

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

244



FROM: Transportation and Land Management Agency-Planning Department

SUBMITTAL DATE:
March 27, 2012

SUBJECT: Ordinance No. 671.19 An Ordinance of the County of Riverside Amending Ordinance No. 671 Establishing Consolidated Fees Related to Land Use and Related Functions (Public Hearing)

RECOMMENDED MOTION: After closing the public hearing, that the Board of Supervisors:

1. Introduce and adopt in successive meetings Ordinance No. 671.19; and
2. Find that Ordinance No. 671.19 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15273 and section 15061(b)(3) based on the findings set forth below.

BACKGROUND: Ordinance No. 671.19 adds new sections to Ordinance No. 671 to include in its provisions the procedural requirements of state law with respect to the adopting a new fee or charge, or approving an increase in an existing fee or charge, which apply to processing land use approvals and certain other types of fees. These types of fees are governed by Government Code Sections 66016, 66017 and 54985 et seq. The amendments to Ordinance No. 671 conform the ordinance to these state statutes by providing for mailed public notice, public hearings, action by resolution or ordinance, an effective date 60 days after adoption and an authorization for adoption of such fees as an urgency measure under limited circumstances.

(continued on Page 2)

Carolyn Syms-Luna
Carolyn Syms-Luna, Planning Director

| | | | | |
|-----------------------|-------------------------------|--------|-------------------------|-----|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ N/A | In Current Year Budget: | N/A |
| | Current F.Y. Net County Cost: | \$ N/A | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$ N/A | For Fiscal Year: | N/A |

| | | |
|-----------------------------|---|--------------------------|
| SOURCE OF FUNDS: N/A | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | |

C.E.O. RECOMMENDATION: APPROVE
BY: *Fina Grande*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and the above ordinance is approved as introduced.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: March 27, 2012
xc: Planning, COB

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Prev. Agn. Ref.:

District: ALL

Agenda Number:

9.8

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* KATHERINE A. LIND
DATE: 03/20/12

Departmental Concurrence

Policy
 Policy
 Consent
 Consent
 Dept't Recomm.:
 Per Exec. Ofc.:

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BACKGROUND continued: Ordinance No. 671.19 also adds an express authorization to use deposit-based fees to pay for outside consultants when necessary to provide a service. Any consultant contract must comply with all County requirements with respect to such contracts.

In addition, Ordinance No. 671.19 adopts new fees. Data regarding these new fees is set forth in detail in Attachment A. Pursuant to Government Code Section 66016, this data was posted and made available to the public at least ten days prior to the hearing on these fees.

The adoption of Ordinance No. 671.19 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15273 and section 15061(b)(3). The fees adopted by this ordinance are solely for the purpose of reimbursing the County for the actual costs of providing services and are therefore exempt under CEQA Guidelines section 15273. The purposes of the charges are limited to the purposes authorized under subsections (a)(1) and (a)(2) of section 15273, i.e. meeting operating expenses and purchasing or leasing supplies, equipment or materials. Both the procedural provisions of the ordinance and the fees are also exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. The ordinance merely conforms County procedures to mandatory requirements of state law and provides for fees to cover the actual costs of County services.