

FILE NO. 060991

ORDINANCE NO. 231-06

1 [Planning Code - Fee Adjustments.]
2

3 **Ordinance amending the San Francisco Planning Code by amending Section 350 and**
4 **352 of Article 3.5 to adopt fees for Planning Department services related to appeals to**
5 **the Board of Supervisors and Board of Appeals and provide for annual adjustments of**
6 **said fees; and making environmental findings.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. Findings.

12 (a) The Planning Department has determined the proposed fee adjustments to be
13 exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to
14 CEQA Guidelines Section 15273(a), which exempts rates, tolls, fares and charges such as
15 those proposed here.

16 (b) This Ordinance is related to companion legislation in Clerk of the Board of
17 Supervisors File No. 060699, which is incorporated herein by reference. On June 29, 2006,
18 the Budget and Finance Committee severed the provisions of contained in this Ordinance
19 from File No. 060699 so that this legislation could be separately noticed and heard.

20 Section 2. The San Francisco Planning Code is hereby amended by amending Section
21 350(g)(1) to reference Section 352(n) in the list of Planning Code Sections subject to
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1 consumer price index adjustment and additional charges associated with additional overhead
2 related to rent at 1650 Mission Street.

3 Section 3. The San Francisco Planning Code is hereby amended by amending Section
4 352 to include a new subsection (n) to read as follows:

5 SEC. 352. COMMISSION AND ZONING ADMINISTRATOR HEARING
6 APPLICATIONS.

7 ~~(n) Conditional Use Appeals to the Board of Supervisors and Appeals to the Board of~~
8 ~~Appeals:~~

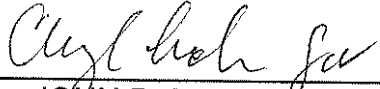
9 ~~(1) \$400 for the appellant of a conditional use authorization decision to the Board of~~
10 ~~Supervisors; provided, however, that the fee shall be waived if the appeal is filed by a neighborhood~~
11 ~~organization that: (1) has been in existence for 24 months prior to the appeal filing date, (2) is on the~~
12 ~~Planning Department's neighborhood organization notification list, and (3) can demonstrate to the~~
13 ~~Planning Director or his/her designee that the organization is substantially affected by the proposed~~
14 ~~project.~~

15 ~~(2) \$200 for the appellant of any Planning Commission, Planning Department, or~~
16 ~~Zoning Administrator decision identified in this Section, Section 353, or Section 355 to the~~
17 ~~Board of Appeals, however, that the fee shall be waived if the appeal is filed by a~~
18 ~~neighborhood organization that: (1) has been in existence for 24 months prior to the appeal~~
19 ~~filing date, (2) is on the Planning Department's neighborhood organization notification list, and~~
20 ~~(3) can demonstrate to the Planning Director or his/her designee that the organization is~~
21 ~~affected by the proposed project.~~

22 ~~(3) Such fees shall be used to defray the cost of an appeal to the Planning Department. At~~
23 ~~the time of filing an appeal, the Clerk of the Board of Supervisors or the Executive Secretary for the~~
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1 ~~Board of Appeals, depending on the appellate body, shall collect such fee and forward the fee~~
2 amount to the Planning Department.
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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 JOHN D. MALAMUT
8 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 060991

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Section 350 and 352 of Article 3.5 to adopt fees for Planning Department services related to appeals to the Board of Supervisors and provide for annual adjustments of said fees; and making environmental findings.

August 15, 2006 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

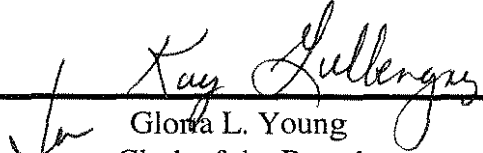
September 12, 2006 Board of Supervisors — FINALLY PASSED

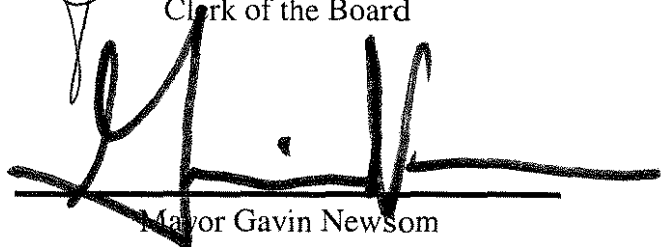
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I hereby certify that the foregoing Ordinance was FINALLY PASSED on September 12, 2006 by the Board of Supervisors of the City and County of San Francisco.

9/14/2006

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom