

HAYWARD CITY COUNCIL

RESOLUTION NO 16-

Introduced by Council Member _____

RESOLUTION AMENDING THE CITY OF HAYWARD FISCAL YEAR 2016
MASTER FEE SCHEDULE ASSOCIATED WITH AMENDMENTS TO THE
HAYWARD MUNICIPAL CODE FOR LIVESTOCK, HOUSEHOLD PETS,
AND APIARIES

WHEREAS, Section 15273 of the California Environmental Quality Act (CEQA) Guidelines states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purposes of:

1. Meeting operating expenses, including employee wage rates and fringe benefits;
2. Purchasing or leasing supplies, equipment, or materials;
3. Meeting financial reserve needs and requirements;
4. Obtaining funds necessary for capital projects necessary to maintain service within existing service areas; or,
5. Obtaining funds necessary to maintain intra-city transfers as are authorized by city Charter; and

WHEREAS, the City Council finds and determines that this action is exempt from CEQA based on the foregoing provisions.

WHEREAS, in November 2010, California voters approved Proposition 26, which amended Article XIII C of the State constitution regarding the adoption of fees and taxes. Proposition 26 seeks to assure that taxes, which must be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council. The proposed amendment to the Master Fee Schedule (MFS) to set a new fee to process simple, ministerial Planning permits is considered a Planning Permit fee pursuant to Exception 1 for Fees for Benefits and Privileges, Article XIII C, § 1(e)(1) of Proposition 26.

WHEREAS, the City's goal is to provide a ministerial planning permit to provide efficient, over the counter service to support applications for minor projects that are permitted as a matter of

right, subject to fixed standards or objective measurements set forth in the HMC, and to achieve cost recovery cost recovery for the staff time in implementing such a permit.

WHEREAS, the ministerial planning permit fee would be expanded to include multiple fee tiers dependent on the amount of staff time needed to ensure cost recovery during the initial intake, consistency review, issuance of permit and records management post-permit issuance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby adopts certain changes in the Master Fee Schedule, as reflected in attached Exhibit A.

BE IT RESOLVED that this resolution shall become effective on the date that the companion ordinances (Ordinances No. 15-) become effective.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2016

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Exhibit A

B PLANNING		
1. Pre-Application Meeting1 (includes Fire Dept. fee) No Charge	No Charge	
2. Code Assistance Meeting 1 (payable with Fire Dept. fee)	No Charge	
3. Annexation Proceedings Costs shall also include, but not be limited to, current annexation filing fees established by the Board of Equalization in manner provided by the State Government Code Section 54902.5.	\$15,000	Time & Material; Initial Deposit*
4. LAFCO Utility Service Agreement (Preparation and processing of documents in connection with utility service to property outside of the City limits)	\$5,000	Time & Material; Initial Deposit*
5. Environmental/Technical Analysis (Contract) Consultant	\$5,000	Time & Material; Initial Deposit*
6. General Plan Amendment1	\$12,000	Time & Material; Initial Deposit*
7. Text Change to Zoning Ordinance1	\$12,000	Time & Material; Initial Deposit*
8. Rezoning and Prezoning (Including New or Major Modification to a Planned Development)1	\$12,000	Time & Material; Initial Deposit*
9.Rezoning (Planned Development Precise Plan or Preliminary Plan Minor Modification)	\$6,000	Time & Material; Initial Deposit*
10. Conditional Use Permit1	\$6,000	Time & Material; Initial Deposit*

11. Administrative Use Permits		
a Chickens	\$500	Per Application
b Food Vendors	\$700	Per Application
c Processed Administratively	\$2,000	Time & Material; Initial Deposit*
d Involve Public Hearing	\$6,000	Time & Material; Initial Deposit*
12. Site Plan Review1		
a Processed Administratively	\$2,000	Time & Material; Initial Deposit*
b Involving Public Hearing	\$6,000	Time & Material; Initial Deposit*
13. Variance/Warrants - Processed Administratively	\$2,000	Time & Material; Initial Deposit*
14. Variance/Warrants & Exceptions – Involving Public Hearing	\$6,000	Time & Material; Initial Deposit*
15. Modification of Approved Development Plan – Processed Administratively	\$2,000	Time & Material; Initial Deposit*
16. Modification of Approved Development Plan – Involving Public Hearing	\$6,000	Time & Material; Initial Deposit*
17. Extension of Approved Development Plan/Applications	\$1,000	Time & Material; Initial Deposit*
18. Designation of Historical or Architectural Significance1	\$6,000	Time & Material; Initial Deposit*
19. Development Agreement		
a Review of application, negotiation of agreements, processing through Planning Commission and City Council	\$12,000	Time & Material; Initial Deposit*
b Amendment Processing	\$6,000	Time & Material; Initial Deposit*

c Annual Review	\$1,000	Time & Material; Initial Deposit*
20. Written Verification of Zoning Designation or Similar Request	\$500	Per Application
21. Research	\$216 plus \$41	per hour after first 15 minutes
22. Zoning Conformance Permit	\$210	Per Application
a Tier One: Apiaries, Unattended Collection Boxes	\$210	Per Application
b Tier Two: Household Pets (when required)	\$52.50	Per Application
23. Sign Permits		
a Sign Permit (one business)	\$300	
b Sign Permit (each additional business – same application)	\$250	
	\$1,500	
24. Sign Program	\$6,000	
25. Appeal Fee for Applicant		Time & Material; Initial Deposit*
26. Appeal Fee Other Than Applicant	\$250	
27. Tentative Tract or Tentative Parcel Map		
a Processed Administratively	\$4,000	Time & Material; Initial Deposit*
b Involving Public Hearing	\$6,000	Time & Material; Initial Deposit*
28. Final Parcel Map	\$2,000	Time & Material; Initial Deposit*
29. Final Tract Map	\$6,000	Time & Material;

		Initial Deposit*
30. Lot Line Adjustment	\$4,000	Time & Material; Initial Deposit*
31. Certificate of Merger or Certificate of Compliance	\$4,000	Time & Material; Initial Deposit*
32. Grading Permit Application	\$4,000	Time & Material; Initial Deposit*
33. Security Gate Application	\$2,000	
34. Encroachment Permit – Street Events The City Manager may reduce or waive this fee for certain events. (<i>See Fee Reduction, Waiver, and Sponsorship for Special Events Policy</i>)	\$1,500	
35. Encroachment Permit Application – Major Work	\$4,000	Time & Material; Initial Deposit*
36. Encroachment Permit Application – Minor Work	\$2,000	Time & Material; Initial Deposit*
37. Food Sharing Event	No charge	
38. Tree Preservation:		
a Annual Pruning Certification	\$126	
b Tree removal/pruning	\$211	
39. Mobilehome Park Closure/Change of Use	\$12,000	Time & Material; Initial Deposit*
40. Review of Building Permit Applications		
a Commercial/Industrial Tenant Improvements or Additions	\$416.00	

b	Addition - Single-Family Dwelling	\$274.00
c	Addition - Multi-Family Dwelling	\$568.00
d	New Accessory Structure	\$186.00
e	New Single Family Dwelling	\$499.00
f	New Single-Family Dwelling – Hillside	\$721.00
g	New Industrial Building	\$686.00
h	New Commercial Building	\$742.00
i	Over-the-Counter Approvals	\$149.00

41. Inspections - Planning and Landscape

a	Single-Family Residential - Subdivision	\$212
b	Multi-Family Residential Development	\$319
c	Single-Family Residential - Hillside	\$255
d	Re-Inspection	\$212
e	Miscellaneous	\$79

42. General Plan Update Fee	12% of Building Permit Fee
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1 It is recommended that major projects be reviewed at a Pre-Application Meeting prior to submittal of a Development Review Application.

*If during the review of the project the Planning Director estimates that the charges will exceed the deposit, additional deposit(s) will be required. Also, the Planning Director may authorize a lesser initial deposit than shown if he/she determines that processing of an application will not entail need for the full initial deposit. Prompt payments of deposits or outstanding fees owed in association with the application will assure continued staff review of the project. Failure to provide requested deposit or fees associated with the application within an appropriate time frame as determined by the Planning Director will be treated as a withdrawal without prejudice of the application. Any surplus deposit remaining shall be refunded promptly upon project completion.