ORDINANCE NO. 3504

ORDINANCE AMENDING COUNTY FEE SCHEDULE TO UPDATE DEPARTMENT OF PLANNING AND BUILDING, AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR (ACTTC) AND SHERIFF-CORONER CANNABIS FEES

WHEREAS, per Board direction, the Administrative Office required additional time to analyze the proposed fee changes presented; and,

WHEREAS, County Staff has reviewed the fee recommendations and concurs with the recommended changes.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

SECTION 1: The Board finds and determines:

- **a.** That it has the authority to revise fee charges for providing any product, service, or enforcement of various regulations under the general laws of the State of California, including Government Code Sections 54985 et seq. and 66010 et seq.
- **b.** The Board has adopted a policy (Resolution No. 75-396) requiring the County Administrator and the Auditor-Controller to annually review changes in fees and charges for specific County products, services, and costs of enforcement with the departments making those charges and make recommendations to this Board as to whether said charges should remain the same, be increased or be decreased.
- **c** On November 28, 2023, Ordinance No 3499 was adopted establishing or reaffirming all county fees. Said ordinances, and any other ordinances subsequently adopted amending the fee schedule, shall continue in effect unless modified by this ordinance. All fees to be charged in Fiscal Year 2024-25 as set forth in Schedule "B" of this ordinance have been subject to review by the County Administrator and the County Auditor-Controller. All fees presented on Schedule "B" are attached and incorporated by reference herein.
- **d.** The Auditor-Controller has certified to this Board that the overhead rates are calculated in accordance with accounting standards set by the Federal Government's Office of Management and Budget, in accordance with Circular A-87.
- **e.** The fees and charges shown on Schedule "B" hereto reflect the Board approved charges for providing any product or service, or the cost of enforcing any regulations, which are limited to those items included in the Federal Office of Management and

Budget Circular A-87; provided, however, that fees for zoning and planning matters, including municipal and district organizational and re-organizational matters, as specified in Government Code Section 66016, do not exceed estimated reasonable costs of those services for which the fees are charged.

- **f.** Capital facilities fees do not exceed actual construction costs as defined in Government Code Section 54999.1.
- **g.** By definition, these charges are not a "tax" and are exempt from voter approval pursuant to California Constitution Code Article XIIIC, section 1, paragraph (e)(1)[charge for specific benefit conferred]/(2)[charge for specific service provided]/(3)[charge for issuing license or performing inspection]/(4)[charge for use of government property]/(5)[fine or penalty imposed for violation of law] (Prop.26).
- **h.** Public Notice has been given in accordance with Government Code Sections 66016 and 66018.

SECTION 2: The Fee Schedules are amended as follows:

- **a.** That the fee changes attached and incorporated by reference herein shown on Schedule "B" as "proposed fees" are hereby approved and shall be effective July 1, 2024.
- **SECTION 3:** All departmental managers and divisional managers whose services are listed in said Schedule "B" are hereby directed to amend their fees for services to the rate shown in Schedule "B" as "proposed fees", including all additions or deletions.
- **SECTION 4:** This ordinance shall take effect and be in full force and effect as set forth in Section 2 above; and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 23rd day of January 2024, and **PASSED and ADOPTED** by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 6th day of February 2024, by the following roll call vote, to wit:

AYES: Supervisors Jimmy Paulding, Dawn Ortiz-Legg and Bruce Gibson

NOES: Supervisor John Peschong and Chairperson Debbie Arnold

ABSENT: None

ABSTAINING: None

Debbie Arnold

Chairperson of the Board of Supervisors

Debtie amold

ATTEST:

REBECCA CAMPBELL
Acting County Administrative Officer and
Ex-Officio Clerk of the Board of Supervisors

By: Niki Martin

Deputy Clerk



FISCAL YEAR 2024-25

FEE SCHEDULE "B"

EFFECTIVE DATE: JULY 1, 2024

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tor (ACTTCPA)

| Auditor-Controller-Treasurer-Tax Collector-Public Administ | 117 |
|--|--------------|
| Department Name: | Fund Center: |

| | N Estiva | Fee Detail | | | FY 2023-24 FEE | SCHEDULE | FY 2023-24 FEE SCHEDULE FY 2024-25 FEE SCHEDULE | SCHEDIULE | DIFFERENCE | Comments |
|---------------------|--------------------------|---|-----------------------------|--|----------------|------------|---|------------|----------------------------------|---------------------|
| Fee ficator # | Fee Fee Ilcator Category | Fee Description | Board Discretion Type | Authority | Fee Amount | Unit Desc. | Fee Amount Unit Desc. Fee Amount | Unit Desc. | \$ Difference from Prior Year | Comments |
| ي ا | Decreased | Decreased Cannabis Tax Compliance Program | Partial | BL Ord. 6.00.005 & 6.12.04 & \$3,918.00 6.90 | \$3,918.00 | each | \$3,097.00 | each | (\$821.00) | Footnote #1 and #13 |

Department Name: Auditor-Controller-Treasurer-Tax Collector Fund Center: 117

| Footnote # | Footnote Narrative |
|------------|---|
| - | The department reviewed the time studies, pertinent code sections, and reasonableness of the current fees. |
| | Direct costs have been added where applicable. |
| 13 | 13 In order to gain access to data necessary to audit licensed cannabis businesses, including "track and trace" data. |
| | the County has joined the California Cannabis Authority at an annual cost, currently estimated at \$39,000. Per |
| | Board direction, these costs are to be passed on to cannabis license holders. |

Department Name: Sheriff-Coroner Fund Center: 136

| Part Category Pas Description Pas Descript | | | Fee Detail | STATE OF THE PARTY. | | FY 2023-24 FE | FY 2023-24 FEE SCHEDULE | FY 2024-26 FEE SCHEDUL | E SCHEDNIE | DIFFERENCE | Commants |
|--|----------------|--------------|--|--------------------------|-----------|---------------|-------------------------|------------------------|-----------------|------------------------------|--------------------------------------|
| Increased Carmubic Business Full S12,500.00 Per application S14,142.00 Per application S15,542.00 Per application S15,542.00 Per application S15,542.00 Per application S15,542.00 Per application S16,542.00 Per application S17,50.00 Per applic | Fee dicator | Fee Category | | Board Discretion Type | Authority | Fee Amount | Unit Desc | Fee Amount | Unit Desc. | Sufference from Thor Year | Comments |
| Prizeased Communic Business Full \$12,000 Per application \$14,142.00 Per application \$15,842.00 Per application \$15,800.00 Per applica | 4000 | | Cannabis Fees | | | | | × 10, 32 | | | |
| Processed Application Currently Business Full \$12,000 Per application \$12,010 Per application \$12,01 | 4001 | Increased | Cannabis Business Application (Cultivation) Phase 1 | Fug | | \$12,600.00 | Per application | \$14,142.00 | Per application | \$1,542.00 | |
| Increased Application (Nat. Application) (Nat. Application (Nat. Application) (Nat. A | 4002 | Increased | Cannabis Business Application (Cultivation) Phase 2 | Full | | \$12,030.00 | Per application | \$12,311.00 | Per application | \$281.00 | |
| Increased Carnable Business Full S11,570,00 Per Business S12,846,00 Per Business S11,814,00 Per Application S1 | 4003 | Increased | Cannabis Business Application (Non-Cultivation) Phase 1 | | | \$12,600.00 | Per application | \$14,142.00 | Per application | \$1,542.00 | |
| Increased Cultivation Full \$39,423.00 Per Business \$12,84.00 Per Business \$11,370.00 Per Business \$12,84.00 Per Business \$13,14.00 New Frist Year Site Vielts (Non- Full \$9,423.00 Per Business \$2,518.00 Per Business \$217.00 New Frest Year Site Vielts Full \$10.00 Per Business \$10.00 Per application \$10.00 Increased Annual Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Annual Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Annual Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Annual Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Annual Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Camabis Business Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Manor Violation Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Manor Violation Full \$10.00 Per application \$10.00 Per application \$10.00 Increased Manor Violation Full \$10.00 Per application \$10.0 | 4004 | Increased | Carnabis Business Application (Non- Cultivation) Phase 2 | F.E. | | \$10,991.00 | Per application | \$11,204.00 | Per application | \$213.00 | |
| Increased Cathishing Star Veils (Non- Full \$9,423.00 Per Business \$9,640.00 Per Business \$217.00 New Trest Year Site Veils Full \$0.00 Per Business \$2,318.00 Per Business \$2,318.00 Increased Caminable Business Full \$13,079.00 Per application \$3,973.00 Per application \$1,781.00 Increased Annual Camelable Business Full \$18,020.00 Per application \$16,214.00 Per application \$1,781.00 Increased Annual Camelable Business Full \$18,004.00 Per application \$16,214.00 Per application \$1,781.00 New Annual Camelable Business Full \$18,004.00 Per application \$16,214.00 Per application \$1,781.00 New Location Background Full \$18,804.00 Per application \$16,214.00 Per application \$1,781.00 New Location Background Full \$18,804.00 Per application \$16,213.00 Per application \$1,781.00 Decreased New Location Background Full \$18,804.00 Per application \$16,213.00 Per application \$1,781.00 Increased Camelable Background Full \$18,804.00 Per application \$16,213.00 Per application \$1,780.00 Increased Camelable Background Full \$1,931.00 Per application \$16,43.00 Per application \$1,483.00 Per application \$1,480.00 Per a | 4005 | Increased | First Year Site Visits (Cultivation) | Full | | \$11,570.00 | Per Business | \$12,884.00 | Per Business | \$1,314.00 | |
| New frest Vest Sie Vulta Increased Camabis Business Full | 4006 | Increased | Fest Year Site Visits (Non- Cultivation) | Full | | \$9,423.00 | Per Business | \$9,640.00 | Per Business | \$217.00 | |
| Increased Cumuch's Business Full \$18,702.00 Per application \$19,702.00 Per application \$19,702.00 Per application \$19,702.00 Per application \$17,702.00 Per appl | 4004 | New | First Year Site Visits (Testing Facility) | Full | | \$0.00 | Per Business | \$2,818.00 | Per Business | | |
| Increased | 4008 | Increased | Cannabis Business License Background for Added Partner | Full | | \$3,079.00 | Per application | \$3,973.00 | Per application | \$894.00 | |
| New | 4009 | Increased | | | | \$18,702.00 | Per application | \$20,493.00 | Per application | \$1,791.00 | |
| New Partial Cannetis Business Fall \$0.00 Per application \$4,784.00 Per application \$16,931.00 Per application \$16,735.00 Per application \$17,229.00) Decreased (Cutilivation) New Location Background Full \$16,931.00 Per application \$16,223.00 Per application \$17,00.00) Increased Cannetis Background Increased Cannetis Background Increased Background Increased Major Violation Full \$3,302.00 Per application \$15,23.00 Per application \$136.00 Increased Cannetis Background Increased Background Increased Major Violation Full \$1,302.00 Per application \$1,540.00 Per application \$1,500.00 Increased Residual Major Violation Full \$4,988.00 Per application \$2,430.00 Per application \$1,397.00 Per application \$153.00 Increased Manor Violation Full \$4,988.00 Per application \$1,397.00 Per application \$153.00 | 4010 | Increased | Annual Cannabis Business Fee (Non-Cultivation) | Full | | \$15,441.00 | Per application | \$16,214.00 | Per application | \$773.00 | |
| Decreased New Location Background Full \$18,804.00 Per application \$15,723.00 Per application \$15,128.00 Decreased New Location Background Full (Van-Cuthvidor) (Cuthvidor) \$15,223.00 Per application \$15,023.00 Per application \$1,08.00 Increased Camable Background Increased Camable Background Full \$3,302.00 Per application \$764.00 Per application \$10.00 Increased Major Violation Full \$16,396.00 Per application \$3,542.00 Per application \$240.00 Increased Major Violation Full \$4,986.00 Per application \$5,436.00 Per application \$4,380.00 Increased Nation Violation Full \$4,986.00 Per application \$4,380.00 Per application \$4,380.00 Increased Nation Violation Full \$1,349.00 Per application \$4,380.00 Per application \$4,380.00 | 4011 | New | SSS | liar. | | \$0.00 | Per application | \$4,784,00 | Per application | | |
| Decreased New Location Background Full \$16,931.00 Per application \$15,223.00 Per application \$1,786.00 Increased Cannabis Background Increased Rackground Increased Major Violation Cannabis Background Full \$3,302.00 Per application \$19,483.00 Per application \$24,000 Increased Major Violation Full \$4,958.00 Per application \$5,436.00 Per application \$4,958.00 Increased Release of Notice of Full \$4,958.00 Per application \$4,38.00 Per application \$4,958.00 Increased Release of Notice of Full \$1,34.00 Per application \$1,37.00 Per application \$1,30.00 | 4012 | Decreased | New Location Background (Cuttivation) | Full | | \$18,804.00 | Per application | \$16,675.00 | Per application | (\$2,129.00) | |
| Increased Cannabis Business Full \$528.00 Per application \$764.00 Per application \$198.00 Increased Cannabis Labor Contractor Full \$3,302.00 Per application \$3,542.00 Per application \$2,640.00 Increased Major Violation Full \$4,968.00 Per application \$6,436.00 Per application \$4,568.00 Increased Rinor Violation Full \$4,968.00 Per application \$6,436.00 Per application \$4,88.00 Increased Release of Notice of Full \$1,244.00 Per application \$1,397.00 Per application \$1,33.00 Increased Nucleation Full \$1,244.00 Per application \$1,397.00 Per application \$1,33.00 Increased Release of Notice of Full \$1,244.00 Per application \$1,337.00 Increased Release of Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$1,33.00 Increased Release of Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$1,33.00 Increased Release of Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$1,33.00 Per application \$1,307.00 Per application \$1,33.00 Per application \$1,307.00 | 4013 | Decreased | New Location Background (Non-Cultivation) | Full | | \$16,931.00 | Per application | \$15,223.00 | Per application | (\$1,708.00) | |
| Increased Cannabks Labor Contractor Full \$3,302.00 Per application \$3,542.00 Per application \$240.00 Increased Major Violation Full \$1,549.00 Per application \$1,349.00 Per application \$2,436.00 Per application \$2,436.00 Increased Minor Violation Full \$4,968.00 Per application \$5,436.00 Per application \$478.00 Increased Notice of Full \$1,244.00 Per application \$1,397.00 Per application \$153.00 Increased Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$153.00 Increased Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$153.00 Increased Notice of Full \$1,244.00 Per application \$1,337.00 Increased Notice of Full \$1,244.00 Per application \$1,337.00 Per application \$1,337.00 Increased | 4014 | Increased | Cannabis Business Employee Background | | | \$628.00 | Per application | \$764.00 | Per application | \$136.00 | |
| Increased Major Violetion Full \$16,396.00 Per application \$19,483.00 Per application \$2,067.00 Increased Minor Violation Full \$4,968.00 Per application \$4,38.00 Per application \$478.00 Increased Release of Notice of Nuclearing Full \$1,244.00 Per application Per application \$153.00 | 4015 | Increased | Cannabis Labor Contractor Background | Full | | \$3,302.00 | Per application | \$3,542.00 | Per application | \$240.00 | |
| Increased Minor Voletion Full \$4,958.00 Per application \$5,436.00 Per application Increased Release of Notice of Notic | 4016 | Increased | Major Violation | Full | | \$16,396.00 | Per application | \$19,483.00 | Per application | \$3,087,00 | Real time billing method to be used. |
| Increased Release of Notice of Full \$1,244.00 Per application \$1,397.00 Per application | 4017 | Increased | Minor Violation | Full | | \$4,958.00 | Per application | \$5,436.00 | Per application | \$478 00 | |
| | 4018 | | Release of Notice of Notsance | Full | | \$1,244.00 | Per application | \$1,397.00 | Per application | \$153.00 | |

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Department Name: Sheriff-Coroner Fund Center: 136

| Footnote Narrative | | | |
|--------------------|--|--|--|
| Footnote # | | | |

Planning and Building 142 Department Name:

Fund Center:

| Comments | | A revised map or conditions of approval after application has been considered by SRB, Planning Commission or Board of Supervisors. | See Footnote 6 | | | | See Footnotes 1, 11 | \$1,279.00 See Footnotes 1, 12 | See Footnote 8 | \$166.00 See Footnote 8 | |
|---|--|--|---|--|------------------------------------|--|---|---|---|--|---|
| UIFFERE | S Differenc e from Prior Year | \$925.00 | \$0.00 | \$7.00 | \$5.00 | \$1,466.00 | \$921.00 | \$1,279.00 | \$138.00 | \$166.00 | \$168.00 |
| FY 2023-24 FEE SCHEDULE FY 2024-25 FEE SCHEDULE | Unit Desc. | | | | | deposit plus cost to \$14,921.00 deposit plus cost to process | deposit plus cost to process | deposit plus cost to process | | | |
| FY 2024-25 | Fee Amount | \$9,587.00 | \$850.00 | \$307.00 | \$409.00 | \$14,921.00 | \$12,187.00 | \$13,775.00 | \$1,581.00 | \$1,818.00 | \$1,756.00 |
| EE SCHEDULE | Unit Desc. | | | | | deposit plus cost to process | \$11,266.00 deposit plus cost to \$12,187.00 process | deposit plus cost to \$13,775.00 process | | | |
| FY 2023-24 F | Fee Amount | \$8,662.00 | \$850.00 | \$300.00 | \$404.00 | \$13,455.00 | \$11,266.00 | \$12,496.00 | \$1,443.00 | \$1,652.00 | \$1,588.00 |
| | Authority | | | | | | | | | | |
| | Board Discretion Type | Full | In Later | Full | Full | Full | Full | Full | Full | Full | Full |
| Fee Detail | Fee Description | Amendment to Approved Land Use Permit Full - Cannabis Deposit (R26cn) | Appeal (Cannabis) – Approval / Denial of a Full Cannabis-Related Land Use Permit, or Request for Review of an Environmental Determination (A30cn) | Business License Review - "Cannabis" (L01cn) | Zoning Review - "Cannabis" (L04cn) | Conditional Use Permit / Development Plan - "Cannabis" (RTB Deposit plus Processing Costs) (L45cn) | Minor Use Permit - Tier II - "Cannabis" (RTB Deposit plus Processing Costs) (L31cn) | Minor Use Permit -Tier III - "Cannabis" (RTB Deposit plus Processing Costs) (L32cn) | Pre-Application Meeting - "Cannabis" (L52cn) | Pre-Application Meeting with Site Visit - "Cannabis" (L53cn) | Environmental - Exemption (Cannabis) (EX01cn) |
| | Fee Category | Increased | Unchanged | Increased | П | Increased | Increased | Increased | Increased | Increased | Increased |
| | Fee Indicator# | | 4002 | 5003 | П | 9003 | 9007 | 6006 | 11002 | 11004 | 17003 |

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| ee Footnotes 1, 38 | | | | | | |
|--|------------------------|-----------------|----------------------------------|--|----------------|---|
| \$1,033.00 Se | | \$0.42 | 1 | \$0.26 | | \$39.00 |
| \$12,907.00 deposit plus cost to \$13,940.00 deposit plus cost to \$1,033.00 See Footnotes 1, 38 process | | per square foot | (2,000 min sf, 25,000 | per square foot (2,000 min sf, 25,000 | max st) | |
| \$13,940.00 | | \$0.98 | | \$0.68 | | \$404.00 |
| deposit plus cost to process | | per square foot | (2,000 min sf, 25,000 max sf) | per square foot (2,000 min sf. | 25,000 max sf) | |
| \$12,907.00 | | \$0.56 | | \$0.42 | | \$365.00 |
| | THE STREET | | | | | |
| <u></u> | | Full | | Full | | E |
| (RTB deposit plus processing costs) (ISO1cn) | 3. Cannabis Greenhouse | Plan Check | | Inspection | | 43002 Increased Cannabis Hearing Docket Fee (H10cn) |
| Increased | | Increased | | 20010 Increased | | Increased |
| con/ | 20008 | 20009 | | 20010 | 0000 | 43002 |
| | | | | | | |

Department Name: Planning and Building Fund Center: 142

| Footnote # | Footnote # Footnote Narrative |
|------------|---|
| | The department wishes to recover the full cost of service (including consultant cost) for all major projects, peer reviews and/or technical reports. If the processing cost of an application, including environmental review or administering the conditions of approval, will be substantially in excess of the fee/deposit, which is collected at intake, the applicant may be notified before the project is scheduled for public hearing that the total processing cost will be determined by full cost recovery techniques and that additional charges (invoices) may be forthcoming. Invoices not paid within 30 days of billing will have all processing of the project stop until the invoice is paid in full. This option can also be used where the department determines that processing costs will be substantially less than the original fee/deposit. In this case, the unused portion of the fee/deposit will be refunded. Billing for Land Use/ Division Applications will be at the Department's hourly rate for Planning (currently \$135 133/per hour). These rates will be charged at 1.5 times these hourly rates when work is performed during overtime conditions at the applicant's request. The deposit will be collected on applications at intake. Billing for peer review and for consultant review will be at the actual consultant hourly rate and up to 30% of consultant invoice amounts to recover the department's cost for consultant project management. |
| 9 | 6 If this fee is collected by the Department, the applicant may elect to appeal the decision directly to the California Coastal Commission at no charge per County Code Section 23.01.043.b.3 and the California Code of Regulations Section 13573 and the Public Resources Code Section 30603. |
| 80 | 8 The pre-application fee must be paid in advance of the office consultation or site visit. If a subsequent land use or subdivision application is submitted within one year of the pre-application meeting, the pre-application fees will be applied to the land use or subdivision application processing fees. |
| 11 | 11 Minor Use Permit - Tier II fees are charged for intermediately complex minor use permit applications that require no more than one ordinance modification, involve accessory structures, and/or result in less than 500 square-feet of a deck or residential addition. |
| 12 | 12 Minor Use Permit - Tier III fees are charged for complex minor use permit applications that require more than one ordinance modification, and/or result in more than 500 square-feet of a deck or residential addition, more than one acre or site disturbance or impervious surfaces, colocation of wireless communications facilities Includes and interim management plans for surface mining operations, multifamily, commercial, and industrial projects. |
| 38 | 38 The applicant is required by County CEQA Guidelines to pay the entire cost of consultant's services. |