



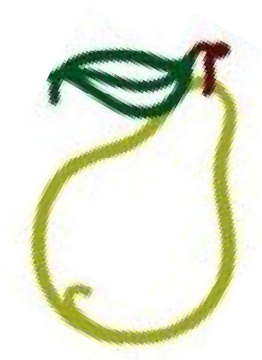
# **FY 2023-24**

# **Master Fee Schedule**

**(Effective July 23, 2023)**

# **Town of Moraga**





# **TOWN OF MORAGA**

**TOWN OF MORAGA**  
**GENERAL GOVERNMENT**



Description	FY 2023-24 Fee	Unit
<b>Consultant Services</b>	Cost + 25%	
<b>Hourly Rates for Staff Services:</b>		
Town Manager	\$324	Hour
Town Clerk	\$166	Hour
Senior Administrative Assistant	\$112	Hour
Administrative Assistant	\$84	Hour
Intern	\$44	Hour
<b>Planning Department:</b>		
Planning Director	\$254	Hour
Principal Planner	\$191	Hour
Senior Planner	\$159	Hour
Associate Planner	\$139	Hour
Assistant Planner	\$129	Hour
<b>Police Department:</b>		
Police Lieutenant	\$215	Hour
Police Corporal	\$144	Hour
Police Officer	\$136	Hour
<b>Public Works Department (2 Hour Minimum for Emergency Services):</b>		
Public Works Director	\$252	Hour
Senior Civil Engineer	\$186	Hour
Associate (Civil) Engineer	\$155	Hour
Public Works/Parks Maintenance Manager	\$147	Hour
Assistant (Civil) Engineer	\$144	Hour
Lead Maintenance Worker	\$118	Hour
Engineering Technician / Inspector	\$118	Hour
Senior Maintenance Worker	\$102	Hour
Maintenance Worker	\$88	Hour
<b>Service fee for credit card transactions processed by the Town</b>	4% of total credit card	
<b>Administrative Citation (MMC Chapter 1.28)</b>		
Administrative Citation		
First Violation	\$100	
Second Violation of the same Ordinance within one year	\$200	
Each Additional Violation of the same Ordinance within one year	\$500	
Appeal of Hearing Officer's Decision - to Town Council	\$500	Application Fee
Late payment (of Administrative Citation)	10% of citation	
<b>Checks</b>		
Returned Check (NSF) Fee	\$25	Each
Stop Payment / Re-issue	\$25	Each
<b>Documents</b>		
Adopted Budget (printed copy)	\$120	Each
Certified True Copy	\$15	Each
Comprehensive Annual Financial Report /	\$80	Each
Mailing of Documents	\$3	Each
<b>Notary Services</b>	\$15	Each
<b>Notice of Intent to File an Initiative</b>	\$200	Each
<b>Nuisance Abatement (MMC Chapter 7.16)</b>		
Appeal Application - Hearing Officer	\$250	Application Fee
Appeal of Hearing Officer's Decision - to Town Council	\$500 plus Planning or	Application Fee
<b>Photocopies</b>		
8-1/2 x 11" - Black and White	\$0.20	Page
8-1/2 x 11" - Color	\$0.50	Page
11 x 17" or 8-1/2 x 14" - Black and White	\$0.50	Page
11 x 17" or 8-1/2 x 14" - Color	\$1.00	Page

TOWN OF MORAGA  
GENERAL GOVERNMENT



Description	FY 2023-24 Fee	Unit
Plan-size sheets - Black and White	\$4.00	Sheet
Plan-size sheets - Color	\$4.50	Sheet
<b>Public Meetings</b>		
Town Council Agenda - U.S. Mail	\$100	Year



**TOWN OF MORAGA  
PARKS & RECREATION**



Description	FY 2023-24 Fee	Unit
All rentals require Certificate of Insurance listing the Town as additionally insured.		
<b>Moraga Park Rentals</b>		
Cancellation Fee - cancellation must be received in writing at least 7 days prior to rental	\$40	Event
Refundable Damage Deposit	Equal to the rental fee	
<b>Reserved Park Picnic Area - Small (Commons and Rancho):</b>		
Reservations are required for groups of 10 or more. Picnic area capacity is 40 people. If expected attendance is more than 40 people, large picnic area must be rented. Deposit equal to the event fee is required at the time of payment. Groups greater than 400 for park picnic area rentals require a special fee on a case-by-case basis.		
Nonprofit	\$77	Event
Resident	\$103	Event
Non-Resident	\$191	Event
Commercial	\$237	Event
<b>Reserved Park Picnic Area - Large (Commons and Rancho):</b>		
Reservations are required for groups of 10 or more. Deposit equal to the event fee is required at the time of payment. Groups greater than 400 for park picnic area rentals require a special fee on a case-by-case basis.		
Facility Maintenance Impact Fee (non-refundable)	\$155	groups over 100
Nonprofit	\$113	Event
Resident	\$144	Event
Non-Resident	\$232	Event
Commercial	\$278	Event
<b>Grass Areas:</b>		
Reservations are required for groups of 10 or more. Groups > 100 are also required to reserve accompanying Reserved Park Picnic Area - Large (fees listed above) in addition to Grass Area.		
Facility Maintenance impact fee (non-refundable)	\$155	groups over 100
Nonprofit	\$31	Hour
Private	\$41	Hour
Commercial	\$52	Hour
Bocce Ball, Volleyball, Basketball, Skatepark, Disc Golf:		
Nonprofit	\$31	Hour
Private	\$41	Hour
Commercial	\$52	Hour
Bocce Ball Set Rental	\$40	Set
Bocce Ball Set Rental Deposit	\$100	Set
<b>Moraga Commons Bandshell</b>		
Reservations are required for groups of 10 or more and for commercial uses.		
Refundable Use Deposit	\$350	Use

**TOWN OF MORAGA  
PARKS & RECREATION**



Description	FY 2023-24 Fee	Unit
Amplification Surcharge	\$350	Use
Facility Attendant	\$40 (2-hour minimum)	Hour
Facility Maintenance Impact Fee (non-refundable)	\$155	groups over 100
Hourly Rental Rates		
Nonprofit	\$40	Hour
Private	\$50	Hour
Commercial	\$70	Hour
<b>Room Rentals</b>		
All fees will be based on an hourly rate with a 2 hour minimum. Deposits are due at the time of booking.		
Fees are applicable year round, Sunday through Saturday.		
<b>Deposits:</b>		
Room Rentals	\$450	Rental Deposit
Photography	\$100	Deposit
<b>Cancellation Fee</b> - cancellation must be received in writing at least 7 days prior to rental	\$40	Room
<b>Facility Attendant:</b> Required for all rentals except 1) Library rentals to non-profit/homeowners in good standing and 2) Hacienda rentals during regular business hours (Mon-Fri 8am -5pm)	\$40 (2-hour minimum)	Hour
<b>Library Community and Garden Conference Room:</b>		
Nonprofit	\$26	Hour
Private	\$41	Hour
Commercial	\$72	Hour
<b>La Sala/Casita:</b>		
Nonprofit	\$36	Hour
Private	\$52	Hour
Commercial	\$88	Hour
<b>Town Council Chambers and Community Meeting Room:</b>		
Government	\$41	Hour
Non-Profit	\$77	Hour
Private	\$113	Hour
Commercial	\$155	Hour
Refundable Use Deposit	\$1,000	Use
<b>Photography Fee:</b>		
Nonprofit	\$100	Day
Private	\$100	Day
Commercial	\$100	Day
<b>Activity Guide Commercial Advertising Space</b>		
Quarter Page	\$250	Publication
Half Page	\$500	Publication
Back Cover	\$750	Publication
<b>Electronic Community Information Sign/Temporary Banner Permit</b>		
Nonprofit/Private/Commercial	\$100	Week
<b>Bricks</b>		
<b>Brick:</b>		
Nonprofit	\$146	Brick
Private	\$182	Brick
Commercial	\$208	Brick

**TOWN OF MORAGA  
PARKS & RECREATION**



Description	FY 2023-24 Fee	Unit
<b>VIP Section:</b>		
Nonprofit	\$244	Brick
Private	\$364	Brick
Commercial	\$484	Brick
<b>Booth Fee: 4th of July and Pear &amp; Wine Festival</b>		
Nonprofit	\$80	Event
Private/Commercial	\$125	Event
<b>Moraga School District and Saint Mary's College</b>	Fees will be set based on any existing Shared Facility Use Agreement, eliminating rental fees for specific facilities to both parties.	
<b>Moraga Park Foundation / Chamber of Commerce / Moraga Orinda Fire District</b>	Varies. Facility fees waived for Board of Director meetings and community events hosted at the Hacienda, Moraga Commons Park, Community Meeting Rooms/Town Council Chambers, or the Electronic Community Information Sign. The organization will pay current hourly rate for the cost of a facility attendant.	
<b>Recreation Class Fees</b>		
Fees for classes/activities/programs shall be charged at the rates published three times per year in the department brochure that describes schedule of events, and will include the following:		
Processing fee for dropping a class/activity/program	\$12	Class



Description	FY 2023-24 Fee	Unit
<b>GIS Services</b>	Cost of Service*	
<b>Staff Consulting Services</b>	Cost of Service* - \$1,000 deposit	
<b>Accessory Dwelling Unit (Formerly Secondary Living Unit)</b>	Cost of Service* - \$1,800 deposit	
<b>Address Change of Site / Property Located in Moraga</b>	\$695	Flat Fee
<b>Building Permit Surcharge</b>	50% of County Permit Fee	
<b>Building Permit Plan Check</b>	\$280	Flat Fee
<b>Building Permit Plan Check with Design Exemption Determination</b>	\$350	Flat Fee
<b>Building Permit Revision Plan Check</b>	\$210	Flat Fee
<b>Certificate of Compliance</b>	Cost of Service* - \$2,500 deposit	
<b>Condominium Conversion</b>	Cost of Service* - \$5,000 deposit	
<b>Design Review</b>		
<b>Design Review Board:</b>		
Minor DRB Project (including but not limited to residential additions under 1,000 square feet, decks, accessory buildings and structures; minor commercial façade changes)	Cost of Service* - \$3,500 deposit	
Major Project (including but not limited to new residential or non-residential building construction, residential additions over 1,000 square feet, major modifications to non-residential buildings and sites)	Cost of Service* - \$5,000 deposit	
<b>Administrative Design Review:</b>		
Minor Exterior Modifications, No Change in Building Envelope, that does not otherwise require Design Review Board (DRB) approval	\$850	Flat Fee
Buildings and additions <250 sq ft and accessory structures <500 sq ft that do not otherwise require DRB or PC approval	\$1,545	Flat Fee
Buildings and additions >251 sq ft and accessory structures >501 sq ft that do not otherwise require DRB or PC approval or have special issues such as drainage easements	\$2,795	Flat Fee
<b>Additions Requiring Engineering Review:</b>		
Additional fee applicable to Design Review Board and Administrative Design Review projects	Cost of Service* - \$1,000 deposit per issue	
<b>Appeals:</b>		
Appeal by Applicant of Planning Commission, Design Review Board or Town Manager Decision (Note: Applicant must cover full cost to process appeal)	Cost of Service* - \$3,000 deposit	
Appeal by Private Party (other than Applicant) of Planning Commission, Design Review Board, or Town Manager Decision (Note: Appellant must cover full cost to process appeal)	Cost of Service* - \$1,000 deposit	
Appeal of Planning Director or Zoning Administrator Decision (Note: Appellant must cover full cost to process appeal)	Cost of Service* - \$500 deposit	
Appeal of Town Manager Decision regarding Tree Removal Permit	\$230	Flat Fee





Description	FY 2023-24 Fee	Unit
<b>Environmental</b>		
Initial Study/Negative Declaration or Mitigated Negative Declaration	Cost of Service* - deposit equal to 50% of contract cost (staff, legal and other administrative costs to be billed against deposit)	
Environmental Impact Report	Cost of Service* - deposit equal to 50% of contract cost (staff, legal and other administrative costs to be billed against deposit)	
Notice of Exemption	\$350	Flat Fee
<b>Fence Permit (Public Hearing not required)</b>	\$500	Flat Fee
<b>Film Permit (for filming in public right-of-way or on Town Property)</b>		
Excludes encroachment permit fee, Police Services, and Facility Rental Fees, if required	\$1,390	Day
<b>General Plan Amendment</b>	Cost of Service* - \$10,000 deposit	
<b>GIS Mapping "New Lot" Fee</b>	\$415	Flat Fee
<b>Grading Approval (Planning):</b>		
Design Review Administrator: Grading projects on slopes less than 20% and less than 200 cubic yards	Cost of Service* - \$1,500 deposit	
Design Review Board (DRB): Grading on slopes greater than or equal to 20% or on predevelopment average slopes less than 25% and equal to or greater than 200 cubic yards	Cost of Service* - \$3,000 deposit	
Planning Commission/ Town Council: Projects including landslide repair or slope stabilization on predevelopment average slopes greater than or equal to 25%	Cost of Service* - \$9,600 deposit	
<b>Historic Landmark Nomination Application</b>	Cost of Service* - \$3,000 deposit	
<b>Hillside Development Permit:</b>		
Zoning or Design Review Administrator	\$2,085	Flat Fee
Design Review Board or Planning Commission	Cost of Service* - \$3,000 deposit	
Town Council	Cost of Service* - \$9,600 deposit	
<b>Land Use Permit:</b>		
Conditional Use Permit (Planning Commission)	Cost of Service* - \$3,500 deposit	



Description	FY 2023-24 Fee	Unit
Permitted Use, Subject to Findings (Zoning Administrator Approval)	Cost of Service* - \$2,000 deposit	
Use Permit Amendment, including Modification to Conditions of Approval	Cost of Service* - \$2,000 deposit	
<b>Landscape Maintenance Agreement</b>	Cost of Service* - \$2,000 deposit	
<b>Lot Line Adjustment</b>	Cost of Service* - \$4,000 deposit	
<b>Model Water Efficient Landscape Ordinance (MWELO)</b>	Cost of Service* - \$1,500 deposit	
<b>Planned Development Application:</b>		
Minor PD - less than 10 acres and 5 units:		
Conceptual Development Plan	Cost of Service* - \$12,000 deposit	
General Development Plan	Cost of Service* - \$12,000 deposit	
Precise Development Plan	Cost of Service* - \$12,000 deposit	
Major PD - 10+ acres or 5+ units:		
Conceptual Development Plan	Cost of Service* - \$17,000 deposit	
General Development Plan	Cost of Service* - \$17,000 deposit	
Precise Development Plan	Cost of Service* - \$17,000 deposit	
<b>Pre-Application Meeting</b>	Cost of Service* - deposit in full	
<b>Reconsideration</b>	Cost of Service* - \$2,000 deposit	
<b>Reroof Permit / Solar Permit</b>	\$210	
<b>Rezoning or Zoning Text Amendment</b>	Cost of Service* - \$10,000 deposit	
<b>Senate Bill (SB) 330 Preliminary Application</b>	Cost of Service* - \$2,000 deposit	
<b>Senate Bill (SB) 35 Streamlined Ministerial Development Review</b>	Cost of Service* - \$5,000 deposit	
<b>Senate Bill (SB) 9</b>		
Urban Housing Development (UHD)	Cost of Service* - \$4,200 deposit	
Urban Lot Split (ULS)	Cost of Service* - \$4,200 deposit	
<b>Short Term Events:</b>		
Short Term Promotional / Special Event Permit	\$350	Flat Fee
Administrative Temporary Uses	Cost of Service* - \$1,800 deposit	



Description	FY 2023-24 Fee	Unit
Conditional Temporary Uses	Cost of Service* - \$3,500 deposit	
<b>Sign Applications</b>		
Sign (Design Review Administrator or Zoning Administrator)	\$420	Flat Fee
Sign (Design Review Board or Town Council)	Cost of Service* - \$1,500 deposit	
Sign (with approved Master Sign Program)	\$280	Flat Fee
Temporary Sign Permit	\$245	Flat Fee
<b>Small Cell Wireless</b>	Cost of Service* - \$3,000 deposit	
<b>Specific Plan Fee:</b> Applies to developments in the Moraga Center Specific Plan. Fee is charged at time of building permit issuance. Fee is based on the number of peak hour and peak direction trips		
Residential:		
Saint Mary's Housing	\$695	Unit
Workforce Housing (12-20/ac)	\$721	Unit
Senior Housing (12-20/ac)	\$412	Unit
Single Family (3-6 DUA)	\$1,185	Unit
Compact Single Family (10-12/ac)	\$721	Unit
Non-Residential	\$2,575	Peak hr. trip
<b>Study Session - New Construction</b>		
With Planning Commission	Cost of Service* - \$3,000 deposit	
<b>Study Session - Existing Single Family Residence</b>		
With Design Review Board	Cost of Service* - \$1,500 deposit	
With Planning Commission	Cost of Service* - \$1,500 deposit	
<b>Subdivision Improvement Agreement</b>	Cost of Service* - \$5,000 deposit	
<b>Subdivision Major (5+ Lots) / Tentative Map</b>	Cost of Service* - \$12,000 deposit	
<b>Subdivision Minor (3-4 Lots) / Parcel Map</b>	Cost of Service* - \$9,000 deposit	
<b>Extension of Previously approved Major or Minor Subdivision Map</b>	Cost of Service* - \$3,000 deposit	
<b>Tree Removal</b>		
Tree Removal Permit	\$280	Per Tree
Tree Removal Fine	\$1,115	Per Tree
<b>Variance (Planning Commission)</b>	Cost of Service* - \$3,500 deposit	
<b>Variance (Zoning Administrator)</b>	Cost of Service* - \$2,000 deposit	
<b>Verification of Conditions of Approval</b>	\$140/condition (paving, landscaping, colors, etc.)	



Description	FY 2023-24 Fee	Unit
Waste Management Plan Fee	Included with Building Permit Plan Check	
Waste Management Plan Penalty	\$1,000 or 1% of construction cost, whichever is less	
Zoning Administrator Action – No Hearing	Cost of Service* - \$2,000 deposit	
Zoning Conformance Letter - Request for Written Verification	\$695	Flat Fee
Affordable Housing Fractional In Lieu Fee per total habitable sq ft in project	For-Sale Units	Rental Units
6-unit projects	\$13.00/SF	\$8.30/SF
7-unit projects	\$22.30/SF	\$14.30/SF
8-unit projects	\$29.30/SF	\$18.80/SF
9-unit projects	\$34.70/SF	\$22.20/SF
10 or more-unit projects <sup>(1)</sup>	\$39.00/SF <sup>(1)</sup>	\$25.00/SF <sup>(1)</sup>
<p>(1) Rates for projects with ten or more units are prorated based on the portion of the inclusionary unit obligation to be satisfied with in-lieu fees. Proration is calculated by multiplying the applicable per square rate by a fraction, with the numerator of such fraction equal to the number of units for which in-lieu fees are proposed to be paid, and the denominator of such fraction equal to the total number of inclusionary units that are required.</p>		
For-Sale Units	$\$39 \text{ PSF Gross fee} \times \frac{\text{Fractional Inclusionary Units Owed}}{\text{Total Inclusionary Units Required}} \times \text{Habitable Square Feet} = \text{Total Due}$	
Rental Units	$\$25 \text{ PSF Gross fee} \times \frac{\text{Fractional Inclusionary Units Owed}}{\text{Total Inclusionary Units Required}} \times \text{Habitable Square Feet} = \text{Total Due}$	
<p><b>* Cost of Service Fees:</b> The cost for each application, except those which have a fixed fee as provided above, shall be the actual cost incurred by the Town based upon the time spent by staff, work performed by consultants and legal counsel for the Town, materials and other related incidental expenses such as printing, mailing and CEQA filing fees. The initial deposit specified for the application is based upon the average cost of previous applications; therefore, it may not be sufficient to cover the actual cost incurred in processing a particular project.</p> <p>The initial deposit shall be the sum of the required deposits for all applications.</p> <p>If, after work has commenced, it is determined by the Town that the costs will exceed the original deposit, then the applicant shall be billed for the excess amount and an additional deposit shall be made based on an estimate by the staff on the amount of work remaining to complete the processing of the project. If the cost is less than the deposit, the excess of the deposit over the cost shall be refunded to the applicant 60 days after the close of the project. No processing by the Town shall occur unless all deposits called for above have been made by the applicant.</p>		
<p><b>Advanced Planning Fee:</b> A 10% Advanced Planning Surcharge is applied to all Planning's Staff Services and all Flat Fees.</p>		
<p><b>Deposits for projects where the resources required exceed those available in the Planning Department:</b> When it is determined by the Planning Director that resources or technical skills beyond the capability of the resident staff are required to evaluate an application, the staff shall secure an estimate for the cost for such services by outside consultants. Time for Planning Department staff to manage such contracts shall be billed at the hourly rates stated above.</p>		
<p><b>Refunds:</b> If an application is withdrawn 15 days after formal submittal, 20% of the fee or \$800 whichever is greater will be charged to the account. The account will not be refunded after 30 days.</p>		



Description	FY 2023-24 Fee	Unit
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**Government Code Section 65104** authorizes the Town to charge fees to support the work of the Planning Department provided that the fees do not exceed the reasonable cost of providing the service for which the fee is charged.

**TOWN OF MORAGA  
POLICE DEPARTMENT**



Description		FY 2023-24 Fee	Unit
<b>Accident Reports</b>		\$15	Each
<b>Background Check (Local)</b>		\$26	Each
<b>Citation Sign-Off</b>		No Charge	
Non-Resident		\$26	Each
<b>False Alarm Fee</b>		\$50	Each
<b>Fingerprinting - Standard</b>			
Resident		\$41	Set
Non-Resident		\$51	Set
Additional Card		\$5	Each
<b>Fingerprinting - Live Scan</b>			
Resident		\$41 + DOJ Fees	Set
Non-Resident		\$51 + DOJ Fees	Set
<b>Juvenile Diversion Program</b>		\$125	Incident
<b>Loss Verification</b>			
Resident		\$23	Each
Non-Resident		\$33	Each
<b>Parking Violations (California Vehicle Code, Section 40203.5)</b>			
Moraga Municipal Code			
10.08.020	No Parking/Restricted Zone	\$45	Violation
10.08.030(a)	Within Divisional Island	\$45	Violation
10.08.030(b)	Within Crosswalk	\$45	Violation
10.08.030(c)	Red Curb	\$45	Violation
10.08.030(d)	Posted No Parking	\$45	Violation
10.08.030(e)	Causes Hazard	\$45	Violation
10.08.030(f)	Area with 24 hour notice	\$45	Violation
All other municipal, county or park district ordinance violations		\$45	Violation
Vehicle Code			
5200 VC	No Front License Plate	\$45	Violation
5201 VC	Position of License Plate	\$45	Violation
5204 VC	Tabs Not Displayed	\$45	Violation
21113(a) VC	Parking on Public Grounds	\$45	Violation
21211(b) VC	Parked in Bicycle Lane	\$45	Violation
22500.1 VC	Fire Lane	\$45	Violation
22500(a) VC	Blocking Intersection	\$45	Violation
22500(b) VC	Blocking Crosswalk	\$45	Violation
22500(c) VC	Parking Adjacent to Safety Zone	\$45	Violation
22500(d) VC	Parking w/in 15' of fire station driveway	\$45	Violation
22500(e) VC	Blocking driveway	\$45	Violation
22500(f) VC	Blocking sidewalk	\$45	Violation
22500(g) VC	Blocking excavation	\$45	Violation
22500(h) VC	Double Parking	\$45	Violation
22500(i) VC	Parking in Posted Bus Zone	\$250	Violation
22500(j) VC	Parking in tube or tunnel	\$45	Violation
22500(k) VC	Parking on Bridge	\$45	Violation
22500(l) VC	Blocking Wheelchair Access	\$285	Violation
22502(a) VC	Curb Parking - right wheel >18" away	\$45	Violation
22507.8 VC	Handicapped Parking	\$285	Violation
22514 VC	Blocking Fire Hydrant	\$45	Violation
22522 VC	Blocking Handicapped Ramp	\$285	Violation
All other Vehicle Code violations		\$45	Violation



**TOWN OF MORAGA  
POLICE DEPARTMENT**



Description	FY 2023-24 Fee	Unit
<b>Permits</b>		
ABC Permit Process	\$20	Each
Peddler-Solicitor Permit		
Permit	\$50	Each
Fingerprinting - Live Scan	\$41 + DOJ Fees	Each
Oversize Vehicle Parking Permit	\$20	Each
Firearms Sale-Police Permit	\$100 + Livescan Fees	Each
<b>Photos</b>	\$5	Each
<b>CD/Audio tape</b>	\$15	Each
<b>DVD/Video tape</b>	\$25	Each
<b>Police Reports</b>	\$15	Each
<b>Police Services - Billable/Reimbursable</b>		
Police Vehicle	\$20	Flat Rate
<b>Repossession Release (CA Government Code 41612)</b>	\$15	Each
<b>Vehicle ID Verification:</b>		
At Police Dept	\$41	Each
At Residence	\$51	Each
<b>Vehicle - Release of Impounded/Stored Vehicles</b>	\$150	Vehicle

DOJ: Department of Justice Fee Structure



Description	FY 2023-24 Fee	Unit
<b>Public Works Equipment Rentals:</b>		
Standard Type 1 Barricade (with Flashing Beacon)	\$1.13/day; 2 day minimum	Each
Type 3 Barricade (for 2 lane road closure a minimum of 3 are required)	\$2.62/day; 2 day minimum	Each
28-inch Traffic Cone	\$0.68/day; 2 day minimum	Each
Rental Deposit	Rental Fee multiplied by 20 (used to purchase replacement equipment that is damaged during rental or returned to renter if no damage)	
Drop off & Pickup of Rental Equipment	Cost of Service* \$204 (minimum 2 hours @ \$102/hour)	Hour
Setup of Traffic Control Equipment	Cost of Service* \$204 (minimum 2 hours @ \$102/hour)	Hour
Rental Fees	Cost + 25% (An equivalent rental rate for Purchased Equipment based on life cycle costs will be charged)	
<b>General Engineering Permits Fees:</b>		
Permit Administrative Fee - collected on all applications	\$288	Application
Permit Administrative Fee Waiver – Public Works Director may waive permit administrative fee for Town projects. Town Manager may waive permit administrative fee for Town sponsored activities and events. Granting a waiver is at the discretion above named staff positions. A Permit Administrative Fee waiver determination is not appealable. All other fees and submittal requirements remain in effect.		Waiver
Work outside permit hours ( <i>normal permit hours are 8 AM to 5 PM</i> ). <i>This Overtime Rate (1.5 * regular rate) for after hours work and Overtime Rate (2 * regular rate) on Holidays. Staff called into work outside normal schedule receive minimum 30 minutes travel pay each way.</i>	Cost of Service* \$576 (minimum 4 hours @ \$144/hr.)	Hour



Description	FY 2023-24 Fee	Unit
Investigation of Work Without a Permit or Without Inspection	An investigation fee shall be charged equal to two times the amount of all permit fees required by this ordinance, with a minimum of \$500. The fee is additive to the permit fees.	
<b>Encroachment Applications:</b>		
Concrete Permit Fee (sidewalk, driveway, curb & gutter, ditches, etc.)	Cost of Service* \$576 (minimum 4 hours @ \$144/hr.)	Hour
Excavation Permit Fee (Street Cut)	Cost of Service* \$576 (minimum 4 hours @ \$144/hr.)	Hour
Excavation Permit Fee (Street Cut) - Deposit Required for projects greater than 15 days.	Cost of Service* \$3,500 deposit	
Street Storage Permit Fee ( <i>1 space is defined as 16 foot by 8 foot for type large sized container</i> )	\$72	Space per Day
Drainage Easement Permit Fee	Cost of Service* \$465 (minimum 3 hours for initial research @ \$155/hour) plus \$2,000 deposit	Hour
Revocable Encroachment Agreement	\$1,500 + \$388/year (minimum 2.5 hours for initial research @ \$155/hour)	Application
Signalized Intersection Encroachment Bond	\$10,000 Bond	Application
Excavation Bond (Street Cut)	Deposit amount equal to the calculation of the excavation area multiplied by the unit price for pavement restoration and adjusted by the latest California Department of Transportation cost database plus 25% for administration as a warranty bond returned after 1 year if the trench does not develop any wearing surface or major defects.	Bond



Description	FY 2023-24 Fee	Unit
<b>Transportation Applications:</b>		
Traffic Control Review	Cost of Service* \$144/hr. (minimum 1 hour)	Hour
Hauling Permit	Project proponent shall correct, or pay for, the "haul incurred" damage, as determined by the Town Engineer or Public Works staff, in accordance with Resolution 2-83.	Case-by-case
Oversize Loads Permit (Annual)	\$90	Per Vehicle
Curb Painting Review	Cost of Service* \$288/hr. (minimum 2 hours @ \$144/hour)	Hour
<b>Grading Applications:</b>		
<b>Erosion Control Plan Review &amp; Inspection:</b>		
Between April 15 and October 15	Fee: \$155/hour of potential erosion creating activities; plus Cash Bond: \$1,000	Hour
<b>Between October 16 and April 14:</b>		
50 cubic yards or less	Fee: \$5,000; plus Cash Bond: \$2,500 <sup>(1)</sup>	
51 - 500 cubic yards	Fee: \$6,400; plus Cash Bond: \$2,500 <sup>(1)</sup>	
501 - 1000 cubic yards	Fee: \$8,475; plus Cash Bond: \$5,000 <sup>(1)</sup>	
1,001 - 10, 000 cubic yards	Fee: \$11,800; plus Cash Bond: \$10,000 <sup>(1)</sup>	
10,001 - 100,000 cubic yards	Fee: \$17,700; plus Cash Bond: \$20,000 <sup>(1)</sup>	
> 100,000 cubic yards	Fee: \$22,600; plus Cash Bond: \$40,000 <sup>(1)</sup>	
	<sup>(1)</sup> or the amount of the erosion control measures as implemented, whichever is greater.	
<b>Grading Plan Review Fees:</b>		
50 cubic yards or less	Cost of Service*; \$2,000 deposit	
51 - 200 cubic yards	Cost of Service*; \$2,500 deposit	

**TOWN OF MORAGA**  
**PUBLIC WORKS & ENGINEERING**



Description	FY 2023-24 Fee	Unit
201-1,000 cubic yards	Cost of Service*; \$3,000 deposit	
1,001 - 10,000 cubic yards	Cost of Service*; \$3,500 deposit	
10,001 - 100,000 cubic yards	Cost of Service*; \$7,500 deposit	
> 100,000 cubic yards	Cost of Service*; \$17,500 deposit	
<b>Geotechnical Review</b>	Cost + 25%	
<b>Plan Revision After Approval</b>	\$155	Sheet
<b>Grading Inspection Fees:</b>		
50 cubic yards or less	\$925	Flat Fee
51 - 1,000 cubic yards	\$1,000 + \$100/50 cubic yards	
1,001 - 10,000 cubic yards	\$2,625 + \$100/100 cubic yards	
10,001 - 100,000 cubic yards	\$3,875 + \$100/150 cubic yards	
> 100,000 cubic yards	\$28,575 + \$100/250 cubic yards	
Grading Permit Surcharge	50% of County permit fee	
Geotechnical Inspection	Cost of Service* plus 25%	
Work Extends Beyond One Year	Cost of Service*; \$2,500 deposit	
Work Extends Beyond Two Years	Cost of Service*; \$5,000 deposit	
Pool Removal Grading Permit		
Annual Storm Water BMP Inspections and Reporting	Cost of Service* \$155/hour; minimum 1 hour	Hour
<b>Land Development Applications:</b>		
<b>Site Improvements (Plan Review):</b>		
<b>Public Improvements (including public off-site improvements):</b>		
<\$250,000	Cost of Service* Deposit: 2.5% or \$2,500 minimum	
\$250,001 - \$1,000,000	Cost of Service* Deposit: 2.25%	
>\$1,000,000	Cost of Service* Deposit: 2.5%	

**TOWN OF MORAGA  
PUBLIC WORKS & ENGINEERING**



Description	FY 2023-24 Fee	Unit
<b>Private Improvements</b>	Cost of Service* Deposit: 1.0% or \$2,500 minimum	
<b>Landscape Improvements (Public or Private)</b>	Cost of Service* Deposit: 2.5% or \$2,500 minimum	
<b>Plan Revisions After Approval</b>	\$155	Hour
<b>Site Improvements (Inspection):</b>		
<b>Public Improvements (including public off-site improvements):</b>		
<\$50,000	Cost of Service* Deposit: 8.0% of construction cost	
\$50,001 - 150,000	Cost of Service* Deposit: 6.0% of construction cost	
\$150,001 - 300,000	Cost of Service* Deposit: 5.0% of construction cost	
\$300,001 - 500,000	Cost of Service* Deposit: 4.0% of construction cost	
>\$500,000	Cost of Service* Deposit: 3.0% of construction cost	
<b>Private Improvements:</b>		
<\$50,000	Cost of Service* Deposit: 5.0% of construction cost	
\$50,001 - 150,000	Cost of Service* Deposit: 4.0% of construction cost	
\$150,001 - 300,000	Cost of Service* Deposit: 3.0% of construction cost	
\$300,001 - 500,000	Cost of Service* Deposit: 2.0% of construction cost	
>\$500,000	Cost of Service* Deposit: 1.0% of construction cost	
Landscape Improvements (Public or Private)	Cost of Service* Deposit: 8.0% of construction cost	
GIS Conversion of Improvement Plan As-Built and Final or Parcel Map	Cost of Service* \$155/hour; minimum 1 hour	Hour





Description	FY 2023-24 Fee	Unit
Performance Bond	99% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Performance Cash Bond	1% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Cash Bond
Payment Security Bond	50% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Warranty Bond	15% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
<b>Map Checking:</b>		
Final Map Review (5 or more parcels, or condominiums)	Cost of Service* Deposit: \$1,500 + \$50/lot or \$7,000 minimum	
Parcel Map Review (4 or fewer parcels)	Cost of Service*; \$3,000 deposit	
Lot Line Adjustment	Cost of Service*: \$155/hr.; minimum 4 hours	Hour
County Land Surveyor Services	Cost of Service*	
Certificate of Correction	Cost of Service*; \$1,500 deposit	
Subdivision Monument Checking Fee	\$179	Each
Base Map Revision (Subdivisions)	\$90	Lot
<b>Project Closeout:</b>		
Warranty inspection and bond release for Subdivisions	\$544 plus \$155 per lot or unit	
Warranty inspection and bond release for Single Lot	\$604	Flat Fee
Subdivision Improvement Agreement and Development Agreement Extension Processing	Cost of Service* \$310 Fee per extension plus hourly staff time	Hour



Description	FY 2023-24 Fee	Unit
<b>Other Services:</b>		
Condition of Approval Compliance Review (no improvement plans)	Cost of Service* \$155/hr.; minimum 2 hours	Hour
Drainage or Storm Water Control Plan Review (no improvement plans)	Cost of Service* \$155/hr.; minimum 2 hours	Hour
Street Vacation Request	Cost of Service*; \$3,000 deposit	
Letter of Map Revision / Amendment	Cost of Service*; \$1,500 deposit	
Easements/Dedication/Vacations (Utilities & Emergency Vehicles)	Cost of Service*; \$3,000 deposit	
<b>Planning Application Reviews (Administered through Planning Department):</b>		
Planning Department fees vary depending upon the process required. See Planning Department fees section.		
Planning Applications with Deposit	Actual Staff Time	
Sign Ordinance Violations	\$40	Per Violation
<p><b>* Cost of Service:</b> The cost for each application, except those which have a fixed fee as provided above, shall be the actual cost incurred by the Town based upon the time spent by staff, work performed by consultants and legal counsel for the Town, materials and other related incidental expenses such as printing and mailing. The initial deposit for the application is determined by the Engineering Director based upon the complexity of the application; therefore, it may not be sufficient to cover the actual cost incurred in processing a particular project.</p>		
<p>The initial deposit shall be the sum of the required deposits for all applications.</p>		
<p>Insufficient Deposit Funds: If, after work has commenced, 50% of original deposit has been depleted, then the applicant will deposit additional funds based on a revised estimate by the staff on the amount of work remaining to complete the processing of the project. If the cost is less than the deposit, the excess of the deposit over the cost shall be refunded to the applicant 60 days after the close of the project. No processing or inspection work by the Town shall occur unless all deposits called for above have been made by the applicant.</p>		
<p><b>Deposits for projects where the resources required exceed those available in the Public Works/Engineering Department:</b> When it is determined by the Public Works Director that resources or technical skills beyond the capability of the resident staff are required to evaluate an application, the staff shall secure an estimate for the cost for such services by outside consultants. The deposit shall then be the cost of such services plus 25% for management costs.</p>		
<p><b>Refunds:</b> If an application is withdrawn before the Town does substantial work on it, and before any required notice is published or posted, a minimum of \$50 time and materials will be charged from the deposit or fee and the remaining balance will be refunded to the applicant.</p>		

**TOWN OF MORAGA  
DEVELOPMENT FEES**



Description	FY 2023-24 Fee	Unit
<b>Development Impact Fees - Originally Effective July 11, 2016 (per Municipal Code 17.04.030 &amp; Resolution 42-2016)</b>		<b>1.43% ENR CCI City Cost Index as of April 2023</b>
<b>Residential Development</b>		
Single Family Detached		
General Government Impact Fee	\$8,978	Dwelling Unit
Public Safety Impact Fee	\$991	Dwelling Unit
Park Development Impact Fee	\$11,156	Dwelling Unit
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$21,125</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Single Family Attached/Townhouse b		
General Government Impact Fee	\$8,978	Dwelling Unit
Public Safety Impact Fee	\$991	Dwelling Unit
Park Development Impact Fee	\$11,156	Dwelling Unit
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$21,125</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Multi-Family/Mixed Use c		
General Government Impact Fee	\$5,809	Dwelling Unit
Public Safety Impact Fee	\$640	Dwelling Unit
Park Development Impact Fee	\$7,219	Dwelling Unit
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$13,669</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Senior Housing		
General Government Impact Fee	\$4,489	Dwelling Unit
Public Safety Impact Fee	\$495	Dwelling Unit
Park Development Impact Fee	\$5,579	Dwelling Unit
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$10,562</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Miscellaneous (Residential) a		
General Government Impact Fee	\$2,641	Resident

## DEVELOPMENT FEES



Description	FY 2023-24 Fee	Unit
Public Safety Impact Fee	\$291	Resident
Park Development Impact Fee	\$3,281	Resident
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$6,213</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
<b>Non-Residential Development</b>		
Retail/Entertainment		
General Government Impact Fee	\$1,387	per 1,000 SF
Public Safety Impact Fee	\$324	per 1,000 SF
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$1,711</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Office		
General Government Impact Fee	\$2,078	per 1,000 SF
Public Safety Impact Fee	\$484	per 1,000 SF
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$2,563</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
B&B/Hotel		
General Government Impact Fee	\$115	per 1,000 SF
Public Safety Impact Fee	\$27	per 1,000 SF
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$142</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface
Miscellaneous (Non-Residential) a		
General Government Impact Fee	\$623	Person
Public Safety Impact Fee	\$146	Person
<b>Total Development Impact Fee (w/o Storm Drain Fee)</b>	<b>\$769</b>	
Storm Drain Impact Fee	\$488	per 1,000 SF of Impervious Surface

*Note: Storm Drainage Fee for the Miscellaneous (Residential) and Miscellaneous (Non-Residential) categories is determined based on the impervious surface increased by new development. Calculated fees for other categories presented in this table are the fee per unit or per sq. ft. of new development.*

## DEVELOPMENT FEES



Description	FY 2023-24 Fee	Unit
<p>a. The Miscellaneous (Residential and Non-Residential) categories are designed to represent a broad variety of potential land uses and will provide flexibility in how fees may be calculated for new development that does not fall within one of the typical land use categories. Miscellaneous (Residential) category includes group quarters, such as assisted living and congregate care, and on-campus student housing. Miscellaneous (Non-Residential) includes light industrial and institutional uses such as medical, educational, religious and other community not-for-profit uses. The fees for the miscellaneous categories would be calculated based on the actual projected increase in resident population, non-resident population, or impervious surface, multiplied by the stated fee shown in the table. For miscellaneous residential land uses, the number of residents will be based on the number of dwelling units, rooms or beds, as appropriate. For miscellaneous non-residential land uses, the number of persons will be based on project gross square footage, divided by employees per square foot (or other metric as appropriate) for similar uses, based on industry standards and/or comparable studies. The number of residents or persons, as applicable, shall be estimated by the applicant and verified by the Planning Director. Net increase in impervious surface shall be based on calculations provided by the applicant's licensed civil engineer, based on project plans, and verified by the Planning Director.</p>		
<p>b. In the Town's existing development impact fee program, the "Single Family Attached/Townhouse" land use is not specified, and the "Duplex" land use is combined with "Multi-Family" use. Going forward, the "Duplex" land uses are included within this new land use category.</p>		
<p>c. As further described in Chapter II, Section A3, the Town proposes to adopt a maximum size standard for "Multi-Family/Mixed Use." Multi-family housing is defined to include housing developments where 1,500 square feet is the maximum size for any housing unit within a multi-family development and the maximum weighted average bedroom size for all units within the development is 2.0 bedrooms or fewer. (This two-bedroom unit standard is used because a three-person household can occupy this size unit according to the State of California.) Any multi-family projects that exceed these maximums would be defined as part of the Single Family Attached/Townhouse category, as they would have the potential to have much larger household sizes. As Senior Housing units typically restrict occupancy to senior individuals and limit household size, they are considered multi-family housing omitted from this limitation. Secondary units will be considered multi-family units unless they exceed 1,500 square feet in size or have more than two bedrooms.</p>		
<p>d. As detailed in MMC Section 8.124.070 - Impact fees, all ADUs shall be subject to any applicable impact fees adopted by the town, except as provided below.</p> <ul style="list-style-type: none"> <li>No Impact Fee is required for an ADU that is less than seven hundred fifty (750) square feet in floor area.</li> <li>Any impact fee that is required for an ADU that is seven hundred fifty (750) square feet or larger in floor area must be charged</li> </ul>		
<b>Fees In-Lieu of Parkland Development (per Municipal Code 8.140)</b>		
Single Family Detached	\$14,132	Dwelling Unit
Single Family Attached/Townhouse a	\$14,132	Dwelling Unit
Multi-Family/Mixed Use b	\$9,145	Dwelling Unit
Senior Housing	\$7,067	Dwelling Unit
Miscellaneous (Residential)	\$4,157	Resident
<p>a. Duplex land uses and other attached residential uses not otherwise classified as Single Family Detached, or Multi Family per Footnote b, below, are included within the "Single Family Attached" land use category.</p>		

## DEVELOPMENT FEES



Description	FY 2023-24 Fee	Unit
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*b. Multi-family housing is defined to include housing developments where 1,500 square feet is the maximum size for any housing unit within a multi-family development and the maximum weighted average bedroom size for all units within the development is 2.0 bedrooms or fewer. (This two-bedroom unit standard is used because a three-person household can occupy this size unit according to the State of California.) Any multi-family projects that exceed these maximums would be defined as part of the Single Family Attached/Townhouse category, as they would have the potential to have much larger household sizes. As Senior Housing units typically restrict occupancy to senior individuals and limit household size, they are considered multi-family housing omitted from this limitation. Per MMC Section 8.140.060 only a principal residential structure should be charged this fee and not an ADU.*

### Lamorinda Fee and Finance Authority (LFFA) - subject to change annually on January 1 (Resolution 10-2016)

*Development projects within the Town of Moraga are also subject to the following development fees of the Lamorinda Fee and Finance Authority.*

*Calendar year 2021 Fees are as per Resolution 76-18, City of Orinda*

Single-Family	\$9,825	Dwelling Unit
Multi-Family 1	\$6,877	Dwelling Unit
Multi-Family (TOD) 2	\$3,645	Dwelling Unit
Commercial	\$10	Per Square Foot
Other	\$1,081	Daily Trip

*1 Multi-family also includes new second units constructed on parcels with existing single-family homes*

*2 TOD - Transit Oriented Development*

*Note: The local share for the Town of Moraga is 50% of the rate. Additionally, the Town of Moraga receives a regional share of the pool at a rate of 16.5%.*



BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the matter of:

Adopting the Town of Moraga's )  
Updated Fiscal Year 2023/24 Master )  
Fee Schedule )

Resolution No. 34 - 2023

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**WHEREAS**, Government Code Sections 65104, 65909.5, and 66014 allow the Town to establish fees to offset the Town's costs in processing permits, licenses, subdivision maps and entitlements, and other services; and

**WHEREAS**, the Town of Moraga provides certain services to its residents and those doing business in the Town; and

**WHEREAS**, the cost of such services and documents are appropriately charged to the recipient of those services; and

**WHEREAS**, the amount of such charges must be adjusted from time to time to reflect the true costs of such documents and services; and

**WHEREAS**, the Town staff has researched and analyzed the costs for services provided and determined the appropriateness of the charges relative to the costs for the services; and

**WHEREAS**, the fees do not exceed the reasonable cost of providing the services; and

**WHEREAS**, the Town Council has provided an opportunity for public comment and input at a regularly scheduled public meeting as required by Government Code Section 66016 and has provided notice pursuant to Government Code sections 6062a and 66016 and 66018; and

**WHEREAS**, the redlined version of the proposed Master Fee Schedule for FY 2023/24, attached to the accompanying staff report as Attachment C, and the staff report outline the respective fees for services in a format that presents the current and proposed revised or new fees; and

**WHEREAS**, the redlined version of the proposed Master Fee Schedule for FY 2023/24, attached to the accompanying staff report as Attachment C also includes development impact fees that were previously adopted and/or that automatically increase annually on July 1 in accordance with the Moraga Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga:


1. Hereby finds with respect to the fees listed in Attachment C of the staff report to this Resolution, except for the development impact fees, that there is a reasonable relationship between the amount of the fee and the estimated reasonable cost of providing the type of service for which the fee is imposed; the allocation of the cost to each fee payor bears a fair and reasonable relationship to the fee payor's burdens on, and the benefits received from, the Town; and the fees do not exceed the reasonable cost of providing the service for which the fee is charged; and hereby adopts and authorizes such fees as listed in Attachment B. Any fees and charges previously adopted by resolution and not being modified in Attachment B are incorporated for ease of reference only and without modifying or amending such fees or the underlying approvals in any manner; and

2. Hereby incorporates the previously adopted development impact fees, with the previously approved automatic escalator, in the Master Fee Schedule for ease of reference and without modifying or amending such fees or the underlying fee approvals in any manner; and

**BE IT FURTHER RESOLVED** that the updated Master Fee Schedule will become effective July 23, 2023, 60 days after the adoption of this resolution.

**PASSED AND ADOPTED** by the Town Council of the Town of Moraga at a regular meeting held on May 24, 2023 by the following vote:

<b>AYES:</b>	Mayor Sos, Councilmembers Hillis, Shapiro and Woehleke
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	Vice Mayor Onoda

  
\_\_\_\_\_  
Renata M. Sos, Mayor

Attest:

  
\_\_\_\_\_  
Marty C. McInturf, Interim Town Clerk

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Adopting the 2015 Lamorinda )  
Development Mitigation Fee Program )  
Nexus Study and Impact Fees, and )  
Approving the First Amendment to the )  
Joint Exercise of Powers Agreement by )  
and Among the City of Lafayette, the City )  
of Orinda, and the Town of Moraga )  
Relating to the Lamorinda Fee and )  
Financing Authority )

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Resolution No. 10 - 2016

**WHEREAS**, on June 8, 1998, the City of Lafayette, City of Orinda, and Town of Moraga, each referred to as a "City," and collectively as the "Cities," entered into the Joint Exercise of Powers Agreement by and among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (LFFA) (the "Original JPA"); and

**WHEREAS**, the purpose of the Original JPA is to establish a development fee program within Lamorinda, in accordance with the requirements of the voter-approved Measure C (and the subsequent Measure J) sales tax program, which require each County sub-region, including Lamorinda, to "establish a development mitigation program to ensure that new growth is paying its share of the costs associated with such growth," and to coordinate planning and implementation of the Program within a single public agency; and

**WHEREAS**, the Original JPA included a program to implement the Development Mitigation Fee Program, as well as an Expenditure Plan; and

**WHEREAS**, the Cities are currently in the process of updating the fee program and Expenditure Plan and desire to amend the Original JPA to include provisions regarding the updated fee and expenditure plan; and

**WHEREAS**, DKS Associates, on behalf of the LFFA has prepared the Nexus Study for the Lamorinda Development Mitigation Fee Program ("2015 Nexus Study"), included as Attachment B of the February 10, 2016 Town Council Staff Report and incorporated herein by reference, that provides an evaluation of the need for the Lamorinda Development Impact Fee and establishes the nexus between the imposition of such impact fees and the estimated reasonable cost of providing the improvements for which the fees are charged; and

**WHEREAS**, Government Code section 66001 requires that, in any action establishing a fee as a condition of approval of a development project, a local agency shall:

- (1) Identify the purpose of the fee.
- (2) Identify the use to which the fee is to be put.
- (3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
- (4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
- (5) Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed; and

**WHEREAS**, on January 20, 2016 the Lamorinda Fee and Finance Authority unanimously recommended adoption of the 2015 Nexus Study and the First Amendment to the Joint Exercise of Powers Agreement by the Cities; and

**WHEREAS**, in accordance with Government Code Section 66016, the AB 1600 Studies were made available for public review and comment 10 days prior to this meeting;

**WHEREAS**, the AB 1600 Studies substantiate the need for the proposed impact fees;

**WHEREAS**, the Town Council wishes to adopt these proposed impact fees in accordance with the calculations and recommendations contained in the AB 1600 Studies and accompanying reports;

**WHEREAS**, in compliance with the Mitigation Fee Act (Government Code section 66000 et seq.), the Town Council held a noticed public meeting on the proposed establishment of the impact fees on February 10, 2016 to solicit public input on the proposed impact fees;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Moraga hereby takes the following actions:

Section 1. Adoption of 2015 Nexus Study and Fees

A. Findings.

1. The Town Council finds and determines that the 2015 Nexus Study complies with California Government Code section 66001, and as to each of the proposed impact fees to be imposed on new development:

- (a) Identifies the purpose of the fee;

- (b) Identifies the use to which the fee will be put;
- (c) Shows a reasonable relationship between the use of the fee and the type of development projects on which the fee is imposed;
- (d) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed; and
- (e) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

2. The Town Council further finds that:

- (a) the fees imposed by this resolution are to fund the highway and arterial improvements, transit projects, and pedestrian and bicycle improvements of regional and subregional significance as set forth Attachment 2-A of the First Amendment to the Joint Exercise of Powers Agreement;
- (b) The Town Council has considered the specific public facilities and cost estimates identified in the 2015 Nexus Study, and hereby approves such public facilities and cost estimates and further finds that the cost estimates serve as a reasonable basis for calculating and imposing the development impact fees for such public facilities;
- (c) there is a reasonable relationship between the proposed uses for the fees imposed by this resolution and the types of development upon which the fees are imposed in that the developments will generate additional traffic on thoroughfares in the Lamorinda area, thus creating a need to expand, extend or improve existing thoroughfares and other transportation facilities or construct new ones to mitigate adverse traffic and infrastructure impacts otherwise resulting from those developments;
- (d) the fees will be used to pay for the administration, planning, environmental documentation, design, right of way acquisition and construction of the improvements described in the First Amendment to the Joint Exercise of Powers Agreement, and the fees will be used solely for eligible improvements approved by the parties to the Joint Exercise of Power Agreement; and
- (e) the nexus findings, in conformity with Government Code section 66000, et seq., contained in the 2015 Nexus Study, dated December 2015, prepared for LFFA by DKS Associates, Inc., which

is on file with the Town Clerk, are incorporated in this resolution by reference.

3. The Town Council further finds that the public facilities and fee methodology identified in the 2015 Nexus Study are consistent with the Town's General Plan and, in particular, those policies that require new development to mitigate its share of the impacts to Town infrastructure and to be fiscally neutral.

4. The Town Council further finds that adoption of the 2015 Nexus Study and the establishment and/or increase in development impact fees are not subject to the California Environmental Quality Act in that they are not a "project." Pursuant to CEQA Guidelines section 15378(b)(4), the creation of government funding mechanisms which do not involve any commitment to any specific project which may cause a significant effect on the environment, is not defined as a "project" under CEQA.

B. Fees for Uses Consistent with 2015 Nexus Study

The Town Council hereby determines and requires that the fees imposed pursuant to this Resolution shall be used solely to finance the public facilities described or identified in the 2015 Nexus Study and as allowed under the Mitigation Fee Act (Government Code section 66000 et seq.) including, but not limited to, reimbursing the Town for the costs associated with the implementation and administration of the Lamorinda Development Mitigation Fee Program.

C. Adoption of 2015 Nexus Study.

The 2015 Nexus Study is hereby adopted.

D. Amount of Fee.

The Town Council hereby approves and adopts the development impact fees as set forth in Exhibit A to this Resolution, attached hereto and incorporated herein by reference. The development impact fees set forth in Exhibit A are consistent with the 2015 Nexus Study, and shall be modified in accordance with the Joint Exercise of Powers Agreement by and Among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (JPA) and such amendments to the JPA that are adopted. Such fee modifications include, but are not limited to, the automatic annual increase of the fee by the amount of the increase in the ENR Construction Cost Index for the San Francisco Bay area for the period ending September 30 of if the preceding fiscal year over the year-earlier amount.

Section 2. Approval of the First Amendment to the Joint Exercise of Powers Agreement

The Town Council hereby approves the First Amendment to the Joint Exercise of Powers Agreement by and Among the City of Lafayette, the City of Orinda, and the Town of Moraga Relating to the Lamorinda Fee and Financing Authority (the "First



Amendment") as set forth in Exhibit B to this Resolution, subject to minor clarifications or modifications that may be approved by the Interim Town Manager and Town Attorney, and authorizes the Mayor to execute the First Amendment on behalf of the Town of Moraga.

Section 3. Severability.

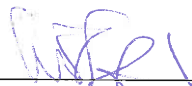
If any action, subsection, sentence, clause or phrase of this Resolution, or any attachments hereto, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or other fees levied by this Resolution that can be given effect without the invalid provisions or application of fees.

Section 4. Effective Date.


Pursuant to the Original JPA, the fees shall not be effective unless and until all three parties to the Original JPA adopt the fee. Pursuant to Government Code section 66017(a), the fees identified in Exhibit A shall take effect 60 days following the adoption of the fee and execution of the First Amendment by the Town of Moraga, City of Lafayette, and City of Orinda, with the 60 day period commencing with the date of adoption by whichever city is the last to adopt the fee.

**PASSED AND ADOPTED** by the Town Council of the Town of Moraga at a regular meeting held on February 10, 2016 by the following vote:

**AYES:** Mayor Metcalf, Councilmembers Arth, Onoda and Wykle  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Vice Mayor Trotter

  
\_\_\_\_\_  
Michael Metcalf, Mayor

Attest:

  
\_\_\_\_\_  
Marty C. McInturf, Town Clerk

## Exhibit A

### Lamorinda Development Mitigation Fee Program

#### Fee Schedule

Land Use	Units	Fee Rates
Single-Family	Dwelling Units	\$7,269
Multi-Family <sup>1</sup>		\$5,088
Multi-Family (TOD) <sup>2</sup>		\$2,697
Commercial	1,000 Sq Ft	\$7.78
Other	Daily Trips	\$800

<sup>1</sup> Multi-family also includes new second units constructed on parcels with existing single-family homes

<sup>2</sup> TOD – Transit Oriented Development

#### Distribution of Fee Revenue

Jurisdiction	Local Share (Setaside)	Share of Regional Pool
Lafayette	50.0%	55.0%
Moraga	50.0%	16.5%
Orinda	50.0%	28.5%
		100.0%