

CALIFORNIA COASTAL COMMISSION

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DATE May 26, 2016

TO: Coastal Commission and Interested Persons

FROM: John Ainsworth, Acting Executive Director
Susan Hansch, Chief Deputy Director

SUBJECT: Filing Fee Increase effective July 1, 2016
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); Cal Code Regs., tit. 14, § 13055.) Under the Commission's regulations, the filing fees are adjusted annually to account for inflation. Increases are based on the year 2008, when the regulation for increases became effective. The percentage increase from 2008 to 2016 is 13.3 percent; effectively, this increases fees from the current fiscal year by 2.2%.

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.)

Based on the Department of Industrial Relations CPI Index Calculator, the California Consumer Price Index for Urban Consumers between April 2008 thru April 2016 increased by 13.3%. (<http://www.dir.ca.gov/dlsr/CPI/CPICalc.xls>.)

The schedule of filing fees will be adjusted for inflation effective July 1, 2016. The new fee schedule will be posted on the Commission's website and is attached, hereto. (See Exhibit 1.) The final amended regulation will be available on the Commission's website following review and approval by the Office of Administrative Law.

No Commission action is required.

Attachments:

Exhibit 1: Filing Fee Chart

Exhibit 2: Filing Fee Revised Schedule for Permit Application Form (effective July 1, 2016)

EXHIBIT 1
Filing Fee Chart

Fee #	CCC Filing Fee Category	March 2008 Original Filing Fee	Current Filing Fee	Fee Increase Based on Original Filing Fee at CPI 13.3% Inflation Rate	Rounded to the nearest \$1
1	Waiver	\$500	\$ 554	\$ 566.50	\$ 567
2	Administrative Permit	\$2,500	\$ 2,770	\$ 2,832.50	\$ 2,833
	Residential**				
3	Up to 4 SFRs <1,500 sq. feet	\$3,000	\$ 3,324	\$ 3,399.00	\$ 3,399
4	Up to 4 SFRs 1,501<5,000 sq. feet	\$4,500	\$ 4,986	\$ 5,098.50	\$ 5,099
5	Up to 4 SFRs 5,001<10,000 sq. feet	\$6,000	\$ 6,648	\$ 6,798.00	\$ 6,798
6	Up to 4 SFRs >10,001 sq. feet	\$7,500	\$ 8,310	\$ 8,497.50	\$ 8,498
7	5 or more SFRs average <1,500 sq. feet	\$15,000	\$ 16,620	\$ 16,995.00	\$ 16,995
	Or per residence*	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
8	5 or more SFRs average 1,501<5,000 sq. feet	\$22,500	\$ 24,930	\$ 25,492.50	\$ 25,493
	Or per residence*	\$1,500	\$ 1,662	\$ 1,699.50	\$ 1,700
9	5 or more SFRs average 5,001<10,000 sq. feet	\$30,000	\$ 33,240	\$ 33,990.00	\$ 33,990
	Or per residence*	\$2,000	\$ 2,216	\$ 2,266.00	\$ 2,266
10	5 or more SFRs average >10,001 sq. feet	\$37,500	\$ 41,550	\$ 42,487.50	\$ 42,488
	Or per residence*	\$2,500	\$ 2,770	\$ 2,832.50	\$ 2,833
11	Attached Residential up to 4 units	\$7,500	\$ 8,310	\$ 8,497.50	\$ 8,498
12	More than 4 Attached Residential units	\$10,000	\$ 11,080	\$ 11,330.00	\$ 11,330
	Or per unit*	\$750	\$ 831	\$ 849.75	\$ 850
13	Subdivisions – up to 4 new lots	\$3,000	\$ 3,324	\$ 3,399.00	\$ 3,399
	More than 4 new lots	\$12,000	\$ 13,296	\$ 13,596.00	\$ 13,596
	Plus each additional lot	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
14	Grading <51 c.y.	\$0	\$ -	\$ -	\$ -
15	Grading 51<100 c.y.	\$500	\$ 554	\$ 566.50	\$ 567
16	Grading 101<1000 c.y.	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
17	Grading 1,001<10,000 c.y.	\$2,000	\$ 2,216	\$ 2,266.00	\$ 2,266
18	Grading 10,001<100,000 c.y.	\$3,000	\$ 3,324	\$ 3,399.00	\$ 3,399

19	Grading 100,001<200,000 c.y.	\$5,000	\$ 5,540	\$ 5,665.00	\$ 5,665
20	Grading >200,000 c.y.	\$10,000	\$ 11,080	\$ 11,330.00	\$ 11,330
	Commercial/Industrial Based on Gross Sq.Ft.**		\$ -	\$ -	\$ -
21	Commercial/Industrial <1,000 sq. feet	\$5,000	\$ 5,540	\$ 5,665.00	\$ 5,665
22	Commercial/Industrial 1,001<10,000 sq. feet	\$10,000	\$ 11,080	\$ 11,330.00	\$ 11,330
23	Commercial/Industrial 10,001<25,000 sq. feet	\$15,000	\$ 16,620	\$ 16,995.00	\$ 16,995
24	Commercial/Industrial 25,001<50,000 sq. feet	\$20,000	\$ 22,160	\$ 22,660.00	\$ 22,660
25	Commercial/Industrial 50,001<100,000 sq. feet	\$30,000	\$ 33,240	\$ 33,990.00	\$ 33,990
26	Commercial/Industrial >100,001 sq. feet	\$50,000	\$ 55,400	\$ 56,650.00	\$ 56,650
	Commercial/Industrial Based on Devt Cost**		\$ -	\$ -	\$ -
27	Commercial/Industrial <\$100,000	\$3,000	\$ 3,324	\$ 3,399.00	\$ 3,399
28	Commercial/Industrial \$100,001<\$500,000	\$6,000	\$ 6,648	\$ 6,798.00	\$ 6,798
29	Commercial/Industrial \$500,001<\$2,000,000	\$10,000	\$ 11,080	\$ 11,330.00	\$ 11,330
30	Commercial/Industrial \$2,000,001<\$5,000,000	\$20,000	\$ 22,160	\$ 22,660.00	\$ 22,660
31	Commercial/Industrial \$5,000,001<\$10,000,000	\$25,000	\$ 27,700	\$ 28,325.00	\$ 28,325
32	Commercial/Industrial \$10,000,001<\$25,000,000	\$30,000	\$ 33,240	\$ 33,990.00	\$ 33,990
33	Commercial/Industrial \$25,000,001<\$50,000,000	\$50,000	\$ 55,400	\$ 56,650.00	\$ 56,650
34	Commercial/Industrial \$50,000,001<\$100,000,000	\$100,000	\$ 110,800	\$ 113,300.00	\$ 113,300
35	Commercial/Industrial >\$100,000,000	\$250,000	\$ 277,000	\$ 283,250.00	\$ 283,250
	Other				
36	Emergency permit	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
37	Immaterial amendment	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
38	Material amendment	50% of fee			
39	Extension or reconsideration for single-	\$500	\$ 554	\$ 566.50	\$ 567

	family residences				
40	Extension or reconsideration for all other developments	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
41	Temporary Events - if administrative	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
42	Temporary Events - if not administrative	\$2,500	\$ 2,770	\$ 2,832.50	\$ 2,833
43	Permit Exemption	\$250	\$ 277	\$ 283.25	\$ 283
44	Continuance 1st Request	\$0	\$ -	\$ -	\$ -
45	Continuance for each subsequent request if approved by Commission	\$1,000	\$ 1,108	\$ 1,133.00	\$ 1,133
46	De Minimis Waiver or other Waivers	\$500	\$ 554	\$ 566.50	\$ 567
47	Boundary Determination	\$250	\$ 277	\$ 283.25	\$ 283
48	Boundary Adjustment	\$5,000	\$ 5,540	\$ 5,665.00	\$ 5,665
49	Lot Line Adjustment	\$3,000	\$ 3,324	\$ 3,399.00	\$ 3,399
50	After the Fact**	5x normal permit fee			
51	Federal Consistency Certification***				
52	Appeal of a denial of a permit by local govt***				

*Whatever total is greater.

** Subject to cap of \$-56,650 (attached residential units) \$113,300 (residential) or \$283,250 (industrial/commercial).

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

California Coastal Commission
Filing Fees Proposed Modifications per the Consumer Price Index

EXHIBIT 2

**COASTAL DEVELOPMENT PERMIT FORM
APPENDIX E**

FILING FEE SCHEDULE

(EFFECTIVE JULY 1, 2016)

**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 \$113,300 for residential development and \$283,250 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.

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 \$ 567
- Administrative permit \$ 2,833²

A. Detached residential development

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

- 1,500 square feet or less \$ 3,399/ea
- 1,501 to 5,000 square feet \$ 5,099/ea
- 5,001 to 10,000 square feet \$ 6,798/ea
- 10,001 or more square feet \$ 8,498/ea

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

- 1,500 square feet or less \$ 16,995 or \$1,133/ea⁵
whichever is greater
- 1,501 to 5,000 square feet \$ 25,493 or \$1,700/ea⁵
whichever is greater
- 5,001 to 10,000 square feet \$ 33,990 or \$2,266/ea⁵
whichever is greater
- 10,001 or more square feet \$ 42,488 or \$2,833/ea⁵
whichever is greater

B. Attached residential development

- 2-4 units \$ 8,498
- More than 4 units \$ 11,330 or \$850/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 \$113,300.

⁶ Not to exceed \$56,650.

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"/>	\$ 5,665
1,001 to 10,000 square feet (gross)	<input type="checkbox"/>	\$ 11,330
10,001 to 25,000 square feet (gross)	<input type="checkbox"/>	\$ 16,995
25,001 to 50,000 square feet (gross)	<input type="checkbox"/>	\$ 22,660
50,001 to 100,000 square feet (gross)	<input type="checkbox"/>	\$ 33,990
100,001 or more square feet (gross).....	<input type="checkbox"/>	\$ 56,650

B. Based on Development Cost¹⁰

Development cost up to and including \$100,000	<input type="checkbox"/>	\$ 3,399
\$100,001 to \$500,000	<input type="checkbox"/>	\$ 6,798
\$500,001 to \$2,000,000	<input type="checkbox"/>	\$ 11,330
\$2,000,001 to \$5,000,000	<input type="checkbox"/>	\$ 22,660
\$5,000,001 to \$10,000,000	<input type="checkbox"/>	\$ 28,325
\$10,000,001 to \$25,000,000	<input type="checkbox"/>	\$ 33,990
\$25,000,001 to \$50,000,000	<input type="checkbox"/>	\$ 56,650
\$50,000,001 to \$100,000,000.....	<input type="checkbox"/>	\$ 113,300
\$100,000,001 or more	<input type="checkbox"/>	\$ 283,250

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	<input type="checkbox"/>	\$ 0
51 to 100 cubic yards.....	<input type="checkbox"/>	\$ 567
101 to 1,000 cubic yards.....	<input type="checkbox"/>	\$ 1,133
1,001 to 10,000 cubic yards.....	<input type="checkbox"/>	\$ 2,266
10,001 to 100,000 cubic yards.....	<input type="checkbox"/>	\$ 3,399
100,001 to 200,000 cubic yards.....	<input type="checkbox"/>	\$ 5,665
200,001 or more cubic yards.....	<input type="checkbox"/>	\$ 11,330

B. Lot line adjustment¹² \$ 3,999

C. Subdivision¹³

Up to 4 new lots	<input type="checkbox"/>	\$ 3,399/ea
More than 4 new lots.....	<input type="checkbox"/>	\$ 13,596 plus \$1,133 for each lot above 4

D. Administrative permit..... \$ 2,833¹⁴

E. Emergency permit..... \$ 1,133¹⁵

F. Amendment

Immaterial amendment	<input type="checkbox"/>	\$ 1,133
Material amendment [50% of fee applicable to underlying permit if it were submitted today]	<input type="checkbox"/>	\$ _____ (calculate fee)

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

If scheduled on administrative calendar.....	<input type="checkbox"/>	\$ 1,133
If not scheduled on administrative calendar.....	<input type="checkbox"/>	\$ 2,833

H. Extension¹⁶ and Reconsideration

Single-family residence.....	<input type="checkbox"/>	\$ 567
All other development	<input type="checkbox"/>	\$ 1,133

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) \$ 1,133
- J. De minimis or other waivers \$ 567
- 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..... \$ 283
- N. Written Boundary Determination \$ 283
- O. Coastal Zone Boundary Adjustment..... \$ 5,665

TOTAL SUBMITTED	\$
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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 AFTER COMMISSION ACTION)</i>	<i>DATE:</i>

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).