

1 [Subdivision Code fees.]

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3 **Ordinance amending the Subdivision Code section 1315 to adopt new fees for air**
4 **space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and**
5 **resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of**
6 **compliance, certificates of correction, records of survey, and other mapping actions**
7 **and to provide for an annual adjustment of such fees based on the relevant consumer**
8 **price index; and making environmental findings.**

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are ~~*strikethrough italics Times New Roman*~~.
11 Board amendment additions are double underlined.
12 Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. The Planning Department has determined that the actions contemplated in
14 this Ordinance are in compliance with the California Environmental Quality Act (California
15 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of
16 the Board of Supervisors in File No. _____ and is incorporated herein by reference.

17 Section 2. The San Francisco Subdivision Code is hereby amended by amending
18 section 1315 Section, to read as follows:

19 SEC. 1315. FEES.

20 (a) Fees, payable to the Department of Public Works, shall be charged for checking
21 and processing the maps, plans and reports, *lot line adjustments, certificates of compliance,*
22 *amended maps, records or survey, certificates of correction, and other actions and procedures set forth*
23 *in California Government Code section 66451.2. including all condominium maps and parcel maps,*
24 *filed under this Code. Said fees shall consist of an initial payment in accordance with the estimated*
25 *actual cost of checking the maps, plans and reports, together with investigations incidental thereto, and*

1 ~~shall be paid at the time of filing a Tentative Map or a Parcel Map. Where initial payment is~~
2 ~~insufficient to compensate the actual cost incurred, an additional sum shall be charged to equal such~~
3 ~~actual cost. For Parcel Maps, excepting condominium maps, which do not require the filing of a~~
4 ~~Tentative Map, and which do not involve street dedications or improvements, a flat fee of \$500 shall be~~
5 ~~charged for checking and processing. A fee of \$75 shall be charged for processing a Parcel Map~~
6 ~~Waiver. All such fees shall be paid at time of filing. Nonprofit organizations with tax exempt status~~
7 ~~under the Internal Revenue Code shall be exempt from payment of the checking and processing fees~~
8 ~~where the organization is building housing to be used exclusively for the benefit of residents who are~~
9 ~~low income, as that term is defined in Section 1309(e) of this Code. Said fees shall be due at the time of~~
10 ~~filing an application. Failure to pay such fees shall result in a return of the application as incomplete~~
11 ~~to the applicant. The fee schedule is as follows:~~

12 (1) Air Space(four lots or less) is \$ 8,598.00 with a fee of \$ 500.00 for each additional
13 lot;

14 (2) Lot Subdivision "Final Map" is \$ 8,437.00;

15 (3) Condominium Conversion is \$ 8,336.00;

16 (4) Parcel Map is \$7,770;

17 (5) Lot Merger Re-subdivision is \$ 6,943.00;

18 (6) Amended Map is \$ 2,704.00;

19 (7) Lot Line Adjustment is \$ 2,704.00;

20 (8) Lot Merger is \$2,581.00;

21 (9) Certificate of compliance is \$ 2,139.00;

22 (10) Certificate of correction is \$ 2,139.00;

23 (11) Record of survey is \$ 507.00; and

24 (12) Other actions not specified above, shall be based on actual costs that the

25 Department incurs in administering and processing the action or procedure and shall be charged on a

1 time and materials basis. The Department shall provide the applicant with a written estimate of said
2 costs at the time of application, and the applicant shall pay such fees prior to the time that the
3 application is deemed complete. To the extent that the estimated fees do not cover actual costs, any
4 outstanding amount due shall be a condition of the Department's final decision on the action or
5 procedure. To the extent that the estimated fees exceeded the actual costs, the Department shall refund
6 the excess amount to the applicant within a reasonable period after the Department's final decision on
7 the action or procedure;

8 (b) A fee of \$250 shall be charged to defray costs of an appeal under Section 1314
9 of this Code.

10 (c) Payment of fees charged under this Code does not waive the fee requirements
11 of other ordinances and rules and regulations pursuant thereto.

12 (d) There is hereby created a Subdivision Fund wherein all funds received under
13 the provisions of this Section shall be deposited. All expenditures from the Fund shall be for
14 engineering or technical investigations and equipment directly related to the checking and
15 processing of the maps, plans, reports and parcel map waivers filed under this Code, and all
16 such expenditures are hereby appropriated for said purposes.

17 (e) Additional Fees. In instances where administration or processing of any application,
18 action, or procedure is or will exceed the fee amount established pursuant to subsection (a), the
19 Director, in his or her discretion, may require an applicant or permittee to pay a sum in excess of the
20 subject fee amounts. This additional sum shall be sufficient to recover actual costs that the Department
21 incurs and shall be charged on a time and materials basis. The Director also may charge for any time
22 and materials costs that other agencies, boards, commissions, or departments of the City, including the
23 City Attorney's Office, incur in connection with the processing or administration of a particular
24 application, action, or procedure. Whenever additional fees are or will be charged, the Director, upon
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1 request of the applicant or permittee, shall provide in writing the basis for the additional fees or an
2 estimate of the additional fees to be charged.

3 (f) Beginning with fiscal year 2006-2007, the fees which are established herein may be
4 adjusted each year, without further action by the Board of Supervisors, to reflect changes in the
5 relevant Consumer Price Index, as determined by the Controller. No later than April 15th of each
6 year, the Director shall submit the Department's current fee schedule to the Controller, who shall apply
7 the price index adjustment to produce a new fee schedule for the following year. No later than May
8 15th of each year, the Controller shall file a report with the Board of Supervisors reporting the new fee
9 schedule and certifying that: (a) the fees produce sufficient revenue to support the costs of providing
10 the services for which the fee is charged and (b) the fees do not produce revenue that exceeds the costs
11 of providing the services for which each permit fee is charged. Notwithstanding the procedures set
12 forth in this Section, the Board of Supervisors, in its discretion, may modify the fees at any time.

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

15 By: _____
16 John D. Malamut
17 Deputy City Attorney