

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.43

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED the reading being waived, that an ordinance bearing the following title, is adopted:

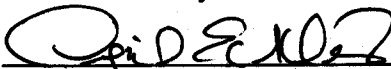
ORDINANCE NO. 671.19

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE,
AMENDING ORDINANCE NO. 671 ESTABLISHING CONSOLIDATED FEES
RELATED TO LAND USE AND RELATED FUNCTIONS**

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 10, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: April 10, 2012
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
3.43

xc: Planning, Co.Co., MC, COB

**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*

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:

FORM APPROVED COUNTY COUNSEL
BY: *Katherine A. Lind*
DATE: 03/20/12
Departmental Concurrence

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

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)
March 27, 2012
Page 2 of 2

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.

1
2
3 ORDINANCE NO. 671.19

4 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
5 AMENDING ORDINANCE NO. 671 ESTABLISHING CONSOLIDATED FEES RELATED TO
6 LAND USE AND RELATED FUNCTIONS

7 The Board of Supervisors of the County of Riverside ordains as follows:

8 Section 1. Subsection 3 of Section 1.1 of Ordinance No. 671 is amended to read as
9 follows:

10 “3. The County will make draws against deposited funds on biweekly intervals
11 based on payroll accounting cycles and at the fully burdened hourly rates for each
12 job classification required to provide a specified service. Hourly rates for
13 services shall be established through the yearly budget process and adopted by
14 the Board of Supervisors as part of the County Budget public hearings. Subject
15 to all County procedures and all legal requirements applicable to such contracts,
16 the County may contract with outside consultants to provide any specified service
17 whenever it is determined necessary to provide such service, and the County may
18 thereafter draw against deposited funds in the amount of the actual costs of such
19 contract services.”

20 Section 2. A new Section 1.2 is added to Ordinance No. 671 to read as follows:

21 “Section 1.2. PROCEDURE.

22 Except as otherwise expressly provided below, the provisions of this Section shall
23 apply to fees or charges subject to either Government Code Sections 66016 and
24 66017 (as now adopted or hereafter amended), or to Government Code Section
25 54985 et seq. (as now adopted or hereafter amended).

26 A. NOTICE AND PUBLIC MEETINGS. Prior to either adopting a new fee
27 or charge or approving an increase in an existing fee or charge, the Board of
28

1 Supervisors shall hold at least one public meeting, at which oral or written
2 presentations may be made, as part of a regularly scheduled meeting. Notice
3 of the time and place of the meeting, including a general explanation of the
4 matter to be considered, and a statement that the data required by this
5 section is available, shall be mailed at least 14 days prior to the meeting to
6 any interested party who files a written request with the Clerk of the Board
7 of Supervisors for mailed notice of meetings on new or increased fees or
8 charges. Any written request for such mailed notices shall be valid for one
9 year from the date on which it is filed unless a renewal request is filed.
10 Renewal requests for such mailed notices shall be filed on or before April
11 1st of each year. The annual fee for sending such notices shall be \$20 and
12 shall be paid to the Clerk of the Board. At least 10 days prior to the
13 meeting, the Clerk of the Board shall post and make available to the public
14 data indicating the amount of cost, or estimated cost, required to provide the
15 service for which the fee or charge is levied and the revenue sources
16 anticipated to provide the service, including general fund revenues. Any
17 costs incurred by the County in conducting the meeting or meetings
18 required pursuant to this subsection may be recovered from the fees charged
19 for the services which were the subject of the meeting.

20 B. ACTION BY ORDINANCE OR RESOLUTION. Any action to adopt a
21 new fee or charge or to approve an increase in an existing fee or charge
22 shall be taken only by ordinance or resolution; provided, however, that any
23 such action shall be taken only by ordinance for any fees subject to
24 Government Code Section 54985 et seq. (as now adopted or hereafter
25 amended.) The Board of Supervisors shall not delegate the authority to
26 adopt a new fee or charge or to increase a fee or service charge.

27 C. EFFECTIVE DATE. Any action adopting a new fee or charge, or
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1 increasing a fee or charge adopted, upon a development project, as defined
2 in Government Code Section 66000, which applies to the filing, accepting,
3 approving, or issuing of an application, permit, or entitlement to use shall be
4 enacted in accordance with Government Code Section 54986 (as now
5 adopted or hereafter amended) or Section 66016 (as now adopted or
6 hereafter amended) and shall be effective 60 days following the final action
7 on the adoption of the fee or charge or the increase in the fee or charge.

8 D. URGENCY MEASURES. Notwithstanding any provision of this
9 ordinance, the Board of Supervisors may adopt an interim authorization for
10 a new fee or charge, or increase in a fee or charge, as an urgency measure in
11 accordance with the procedures set forth in subdivision (b) of Government
12 Code Section 66017, as now adopted or hereafter amended.”

13 Section 3. A new Section 16.2 is added to Ordinance No. 671 to read as follows:

14 “Section 16.2. Resolution No. 2012-047 Fees.

15 The fees for Resolution No. 2012-047 Establishing Procedures and Requirements
16 for the Consideration of Development Agreements, as now adopted or hereafter
17 amended, shall be paid to the Transportation and Land Management Agency or the
18 Planning Department and deposited into the General Fund as provided herein. The
19 fees shall be as follows:

20 A. Each application for a development agreement shall be accompanied by a
21 nonrefundable cost recovery fee to recover the direct costs associated with
22 developing procedures and requirements for the consideration of
23 development agreements; provided, however, that such fee shall not apply
24 and shall not be payable whenever all such costs have been recovered.

25 1. General Fund.

26 a. Planning Department 5000

27 B. Each application for a development agreement shall be accompanied by the
28

1 following fees. The following fees shall also apply to any application to
2 amend or cancel, in whole or in part, a development agreement.

3 **Deposit-based Fee:**

- 4 1. General Fund.
5 a. Planning Department 25,000

6 C. The submission of each annual monitoring report for a development
7 agreement shall be accompanied by the following fees.

8 **Deposit-based Fee:**

- 9 1. General Fund.
10 a. Transportation and Land Management Agency 5000”

11 Section 4. A new subsection H is added to Section 17 of Ordinance No. 671 to read as

12 follows:

13 “H. (1) Preparation of agreements pursuant to Chapter 6.5 (Section 21178 et
14 seq.) of the California Environmental Quality Act.

15 **Deposit-based Fee:**

- 16 1. General Fund
17 a. Planning Department 5000”

18 Section 5. A new subsection J is added to Section 17 of Ordinance No. 671 to read as

19 follows:

20 “J. (1) Preparation of a real property interest agreement for a project
21 involving a solar power plant.

22 **Deposit-based Fee:**

- 23 1. General Fund
24 a. Transportation and Land Management Agency 25,000”

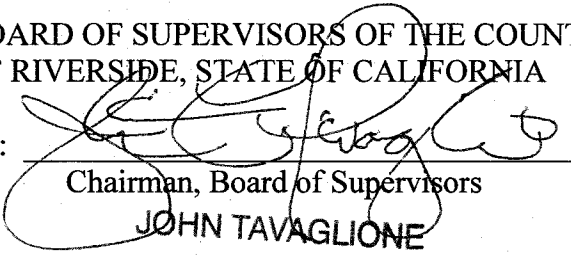
26 ///

27 ///

28 ///

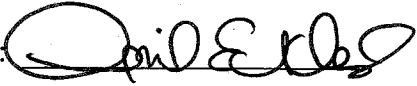
1 Section 6. This ordinance shall take effect sixty (60) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
4 OF RIVERSIDE, STATE OF CALIFORNIA

5 By: 
6 Chairman, Board of Supervisors
7 JOHN TAVAGLIONE

8 ATTEST:

9 CLERK OF THE BOARD

10 By: 

11 Deputy

12 (SEAL)

13 APPROVED AS TO FORM

14 March 20, 2012

15
16 By: 
17 KATHERINE A. LIND
18 Assistant County Counsel

19
20
21
22
23
24 KAL:md
25 03/15/12

26 G:\PROPERTY\MDUSEK\ORDINANCES\671 19 DEVELOPMENT AGREEMENT FEES 031512.DOCX

ATTACHMENT A

DATA CONCERNING NEW FEES PROPOSED IN 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

Ordinance No. 671.19 proposes the following new fees:

1. An annual fee of \$20, payable to the Clerk of the Board, to receive mailed notice of certain proposed new fees or charges, or increases in existing fees or charges. Government Code Section 66016 and 54985 et seq. govern procedures for imposing or increasing certain fees or charges and require mailed notice of any proposed fees or charges to any interested party who has filed a written request for notice. Any such request for notice is valid for one year, must be renewed annually on or before April 1 of each year, and is subject to an annual fee. The proposed annual fee of \$20 is the estimated cost per person for the Clerk of the Board to maintain the notice list and send the mailed notices.
2. Fees for Resolution No. 2012-047 Establishing Procedures and Requirements for the Consideration of Development Agreements.
 - a. A nonrefundable cost recovery fee of \$5000 payable to the Planning Department for each application for a development agreement is proposed to recover the direct costs associated with developing procedures and requirements for the consideration of development agreements; provided, however, that this fee shall not apply whenever all such costs have been recovered. Recovery of these costs is expressly authorized by Government Code Section 65865. The estimated costs are \$50,000 and are being provided by general fund revenues. This fee will provide reimbursement for those costs.
 - b. A deposit-based fee of \$25000 payable to the Planning Department for each application for a development agreement. This fee is a deposit and the final fee will be the actual costs of processing the development agreement. No general fund revenues will be used to provide the service.
 - c. A deposit-based fee of \$5000 payable to the Transportation and Land Management Agency for each annual monitoring report for a development agreement. Government Code Section 65865.1 requires annual monitoring of every development agreement. This fee is a payable to the Transportation and Land Management Agency deposit and the final fee will be the actual costs of conducting the annual monitoring of the development agreement. No general fund revenues will be used to provide the service.
3. A deposit-based fee of \$5000 payable to the Planning Department for the preparation of agreements pursuant to Chapter 6.5 (Section 21178 et seq.) of the Public Resources Code. This Chapter of the California Environmental Quality Act requires that applicants for certain defined "environmental development leadership projects" to enter into a binding and enforceable agreement with the County with respect to mitigation measures and to agree to pay certain special processing costs for the project. This fee is a deposit and the final fee will be the actual costs of preparing the required agreements. No general fund revenues will be used to provide the service.
4. A deposit-based fee of \$25000 payable to the Transportation and Land Management Agency for preparation a real property interest agreement for a project involving a solar power plant. Board Policy B-29 requires a real property interest agreement when an applicant requests use County real property for a project involving a solar power plant. This fee is a deposit and the final fee will be the actual costs of preparing the required agreement. No general fund revenues will be used to provide the service.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

April 12, 2012

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 671.19

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 15, 2012**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

McGil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PE Legals <legals@pe.com>
Sent: Wednesday, April 11, 2012 4:54 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. NO. 671.19

Received for publication on April 15

Thank You!

enterprisemedia

Publisher of the Press-Enterprise

Maria G. Tinajero • Legal Advertising Department

1-800-880-0345 • Fax: 951-368-9018 • email: legals@pe.com

Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

Additional days required for larger ad sizes

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, April 11, 2012 4:49 PM
To: PE Legals
Subject: FOR PUBLICATION: Adoption of Ord. NO. 671.19

Please publish this Adoption of Ordinance, on Sunday, April 15, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

April 12, 2012

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 671.19

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 15, 2012**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

McGil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, April 11, 2012 5:02 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. NO. 671.19

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
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legals@thedesertsun.com / dpwlegals@thedesertsun.com

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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, April 11, 2012 4:49 PM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ord. NO. 671.19

Please publish this Adoption of Ordinance, on Sunday, April 15, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

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**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection 3 of Section 1.1 of Ordinance No. 671 is amended to read as follows:

"3. The County will make draws against deposited funds on biweekly intervals based on payroll accounting cycles and at the fully burdened hourly rates for each job classification required to provide a specified service. Hourly rates for services shall be established through the yearly budget process and adopted by the Board of Supervisors as part of the County Budget public hearings. Subject to all County procedures and all legal requirements applicable to such contracts, the County may contract with outside consultants to provide any specified service whenever it is determined necessary to provide such service, and the County may thereafter draw against deposited funds in the amount of the actual costs of such contract services."

Section 2. A new Section 1.2 is added to Ordinance No. 671 to read as follows:

"Section 1.2. PROCEDURE.

Except as otherwise expressly provided below, the provisions of this Section shall apply to fees or charges subject to either Government Code Sections 66016 and 66017 (as now adopted or hereafter amended), or to Government Code Section 54985 et seq. (as now adopted or hereafter amended).

A. NOTICE AND PUBLIC MEETINGS. Prior to either adopting a new fee or charge or approving an increase in an existing fee or charge, the Board of Supervisors shall hold at least one public meeting, at which oral or written presentations may be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the Clerk of the Board of Supervisors for mailed notice of meetings on new or increased fees or charges. Any written request for such mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for such mailed notices shall be filed on or before April 1st of each year. The annual fee for sending such notices shall be \$20 and shall be paid to the Clerk of the Board. At least 10 days prior to the meeting, the Clerk of the Board shall post and make available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or charge is levied and the revenue sources anticipated to provide the service, including general fund revenues. Any costs incurred by the County in conducting the meeting or meetings required pursuant to this subsection may be recovered from the fees charged for the services which were the subject of the meeting.

B. ACTION BY ORDINANCE OR RESOLUTION. Any action to adopt a new fee or charge or to approve an increase in an existing fee or charge shall be taken only by ordinance or resolution; provided, however, that any such action shall be taken only by ordinance for any fees subject to Government Code Section 54985 et seq. (as now adopted or hereafter amended.) The Board of Supervisors shall not delegate the authority to adopt a new fee or charge or to increase a fee or service charge.

C. EFFECTIVE DATE. Any action adopting a new fee or charge, or increasing a fee or charge adopted, upon a development project, as defined in Government Code Section 66000, which applies to the filing, accepting, approving, or issuing of an application, permit, or entitlement to use shall be

enacted in accordance with Government Code Section 54986 (as now adopted or hereafter amended) or Section 66016 (as now adopted or hereafter amended) and shall be effective 60 days following the final action on the adoption of the fee or charge or the increase in the fee or charge.

- D. URGENCY MEASURES. Notwithstanding any provision of this ordinance, the Board of Supervisors may adopt an interim authorization for a new fee or charge, or increase in a fee or charge, as an urgency measure in accordance with the procedures set forth in subdivision (b) of Government Code Section 66017, as now adopted or hereafter amended."

Section 3.

A new Section 16.2 is added to Ordinance No. 671 to read as follows:

"Section 16.2. Resolution No. 2012-047 Fees.

The fees for Resolution No. 2012-047 Establishing Procedures and Requirements for the Consideration of Development Agreements, as now adopted or hereafter amended, shall be paid to the Transportation and Land Management Agency or the Planning Department and deposited into the General Fund as provided herein. The fees shall be as follows:

- A. Each application for a development agreement shall be accompanied by a nonrefundable cost recovery fee to recover the direct costs associated with developing procedures and requirements for the consideration of development agreements; provided, however, that such fee shall not apply and shall not be payable whenever all such costs have been recovered.

1. General Fund.

a. Planning Department 5000

- B. Each application for a development agreement shall be accompanied by the following fees. The following fees shall also apply to any application to amend or cancel, in whole or in part, a development agreement.

Deposit-based Fee:

1. General Fund.

a. Planning Department 25,000

- C. The submission of each annual monitoring report for a development agreement shall be accompanied by the following fees.

Deposit-based Fee:

1. General Fund.

a. Transportation and Land Management Agency 5000"

Section 4.

A new subsection H is added to Section 17 of Ordinance No. 671 to read as follows:

- "H. (1) Preparation of agreements pursuant to Chapter 6.5 (Section 21178 et seq.) of the California Environmental Quality Act.

Deposit-based Fee:

1. General Fund

a. Planning Department 5000"

Section 5.

A new subsection J is added to Section 17 of Ordinance No. 671 to read as follows:

- "J. (1) Preparation of a real property interest agreement for a project involving a solar power plant.

Deposit-based Fee:

1. General Fund

a. Transportation and Land Management Agency 25,000"

Section 6.

This ordinance shall take effect sixty (60) days after its adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 10, 2012**, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, Ashley, and Benoit

NAYS: None

ABSENT: None

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

(Taken to clerk by Tiffany North Co.Co.)

NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
To: X Office of the County Clerk & Recorder

From: County of Riverside
4080 Lemon Street
Riverside, CA 92501

Original Negative Declaration/Notice of Determination was routed to County Clerk for posting on.
4/10/12 Date
kb Initial

Project Title: 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

Project Location: The unincorporated area of Riverside County.

Project Description: 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. 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. In addition, Ordinance No. 671.19 adopts new fees for the preparation of development agreements, real property interest agreements for projects involving solar power plants, and agreements pursuant to Chapter 6.5 (Section 21178 et seq.) of the Public Resources Code.

Name of Public Agency Approving Project: County of Riverside

Project Sponsor: Transportation and Land Management Agency of the County of Riverside

- Exempt Status:** (check one)
 Ministerial
 Declared Emergency
 Emergency Project
 Categorical Exemption
 Statutory Exemption (State CEQA Guidelines Sec. 15273)
 Other: (State CEQA Guidelines Sec. 15061(b)(3))

Reasons Why Project is Exempt:

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.

Adam Rush, Principal Planner
County Contact Person

(951) 955-6646
Phone Number

Signature: [Handwritten Signature] Title: Board Assistant Date: 4/10/12

For County Clerk's Use Only

04.10.12 3.43

