

**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 XIII C, 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



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Debbie Arnold  
Chairperson of the Board of Supervisors

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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Department Name: Auditor-Controller-Treasurer-Tax Collector-Public Administrator (ACTTCPA)  
Fund Center: 117

Fee Indicator #	Fee Category	Fee Detail			FY 2023-24 FEE SCHEDULE		FY 2024-25 FEE SCHEDULE		DIFFERENCE	Comments
		Fee Description	Board Discretion Type	Authority	Fee Amount	Unit Desc.	Fee Amount	Unit Desc.		
4006	Decreased	Cannabis Tax Compliance Program	Partial	BL Ord. 6.00.005 & 6.12.04 & 6.90	\$3,918.00	each	\$3,097.00	each	\$ Difference from Prior Year (\$821.00)	Footnote #1 and #13

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

Footnote #	Footnote Narrative
1	The department reviewed the time studies, pertinent code sections, and reasonableness of the current fees. Direct costs have been added where applicable.
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

Fee Indicator #	Fee Category	Fee Description	Board Discretion Type	Authority	F.Y. 2022-23 FEE SCHEDULE			F.Y. 2023-24 FEE SCHEDULE			REFERENCE	Comments
					Fee Amount	Unit Desc.	Per Amount	Fee Amount	Unit Desc.	Per Amount		
4000		Cannabis Fees										
4001	Increased	Cannabis Business Application (Cultivation) Phase 1	Full		\$12,600.00	Per application	\$14,142.00	Per application	\$1,542.00			
4002	Increased	Cannabis Business Application (Cultivation) Phase 2	Full		\$12,030.00	Per application	\$12,311.00	Per application	\$281.00			
4003	Increased	Cannabis Business Application (Non-Cultivation) Phase 1	Full		\$12,600.00	Per application	\$14,142.00	Per application	\$1,542.00			
4004	Increased	Cannabis Business Application (Non-Cultivation) Phase 2	Full		\$10,991.00	Per application	\$11,204.00	Per application	\$213.00			
4005	Increased	First Year Site Visits (Cultivation)	Full		\$11,570.00	Per Business	\$12,894.00	Per Business	\$1,314.00			
4006	Increased	First Year Site Visits (Non-Cultivation)	Full		\$9,423.00	Per Business	\$9,640.00	Per Business	\$217.00			
4007	New	First Year Site Visits (Testing Facility)	Full		\$0.00	Per Business	\$2,818.00	Per Business	\$2,818.00			
4008	Increased	Cannabis Business License Background for Added Partner	Full		\$3,079.00	Per application	\$3,973.00	Per application	\$894.00			
4009	Increased	Annual Cannabis Business Fee (Cultivation)	Full		\$18,702.00	Per application	\$20,493.00	Per application	\$1,791.00			
4010	Increased	Annual Cannabis Business Fee (Non-Cultivation)	Full		\$15,441.00	Per application	\$16,214.00	Per application	\$773.00			
4011	New	Annual Cannabis Business Fee (Testing Facility)	Full		\$0.00	Per application	\$4,784.00	Per application				
4012	Decreased	New Location Background (Cultivation)	Full		\$18,804.00	Per application	\$16,675.00	Per application	(\$2,129.00)			
4013	Decreased	New Location Background (Non-Cultivation)	Full		\$16,931.00	Per application	\$15,223.00	Per application	(\$1,708.00)			
4014	Increased	Cannabis Business Employee Background	Full		\$628.00	Per application	\$764.00	Per application	\$136.00			
4015	Increased	Cannabis Labor Contractor Background	Full		\$3,302.00	Per application	\$3,542.00	Per application	\$240.00			
4016	Increased	Minor Violation	Full		\$16,396.00	Per application	\$19,463.00	Per application	\$3,067.00		Real time billing method to be used.	
4017	Increased	Minor Violation	Full		\$4,958.00	Per application	\$5,436.00	Per application	\$478.00			
4018	Increased	Release of Notice of Nonance	Full		\$1,244.00	Per application	\$1,397.00	Per application	\$153.00			



Department Name: Sheriff-Coroner  
Fund Center: 136

Footnote #	Footnote Narrative

Department Name: Planning and Building  
Fund Center: 142

Fee Detail		FY 2023-24 FEE SCHEDULE				FY 2024-25 FEE SCHEDULE		DIFFERENCE	Comments
Fee Indicator #	Fee Category	Fee Description	Board Discretion Type	Authority	Fee Amount	Unit Desc.	Fee Amount	Unit Desc.	Difference from Prior Year
3003	Increased	Amendment to Approved Land Use Permit - Cannabis Deposit (R26cn)	Full		\$8,662.00		\$9,587.00		\$925.00
4002	Unchanged	Appeal (Cannabis) – Approval / Denial of a Cannabis-Related Land Use Permit, or Request for Review of an Environmental Determination (A30cn)	Full		\$850.00		\$850.00		\$0.00
5003	Increased	Business License Review - "Cannabis" (L01cn)	Full		\$300.00		\$307.00		\$7.00
5010	Increased	Zoning Review - "Cannabis" (L04cn)	Full		\$404.00		\$409.00		\$5.00
9003	Increased	Conditional Use Permit / Development Plan - "Cannabis" (RTB Deposit plus Processing Costs) (L45cn)	Full		\$13,455.00	deposit plus cost to process	\$14,921.00	deposit plus cost to process	\$1,466.00
9007	Increased	Minor Use Permit - Tier II - "Cannabis" (RTB Deposit plus Processing Costs) (L31cn)	Full		\$11,266.00	deposit plus cost to process	\$12,187.00	deposit plus cost to process	\$921.00
9009	Increased	Minor Use Permit - Tier III - "Cannabis" (RTB Deposit plus Processing Costs) (L32cn)	Full		\$12,496.00	deposit plus cost to process	\$13,775.00	deposit plus cost to process	\$1,279.00
11002	Increased	Pre-Application Meeting - "Cannabis" (L52cn)	Full		\$1,443.00		\$1,581.00		\$138.00
11004	Increased	Pre-Application Meeting with Site Visit - "Cannabis" (L53cn)	Full		\$1,652.00		\$1,818.00		\$166.00
17003	Increased	Environmental - Exemption (Cannabis) (EX01cn)	Full		\$1,588.00		\$1,756.00		\$168.00

17005	Increased	Environmental - Initial Study - Cannabis (RTB deposit plus processing costs) (IS01cn)	Full		\$12,907.00	deposit plus cost to process	\$13,940.00	deposit plus cost to process	\$1,033.00	See Footnotes 1, 38
<b>20008</b>		<b>3. Cannabis Greenhouse</b>								
20009	Increased	Plan Check	Full		\$0.56	per square foot (2,000 min sf, 25,000 max sf)	\$0.98	per square foot (2,000 min sf, 25,000 max sf)	\$0.42	
20010	Increased	Inspection	Full		\$0.42	per square foot (2,000 min sf, 25,000 max sf)	\$0.68	per square foot (2,000 min sf, 25,000 max sf)	\$0.26	
43002	Increased	Cannabis Hearing Docket Fee (H10cn)	Full		\$365.00		\$404.00		\$39.00	

Department Name: Planning and Building  
Fund Center: 142

Footnote #	Footnote Narrative
1	<p>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 of 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 \$142/per hour). Billing for Building permit applications will be at the Department's hourly rate for Building (currently \$135.433/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.</p>
6	<p>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.</p>
8	<p>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.</p>
11	<p>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.</p>
12	<p>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.</p>
38	<p>The applicant is required by County CEQA Guidelines to pay the entire cost of consultant's services.</p>