

SECTION 171. Section 12.150 of Part 12 of Resolution No. 72737 is amended as follows:

12.150 Affordable Housing Compliance Fee Program

In accordance with Resolution No. 77218 (AHIF) and SJMC Chapter 5.08 (Inclusionary):

Standard Application	\$4,029.00 per application
City Attorney Staff Time	\$187.00 per hour in excess of seven (7) hours
City Housing Staff Time	\$136.00 per hour in excess of twenty (20) hours

SECTION 172. Section 12.155 of Part 12 of Resolution No. 72737 is amended as follows:

12.155 <u>Multi-Family Application Review Fee</u>	\$1,147.00 per application
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SECTION 173. Part 12 of Resolution No. 72737 is amended to add Section 12.200 as follows:

12.200 Commercial Linkage Fee Application Fee

Deferred Payment or Credit Agreement	\$3,396.00 per application
Standard Application	\$1,726.00 per application
Abbreviated Application	\$895.00 per application

City Attorney Staff Time	\$187.00 per hour in excess of eight (8) hours
City Housing Staff Time	\$136.00 per hour in excess of fifteen (15) hours

SECTION 174. Part 12 of Resolution No. 72737 is amended to add Section 12.201 as follows:

12.201 Commercial Linkage Fee Schedules – Non-Residential Use, Fee per Sq.Ft.

Downtown and Nearby

Office (≥ 100,000 sq.ft.)

\$12.63 when paid in full prior to the Building Permit issuance.

\$15.79 when paid at Scheduling of Final Building Inspection.

Eligible for deferred payment pursuant to subsection E.

Office (<100,000 sq.ft.)

\$0 for all square footage <50,000 sq.ft. and \$3.16 for all remaining square footage.

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Retail

\$0

Hotel	\$5.26 excluding Common Area.
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Industrial/Research and Development (≥100,000 sq.ft.)	\$3.16
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
	Eligible for deferred payment pursuant to subsection E.
Industrial/Research and Development (<100,000 sq.ft.)	\$0
Warehouse	\$5.26
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Residential Care

\$6.32 Excluding Common Area.

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

North San Jose and Nearby; West San Jose Urban Villages:

Office (≥ 100,000 sq.ft.)

\$5.26

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Eligible for deferred payment pursuant to subsection E.

Office (<100,000 sq.ft.)

0\$ for all square footage <50,000 sq.ft. and \$3.16 for all remaining square footage.

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Retail

\$0

Hotel	\$5.26 excluding Common Area.
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Industrial/Research and Development (≥100,000 sq.ft.)	\$3.16
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
	Eligible for deferred payment pursuant to subsection E.
Industrial/Research and Development (<100,000 sq.ft.)	\$0
Warehouse	\$5.26
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Residential Care

\$6.32 Excluding Common Area.

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection 100% of the fee will apply.

Edenvale and Monterey Corridor:

Office (≥ 100,000 sq.ft.)

\$5.26

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Eligible for deferred payment pursuant to subsection E

Office (<100,000 sq.ft.)

0\$ for all square footage <50,000 sq.ft. and \$3.16 for all remaining square footage.

When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.

When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

Retail

\$0

Hotel	\$5.26 excluding Common Area. When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply. When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Industrial/Research and Development	\$0
Warehouse	\$5.26 When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply. When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Residential Care	\$6.32 Excluding Common Area. When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply. When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
<u>South and East San Jose Growth Areas:</u>	
Office	\$0
Retail	\$0

Hotel	\$5.26 excluding Common Area.
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Industrial/Research and Development (≥100,000 sq.ft.)	\$3.16
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Industrial/Research and Development (<100,000 sq.ft.)	\$0
Warehouse	\$5.26
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.
Residential Care	\$6.32 Excluding Common Area.
	When paid in full prior to the Building Permit issuance, a 20% reduction in the payment will apply.
	When paid at Scheduling of Final Building Inspection, 100% of the fee will apply.

SECTION 175. Part 12 of Resolution No. 72737 is amended to add Section 12.300 as follows:

12.300 Replacement Unit Determination

The Housing Crisis Act of 2019 prohibits the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units. The Housing department reviews preliminary applications to determine the replacement obligations.

SB-330 applies to “housing development projects” as defined by California Government Code Section 65589.5(h)(2)(B). Specifically, pursuant to Government Code Section 65589.5(h)(2)(B) a project is a housing development project if:

- 1) The project is a development project consisting of two or more residential units.
- 2) (or) The project is a mixed-use development project where at least two-thirds of the square footage comprises residential uses.
- 3) (or) The project is a transitional or supportive housing development project.

Standard Application

\$2,904.00 per
standard application

City Attorney Staff Time

\$187.00 per hour in
excess of eight (8)
hours

City Housing Staff Time

\$136.00 per hour in
excess of fifteen (15)
hours

Relocation Pass Through Fee
(for charges associated with contracting
for consultant services for required
relocation services on behalf of developer)

Actual cost