

RESOLUTION NO. 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AMENDING PREVIOUS FEE RESOLUTION**

WHEREAS, the State of California requires fees charged for service rendered not to exceed the cost of delivering said services; and

WHEREAS, a public hearing has been held to review user fees; and

WHEREAS, the City Council of the City of Cupertino has established guidelines for setting user fees;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. User Fee Resolution Number 16-131 is hereby amended
2. User fees are amended per attached Schedule C
3. User fees amended in Schedule C are effective June 19, 2017

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 18th day of April, 2017 by the following vote:

Vote

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Grace Schmidt, City Clerk

Savita Vaidhyanathan, Mayor
City of Cupertino

CITY OF CUPERTINO
RESOLUTION No. 17-XXXX
Schedule C – Planning

DEFINITIONS

A. Major

10,000 or more square feet commercial/office/non-residential/industrial; six or more residential units.

B. Minor

Less than 10,000 square feet commercial/office/non-residential/industrial; less than six residential units.

C. Minor Architectural and Site Approval

Architectural approval of the following: Minor building modifications, landscaping, signs and lighting for new development, redevelopment or modification in such zones where such review is required.

D. Major Architectural and Site Approval

Architectural approval of all other development projects.

E. Appeal

A request from the project applicant or interested party to reverse or amend a decision made by staff or an advisory body. An appointed public official serving on the board that made the decision subject to the appeal, an appointed public official serving on a board that is directly affected by the decision and the City Council members are exempted from the fee requirement. At the conclusion of the appeal hearing, the City Council may choose to, in its sole discretion, refund all, a portion of, or none of the appeal fee.

F. Directors Application

An application that receives final approval by staff either via an advertised public hearing or non-hearing format. The application may involve a pre-application meeting and/or Environmental Review committee review.

G. Temporary Sign Permit

A staff review of a temporary sign application that includes an evaluation of the sign request, the entry into the temporary log and site review by Code Enforcement Officers. The permit fee is in addition to the submittal of a deposit to guarantee removal of the sign upon expiration of the temporary permit.

H. Tentative Map: Five or more parcels.

I. Parcel Map: Four or less parcels.

J. Housing Mitigation Fee

In accordance with the City of Cupertino's Housing Element, Section 19.72.030 of the Cupertino Municipal Code and the BMR Housing Mitigation Program Procedural Manual.

Note: Mixed use applications will be classified based upon the highest intensity and review process. The Director of Community Development will have discretion to classify projects based upon the above criteria.

Fee Description	Effective February 6, 2017	Effective June 19, 2017
General Plan Authorization Amendment	Planning Staff Hourly Rate	No Change
Zoning Zoning Map Amendment Zoning Text Amendment Single-Story Overlay District	Planning Staff Hourly Rate	No Change
Study Session	Planning Staff Hourly Rate	No Change
Development Agreement ¹	Planning Staff Hourly Rate	No Change
Planning Staff Hourly Rate ¹	203	No Change

Fee Description	Effective February 6, 2017	Effective June 19, 2017
Tentative Map (See Definition H)	21,179	No Change
Parcel Map (See Definition I)	12,732	No Change
Use Permit / Development Permit - Major	21,343	No Change
Use Permit / Development Permit - Minor	12,809	No Change
Amendment to Use Permit / Development Permit - Major	10,746	No Change
Amendment to Use Permit / Development Permit - Minor	5,884	No Change
Architectural and Site Approval - Major (See Definition D)	13,189	No Change
Architectural and Site Approval - Minor (See Definition C)	8,862	No Change
Architectural and Site Approval - Minor Duplex / Residential (See Definition C)	4,500	No Change
Planning Commission Interpretation	4,762	No Change
Exception	4,509	No Change
Heart of the City	13,063	No Change
Hillside Exception	13,539	No Change
R-1 Design Review	3,600	No Change
R-1 No Design Review	3,000	No Change

Fee Description	Effective February 6, 2017	Effective June 19, 2017
R-1 Exception	4,673	No Change
Minor Residential Permit	2,311	No Change
Environmental Impact Report (Plus State & County Filing Fees)	Contract+Admin Fee	No Change
Negative Declaration - Major (Plus State & County Filing Fees)	Contract+Admin Fee	No Change
Negative Declaration - Minor (Plus State & County Filing Fees)	Contract+Admin Fee	No Change
Categorical Exemption (Plus County Filing Fee)	230	No Change
Sign Exception	3,290	No Change
Fence Exception - R1 and duplex	859	No Change
Fence Exception - other	2,891	No Change
Variance	5,167	No Change
Minor Modification	3,156	No Change
Conditional Use Permit - Administrative	4,676	No Change
Reasonable Accommodation	750	No Change
Tree Removal Permit (no Arborist review required)		
First Tree	200	No Change
Each Additional Tree	100	No Change
Tree Removal Permit (Arborist review required)		
First Tree	300	No Change
Each Additional Tree	150	No Change
Retroactive Tree Removal Penalty	3,325	No Change
Tree Management Plan	4,702	No Change
Heritage Tree Designation	250	No Change
Temporary Use Permit	2,824	No Change
Temporary Sign Permit (See Definition G)	319	No Change
Sign Program	2,582	No Change
Appeals (See Definition E)		
Planning Commission	230	No Change
City Council	230	No Change
Zoning Verification Letter	338	No Change
Public Convenience and Necessity Letter (Alcoholic Beverage License)	169	No Change
Wireless Master Plan Fee: Other Personal Wireless Facility (Charged at Building Permit)	1,350	No Change
Extension of Approved Entitlements	1,280	No Change
Legal Noticing Fee (previously Legal Noticing Deposit)	268	No Change

Fee Description	Effective	Effective
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	February 6, 2017	June 19, 2017
Zoning, Planning, Municipal Code Fees		
All Non-Residential and Multi-Family (per sq.ft.)	0.30	No Change
Residential Single Family (per sq. ft.)	0.14	No Change
General Plan Office Allocation Fee (per sq. ft.)	0.28	No Change
Wireless Master Plan Fee: Equipment Mount on Existing Light Utility Pole	6.19	No Change
Housing Mitigation In-Lieu Fees (See Definition J)		
Residential - Ownership (per sq. ft.)		
Detached Single Family Residence	15.48	No Change
Small Lot Single Family Residence or Townhome	17.03	No Change
Multi-family Attached Townhome or Condominium (up to 35 du/ac)	20.64	No Change
Multi-family Attached Townhome or Condominium (over 35 du/ac)	20.64	No Change
Residential - Rental (per sq. ft.)		
Multi-family Attached Townhome or Apartment (up to 35 du/ac)	20.64	No Change
Multi-family Attached Townhome or Apartment (over 35 du/ac)	25.80	No Change
Non-Residential (per sq. ft.)		
Office, Research and Development, or Industrial	20.64	No Change
Hotel	10.32	No Change
Commercial/Retail	10.32	No Change

¹Applications may be subject to a Planning Staff Hourly Rate fee for applicable staff time, and vendor invoice. These fees apply to projects that require a level of staff support greater than the scope of work included in the regular fee schedule and will be based on the time and materials required to process the entire project. The applicant will be notified if these fees are applicable to their project.

²Based on Below Market Rate Housing Mitigation Procedural Manual and 2015 Nexus Study. These fees are to increase annually by the San Francisco Bay Area Consumer Price Index (CPI)

An administrative fee of 15% (see General Fees - Schedule A) will be charged for outside agency review/consultant services.

If plans are submitted on paper, the City's cost of scanning plans, plus an administrative fee of 15% (see General Fees - Schedule A), will be charged.