

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 14, 2016

File No. 160632

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

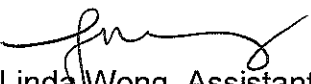
On May 31, 2016, Mayor Lee introduced the following legislation:

File No. 160632

Ordinance amending the Planning and Administrative Codes to adopt fee amounts for Planning Department fees, and set the process for annually adjusting the fee amounts; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board


By: Linda Wong, Assistant Clerk

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

1 [Planning, Administrative Codes - Planning Department Fees; Future Fee Adjustments]

2
3 **Ordinance amending the Planning and Administrative Codes to adopt fee amounts for**
4 **Planning Department fees, and set the process for annually adjusting the fee amounts;**
5 **and affirming the Planning Department’s determination under the California**
6 **Environmental Quality Act, making findings of consistency with the General Plan, and**
7 **the eight priority policies of Planning Code, Section 101.1, and adopting findings of**
8 **public necessity, convenience, and welfare under Planning Code, Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
12 **Board amendment additions** are in Arial font.
13 **Board amendment deletions** are in ~~Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
22 this determination.

23 (b) On _____, the Planning Commission, in Resolution No. _____,
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
25 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
2 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
4 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
5 Commission Resolution No. _____ and the Board incorporates such reasons herein by
6 reference. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of
7 the Board of Supervisors in File No. _____.

8
9 Section 2. The Planning Code is hereby amended by revising Section 350 and
10 deleting Sections 351 through 360, to read as follows:

11 **SEC. 350. FEES, GENERAL.**

12 (a) Authorization of Fees. The Planning Department shall charge ~~F~~fees shall be imposed
13 in order to compensate the ~~Planning~~ Department for the cost of processing applications, and
14 for the development ~~developing~~ and ~~revising revision of~~ land use controls, and performing or
15 providing other activities and services. Notwithstanding the procedures set forth in this Section 350, the
16 Board of Supervisors may modify the fees by ordinance at any time.

17 (b) Base Fees. The base ~~F~~fees shall be to be charged and collected as indicated by the
18 Department for each class of application, permit, filing request, ~~or~~ activity, or service processed or
19 performed by the Department are stated in Section 4 of Ordinance No. _____, available in Board
20 of Supervisors File No. _____ and on the website of the Board of Supervisors listed in Sections 351
21 through 360 below. The base fees stated in Section 4 of that ordinance are the fees in effect as of the
22 date of introduction of the ordinance.

23 (c) Annual Adjustment of Base Fees. Consistent with preexisting law, beginning with the
24 setting of fees for fiscal year 2016-2017, the Controller will annually adjust the base fee amounts
25 referenced in subsection (b) and stated in Section 4 of Ordinance No. _____ in Board of Supervisors

1 File No. _____, without further action by the Board of Supervisors, to reflect changes in the two-year
2 average Consumer Price Index (CPI) change for the San Francisco/San Jose Primary Metropolitan
3 Area (PMSA). This process will occur as follows.

4 No later than April 15 of each year, the Director shall submit the Department's current Fee
5 Schedule to the Controller, who shall apply the CPI adjustment to produce a new Fee Schedule for the
6 following two budget years. No later than July 1 of each year, the Controller shall file a report with the
7 Board of Supervisors reporting the new Fee Schedule and certifying that: (1) the fees produce sufficient
8 revenue to support the costs of providing the services for which the fee is charged and (2) the fees do
9 not produce revenue that exceeds the costs of providing the services for which each permit fee is
10 charged.

11 No later than September of each year, the Department's Fee Schedule showing the current fee
12 amounts inclusive of annual adjustments shall be published in an Appendix to the Planning Code,
13 posted on the Department's website, and made available upon request at the main office of the
14 Department.

15 (d) **Surcharges.** In addition to fees, a surcharge shall be assessed on some fees to
16 compensate the Department for the cost of appeals to the Board of Supervisors or the Board of
17 Appeals. These surcharges are stated in Section 4 of Ordinance No. _____ in Board of
18 Supervisors File No. _____. These surcharges are not part of base fees as described in subsection
19 (b) and are not subject to the annual adjustment process described in subsection (c). However, to fully
20 inform the public, such surcharges shall be included in the Planning Department Fee Schedule
21 referenced in subsection (c).

22 In addition, there shall be a surcharge assessed on certain permit fees to fully compensate the
23 Department for the costs of discretionary review, as detailed in Section 4 of the aforementioned
24 ordinance. That surcharge will be treated as if it were a base fee, and will be subject to the annual
25

1 adjustment process described in subsection (c) and included in the Planning Department Fee Schedule
2 referenced in subsection (c).

3 (e) **Estimated Construction Costs.** Estimated construction costs are as defined by the
4 San Francisco Building Code. Certain of the fees specified in Section 4 of Ordinance No.
5 in Board of Supervisors File No. _____ place a limit on the fee based on its not
6 exceeding a specified percentage of construction cost.

7 (f) **Time for Payment.** All fees are payable at time of filing application or request,
8 except where noted otherwise. However, the Director of Planning or his/her designee may
9 authorize phased collection of the fee for a project whose work is projected to span more than
10 one fiscal year. The balance of phased payments must be paid in full one week in advance of
11 the first scheduled public hearing before the Planning Commission to consider the project or
12 before issuance of the first site permit if no hearing is required.

13 (g) **Time and Materials.** The Planning Department shall charge the applicant for
14 any time and materials cost incurred in excess of the initial fee charged if required to recover
15 the Department's costs for providing services.

16 (1) The Department shall charge time and materials to recover the cost of
17 correcting code violations and violations of Planning Commission and Department conditions
18 of approval of use if such costs are not covered by the monitoring fee for conditions of
19 approval specified in the Planning Department Fee Schedule in Section 351(e)(1).

20 (2) Where a different limitation on time and material charges is set forth
21 elsewhere in this Article 3.5, that limitation shall prevail.

22 (3) The Planning Department may also charge for any time and material
23 costs incurred by other departments or agencies of the City and County of San Francisco.

24 (4) Any balance of time and materials costs for active and open projects
25 must be paid in full one week in advance of a scheduled public hearing before the Planning

1 Commission to consider the project or before issuance of the first site permit if no hearing is
2 required.

3 (h) Document Retrieval. The fee for files stored on-site shall be the actual costs for
4 printing the file(s). The fee for files stored off-site shall be the actual costs for retrieval, printing, and
5 return of files, as specified in a retrieval schedule prepared by the Director of Planning, or the
6 Director's designee.

7 (i) **Refunds.** When an application is withdrawn by the applicant prior to a public
8 hearing, or deemed canceled by the Planning Department due to inactivity on the part of the
9 applicant, then the applicant shall be entitled to a refund of the fee paid to the Department
10 less the time and materials expended. Refund requests must be submitted within six months
11 of the project closure date.

12 (j) **Deferred or Reduced Fee; Fee Waivers.**

13 (1) Any fraternal, charitable, benevolent or any other nonprofit organization,
14 that is exempt from taxation under the Internal Revenue laws of the United States and the
15 Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable,
16 benevolent, or other nonprofit organization, or public entity that submits an application for the
17 development of residential units all of which are affordable to low and moderate income
18 households, as defined by the United States Housing and Urban Development Department,
19 for a time period that is consistent with the policy of the Mayor's Office of Housing and
20 Community Development and the Successor to the San Francisco Redevelopment Agency, may
21 defer payment of the fees except those for discretionary review and appeals to the Board of
22 Supervisors under 352d and 352n until ~~(1)~~ (A) before final Planning Department approval of the
23 building permit, preparatory to issuance of the building permit, before the building permit is
24 released to the applicant, or ~~(2)~~ (B) within one year of the date of action on the application,
25 whichever comes first. This exemption shall apply notwithstanding the inclusion in the

1 development of other nonprofit ancillary or accessory uses. Should the project be withdrawn
2 prior to final Planning approval, the applicant shall pay time and material costs pursuant to
3 Section 350~~(g)(e)~~.

4 (2) An exemption from paying the full fees specified for discretionary review or
5 appeals to the Board of Supervisors under Section 352d and 352n may be granted when the
6 requestor's income is not enough to pay for the fee without affecting ~~their~~ his or her abilities to
7 pay for the necessities of life, provided that the person seeking the exemption demonstrates
8 to the Planning Director or his/her designee that ~~they are~~ he or she would be substantially
9 affected by the proposed project.

10 (3) Certain of the fees charged in accordance with subsections (b) and (c) are
11 subject in some circumstances to waiver, as stated in Section 4 of Ordinance No. _____ in Board
12 of Supervisors File No. _____.

13 ~~(j)~~ (k) **Late Payment; Charges and Collection of Overdue Accounts.** The Director
14 or his/her designee shall call upon the Bureau of Delinquent Revenues or duly licensed
15 collection agencies for assistance in collecting delinquent accounts more than 60 days in
16 arrears, in which case any additional costs of collection may be added to the fee amount
17 outstanding. If the Department seeks the assistance of a duly licensed collection agency, the
18 approval procedures of Administrative Code Chapter 10, Article V5, Section 10.39-1 et seq. will
19 be applicable.

20 ~~(g)~~ **Fee Adjustments.**

21 ~~(1)~~ The Controller will annually adjust the fee amounts specified in Sections 350-
22 360 by the two year average consumer price index (CPI) change for the San Francisco/San Jose
23 Primary Metropolitan Statistical Area (PMSA). For a listing of the Department's current fees inclusive
24 of annual indexing for inflation, reference the Schedule of Application Fees available on the
25 Department website.

1 ~~SEC. 351. MISCELLANEOUS SERVICES.~~

2 ~~(a) — Agendas for Planning Commission: \$38.00 annual subscription to cover costs of~~
3 ~~mailing. The Planning Director or his/her designee may authorize exemptions in those instances where~~
4 ~~costs would impose financial hardship.~~

5 ~~(b) — Agendas for Historic Preservation Commission: \$38.00 annual subscription to cover~~
6 ~~costs of mailing. The Planning Director or his/her designee, may authorize exemption in those~~
7 ~~instances where costs would impose financial hardship.~~

8 ~~(c) — Document Retrieval: Files stored on-site—actual costs for printing file(s), Files stored~~
9 ~~off site:—actual costs for retrieval, printing and return of files, as specified in a retrieval schedule~~
10 ~~prepared by Director of Planning, or his/her designee.~~

11 ~~(d) — Monitoring Projects: Monitoring Conditions of Approval: Upon adoption of conditions~~
12 ~~of approval which the Zoning Administrator determines require active monitoring, the fee shall be~~
13 ~~\$1,153.00 as an initial fee, plus time and materials as set forth in Section 350(e).~~

14 ~~(e) — Project Review for Policy and Code Review and Interpretation for Prospective Projects~~
15 ~~for Which an Application Has Not Been Filed, and Site-specific Design Guidelines and Code-~~
16 ~~complying Massing Recommendations and Department Facilitated Pre-application Meetings:~~
17 ~~\$376.00 for new construction and modifications to 5 or fewer dwelling units and for affordable housing~~
18 ~~projects as defined in the Guidelines of the United States Housing and Urban Development~~
19 ~~Department, and \$889.00 for all other projects and Department facilitated pre-application meetings.~~

20 ~~(f) — (1) — Project Notifications for an Individual Requesting Notification of Project~~
21 ~~Applications:~~

22 ~~(A) — First Address or First Assessor's Lot: \$33.00 per annum.~~

23 ~~(B) — Additional Addresses: \$13.00 for addresses in each new Assessor's Lot~~
24 ~~thereafter, per annum.~~

1 ~~(2) Project Notifications for a Neighborhood Organization, defined as (i) having~~
 2 ~~been in existence for 24 months prior to the request, and (ii) is listed on the Planning Department's~~
 3 ~~neighborhood organization notification list, requesting Notification of Project Applications:~~

4 ~~(A) First Address or First Assessor's Block: \$33.00 per annum.~~

5 ~~(B) Additional Addresses: \$13.00 for addresses in each new Assessor's Block~~
 6 ~~thereafter, per annum.~~

7 ~~(g) Zoning Administrator Written Determinations Pursuant to Section 307(a): \$125.00 for~~
 8 ~~zoning letters of conformance, \$563.00 for other written determinations.~~

9 ~~(h) Preliminary Project Assessment: \$4,427 which will be credited to the first project~~
 10 ~~application filed.~~

11 ~~SEC. 352. COMMISSION AND ZONING ADMINISTRATOR HEARING APPLICATIONS.~~

12 ~~(a) Conditional Use (Section 303), Planned Unit Development (Section 304). The initial~~
 13 ~~fee amount is not to exceed 50% of the construction cost. A \$111 surcharge shall be added to the fees~~
 14 ~~for a conditional use or planned unit development to compensate the City for the costs of appeals to the~~
 15 ~~Board of Supervisors.~~

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>No construction cost, excluding extension of hours</i>	<i>\$1,837.00</i>
<i>No construction cost, extension of hours</i>	<i>\$1,313.00</i>
<i>Wireless Telecommunications Services (WTS)</i>	<i>\$4,593.00</i>
<i>\$1.00 to \$9,999.00</i>	<i>\$1,313.00</i>
<i>\$10,000.00 to \$999,999.00</i>	<i>\$1,313.00 plus 0.595% of cost over \$10,000.00</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$7,319.00 plus 0.709% of cost over \$1,000,000.00</i>

\$5,000,000.00 to \$9,999,999.00	\$36,273.00 plus 0.595% of cost over \$5,000,000.00
\$10,000,000.00 to \$19,999,999.00	\$66,608.00 plus 0.309% of cost over \$10,000,000.00
\$20,000,000.00 or more	\$98,222.00

(b) — *Variance (Section 305). Variance fees are subject to additional time and material charges, as set forth in Section 350(e). The initial fee amount is not to exceed 50% of the construction cost.*

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
\$0.00 — \$9,999.00	\$834.00
\$10,000.00 — \$19,999.00	\$1,859.00
\$20,000.00 and greater	\$3,785.00

(c) — *Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section 330) Applications Commission Hearing Fee Schedule. The initial fee amount is not to exceed 50% of the construction cost.*

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
\$0.00 to \$9,999.00	\$261.00
\$10,000.00 to \$999,999.00	\$266.00 plus 0.119% of cost over \$10,000.00
\$1,000,000.00 to \$4,999,999.00	\$1,472.00 plus 0.142% of cost over \$1,000,000.00
\$5,000,000.00 to \$9,999,999.00	\$7,278.00 plus 0.118% of cost over \$5,000,000.00
\$10,000,000.00 to \$19,999,999.00	\$13,320.00 plus 0.062% of cost over \$10,000,000

1 ~~\$20,000,000.00 or more~~

~~\$19,667.00~~

2 ~~(1) — Where an applicant requests two or more approvals involving a conditional use,~~
3 ~~planned unit development, variance, Downtown (C-3) District Section 309 review, Large Project~~
4 ~~Authorization in the Eastern Neighborhoods Mixed Use Districts, certificate of appropriateness, permit~~
5 ~~to alter a significant or contributory building both within and outside of Conservation Districts, or a~~
6 ~~coastal zone permit review, the amount of the second and each subsequent initial fees of lesser value~~
7 ~~shall be reduced to 50 percent.~~

8 ~~(2) — Minor project modifications requiring a public hearing to amend Conditions of~~
9 ~~Approval of a previously authorized project, not requiring a substantial reevaluation of the prior~~
10 ~~authorization: \$975.00.~~

11 ~~(3) — The applicant shall be charged for any time and materials beyond the initial fee~~
12 ~~in Section 352, as set forth in Section 350(c).~~

13 ~~(4) — An applicant proposing major revisions, as determined by the Zoning~~
14 ~~Administrator, to a project application that has been inactive for more than six months and is assigned~~
15 ~~shall submit a new application. An applicant proposing major revisions to a project which has not been~~
16 ~~assigned and for which an application is on file with the Planning Department shall be charged time~~
17 ~~and materials to cover the full costs in excess of the initial fee paid.~~

18 ~~(5) — For agencies or departments of the City and County of San Francisco, the initial~~
19 ~~fee for applications shall be based upon the construction cost as set forth above.~~

20 ~~(d) — Discretionary Review Request: \$500.00; provided, however, that the fee shall be waived~~
21 ~~if the discretionary review request is filed by a neighborhood organization that: (1) has been in~~
22 ~~existence for 24 months prior to the filing date of the request, (2) is on the Planning Department's~~
23 ~~neighborhood organization notification list, and (3) can demonstrate to the Planning Director or~~
24 ~~his/her designee that the organization is affected by the proposed project. Such fee shall be refunded to~~
25 ~~the individual or entity that requested discretionary review in the event the Planning Commission~~

1 ~~denies the Planning Department's approval or authorization upon which the discretionary review was~~
2 ~~requested. Mandatory discretionary reviews: \$3,509.00.~~

3 ~~(e) — **Institutional Master Plan (Section 304.5).**~~

4 ~~(1) — Full Institutional Master Plan or Substantial Revision: \$12,513.00 plus time and~~
5 ~~materials if the cost exceeds the initial fee as set forth in Section 350(c).~~

6 ~~(2) — Abbreviated Institutional Master Plan: \$2,290.00 plus time and materials if the~~
7 ~~cost exceeds the initial fee as set forth in Section 350(c).~~

8 ~~(f) — **Land Use Amendments and Related Plans and Diagrams of the San Francisco**~~
9 ~~**General Plan:** Fee based on the Department's estimated actual costs for time and materials required to~~
10 ~~review and implement the requested amendment, according to a budget prepared by the Director of~~
11 ~~Planning, in consultation with the sponsor of the request.~~

12 ~~(g) — **General Plan Referrals:** \$3,724 plus time and materials if the cost exceeds the initial fee~~
13 ~~as set forth in Section 350(c).~~

14 ~~(h) — **Redevelopment Plan Review:** The Director of Planning shall prepare a budget to cover~~
15 ~~actual time and materials expected to be incurred, in consultation with the Redevelopment Agency. A~~
16 ~~sum equal to ½ the expected cost will be submitted to the Department, prior to the commencement of~~
17 ~~the review. The remainder of the costs will be due at the time the initial payment is depleted.~~

18 ~~(i) — **Reclassify Property or Impose Interim Zoning Controls:** \$7,198.00~~

19 ~~(1) — The applicant shall be charged for any time and materials as set forth in Section~~
20 ~~350(c).~~

21 ~~(2) — **Applications with Verified Violations of this Code:** The Planning Department~~
22 ~~shall charge time and materials as set forth in Section 350(c).~~

23 ~~(j) — **Setback Line, Establish, Modify or Abolish:** \$2,910.00~~

24 ~~(k) — **Temporary Use Fees:** \$417.00 as an initial fee, plus time and materials if the cost~~
25 ~~exceeds the initial fee, as set forth in Section 350(c).~~

1 ~~(l) — Amendments to Text of the Planning Code: \$14,382.00 as an initial fee, plus time and~~
2 ~~materials if the cost exceeds the initial fee as set forth in Section 350(e).~~

3 ~~(m) — Zoning Administrator Conversion Determinations Related to Service Station~~
4 ~~Conversions: \$2,841.00 as an initial fee, plus time and materials if the cost exceeds the initial fee.~~
5 ~~(Section 228.4).~~

6 ~~(n) — Appeals to the Board of Supervisors:~~

7 ~~(1) — The fee for appeals shall be \$521.00, plus any inflation indexing as described in~~
8 ~~Section 350(g) for the appellant of a decision by the Planning Commission as described in Section~~
9 ~~308.1 or certain disapproval actions by the Historic Preservation Commission as described in Sections~~
10 ~~1004.4, 1006, and 1006.7, to the Board of Supervisors; provided, however, that the fee shall be waived~~
11 ~~if the appeal is filed by a neighborhood organization that: (1) has been in existence for 24 months prior~~
12 ~~to the appeal filing date, (2) is on the Planning Department's neighborhood organization notification~~
13 ~~list, and (3) can demonstrate to the Planning Director or his/her designee that the organization is~~
14 ~~substantially affected by the proposed project.~~

15 ~~(2) — Such fees shall be used to defray the cost of an appeal to the Planning~~
16 ~~Department. At the time of filing an appeal, the Clerk of the Board of Supervisors shall collect such fee~~
17 ~~and forward the fee amount to the Planning Department.~~

18 **~~SEC. 353. DOWNTOWN APPLICATIONS.~~**

19 ~~(a) — Exception in C-3 District (Section 309): \$1,853.00 as an initial fee, plus time and~~
20 ~~materials as set forth in Section 350(e) for one or more exceptions to the Planning Code, which shall~~
21 ~~not be reduced per Section 352(e)(2).~~

22 ~~(b) — Modifications in C-3 District, Determination of Need (Section 309): Same as Basic~~
23 ~~commission hearing fee schedule (Sections 352(e), 352(e)(1) et seq.).~~

24 ~~(c) — Office Development Limitation Projects (Sections 320 through 323): \$4,967.00 per~~
25 ~~application at initial intake plus time and materials as set forth in Section 350(e).~~

1 ~~(d) — Article 11 Designated Buildings:~~

2 ~~(1) — Significant or Contributory Building, Designation or Change of Boundary:~~
3 ~~\$6,407.00.~~

4 ~~(2) — Conservation District, Designation or Change of Boundary: \$6,407.00.~~

5 ~~(3) — Permit to Alter a Significant or Contributory Building Within a Designated~~
6 ~~Conservation District, not Deemed Minor by the Zoning Administrator: \$8,459.00 plus time and~~
7 ~~materials in excess of initial fee as set forth in Section 350(e).~~

8 ~~(4) — Alteration of a Contributory Building Located Outside a Conservation District~~
9 ~~From Which No TDR Has Been Transferred and No Issuance of a Permit Pursuant to Sections 1111~~
10 ~~through 1111.6: \$8,459.00.~~

11 ~~(5) — Significant or Contributory Building Demolition in or outside of a Conservation~~
12 ~~District for which TDRs have been transferred: \$8,459.00. This fee shall be in addition to any fee~~
13 ~~otherwise required for permits to alter or demolish. However, applications to demolish a Contributory~~
14 ~~Building located outside a Conservation District from which no TDR has been transferred or a~~
15 ~~Category V Building in a Conservation District from which no TDR has been transferred are subject~~
16 ~~only to the demolition fee contained in Section 355(b).~~

17 ~~(6) — Statement of Eligibility: \$1,500.00.~~

18 ~~(7) — Certificate of Transfer, Execution: \$433.00.~~

19 ~~(8) — Certification of Transfer of TDR, Notice of Use: \$1,351.00.~~

20 ~~**SEC. 354. ENVIRONMENTAL REVIEW.**~~

21 ~~See Administrative Code, Section 31.21 et seq. for fees.~~

22 ~~**SEC. 355. PERMIT APPLICATIONS.**~~

23 ~~(a) — Building permit applications for a change in use or alteration of an existing building, to~~
24 ~~be collected by Central Permit Bureau; provided, however, that the fees charged for Planning~~
25 ~~Department approval over the counter for the replacement of windows, roofs, siding, and doors shall~~

1 *be reduced to 1/2 the fee set forth below. The Planning Department initial fee amount shall not exceed*
 2 *50% of the construction cost, notwithstanding the foregoing. Applications for permit revisions are*
 3 *excluded from this limitation.*

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0.00 to \$9,999.00</i>	<i>\$326.00</i>
<i>\$10,000.00 to \$49,999.00</i>	<i>\$334.00 plus 3.414% of cost over \$10,000.00</i>
<i>\$50,000.00 to \$99,999.00</i>	<i>\$1,725.00 plus 2.281% of cost over \$50,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
<i>\$100,000.00 to \$499,999.00</i>	<i>\$2,890.00 plus 2.497% of cost over \$100,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
<i>\$500,000.00 to \$999,999.00</i>	<i>\$13,068.00 plus 0.631% of cost over \$500,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$16,286.00 plus 0.248% of cost over \$1,000,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
<i>\$5,000,000.00 to \$99,999,999.00</i>	<i>\$26,392.00 plus .004% of cost over \$5,000,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>

<p>1 \$100,000,000.00 or more</p>	<p> \$30,530.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</p>
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4 (1) — ~~Application with Verified Violations of this Code: The Planning Department~~
5 shall charge \$1,153.00 as an inspection fee for monitoring code violation abatements.

6 (2) — ~~Back Check Fee for Permit Revisions: \$208.00 for the initial fee, plus time and~~
7 materials as set forth in Section 350(e), to be collected at time of permit issuance.

8 (3) — ~~Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in~~
9 Height (Section 295): Additional \$477.00 plus time and materials as set forth in Section 350(e).

10 (4) — ~~Public Notification Fee for Projects Requiring Public Notice Pursuant to~~
11 Section 311: \$49.00, plus \$3.26 per envelope (subject to increase based on envelope and postage
12 costs). The City's reprographics department will print and mail public notices.

13 (5) — ~~Public Notification Fee for Projects Requiring Public Notice Pursuant to~~
14 Section 312: \$49.00, plus \$1.13 per envelope (subject to increase based on envelope and postage
15 costs). The City's reprographics department will print and mail public notices.

16 (6) — ~~For projects with a construction cost of \$100,000,000.00 or more, the applicant~~
17 shall be charged the permit fee for a project with a \$100,000,000.00 construction cost.

18 (7) — ~~Permits for solar panels and over-the-counter permits for solar equipment~~
19 installation shall be \$140.00 per permit.

20 (b) — ~~Building Permit Applications for a New Building. The Planning Department initial fee~~
21 amount is not to exceed 50% of the construction cost; notwithstanding the foregoing, applications for
22 permit revisions are excluded from this limitation.

<p>23 Estimated Construction Cost</p>	<p> Initial Fee</p>
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1 2 3	<i>\$0 to \$99,999</i>	<i>\$1,887.00, plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
4 5 6	<i>\$100,000.00 to \$499,999.00</i>	<i>\$1,888.00 plus 2.446% of cost over \$100,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
7 8 9 10	<i>\$500,000.00 to \$999,999.00</i>	<i>\$12,068.00 plus 0.797% of cost over \$500,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
11 12 13	<i>\$1,000,000 to \$4,999,999.00</i>	<i>\$16,130 plus 0.306% of cost over \$1,000,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
14 15 16	<i>\$5,000,000.00 to \$99,999,999.00</i>	<i>\$28,630.00 plus 0.005% of cost of \$5,000,000 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>
17 18 19	<i>\$100,000,000.00 or more</i>	<i>\$33,804.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee</i>

20 *(1) — Applications with Verified Violations of this Code: \$1,153 as an inspection fee*
21 *for monitoring Code violation abatements.*

22 *(e) — Demolition Applications, to be collected by Central Permit Bureau: \$1,471.00.*

23 *(d) — Fire, Police, Entertainment Commission, State Alcohol & Beverages Control and*
24 *Health Department Permit Applications Referral Review: \$124.00 initial fee collected by the other*
25

1 *departments in conjunction with current fee collections, plus time and materials as set forth in Section*
2 *350(e).*

3 ~~(e) — Sign Permit Applications, to be collected by Central Permit Bureau: \$130.00.~~

4 ~~(f) — Small Business Month Fee Waiver. No Planning Department fees shall apply for~~
5 ~~permits issued to Small Business Enterprises in the month of May for awning replacement and for signs~~
6 ~~on awnings. For purposes of this Subsection (f), a Small Business Enterprise shall be a business that~~
7 ~~has 100 or fewer employees. The Planning Department and the Department of Building Inspection~~
8 ~~shall establish process by which those two departments will certify that an applicant is a Small~~
9 ~~Business Enterprise for the purpose of this Subsection and Section 110A, Tables 1A-A and 1A-E of the~~
10 ~~Building Code.~~

11 ~~**SEC. 356. PRESERVATION APPLICATIONS. (Article 10).**~~

12 ~~(a) — Landmark: \$267.00.~~

13 ~~(b) — Amendment, Rescission or Designation of Historical District: \$1,069.00 plus time and~~
14 ~~materials in excess of initial fee, as set forth in Section 350c. The Planning Director or his/her designee~~
15 ~~may waive time and material charges for the designation of a Historical District to encourage Citywide~~
16 ~~preservation activities.~~

17 ~~(c) — Certificate of Appropriateness: \$314.00 for applications with an estimated construction~~
18 ~~cost less than \$1,000.00; \$1,252.00 for applications with an estimated construction less than~~
19 ~~\$20,000.00; \$5,793.00 for applications with an estimated construction value \$20,000.00 and more, plus~~
20 ~~time and materials in excess of initial fee as set forth in Section 350(e). The initial fee amount is not to~~
21 ~~exceed 50% of the construction cost.~~

22 ~~(d) — Determination that a Building is a Compatible Rehabilitation or a Compatible~~
23 ~~Replacement Building, Pursuant to Section 309 or 1109: Same as for Conditional Use (Section~~
24 ~~352(a)).~~

1 ~~(e) — Processing and Administering an Application for a Historical Properties Contract~~
2 ~~Under the California Mills Act, California Government Code Sections 50280 – 50290: \$5,000.00 for~~
3 ~~commercial properties and \$2,500.00 for residential properties.~~

4 ~~**SEC. 357. TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.**~~

5 ~~(a) — Transportation Study \$21,758.00 plus time and materials as set forth in Section 350(c).~~
6 ~~Extremely complex transportation studies will be charged a higher initial fee based on the specifics of~~
7 ~~the project which will be outlined in an Agreement between the Department and the project sponsor.~~

8 ~~(b) — Municipal Transportation Agency review of transportation impact study: \$4,185 per~~
9 ~~study.~~

10 ~~**SEC. 358. GENERAL ADVERTISING SIGNS FEES.**~~

11 ~~(a) — The fee for the relocation agreement application pursuant to Section 611 and~~
12 ~~Administrative Code Section 2.21 shall be \$1,249.00 per individual relocation agreement application.~~

13 ~~(b) — The fee for the initial inventory processing pursuant to Section 604.2 shall be \$699.00~~
14 ~~per sign structure.~~

15 ~~(c) — The fee for an in-lieu application pursuant to Section 604.1 shall be \$399.00 per sign~~
16 ~~structure.~~

17 ~~(d) — The fee for annual inventory maintenance pursuant to Section 604.2 shall be \$226.00.~~

18 ~~(e) — Fee Review and Adjustment. Beginning with fiscal year 2007-2008, the fees established~~
19 ~~in this Section may be adjusted each year, without further action by the Board of Supervisors, to reflect~~
20 ~~changes in the relevant Consumer Price Index, as determined by the Controller. No later than April~~
21 ~~15th of each year, the Director shall submit the Department's current fees schedule to the Controller,~~
22 ~~who shall apply the price index adjustment to produce a new fee schedule for the following year. No~~
23 ~~later than May 15th of each year, the Controller shall file a report with the Board of Supervisors~~
24 ~~reporting the new fee schedule and certifying that: (a) the fees produce sufficient revenue to support the~~
25 ~~costs of providing the services for which the fee is charged and (b) the fees do not produce revenue that~~

1 ~~exceeds the costs of providing the services for which each permit fee is charged. Notwithstanding the~~
2 ~~procedures set forth in this Section, the Board of Supervisors, in its discretion, may modify the fees by~~
3 ~~ordinance at any time.~~

4 ~~**SEC. 359. ECONOMIC IMPACT STUDY FOR LARGE SCALE RETAIL USE.**~~

5 ~~The fee to review an economic impact study, as required by Section 303(i), shall be \$3,500.00,~~
6 ~~plus any additional time and materials as set forth in 350.~~

7 ~~**SEC. 360. PERFORMANCE REVIEW FOR FORMULA RETAIL USE.**~~

8 ~~The fee to provide performance review for Formula Retail uses as required by Section 303.1~~
9 ~~shall be the standard building permit fee, plus time and materials as set forth in Section 350(e).~~

10
11 Section 3. The Administrative Code is hereby amended by revising Sections 31.22 and
12 31.23.1, to read as follows:

13 **SEC. 31.22. BASIC FEES.**

14 (a) Authorization of Fees. The Planning Department shall charge ~~the following basic~~
15 ~~fees to applicants for projects located outside of recently adopted Plan Areas (adopted after July 1,~~
16 ~~2005) that do not require one or more of the following, which will be initiated through the adoption of~~
17 ~~an Area Plan: Code amendments for the height or bulk district and General Plan amendments, as~~
18 ~~specified in Section 31.21 above: to compensate the Department for the cost of performing the activities~~
19 ~~and providing the services described in Chapter 31 of this Code. Notwithstanding the procedures set~~
20 ~~forth in this Section 31.22, the Board of Supervisors may modify the fees by ordinance at any time.~~

21 (b) Base Fees. ~~The base fees to be charged and collected by the Department for the~~
22 ~~activities performed by the Department under Chapter 31 of this Code are stated in Section 4 of~~
23 ~~Ordinance No. _____, available in Board of Supervisors File No. _____ and on the website of the~~
24 ~~Board of Supervisors. The base fees stated in Section 4 of that ordinance are the fees in effect as of the~~
25 ~~date of introduction of the ordinance.~~

1 (c) Annual Adjustment of Base Fees. Consistent with preexisting law, beginning with the
2 setting of fees for fiscal year 2016-2017, the Controller will annually adjust the base fee amounts
3 referenced in subsection (b) and stated in Section 4 of Ordinance No. _____ in Board of Supervisors
4 File No. _____, without further action by the Board of Supervisors, to reflect changes in the two-year
5 average Consumer Price Index (CPI) change for the San Francisco/San Jose Primary Metropolitan
6 Area (PMSA). This process will occur as follows.

7 No later than April 15 of each year, the Director shall submit the Department's current Fee
8 Schedule to the Controller, who shall apply the CPI adjustment to produce a new Fee Schedule for the
9 following two budget years. No later than July 1 of each year, the Controller shall file a report with the
10 Board of Supervisors reporting the new Fee Schedule and certifying that: (1) the fees produce sufficient
11 revenue to support the costs of providing the services for which the fee is charged and (2) the fees do
12 not produce revenue that exceeds the costs of providing the services for which each permit fee is
13 charged.

14 No later than September of each year, the Department's Fee Schedule showing the current fee
15 amounts inclusive of annual adjustments shall be published in an Appendix to the Planning Code,
16 posted on the Department's website, and made available upon request at the main office of the
17 Department.

18 (d) Surcharges. In addition to fees, a surcharge shall be assessed on some fees to
19 compensate the Department for the cost of appeals to the Board of Supervisors. These surcharges are
20 stated in Section 4 of Ordinance No. _____ in Board of Supervisors File No. _____. These
21 surcharges are not part of base fees as described in subsection (b) and are not subject to the annual
22 adjustment process described in subsection (c). However, to fully inform the public, such surcharges
23 shall be included in the Planning Department Fee Schedule referenced in subsection (c).

24 (e) Estimated Construction Costs. Estimated construction costs are as defined by the San
25 Francisco Building Code.

1 ~~(1) For an initial study of a project excluding use of special expertise or technical~~
2 ~~assistance, as described in Section 31.23 below, the initial fee shall be:~~

3 ~~Where the total estimated construction cost as defined by the San Francisco Building~~
4 ~~Code is between \$0 and \$9,999: \$1,092;~~

5 ~~Where said total estimated construction cost is \$10,000 or more, but less than \$200,000:~~
6 ~~\$4,249 PLUS 2.066% of the cost over \$10,000;~~

7 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
8 ~~\$1,000,000: \$8,251 PLUS 1.562% of the cost over \$200,000;~~

9 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
10 ~~\$10,000,000: \$20,987 PLUS 1.311% of the cost over \$1,000,000;~~

11 ~~Where said total estimated construction cost is \$10,000,000 or more, but less than~~
12 ~~\$30,000,000: \$141,220 PLUS 0.404% of the cost over \$10,000,000;~~

13 ~~Where said total estimated construction cost is \$30,000,000 or more, but less than~~
14 ~~\$50,000,000: \$ 223,531 PLUS 0.152% of the cost over \$30,000,000;~~

15 ~~Where said total estimated construction cost is \$50,000,000 or more, but less than~~
16 ~~\$100,000,000: \$254,453 PLUS 0.037% of the cost over \$50,000,000;~~

17 ~~Where said total estimated construction cost is \$100,000,000 or more: \$272,962 PLUS~~
18 ~~0.016% of the cost over \$100,000,000.~~

19 ~~An applicant proposing major revisions to a project application that has been inactive~~
20 ~~for more than six months and is assigned shall submit a new application. An applicant proposing~~
21 ~~significant revisions to a project which has not been assigned and for which an application is on file~~
22 ~~with the Planning Department shall be charged time and materials to cover the full costs in excess of~~
23 ~~the initial fee paid. A \$111 surcharge shall be added to this fee to compensate the City for the costs of~~
24 ~~appeals to the Board of Supervisors.~~

1 ~~(2) — For preparation of an environmental impact report excluding use of special expertise or~~
2 ~~technical assistance, as described in Section 31.23 below, the initial fee shall be:~~

3 ~~Where the total estimated construction cost as defined in the San Francisco Building~~
4 ~~Code is between \$0 to \$199,999: \$24,255;~~

5 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
6 ~~\$1,000,000: \$24,255 PLUS 0.596% of the cost over \$200,000;~~

7 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
8 ~~\$10,000,000: \$29,248 PLUS 0.404% of the cost over \$1,000,000;~~

9 ~~Where said total estimated construction cost is \$10,000,000 or more, but less than~~
10 ~~\$30,000,000: \$66,289 PLUS 0.165% of the cost over \$10,000,000;~~

11 ~~Where said total estimated construction cost is \$30,000,000 or more, but less than~~
12 ~~\$50,000,000: \$100,041 PLUS 0.045% of the cost over \$30,000,000;~~

13 ~~Where said total construction cost is \$50,000,000 or more, but less than \$100,000,000:~~
14 ~~\$109,240 PLUS 0.045% of the cost over \$50,000,000;~~

15 ~~Where said total estimated construction cost is \$100,000,000 or more: \$132,433 PLUS~~
16 ~~0.016% of the cost over \$100,000,000.~~

17 ~~An applicant proposing major revisions to a project application that has been inactive~~
18 ~~for more than six months and is assigned shall submit a new application. An applicant proposing~~
19 ~~significant revisions to a project which has not been assigned and for which an application is on file~~
20 ~~with the Planning Department shall be charged time and materials to cover the full costs in excess of~~
21 ~~the initial fee paid.~~

22 ~~(3) — For an appeal to the Planning Commission: The fee shall be \$521.00 to the appellant;~~
23 ~~provided, however, that the fee shall be waived if the appeal is filed by a neighborhood organization~~
24 ~~that: (a) has been in existence for 24 months prior to the appeal filing date, (b) is on the Planning~~
25 ~~Department's neighborhood organization notification list, and (c) can demonstrate to the Planning~~

1 ~~Director or his/her designee that the organization is affected by the proposed project. An exemption~~
2 ~~from paying this appeal fee may be granted when the requestor's income is not enough to pay for the~~
3 ~~fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the~~
4 ~~exemption demonstrates to the Planning Director or his/her designee that they are substantially~~
5 ~~affected by the proposed project.~~

6 (4) ~~For an appeal to the Board of Supervisors of environmental determinations, including~~
7 ~~the certification of an EIR, a negative declaration, or determination of a categorical exemption, the fee~~
8 ~~shall be \$521.00 to the appellant; provided, however, that the fee shall be waived if the appeal is filed~~
9 ~~by a neighborhood organization that: (a) has been in existence for 24 months prior to the appeal filing~~
10 ~~date, (b) is on the Planning Department's neighborhood organization notification list, and (c) can~~
11 ~~demonstrate to the Planning Director or his/her designee that the organization is affected by the~~
12 ~~proposed project. Fees shall be used to defray the cost of appeal for the Planning Department. Such fee~~
13 ~~shall be refunded to the appellant in the event the Planning Department rescinds its determination or~~
14 ~~the Board of Supervisors remands or rejects the environmental impact report, negative declaration, or~~
15 ~~determination of a categorical exemption to the Planning Commission for revisions based on issues~~
16 ~~related to the adequacy and accuracy of the environmental determination. An exemption from paying~~
17 ~~this appeal fee may be granted when the requestor's income is not enough to pay for the fee without~~
18 ~~affecting their ability to pay for the necessities of life, provided that the person seeking the exemption~~
19 ~~demonstrates to the Clerk of the Board of Supervisors or his/her designee that they are substantially~~
20 ~~affected by the proposed project.~~

21 (5) ~~For preparation of an addendum to an environmental impact report that has previously~~
22 ~~been certified, pursuant to Section 15164 of the State CEQA Guidelines; or reevaluation of a modified~~
23 ~~project for which a negative declaration has been prepared: \$22,844 plus time and materials as set~~
24 ~~forth in Subsection (b)(2).~~

1 (6) — ~~For preparation of a supplement to a draft or certified final environmental impact~~
2 ~~report. One half of the fee that would be required for a full environmental impact report on the same~~
3 ~~project, as set forth in Paragraph (2) above, plus time and materials as set forth in Subsection (b)(2). A~~
4 ~~\$111 surcharge shall be added to this fee to compensate the City for the costs of appeals to the Board~~
5 ~~of Supervisors.~~

6 (7) — (A) — ~~For preparation of a Certificate of Exemption from Environmental Review~~
7 ~~determining that a project is categorically exempt, statutorily exempt, ministerial/nonphysical, an~~
8 ~~emergency, or a planning and feasibility study: \$291 for applications that require only a stamp, \$5,697~~
9 ~~as an initial fee for applications that require an Exemption Certificate, plus time and materials as set~~
10 ~~forth in Subsection (b)(2). A \$111 surcharge shall be added to this fee to compensate the City for the~~
11 ~~costs of appeals to the Board of Supervisors.~~

12 (B) — ~~For preparation of a Class 32 Certificate of Exemption from Environmental~~
13 ~~Review determining that a project is categorically exempt, the initial fee shall be:~~

14 ~~Where the total estimated construction cost as defined by the San Francisco Building~~
15 ~~Code is between \$0 and \$9,999: \$10,476;~~

16 ~~Where said total estimated construction cost is \$10,000 or more, but less than \$200,000:~~
17 ~~\$10,476 PLUS 0.182% of the cost over \$10,000;~~

18 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
19 ~~\$1,000,000: \$10,822 PLUS 0.172% of the cost over \$200,000;~~

20 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
21 ~~\$10,000,000: \$12,201 PLUS 0.053% of the cost over \$1,000,000;~~

22 ~~Where said total estimated construction cost is \$10,000,000 or more: \$16,978 PLUS~~
23 ~~0.386% of the cost over \$10,000,000.~~

24 ~~A \$111 surcharge shall be added to this fee to compensate the City for the costs of appeals to the Board~~
25 ~~of Supervisors.~~

1 ~~(8) — For preparation of an exemption that requires review of historical resource issues only,~~
2 ~~the following fees apply. For a determination of whether a property is an historical resource under~~
3 ~~CEQA, the fee is \$2,387. For a determination of whether a project would result in a substantial adverse~~
4 ~~change in the significance of an historical resource, the fee is \$3,310. A \$111 surcharge shall be added~~
5 ~~to this fee to compensate the City for the costs of appeals to the Board of Supervisors.~~

6 ~~(9) — For preparation of a letter of exemption from environmental review: \$291, plus time and~~
7 ~~materials as set forth in Subsection (b)(2).~~

8 ~~(10) — For review of a categorical exemption prepared by another City Agency, such as the~~
9 ~~Municipal Transportation Agency or the Public Utilities Commission: \$245, plus time and materials as~~
10 ~~set forth in Subsection (b)(2).~~

11 ~~(11) — For reactivating an application that the Environmental Review Officer has deemed~~
12 ~~withdrawn due to inactivity and the passage of time, subject to the approval of the Environmental~~
13 ~~Review Officer and within six months of the date the application was deemed withdrawn: \$237 plus~~
14 ~~time and materials to cover any additional staff costs.~~

15 ~~(12) — Monitoring Conditions of Approval and Mitigation Monitoring: Upon adoption of~~
16 ~~conditions of approval and/or mitigation measures which the Environmental Review Officer determines~~
17 ~~require active monitoring, the fee shall be \$1,153, as an initial fee, plus time and materials as set forth~~
18 ~~in Section 31.22(b)(2).~~

19 ~~(f) (b) **Time for Payment.**~~

20 ~~(1) — The fee specified for an initial study of a project excluding use of special expertise~~
21 ~~or technical assistance in Subsection (a)(1) shall be paid to the Planning Department at the time~~
22 ~~of the filing of the environmental evaluation application, and ~~where~~ where an environmental impact~~
23 ~~report is determined to be required, the fee specified for preparation of an environmental impact~~
24 ~~report excluding use of special expertise or technical assistance in Subsection (a)(2) shall be paid at~~
25 ~~the time the Notice of Preparation is prepared, except as specified below. However, the~~

1 Director of Planning or his/her designee may authorize phased collection of the fee for a
2 project whose work is projected to span more than one fiscal year. The balance of phased
3 payments must be paid in full one week in advance of the first scheduled public hearing
4 before the Planning Commission in consider the project or before any Environmental Impact
5 Report is published.

6 ~~(g)~~ ~~(2)~~ **Time and Materials.** The Planning Department shall charge the applicant for
7 any time and material costs incurred in excess of the initial fee charged if required to recover
8 the Department's costs for providing services. Provided, however, that where a different
9 limitation on time and materials is set forth elsewhere in this Article IV section, then that
10 limitation shall prevail.

11 ~~(3)~~ **Fee Adjustments.** ~~The Controller will annually adjust the project application fee~~
12 ~~amounts specified in Section 31.22 and Section 31.23 by the two year average consumer price index~~
13 ~~(CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA). For a~~
14 ~~listing of the Department's current fees inclusive of annual indexing for inflation, reference the~~
15 ~~Schedule of Applicable Fees available on the Planning Department website.~~

16 ~~(h)~~ ~~(4)~~ **Deferred or Reduced Fee.**
17 ~~(1)~~ Any fraternal, charitable, benevolent or any other nonprofit organization,
18 that is exempt from taxation under the Internal Revenue laws of the United States and the
19 Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable,
20 benevolent or other nonprofit organization, or public entity that submits an application for the
21 development of residential units or dwellings all of which are affordable to low and moderate
22 income households, as defined by the United State Housing and Urban Development
23 Department, for a time period that is consistent with the policy of the Mayor's Office of
24 Housing and Community Development and the Successor Agency to the San Francisco
25 Redevelopment Agency may defer payment of the applicable fees specified herein, with the

1 exception of the fees for (A) an appeal of an environmental determination to the Planning
2 Commission or Board of Supervisors or (B) reactivation of an application that the Environmental
3 Review Officer has deemed withdrawn due to inactivity payable pursuant to Section 31.22(a)(3) and (4)
4 and Section 31.22(a)(11) herein, until the time of issuance of the building permit, before the
5 building permit is released to the applicant; or within one year of the date of completion of the
6 environmental review document, whichever is sooner. This exemption shall apply
7 notwithstanding the inclusion in the development of other nonprofit ancillary or accessory
8 uses.

9 ~~(5)~~ (2) An exemption from paying the full fees for an appeal of an environmental
10 determination to the Planning Commission or Board of Supervisors set forth in Section 31.22(a)(3) and
11 (4) herein may be granted when the requestor's income is not enough to pay the fee without
12 affecting his or her ability to pay for the necessities of life, provided that the person seeking
13 the exemption demonstrates to the Director of Planning or his/her designee that he or she is
14 would be substantially affected by the proposed project.

15 ~~(6)~~ (3) Exceptions to the payment provisions noted above may be made when
16 the Director of Planning or his/her designee has authorized phased collection of the fee for a
17 project whose work is projected to span more than one fiscal year. The balance of phased
18 payments must be paid in full one week in advance of the first scheduled public hearing
19 before the Planning Commission to consider the project or before any Environmental Impact
20 Report is published.

21 (i) (e) **Refunds.** When a request for an initial evaluation or for preparation of an
22 environmental impact report is (1) either withdrawn by the applicant prior to publication of an
23 environmental document or (2) deemed canceled by the Planning Department due to inactivity
24 on the part of the applicant, then the applicant shall be entitled to a refund of the fees paid to
25

1 the Department less the time and materials expended. Refund requests must be submitted
2 within six months of the project closure date.

3 ~~(j) (d)~~ **Late Charges and Collection of Overdue Accounts.** The Director or his/her
4 designee shall call upon the Bureau of Delinquent Revenues or duly licensed collection
5 agencies for assistance in collecting delinquent accounts more than 60 days in arrears, in
6 which case any additional costs of collection may be added to the fee amount outstanding. If
7 the Department seeks the assistance of a duly licensed collection agency, the approval
8 procedures of Administrative Code Chapter 10, Article V5, Section 10.39-1 et seq. will be
9 applicable.

10 ~~(e) — These amendments to fees related to the Planning Department are intended to provide~~
11 ~~revenues for the staffing and other support necessary to provide more timely processing of applications~~
12 ~~within that Department.~~

13 **SEC. 31.23.1. COMMUNITY PLAN FEES.**

14 (a) The Planning Department shall charge ~~the following~~ Community Plan Fees for
15 environmental applications filed in adopted Plan Areas effective after July 1, 2005. ~~The fee~~
16 ~~amounts shall be as stated in Section 4 of Ordinance No. _____, available in Board of Supervisors~~
17 ~~File No. _____ and on the website of the Board of Supervisors, as stated in Section 31.22(b) of this~~
18 ~~Code, and adjusted annually in accordance with the procedure established under Section 31.22(c).~~

19 ~~(1) — For Class 1 and 3 Exemptions: same as basic fees outlined in Section~~
20 ~~31.22(a)(8) and (10).~~

21 ~~(2) — For determination of the appropriate environmental document: \$12,720 and any~~
22 ~~fee pursuant to Section 31.23.1(e) below. In addition, the applicant shall pay the following fees as~~
23 ~~appropriate:~~

24 ~~(i) — If the determination is that the project qualifies for a Community~~
25 ~~exemption or exclusion, the applicant shall pay a fee of \$6,950.~~

1 (ii) ~~If the determination is that the project does not qualify for a Community~~
2 ~~exemption or exclusion, the applicant shall pay fees as set forth in Section 31.23.1(b) below.~~

3 (b) ~~The fees for projects determined not to qualify for a Community exemption or exclusion~~
4 ~~are as follows:~~

5 (1) ~~For an initial study excluding use of special expertise or technical assistance, as~~
6 ~~described in Section 31.22 above, the initial fee shall be:~~

7 ~~Where the total estimated construction cost as defined by the San Francisco Building~~
8 ~~Code is between \$0 and \$9,999: \$1,360;~~

9 ~~Where said total estimated construction cost is \$10,000 or more, but less than \$200,000:~~
10 ~~\$5,651 PLUS 2.571% of the cost over \$10,000;~~

11 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
12 ~~\$1,000,000: \$10,631 PLUS 1.943% of the cost over \$200,000;~~

13 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
14 ~~\$10,000,000: \$26,478 PLUS 1.630% of the cost over \$1,000,000;~~

15 ~~Where said total estimated construction cost is \$10,000,000 or more, but less than~~
16 ~~\$30,000,000: \$176,062 PLUS 0.502% of the cost over \$10,000,000;~~

17 ~~Where said total estimated construction cost is \$30,000,000 or more, but less than~~
18 ~~\$50,000,000: \$278,494 PLUS 0.189% of the cost over \$30,000,000;~~

19 ~~Where said total estimated construction cost is \$50,000,000 or more, but less than~~
20 ~~\$100,000,000: \$317,077 PLUS 0.045% of the cost over \$50,000,000;~~

21 ~~Where said total estimated construction cost is \$100,000,000 or more: \$340,044 PLUS~~
22 ~~0.019% of the cost over \$100,000,000.~~

23 ~~An applicant proposing major revisions to a project application that has been inactive~~
24 ~~for more than six months and is assigned shall submit a new application. An applicant proposing~~
25 ~~significant revisions to a project which has not been assigned and for which an application is on file~~

1 ~~with the Planning Department shall be charged time and materials to cover the full costs in excess of~~
2 ~~the initial fee paid.~~

3 ~~(2) — For preparation of an environmental impact report excluding use of special expertise or~~
4 ~~technical assistance, as described in Section 31.23 above, the initial fee shall be:~~

5 ~~Where the total estimated construction cost as defined in the San Francisco Building~~
6 ~~Code is between \$0 to \$199,999: \$30,185;~~

7 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
8 ~~\$1,000,000: \$30,185 PLUS 0.741% of the cost over \$200,000;~~

9 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
10 ~~\$10,000,000: \$36,401 PLUS 0.502% of the cost over \$1,000,000;~~

11 ~~Where said total estimated construction cost is \$10,000,000 or more, but less than~~
12 ~~\$30,000,000: \$82,495 PLUS 0.206% of the cost over \$10,000,000;~~

13 ~~Where said total estimated construction cost is \$30,000,000 or more, but less than~~
14 ~~\$50,000,000: \$124,524 PLUS 0.056% of the cost over \$30,000,000;~~

15 ~~Where said total construction cost is \$50,000,000 or more, but less than \$100,000,000:~~
16 ~~\$136,065 PLUS 0.056% of the cost over \$50,000,000;~~

17 ~~Where said total estimated construction cost is \$100,000,000 or more: \$164,918 PLUS~~
18 ~~0.019% of the cost over \$100,000,000.~~

19 ~~An applicant proposing major revisions to a project application that has been inactive~~
20 ~~for more than six months and is assigned shall submit a new application. An applicant proposing~~
21 ~~significant revisions to a project which has not been assigned and for which an application is on file~~
22 ~~with the Planning Department shall be charged time and materials to cover the full costs in excess of~~
23 ~~the initial fee paid.~~

1 ~~(3) For the preparation of a focused Environmental Impact Report: one half the fee that~~
2 ~~would be required for a full environmental impact report, as set forth in Paragraph (b)(2) above, plus~~
3 ~~time and materials.~~

4 ~~(4) The fees above listed in Section 31.24(b) will sunset 20 years after the effective date of~~
5 ~~Plan Adoption.~~

6 **(b) (e)** The Planning Department shall recover the cost of preparing and defending
7 programmatic EIRs, including consultant and City Attorney costs, from project sponsors that
8 file or have filed projects in recently adopted Plan Areas (after July 1, 2005) and filed projects
9 within 10 years of the Programmatic EIR certification. The fee shall be a proportional share of
10 the cost of the Programmatic EIR, which is equal to the Department's average time and
11 material costs to prepare and defend a Programmatic EIR divided by the buildable envelope
12 times the square footage of the proposed project.

13 **(c) (d)** Except as provided in Subsection (d) below for projects in the Transit Center
14 District area, if at the time of Community Plan adoption, a project application undergoing
15 review required amendments for height or bulk districts or General Plan amendments and
16 now complies with the Community Plan Zoning, the applicant may choose to pay either the
17 fees specified in Section 31.22 or Section 31.23.1. For projects that paid fees under Section
18 31.22 and opt to pay fees under Section 31.23.1, the applicant shall withdraw the application
19 filed under Section 31.22 and file a new application. Applicants that file a new application and
20 pay the Section 31.23.1 fees shall be entitled to a refund under Section 31.22 ~~(f)(e)~~.

21 ~~(d) (i) Transit Center District Plan.~~ Projects in the Transit Center District area that
22 require amendments for height or bulk district or General Plan amendments at the time of
23 project application shall pay the fees specified in Subsection (b) above and the fees for projects
24 determined not to qualify for a Community exemption or exclusion specified in Administrative Code
25 Section 31.23.1(b) and 31.23.1(e). For projects that paid fees under Section 31.22, the applicant

1 shall pay the difference between Section 31.22 fees and ~~Section 31.23.1(b) and 31.23.1(c)~~ the
2 fees specified in this Subsection (d).

3
4 Section 4. This section is uncodified. It establishes the base fees for Planning
5 Department services. These base fees shall be adjusted annually by the Controller pursuant
6 to Planning Code Section 350 and Administrative Code Sections 31.22 and 31.23.1. In
7 accordance with those provisions, the Department shall maintain a Planning Department Fee
8 Schedule showing the current fee amounts, inclusive of annual adjustments, and publish the
9 Fee Schedule in an Appendix to the Planning Code, post the Fee Schedule on the
10 Department's website, and make the Fee Schedule available upon request at the main office
11 of the Department.

12 **MISCELLANEOUS SERVICES.**

13 (a) **Agendas for Planning Commission:** \$42 annual subscription to cover costs of
14 mailing. The Planning Director or his/her designee may authorize exemptions in those
15 instances where costs would impose financial hardship.

16 (b) **Agendas for Historic Preservation Commission:** \$42 annual subscription to
17 cover costs of mailing. The Planning Director or his/her designee may authorize exemptions in
18 those instances where costs would impose financial hardship.

19 (c) **Monitoring Projects and Conditions of Approval:** Upon adoption of
20 conditions of approval which the Zoning Administrator determines require active monitoring,
21 the fee shall be \$1,271 as an initial fee, plus time and materials as set forth in Planning Code
22 Section 350(e).

23 (d) **Project Review for Policy and Code Review and Interpretation for**
24 **Prospective Projects for Which an Application Has Not Been Filed, and Site-specific**
25 **Design Guidelines and Code-complying Massing Recommendations and Department**

1 **Facilitated Pre-application Meetings:** \$414 for new construction and modifications to five or
2 fewer dwelling units and for affordable housing projects as defined in the Guidelines of the
3 United States Housing and Urban Development Department, and \$980 for all other projects
4 and Department facilitated pre-application meetings.

5 (e) (1) **Project Notifications for an Individual Requesting Notification of**
6 **Project Applications:**

7 (A) First Address or First Assessor's Lot: \$36 per annum.

8 (B) Additional Addresses: \$14 for addresses in each new Assessor's
9 Lot thereafter, per annum.

10 (2) **Project Notifications for a Neighborhood Organization:**
11 **Neighborhood Organization is defined as (A) having been in existence for 24 months**
12 **prior to the request, and (B) is listed on the Planning Department's neighborhood**
13 **organization notification list, requesting Notification of Project Applications:**

14 (A) First Address or First Assessor's Block: \$36 per annum.

15 (B) Additional Addresses: \$14 for addresses in each new Assessor's
16 Block thereafter, per annum.

17 (f) **Zoning Administrator Written Determinations Pursuant to Planning Code**
18 **Section 307(a):** \$138 for zoning letters of conformance, \$620 for other written determinations.
19 A \$25 surcharge shall be added to the fees to compensate the City for the costs of appeals to
20 the Board of Appeals.

21 (g) **Preliminary Project Assessment:** \$4,980, which will be credited to the first
22 project application filed.

23 **COMMISSION AND ZONING ADMINISTRATOR HEARING APPLICATIONS.**

24 (a) **Conditional Use (Planning Code Section 303), Planned Unit Development**
25 **(Planning Code Section 304):** The initial fee amount is not to exceed 50% of the

1 construction cost. A \$120 surcharge shall be added to the fees for a conditional use or
 2 planned unit development to compensate the City for the costs of appeals to the Board of
 3 Supervisors.

4 Estimated Construction Cost	Initial Fee
5 No construction cost, excluding extension of hours	\$2,024
6 No construction cost, extension of hours	\$1,447
7 Wireless Telecommunications Services (WTS)	\$5,061
8 \$0 to \$9,999	\$1,447
9 \$10,000 to \$999,999	\$1,447 plus 0.656% of cost over 10 \$10,000
11 \$1,000,000 to \$4,999,999	\$8,065 plus 0.782% of cost over 12 \$1,000,000
13 \$5,000,000 to \$9,999,999	\$39,972 plus 0.656% of cost over 14 \$5,000,000
15 \$10,000,000 to \$19,999,999	\$73,401 plus 0.341% of cost over 16 \$10,000,000
17 \$20,000,000 or more	\$108,239

18
 19 (b) **Variance (Planning Code Section 305):** Variance fees are subject to additional
 20 time and material charges, as set forth in Planning Code Section 350(e). The initial fee
 21 amount is not to exceed 50% of the construction cost. A \$25 surcharge shall be added to the
 22 fees to compensate the City for the costs of appeals to the Board of Appeals.

23 Estimated Construction Cost	Initial Fee
24 \$0 - \$9,999	\$919
25 \$10,000 - \$19,999	\$2,049

1	\$20,000 and greater	\$4,171
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2 (c) **Downtown (C-3) District Review (Planning Code Section 309) and Coastal**
3 **Zone Permit (Planning Code Section 330) Applications Commission Hearing Fee**

4 **Schedule:** The initial fee amount is not to exceed 50% of the construction cost. A \$25
5 surcharge shall be added to the fees to compensate the City for the costs of appeals to the
6 Board of Appeals.

7	Estimated Construction Cost	Initial Fee
8	\$0 to \$9,999	\$288
9	\$10,000 to \$999,999	\$293 plus 0.131% of cost over \$10,000
10	\$1,000,000 to \$4,999,999	\$1,622 plus 0.157% of cost over \$1,000,000
11	\$5,000,000 to \$9,999,999	\$8,020 plus 0.130% of cost over \$5,000,000
12	\$10,000,000 to \$19,999,999	\$14,678 plus 0.069% of cost over
13		\$10,000,000
14	\$20,000,000 or more	\$21,673

15
16 (1) Where an applicant requests two or more approvals involving a
17 conditional use, planned unit development, variance, Downtown (C-3) District Section 309
18 review, Large Project Authorization in the Eastern Neighborhoods Mixed Use Districts,
19 certificate of appropriateness, permit to alter a significant or contributory building both within
20 and outside of Conservation Districts, or a coastal zone permit review, the amount of the
21 second and each subsequent initial fees of lesser value shall be reduced to 50%.

22 (2) Minor project modifications requiring a public hearing to amend
23 Conditions of Approval of a previously authorized project, not requiring a substantial
24 reevaluation of the prior authorization: \$1,074. A \$25 surcharge shall be added to the fee to
25 compensate the City for the cost of appeals to the Board of Appeals.

1 (3) The applicant shall be charged for any time and materials beyond the
2 initial fee, as set forth in Planning Code Section 350(e).

3 (4) An applicant proposing major revisions, as determined by the Zoning
4 Administrator, to a project application that has been inactive for more than six months and is
5 assigned shall submit a new application. An applicant proposing major revisions to a project
6 which has not been assigned and for which an application is on file with the Planning
7 Department shall be charged time and materials, as set forth in Planning Code Section
8 350(e), to cover the full costs in excess of the initial fee paid.

9 (5) For agencies or departments of the City and County of San Francisco,
10 the initial fee for applications shall be based upon the construction cost as set forth above.

11 (d) **Discretionary Review Request: \$562;** provided, however, that the Department
12 shall waive the fee if the discretionary review request is filed by a neighborhood organization
13 that: (1) has been in existence for 24 months prior to the filing date of the request, (2) is on the
14 Planning Department's neighborhood organization notification list, and (3) can demonstrate to
15 the Planning Director or his/her designee that the organization is affected by the proposed
16 project. Such fee shall be refunded to the individual or entity that requested discretionary
17 review in the event the Planning Commission denies the Planning Department's approval or
18 authorization upon which the discretionary review was requested. Mandatory and staff-
19 initiated discretionary reviews: \$3,867.

20 (e) **Institutional Master Plan (Planning Code Section 304.5):**

21 (1) Full Institutional Master Plan or Substantial Revision: \$13,789 plus time
22 and materials if the cost exceeds the initial fee.

23 (2) Abbreviated Institutional Master Plan: \$2,524 plus time and materials if
24 the cost exceeds the initial fee.
25

1 (f) **Land Use Amendments and Related Plans and Diagrams of the San**
2 **Francisco General Plan:** Fee based on the Department's estimated actual costs for time and
3 materials required to review and implement the requested amendment, according to a budget
4 prepared by the Director of Planning, in consultation with the sponsor of the request.

5 (g) **General Plan Referrals:** \$3,724 plus time and materials if the cost exceeds the
6 initial fee.

7 (h) **Reclassify Property or Impose Interim Zoning Controls:** \$7,932

8 (1) The applicant shall be charged for any time and materials as set forth in
9 Planning Code Section 350(e).

10 (2) Applications with Verified Violations of this Code: The Planning
11 Department shall charge time and materials as set forth in Planning Code Section 350(e).

12 (i) **Setback Line, Establish, Modify, or Abolish:** \$3,207.

13 (j) **Temporary Use Fees:** \$460 as an initial fee, plus time and materials if the cost
14 exceeds the initial fee.

15 (k) **Amendments to Text of the Planning Code:** \$15,849 as an initial fee, plus
16 time and materials if the cost exceeds the initial fee.

17 (l) **Zoning Administrator Conversion Determinations Related to Service**
18 **Station Conversions:** \$3,131 as an initial fee, plus time and materials if the cost exceeds the
19 initial fee.

20 (m) **Appeals to the Board of Supervisors:**

21 (1) The fee for appeals shall be \$562, plus any inflation indexing as
22 described in Section 350(a) of the Planning Code for the appeal to the Board of Supervisors
23 of a decision by the Planning Commission or the appeal of certain disapproval actions by the
24 Historic Preservation Commission; provided, however, that the fee shall be waived if the
25 appeal is filed by a neighborhood organization that: (A) has been in existence for 24 months

1 prior to the appeal filing date, (B) is on the Planning Department's neighborhood organization
2 notification list, and (C) can demonstrate to the Planning Director or his/her designee that the
3 organization is substantially affected by the proposed project.

4 (2) Such fees shall be used to defray the cost to the Planning Department of
5 an appeal. At the time of filing an appeal, the Clerk of the Board of Supervisors shall collect
6 such fee and forward the fee amount to the Planning Department.

7 **DOWNTOWN APPLICATIONS.**

8 (a) **Exception in C-3 District (Planning Code Section 309):** \$2,042 as an initial
9 fee, plus time and materials as set forth in Planning Code Section 350(e) for one or more
10 exceptions to the Planning Code, which shall not be reduced for multiple approvals per
11 Section (c)(1) above for Commission and Zoning Administrator Hearing Applications.

12 A \$25 surcharge shall be added to the fee to compensate the City for the cost of
13 appeals to the Board of Appeals.

14 (b) **Modifications in C-3 District, Determination of Need (Planning Code**
15 **Section 309):** Same as Basic commission hearing fee schedule. A \$25 surcharge shall be
16 added to the fee to compensate the City for the cost of appeals to the Board of Appeals.

17 (c) **Office Development Limitation Projects (Planning Code Sections 320**
18 **through 323):** \$5,474 per application at initial intake plus time and materials as set forth in
19 Section 350(e). A \$25 surcharge shall be added to the fees to compensate the City for the
20 costs of appeals to the Board of Appeals.

21 (d) **Planning Code Article 11 Designated Buildings:** A \$25 surcharge shall be
22 added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

23 (1) Significant or Contributory Building, Designation or Change of Boundary:
24 \$7,060.

25 (2) Conservation District, Designation or Change of Boundary: \$7,060.

1 (3) **Permit to Alter a Significant or Contributory Building Within a**
2 **Designated Conservation District, not Deemed Minor by the Zoning Administrator:**
3 \$9,322 plus time and materials in excess of initial fee as set forth in Planning Code Section
4 350(e).

5 (4) **Alteration of a Contributory Building Located Outside a**
6 **Conservation District From Which No TDR Has Been Transferred and No Issuance of a**
7 **Permit Pursuant to Sections 1111 through 1111.6: \$9,322.**

8 (5) **Significant or Contributory Building Demolition in or outside of a**
9 **Conservation District for which TDRs have been transferred: \$9,322.** This fee shall be in
10 addition to any fee otherwise required for permits to alter or demolish. However, applications
11 to demolish a Contributory Building located outside a Conservation District from which no
12 TDR has been transferred or a Category V Building in a Conservation District from which no
13 TDR has been transferred are subject only to the demolition fee.

14 (6) **Statement of Eligibility: \$1,653.** A \$25 surcharge shall be added to the
15 fee to compensate the City for the cost of appeals to the Board of Appeals.

16 (7) **Certificate of Transfer, Execution: \$477.**

17 (8) **Certification of Transfer of TDR, Notice of Use: \$1,489.**

18 **PERMIT APPLICATIONS.**

19 (a) Building permit applications for a change in use or alteration of an existing
20 building, to be collected by Central Permit Bureau; provided, however, that the fees charged
21 for Planning Department approval over-the-counter for the replacement of windows, roofs,
22 siding, and doors shall be reduced to ½ the fee set forth below. The Planning Department
23 initial fee amount shall not exceed 50% of the construction cost, notwithstanding the
24 foregoing. Applications for permit revisions are excluded from this limitation.
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Estimated Construction Cost	Initial Fee
\$0 to \$9,999	\$359
\$10,000 to \$49,999	\$368 plus 3.762% of cost over \$10,000
\$50,000 to \$99,999	\$2,320 plus 2.513% of cost over \$50,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$100,000 to \$499,999	\$3,603 plus 2.752% of cost over \$100,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$500,000 to \$999,999	\$14,819 plus 0.696% of cost over \$500,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$1,000,000 to \$4,999,999	\$18,366 plus 0.274% of cost over \$1,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$5,000,000 to \$99,999,999	\$29,502 plus .004% of cost over \$5,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$100,000,000 or more	\$34,062 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee

1 (1) **Application with Verified Violations of the Planning Code:** The
2 Planning Department shall charge \$1,271 as an inspection fee for monitoring code violation
3 abatements, plus time and materials as set forth in Planning Code Section 350(e).

4 (2) **Back-Check Fee for Permit Revisions:** \$229 for the initial fee, plus time
5 and materials as set forth in Planning Code Section 350(e), to be collected at time of permit
6 issuance. A \$25 surcharge shall be added to the fees to compensate the City for the costs of
7 appeals to the Board of Appeals.

8 (3) **Shadow Impact Fee for New Construction or Alteration Exceeding**
9 **40 Feet in Height (Planning Code Section 295):** Additional \$526 plus time and materials as
10 set forth in Planning Code Section 350(e). A \$25 surcharge shall be added to the fees to
11 compensate the City for the costs of appeals to the Board of Appeals.

12 (4) **Public Notification Fee for Projects Requiring Public Notice Pursuant to**
13 **Planning Code Section 311:** \$54, plus \$3.26 per envelope (subject to increase based on
14 envelope and postage costs). A \$25 surcharge shall be added to the fees to compensate the
15 City for the costs of appeals to the Board of Appeals. The City's reprographics department will
16 print and mail public notices.

17 (5) **Public Notification Fee for Projects Requiring Public Notice**
18 **Pursuant to Planning Code Section 312:** \$54, plus \$1.13 per envelope (subject to increase
19 based on envelope and postage costs). A \$25 surcharge shall be added to the fees to
20 compensate the City for the costs of appeals to the Board of Appeals. The City's
21 reprographics department will print and mail public notices.

22 (6) For projects with a construction cost of \$100,000,000 or more, the
23 applicant shall be charged the permit fee for a project with a \$100,000,000 construction cost.
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(7) Permits for solar panels and over-the-counter permits for solar equipment installation shall be \$154 per permit. A \$25 surcharge shall be added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

(b) **Building Permit Applications for a New Building:** The Planning Department initial fee amount is not to exceed 50% of the construction cost; notwithstanding the foregoing, applications for permit revisions are excluded from this limitation.

Estimated Construction Cost	Initial Fee
\$0 to \$99,999	\$2,079, plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$100,000 to \$499,999	\$2,080 plus 2.752% of cost over \$100,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$500,000 to \$999,999	\$13,298 plus 0.878% of cost over \$500,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$1,000,000 to \$4,999,999	\$17,775 plus 0.338% of cost over \$1,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee
\$5,000,000 to \$99,999,999	\$31,550 plus 0.005% of cost of \$5,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee

<p>1 \$100,000,000 or more</p> <p>2</p> <p>3</p>	<p>\$37,251 plus \$98 Discretionary Review</p> <p>Surcharge and \$321 Categorical Exemption</p> <p>Stamp Fee</p>
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4 (1) **Applications with Verified Violations of the Planning Code:** \$1,271 as
5 an inspection fee for monitoring Code violation abatements.

6 (c) **Demolition Applications, to be collected by Central Permit Bureau:** \$1,621.
7 A \$25 surcharge shall be added to the fees to compensate the City for the costs of appeals to
8 the Board of Appeals.

9 (d) **Fire, Police, Entertainment Commission, State Alcohol & Beverages**
10 **Control and Health Department Permit Applications Referral Review:** \$137 initial fee
11 collected by the other departments in conjunction with current fee collections, plus time and
12 materials as set forth in Planning Code Section 350(e).

13 (e) **Sign Permit Applications, to be collected by Central Permit Bureau:** \$143. A \$25
14 surcharge shall be added to the fees to compensate the City for the costs of appeals to the
15 Board of Appeals.

16 (f) **Small Business Month Fee Waiver:** No Planning Department fees shall apply
17 for permits issued to Small Business Enterprises in the month of May for awning replacement
18 and for signs on awnings. For purposes of this Subsection (f), a Small Business Enterprise
19 shall be a business that has 100 or fewer employees. The Planning Department and the
20 Department of Building Inspection shall establish a process by which those two departments
21 will certify that an applicant is a Small Business Enterprise for the purpose of this Subsection
22 (f) and Section 110A, Tables 1A-A and 1A-E of the Building Code.

23 **PRESERVATION APPLICATIONS. (Planning Code Article 10).**

24 (a) **Landmark:** \$294.

25

1 (b) **Amendment, Rescission, or Designation of Historical District:** \$1,178 plus
2 time and materials in excess of initial fee. The Planning Director or his/her designee may
3 waive time and material charges for the designation of a Historical District to encourage
4 Citywide preservation activities.

5 (c) **Certificate of Appropriateness:** \$346 for applications with an estimated
6 construction cost less than \$1,000; \$1,380 for applications with an estimated construction cost
7 less than \$20,000, \$6,384 for applications with an estimated construction cost \$20,000 and
8 more, plus time and materials in excess of initial fee as set forth in Planning Code Section
9 350(e). The initial fee amount is not to exceed 50% of the construction cost. A \$25 surcharge
10 shall be added to the fees to compensate the City for the costs of appeals to the Board of
11 Appeals.

12 (d) **Determination that a Building is a Compatible Rehabilitation or a**
13 **Compatible Replacement Building, Pursuant to Section 309 or 1109:** Same as for
14 Conditional Use.

15 (e) **Processing and Administering an Application for a Historical Properties**
16 **Contract Under the California Mills Act, California Government Code Sections 50280 -**
17 **50290:** \$5,390 for commercial properties and \$2,695 for residential properties.

18 **TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.**

19 (a) **Transportation Study:** \$23,977 plus time and materials as set forth in Planning
20 Code Section 350(e). Extremely complex transportation studies will be charged a higher initial
21 fee based on the specifics of the project which will be outlined in an Agreement between the
22 Department and the project sponsor.

23 (b) **Municipal Transportation Agency review of transportation impact study:**
24 \$4,612 per study.

1 **GENERAL ADVERTISING SIGNS FEES.**

2 (a) The fee for the relocation agreement application pursuant to Planning Code
3 Section 611 and Administrative Code Section 2.21 shall be \$1,376 per individual relocation
4 agreement application.

5 (b) The fee for the initial inventory processing pursuant to Planning Code Section
6 604.2 shall be \$770 per sign structure.

7 (c) The fee for an in-lieu application pursuant to Planning Code Section 604.1 shall
8 be \$440 per sign structure.

9 (d) The fee for annual inventory maintenance pursuant to Planning Code Section
10 604.2 shall be \$249.

11 **ECONOMIC IMPACT STUDY FOR LARGE SCALE RETAIL USE.**

12 The fee to review an economic impact study, as required by Planning Code Section
13 303(i), shall be \$3,500, plus any additional time and materials as set forth in Planning Code
14 Section 350(e).

15 **PERFORMANCE REVIEW FOR FORMULA RETAIL USE.**

16 The fee to provide performance review for Formula Retail uses as required by Planning
17 Section 303.1 shall be the standard building permit fee, plus time and materials as set forth in
18 Planning Code Section 350(g)(e).

19 **ENVIRONMENTAL REVIEW.**

20 (a) The Planning Department shall charge the following fees to applicants for
21 projects located outside of recently adopted Plan Areas (adopted after July 1, 2005) that do
22 not require one or more of the following, which will be initiated through the adoption of an Area
23 Plan: Code amendments for the height or bulk district and General Plan amendments, as
24 specified in Administrative Code Section 31.21:
25

1 (1) For an initial study of a project excluding use of special expertise or
2 technical assistance, as described in Administrative Section 31.23, the initial fee shall be:

3 Where the total estimated construction cost as defined by the San Francisco
4 Building Code is between \$0 and \$9,999: \$1,203;

5 Where said total estimated construction cost is \$10,000 or more, but less than
6 \$200,000: \$4,682 PLUS 2.276% of the cost over \$10,000;

7 Where said total estimated construction cost is \$200,000 or more, but less than
8 \$1,000,000: \$9,092 PLUS 1.721% of the cost over \$200,000;

9 Where said total estimated construction cost is \$1,000,000 or more, but less
10 than \$10,000,000: \$23,127 PLUS 1.445% of the cost over \$1,000,000;

11 Where said total estimated construction cost is \$10,000,000 or more, but less
12 than \$30,000,000: \$155,622 PLUS 0.445% of the cost over \$10,000,000;

13 Where said total estimated construction cost is \$30,000,000 or more, but less
14 than \$50,000,000: \$246,327 PLUS 0.167% of the cost over \$30,000,000;

15 Where said total estimated construction cost is \$50,000,000 or more, but less
16 than \$100,000,000: \$280,403 PLUS 0.041% of the cost over \$50,000,000;

17 Where said total estimated construction cost is \$100,000,000 or more: \$300,903
18 PLUS 0.016% of the cost over \$100,000,000.

19 An applicant proposing major revisions to a project application that has been
20 inactive for more than six months and is assigned shall submit a new application. An applicant
21 proposing significant revisions to a project which has not been assigned and for which an
22 application is on file with the Planning Department shall be charged time and materials to
23 cover the full costs in excess of the initial fee paid. A \$120 surcharge shall be added to this
24 fee to compensate the City for the costs of appeals to the Board of Supervisors.
25

1 (2) For preparation of an environmental impact report excluding use of
2 special expertise or technical assistance, as described in Administrative Code Section 31.23,
3 the initial fee shall be:

4 Where the total estimated construction cost as defined in the San Francisco
5 Building Code is between \$0 to \$199,999: \$26,729;

6 Where said total estimated construction cost is \$200,000 or more, but less than
7 \$1,000,000: \$26,729 PLUS 0.657% of the cost over \$200,000;

8 Where said total estimated construction cost is \$1,000,000 or more, but less
9 than \$10,000,000: \$32,231 PLUS 0.445% of the cost over \$1,000,000;

10 Where said total estimated construction cost is \$10,000,000 or more, but less
11 than \$30,000,000: \$73,049 PLUS 0.182% of the cost over \$10,000,000;

12 Where said total estimated construction cost is \$30,000,000 or more, but less
13 than \$50,000,000: \$110,243 PLUS 0.049% of the cost over \$30,000,000;

14 Where said total construction cost is \$50,000,000 or more, but less than
15 \$100,000,000: \$120,381 PLUS 0.049% of the cost over \$50,000,000;

16 Where said total estimated construction cost is \$100,000,000 or more: \$145,939
17 PLUS 0.016% of the cost over \$100,000,000.

18 An applicant proposing major revisions to a project application that has been
19 inactive for more than six months and is assigned shall submit a new application. An applicant
20 proposing significant revisions to a project which has not been assigned and for which an
21 application is on file with the Planning Department shall be charged time and materials to
22 cover the full costs in excess of the initial fee paid.

23 (3) For an appeal to the Planning Commission: The fee shall be \$562 to the
24 appellant; provided, however, that the fee shall be waived if the appeal is filed by a
25 neighborhood organization that: (A) has been in existence for 24 months prior to the appeal

1 filing date, (B) is on the Planning Department's neighborhood organization notification list, and
2 (C) can demonstrate to the Planning Director or his/her designee that the organization is
3 affected by the proposed project. An exemption from paying this appeal fee may be granted
4 when the requestor's income is not enough to pay for the fee without affecting his or her
5 abilities to pay for the necessities of life, provided that the person seeking the exemption
6 demonstrates to the Planning Director or his/her designee that he or she is substantially
7 affected by the proposed project.

8 (4) For an appeal to the Board of Supervisors of environmental
9 determinations, including the certification of an EIR, a negative declaration, or determination
10 of a categorical exemption, the fee shall be \$562 to the appellant; provided, however, that the
11 fee shall be waived if the appeal is filed by a neighborhood organization that: (A) has been in
12 existence for 24 months prior to the appeal filing date, (B) is on the Planning Department's
13 neighborhood organization notification list, and (C) can demonstrate to the Planning Director
14 or his/her designee that the organization is affected by the proposed project. Fees shall be
15 used to defray the cost of appeal for the Planning Department. Such fee shall be refunded to
16 the appellant in the event the Planning Department rescinds its determination or the Board of
17 Supervisors remands or rejects the environmental impact report, negative declaration, or
18 determination of a categorical exemption to the Planning Commission for revisions based on
19 issues related to the adequacy and accuracy of the environmental determination. An
20 exemption from paying this appeal fee may be granted when the requestor's income is not
21 enough to pay for the fee without affecting his or her ability to pay for the necessities of life,
22 provided that the person seeking the exemption demonstrates to the Clerk of the Board of
23 Supervisors or his/her designee that he or she is substantially affected by the proposed
24 project.

1 (5) For preparation of an addendum to an environmental impact report that
2 has previously been certified, pursuant to Section 15164 of the State CEQA Guidelines: or
3 reevaluation of a modified project for which a negative declaration has been prepared:
4 \$25,174 plus time and materials as set forth in Administrative Code Section 31.22(e).

5 (6) For preparation of a supplement to a draft or certified final environmental
6 impact report: One-half of the fee that would be required for a full environmental impact report
7 on the same project, as set forth in Paragraph (a)(2) above, plus time and materials as set
8 forth in Subsection (b)(2). A \$120 surcharge shall be added to this fee to compensate the City
9 for the costs of appeals to the Board of Supervisors.

10 (7) (A) For preparation of a Certificate of Exemption from Environmental
11 Review determining that a project is categorically exempt, statutorily exempt,
12 ministerial/nonphysical, an emergency, or a planning and feasibility study: \$321 for
13 applications that require only a stamp, \$6,278 as an initial fee for applications that require an
14 Exemption Certificate, plus time and materials as set forth in Subsection (b)(2). A \$120
15 surcharge shall be added to this fee to compensate the City for the costs of appeals to the
16 Board of Supervisors.

17 (B) For preparation of a Class 32 Certificate of Exemption from
18 Environmental Review determining that a project is categorically exempt, the initial fee shall
19 be:

20 Where the total estimated construction cost as defined by the San Francisco
21 Building Code is between \$0 and \$9,999: \$11,544;

22 Where said total estimated construction cost is \$10,000 or more, but less than
23 \$200,000: \$11,544 PLUS 0.201% of the cost over \$10,000;

24 Where said total estimated construction cost is \$200,000 or more, but less than
25 \$1,000,000: \$11,926 PLUS 0.190% of the cost over \$200,000;

1 Where said total estimated construction cost is \$1,000,000 or more, but less
2 than \$10,000,000: \$13,446 PLUS 0.057% of the cost over \$1,000,000;

3 Where said total estimated construction cost is \$10,000,000 or more: \$18,709
4 PLUS 0.426% of the cost over \$10,000,000.

5 A \$120 surcharge shall be added to this fee to compensate the City for the costs of
6 appeals to the Board of Supervisors.

7 (8) For preparation of an exemption that requires review of historical
8 resource issues only, the following fees apply. For a determination of whether a property is an
9 historical resource under CEQA, the fee is \$2,630. For a determination of whether a project
10 would result in a substantial adverse change in the significance of an historical resource, the
11 fee is \$3,648. A \$120 surcharge shall be added to this fee to compensate the City for the
12 costs of appeals to the Board of Supervisors.

13 (9) For preparation of a letter of exemption from environmental review: \$321,
14 plus time and materials as set forth in Administrative Code Section 31.22(e).

15 (10) For review of a categorical exemption prepared by another City Agency,
16 such as the Municipal Transportation Agency or the Public Utilities Commission: \$270, plus
17 time and materials as set forth in Administrative Code Section 31.22(e).

18 (11) For reactivating an application that the Environmental Review Officer has
19 deemed withdrawn due to inactivity and the passage of time, subject to the approval of the
20 Environmental Review Officer and within six months of the date the application was deemed
21 withdrawn: \$237 plus time and materials to cover any additional staff costs.

22 (12) Monitoring Conditions of Approval and Mitigation Monitoring: Upon
23 adoption of conditions of approval and/or mitigation measures which the Environmental
24 Review Officer determines require active monitoring, the fee shall be \$1,271, as an initial fee,
25 plus time and materials as set forth in Administrative Code Section 31.22(e).

1 (b) The Planning Department shall charge the following Community Plan Fees for
2 environmental applications filed in adopted Plan Areas effective after July 1, 2005:

3 (1) For Class 1 and 3 Exemptions: same as basic fees outlined in Section
4 (a)(8) and (10) above.

5 (2) For determination of the appropriate environmental document: \$14,017
6 and any fee pursuant to Administrative Code Section 31.23.1(a)-(c). In addition, the applicant
7 shall pay the following fees as appropriate:

8 (A) If the determination is that the project qualifies for a Community
9 exemption or exclusion, the applicant shall pay a fee of \$7,659. A \$120 surcharge shall be
10 added to this fee to compensate the City for the costs of appeals to the Board of Supervisors.

11 (B) If the determination is that the project does not qualify for a
12 Community exemption or exclusion, the applicant shall pay fees as set forth in Subsection (c)
13 below.

14 (c) The fees for projects determined not to qualify for a Community exemption or
15 exclusion are as follows. A \$120 surcharge shall be added to these fees to compensate the
16 City for the costs of appeals to the Board of Supervisors:

17 (1) For an initial study excluding use of special expertise or technical
18 assistance the initial fee shall be:

19 Where the total estimated construction cost as defined by the San Francisco
20 Building Code is between \$0 and \$9,999: \$1,499;

21 Where said total estimated construction cost is \$10,000 or more, but less than
22 \$200,000: \$6,227 PLUS 2.833% of the cost over \$10,000;

23 Where said total estimated construction cost is \$200,000 or more, but less than
24 \$1,000,000: \$11,715 PLUS 2.141% of the cost over \$200,000;

1 Where said total estimated construction cost is \$1,000,000 or more, but less
2 than \$10,000,000: \$29,178 PLUS 1.796% of the cost over \$1,000,000;

3 Where said total estimated construction cost is \$10,000,000 or more, but less
4 than \$30,000,000: \$194,017 PLUS 0.553% of the cost over \$10,000,000;

5 Where said total estimated construction cost is \$30,000,000 or more, but less
6 than \$50,000,000: \$306,896 PLUS 0.208% of the cost over \$30,000,000;

7 Where said total estimated construction cost is \$50,000,000 or more, but less
8 than \$100,000,000: \$349,413 PLUS 0.049% of the cost over \$50,000,000;

9 Where said total estimated construction cost is \$100,000,000 or more: \$374,723
10 PLUS 0.019% of the cost over \$100,000,000.

11 An applicant proposing major revisions to a project application that has been
12 inactive for more than six months and is assigned shall submit a new application. An applicant
13 proposing significant revisions to a project which has not been assigned and for which an
14 application is on file with the Planning Department shall be charged time and materials to
15 cover the full costs in excess of the initial fee paid.

16 (2) For preparation of an environmental impact report excluding use of
17 special expertise or technical assistance, the initial fee shall be:

18 Where the total estimated construction cost as defined in the San Francisco
19 Building Code is between \$0 to \$199,999: \$33,263;

20 Where said total estimated construction cost is \$200,000 or more, but less than
21 \$1,000,000: \$33,263 PLUS 0.818% of the cost over \$200,000;

22 Where said total estimated construction cost is \$1,000,000 or more, but less
23 than \$10,000,000: \$40,113 PLUS 0.553% of the cost over \$1,000,000;

24 Where said total estimated construction cost is \$10,000,000 or more, but less
25 than \$30,000,000: \$90,908 PLUS 0.227% of the cost over \$10,000,000;

1 Where said total estimated construction cost is \$30,000,000 or more, but less
2 than \$50,000,000: \$137,223 PLUS 0.061% of the cost over \$30,000,000;

3 Where said total construction cost is \$50,000,000 or more, but less than
4 \$100,000,000: \$149,941 PLUS 0.061% of the cost over \$50,000,000;

5 Where said total estimated construction cost is \$100,000,000 or more: \$181,737
6 PLUS 0.019% of the cost over \$100,000,000.

7 An applicant proposing major revisions to a project application that has been
8 inactive for more than six months and is assigned shall submit a new application. An applicant
9 proposing significant revisions to a project which has not been assigned and for which an
10 application is on file with the Planning Department shall be charged time and materials to
11 cover the full costs in excess of the initial fee paid.

12 (3) For the preparation of a focused Environmental Impact Report: one-half
13 the fee that would be required for a full environmental impact report, as set forth in Paragraph
14 (c)(2) above, plus time and materials.

15 (4) The fees listed in Subsection (c) above will sunset 20 years after the
16 effective date of Plan Adoption.

17
18 Section 5. Effective Date. This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22
23 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
3 additions, and Board amendment deletions in accordance with the "Note" that appears under
4 the official title of the ordinance.

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: *Judith A. Boyajian*
JUDITH A. BOYAJIAN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning, Administrative Codes – Planning Department Fees; Future Fee Adjustments]

Ordinance amending the Planning and Administrative Codes to adopt fee amounts for Planning Department fees, and set the process for annually adjusting the fee amounts; and affirming the Planning Department’s determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Fees for Planning Department services are established in Section 351 et seq. of the Planning Code and Sections 31.22 et seq. of the Administrative Code. Pursuant to Planning Code Section 350(g) and Administrative Code Section 31.22(b)(3), the Controller annually adjusts these fees, without further action by the Board of Supervisors, by the two-year average consumer price index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA). The Department’s current fees, inclusive of the annual indexing for inflation, are listed on a fee schedule that is posted on the Planning Department’s website.

Amendments to Current Law

Planning Code Sections 351 through 360, setting forth the specific fees for Planning Department services, are deleted and the fees on the Department’s current posted fee schedule, as adjusted by the Controller, are adopted in an uncodified section of the ordinance. Section 350 is revised to set forth the process for establishing and adjusting the fees.

Administrative Code Sections 31.22 and 31.23.1 are revised to set forth the process for establishing and adjusting the fees for the Planning Department’s environmental review services. The specific fees are deleted from these sections and the fees on the Department’s current posted fee schedule, including the Controller’s adjustments, are adopted in an uncodified section of the ordinance.

Background Information

Because the Planning and Administrative Codes are not annually amended to show the fees as adjusted by the Controller, the fees shown in the Codes have become inaccurate over time. The correct fees are shown on the fee schedule posted on the Planning Department’s website. Deleting the specific fees from the Codes and codifying only the process for establishing and adjusting the fees will be less misleading and confusing to the public.

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