

File No. 110707

Committee Item No. 07  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: June 27, 2011

Board of Supervisors Meeting

Date \_\_\_\_\_

**Cmte Board**

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget & Legislative Analyst Report          |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ethics Form 126                              |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |

**OTHER**

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Completed by: Victor Young

Date: June 23, 2011

Completed by: Victor Young

Date: \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Planning Code—Fee Update]

2  
3 **Ordinance amending the San Francisco Planning Code to increase fees based on the**  
4 **Controller's annual two-year average consumer price index (CPI) and place a cap on**  
5 **the intake fee amount for applications for Planning Commission and Zoning**  
6 **Administrator hearing applications, certificates of appropriateness, and building permit**  
7 **applications; and adopting findings, including environmental findings, Planning Code**  
8 **Section 302 findings, and findings of consistency with the General Plan and the priority**  
9 **policies of Planning Code Section 101.1.**

10 NOTE: Additions are single-underline italics Times New Roman;  
11 deletions are ~~strike-through italics Times New Roman~~.  
12 Board amendment additions are double-underlined;  
13 Board amendment deletions are ~~strikethrough normal~~.

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

15 Section 1. Findings.

16 (a) The Planning Department is able to recover the cost of long range planning  
17 through its building permit review, CEQA (California Environmental Quality Act, California  
18 Public Resources Code Sections 21000 et seq.) review, and land use entitlement fees.

19 (b) The current fee structure is set to recover a portion of long range planning cost  
20 through such fees, but the cost of long range planning, which includes historic preservation  
21 survey and designation work, is increasing beyond the annual cost of living adjustment.

22 (c) It is in the public interest for the private project sponsor to reimburse the City for  
23 the benefit he or she derives as a consequence of public supported planning. This Board of  
24 Supervisors finds that this Ordinance is consistent with the General Plan and Priority Policies  
25 of Section 101.1(b) of the Planning Code for the reasons set forth in the Planning Commission  
Resolution No. 18361 and incorporates said Resolution herein by reference. A

1 copy of said resolution is on file with the Clerk of the Board of Supervisors in File No.  
2 110707. Pursuant to Planning Code Section 302, this Board of Supervisors finds that  
3 this Ordinance will serve the public necessity, convenience and welfare for the reasons set  
4 forth in Planning Commission Resolution No. 18361 and incorporates said  
5 Resolution herein by reference. A copy of said resolution is on file with the Clerk of the Board  
6 of Supervisors in File No. 110707.

7 (d) Environmental Finding. The Planning Department has determined that the  
8 proposed fee adjustments are statutorily excluded from CEQA under the CEQA Guidelines  
9 Section 15273(a), which exempts rates, tolls, fares and charges such as those proposed here.  
10 Said determination is on file with the Clerk of the Board of Supervisors in File No.  
11 110707 and is incorporated herein by reference.

12  
13 Section 2. The San Francisco Planning Code is hereby amended by amending Section  
14 350, to read as follows:

15 **Sec. 350. FEES, GENERAL.**

16 Fees shall be imposed in order to compensate the Planning Department for the cost of  
17 processing applications and for the development and revision of land use controls. Fees shall  
18 be charged and collected as indicated for each class of application, permit, filing request or  
19 activity listed in Sections 351 through 358 below.

20 (a) Estimated construction costs are as defined by the San Francisco Building  
21 Code.

22 (b) All fees are payable at time of filing application or request, except where noted  
23 otherwise. However, the Director of Planning or his/her designee may authorize phased  
24 collection of the fee for a project whose work is projected to span more than one fiscal year. A  
25 nonrefundable processing fee of ~~\$52~~ 53 is required to set-up any installment payment plan for

1 all application fees. The balance of phased payments must be paid in full one week in  
2 advance of the first scheduled public hearing before the Planning Commission to consider the  
3 project or before issuance of the first site permit if no hearing is required.

4 (c) Time and Materials. The Planning Department shall charge the applicant for any  
5 time and materials cost incurred in excess of the initial fee charged if required to recover the  
6 Department's costs for providing services.

7 (1) The Department shall charge time and materials to recover the cost of correcting  
8 code violations and violations of Planning Commission and Department conditions of approval  
9 of use if such costs are not covered by the monitoring fee for conditions of approval specified  
10 in Section 351(e)(1).

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

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

15 (4) Any balance of time and materials costs for active and open projects must be  
16 paid in full one week in advance of a scheduled public hearing before the Planning  
17 Commission to consider the project or before issuance of the first site permit if no hearing is  
18 required.

19 (d) Refunds. When an application is withdrawn by the applicant prior to a public  
20 hearing, or deemed canceled by the Planning Department due to inactivity on the part of the  
21 applicant, then the applicant shall be entitled to a refund of the fee paid to the Department  
22 less the time and materials expended minus a \$427,436 processing fee. Refund requests must  
23 be submitted within six months of the project closure date.

24 (e) Deferred or Reduced Fee.  
25

1 (1) Any fraternal, charitable, benevolent or any other nonprofit organization, that is  
2 exempt from taxation under the Internal Revenue laws of the United States and the Revenue  
3 and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or  
4 other nonprofit organization, or public entity that submits an application for the development of  
5 residential units all of which are affordable to low and moderate income households, as  
6 defined by the United States Housing and Urban Development Department, for a time period  
7 that is consistent with the policy of the Mayor's Office of Housing and the San Francisco  
8 Redevelopment Agency, may defer payment of the fees except those under 352(d) and  
9 352(n) until (1) before final Planning Department approval of the building permit, preparatory  
10 to issuance of the building permit, before the building permit is released to the applicant, or (2)  
11 within one year of the date of action on the application, whichever comes first. This exemption  
12 shall apply notwithstanding the inclusion in the development of other nonprofit ancillary or  
13 accessory uses. Should the project be withdrawn prior to final Planning approval, the  
14 applicant shall pay time and material costs pursuant to Section 350(c).

15 (2) An exemption from paying the full fees specified under Section 352(d) and  
16 352(n) may be granted when the requestor's income is not enough to pay for the fee without  
17 affecting their abilities to pay for the necessities of life, provided that the person seeking the  
18 exemption demonstrates to the Planning Director or his/her designee that they are  
19 substantially affected by the proposed project.

20 (f) Late Payment.

21 (1) Charges and Collection of Overdue Accounts. The Director or his/her designee  
22 shall call upon the Bureau of Delinquent Revenues or duly licensed collection agencies for  
23 assistance in collecting delinquent accounts more than 60 days in arrears, in which case any  
24 additional costs of collection may be added to the fee amount outstanding. If the Department  
25

1 seeks the assistance of a duly licensed collection agency, the approval procedures of  
2 Administrative Code Article 5, Section 10.39-1 et seq. will be applicable.

3 (g) Fee Adjustments.

4 (1) The Controller will annually adjust the fee amounts specified in Section 351(d),  
5 (e), (f), (g), (h), (i) and Section 352(b), (d), (e), (g), (i), (j), (k), (l), (m), and Section 353(a), (c),  
6 (d), and Section 355(a), (2), (3), (4), (5), (6), (7)(b), (c), (d), (e), and Section 356(c), (d), (e),  
7 and Section 357 and Section 358(a), (b), (c), (d) by the two-year average consumer price  
8 index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area  
9 (PMSA).

10  
11 Section 3. The San Francisco Planning Code is hereby amended by amending Section  
12 351 to read as follows:

13 **SEC. 351. - MISCELLANEOUS SERVICES.**

14 (a) Agendas for Planning Commission: ~~\$3738~~.00 annual subscription to cover costs  
15 of mailing. The Planning Director or his/her designee may authorize exemptions in those  
16 instances where costs would impose financial hardship.

17 (b) Agendas for Historic Preservation Commission: ~~\$3738~~.00 annual subscription to  
18 cover costs of mailing. The Planning Director or his/her designee, may authorize exemption in  
19 those instances where costs would impose financial hardship.

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

23 (d) Information, Analysis, Report Preparation and Presentation, Research Services,  
24 Data Requests: The costs of report preparation may be amortized by factoring full-cost  
25 recovery into the pricing of such information and reports: ~~\$245250~~.00 as an initial fee.

1 (e) Monitoring Projects:

2 (1) Monitoring Conditions of Approval: Upon adoption of conditions of approval  
3 which the Zoning Administrator determines require active monitoring, the fee shall be  
4 ~~\$1,130~~1,153.00 as an initial fee, plus time and materials as set forth in Section 350(c).

5 (f) Project Review for Policy and Code Review and Interpretation for Prospective  
6 Projects for which an Application has not been Filed, and Site-Specific Design Guidelines and  
7 Code-Complying Massing Recommendations and Department facilitated pre-application  
8 meetings: ~~\$368~~376.00 for new construction and modifications to 5 or fewer dwelling units and  
9 for affordable housing projects as defined in the Guidelines of the United States Housing and  
10 Urban Development Department, and ~~\$871~~889.00 for all other projects and Department  
11 facilitated pre-application meetings.

12 (g)(1) Project Notifications for an Individual Requesting Notification of Project  
13 Applications:

14 (A) First Address or First Assessor's Lot: ~~\$32~~33.00 per annum.

15 (B) Additional Addresses: \$13.00 for addresses in each new Assessor's Lot  
16 thereafter, per annum.

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

21 (A) First Address or First Assessor's Block: ~~\$32~~33.00 per annum.

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

24 (h) Zoning Administrator Written Determinations Pursuant to Section 307(a):  
25 ~~\$122~~125.00 for zoning letters of conformance, ~~\$552~~563.00 for other written determinations.

(i) Reactivating an application that the Zoning Administrator has deemed withdrawn due to inactivity and the passage of time, subject to the approval of the Zoning Administrator and within six months of the date the application was deemed withdrawn: \$232237.00

Section 4. The San Francisco Planning Code is hereby amended by amending Section 352 to read as follows:

**SEC. 352. - COMMISSION AND ZONING ADMINISTRATOR HEARING APPLICATIONS.**

(a) Conditional Use (Section 303), Planned Unit Development (Section 304). *The initial fee amount is not to exceed 50% of the construction cost.*

Estimated Construction Cost	Initial Fee
No construction cost, excluding extension of hours	<u>\$1,8001,837.00</u>
No construction cost, extension of hours	<u>1,2861,313.00</u>
Wireless Telecommunications Services (WTS)	<u>\$4,5004,593.00</u>
Estimated Construction Cost	Initial Fee
\$1.00 to \$9,999.00	<u>\$1,2861,313.00</u>
\$10,000.00 to \$999,999.00	<u>\$1,2861,313.00</u> plus 0. <u>583595</u> % of cost over \$10,000.00
\$1,000,000.00 to \$4,999,999.00	<u>\$7,1717,319.00</u> plus 0. <u>695709</u> % of cost over \$1,000,000.00
\$5,000,000.00 to \$9,999,999.00	<u>\$35,53736,273.00</u> plus 0. <u>583595</u> % of cost over \$5,000,000.00



1	\$10,000,000.00 to \$19,999,999.00	\$ <del>65,257</del> <u>66,608</u> .00 plus 0. <del>303</del> <u>309</u> % of cost
2		over \$10,000,000.00
3	\$20,000,000.00 or more	\$ <del>96,230</del> <u>98,222</u> .00

4 (b) Variance (Section 305)

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

8	Estimated Construction Cost	Initial Fee
9	\$0.00—\$9,999.00	\$ <del>817</del> <u>834</u> .00
10	\$10,000.00—\$19,999.00	\$ <del>1,821</del> <u>1,859</u> .00
11	\$20,000.00 and greater	\$ <del>3,708</del> <u>3,785</u> .00

12 (c) Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section  
13 330) Applications Commission Hearing Fee Schedule. The initial fee amount is not to exceed  
14 50% of the construction cost.

15	Estimated Construction Cost	Initial Fee
16	\$0.00 to \$9,999.00	\$ <del>256</del> <u>261</u> .00
17	\$10,000.00 to \$999,999.00	\$ <del>261</del> <u>266</u> .00 plus 0. <del>117</del> <u>119</u> % of cost over
18		\$10,000.00
19	\$1,000,000.00 to \$4,999,999.00	\$ <del>1,442</del> <u>1,472</u> .00 plus 0. <del>139</del> <u>142</u> % of cost over
20		\$1,000,000.00
21	\$5,000,000.00 to \$9,999,999.00	\$ <del>7,130</del> <u>7,278</u> .00 plus 0. <del>116</del> <u>118</u> % of cost over
22		\$5,000,000.00
23	\$10,000,000.00 to \$19,999,999.00	\$ <del>13,050</del> <u>13,320</u> .00 plus 0. <del>061</del> <u>062</u> % of cost
24		over \$10,000,000

1 \$20,000,000.00 or more

\$19,26819,667.00

2  
3 (1) Applications with Verified Violations of this Code: The Planning Department shall  
4 charge ~~\$204208.00~~ as an initial fee, plus time and materials as set forth in Section 350(c).

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

10 (3) Minor project modifications requiring a public hearing to amend conditions of  
11 approval of a previously authorized project, not requiring a substantial reevaluation of the prior  
12 authorization: ~~\$955975.00~~.

13 (4) The applicant shall be charged for any time and materials beyond the initial fee  
14 in Section 352, as set forth in Section 350(c).

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

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

23 (d) Discretionary Review Request: \$500.00; provided, however, that the fee shall be  
24 waived if the discretionary review request is filed by a neighborhood organization that: (1) has  
25 been in existence for 24 months prior to the filing date of the request, (2) is on the Planning

1 Department's neighborhood organization notification list, and (3) can demonstrate to the  
2 Planning Director or his/her designee that the organization is affected by the proposed project.  
3 Such fee shall be refunded to the individual or entity that requested discretionary review in the  
4 event the Planning Commission denies the Planning Department's approval or authorization  
5 upon which the discretionary review was requested. Mandatory discretionary reviews:

6 \$3,4383,509.00.

7 (e) Institutional Master Plan (Section 304.5).

8 (1) Full Institutional Master Plan or Substantial Revision: \$12,25912,513.00 plus time  
9 and materials if the cost exceeds the initial fee as set forth in Section 350(c).

10 (2) Abbreviated Institutional Master Plan: \$2,2442,290.00 plus time and materials if  
11 the cost exceeds the initial fee as set forth in Section 350(c).

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

16 (g) General Plan Referrals: \$3,3103,379.00 plus time and materials if the cost  
17 exceeds the initial fee as set forth in Section 350(c).

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

23 (i) Reclassify Property or Impose Interim Zoning Controls: \$7,0527,198.00

24 (1) The applicant shall be charged for any time and materials as set forth in Section  
25 350(c).

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

3 (j) Setback Line, Establish, Modify or Abolish: ~~\$2,8512,910.00~~

4 (k) Temporary Use Fees: ~~\$409417.00~~ as an initial fee, plus time and materials if the  
5 cost exceeds the initial fee, as set forth in Section 350(c).

6 (l) Amendments to Text of the Planning Code: ~~\$14,09014,382.00~~ as an initial fee,  
7 plus time and materials if the cost exceeds the initial fee as set forth in Section 350(c).

8 (m) Zoning Administrator Conversion Determinations Related to Service Station  
9 Conversions: ~~\$2,7832,841.00~~ as an initial fee, plus time and materials if the cost exceeds the  
10 initial fee. (Section 228.4).

11 (n) Conditional Use Appeals to the Board of Supervisors:

12 (1) \$500.00 for the appellant of a conditional used authorization decision to the  
13 Board of Supervisors; provided, however, that the fee shall be waived if the appeal is filed by  
14 a neighborhood organization that: (1) has been in existence for 24 months prior to the appeal  
15 filing date, (2) is on the Planning Department's neighborhood organization notification list, and  
16 (3) can demonstrate to the Planning Director or his/her designee that the organization is  
17 substantially affected by the proposed project.

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

21  
22 Section 5. The San Francisco Planning Code is hereby amended by amending  
23 Section 353 to read as follows:

24 **SEC. 353. - DOWNTOWN APPLICATIONS.**

1 (a) Exception in C-3 District (Section 309): ~~\$1,8151,853.00~~ as an initial fee, plus time  
2 and materials as set forth in section 350(c) for one or more exceptions to the Planning Code,  
3 which shall not be reduced per Section 352(c)(2).

4 (b) Modifications in C-3 District, Determination of Need (Section 309): Same as  
5 Basic commission hearing fee schedule (Sections 352(c), 352(c)(1) et seq.).

6 (c) Office Development Limitation Projects (Sections 320 through 323):  
7 ~~\$4,8664,967.00~~ per application at initial intake plus time and materials as set forth in Section  
8 350(c).

9 (d) Article 11 Designated Buildings:

10 (1) Significant or Contributory Building, Designation or Change of Boundary:  
11 ~~\$6,2776,407.00~~.

12 (2) Conservation District, Designation or Change of Boundary: ~~\$6,2776,407.00~~

13 (3) Permit to Alter a Significant or Contributory Building Within a Designated  
14 Conservation District, not Deemed Minor by the Zoning Administrator: ~~\$8,2878,459.00~~ plus  
15 time and materials in excess of initial fee as set forth in Section 350(c).

16 (4) Alteration of a Contributory Building Located Outside a Conservation District  
17 From Which No TDR Has Been Transferred and No Issuance of a Permit Pursuant to  
18 Sections 1111 through 1111.6: ~~\$8,2878,459.00~~

19 (5) Significant or Contributory Building Demolition in or outside of a Conservation  
20 District for which TDRs have been transferred: ~~\$8,2878,459.00~~ This fee shall be in addition to  
21 any fee otherwise required for permits to alter or demolish. However, applications to demolish  
22 a Contributory Building located outside a Conservation District from which no TDR has been  
23 transferred or a Category V Building in a Conservation District from which no TDR has been  
24 transferred are subject only to the demolition fee contained in Section 355(b).

25 (6) Statement of Eligibility: ~~\$1,4701,500.00~~.

1 (7) Certificate of Transfer, Execution: ~~\$424433.00~~.

2 (8) Certification of Transfer of TDR, Notice of Use: ~~\$1,3241,351.00~~.

3  
4 Section 6. The San Francisco Planning Code is hereby amended by amending  
5 Section 355 to read as follows:

6 **SEC. 355. - PERMIT APPLICATIONS.**

7 (a) Building permit applications for a change in use or alteration of an existing  
8 building, to be collected by Central Permit Bureau; provided, however, that the fees charged  
9 for Planning Department approval over-the-counter for the replacement of windows, roofs,  
10 siding, and doors shall be reduced to ½ the fee set forth below. *The Planning Department initial*  
11 *fee amount shall not to exceed 50% of the construction cost; notwithstanding the foregoing,*  
12 *applications for permit revisions are excluded from this limitation.*

Estimated Construction Cost	Initial Fee
\$0.00 to \$9,999.00	<del>\$326319.00</del>
\$10,000.00 to \$49,999.00	<del>\$334327.00</del> plus <del>3.4143.345%</del> of cost over \$10,000.00
\$50,000.00 to \$99,999.00	<del>\$1,7251,690.00</del> plus <del>2.281235%</del> of cost over \$50,000.00 plus <del>\$8987.00</del> Discretionary Review Surcharge and <del>\$291285.00</del> Categorical Exemption Stamp Fee
\$100,000.00 to \$499,999.00	<del>\$2,8902,831.00</del> plus <del>2.497446%</del> of cost over \$100,000.00 plus <del>\$8987.00</del> Discretionary Review Surcharge and <del>\$291285.00</del> Categorical Exemption Stamp Fee

<p>1 \$500,000.00 to \$999,999.00</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p>	<p>\$<del>13,068</del><u>12,803</u>.00 plus 0.<del>631618</del>% of cost  over \$500,000.00 plus \$<del>898</del><u>7</u>.00  Discretionary Review Surcharge and  \$<del>291285</del>.00 Categorical Exemption Stamp  Fee</p>
<p>6 \$1,000,000.00 to \$4,999,999.00</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p>	<p>\$<del>16,286</del><u>15,956</u>.00 plus 0.<del>248243</del>% of cost  over \$1,000,000.00 plus \$<del>898</del><u>7</u>.00  Discretionary Review Surcharge and  \$<del>291285</del>.00 Categorical Exemption Stamp  Fee</p>
<p>11 \$5,000,000.00 to \$99,999,999.00</p> <p>12</p> <p>13</p> <p>14</p>	<p>\$<del>26,392</del><u>25,857</u>.00 plus .004% of cost over  \$5,000,000.00 plus \$<del>898</del><u>7</u>.00 Discretionary  Review Surcharge and \$<del>291285</del>.00  Categorical Exemption Stamp Fee</p>
<p>15 \$100,000,000.00 or more</p> <p>16</p> <p>17</p> <p>18</p>	<p>\$<del>30,530</del><u>29,911</u>.00 plus \$<del>898</del><u>7</u>.00  Discretionary Review Surcharge and  \$<del>291285</del>.00 Categorical Exemption Stamp  Fee</p>

19

20 (1) Application with Verified Violations of this Code: The Planning Department shall

21 charge \$~~1,153~~1,130.00 as an inspection fee for monitoring code violation abatements.

22 (2) Back-Check Fee for Permit Revisions: \$~~208~~204.00 for the initial fee, plus time

23 and materials as set forth in Section 350(c), to be collected at time of permit issuance.

24

25

1 (3) Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in  
2 Height (Section 295): Additional \$~~477467~~.00 plus time and materials as set forth in Section  
3 350(c).

4 (4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section  
5 311: \$~~4948~~.00, plus \$~~3.263-03~~ per envelope (subject to increase based on envelope and  
6 postage costs). The City's reprographics department will print and mail public notices.

7 (5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section  
8 312: \$~~4948~~.00, plus \$~~1.130-89~~ per envelope (subject to increase based on envelope and  
9 postage costs). The City's reprographics department will print and mail public notices.

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

12 (7) Permits for solar panels and over-the-counter permits for solar equipment  
13 installation shall be \$~~140137~~.00 per permit.

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

17 Estimated Construction Cost	Initial Fee
18 \$0 to \$99,999	19 \$ <del>1,8871,849</del> .00, plus \$ <del>8987</del> .00 Discretionary 20 Review Surcharge and \$ <del>291285</del> .00 21 Categorical Exemption Stamp Fee
22 \$100,000.00 to \$499,999.00	23 \$ <del>1,8881,850</del> .00, plus 2.446497% of cost over 24 \$100,000.00 plus \$ <del>8987</del> .00 Discretionary 25 Review Surcharge and \$ <del>291285</del> .00 Categorical Exemption Stamp Fee



1 2 3 4 5	\$500,000.00 to \$999,999.00	\$ <del>12,06811,823.00</del> plus 0. <del>781797</del> % of cost over \$500,000.00 plus \$ <del>8987.00</del> Discretionary Review Surcharge and \$ <del>291285.00</del> Categorical Exemption Stamp Fee
6 7 8 9	\$1,000,000 to \$4,999,999.00	\$ <del>16,13015,803</del> plus 0. <del>300306</del> % of cost over \$1,000,000.00 plus \$ <del>8987.00</del> Discretionary Review Surcharge and \$ <del>291285.00</del> Categorical Exemption Stamp Fee
10 11 12 13	\$5,000,000.00 to \$99,999,999.00	\$ <del>28,63028,049.00</del> plus 0.005% of cost of \$5,000,000 plus \$ <del>8987.00</del> Discretionary Review Surcharge and \$ <del>291285.00</del> Categorical Exemption Stamp Fee
14 15 16	\$100,000,000.00 or more	\$ <del>33,80433,118.00</del> plus \$ <del>8987.00</del> Discretionary Review Surcharge and \$ <del>291285.00</del> Categorical Exemption Stamp Fee

17  
18 (1) Applications with Verified Violations of this Code: \$~~1,1531,130~~ as an inspection  
19 fee for monitoring code violation abatements.

20 (c) Demolition Applications, to be collected by Central Permit Bureau:  
21 \$~~1,4711,441.00~~.

22 (d) Fire, Police, Entertainment Commission, State Alcohol & Beverages Control and  
23 Health Department Permit Applications Referral Review: \$~~124121.00~~ initial fee collected by the  
24 other departments in conjunction with current fee collections, plus time and materials as set  
25 forth in Section 350(c).

1 (e) Sign Permit Applications, to be collected by Central Permit Bureau: \$130127.00.

2  
3 Section 7: The San Francisco Planning Code is hereby amended by amending Section  
4 356 to read as follows:

5 **SEC. 356. - PRESERVATION APPLICATIONS. (Article 10).**

6 (a) Landmark: \$267262.00.

7 (b) Amendment, Rescission or Designation of Historical District: \$1,0691,047.00 plus  
8 time and materials in excess of initial fee as set forth in Section 350c. The Planning Director  
9 or his/her designee may waive time and material charges for the designation of a Historical  
10 District to encourage Citywide preservation activities.

11 (c) Certificate of Appropriateness: \$314308.00 for applications with an estimated  
12 construction cost less than \$1,000.00; \$1,2521,227.00 for applications with an estimated  
13 construction less than \$20,000.00, \$5,7935,676.00 for applications with an estimated  
14 construction value \$20,000.00 and more, plus time and materials in excess of initial fee as set  
15 forth in Section 350(c). *The initial fee amount is not to exceed 50% of the construction cost.*

16 (d) Determination that a Building is a Compatible Rehabilitation or a Compatible  
17 Replacement Building, Pursuant to Section 309 or 1109: Same as for Conditional Use  
18 (Section 352(a)).

19 (e) Processing and Administering an Application for a Historical Properties Contract  
20 Under the California Mills Act, California Government Code Sections 50280-50290:  
21 \$18,31017,939.00 for commercial properties and \$9,1598,973.00 for residential properties.

22  
23 Section 8. The San Francisco Planning Code is hereby amended by amending Section  
24 357 to read as follows:

1           **SEC. 357. - TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT**  
2 **APPLICATIONS.**

3           (a) Transportation Study ~~\$21,758~~~~21,317~~.00 plus time and materials as set forth in  
4 Section 350(c). Extremely complex transportation studies will be charged a higher initial fee  
5 based on the specifics of the project which will be outlined in an Agreement between the  
6 Department and the project sponsor.

7           (b) Municipal Transportation Agency review of transportation impact study:  
8 ~~\$4,1854,100~~ per study.

9  
10           Section 9. The San Francisco Planning Code is hereby amended by amending Section  
11 358 to read as follows:

12           **SEC. 358. - GENERAL ADVERTISING SIGNS FEES.**

13           (a) The fee for the relocation agreement application pursuant to Section 611 and  
14 Administrative Code Section 2.21 shall be ~~\$1,2491,224~~.00 per individual relocation agreement  
15 application.

16           (b) The fee for the initial inventory processing pursuant to Section 604.2 shall be  
17 ~~\$699685~~.00 per sign structure.

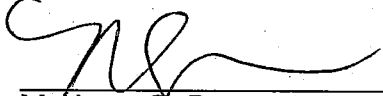
18           (c) The fee for an in-lieu application pursuant to Section 604.1 shall be ~~\$399391~~.00  
19 per sign structure.

20           (d) The fee for annual inventory maintenance pursuant to Section 604.2 shall be  
21 ~~\$226221~~.00.

22           (e) Fee Review and Adjustment. Beginning with fiscal year 2007-2008, the fees  
23 established in this Section may be adjusted each year, without further action by the Board of  
24 Supervisors, to reflect changes in the relevant Consumer Price Index, as determined by the  
25 Controller. No later than April 15th of each year, the Director shall submit the Department's

1 current fees schedule to the Controller, who shall apply the price index adjustment to produce  
2 a new fee schedule for the following year. No later than May 15th of each year, the Controller  
3 shall file a report with the Board of Supervisors reporting the new fee schedule and certifying  
4 that: (a) the fees produce sufficient revenue to support the costs of providing the services for  
5 which the fee is charged and (b) the fees do not produce revenue that exceeds the costs of  
6 providing the services for which each permit fee is charged. Notwithstanding the procedures  
7 set forth in this Section, the Board of Supervisors, in its discretion, may modify the fees by  
8 ordinance at any time.

9  
10 APPROVED AS TO FORM:  
11 DENNIS J. HERRERA, City Attorney

12 By:   
13 Marlena G. Byrne  
14 Deputy City Attorney

FILE NO.

## LEGISLATIVE DIGEST

[Planning Code—Fee Update]

**Ordinance amending the San Francisco Planning Code to increase fees based on the Controller's annual two-year average consumer price index (CPI) and place a cap on the intake fee amount for applications for Planning Commission and Zoning Administrator hearing applications, certificates of appropriateness, and building permit applications; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.**

### Existing Law

The Planning Code currently includes fee provisions setting the fee amount for applications for various Planning Department, Planning Commission, Zoning Administrator, and Historic Preservation Commission approvals. There is currently no fee cap for certain types of applications.

### Amendments to Current Law

The proposed legislation would amend various sections of the Planning Code to increase fees based on the Controller's annual two-year average consumer price index (CPI). The proposed legislation would also add a new cap on the intake fee amount for applications for Planning Commission and Zoning Administrator hearing applications, certificates of appropriateness, and building permit applications. This cap would ensure that the initial fee amount not exceed 50% of the estimated construction cost of the proposed project.



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Planning Code Text Change HEARING DATE: MAY 19, 2011

*Project Name:* Amendments relating to Planning Code Article 3.5:  
Planning Code Fee Changes.

*Date:* May 19, 2011

*Case Number:* 2011.0412T

*Initiated by:* Planning Department

*Staff Contact:* Keith DeMartini, Finance Manager  
Keith.DeMartini@sfgov.org, 415-575-9118

*Reviewed by:* Thomas DiSanto, Chief Administrative Officer  
Thomas.DiSanto@sfgov.org, 415-575-9113

*Recommendation:* Recommend Approval as Proposed

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### PLANNING CODE AMENDMENT

This legislation amends Article 3.5 to: (1) place a cap on the initial fee amount at no more than 50% of the estimated construction cost of the project when applying for a Commission or Zoning Administrator Hearing Application (conditional use or variance, including Downtown Applications), certificate of appropriateness, or a building permit application and (2) adjust fees based on the Controller's annual two-year average consumer price index (CPI).

### THE WAY IT IS NOW:

The Controller annually adjusts planning application fees, excluding appeal fees, by the two-year average consumer price index (CPI) for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA).

Conditional Use Applications (Planning Code, Section 352(a): The current initial fee for variance applications is based on construction costs as follows:

\$0 to \$9,999 – \$1,286

\$10,000 to \$999,999 – \$1,286 plus 0.583% of cost over \$10,000

\$1,000,000 to \$4,999,999 – \$7,171 plus 0.695% of cost over \$1,000,000

\$5,000,000 to \$9,999,999 – \$35,537 plus 0.583% of cost over \$5,000,000

\$10,000,000 to \$19,999,999 – \$65,257 plus 0.303% of cost over \$10,000,000

\$20,000,000 or more - \$96,230

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Commission and Variance Applications (Planning Code, Section 352(b)): The current initial fee for variance applications is based on construction costs as follows:

- \$0 to \$9,999 - \$842 (= \$817 + Board of Appeal Surcharge \$25)
- \$10,000 to \$19,999 - \$1,846 (= \$1,821 + Board of Appeal Surcharge \$25)
- \$20,000 or more - \$3,733 (= \$3,708 + Board of Appeal Surcharge \$25)

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section 330) Applications (Planning Code, Section 352(c)): The current initial fee for variance applications is based on construction costs as follows:

- \$0 to \$9,999 - \$256
- \$10,000 to \$999,999 - \$261 plus 0.117% of cost over \$10,000
- \$1,000,000 to \$4,999,999 - \$1,442 plus 0.139% of cost over \$5,000,000
- \$5,000,000 to \$9,999,999 - \$7,130 plus 0.116% of cost over \$10,000,000
- \$10,000,000 to \$19,999,999 - \$13,050 plus 0.061% of cost over \$10,000,000
- \$20,000,000 or more - \$19,268

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Certificate of Appropriateness (Planning Code, Section 356(c)): The current initial fee for certificate of appropriateness applications is based on construction costs as follows:

- \$0 to \$9,999 - \$333 (= \$308 + Board of Appeal Surcharge \$25)
- \$10,000 to \$19,999 - \$1,252 (= \$1,227 + Board of Appeal Surcharge \$25)
- \$20,000 or more - \$5,701 (= \$5,676 + Board of Appeal Surcharge \$25)

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Building Permit Applications (Planning Code, Section 355): The current initial fees for building permit applications is based on construction costs as follows:

**Building Permit Applications for a Change in Use or Alteration of an Existing Building:**

\$0 to \$9,999 - \$319

\$10,000 to \$49,999 - \$327 + 3.345% over \$10,000

\$50,000 to \$99,999 - \$2,062 + 2.235% over \$50,000

\$100,000 to \$499,999 - \$3,203 + 2.446% over \$100,000

\$500,000 to \$999,999 - \$13,175 + 0.618% over \$500,000

\$1,000,000 to \$4,999,999 - \$16,328 + 0.243% over \$1,000,000

\$5,000,000 to \$99,999,999 - \$26,229 + 0.004% over \$5,000,000

\$100,000,000 or more - \$30,283

**Building Permit Applications for New Construction:**

\$0 to \$99,999 - \$2,221

\$100,000 to \$499,999 - \$2,222 + 2.446% over \$100,000

\$500,000 to \$999,999 - \$12,195 + 0.781% over \$500,000

\$1,000,000 to \$4,999,999 - \$16,175 + 0.300% over \$1,000,000

\$5,000,000 to \$99,999,999 - \$28,421 + 0.005% over \$5,000,000

\$100,000,000 or more - \$33,490

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

**THE WAY IT WOULD BE:**

A CPI increase of 2.07% will be applied to all fees except for appeal fees.

Conditional Use Applications (Planning Code, Section 352(a): Retain the current fee structure based on construction cost, adjust fees based on the Controller's annual two-year average consumer price index (CPI), but include the following limitation: "*The initial fee amount is not to exceed 50% of the construction cost.*" **Projected Revenue Loss of \$3,335** (Projected Fiscal Year revenue reduction based on the projected average of the past three fiscal years if this proposed change was in effect on these projects. This revenue impact includes Conditional Use, Commission and Variance, Downtown (C-3) District Review and Coastal Zone Permit Applications, and Certificate of Appropriateness Applications).

Commission and Variance Applications (Planning Code, Section 352(b): Retain the current fee structure based on construction cost, adjust fees based on the Controller's annual two-year average consumer price index (CPI), but include the following limitation: "*The initial fee amount is not to exceed 50% of the construction cost.*" **Projected Revenue Loss of:** See Revenue Impact of Conditional Use Applications above.



Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section 330) Applications (Planning Code, Section 352(c): Retain the current fee structure based on construction cost, adjust fees based on the Controller's annual two-year average consumer price index (CPI), but include the following limitation: *"The initial fee amount is not to exceed 50% of the construction cost."* **Projected Revenue Loss of:** See Revenue Impact of Conditional Use Applications above.

Certificate of Appropriateness (Planning Code, Section 356(c): Retain the current fee structure based on construction cost, adjust fees based on the Controller's annual two-year average consumer price index (CPI), but include the following limitation: *"The initial fee amount is not to exceed 50% of the construction cost."* **Projected Revenue Loss of:** See Revenue Impact of Conditional Use Applications above.

Building Permit Applications (Planning Code, Section 355): Retain the current fee structure based on construction cost, adjust fees based on the Controller's annual two-year average consumer price index (CPI), but include the following limitation: *"The Planning Department initial fee amount is not to exceed 50% of the construction cost. Applications for permit revisions are excluded."* **Projected Revenue Loss of \$6,968** (Projected Fiscal Year revenue reduction based on the projected average of the past three fiscal years if this proposed change was in effect on these projects).

#### REQUIRED COMMISSION ACTION

The proposed ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

#### RECOMMENDATION

The Department recommends that the Commission adopt the Draft Resolution recommending the proposed Ordinance. The legislation would reduce the undue burden of large initial fees on small-scale projects or applications.

#### BASIS FOR RECOMMENDATION

For many small-scale construction projects where the estimated construction cost is less than \$7,500, the implementation of the existing rule has sometimes resulted in the initial fee amount being more than 50% of the estimated construction cost. Many applicants have expressed concern that the relatively high initial fee amount in relation to the construction cost has deterred applicants from following through on a project. The proposed change of limiting the initial fee to no more than 50% of the estimated construction cost does not represent a

significant revenue impact compared to the department's overall revenue budget and will encourage applicants to follow through on these projects.

The table below is a summary of potential lost revenue and volume of applications and permits that would have been subject to the 50% limitation if the proposed change had been in place during the past three fiscal years.

<b>Potential Lost Revenue &amp; Volume Summary</b>	<b>FY08-09 Actual</b>	<b>FY09-10 Actual</b>	<b>FY10-11 Projection</b>	<b>3-Year Average</b>
<b>Planning Application Fees - Lost Revenue</b>	\$2,410	\$1,325	\$6,271	\$3,335
<b>Application Volume</b>	5	5	7	6
<b>DBI Permit Costs (Planning)</b>	\$8,702	\$7,820	\$4,383	\$6,968
<b>Permit Volume</b>	63	49	29	47
<b>Total Potential Lost Revenue</b>	<b>\$11,112</b>	<b>\$9,145</b>	<b>\$10,653</b>	<b>\$10,303</b>

### **ENVIRONMENTAL REVIEW**

The proposal to amend Article 3.5 of the Planning Code would result in no physical impacts on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

### **PUBLIC COMMENT**

As of the date of this report, the Planning Department has received no letters in support or opposition to the proposal from the public.

**RECOMMENDATION: Approve**

### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Draft Board of Supervisors Ordinance
- Exhibit C: Historic Preservation Commission Motion
- Exhibit D: Proposed Fee Schedule
- Exhibit E: Summary Presentation



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 18361

HEARING DATE: MAY 19, 2011

*Project Name:* Amendments relating to Planning Code Article 3.5:  
Fee Changes  
*Case Number:* 2011.0412T  
*Initiated by:* Planning Department  
*Staff Contact:* Keith DeMartini, Finance Manager  
Keith.DeMartini@sfgov.org, 415-575-9118  
*Reviewed by:* Thomas DiSanto, Chief Administrative Officer  
Thomas.DiSanto@sfgov.org, 415-575-9113  
*Recommendation:* Recommend Approval

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND ARTICLE 3.5 TO: (1) PLACE A CAP ON THE INITIAL FEE AMOUNT AT NO MORE THAN 50% OF THE ESTIMATED CONSTRUCTION COST OF THE PROJECT WHEN APPLYING FOR A COMMISSION OR ZONING ADMINISTRATOR HEARING APPLICATION (CONDITIONAL USE OR VARIANCE, INCLUDING DOWNTOWN APPLICATIONS), CERTIFICATE OF APPROPRIATENESS, OR A BUILDING PERMIT APPLICATION, AND (2) ADJUST FEES BASED ON THE CONTROLLER'S ANNUAL TWO-YEAR AVERAGE CONSUMER PRICE INDEX (CPI), AND MAKES SECTION 302 AND ENVIRONMENTAL FINDINGS.

### PREAMBLE

Whereas, for many small-scale construction projects where the estimated construction cost is less than \$7,500, the implementation of the existing rule has resulted in the initial fee amount being more than 50% of the estimated construction cost. Many applicants have expressed concern that the relatively high initial fee amount in relation to the construction cost has deterred applicants from following through on a project.

Whereas, the proposed change of limiting the initial fee at no more than 50% of the estimated construction cost does not represent a significant revenue impact compared to the department's overall revenue budget and will encourage applicants to follow through on these projects.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 19, 2011.

The Planning Department (hereinafter "Department") has not received any letters or phone calls in support or in opposition to the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with the following planning code amendments:

Conditional Use Applications (Planning Code, Section 352(a): The current initial fee for variance applications is based on construction costs. The fees will be adjusted based on the Controller's annual two-year average consumer price index (CPI). "The initial fee amount is not to exceed 50% of the construction cost."

\$0 to \$9,999 - ~~\$1,286~~ \$1,313  
\$10,000 to \$999,999 - ~~\$1,286~~ \$1,313 plus ~~0.583%~~ 0.595% of cost over \$10,000  
\$1,000,000 to \$4,999,999 - ~~\$7,171~~ \$7,319 plus ~~0.695%~~ 0.709% of cost over \$1,000,000  
\$5,000,000 to \$9,999,999 - ~~\$35,537~~ \$36,273 plus ~~0.583%~~ 0.595% of cost over \$5,000,000  
\$10,000,000 to \$19,999,999 - ~~\$65,257~~ \$66,608 plus ~~0.303%~~ 0.309% of cost over \$10,000,000  
\$20,000,000 or more - ~~\$96,230~~ \$98,222

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Commission and Variance Applications (Planning Code, Section 352(b): The current initial fee for variance applications depends on construction costs. The fees will be adjusted based on the Controller's annual two-year average consumer price index (CPI). "The initial fee amount is not to exceed 50% of the construction cost."

\$0 to \$9,999 - ~~\$842~~ \$859 (= ~~\$817~~ \$834 + Board of Appeal Surcharge \$25)  
\$10,000 to \$19,999 - ~~\$1,846~~ \$1,884 (= ~~\$1,821~~ \$1,859 + Board of Appeal Surcharge \$25)  
\$20,000 or more - ~~\$3,733~~ \$3,810 (= ~~\$3,708~~ \$3,785 + Board of Appeal Surcharge \$25)

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section 330) Applications (Planning Code, Section 352(c): The current initial fee for variance applications is based on construction costs. The fees will be adjusted based on the Controller's annual two-year average consumer price index (CPI). "The initial fee amount is not to exceed 50% of the construction cost."

\$0 to \$9,999 - ~~\$256~~ \$261  
\$10,000 to \$999,999 - ~~\$261~~ \$266 plus ~~0.117%~~ 0.119% of cost over \$10,000  
\$1,000,000 to \$4,999,999 - ~~\$1,442~~ \$1,472 plus ~~0.139%~~ 0.142% of cost over \$5,000,000  
\$5,000,000 to \$9,999,999 - ~~\$7,130~~ \$7,278 plus ~~0.116%~~ 0.118% of cost over \$10,000,000  
\$10,000,000 to \$19,999,999 - ~~\$13,050~~ \$13,320 plus ~~0.061%~~ 0.062% of cost over \$10,000,000  
\$20,000,000 or more - ~~\$19,268~~ \$19,667

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Certificate of Appropriateness (Planning Code, Section 356(c): The current initial fee for certificate of appropriateness applications depends on construction costs. The fees will be adjusted based on the

Controller's annual two-year average consumer price index (CPI). "The initial fee amount is not to exceed 50% of the construction cost."

\$0 to \$9,999 - ~~\$333~~ \$339 (= ~~\$308~~ \$314 + Board of Appeal Surcharge \$25)

\$10,000 to \$19,999 - ~~\$1,252~~ \$1,277 (= ~~\$1,227~~ \$1,252 + Board of Appeal Surcharge \$25)

\$20,000 or more - ~~\$5,701~~ \$5,818 (= ~~\$5,676~~ \$5,793 + Board of Appeal Surcharge \$25)

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

Building Permit Applications (Planning Code, Section 355): The current initial fees for building permit applications depend on construction costs. The fees will be adjusted based on the Controller's annual two-year average consumer price index (CPI). "The Planning Department initial fee amount is not to exceed 50% of the construction cost. Applications for permit revisions are excluded."

**Building Permit Applications for a Change in Use or Alteration of an Existing Building:**

\$0 to \$9,999 - ~~\$319~~ \$326

\$10,000 to \$49,999 - ~~\$327~~ \$334 + 3.345% \$3,414% over \$10,000

\$50,000 to \$99,999 - ~~\$2,062~~ \$2,105 + 2.235% 2.281% over \$50,000

\$100,000 to \$499,999 - ~~\$3,203~~ \$3,270 + 2.446% 2.497% over \$100,000

\$500,000 to \$999,999 - ~~\$13,175~~ \$13,448 + 0.618% 0.631% over \$500,000

\$1,000,000 to \$4,999,999 - ~~\$16,328~~ \$16,666 + 0.243% 0.248% over \$1,000,000

\$5,000,000 to \$99,999,999 - ~~\$26,229~~ \$26,772 + 0.004% over \$5,000,000

\$100,000,000 or more - ~~\$30,283~~ \$30,910

**Building Permit Applications for New Construction:**

\$0 to \$99,999 - ~~\$2,221~~ \$2,267

\$100,000 to \$499,999 - ~~\$2,222~~ \$2,268 + 2.446% 2.497% over \$100,000

\$500,000 to \$999,999 - ~~\$12,195~~ \$12,448 + 0.781% 0.797% over \$500,000

\$1,000,000 to \$4,999,999 - ~~\$16,175~~ \$16,510 + 0.300% 0.306% over \$1,000,000

\$5,000,000 to \$99,999,999 - ~~\$28,421~~ \$29,010 + 0.005% over \$5,000,000

\$100,000,000 or more - ~~\$33,490~~ \$34,184

All applications will be subject to time and materials billing if the cost of reviewing the application exceeds the initial fee charged.

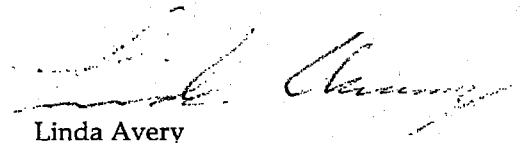
### ENVIRONMENTAL REVIEW

The proposal to amend Article 3.5 of the Planning Code would result in no physical impacts on the environment. The proposed amendment is exempt from environmental review under Section 15273(a) of the CEQA Guidelines.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 19, 2011.

Resolution No. 18361  
Hearing Date: May 19, 2011

CASE NO. 2011.0412T  
Planning Code Fee Changes



Linda Avery  
Commission Secretary

AYES: Christina Olague, Ron Miguel, Gwyneth Borden, Rodney Fong, Kathrin Moore and Bill Sugaya

NAYS: None

ABSENT: Michael Antonini

ADOPTED: May 19, 2011



Fw: cpi  
 Thomas DiSanto to: Victor Young

06/07/2011 11:07 AM

Thomas DiSanto  
 Chief Administrative Officer  
 Planning Department, City and County of San Francisco  
 1650 Mission Street, Suite 400  
 San Francisco, CA 94103  
 (415) 575-9113

----- Forwarded by Thomas DiSanto/CTYPLN/SFGOV on 06/07/2011 11:06 AM -----

From: Michelle Allersma/CON/SFGOV  
 To: Thomas DiSanto/CTYPLN/SFGOV@SFGOV  
 Date: 04/27/2011 10:23 AM  
 Subject: cpi

Year	Dec	CON Calculated Rate	For FY	CPI Used by Depts	2-Year Avg CPI
1999	174.5	4.24%	FY 00-01		
2000	184.1	5.50%	FY 01-02		
2001	190.6	3.53%	FY 02-03		
2002	193.2	1.36%	FY 03-04		
2003	195.3	1.09%	FY 04-05	1.70%	
2004	199.5	2.15%	FY 05-06	1.50%	
2005	203.4	1.95%	FY 06-07	1.60%	
2006	210.4	3.44%	FY 07-08	3.44%	2.52%
2007	218.5	3.84%	FY 08-09	3.84%	3.64%
2008	218.5	0.02%	FY 09-10	0.02%	1.93%
2009	224.2	2.61%	FY 10-11	2.61%	1.32%
2010	227.7	1.52%	FY 11-12	1.52%	2.07%

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