



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Jim Shannon

**SUBJECT: 2022-2023 PROPOSED FEES  
& CHARGES REPORT  
AMENDMENT**

**DATE:** June 6, 2022

Approved

Date: 6/6/22

## **RECOMMENDATION**

Approve an amendment to the 2022-2023 Proposed Fees and Charges Report as described in this memorandum.

## **BACKGROUND**

The 2022-2023 Proposed Fees and Charges Report released on May 6, 2022 identified the majority of the proposed fees and charges accruing to the General Fund and selected fees and charges associated with other funds. Subsequent to the release of that report, the Administration is recommending further amendments to correct for minor errors and add fees omitted during the initial preparation.

## **ANALYSIS**

The following are descriptions of the recommended changes to the 2022-2023 Proposed Fees & Charges Report.

- ***Planning, Building and Code Enforcement Department***

A new Dead Trees – All fee, for the removal of dead trees, was inadvertently left out of the 2022-2023 Proposed Fees & Charges Report and is recommended to be included. The removal of a dead tree is a distinct reason for permitted tree removal. Additionally, minor fee revisions are recommended to Building and Planning Development fees to correct errors that occurred during the initial preparation of the 2022-2023 Proposed Fees and Charges Report. The changes are described in more detail in Attachment A. The new fee and edits do not affect the revenue estimates.

June 6, 2022

**Subject: 2022-2023 Proposed Fees & Charges Report Amendment**

Page 2

- ***Police Department***

Revisions under the Tow Car fee section are recommended to revise the descriptions of the following fees: Private Property Tow, Tow Car Business Assistant (Driver) – New Permit Application, and Tow Car Business Permit – New Permit. These revisions will correctly match the 2022-2023 Proposed Fees and Charges Report with the City Municipal Code. To correct for errors that occurred during the initial preparation of the 2022-2023 Proposed Fees and Charges Report, revisions under the Cannabis fee section are recommended to update fee amounts for the Annual Operating Fee (from \$131,648 to \$130,345), Application Receipt Fee (from \$77 to \$95), and Initial Application Processing Fee (from \$2,966 to \$3,557). No change is recommended to the estimated revenue due to these modifications.

- ***Public Works Department***

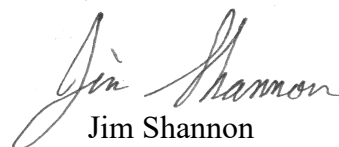
The NPDES (C.3 Requirement) City review of Grading Plan's compliance: Land Use of Concern (5,000SF – 9,999SF) fee, under the PW08: Grading/NPDES (C.3)/Drainage/Stormwater section, is recommended to be deleted. Additionally, a title revision is recommended to the Ministerial Permit Non-Residential – Per SF: 50,000-99,000 (from “Ministerial Permit Non-Residential – Per SF: 50,000-99,000” to “Ministerial Permit Non-Residential – Per SF: 50,000-99,999”), under the PL09: Special Permits section. No change is recommended to the estimated revenue due to these revisions.

- ***Transportation Department***

New fees are recommended to establish fees for Tentative Map Review and Ministerial Permits as described in Attachment A. These fees cover the cost of a service that provides applicants with an early analysis of how City codes, policies, and development review processes may apply to a prospective affordable housing project. The analysis helps applicants address issues and prepare accurate plans to save time and reduce the potential for plan revisions during the formal review process. These fees were reviewed by the Public Works Department as they are similar to their fees and part of the same workflow for Development permits. No change is recommended to the estimated revenue due to these additions.

## **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office and the Planning, Building and Code Enforcement Department.

  
Jim Shannon  
Budget Director

For questions regarding this memorandum, please contact Bonny Duong, Assistant Budget Director, at [bonny.duong@sanjoseca.gov](mailto:bonny.duong@sanjoseca.gov)

Attachment A: Transportation Department and Planning, Building and Code Enforcement Department Amendments to the 2022-2023 Proposed Fees and Charges Report

**AMENDMENTS TO THE 2022-2023 PROPOSED FEES AND CHARGES REPORT  
PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT**

Department – Fee	Date of Last Revision	2021 - 2022 ADOPTED FEES	2022-2023 PROPOSED FEES
<b>PLANNING FEE PROGRAM – CATEGORY 1</b>			
<b>11. Miscellaneous Permits/Fees</b>			
Consultation Fee-Permit/Sign Adjustment	2021-2022	\$215 per hour	\$321 per hour
<b>19. Record Retention/Microfilming</b>			
Refund Processing Fee (for withdrawal, cancellation, or overpayment)	2021-2022	\$430	\$442
<b>26. Tentative Map</b>			
All Tentative Maps and Vesting Tentative Maps and Amendments to Tentative and Vesting Tentative Maps: lots 11 to 49	2020-2021	\$21 per lot	\$22 per lot
Planning Commission Referral for Public Works Street/Easement Vacation	2021-2022	\$936 per hour (3 hour minimum)	\$963 (3 hour minimum)
<b>27. Tree Removal Permit</b>			
Dead Trees – All			\$240 for first tree + \$30 each additional tree + noticing fees
<b>EXHIBITS</b>			
<b>Exhibit H – Specific Use Regulation and Policy Review</b>			
Nightclubs and Bars	2021-2022	\$12,595	\$12,958
Standby Power	2021-2022	\$1,616	\$1,662

Department – Fee	Date of Last Revision	2021 - 2022 ADOPTED FEES	2022-2023 PROPOSED FEES
Planning Monitoring Compliance for Permits with affordability restrictions	2021-2022	\$156 Base fee (0.5 hours minimum) plus additional time at \$312 per hour	\$160 Base fee (0.5 hours minimum) plus additional time at \$321 per hour
<b>Exhibit L – Building Permit Processing Fees Non-Residential</b>			
Finish Interior & Tenant Improvements (sq. ft.)			
501 – 2,500	2021-2022	\$386	Delete
0 – 1,000			\$198
1,001 – 2,500			\$396
2,501 ≤ area ≤ 10,000	2021-2022	\$386	\$396
10,001 ≤ area ≤ 20,000	2021-2022	\$579	\$594
>20,000	2021-2022	\$772	\$792
<b>Exhibit M – Building Plan Check Fees Non-Residential Fee Schedule</b>			
New Construction – Shell and Commercial Garage (sq.ft.) (formerly Shell only)			
<b>Exhibit P – Ministerial Development Permit</b>			
Residential			
1 to 24 dwellings	2021-2022	\$6,202 (1 to 2 dwellings) + \$444 per dwelling unit (units 3 to 24)	\$6,381 (1 to 2 dwellings) + \$457 per dwelling unit (units 3 to 24)
25 to 99 dwellings	2021-2022	\$15,502 + \$69 per dwelling unit (units 26 to 99)	\$15,949 + \$71 per dwelling unit (units 26 to 99)
100 to 499 dwellings	2021-2022	\$20,671 + \$7 per dwelling unit (units 101 to 499)	\$21,267 + \$8 per dwelling unit (units 101 to 499)
500 dwellings and higher	2021-2022	\$24,116 + \$48 per dwelling unit (units 501+)	\$24,811 + \$49 per dwelling unit (units 501+)

Department – Fee	Date of Last Revision	2021 - 2022 ADOPTED FEES	2022-2023 PROPOSED FEES
Non-Residential			
0 to 49,999 square feet	2021-2022	\$7,197 for first 5,000 sq. ft. + \$0.02 for each additional sq. ft.	\$7,405 for first 5,000 sq. ft. + \$0.02 for each additional sq. ft.
50,000 to 99,999 square feet	2021-2022	\$8,740 for first 50,000 square feet + \$0.05 for each additional sq. ft.	\$8,992 for first 50,000 square feet + \$0.01 for each additional sq. ft.
100,000 to 299,999 square feet	2021-2022	\$11,024 for first 100,000 square feet + \$0.01 for each additional sq. ft.	\$11,342 for first 100,000 square feet + \$0.01 for each additional sq. ft.
300,000 square feet and over	2021-2022	\$13,780 for first 300,000 square feet + \$0.05 for each additional sq. ft.	\$14,177 for first 300,000 square feet + \$0.05 for each additional sq. ft.
<b>Exhibit S – Building Plan Check Fees Non-Residential Modular Fee Schedule</b>			
New Construction – Shell and Commercial Garage (sq.ft.) (formerly Shell only)			
<b>Exhibit T – Building Inspection Fees Non-Residential Modular Fee Schedule</b>			
New Construction – Shell and Commercial Garage (sq.ft.) (formerly Shell only)			

**BUILDING PERMIT PROCESSING FEES - NON-RESIDENTIAL  
FEE SCHEDULE**

Exhibit L

Permit Issuance Fees for Non-Residential projects are listed in the table below.

DESCRIPTION	2021-2022 ADOPTED		2022-2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>Non-Residential</b>				
<b><u>New Construction - Shell (sq. ft.)</u></b>				
0 - 2,500 square feet	\$772		\$792	
2,501 square feet ≤ area ≤ 10,000 square feet	\$1,544		\$1,584	
10,001 square feet ≤ area ≤ 20,000 square feet	\$2,316		\$2,376	
Greater than 20,000 square feet	\$3,088		\$3,168	
<b><u>Finish Interior &amp; Tenant Improvement (sq. ft.)</u></b>				
501 - 2,500 square feet	\$386		Delete	
0 ≤ 1,000 square feet	New for FY 22-23		\$198	
1,001 ≤ 2,500 square feet	New for FY 22-23		\$396	
2,501 square feet ≤ area ≤ 10,000 square feet	\$386		\$396	
10,001 square feet ≤ area ≤ 20,000 square feet	\$579		\$594	
20,001 square feet ≤ area ≤ 40,000 square feet	\$772		\$792	
Minor Permits / Itemized Scope of Work: Tier 1 - Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	\$96		\$99	
Minor Permits / Itemized Scope of Work: Tier 2 - Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	\$96		\$99	
Minor Permits / Itemized Scope of Work: Tier 3 - Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	\$193		\$198	
Minor Permits / Itemized Scope of Work: Tier 4 - Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	\$193		\$198	
<b><u>Alterations and Site Accessory</u></b>				
Accessory Structure (wood)	\$225		\$231	
Accessory Structure (masonry)	\$225		\$231	
ATM	\$128		\$132	
Awnings	\$128		\$132	
Canopy Structure	\$418		\$429	
Cooling Tower	\$225		\$231	
Damage Repair	\$225		\$231	
Demising Walls Only	\$225		\$231	
Demo Interior Walls	\$225		\$231	
Deck Repairs	\$225		\$231	
Façade Changes	\$418		\$429	

**BUILDING PERMIT PROCESSING FEES - NON-RESIDENTIAL  
FEE SCHEDULE**

Exhibit L (Cont'd)

Permit Issuance Fees for Non-Residential projects are listed in the table below.

DESCRIPTION	2021 - 2022 ADOPTED		2022 - 2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>Alterations and Site Accessory (Cont'd)</b>				
Fountains	\$225		\$231	
Hood Installations	\$128		\$132	
HVAC Systems	\$128		\$132	
Masonry Fence	\$128		\$132	
Occupancy Changes	\$128		\$132	
Permit to Final	\$128		\$132	
Racks	\$225		\$231	
Rated Corridors	\$128		\$132	
Re-roof	\$128		\$132	
Restroom Alterations	\$128		\$132	
Retaining Walls	\$128		\$132	
Seismic Upgrades	\$418		\$429	
Signs	\$128		\$132	
Skylights Non-Structural	\$128		\$132	
Skylights Structural	\$225		\$231	
Sound Walls	\$128		\$132	
Spray Booth	\$128		\$132	
Swimming Pool	\$225		\$231	
T-Bar Ceilings	\$128		\$132	
Tools	\$225		\$231	
Trailers Installed	\$225		\$231	
Trellis(s) Patio Covers	\$128		\$132	
<b>Garage</b>				
0 - 10,000 square feet	Use Non-Residential Addition/Alteration sq. ft. table for permit issuance		No Change	
10,000 < area < 50,000 square feet	Use Non-Residential Addition/Alteration sq. ft. table for permit issuance		No Change	
Greater than 50,000 square feet	Use Non-Residential Addition/Alteration sq. ft. table for permit issuance		No Change	

**BUILDING PLAN CHECKING FEES - NON-RESIDENTIAL  
FEE SCHEDULE**

**Exhibit M**

Permit Plan Checking Fees for Non-Residential projects are listed in the table below.

DESCRIPTION	2021 - 2022 ADOPTED		2022 - 2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>Non-Residential</b>				
<b>New Construction - Shell and Commercial Garage (sq. ft.)</b>				
0 - 2,500 sq. ft.	\$4,760		\$5,040	
2,501 sq. ft. ≤ area ≤ 10,000 sq. ft.	\$9,112		\$9,648	
10,001 sq. ft. ≤ area ≤ 20,000 sq. ft.	\$14,045		\$15,264	
20,001 sq. ft. ≤ area ≤ 40,000 sq. ft.	\$18,360		\$19,440	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.	\$190		\$201	
<b>Finish Interior &amp; Tenant Improvement (sq. ft.)</b>				
0- 1,000 square feet	New for FY 22-23		\$1,728	
1,001 - 2,500 square feet	\$3,264		\$3,456	
2,501 square feet ≤ area ≤ 10,000 square feet	\$5,440		\$5,760	
10,001 square feet ≤ area ≤ 20,000 square feet	\$8,976		\$9,504	
20,001 square feet ≤ area ≤ 40,000 square feet	\$13,376		\$14,544	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.	\$190		\$201	
Minor Permits / Itemized Scope of Work: Tier 1 - Combination of fixtures and/or Building Prescriptive items ≤ 40 minutes	\$0		No Change	
Minor Permits / Itemized Scope of Work: Tier 2 - Combination of fixtures and/or Building Prescriptive items ≤ 70 minutes	\$544		\$576	
Minor Permits / Itemized Scope of Work: Tier 3 - Combination of fixtures and/or Building Prescriptive items ≤ 130 minutes	\$544		\$576	
Minor Permits / Itemized Scope of Work: Tier 4 - Combination of fixtures and/or Building Prescriptive items ≤ 250 minutes	\$1,088		\$1,152	
<b>Garage (Sq. Ft.)</b>				
0 - 10,000 square feet	Use Non-Residential Shell sq. ft. table for permit plan check fees		No Change	
10,000 < area < 50,000 square feet	Use Non-Residential Shell sq. ft. table for permit plan check fees		No Change	
Greater than 50,000 square feet	Use Non-Residential Shell sq. ft. table for permit plan check fees		No Change	



**MINISTERIAL DEVELOPMENT PERMIT  
FEE SCHEDULE**

**Exhibit P**

DESCRIPTION	2021-2022 ADOPTED		2022-2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>RESIDENTIAL</b>				
<b>1 to 24 dwellings</b>	\$6,202 (1 to 2 dwellings) + \$444 per dwelling unit (units 3 to 24) See Exhibit H		\$6,381 (1 to 2 dwellings) + \$457 per dwelling unit (units 3 to 24) See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>25 to 99 dwellings</b>	\$15,502 + \$69 per dwelling unit (units 26 to 99) See Exhibit H		\$15,949 + \$71 per dwelling unit (units 26 to 99) See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>100 to 499 dwellings</b>	\$20,671 + \$7 per dwelling unit (units 101 to 499) See Exhibit H		\$21,267 + \$8 per dwelling unit (units 101 to 499) See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>500 dwellings and higher</b>	\$24,116 + \$48 per dwelling unit (units 501+) See Exhibit H		\$24,811 + \$49 per dwelling unit (units 501+) See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>NON-RESIDENTIAL</b>				
<b>0 to 49,999 square feet</b>	\$7,197 for first 5,000 sq. ft. + \$0.02 for each additional sq.ft. See Exhibit H		\$7,405 for first 5,000 sq. ft. + \$0.02 for each additional sq.ft. See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>50,000 to 99,999 square feet</b>	\$8,740 for first 50,000 square feet + \$0.05 for each additional sq.ft. See Exhibit H		\$8,992 for first 50,000 square feet + \$0.01 for each additional sq.ft. See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>100,000 to 299,999 square feet</b>	\$11,024 for first 100,000 square feet + \$0.01 for each additional sq.ft. See Exhibit H		\$11,342 for first 100,000 square feet + \$0.01 for each additional sq.ft. See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>300,000 square feet and over</b>	\$13,780 for first 300,000 square feet + \$0.05 for each additional sq.ft. See Exhibit H		\$14,177 for first 300,000 square feet + \$0.05 for each additional sq.ft. See Exhibit H	
5%+ Slope or within 100' of stream bed				
<b>ADDITIONAL CHARGES</b>				
<b>Outdoor Use*</b>	See Exhibit H		See Exhibit H	
<b>Drive-Through Use</b>	See Exhibit H		See Exhibit H	
<b>Midnight - 6 a.m. Operation</b>	See Exhibit H		See Exhibit H	
<b>Mobilehome Conversion</b>	See Exhibit H		See Exhibit H	
<b>Hazardous Waste Facility Subject to Tanner Legislation**</b>	See Exhibit H		See Exhibit H	
<b>Conversion to Condominiums</b>	See Exhibit H		See Exhibit H	

\* Outdoor Use charge does not apply to an amendment to an existing permit

\*\* Applies only to applications for which rezoning was filed prior to July 1, 1990

**BUILDING PLAN CHECKING FEES - NON-RESIDENTIAL  
MODULAR FEE SCHEDULE**

**Exhibit S**

Permit Plan Checking Fees for modular Non-Residential projects are listed in the table below.

DESCRIPTION	2021 - 2022 ADOPTED		2022 - 2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>Non-Residential</b>				
<b>New Construction - Shell and Commercial Garage (sq. ft.)</b>				
0 - 2,500 sq. ft.		New for FY22-23	\$4,536	
2,501 sq. ft. ≤ area ≤ 10,000 sq. ft.		New for FY22-23	\$8,683	
10,001 sq. ft. ≤ area ≤ 20,000 sq. ft.		New for FY22-23	\$13,737	
20,001 sq. ft. ≤ area ≤ 40,000 sq. ft.		New for FY22-23	\$17,496	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.		New for FY22-23	\$181	
<b>Finish Interior &amp; Tenant Improvement (sq. ft.)</b>				
0- 1,000 square feet		New for FY22-23	\$1,555	
1,001 - 2,500 square feet		New for FY22-23	\$3,110	
2,501 square feet ≤ area ≤ 10,000 square feet		New for FY22-23	\$5,184	
10,001 square feet ≤ area ≤ 20,000 square feet		New for FY22-23	\$8,553	
20,001 square feet ≤ area ≤ 40,000 square feet		New for FY22-23	\$13,089	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.		New for FY22-23	\$181	
<b>Garage (Sq. Ft.)</b>				
0 - 10,000 square feet		New for FY22-23	Use Modular Non-Residential Shell sq. ft. table for permit plan check fees	
10,000 < area < 50,000 square feet		New for FY22-23	Use Modular Non-Residential Shell sq. ft. table for permit plan check fees	
Greater than 50,000 square feet		New for FY22-23	Use Modular Non-Residential Shell sq. ft. table for permit plan check fees	

**BUILDING INSPECTION FEES - NON-RESIDENTIAL  
MODULAR FEE SCHEDULE**

**Exhibit T**

Permit Inspection Fees for modular Non-Residential projects are listed in the table below.

DESCRIPTION	2021 - 2022 ADOPTED		2022 - 2023 PROPOSED	
	FEE	FEE RANGE	FEE	FEE RANGE
<b>Non-Residential</b>				
<b><u>New Construction - Shell and Commercial Garage (sq. ft.)</u></b>				
0 - 2,500 square feet		New for FY22-23	\$2,655	
2,501 square feet ≤ area ≤ 10,000 square feet		New for FY22-23	\$6,077	
10,001 square feet ≤ area ≤ 20,000 square feet		New for FY22-23	\$11,269	
20,001 square feet ≤ area ≤ 40,000 square feet		New for FY22-23	\$13,806	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.		New for FY22-23	\$106	
<b><u>Finish Interior &amp; Tenant Improvement (sq. ft.)</u></b>				
0- 1,000 square feet		New for FY22-23	\$826	
1,001- 2,500 square feet		New for FY22-23	\$826	
2,501 square feet ≤ area ≤ 10,000 square feet		New for FY22-23	\$2,655	
10,001 square feet ≤ area ≤ 20,000 square feet		New for FY22-23	\$6,077	
20,001 square feet ≤ area ≤ 40,000 square feet		New for FY22-23	\$13,806	
Each additional 1,000 sq. ft. beyond 40,000 sq. ft.		New for FY22-23	\$188	

**AMENDMENTS TO THE 2022-2023 PROPOSED FEES AND CHARGES REPORT  
TRANSPORTATION DEPARTMENT**

Department – Fee	Date of Last Revision	2021 - 2022 ADOPTED FEES	2022-2023 PROPOSED FEES
<b>TRANSPORTATION FEES – CATEGORY 1</b>			
<b>Ministerial Permits</b>			
Residential: 1-2 dwelling units			\$389
Residential: 3-24 dwelling units			\$389
Residential: 25-99 dwelling units			\$583
Residential: Greater than 99 dwelling units			\$778
Non-Residential: 1-500 sq. ft.			\$389
Non-Residential: 501-9,999 sq. ft.			\$389
Non-Residential: 10,000-99,999 sq. ft.			\$778
Non-Residential: Greater than 99,999 sq. ft.			\$1,557
<b>Tentative Maps</b>			
Conventional Zoning District Property Residential			\$737
Conventional Zoning District Property Non-Residential			\$737
Planned Development Zoning District Property Residential			\$368
Planned Development Zoning District Property Non-Residential			\$368