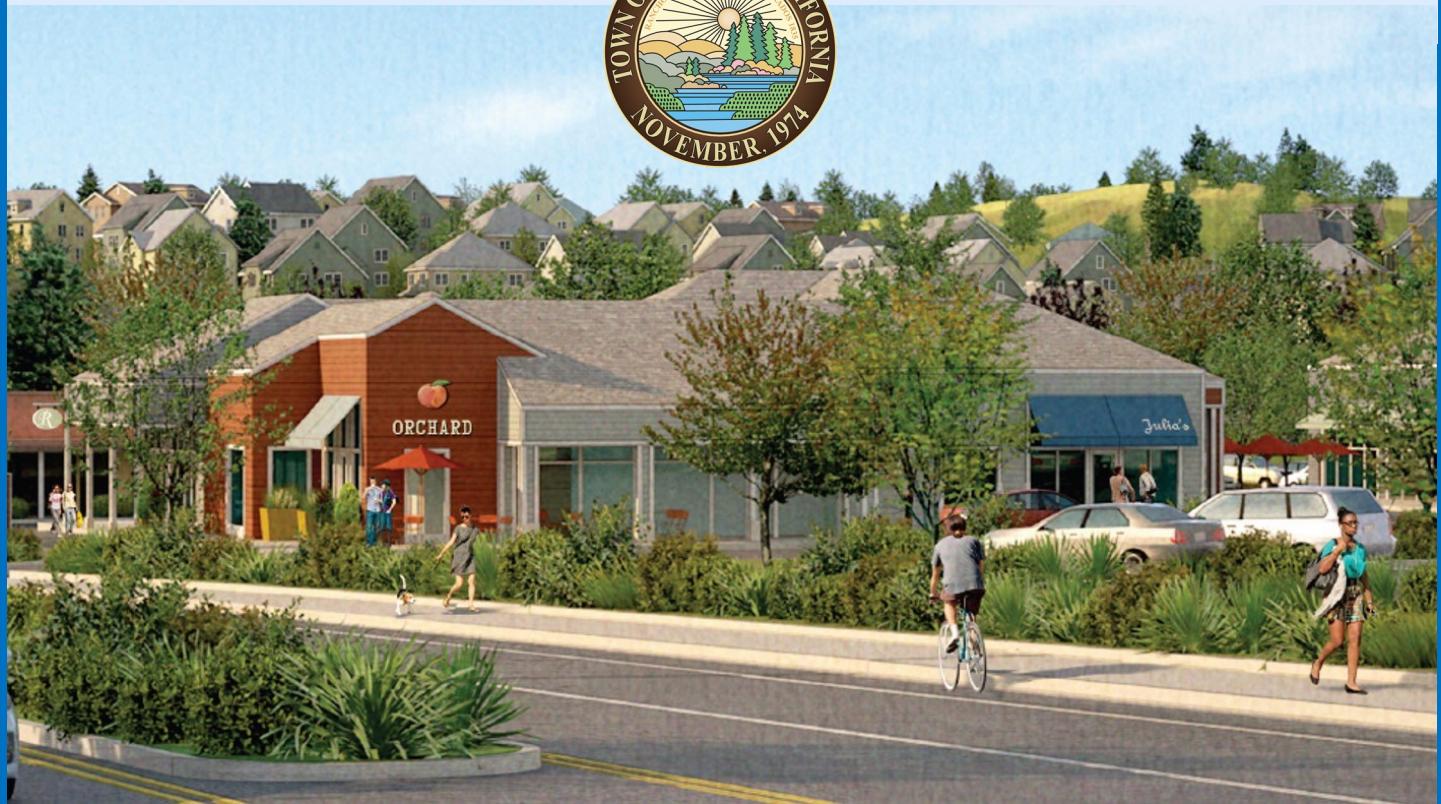




FY 2024-25 Master Fee Schedule

(Effective August 26, 2024)

Town of Moraga





**TOWN OF
MORAGA**

**TOWN OF MORAGA
GENERAL GOVERNMENT**



Description	FY 2024-25 Fee	Unit
Consultant Services		
Hourly Rates for Staff Services:		
Town Manager	\$334	Hour
Town Clerk	\$171	Hour
Senior Administrative Assistant	\$115	Hour
Administrative Assistant	\$87	Hour
Intern	\$45	Hour
Planning Department:		
Planning Director	\$262	Hour
Principal Planner	\$197	Hour
Senior Planner	\$164	Hour
Associate Planner	\$143	Hour
Assistant Planner	\$133	Hour
Police Department:		
Police Lieutenant	\$221	Hour
Police Corporal	\$148	Hour
Police Officer	\$140	Hour
Public Works Department (2 Hour Minimum for Emergency)		
Public Works Director	\$260	Hour
Senior Civil Engineer	\$192	Hour
Associate (Civil) Engineer	\$160	Hour
Public Works/Parks Maintenance Manager	\$151	Hour
Assistant (Civil) Engineer	\$148	Hour
Lead Maintenance Worker	\$122	Hour
Engineering Technician / Inspector	\$122	Hour
Senior Maintenance Worker	\$105	Hour
Maintenance Worker	\$91	Hour
Service fee for credit card transactions processed by the Town	4% of total credit card	
Administrative Citation (MMC Chapter 1.28)		
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	
Checks		
Returned Check (NSF) Fee	\$25	Each
Stop Payment / Re-issue	\$25	Each
Documents		
Adopted Budget (printed copy)	\$120	Each
Certified True Copy	\$15	Each
Comprehensive Annual Financial Report /	\$80	Each
Mailing of Documents	\$3	Each
Notary Services	\$15	Each
Notice of Intent to File an Initiative	\$200	Each
Nuisance Abatement (MMC Chapter 7.16)		
Appeal Application - Hearing Officer	\$250	Application Fee
Appeal of Hearing Officer's Decision - to Town Council	\$500 plus Planning or	Application Fee
Photocopies		

**TOWN OF MORAGA
GENERAL GOVERNMENT**



Description	FY 2024-25 Fee	Unit
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
Plan-size sheets - Black and White	\$4.00	Sheet
Plan-size sheets - Color	\$4.50	Sheet
Public Meetings		
Town Council Agenda - U.S. Mail	\$100	Year

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2024-25 Fee	Unit
<p>All rentals require Certificate of Insurance listing the Town as additionally insured. Nonprofit organizations must show the tax ID number.</p>		
<p>Moraga Park Rentals</p>		
<p>Cancellation Fee - cancellation must be received in writing at least 7 days prior to rental</p>		
Refundable Damage Deposit	\$40	Event
<p>Reserved Park Picnic Area - Small (Commons):</p>		
<p>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.</p>		
<p>Deposit equal to the event fee is required at the time of payment.</p>		
<p>Groups greater than 400 for park picnic area rentals require a special fee on a case-by-case basis.</p>		
Nonprofit	\$79	Event
Resident	\$106	Event
Non-Resident	\$197	Event
Commercial	\$244	Event
<p>Reserved Park Picnic Area - Large (Commons and Rancho):</p>		
<p>Reservations are required for groups of 10 or more.</p>		
<p>Deposit equal to the event fee is required at the time of payment.</p>		
<p>Groups greater than 400 for park picnic area rentals require a special fee on a case-by-case basis.</p>		
Facility Maintenance Impact Fee (non-refundable)	\$159	groups over 100
Nonprofit	\$117	Event
Resident	\$149	Event
Non-Resident	\$239	Event
Commercial	\$286	Event
<p>Grass Areas:</p>		
<p>Reservations are required for groups of 10 or more.</p>		
<p>Groups greater than 100 will be charged a non-refundable facility maintenance impact fee.</p>		
<p>Groups > 100 are also required to reserve accompanying Reserved Park Picnic Area - Large (fees listed above) in addition to Grass Area.</p>		
Facility Maintenance impact fee (non-refundable)	\$159	groups over 100
Nonprofit	\$32	Hour
Private	\$42	Hour
Commercial	\$53	Hour

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2024-25 Fee	Unit
Bocce Ball, Volleyball, Basketball, Skatepark, Disc Golf:		
Nonprofit	\$32	Hour
Private	\$42	Hour
Commercial	\$53	Hour
Bocce Ball Set Rental	\$40	Hour
Bocce Ball Set Rental Deposit	\$100	Set
Moraga Commons Bandshell		
Reservations are required for groups of 10 or more and for commercial uses.		
Refundable Use Deposit	\$350	Use
Amplification Surcharge	\$350	Use
Facility Attendant	40 (2-hour minimum)	Hour
Facility Maintenance Impact Fee (non-refundable)	\$160	groups over 100
Hourly Rental Rates		
Nonprofit	\$40	Hour
Private	\$90	Hour
Commercial	\$110	Hour
Room Rentals		
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.		
Deposits:		
Room Rentals	\$450	Rental Deposit
Photography	\$100	Deposit
Cancellation Fee - cancellation must be received in writing at least 7 days prior to rental	\$40	Room
Facility Attendant: On an as-needed basis	\$40 (2-hour minimum)	Hour
Library Community and Garden Conference Room:		
Nonprofit	\$27	Hour
Private	\$42	Hour
Commercial	\$74	Hour
La Sala/Casita:		
Nonprofit	\$37	Hour
Private	\$53	Hour
Commercial	\$90	Hour
Town Council Chambers and Community Meeting Room:		
Government	\$42	Hour
Non-Profit	\$80	Hour

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2024-25 Fee	Unit
Private	\$117	Hour
Commercial	\$159	Hour
Refundable Use Deposit	\$1,000	Use
Photography Fee:		
Nonprofit	\$120	Day
Private	\$120	Day
Commercial	\$120	Day
Activity Guide Commercial Advertising Space		
Quarter Page	\$258	Publication
Half Page	\$515	Publication
Back Cover	\$773	Publication
Electronic Community Information Sign/Temporary Banner Permit		
Nonprofit/Private/Commercial	\$100	Week
Bricks		
Brick:		
Nonprofit	\$151	Brick
Private	\$189	Brick
Commercial	\$216	Brick
VIP Section:		
Nonprofit	\$254	Brick
Private	\$379	Brick
Commercial	\$503	Brick
Booth Fee: 4th of July and Pear & Wine Festival		
Nonprofit	\$50	Event
Private/Commercial		Event
Artisan/Activity Booth Fee	\$70	Event
Commercial/Food* Vendors Booth Fee	\$110	Event
Contra Costa Health Temporary Food Event Health Permit*	Equal to fee set by Contra	Event
Add-On: Table (8' rectangle)	\$20/table	Event
Add-On: Chair	\$5/chair	Event
Add-On: Electricity (not to exceed 20 amps)	\$25	Event
Event Specific Graphics Fee (if vendor is using Town	10% of sales	Event
Food Truck Fees (Determined by estimated attendance)	\$50-\$250	Event
<i>*Required for all vendors selling food or beverages as defined by Contra Costa Health.</i>		
Moraga School District and Saint Mary's College	Fees will be set based on any existing Shared Facility Use Agreement, eliminating rental fees for specific facilities to both parties.	

**TOWN OF MORAGA
PARKS & RECREATION**



Description	FY 2024-25 Fee	Unit
Moraga Park Foundation / Chamber of Commerce / Moraga Orinda Fire District	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	

Recreation Class Fees

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:

Resident Rate- applies to programs over \$99	\$20 discount
Administrative Fee	4% rounded down to nearest dollar
Processing fee for dropping a class/activity/program	\$12



Description	FY 2024-25 Fee	Unit
GIS Services	Cost of Service*	
Staff Consulting Services	Cost of Service* - \$1,000 deposit	
Accessory Dwelling Unit (Formerly Secondary Living Unit)	Cost of Service* - \$1,800 deposit	
Address Change of Site / Property Located in Moraga	\$695	Flat Fee
Building Permit Surcharge	50% of County Permit Fee	
Building Permit Plan Check	\$280	Flat Fee
Building Permit Plan Check with Design Exemption Determination	\$350	Flat Fee
Building Permit Revision Plan Check	\$210	Flat Fee
Certificate of Compliance	Cost of Service* - \$2,500 deposit	
Condominium Conversion	Cost of Service* - \$5,000 deposit	
Design Review		
Design Review Board:		
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	
Administrative Design Review:		
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
Additions Requiring Engineering Review:		
Additional fee applicable to Design Review Board and Administrative Design Review projects	Cost of Service* - \$1,000 deposit per issue	
Appeals:		
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 2024-25 Fee	Unit
Environmental		
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
Fence Permit (Public Hearing not required)	\$500	Flat Fee
Film Permit (for filming in public right-of-way or on Town Property)		
Excludes encroachment permit fee, Police Services, and Facility Rental Fees, if required	\$1,390	Day
General Plan Amendment	Cost of Service* - \$10,000 deposit	
GIS Mapping "New Lot" Fee	\$415	Flat Fee
Grading Approval (Planning):		
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	
Historic Landmark Nomination Application	Cost of Service* - \$3,000 deposit	
Hillside Development Permit:		
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	
Land Use Permit:		



Description	FY 2024-25 Fee	Unit
Conditional Use Permit (Planning Commission)	Cost of Service* - \$3,500 deposit	
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	
Landscape Maintenance Agreement	Cost of Service* - \$2,000 deposit	
Lot Line Adjustment	Cost of Service* - \$4,000 deposit	
Model Water Efficient Landscape Ordinance (MWELO)	Cost of Service* - \$1,500 deposit	
Planned Development Application:		
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	
Pre-Application Meeting	Cost of Service* - deposit in full	
Reconsideration	Cost of Service* - \$2,000 deposit	
Reroof Permit / Solar Permit	\$210	
Rezoning or Zoning Text Amendment	Cost of Service* - \$10,000 deposit	
Senate Bill (SB) 330 Preliminary Application	Cost of Service* - \$2,000 deposit	
Senate Bill (SB) 35 Streamlined Ministerial Development Review	Cost of Service* - \$5,000 deposit	
Senate Bill (SB) 9		
Urban Housing Development (UHD)	Cost of Service* - \$4,200 deposit	



Description	FY 2024-25 Fee	Unit
Urban Lot Split (ULS)	Cost of Service* - \$4,200 deposit	
Short Term Events:		
Short Term Promotional / Special Event Permit	\$350	Flat Fee
Administrative Temporary Uses	Cost of Service* - \$1,800 deposit	
Conditional Temporary Uses	Cost of Service* - \$3,500 deposit	
Sign Applications		
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
Small Cell Wireless	Cost of Service* - \$3,000 deposit	
Specific Plan Fee: 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
Study Session - New Construction		
With Planning Commission	Cost of Service* - \$3,000 deposit	
Study Session - Existing Single Family Residence		
With Design Review Board	Cost of Service* - \$1,500 deposit	
With Planning Commission	Cost of Service* - \$1,500 deposit	
Subdivision Improvement Agreement	Cost of Service* - \$5,000 deposit	
Subdivision Major (5+ Lots) / Tentative Map	Cost of Service* - \$12,000 deposit	
Subdivision Minor (3-4 Lots) / Parcel Map	Cost of Service* - \$9,000 deposit	
Extension of Previously approved Major or Minor Subdivision Map	Cost of Service* - \$3,000 deposit	
Tree Removal		



Description	FY 2024-25 Fee	Unit
Tree Removal Permit	\$280	Per Tree
Tree Removal Fine	\$1,115	Per Tree
Variance (Planning Commission)	Cost of Service* - \$3,500 deposit	
Variance (Zoning Administrator)	Cost of Service* - \$2,000 deposit	
Verification of Conditions of Approval	\$140/condition (paving, landscaping, colors, etc.)	
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		
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 ⁽¹⁾	\$39.00/SF ⁽¹⁾	\$25.00/SF ⁽¹⁾

(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.

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	$\$25 \text{ PSF Gross fee} \times \frac{\text{Fractional Inclusionary Units Owed}}{\text{Total Inclusionary Units Required}} \times \text{Habitable Square Feet} = \text{Total Due}$

*** Cost of Service Fees:** 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.

The initial deposit shall be the sum of the required deposits for all applications.



Description	FY 2024-25 Fee	Unit
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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.

Advanced Planning Fee: A 10% Advanced Planning Surcharge is applied to all Planning's Staff Services and all Flat Fees.

Deposits for projects where the resources required exceed those available in the Planning Department: 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.

Refunds: 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.

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 2024-25 Fee	Unit	
Accident Reports	\$15	Each	
Background Check (Local)	\$26	Each	
Citation Sign-Off	No Charge		
Non-Resident	\$26	Each	
False Alarm Fee	\$50	Each	
Fingerprinting - Standard			
Resident	\$41	Set	
Non-Resident	\$51	Set	
Additional Card	\$5	Each	
Fingerprinting - Live Scan			
Resident	\$41 + DOJ Fees	Set	
Non-Resident	\$51 + DOJ Fees	Set	
Juvenile Diversion Program	\$125	Incident	
Loss Verification			
Resident	\$23	Each	
Non-Resident	\$33	Each	
Parking Violations (California Vehicle Code, Section 40203.5)			
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

**TOWN OF MORAGA
POLICE DEPARTMENT**



Description	FY 2024-25 Fee	Unit
All other Vehicle Code violations	\$45	Violation
Permits		
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
Photos		
Photos	\$5	Each
CD/Audio tape	\$15	Each
DVD/Video tape	\$25	Each
Police Reports	\$15	Each
Police Services - Billable/Reimbursable		
Police Vehicle	\$20	Flat Rate
Repossession Release (CA Government Code 41612)	\$15	Each
Vehicle ID Verification:		
At Police Dept	\$41	Each
At Residence	\$51	Each
Vehicle - Release of Impounded/Stored Vehicles	\$150	Vehicle

DOJ: Department of Justice Fee Structure

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2024-25 Fee	Unit
Public Works Equipment Rentals:		
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* \$210 (minimum 2 hours @ \$105/hour)	Hour
Setup of Traffic Control Equipment	Cost of Service* \$210 (minimum 2 hours @ \$105/hour)	Hour
Rental Fees	Cost + 25% (An equivalent rental rate for Purchased Equipment based on life cycle costs will be charged)	
General Engineering Permits Fees:		
Permit Administrative Fee - collected on all applications	\$298	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* \$592 (minimum 4 hours @ \$148/hr.)	Hour



Description	FY 2024-25 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.	
Encroachment Applications:		
Concrete Permit Fee (sidewalk, driveway, curb & gutter, ditches, etc.)	Cost of Service* \$592 (minimum 4 hours @ \$148/hr.)	Hour
Excavation Permit Fee (Street Cut)	Cost of Service* \$592 (minimum 4 hours @ \$148/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>)	\$75	Space per Day
Drainage Easement Permit Fee	Cost of Service* \$480 (minimum 3 hours for initial research @ \$160/hour) plus \$2,000 deposit	Hour
Revocable Encroachment Agreement	\$1,500 + \$400/year (minimum 2.5 hours for initial research @ \$160/hour)	Application
Signalized Intersection Encroachment Bond	\$10,000 Bond	Application



Description	FY 2024-25 Fee	Unit
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

Transportation Applications:

Traffic Control Review	Cost of Service* \$148/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)	\$95	Per Vehicle
Curb Painting Review	Cost of Service* \$296/hr. (minimum 2 hours @ \$148/hour)	Hour

Grading Applications:

Erosion Control Plan Review & Inspection:	
Between April 15 and October 15	Fee: \$160/hour of potential erosion creating activities; plus Cash Bond: \$1,000
Between October 16 and April 14:	
50 cubic yards or less	Fee: \$5,150; plus Cash Bond: \$2,500 ⁽¹⁾
51 - 500 cubic yards	Fee: \$6,5921; plus Cash Bond: \$2,500 ⁽¹⁾

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2024-25 Fee	Unit
501 - 1000 cubic yards	Fee: \$8,730; plus Cash Bond: \$5,000 ⁽¹⁾	
1,001 - 10, 000 cubic yards	Fee: \$12,154; plus Cash Bond: \$10,000 ⁽¹⁾	
10,001 - 100,000 cubic yards	Fee: \$18,231; plus Cash Bond: \$20,000 ⁽¹⁾	
> 100,000 cubic yards	Fee: \$23,278; plus Cash Bond: \$40,000 ⁽¹⁾	
	⁽¹⁾ or the amount of the erosion control measures as implemented, whichever is greater.	
Grading Plan Review Fees:		
50 cubic yards or less	Cost of Service*; \$2,060 deposit	
51 - 200 cubic yards	Cost of Service*; \$2,575 deposit	
201-1,000 cubic yards	Cost of Service*; \$3,090 deposit	
1,001 - 10,000 cubic yards	Cost of Service*; \$3,605 deposit	
10,001 - 100,000 cubic yards	Cost of Service*; \$7,725 deposit	
> 100,000 cubic yards	Cost of Service*; \$18,025 deposit	
Geotechnical Review		
Plan Revision After Approval		
Grading Inspection Fees:		
50 cubic yards or less	\$953	Flat Fee
51 - 1,000 cubic yards	\$1,030 + \$103/50 cubic yards	
1,001 - 10, 000 cubic yards	\$2,704 + \$103/100 cubic yards	
10,001 - 100,000 cubic yards	\$3,992 + \$103/150 cubic yards	
> 100,000 cubic yards	\$29,433 + \$103/250 cubic yards	
Grading Permit Surcharge	50% of County permit fee	

TOWN OF MORAGA
PUBLIC WORKS & ENGINEERING



Description	FY 2024-25 Fee	Unit
Geotechnical Inspection	Cost of Service* plus 25%	
Work Extends Beyond One Year	Cost of Service*; \$2,575 deposit	
Work Extends Beyond Two Years	Cost of Service*; \$5,150 deposit	
Pool Removal Grading Permit		
Annual Storm Water BMP Inspections and Reporting	Cost of Service* \$160/hour; minimum 1 hour	Hour
Land Development Applications:		
<i>Site Improvements (Plan Review):</i>		
Public Improvements (including public off-site improvements):		
<\$250,000	Cost of Service* Deposit: 2.5% or \$2,575 minimum	
\$250,001 - \$1,000,000	Cost of Service* Deposit: 2.25%	
>\$1,000,000	Cost of Service* Deposit: 2.5%	
Private Improvements		
	Cost of Service* Deposit: 1.0% or \$2,575 minimum	
Landscape Improvements (Public or Private)		
	Cost of Service* Deposit: 2.5% or \$2,575 minimum	
Plan Revisions After Approval		
	\$160	Hour
<i>Site Improvements (Inspection):</i>		
Public Improvements (including public off-site improvements):		
<\$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	



Description	FY 2024-25 Fee	Unit
Private Improvements:		
<\$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-Builts and Final or Parcel Map	Cost of Service* \$160/hour; minimum 1 hour	Hour
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



Description	FY 2024-25 Fee	Unit
Warranty Bond	15% Value of Engineer's Estimate for Site Improvements with Unit Costs based on Contra Costa County Unit Prices Guide	Bond
Map Checking:		
Final Map Review (5 or more parcels, or condominiums)	Cost of Service* Deposit: \$1,545 + \$52/lot or \$7,210 minimum	
Parcel Map Review (4 or fewer parcels)	Cost of Service*; \$3,090 deposit	
Lot Line Adjustment	Cost of Service*: \$160/hr.; minimum 4 hours	Hour
County Land Surveyor Services	Cost of Service*	
Certificate of Correction	Cost of Service*; \$1,545 deposit	
Subdivision Monument Checking Fee	\$185	Each
Base Map Revision (Subdivisions)	\$93	Lot
Project Closeout:		
Warranty inspection and bond release for Subdivisions	\$561 plus \$160 per lot or unit	
Warranty inspection and bond release for Single Lot	\$623	Flat Fee
Subdivision Improvement Agreement and Development Agreement Extension Processing	Cost of Service* \$320 Fee per extension plus hourly staff time	Hour
Other Services:		
Condition of Approval Compliance Review (no improvement plans)	Cost of Service* \$160/hr.; minimum 2 hours	Hour
Drainage or Storm Water Control Plan Review (no improvement plans)	Cost of Service* \$160/hr.; minimum 2 hours	Hour
Street Vacation Request	Cost of Service*; \$3,090 deposit	
Letter of Map Revision / Amendment	Cost of Service*; \$1,545 deposit	
Easements/Dedication/Vacations (Utilities & Emergency Vehicles)	Cost of Service*; \$3,090 deposit	
Planning Application Reviews (Administered through Planning Department):		
Planning Department fees vary depending upon the process required. See Planning Department fees section.		



Description	FY 2024-25 Fee	Unit
Planning Applications with Deposit	Actual Staff Time	
Sign Ordinance Violations	\$42	Per Violation

* **Cost of Service:** 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.

The initial deposit shall be the sum of the required deposits for all applications.

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.

Deposits for projects where the resources required exceed those available in the Public Works/Engineering Department: 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.

Refunds: 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.

**TOWN OF MORAGA
DEVELOPMENT FEES**



Description	FY 2024-25 Fee	Unit
Development Impact Fees - Originally Effective July 11, 2016 (per Municipal Code 17.04.030 & Resolution 42-2016)		1.10% ENR CCI City Cost Index as of April 2024
Residential Development		
Single Family Detached		
General Government Impact Fee	\$9,076	Dwelling Unit
Public Safety Impact Fee	\$1,002	Dwelling Unit
Park Development Impact Fee	\$11,279	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$21,357	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Single Family Attached/Townhouse b		
General Government Impact Fee	\$9,076	Dwelling Unit
Public Safety Impact Fee	\$1,002	Dwelling Unit
Park Development Impact Fee	\$11,279	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$21,357	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Multi-Family/Mixed Use c		
General Government Impact Fee	\$5,873	Dwelling Unit
Public Safety Impact Fee	\$647	Dwelling Unit
Park Development Impact Fee	\$7,299	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$13,819	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Senior Housing		
General Government Impact Fee	\$4,538	Dwelling Unit
Public Safety Impact Fee	\$500	Dwelling Unit
Park Development Impact Fee	\$5,640	Dwelling Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$10,679	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Miscellaneous (Residential) a		
General Government Impact Fee	\$2,670	Resident
Public Safety Impact Fee	\$294	Resident
Park Development Impact Fee	\$3,317	Resident

DEVELOPMENT FEES



Description	FY 2024-25 Fee	Unit
Total Development Impact Fee (w/o Storm Drain Fee)	\$6,282	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Non-Residential Development		
Retail/Entertainment		
General Government Impact Fee	\$1,402	per 1,000 SF
Public Safety Impact Fee	\$327	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$1,729	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Office		
General Government Impact Fee	\$2,101	per 1,000 SF
Public Safety Impact Fee	\$490	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$2,591	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
B&B/Hotel		
General Government Impact Fee	\$117	per 1,000 SF
Public Safety Impact Fee	\$27	per 1,000 SF
Total Development Impact Fee (w/o Storm Drain Fee)	\$144	
Storm Drain Impact Fee	\$493	per 1,000 SF of Impervious Surface
Miscellaneous (Non-Residential) a		
General Government Impact Fee	\$630	Person
Public Safety Impact Fee	\$147	Person
Total Development Impact Fee (w/o Storm Drain Fee)	\$777	
Storm Drain Impact Fee	\$493	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 2024-25 Fee	Unit
<p>a. The <i>Miscellaneous (Residential and Non-Residential)</i> 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. <i>Miscellaneous (Residential)</i> category includes group quarters, such as assisted living and congregate care, and on-campus student housing. <i>Miscellaneous (Non-Residential)</i> includes light industrial and institutional uses such as medical, educational, religious and other community not-for-profit uses. The fees for the <i>miscellaneous</i> 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 <i>miscellaneous residential</i> land uses, the number of residents will be based on the number of dwelling units, rooms or beds, as appropriate. For <i>miscellaneous non-residential</i> 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 households 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">• No Impact Fee is required for an ADU that is less than seven hundred fifty (750) square feet in floor area.• 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 proportionately in relation to the square footage of the primary unit. (E.g., the floor area of ADU divided by the floor area of the		

Fees In-Lieu of Parkland Development (per Municipal Code 8.140)

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

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.

DEVELOPMENT FEES



Description	FY 2024-25 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.

Affordable Housing In-Lieu Fee (per Municipal Code 8.180)

Per total habitable square feet 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 ¹	\$39.00/SF	\$25.00/SF

1. Rates for projects with ten (10) 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 square foot 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.

Lamorinda Fee and Finance Authority (LFFA) - subject to change annually on January 1 (Resolution 10-2016)	2.69% ENR CCI City Cost Index as of September 2023
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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	\$10,090	Dwelling Unit
Multi-Family 1	\$7,063	Dwelling Unit
Multi-Family (TOD) 2	\$3,744	Dwelling Unit
Commercial	\$11	Per Square Foot
Other	\$1,111	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%.

**TOWN OF MORAGA
TOWN COUNCIL**

RESOLUTION NO. 37-2024

**UPDATING THE TOWN OF MORAGA'S MASTER FEE SCHEDULE FOR FISCAL
YEAR 2024-25**

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;

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

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

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

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;

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

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 B, 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 B 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 B 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;

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

3. Hereby approves the updated Master Fee Schedule, which will become effective August 26, 2024, 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 June 26, 2024 by the following vote:

AYES: Mayor Onoda, Councilmembers, Hillis, Sos and Woehleke

NOES: None

ABSTAIN: None

ABSENT: Shapiro

Mayor:
Teresa Onoda
Teresa Onoda,
Town of Moraga

Attest:

Amy Heavener
Amy Heavener, CMC
Town Clerk

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Approving and Adopting an In Lieu Fee in)
Accordance with the Town's Affordable)
Housing Requirements)
)

Resolution No. 24 - 2023

WHEREAS, the Town is undertaking a Comprehensive Advanced Planning Initiative, including a State-mandated update of the Moraga Housing Element, and related General Plan and zoning amendments. As part of the Housing Element, the Town is required to demonstrate to the State Department of Housing and Community Development (HCD) that it has the capacity to add at least 1,118 new housing units by 2031, including 673 units that are potentially affordable to lower- and moderate-income households. The 1,118-unit assignment is commonly referred to as the Town's "RHNA"—or Regional Housing Needs Allocation; and

WHEREAS, on December 14, 2022, effective on January 13, 2023, the Town Council adopted an ordinance adding Chapter 8.180 to the Moraga Municipal Code regarding Affordable Housing, which adds a requirement for new residential development to meet Affirmatively Furthering Fair Housing (AFFH) and RHNA requirements; and

WHEREAS, Chapter 8.180 allows for developers to pay an in-lieu for (a) fractional units; (b) subdivisions between five and nine units; and (c) developments in Very High Fire Severity Zones, and provides the basis for the fee; and

WHEREAS, the Town contracted with Keyser Marston Associates, Inc. (KMA) to determine an Inclusionary Housing Fee and KMA provided a memorandum for Town Council consideration; and

WHEREAS, on February 22, 2023, at a Study Session, the Town Council received a staff report and presentation from staff and KMA on the in-lieu fee methodology; and

WHEREAS, on February 22, 2023, the Town Council reviewed and considered the in lieu fees; and

WHEREAS, on March 2, 2022 as required under Government Code sections 66001, 66006, 66013, 66016, 66017, 66018, and 66019 the Fee Study was made available for public review at the Town Clerk's Office located at 329 Rheem Boulevard, Moraga, California, under the Planning Department section of the Town of Moraga website (Make Moraga Home), and the Town published in the East Bay Times, a local newspaper, the notice of this public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Moraga as follows:

1. The foregoing recitals are true and correct.
2. The Town Council finds that adoption of this Resolution is not subject to the California Environmental Quality Act ("CEQA"). The proposed action is not a project within the meaning of the CEQA Guidelines Section 15378 and 15061(b)(3) as it has no potential for physical effects on the environment because it involves an adoption of certain in-lieu fees imposed by the Town, does not commit the Town to any specific project, and the fees are applicable to future development projects, which will be fully evaluated in full compliance with CEQA when sufficient physical details regarding said projects and/or activities are available to permit meaningful CEQA review (see CEQA Guidelines, Section 15004(b)(1)). Even if considered a "project" under CEQA, the adoption of the resolution is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that approval of the in-lieu fees may have a significant effect on the environment.

3. The Town Council hereby approves the following fees to be incorporated into the Town's Master Fee Schedule:

Affordable Housing In-Lieu Fee

For Sale: \$39 per square foot

For Rent: \$25 per square foot

<i>In-Lieu Fee per total habitable square feet in project</i>	<u>For-Sale Units</u>	<u>Rental Units</u>
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 ⁽¹⁾	\$39.00 / SF ⁽¹⁾	\$25.00 / SF ⁽¹⁾

⁽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 foot 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.

4. An Affordable Housing Fund (Fund 791) is hereby created by the Town as a repository for in-lieu fees. Pursuant to Chapter 8.180 of the Moraga Municipal Code, in-lieu fees shall be used to increase or maintain the supply of housing affordable to very low-, low-, and moderate-income households, including reasonable administrative or related expenses.

5. The above listed fees shall become effective sixty (60) days after adoption of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on April 12, 2023 by the following vote:

AYES: Mayor Sos, Councilmembers Hillis, Shapiro and Woehleke

NOES:

ABSTAIN:

ABSENT: Vice Mayor Onoda



Renata Sos, Mayor

Attest:



Yashin Abbas, Town Clerk

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Adopting the 2016 Comprehensive)
Development Impact Fee Update and)
Adopting Updated General Government,)
Public Safety, Storm Drainage, Traffic,)
and Park Development Impact Fees, and)
an Updated Fee In-Lieu of Parkland)
Dedication)

Resolution No. 42 - 2016

WHEREAS, on May 21, 2008 the Town Council of the Town of Moraga Waived the First Reading and Introduced Ordinance 220 adding Title 17, Development Impact Fees to the Moraga Municipal Code and establishing various categories of development impact fees that may be levied to new development, including a General Government Impact Fee, a Public Safety Impact Fee, a Storm Drainage Impact Fee, a Traffic Impact Fee, and a Park Development Impact Fee, and on May 28, 2008 adopted Ordinance 220; and

WHEREAS, on May 21, 2008 the Town Council adopted Resolution 13-2008 Adopting the Development Impact Fee AB 1600 Studies (2008 Nexus Studies) for the Town of Moraga and Establishing a General Government Impact Fee, a Public Safety Impact Fee, a Storm Drainage Impact Fee, a Traffic Impact Fee, and a Park Development Impact Fee within the Town of Moraga; and

WHEREAS, on May 21, 2008 the Town Council Introduced and Waived the First Reading of Ordinance 221, amending Moraga Municipal Code (MMC) Chapter 8.140: Park Dedication with respect to the formula and assumptions used as the basis for requirements for parkland dedication and payment of fees in lieu for such dedications from new residential development, and on May 28, 2008 adopted Ordinance 221; and

WHEREAS, in 2012, the Town initiated an update to the 2008 Nexus Studies and contracted with Seifel Consulting, Inc., to complete a comprehensive review and study of the Town's existing Development Impact Fee program and of the Fee In-Lieu of Parkland Dedication; and

WHEREAS, Seifel Consulting, on behalf of the Town of Moraga has prepared the 2016 Comprehensive Development Impact Fee Update ("2016 Nexus Study") included as Attachment C of the February 24, 2016 Town Council Staff Report and incorporated herein by reference, that provides an evaluation of the need for each of the impact fees included in Title 17, 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 sets forth a new parkland in-lieu fee; 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, in accordance with Government Code Section 66016, the 2016 Nexus Study was made available for public review and comment at least ten (10) days prior to this meeting; and

WHEREAS, the 2016 Nexus Study substantiates the need for the proposed updates to the impact fees and the parkland dedication in-lieu fee; and

WHEREAS, the Town Council wishes to adopt these proposed impact fees and parkland in-lieu fee in accordance with the calculations and recommendations contained in the 2016 Nexus Study; and

WHEREAS, in compliance with the Mitigation Fee Act (Government Code section 66000 et seq.), the Town Council opened a public hearing on the proposed update of the impact fees on February 10, 2016, and continued the public hearing to February 24, 2016; and

WHEREAS, on February 24, 2016 the Town Council heard public testimony on the proposed fees, deliberated on the matter, and requested staff return with some clarifying information at a future public hearing; and

WHEREAS, on May 11, 2016 the Town Council considered a revised draft nexus study and fees; heard additional public testimony and further deliberated on the matter.

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

Section 1. Adoption of 2016 Nexus Study and Updated Development Impact Fees

A. Findings.

1. The Town Council finds and determines that the 2016 Comprehensive Development Impact Fee Update (2016 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 hereby determines that the fees imposed pursuant to this Resolution shall be used solely to finance the public facilities described or identified in the 2016 Nexus Study.

3. The Town Council has considered the specific public facilities and cost estimates identified in the 2016 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.

4. The nexus findings, in conformity with Government Code section 66000, et seq., contained in the 2016 Nexus Study, dated April 2016, prepared for the Town of Moraga by Seifel Consulting, which is on file with the Town Clerk and included as Attachment C of the May 11, 2016 staff, report are incorporated in this resolution by reference.

5. The Town Council further finds that the public facilities and fee methodology identified in the 2016 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.

6. The Town Council further finds that adoption of the 2016 Nexus Study and the establishment and/or increase in development impact fees are not subject to the California Environmental Quality Act (CEQA) 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. Local Traffic Impact Fee.

The Town Council hereby discontinues the requirement for development to pay the local traffic impact fee, with discontinuation of the fee to occur upon the effective date of the updated Lamorinda Development Mitigation Fee, in accordance with the Lamorinda Fee and Financing Authority (LFFA) Joint Exercise of Powers Agreement and Town Council Resolution 10-2016, and similar resolutions that have been adopted by the City of Lafayette and City of Orinda.

C. Amount of Fee.

The Town Council hereby approves and adopts the development impact fees as set forth in Exhibit 1 to this Resolution, attached hereto and incorporated herein by reference. The development impact fees set forth in Exhibit 1 are consistent with the 2016 Nexus Study. In accordance with Moraga Municipal Code Title 17, the amount of the development impact fees shall be modified automatically on an annual basis each July 1 based on the change in the Engineering News Record's Construction Cost Index as reported for the twelve month period ending in April of each year.

Section 2. Adoption of Updated Fee In-Lieu of Parkland Development

A. Fair Market Value of Parkland

The Town Council hereby adopts a land value of \$1.3 Million (\$1,300,000) per acre as the fair market value of an acre of park land.

B. Fee In-Lieu of Parkland Development

The Town Council hereby adopts the fees in lieu of parkland dedication as set forth in Exhibit 2 to this resolution, incorporating the updated land value noted in Section A and with other assumptions in accordance with the 2016 Nexus Study. As permitted by MMC Section 8.140.090(C) the fee shall be automatically adjusted should the Town Council adopt by resolution a revised fair market value of an acre of park land.

Section 3. Effective Date and Judicial Challenge Limitations Period

The fees established by this Resolution shall take effect 60 days from the date this Resolution is adopted (July 11, 2016). The time within which any judicial action or proceeding to challenge this Resolution shall be commenced shall be exclusively governed by Government Code section 66022 and Public Resources Code section 21167.

PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on May 11, 2016 by the following vote:

AYES: Mayor Metcalf, Vice Mayor Trotter, Councilmembers Arth, Onoda and Wykle

NOES: None

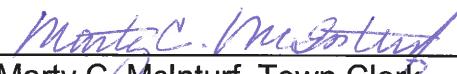
ABSTAIN: None

ABSENT: None



Michael Metcalf, Mayor

Attest:



Marty C. McInturf, Town Clerk

EXHIBIT 1
Fee Schedule

Land Use ^a	General Government Fee	Public Safety Fee	Park Fee		Park Development Impact Fee	Storm Drainage Fee
			Park Dedication In Lieu Fee	Park Fee		
Residential						
Single Family Detached	\$6,870 /unit	\$758 /unit		\$13,593 /unit	\$8,537 /unit	\$374 /1,000 SF of impervious surface (All Land Use Categories)
Single Family Attached/Townhouse ^b	\$6,870 /unit	\$758 /unit		\$13,593 /unit	\$8,537 /unit	
Multi-Family/Mixed Use ^c	\$4,445 /unit	\$490 /unit		\$8,796 /unit	\$5,524 /unit	
Senior Housing	\$3,435 /unit	\$379 /unit		\$6,797 /unit	\$4,269 /unit	
Miscellaneous (Residential) ^a	\$2,021 /resident	\$223 /resident		\$3,998 /resident	\$2,511 /resident	
Non-Residential						
Retail/Entertainment	\$1,061 /1,000 sq.ft.	\$248 /1,000 sq.ft.		N/A	N/A	\$374 /1,000 SF of impervious surface (All Land Use Categories)
Office	\$1,591 /1,000 sq.ft.	\$371 /1,000 sq.ft.		N/A	N/A	
B&B/Hotel	\$88 /1,000 sq.ft.	\$20 /1,000 sq.ft.		N/A	N/A	
Miscellaneous (Non-Residential) ^a	\$477 /person	\$111 /person		N/A	N/A	

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.

- 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.

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.

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 households 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.

EXHIBIT 2
Fee In-Lieu of Parkland Development

Land Use	Base Fee Per Resident	Persons per Dwelling Unit	Total Maximum Fee
Single Family Detached	\$3,882	3.4	\$13,593 per unit
Single Family Attached/Townhouse ^a	\$3,882	3.4	\$13,593 per unit
Multi-Family/Mixed Use ^b	\$3,882	2.2	\$8,796 per unit
Senior Housing	\$3,882	1.7	\$6,797 per unit
Miscellaneous (Residential)	\$3,882	N/A	\$3,998 per resident

Notes:

Fees are calculated in accordance with the following formula (per Moraga Municipal Code 8.140)

Amount of Land x Fair Market Value per Acre of Land where:

Amount of Land = Total number of dwelling units x Average number of persons per dwelling unit x 0.003 Acre

Fair Market Value of Land = \$1,300,000 per acre

All fees are inclusive of an Administrative Fee

- 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.
- 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. Secondary living units will be considered multi-family units unless they exceed 1,500 square feet in size or have more than two bedrooms.

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)

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 ¹		\$5,088
Multi-Family (TOD) ²		\$2,697
Commercial	1,000 Sq Ft	\$7.78
Other	Daily Trips	\$800

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

² 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%