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

Fee	Applies to:	Rate	Authority
Affordable Housing: Residential projects	New housing developments projects which construct at least one residential unit. Revised by City Council, effective April 11, 2025.	New housing development projects must provide affordable units equal to at least 20% of the total residential units. Applicants have the option to pay an in-lieu fee instead of providing on-site affordable units. The in-lieu fee is $62.83 per square feet of Residential Unit Floor Area (RUFA) for all housing development projects. Note: Multifamily Infill Development (MHIP) or Multifamily Residential (MFR) projects that pay the full in-lieu fee are eligible to deduct 5,000 square feet from the RUFA. Single Family Residential (SFR) projects that pay the full in-lieu fee are eligible to deduct 2,500 square feet from the RUFA.	BMC 23.328, Current Fee rates/terms per Reso No. 72,418-N.S., adopted 7/28/2026.
Affordable Housing: Commercial projects	Commercial projects with 7,500 NET new square feet or more	Per square foot of NET new commercial space: $6.61/sq.ft. Office/R&D/Retail/Restaurant. $6.42/sq.ft. self-storage. $3.30 Manufacturing/Industrial/Warehouse. New rates effective July 1, 2026; 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: $1.85/sqft Office/Retail/Restaurant. $2.21/Hotel. $1.18 R&D. $1.11 Manufacturing. $0.91 Warehouse. New rates effective July 1, 2026; updated annually per CPI.	Resolution 66,618 N.S., 6/3/2014.
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.
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
BUSD School Facilities Fee	New Residential development greater than 500 sq.ft, and all new Commercial and Industrial development	$5.17/sq.ft. Residential, $0.84/sq.ft. Commercial/Industrial. Fee collected by School District, not by City.	As revised by BUSD June 12, 2024 (see Item 16.1).

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.