

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING INCREASES IN EXISTING FEES FOR ZONING AND LAND USE APPLICATIONS, ENVIRONMENTAL REVIEW DOCUMENTS, AND OTHER PLANNING-RELATED SERVICES AND REPEALING ORDINANCE NO. 3410**

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN (Board of Supervisors) does hereby ordain as follows:

SECTION I. The Board of Supervisors hereby finds:

1. The Marin County Community Development Agency has evaluated its services, the costs reasonably borne, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and
2. The County of Marin wishes to comply with both the letter and spirit of Article XIII B of the California Constitution and limit the growth of taxes; and
3. The County desires to establish a policy of recovering a reasonable portion of the costs reasonably borne of providing special services of a voluntary and/or limited nature, such that a significant amount of general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and
4. The County intends to develop a revised schedule of fees and charges based on the County's budgeted and projected costs reasonably borne; and
5. All requirements of California Government Code Section 66014 and other applicable laws are hereby found to have been complied with; and
6. The adoption of this Ordinance including the fees and charges provided herein, is statutorily exempt from the California Environmental Quality Act under Public Resources Code Section 21080(b)(8) as the establishment and modification of charges by a public agency to meet operating expenses; and
7. The cost to the County for such processing should be offset by the collection of reasonable fees; and
8. Pursuant to Government Code Section 54985 *et seq.*, the Board of Supervisors has determined that the fees specified herein are equal to or less than the estimated cost to provide the indicated service; and
9. Legal notice was given of the public hearing scheduled before the Board of Supervisors to consider the adoption of a revised fee schedule; and
10. The Board of Supervisors conducted a public hearing on the ordinance on June 28, 2005.

SECTION II. The fees set forth in Exhibit "A" to Ordinance No. \_\_\_\_\_, are available for public inspection and copying at the office of the Clerk of the Board, and are hereby adopted to become effective on and after August 28, 2005.

SECTION III. The fees set forth in Exhibit "A" to Ordinance No. \_\_\_\_\_, are necessary to offset a portion of the costs of providing the specified services, and that such charges do not exceed the reasonable costs of providing said services.

SECTION IV. Ordinance Number 3410 is hereby repealed effective August 27, 2005 at 5:00 PM.

SECTION V. This ordinance, including the fees set forth in Exhibit "A", shall be and is hereby declared to be in full force and effect on August 28, 2005 and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same, in the Marin Independent Journal, a newspaper of general circulation, published in the County of Marin.

SECTION VI. If any portion of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions and all other portions shall remain in full force and effect. The Board of Supervisors declares that it would have adopted this Ordinance and each section thereof irrespective of the validity of any other section or portion.

SECTION VII. Introduced and adopted by the Board of Supervisors of the County of Marin, State of California, on the 14th day of June, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

---

HAROLD BROWN, PRESIDENT  
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

---

Clerk