

BOARD OF SUPERVISORS  
COUNTY OF SIERRA

RESOLUTION No. 2005- 064

RESOLUTION ESTABLISHING A REVISED FEE STRUCTURE  
FOR PLANNING DEPARTMENT SERVICES  
AND PROCESSING OF PERMITS AND APPLICATIONS

WHEREAS, pursuant to the authority contained in state law, including without limitation, Government Code Section 65909.5 and 66014 et. seq., the Board of Supervisors is authorized to establish and impose reasonable fees for the processing of use permits, zone variances, zone changes, subdivision maps and other entitlements for the development and use of real property, provided that the amount of the fees does not exceed the amount reasonably required for the processing of any such permits and entitlements; and,

WHEREAS, there has been no increase in Planning Department fees since 1973 when the County adopted its comprehensive zoning ordinance, except for the introduction of new State mandated programs in 1975 (Surface Mining and Reclamation) and 1976 (Forest Taxation Reform Act-“TPZ”) and the Board has determined that the current schedule of application and service fees are extremely low, inconsistent with surrounding jurisdictions, and do not allow for the recovery of the most basic of costs for the Department; and,

WHEREAS, the County has heretofore adopted Ordinances No. 913 and 952, establishing a master schedule for fees and charges imposed by the County for a variety of programs and services, including without limitation, fees for planning department services, programs and the processing of permit applications; and,

WHEREAS, the Board of Supervisors finds that it is necessary and appropriate to amend the master schedule of fees pertaining to the Planning Department programs and services in order to establish a fee system that recovers the actual cost to the County of providing such programs and services.

WHEREAS, the Board of Supervisors in proposing to increase its fees, conducted numerous public hearings/public meetings to allow adequate opportunity for public input and/or questions on the proposed schedule of fees.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Sierra County Board of Supervisors hereby establishes a revised fee structure that shall apply to all Planning Department programs and services, including without limitation, applications for permits for the development and use of real property, changes in zoning of general plan amendments, the preparation and review of environmental documentation, and research and other services. The fees shall be established as set forth in Exhibit “A”, as attached hereto and incorporated herein by this reference. The fees shall be imposed at the time of

the filing of an application or making a request for service the County Planning Department, and any unpaid fee or any additional fee of increase in fees shall be the joint responsibility of the project applicant and the property owner.

Adopted this 19th day of April, 2005, at a regular meeting of the Sierra County Board of Supervisors by the following vote:

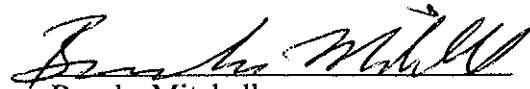
Ayes: Supervisors Gutman, Huebner, Nunes, Mitchell and Whitley

Noes: None

Abstain: None

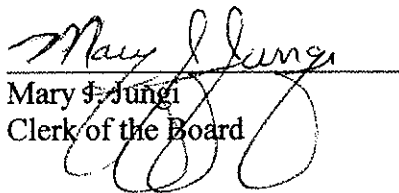
Absent: None

BY:

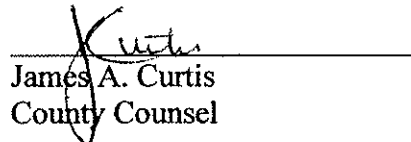


Brooks Mitchell  
Chairman of the Board

Attest:

  
Mary J. Jung  
Clerk of the Board

Approved As To Form:

  
James A. Curtis  
County Counsel

**Exhibit "A"**

Fees for Planning Department services and programs, including without limitation the filing and processing of applications for use permits, zone variances, zone changes, subdivision maps, lot line adjustments and other entitlements for the development and use of real property, and for the development and processing of environmental documentation pertaining to any such application shall be charged to the applicant as follows:

1. Fees shall be charged for all work performed by the County based on the actual amount of time spent on each application. Application processing shall only occur after a deposit is made to the Department based on the estimate of costs made by the Department to properly process an application. Deposits are based on the estimate of average costs for the processing of specific applications. The actual costs of processing each individual application will be appropriately tracked by the County and costs for all work and expenses incurred by the County, including without limitation, time spent by Planning Department staff, the Planning Director, County Environmental Health personnel, the County Engineer/Surveyor, any required independent consultants, County Counsel (and/or other special-assigned attorneys), and for preparation of environmental documentation, public hearing notices and other project related costs.
2. All applications received by the Planning Department shall be accompanied by a non-refundable application review fee of \$100.00 which shall cover the cost for the Department to review a submitted application for completeness, allow the Department to determine the appropriate deposit for further application processing, and shall afford the Department the ability to convey any issues or concerns and a project processing timetable to the applicant.
3. The Planning Department as part of its written response as outlined above, shall provide a "request for deposit" which shall be the estimated reasonable cost of processing an application, administering a program, or providing requested service. A deposit shall be required for all Planning Department applications, including but not limited to the following type of activity:

- Minor Special Use Permits
- Major Special Use Permits
- Extension of Use Permits (Minor and Major)
- Variances
- Administrative Variances
- Zone Amendments
- TPZ Zone Amendments (Short Term or Long Term)
- Joint Timber Management Plans
- General Plan Amendments
- Lot Line/Boundary Line Adjustments
- Parcel Merger
- Reversion to Acreage (Parcel or Final map)

Parcel Map Subdivisions  
Final Map Subdivisions  
Parcel Map or Final Map Extension  
Certificate of Compliance  
Parcel Map Waiver  
Environmental Documentation/Review  
    (a) Initial Studies  
    (b) Categorical Exemptions  
    (c) Negative Declarations  
    (d) EIRs  
Specific Plan  
Development Agreement  
Public or Private Road Name Change  
Public Road, Easement, or Right-of-Way Vacation  
Driveway (Encroachment Permit) Inspection  
Land Conservation or Farmland Security Zone Contract  
    (a) New Contracts  
    (b) Non-Renewal  
    (c) Cancellation  
Joint Agricultural Management Plans  
Surface Mining Plan  
Reclamation Plans & Financial Assurance Agreement  
Mining Site Inspection (Annual)  
Idle Surface Mine/Interim Management Plan  
Site Plan Review  
Design Review  
Grading Permits  
Building Permit Site Review and Site Plan Approval  
Pre-Application Review, Consultation, Field Review  
Parade, Outdoor Event, Special Event Permit  
Floodplain Determination  
Mitigation Monitoring Plan Inspection  
Business License and/or ABC Certification  
Appeals (Administrative or Planning Commission Decisions)  
Research of Files (Non-PRA)  
Zoning Violation-Enforcement Action

4. The Planning Department shall not commence further processing of any application nor incur any further expenses unless and until the requested deposit has been provided. No application shall be deemed as complete until the applicant provides the deposit in the amount required by the County. The applicant shall be advised that they shall be responsible for all costs incurred in excess of the deposit.
5. The Planning Department shall account for costs of processing individual applications and/or service requests, based on the hourly rate, including

overhead, in the amount of \$ 65.00 per hour. Costs accounting for staff time shall be based on the time spent in quarter hour increments.

6. In the event that it is determined that the costs charged against any project or service request exceed the amount of the deposit then remaining, the Planning Department shall promptly notify the applicant in writing of the amount that will be necessary to continue and/or complete the processing or for providing the service. The processing of the application or request for service shall be suspended if the applicant fails to make such additional deposit of funds with the Planning Department within ten days of the date of the written notice by the Planning Department.
7. At the time of scheduling a project for hearing by the Planning Commission and/or Board of Supervisors the Planning Department shall account for all costs incurred by the County to date in order to ensure that all fees and costs have and will be paid by the funds deposited with the County. If there are insufficient funds remaining on deposit to cover anticipated expenses of the required hearing(s) the applicant shall be immediately notified that an additional deposit is required prior the scheduled hearing(s). Failure to make the additional deposit of funds within ten days of the date of the written notice shall result in the suspension of the processing of the project or provision of any requested service until the deposit is provided. If the amount needed to be collected is part of an application for any permit, the County may impose the final payment and reconciliation of fees be a condition of any entitlement or application sought by an applicant or landowner.