



City of Berkeley

Department of Planning and Development

Development Fees and Affordability Requirements to which Berkeley projects may be subject:

Fee	Applies to:	Rate	Authority
Affordable Housing: Residential projects	Most new Housing projects. Revised by City Council 2/14/23.	<p>New projects with residential unit floor area over 5,000 square feet are required to provide affordable units comprising at least 20% of residential unit floor area. In lieu of providing units on site, developers can pay a per-square foot fee for affordable units not provided. The tiers are:</p> <ul style="list-style-type: none"> • 12,000 square feet or more: \$56.25 • 11,000-11,999 square feet: \$53.75 • 10,000-10,999 square feet: \$51.25 • 9,000-9,999 square feet: \$48.75 • 8,000-8,999 square feet: \$46.25 • 7,000-7,999 square feet: \$43.75 • 6,000-6,999 square feet: \$41.25 • 5,000-5,999 square feet: \$38.75 • 4,000-4,999 square feet: \$36.25 • 3,000-3,999 square feet: \$33.75 • 2,000-2,999 square feet: \$31.25 • 1,000-1,999 square feet: \$28.75 • Less than 1,000 square feet: \$26.25 	BMC 22.20.065, updated in Ord. 7,853-N.S. 2/14/23. Current Fee rates set in Reso No. 70,698-N.S., 2/14/23.
Affordable Housing: Commercial projects	Commercial projects with 7,500 NET new square feet or more	Per square foot of NET new commercial space: \$5.81/sq.ft. Office/R&D/Retail/Restaurant. \$5.65/sq.ft. self-storage. \$2.91 Manufacturing/Industrial/Warehouse. New rates effective 070122; updated annually per CPI.	Resolution 66,617 N.S., 6/3/2014.
Affordable Child Care: Commercial projects	Commercial projects with 7,500 NET new square feet or more	Per square foot of NET new commercial space: 1.81/sqft Office/Retail/Restaurant. \$1.94/Hotel. \$1.03 R&D. \$0.97 Manufacturing. \$0.80 Warehouse. New rates effective 070122; updated annually per CPI.	Resolution 66,618 N.S., 6/3/2014.



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Public Art	New Multifamily Residential (5+ units) and New Commercial/Industrial	On-site artwork valued at 1.75% of construction costs; or in-lieu fee valued at 0.8% of the construction costs; OR combination of the two.	BMC 23.316 . Ord 7,579 adopted 10/3/17.
SOSIP	All projects >1000 new sqft within Downtown Area Plan boundaries	\$2.23 per sqft of new Residential. \$1.68 per sqft of new Commercial. \$1.12 per sqft of new Institutional.	BMC 23.204.130 . Fee set by Reso No. 66,001-N.S. adopted 1/29/2013
POPOS (Open space in-lieu fee)	Projects within Downtown Area which have open space requirements waived	\$196 per square foot of required on-site open space that is waived or reduced from a development project.	BMC 23.204.130 . Fee set by Reso No. 68,049–N.S., 6/13/17.
Parking in-lieu fee	Project within Downtown Area which have parking space requirements waived—IS THIS STILL VALID	\$15,000 per space for waived spaces 1-5, \$20K/waived spaces 6-15, \$25K waived space 16-26, \$30K/waived space 26+	BMC 23.322. Fee set by Reso No. 66,178–N.S., 5/21/13.
Sewer Connection Fee	Any project which creates one or more NET new Drainage Fixture Units (DFUs)	For single-family residences, \$3,536 per new dwelling unit. For other projects, \$160.73 per Drainage Fixture Unit (DFU).	BMC 17.05. Fees per Reso 62,491-N.S., 5/18/2004



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Demolition Fee	Any project which would demolish existing affordable housing units	Fee rate TBD pending City Council adoption.	BMC Chapter 23.326
BUSD School Facilities Fee	New Residential development greater than 500 sq.ft, and all new Commercial and Industrial development	Fee rate TBD pending City Council adoption. \$3.48/sq.ft. Residential, \$0.56/sq.ft. Commercial/Industrial. Fee collected by School District, not by City.	BUSD 2017.

Note: Schools districts, utilities, regional government bodies and other jurisdictions which include the City of Berkeley may have their own fees and requirements which are not reflected here.