

CALIFORNIA COASTAL COMMISSION

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DATE May 31, 2012

TO: Commissioners and Other Interested Persons

FROM: Charles Lester, Executive Director
Susan Hansch, Chief Deputy Director

SUBJECT: Filing Fee Increase Effective July 1, 2012
Information Item/No Commission Action Required

The Commission's Application filing fees are governed by the Coastal Act and implementing regulations. (See Pub. Res. Code § 30620(c); 14 Cal Code Reg § 13055.) Under the Commission's regulations, the filing fees are adjusted annually to account for inflation. Specifically, the Commission's regulations provide:

“The fees established ... shall be increased annually by an amount calculated on the basis of the percentage change from the year in which this provision becomes effective in the California Consumer Price Index for Urban Consumers as determined by the Department of Industrial Relations pursuant to Revenue and Taxation Code Section 2212. The increased fee amounts shall become effective on July 1 of each year. The new fee amounts shall be rounded to the nearest dollar.” (Cal. Code Regs., tit. 14, § 13055(c).)

This requirement to adjust annually for inflation became effective in March 2008. The fees generated are deposited into the Coastal Act Services Fund. Upon appropriation by the Legislature, the Commission may expend the money for implementation of the Coastal Act. Each year, \$500,000 (adjusted annually for inflation) is transferred to the State Coastal Conservancy's Coastal Access Account. (See Pub. Res. Code §§ 30620.1 and 30620.2.)

Because of low inflation in recent years, the fees have not been increased since 2008. Based on the Department of Industrial Relations CPI Index Calculator, however, the California Consumer Price Index for Urban Consumers between April 2008 thru April 2012 increased by 6.1%. (<http://www.dir.ca.gov/dlsr/CPI/CPICalc.xls>.)

The schedule of filing fees will be adjusted for inflation effective July 1, 2012. The new fee schedule will be posted on the Commission's website and is attached, hereto. (See Exhibit 1.)

No Commission action is required.

Attachments:

- Exhibit 1: Filing Fee Revised Schedule for Permit Application Form (effective July 1, 2012)
- Exhibit 2: Filing Fee Chart

DRAFT
APPENDIX E

FILING FEE SCHEDULE

(EFFECTIVE ~~MARCH 17, 2008~~ JULY 1, 2012)

FEES WILL BE ADJUSTED EACH YEAR ON JULY 1, ACCORDING TO THE CALIFORNIA CONSUMER PRICE INDEX

- Pursuant to Government Code section 6103, public entities are exempt from the fees set forth in this schedule.
- Permits shall not be issued without full payment for all applicable fees. If overpayment of a fee occurs, a refund will be issued. Fees are assessed at the time of application, based on the project as proposed initially. If the size or scope of a proposed development is amended during the application review process, the fee may be changed. If a permit application is withdrawn, a refund will be due only if no significant staff review time has been expended (e.g., the staff report has not yet been prepared). Denial of a permit application by the Commission is not grounds for a refund.
- If different types of development are included on one site under one application, the fee is based on the sum of each fee that would apply if each development were applied for separately, not to exceed \$100,000 for residential development and \$250,000 for all other types of development.
- Fees for after-the-fact (ATF) permit applications shall be five times the regular permit application fee unless the Executive Director reduces the fee to no less than two times the regular permit application fee. The Executive Director may reduce the fee if it is determined that either: (1) the ATF application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit,) or (2) the owner did not undertake the development for which the owner is seeking the ATF permit.
- In addition to the above fees, the Commission may require the applicant to reimburse it for any additional reasonable expenses incurred in its consideration of the permit application, including the costs of providing public notice.
- The Executive Director shall waive the application fee where requested by resolution of the Commission. Fees for green buildings or affordable housing projects may be reduced, pursuant to Section 13055(h) of the Commission's regulations.

EXHIBIT 1

See Section 13055 of the Commission's regulations
(California Code of Regulations, Title 14)
for full text of the requirements

I. RESIDENTIAL DEVELOPMENT¹

- De minimis waiver \$ ~~500~~530
- Administrative permit \$ ~~2,500~~2,650²

A. Detached residential development

Regular calendar for up to 4 detached, single-family dwelling(s)^{3,4}

- 1,500 square feet or less \$ ~~3,000~~3,180/ea
- 1,501 to 5,000 square feet \$ ~~4,500~~4,780/ea
- 5,001 to 10,000 square feet \$ ~~6,000~~6,370/ea
- 10,001 or more square feet \$ ~~7,500~~7,960/ea

Regular calendar for more than 4 detached, single-family dwellings^{3,4}

- 1,500 square feet or less \$ ~~15,000 or \$1,000~~
~~15,920 or 1,060~~/ea⁵
whichever is greater
- 1,501 to 5,000 square feet \$ ~~22,500 or~~
~~\$1,500~~23,870 or
1,590/ea⁵
- 5,001 to 10,000 square feet \$ ~~30,000 or \$2,000~~
~~31,830 or 2,120~~/ea⁵
whichever is greater
- 10,001 or more square feet \$ ~~37,500 or~~
~~\$2,500~~38,790 or
2,650/ea⁵ whichever is
greater

B. Attached residential development

- 2-4 units \$ ~~7,500~~7,960
- More than 4 units \$ ~~10,000 or \$750~~10,610
or 800/ea⁶ whichever is
greater

¹ Additional fee for grading applies. (See Section III.A of this fee schedule.)

² Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

³ "Square footage" includes gross internal floor space of main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings).

⁴ For developments that include residences of different sizes, the fee shall be based upon the average square footage of all the residences.

⁵ Not to exceed \$100,000.

C. Additions or improvements

If **not** a waiver or an amendment to a previous coastal development permit, the fee is assessed according to the schedule in A. above (i.e., based on the calendar and/or size of the addition, plus the grading fee, if applicable).

If handled as an amendment to a previous coastal development permit, see Amendments (in Section III.F).

II. OFFICE, COMMERCIAL, CONVENTION, INDUSTRIAL (INCLUDING ENERGY FACILITIES), AND OTHER DEVELOPMENT NOT OTHERWISE IDENTIFIED IN THIS SECTION^{7,8,9}

A. Based on Gross Square Footage

1,000 square feet (gross) or less	<input type="checkbox"/>	\$ 5,000 <u>5,310</u>
1,001 to 10,000 square feet (gross)	<input type="checkbox"/>	\$ 40,000 <u>10,610</u>
10,001 to 25,000 square feet (gross)	<input type="checkbox"/>	\$ 15,000 <u>15,920</u>
25,001 to 50,000 square feet (gross)	<input type="checkbox"/>	\$ 20,000 <u>21,200</u>
50,001 to 100,000 square feet (gross)	<input type="checkbox"/>	\$ 30,000 <u>31,830</u>
100,001 or more square feet (gross)	<input type="checkbox"/>	\$ 50,000 <u>53,050</u>

B. Based on Development Cost¹⁰

Development cost up to and including \$100,000	<input type="checkbox"/>	\$ 3,000 <u>3,180</u>
\$100,001 to \$500,000	<input type="checkbox"/>	\$ 6,000 <u>6,370</u>
\$500,001 to \$2,000,000	<input type="checkbox"/>	\$ 40,000 <u>10,610</u>
\$2,000,001 to \$5,000,000	<input type="checkbox"/>	\$ 20,000 <u>21,220</u>
\$5,000,001 to \$10,000,000	<input type="checkbox"/>	\$ 25,000 <u>26,530</u>
\$10,000,001 to \$25,000,000	<input type="checkbox"/>	\$ 30,000 <u>31,830</u>
\$25,000,001 to \$50,000,000	<input type="checkbox"/>	\$ 50,000 <u>53,050</u>
\$50,000,001 to \$100,000,000	<input type="checkbox"/>	\$ 100,000 <u>110,100</u>
\$100,000,001 or more	<input type="checkbox"/>	\$ 250,000 <u>265,250</u>

⁶ Not to exceed \$50,000.

⁷ The fee shall be based on either the gross square footage or the development cost, whichever is greater.

⁸ Additional fee for grading applies. (See section III.A of this schedule).

⁹ Pursuant to section 13055(a)(5) of the Commission's regulations, this category includes all development not otherwise identified in this section, such as seawalls, docks and water wells.

¹⁰ Development cost includes all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission's jurisdiction.

III. OTHER FEES

A. Grading¹¹

- 50 cubic yards or less \$ 0
- 51 to 100 cubic yards \$ 500530
- 101 to 1,000 cubic yards \$ 1,0001,060
- 1,001 to 10,000 cubic yards \$ 2,0002,120
- 10,001 to 100,000 cubic yards \$ 3,0003,180
- 100,001 to 200,000 cubic yards \$ 5,0005,310
- 200,001 or more cubic yards \$ 10,00010,610

B. Lot line adjustment¹²

\$ 3,0003,180

C. Subdivision¹³

- Up to 4 new lots \$ 3,0003,180/ea
- More than 4 new lots \$ ~~12,000 plus \$1,000~~
12,730 plus 1,060 for each lot above 4

D. Administrative permit

\$ 2,5002,650¹⁴

E. Emergency permit

\$ 1,0001,060¹⁵

F. Amendment

- Immaterial amendment \$ 1,0001,060
- Material amendment [50% of fee applicable to underlying permit if it were submitted today] \$ _____ (calculate fee)

G. Temporary event which requires a permit pursuant to Public Resources Code section 30610(i)

- If scheduled on administrative calendar \$ 1,0001,060
- If not scheduled on administrative calendar \$ 2,5002,650

H. Extension¹⁶ and Reconsideration

- Single-family residence \$ 500530
- All other development \$ 1,0001,060

¹¹ The fee for grading is based on the cubic yards of cut, plus the cubic yards of fill.

¹² A lot line adjustment is between adjoining parcels where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created.

¹³ The fee is charged for each parcel created in addition to the parcels that originally existed.

¹⁴ Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

¹⁵ The emergency application fee is credited toward the follow-up permit application fee.

¹⁶ If permit extension is objected to by the Commission and the application is set for a new hearing, then a new application fee is required, based on type of development and/or applicable calendar.

- I. Request for continuance
 - 1st request No charge
 - Each subsequent request
(where Commission approves the continuance) \$ 1,000,060
- J. De minimis or other waivers \$ 500,530
- K. Federal Consistency Certification¹⁷
[The fee is assessed according to sections I, II, and III, above] \$ _____
- L. Appeal of a denial of a permit by a local government¹⁸
[The fee is assessed according to sections I, II, and III, above] \$ _____
- M. Written Permit Exemption \$ 250,270
- N. Written Boundary Determination \$ 250,270
- O. Coastal Zone Boundary Adjustment \$ 5,000,310

TOTAL SUBMITTED	\$
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¹⁷ Fees for federal consistency items will be assessed now that the Commission has received approval from NOAA to amend the California Coastal Management Program.

¹⁸ Pursuant to Public Resources Code section 30602 or 30603(a)(5).

TO BE COMPLETED BY STAFF

<i>SUBMITTED FEE VERIFIED BY:</i>	<i>DATE:</i>
<i>IS SUBMITTED AMOUNT CORRECT?</i>	
<input type="checkbox"/> Yes. Applicant has correctly characterized the development, and payment is appropriate.	
<input type="checkbox"/> Applicant did not fill out form, thus staff has marked the form to compute the fee, and applicant has paid fee.	
<input type="checkbox"/> No. Why? _____ _____	
<i>REFUND OR ADDITIONAL FEE REQUIRED? (STATE REASON)</i>	
<input type="checkbox"/> Refund amount (_____)	
<input type="checkbox"/> Additional fee amount (_____)	
REMINDER: RECORD FEE PAYMENT IN PERMIT LOG	
<i>FINAL FEE VERIFIED BY: (TO BE COMPLETED <u>AFTER</u> COMMISSION ACTION)</i>	<i>DATE:</i>

California Coastal Commission
Filing Fees Proposed Changes Per Consumer Price Index

Fee No.	CCC Fee Category	CCC Current Fee	CCC Proposed Fee (6.1% CPI between April 2008-April 2012)	ADJUSTED TO NEAREST DOLLAR PER SECTION 13055(c)
1	Waiver	\$500	\$531	\$530
2	Administrative Permit	\$2,500	\$2,653	\$2,650
3	Up to 4 SFRs <1,500 sq. feet	\$3,000/each	\$3,183/each	\$3,180/each
4	Up to 4 SFRs 1,501<5,000 sq. feet	\$4,500/each	\$4,775/each	\$4,780/each
5	Up to 4 SFRs 5,001<10,000 sq. feet	\$6,000/each	\$6,366/each	\$6,370/each
6	Up to 4 SFRs >10,001 sq. feet	\$7,500/each	\$7,958/each	\$7,960/each
7	5 or more SFRs average <1,500 sq. feet	\$15,000 or \$1,000/each*	\$15,915 or \$1,061/each*	\$15,920 or \$1,060/each*
8	5 or more SFRs average 1,501<5,000 sq. feet	\$22,500 or \$1,500/each*	\$23,873 or \$1,592/each*	\$23,870 or \$1,590/each*
9	5 or more SFRs average 5,001<10,000 sq. feet	\$30,000 or \$2,000/each*	\$31,830 or \$2,122/each*	\$31,830 or \$2,120/each*
10	5 or more SFRs average >10,001 sq. feet	\$37,500 or \$2,500/each*	\$39,788 or \$2,653/each*	\$38,790 or \$2,650/each*
11	Attached Residential up to 4 units	\$7,500	\$7,958	\$7,960
12	More than 4 Attached Residential units	\$10,000 or \$750 per unit**	\$10,610 or \$796 per unit*	\$10,610 or \$800 per unit*
	Subdivisions	\$3,000 for each of the first four lots. \$12,000 plus \$1,000 for each additional lot above 4.	\$3,183 for each of the first four lots. \$12,732 plus \$1,061 for each additional lot above 4.	\$3,180 for each of the first four lots. \$12,730 plus \$1,060 for each additional lot above 4.
13	Grading <51 c.y.	\$0	\$0	\$0
14	Grading 51<100 c.y.	\$500	\$531	\$530
15	Grading 101<1000 c.y.	\$1,000	\$1,061	\$1,060
16	Grading 1,001<10,000 c.y.	\$2,000	\$2,122	\$2,120
17	Grading 10,001<100,000 c.y.	\$3,000	\$3,183	\$3,180
18	Grading 100,001<200,000 c.y.	\$5,000	\$5,305	\$5,310
19	Grading >200,001 c.y.	\$10,000	\$10,610	\$10,610
	Commercial/Industrial Based on Gross Sq.Ft.			
20	Commercial/Industrial <1,000 sq. feet	\$5,000	\$5,305	\$5,310
21	Commercial/Industrial 1,001<10,000 sq. feet	\$10,000	\$10,610	\$10,610
22	Commercial/Industrial 10,001<25,000 sq. feet	\$15,000	\$15,915	\$15,920
23	Commercial/Industrial 25,001<50,000 sq. feet	\$20,000	\$21,220	\$21,220
24	Commercial/Industrial 50,001<100,000 sq. feet	\$30,000	\$31,830	\$31,830
25	Commercial/Industrial >100,001 sq. feet	\$50,000	\$53,050	\$53,050
	Commercial/Industrial Based on Devt Cost			
26	Commercial/Industrial <\$100,000	\$3,000	\$3,183	\$3,180
27	Commercial/Industrial \$100,001<\$500,000	\$6,000	\$6,366	\$6,370
28	Commercial/Industrial \$500,001<\$2,000,000	\$10,000	\$10,610	\$10,610
29	Commercial/Industrial \$2,000,001<\$5,000,000	\$20,000	\$21,220	\$21,220
30	Commercial/Industrial \$5,000,001<\$10,000,000	\$25,000	\$26,525	\$26,530
31	Commercial/Industrial \$10,000,001<\$25,000,000	\$30,000	\$31,830	\$31,830
32	Commercial/Industrial \$25,000,001<\$50,000,000	\$50,000	\$53,050	\$53,050
33	Commercial/Industrial \$50,000,001<\$100,000,000	\$100,000	\$106,100	\$110,100
34	Commercial/Industrial >\$100,000,000	\$250,000	\$265,250	\$265,250
35	Emergency permit	\$1,000	\$1,061	\$1,060
36	Immaterial amendment	\$1,000	\$1,061	\$1,060
37	Material amendment	50% of fee	50% of fee	50% of fee
38	Extension or reconsideration for single-family residences	\$500	\$531	\$530
39	Extension or reconsideration for all other developments	\$1,000	\$1,061	\$1,060
40	Temporary Events - if administrative	\$1,000	\$1,061	\$1,060
41	Temporary Events - if not administrative	\$2,500	\$2,653	\$2,650
42	Permit Exemption	\$250	\$265	\$270
43	Continuance 1st Request	\$0	\$0	0
44	Continuance for each subsequent request if approved by Commission	\$1,000	\$1,061	\$1,060
45	DeMinimis Waiver or other Waivers	\$500	\$531	\$530
46	Boundary Determination	\$250	\$265	\$270
47	Boundary Adjustment	\$5,000	\$5,305	\$5,310
48	Lot Line Adjustment	\$3,000	\$3,183	\$3,180
49	After the Fact***	5x normal permit fee	5x normal permit fee	5x normal permit fee
50	Federal Consistency Certification			
51	Appeal of a denial of a permit by local govt			

*Whichever is greater.

[1] Not to exceed \$100,000

[**] Not to exceed \$50,000

**Fees and fee increases will vary depending on project type.