8)	х	\$151 \$186				\$151 \$186						\$151 \$186

	***	Plant	PLANNING DEPARTMENT FEE SCHEDULE							NON-PLANNING DEPARTMENT FEES (3)(7)				
FEES	ACTUAL COST/ DEPOSIT (1)	PLANNING	PLAN. COMM. CLERK	GEN PLAN	GIS MAINT	TOTAL PLANNI (8)(9)(10)(11		CLERK OF THE BOARD	DER	PUBLIC WORKS (PW)	PW FLOOD PLAIN ADMIN	TOTAL APPLICATION FEE (8)(9)(10)(11)		
Recirculation of Mitigated Negative Declaration	x	\$3,000	\$234			\$3,234			\$274	\$240 \$248		\$3,748 \$ 3,756		
Rezone	x	\$10,000	\$234	\$200	\$78	\$10,512		\$525	\$685	\$240 \$248	\$200	\$12,162 \$12,170		
SMARA Determination	×	\$1,000 ´		\$50	\$16	\$1,066					\$50	\$1,116		
Specific Plans	×	\$20,000	\$234	\$200	\$81	\$20,515		\$200	\$685	\$390 \$404	\$200	\$21,990 \$22,004		
Staff Approval Permit - With Referral		\$592 \$612		\$50	\$16	\$668 \$678			\$274	\$180 \$186	\$50	\$1,162 \$1,188		
Staff Approval Permit - Without Referral & Single-Family Residence In Ag Zone		\$ 322 \$333		\$20	\$7	\$349 \$360					\$20	\$360 \$380		
Street Name Change	×	\$500	\$162		\$11	\$673				\$75 \$78		\$748 \$751		
Subdivision Ordinance Exception		\$3,530 \$3,660	\$234	\$100	\$55	\$3,928 \$ 4,049			\$685	\$221 \$229	\$100	\$4,934 \$5,063		
Tentative Subdivision Map	×	\$6,500	\$234	\$200	\$89	\$7,023	plus- \$30/lot		\$1,096 ⁽³⁾	\$635 \$657	\$200	\$8,95 4 \$ 8,976		
Time Extensions		\$2,056 \$2,126	\$162		\$10	\$2,228 \$2,298						\$2,228 \$2,298		
Use Permit - Agricultural - All Tiers		\$3,865 \$3,997	\$234	\$100	\$55	\$4,254 \$4,38 6			\$685	\$520 \$532	\$100	\$5,550 \$5,703		
Use Permit - Non-Agriculture Zones		\$3,865 \$3,997	\$234	\$100	\$45	\$4,244 \$4, 376			\$685	\$520 \$532	\$100	\$5,549 \$5,693		
Use Permit - Requiring Board Of Supervisors Approval		\$4,529 \$4 ,683	\$234	\$200	\$63	\$5,026 \$5,180		\$200	\$685	\$520 \$532	\$200	\$6,631 \$6,797		
Verification Letter - Single SFD		\$138 \$143			\$1	\$139 \$144						\$139 \$144		

		PLANNING DEPARTMENT FEE SCHEDULE NON-PLANNING DEPARTMENT FEES (3)(7)										
FEES	ACTUAL COST/ DEPOSIT (1)	PLANNING	PLAN. COMM. CLERK	GEN PLAN MAINT	GIS MAINT	TOTAL PLANNING FEE		CLERK OF THE BOARD	DER	PUBLIC WORKS (PW)	PW FLOOD PLAIN ADMIN	TOTAL APPLICATION FEE (8)(9)(10)(11)
Verification Letter - All Other Uses		\$227 \$235			\$3	\$230 \$238						\$230 \$23 8
Waiver - Noise Control	х	\$3,000	\$234	_	\$12	\$3,246						\$3,246
Williamson Act Contract		\$ 502 \$519			\$4	\$506 \$523		\$60		\$147 \$152	-	\$713 \$73 5
Williamson Act Notice of Non-Renewal		\$162 \$167			\$2	\$164 \$169						\$164 \$169
Williamson Act Cancellation (2)		\$1,078 \$ 1,115		\$200	\$28	\$1,306 \$1,343		\$525			\$200	\$2,031 \$2,068
Zoning Ordinance Text Amendment	х	\$5,000	\$234	\$200	\$68	\$5,502		\$525	\$685	\$240 \$24 8	\$200	\$7,152 \$7,160
Zoning Ordinance Variance		\$3,539 \$3,660	\$234	\$100	\$55	\$3,928 \$4,049			\$685	\$200 \$20 7	\$100	\$4,913 \$5,041

⁽¹⁾ Planning Department Fees described above that require a deposit and are charged at "actual cost" have a minimum charge associated with them. The deposit required is the minimum charge and, with some limited exception, 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 will be billed at fully burdened weighted labor rates 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 balance of payment. If the deposit reaches 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 the final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to applicant. Public hearings will not be scheduled until payment in full is received.

^{*} Fees may be refunded if the Planning Director, or his appointed designee, determines extraordinary circumstance warranting a refund exists.

- (2) Applications for two or more actions (e.g., Tentative Map and Exception) will be charged the highest application fee, except applications for a Lot Line Adjustment or Williamson Act Cancelation**. See Exceptions-note-below. For those applications for two or more actions that include an action that is charged at "actual cost" (e.g., General Plan Amendment, Rezone, & Parcel Map) they will be charged the highest deposit amount as a minimum charge and deposit; this 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 staff costs to be billed at weighted labor rate per note (1).
- **Exceptions: If a Lot Line Adjustment is included in a Combination Application, an additional \$695 will be required beyond the set fee or deposit amount in order to obtain a fee for a "Certificate of Compliance", as adopted in County from for Public Works fee schedule, shall be collected. Applications for a Williamson Act Cancelation shall pay a separate fee for the cancelation except when combined with an "actual cost" action.
- (3) Department of Environmental Resources (DER) and Public Works fees charges for Tentative Map review reflect a minimum charge of eight hours at a weighted labor rate of \$137.00 per hour. Additional time-required for Tentative Map review will be charged at the same hourly rate are set by separate fee schedules adopted for each of the departments and, as reflected on this fee schedule may be minimum charges subject to additional charges. Fees for DER and Public Works shall only apply when processing of the applications(s) requires referral to and/or action by the respective departments.
- (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-Applicants 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 the same as a General Plan Amendment as reflected on the current Planning Fee Schedule and appeal of a staff decision will be charged as the same as appeal of a staff determination as reflected on the current Planning Fee Schedule. Applicants should check with the ALUC to verify application costs.
- (6) Department of Public Works charges for Condition of Approval or Development Standards Modifications, Parcel Maps, and Use Permits reflect a minimum charge of \$520 \$532. Additional time required for those request will be charged at \$145 \$152 per hour for construction engineering services or \$145 \$152 per hour for plan checking/engineering services. Business License application fees on this fee schedule reflect only the Planning Department's portion of the fees charged for licenses by the County's Treasurer Tax Collector. Applicants should check with the Treasurer Tax Collector to verify application costs.
- (7) Fees for the Department of Public Works and the Department of Environmental Resources shall only apply when processing of the application(s) require referral to and/or action by the respective departments.
- (7) (8) A 1% Administrative Cost Recovery Fee will be charged to Public Works, Department of Environmental Resources, and Clerk of the Board for fees collected during the Land Use Application process.
- (8)(9) Deposit reflects a two hour minimum charge calculated annually based on the July 1st, 2024 average weighted labor rate of planner staff (assistant/associate/senior/deputy director) assigned to performing the work. Actual cost for field inspections/site visits shall include mileage.
- (9) (10) Any application which has been inactive for one year or more will be recharged current applicable fees, unless it is determined by the Director that the work performed under the original fee will not need to be revised and/or updated.
- (10) (11) Any application submitted to legalize or correct for a violation of Stanislaus County Code shall be charged actual cost with a deposit amount equal to the adopted application fee.
- (11) (12) An additional 3.5% charge will be added to any fee collected by credit card.

STANISLAUS COUNTY PUBLIC NOTICE

Upon motion of Supervisor Withrow, seconded by Supervisor B. Condit, the following ordinances were passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 21st day of May 2024, by the following called vote:

AYES: SUPERVISORS: B. Condit, Chiesa, Withrow, C. Condit, and Chairman Grewal

NOES:

None

ABSENT:

None

ABSTAINING:

None

- A. Ordinance C.S. 1368 to amend existing fees for the Department of Public Works as they relate to development permits, grading permits, building permits, encroachment permits, and other projects involving construction activities in Stanislaus County. For further information, please contact Andrew Malizia, Public Works Department Deputy Director, at (209) 525-4302, maliziaa@stancounty.com or at 1716 Morgan Road, Modesto, CA.
- B. Ordinance C.S. 1369 to amend existing fees for the Department of Agriculture and Weights and Measures. The proposed fee adjustments would consist of:
 - Increased Weighted Labor Rate of the Department
 - Changes in Commercial Device Registration Fees
 - Changes in Commercial Device Registration Penalty Fees
 For further information, please contact Dave Singh at (209) 525-4730, daves@stancounty.com
 or at 3800 Cornucopia Way, Suite B, Modesto, CA.
- C. Ordinance C.S. 1370 to amend existing fees for the Department of Planning and Community Development Planning Services Fees. For further information, please contact Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330, between the hours of 8:30 a.m. and 4:30 p.m. or send an email to: planning@stancounty.com or at 1010 10th Street, Suite 3400, Modesto, CA.
- D. Ordinance C.S. 1371 to amend existing fees for the Department of Planning and Community Development Building Services Fees. For further information, please contact Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330, between the hours of 8:30 a.m. and 4:30 p.m. or send an email to: planning@stancounty.com or at 1010 10th Street, Suite 3400, Modesto, CA.
- E. Ordinance C.S. 1375 to amend existing fees for the Department of Treasurer-Tax Collector. The proposed fee adjustments would consist of:
 - Business Licenses (new and renewals)
 - Bingo Permits (new and renewals)
 - Carnival Permits
 - Massage Establishment Permits not licensed through the state program (new and renewals)
 - Dance Hall Permits (per quarter and single dance)
 - Taxicab Permits (each vehicle)
 - Peddler's Permits (10 days, 30 days, and 1 year)
 - Scrap Metal Dealer License/Permit (new and renewal)
 - Parcel Map Clearance Application (fast track and standard)
 - Parties of interest (tax-defaulted properties)
 - Property Tax File (secured /unsecured)
 - Property Tax Research Fee
 - Returned Check/Electronic Payment Fee For further information, please contact Donna Riley at (209) 525-4463, rileyd@stancounty.com or at 1010 10th Street, Suite 2500, Modesto, CA 95354.

NOTICE IS FURTHER GIVEN that a full copy of the ordinances are available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED:

May 21, 2024

ATTEST:

ELIZABETH A. KING, Clerk of

the Board of Supervisors of the County of Stanislaus,

State of California

BY:

Kelly Rodriguez, Assistant Clerk