

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 4065

AN ORDINANCE AMENDING PORT ORDINANCE NO. 3859,
REVISING MASTER FEE SCHEDULE FOR DEVELOPMENT
PERMITS, SUBDIVISION ACTIONS, ENVIRONMENTAL
REVIEW, UTILITY SERVICES, AND DUPLICATION AND
RESEARCH SERVICES PROVIDED BY PORT.

WHEREAS, the Board of Port Commissioners has adopted and authorized a master fee schedule of various fees and charges pursuant to Ordinances Nos. 3859 to recover the reasonable costs of services provided by the Port to non-Port entities related to development permitting, subdivision approvals, environmental reviews, and related services; and

WHEREAS, the Board desires to amend the fees and charges to reflect changes in costs to the Port since the adoption of Ordinance No. 3859 in 2005, and the complexity of services required of the Port; therefore,

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. Section 1 of Ordinance No. 3859 shall be amended in its entirety and replaced upon the effectiveness of this Ordinance as follows:

"The following fee schedule is hereby adopted and effective on July 1, 2008. On every July 1 of each year thereafter ("Fee Adjustment Date"), the Executive Director shall adjust each fee in the fee schedule by 100 percent of the then Consumer Price Index (CPI-U, All Items, San Francisco - Oakland - San Jose) increase for the one year period before the last CPI reported prior to that Fee Adjustment Date. If said Index is changed so that the base year differs from the base year used in the last index published, the former Index shall be converted to the new Index in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics."

Fee Description	Fee	Unit
A. <u>Development Permits</u>		
Base Fee (Application & Approval)		
1. Application and Record-keeping	\$300	Each
2. Board Decision, Cat.Ex.	\$450	Each
3. Board Decision, Non-Cat.Ex.	\$1500	Each
4. Executive Director Decision, Cat.Ex.	\$300	Each
5. Executive Director Decision, non-Cat.Ex.	\$1125	Each
Additional Fees (added to Base Fee):		
6. New Construction	\$1500 10 hrs max	Review
7. Addition or Building Envelope Change	\$600 4 hrs max	Review
8. Interior, if required	\$600 4 hrs max	Review
9. Resubmittal or Additional Plan Review (beyond max. hours stated in 6-8) (fee estimate provided to applicant prior to work)	\$150/hr	Review
10. Sign (New or Size Increase)	\$375	Review
11. Port Design Review Committee	\$1200	Review
12. General Plan Conformity Report	\$750	Report
13. Grading		
a. Base Fee	\$600	Each
b. Surcharge		
i) 1-50 cubic yards	none	
ii) 51-1000 cubic yards	\$2	Cubic yard
iii) 1001-2000 cubic yards	\$1	Cubic yard
iv) over 2001 cubic yards	\$0.50	Cubic yard
14. Variance (including notification)	\$1200	Report
15. Notification (other than variance)	\$450	Report
16. Inspection, by Permit Coord. (for TCO approval)	\$225	Site visit
17. Inspection, Construction Department		
a. Standard Project	\$500 (3 visits) \$150/additional visit	
b. Resident Engineer for Tenant Improvement (RETI) (complex projects, special coordination with Port infrastructure	\$5000 minimum	
18. FAA 7460 Review	\$375	Review
19. Letter of Conformance (no base fee)	\$300	Letter
20. Public Convenience or Necessity (PCN) Finding under Alcoholic Beverage Control law		
a. If exempt (no base fee charged)	\$50	Finding
b. If Board approval required (no base fee charged)	\$525	Finding
21. Appeal of Executive Director's Decision on Building Permit or Variance to Board of Port Commissioners	\$750	Each

B. Subdivision Actions

1. Tentative Map, base fee	\$3800	Report
a. Tentative Map Lot Surcharge	\$50	Lot
b. Application Notification Fee	\$900	Report
2. Final Map	\$3000	Report
a. Final Map Lot Surcharge	\$25	Lot
3. Parcel Map Waiver	\$1600	Report
4. Tentative Parcel Map	\$800	Report
a. Application Notification Fee	\$700	Report
5. Parcel Map	\$1000	Report
6. Certificate of Compliance	\$800	Application

C. CEQA Environmental Review or (NEPA Equivalent)*

1. Categorical Exemption ("Cat.Ex.")	\$750	Exemption determinati on
2. Cat.Ex. California Fish and Game Filing Fee	\$50*	Filing
3. Negative Declaration Project	Greater of \$2250 or 25% of Neg. Dec. Consultant Fee	Report
4. Negative Declaration California Fish and Game Filing Fee	\$1877*	Filing
5. Environmental Impact Report Project	Greater of \$15,000 or 25% of EIR Consultant fee	Report
6. Environmental Impact Report California Fish and Game Filing Fee	\$2607*	Filing
7. Preliminary Project Review (project descriptions, plans, etc.)	\$375 (+\$150/hr over 2.5 hrs)	Project
8. Construction Monitoring (including pre- or post- construction) Deposit may be assessed at start of project based on estimate of time needed	\$375 (+\$150/hr over 2.5 hrs)	Project
9. Environmental Permit Review	\$375 (+\$150/hr over 2.5 hrs)	Project

10. Storm Water Pollution Prevention Plan review and inspections:		
a. Projects <1 acres disturbed soil:	\$4000	Review
b. Projects >1 acres disturbed soil:	\$7500	Review
11. Post-Construction Storm Water Controls (when required) design review, regulatory approval, and inspection:		
a. Projects <10,000 s.f. disturbed soil:	\$4000	Review
	\$7500	Review
b. Projects >1 acres disturbed soil: (AOA or Mar.)		
12. Challenge or appeal of Environmental Determination (appeal to Board of Port Commissioners of Executive Director or Board decision, etc.)	\$600 plus deposit based on \$150/hr estimated staff time to settle appeal	Appeal

***In addition to the above fee, applicant shall pay for all environmental review consultant costs.**

D. Utilities

1. Plan Check Fee without new service/upgrade	\$600	Review
2. Plan Check Fee with new service/upgrade	\$1800	Review
3. Consultation/Investigation of Existing Service Facilities	\$150/hr	first 2hrs included w/Plan Check payment, A10
4. Port Infrastructure Improvement and Inspection for new service/upgrade	\$150/hr	Pass thru Port Cost (incl. labor)
5. Other utility fees described in Utilities fee ordinance/resolution		

E. Duplication/Research:

1. 8 ½"x 11" or 14"		
a. up to 50 sheets	\$.10	Sheet
b. over 50 sheets if auto feed	\$.07	Sheet
2. Large Format (i.e. OCE printer, etc.):		
a. 24" - 36" width	\$5	Sheet
b. 11" X 17"	\$1.50	Sheet
3. Document Research:		
a. first 15 minutes	Free	
b. after the first minutes	\$20	15 minutes

4. Outsource: Copies may by an outside agency will be charged at same rate charged the Port plus 10% administrative fee

Section 2. A new Section 6 of Ordinance 3859 shall be added as follows:

"The fee schedule adopted pursuant to Section 1 of this Ordinance shall be referred to as the "Development Permitting, Subdivision and Environmental Review Master Fee Schedule."

Ordinance 3859 is further amended so that the phrase "Engineering Division Master Fee Schedule" shall be replaced with the phrase "Development Permitting, Subdivision and Environmental Review Master Fee Schedule" wherever such phrase is used.

Section 3. The Board of Port Commissioners hereby finds and determines that:

(a) The adoption of the fees in the Development Permitting, Subdivision and Environmental Review Master Fee Schedule, the authorization to collect the fees therein and the amendments pursuant to the foregoing sections of this ordinance are for the purpose of recovering the reasonable costs of providing the services outlined in the Development Permitting, Subdivision and Environmental Review Master Fee Schedule including, but not limited to the costs of personnel and materials;

(b) The adoption of this Ordinance amending Ordinance No. 3859 and the Development Permitting, Subdivision and Environmental Review Master Fee Schedule will not result in a direct or reasonably foreseeable indirect physical change in the environment, and it can be seen with certainty that there is no possibility that such other revisions may have a significant effect on the environment; and

(c) Accordingly, the adoption of this ordinance are exempt from the requirements of the California Environmental Quality Act (CEQA) under California Public Resources Code Section 21080(b)(8) and Sections 15273, 15060(c)(2) and 15061 (b)(3) of Title 14 of the California Code of Regulations.

Section 4. This ordinance shall take effect July 1, 2008.


The Board of Port Commissioners, Oakland, California, June 3, 2008. Passed to print for one day by the following vote: Ayes: Commissioners Ayers-Johnson, Gordon, Katzoff, McClure, Scates, Uno and President Batarse - 7. Noes: None

John T. Betterton
Secretary of the Board

Adopted at a regular meeting held June 17, 2008
by the following vote:

Ayes: Commissioners Ayers-Johnson, Gordon, Katzoff, McClure, Scates, Uno, and President Batarse - 7

Noes: None



President.

Attest: 

Secretary.

Approved as to form and legality:



Port Attorney