

BOARD of SUPERVISORS



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MEMORANDUM

Date: September 15, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250888
Planning Code - Planning Fees

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☒ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

[Planning Code - Planning Fees]

Ordinance amending the Planning Code to require certain Planning Department fees to be paid to the Department at the time the Development Application is submitted, modify the environmental review fees for large projects, and remove the separate fee schedule for “Class 32” categorical exemptions under the California Environmental Quality Act; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

Section 1. Land Use and Environmental Findings.

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

(b) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
5 amendments will serve the public necessity, convenience, and welfare for the reasons set
6 forth in Planning Commission Resolution No. _____, and the Board adopts such reasons
7 as its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
8 No. _____ and is incorporated herein by reference.

9
10 Section 2. Background and General Findings.

11 (a) In 2016, the Board adopted Ordinance No. 149-16 to establish initial Planning
12 Department fees and to authorize the Controller to adjust the fees each year to reflect
13 changes in the two-year average Consumer Price Index (CPI) change for the San
14 Francisco/San Jose Primary Metropolitan Area. The Planning Department publishes the Fee
15 Schedule showing the current fee amounts, inclusive of annual adjustments, in an Appendix
16 to the Planning Code, and posts it on the Planning Department's website. In addition, the Fee
17 Schedule is available at the main office of the Department.

18 (b) Unless otherwise noted, the existing fee amounts shown in Section 5 of this
19 ordinance are those originally enacted in 2016 in Ordinance No. 149-16, and they have not
20 been changed to reflect annual adjustments based on the Consumer Price Index.

21 (c) Since 2016, the Board has adopted several ordinances amending Ordinance No,
22 146-16, as follows:

23 (1) Ordinance No. 221-18, which made amendments clarifying the fees
24 applicable to projects with no or very low construction costs, and changed the fees for
25 transportation analysis.

1 (2) Ordinance No. 189-23, which waived certain fees during Small Business
2 Month.

3 (3) Ordinance No. 127-24, which made amendments to the Board of Appeals
4 fee surcharge.

5 (d) As of September 2, 2025, there is also a pending ordinance, in Board File No.
6 250440, that would amend the surcharge for appeals to the Board of Supervisors.

7 (e) Since 2017, the Legislature has passed several “streamlining” bills that establish a
8 ministerial approval pathway for development approvals, which has increased the number of
9 projects that do not require discretionary entitlements from the Planning Commission. Such
10 projects still require Planning Department staff review to ensure compliance with state and
11 local objective standards. As the Planning Code now stands, fees for this review are not
12 assessed until a project has submitted a building permit. As a result, the Planning Department
13 does not reliably receive compensation for staff review in a timely manner, and in cases of
14 projects that stall or never seek a building permit, does not receive any compensation.

15 (f) This ordinance ensures that the Planning Department is compensated for its review
16 of building permits by aligning the timing of payment for such review with the time that
17 Planning Department staff review the development application. The ordinance does not
18 modify or change the amount of the fees paid for this review.

19 (g) This ordinance also reduces government constraints on development and
20 enhances government efficiency by standardizing the reduction of certain fees for large
21 projects subject to the California Environmental Quality Act (CEQA). Updating these fees will
22 create a clearer pathway for projects to proceed to development while allowing the Planning
23 Department to operate in a fiscally sustainable manner in reviewing development applications.
24 The reductions in CEQA fees would apply to a project that submits a development application
25 on or after September 2, 2025, the date of introduction of this ordinance at the Board of

Supervisors.

(h) Based on prior amendments to Ordinance No. 149-16, this ordinance makes conforming amendments clarifying the date certain fees were established.

(i) Fast, predictable, and transparent permitting processes and reduced fee burdens will help to create new jobs, businesses, and homes in San Francisco, as well as facilitate the City's economic recovery from the COVID-19 pandemic. Commonly referred to as "PermitSF," the City's effort to reform permitting consists of improving the customer experience by streamlining approval processes; promoting governmental accountability to provide certainty about the delivery of government services; and centralizing technology to create a single point of permitting access.

Section 3. Articles 1 and 3.5 of the Planning Code are hereby amended by revising Sections 102 and 350, to read as follows:

SEC. 102. DEFINITIONS.

* * * *

"Development Application." ~~shall mean a~~ Any application for a land use authorization or entitlement, including but not limited to a Project Authorization, building permit, site permit, Conditional Use, Variance, Large Project Authorization, HOME-SF Project Authorization, authorization pursuant to Article 3 of the Planning Code ~~Sections 305.1, 309, 309.1, or 322,~~ or for any other authorization of a development project required to be approved by the Planning Department, Zoning Administrator, Historic Preservation Commission, or Planning Commission, that has been deemed complete by the Planning Department and includes any information necessary to conduct environmental review, determine Planning Code compliance, and conformity with the General Plan.

1 * * * *

2
3 **SEC. 350. FEES.**

4 * * * *

5 (e) **Estimated Construction Costs.** Estimated construction costs are as defined by
6 the San Francisco Building Code. Certain of the fees specified in Section 4 of Ordinance No.
7 149-16 in Board of Supervisors File No. 160632 place a limit on the fee based on its not
8 exceeding a specified percentage of construction cost. This limit shall apply to certain fees, as
9 set forth in Ordinance No. 149-16, ~~and~~ Ordinance No. 221-18, amending Ordinance No. 149-
10 16, *in Board of Supervisors File No. 180584, and Ordinance No. _____, further amending Ordinance*
11 *No. 149-16, in Board of Supervisors File No. _____. Unless otherwise noted, the fee amounts shown*
12 *in Ordinance No. 149-16 are the amounts originally established in 2016. The Planning Department*
13 *maintains the Department's Fee Schedule, which includes any annual adjustments, and is available at*
14 *the Department and on the Department's website.*

15 * * * *

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

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

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

1 (3) The Planning Department may also charge the applicant for any time and
2 materials costs incurred by ~~another department~~s or agencies of the City and County of San
3 Francisco, or may authorize such other departments or agencies ~~of the City and County~~ to
4 charge directly for any time and materials costs incurred by the respective department or
5 agency to recover the cost of correcting code violations and violations of Planning
6 Commission and Department conditions of approval.

7 * * * *

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

9 * * * *

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. 149-16 ~~in~~
12 ~~Board of Supervisors File No. 160632~~, or as stated below. Description of the waivers below does
13 not affect the other waiver provisions in Section 4 of Ordinance No. 149-16.:

14 Small Business Month Fee Waivers: No Planning Department fees shall apply to
15 a Small Business that applies for a permit for awning replacement or signs on awnings during
16 the month of May. ~~No Planning Department fees shall apply to a Small Business that applies for a~~
17 ~~permit for a new awning installation or a Business Sign pursuant to Section 604 during the months of~~
18 ~~May 2023 and May 2024.~~ For purposes of this subsection (j)(3), a Small Business shall be a
19 business with a total workforce of 100 or fewer full-time employees. To the extent this
20 provision for Small Business Month Fee Waivers differs from the description in subsection (f)
21 on page 43 of Ordinance No. 149-16, this provision governs.

22 * * * *

23
24 Section 4. Chapter 31, Article IV of the Administrative Code is amended by revising
25 Sections 31.22, and 31.23.1, to read as follows:

1 **SEC. 31.22. FEES.**

2 * * * *

3 (b) **Initial Base Fees**. The initial base fees to be charged and collected by the
4 Department for the activities performed by the Department under Chapter 31 of this Code are
5 stated in Section 4 of Ordinance No. 149-16, ~~available in Board of Supervisors File No.~~
6 ~~160632, as amended by Ordinance No.~~, in Board of Supervisors File No. 250888, and on the
7 website of the Board of Supervisors. The initial base fees stated in Section 4 of that ordinance
8 are the fees in effect as of the date of introduction of ~~the~~ Ordinance No. 149-16.

9 (c) **Annual Adjustment of Initial Base Fees**. Consistent with preexisting law,
10 beginning with the setting of fees for fiscal year 2016-2017, the Controller will annually adjust
11 the base fee amounts referenced in subsection (b) and originally stated in Section 4 of
12 Ordinance No. 149-16 ~~in Board of Supervisors File No. 160632~~, without further action by the
13 Board of Supervisors, to reflect changes in the two-year average Consumer Price Index (CPI)
14 change for the San Francisco/San Jose Primary Metropolitan Area (PMSA). This process will
15 occur as follows.

16 No later than April 15 of each year, the Director shall submit the Department's current
17 Fee Schedule to the Controller, who shall apply the CPI adjustment to produce a new Fee
18 Schedule for the fiscal year beginning July 1. No later than May 15 of each year, the
19 Controller shall file ~~file~~ a report with the Board of Supervisors reporting the new Fee Schedule
20 and certifying that: (1) the fees produce sufficient revenue to support the costs of providing the
21 services for which the fee is charged and (2) the fees do not produce revenue that exceeds
22 the costs of providing the services for which each permit fee is charged.

23 * * * *

24 (f) **Time for Payment**. The fee specified for an initial study of a project excluding use
25 of special expertise or technical assistance shall be paid to the Planning Department at the

1 time of the filing of the ~~environmental evaluation~~ Development Application. Where an
2 environmental impact report is determined to be required, the fee specified for preparation of
3 an ~~E~~environmental ~~I~~mpact ~~R~~eport excluding use of special expertise or technical assistance
4 shall be paid at the time the Notice of Preparation is prepared, except as specified below.
5 However, the Director of Planning or ~~his/her~~ the Director's designee may authorize phased
6 collection of the fee for a project whose work is projected to span more than one fiscal year.
7 The balance of phased payments must be paid in full one week in advance of the first
8 scheduled public hearing before the Planning Commission ~~into~~ consider the project or before
9 any Environmental Impact Report is published.

10 * * * *

11 **SEC. 31.23.1. COMMUNITY PLAN FEES.**

12 (a) The Planning Department shall charge Community Plan Fees for environmental
13 applications filed in adopted Plan Areas effective after July 1, 2005. The fee amounts shall be
14 as stated in Section 4 of Ordinance No. 149-16, ~~available in Board of Supervisors File No.~~
15 ~~160632, as amended by Ordinance No. _____, in Board of Supervisors File No. 250888, and on the~~
16 ~~website of the Board of Supervisors,~~ as stated in Section 31.22(b) of this Code, and adjusted
17 annually in accordance with the procedure established under Section 31.22(c).

18 * * * *

19
20 Section 5. This section is uncoded. It amends Section 4 of Ordinance No. 149-16, in
21 Board File No. 160632, which was subsequently amended by Ordinance No. 221-18, in Board
22 File No. 180584, Ordinance No. 189-23, in Board File No. 230559, and Ordinance
23 No. 127-24, in Board File 240456, as follows: The same fonts used to signify additions and
24 deletions as specified in the "Note" that appears under the official title of this ordinance are used here.

1 **PERMIT APPLICATIONS.**

2 (a) ~~Building permit Fees for Development A~~pplications for a change in use or
3 alteration of an existing building; or to construct a new building, and that do not require an
4 entitlement from the Planning Commission or Zoning Administrator, shall ~~to~~ be collected by at the
5 time the Development Application is submitted Central Permit Bureau; provided, however, that the
6 fees charged for Planning Department approval over-the-counter for the replacement of
7 windows, roofs, siding, and doors shall be reduced to one-half the fee set forth below. The
8 Planning Department initial fee amount shall not exceed 50% of the construction cost,
9 notwithstanding the foregoing, and provided further that the fees set forth in the table below
10 shall apply to construction with an estimated cost of \$0 to \$9,999, notwithstanding that such
11 fees may exceed 50% of the construction cost. Applications for permit revisions are excluded
12 from this limitation. All fee amounts shown in this section are shown in the values originally set forth
13 in Ordinance No. 149-16, in Board File No. 160632, unless noted otherwise. The Planning
14 Department maintains the Planning Department Fee Schedule showing the current fee amounts,
15 inclusive of any annual adjustments.

16

17 Estimated Construction Cost	18 Initial Fee <u>for Development</u> 19 <u>Application for Changes in Use</u> 20 <u>or Alteration of An Existing</u> 21 <u>Building</u>	22 <u>Initial Fee for</u> 23 <u>Development Applications</u> 24 <u>for New Buildings</u>
25 \$0 to \$9,999	\$359	<u>\$2,079, plus \$98</u> <u>Discretionary Review</u> <u>Surcharge and \$321</u> <u>Categorical Exemption</u> <u>Stamp Fee</u>

1	\$10,000 to \$49,999	\$368 plus 3.762% of cost over	<u>\$2,079, plus \$98</u>
2		\$10,000	<u>Discretionary Review</u>
3			<u>Surcharge and \$321</u>
4			<u>Categorical Exemption</u>
5			<u>Stamp Fee</u>
6	\$50,000 to \$99,999	\$2,320 plus 2.513% of cost	<u>\$2,079, plus \$98</u>
7		over \$50,000 plus \$98	<u>Discretionary Review</u>
8		Discretionary Review	<u>Surcharge and \$321</u>
9		Surcharge and \$321	<u>Categorical Exemption</u>
10		Categorical Exemption Stamp	<u>Stamp Fee</u>
11		Fee	
12	\$100,000 to \$499,999	\$3,603 plus 2.752% of cost	<u>\$2,080 plus 2.752% of cost</u>
13		over \$100,000 plus \$98	<u>over \$100,000, plus \$98</u>
14		Discretionary Review	<u>Discretionary Review</u>
15		Surcharge and \$321	<u>Surcharge and \$321</u>
16		Categorical Exemption Stamp	<u>Categorical Exemption</u>
17		Fee	<u>Stamp Fee</u>
18	\$500,000 to \$999,999	\$14,819 plus 0.696% of cost	<u>\$13,298 plus 0.878% of</u>
19		over \$500,000 plus \$98	<u>cost over \$500,000, plus</u>
20		Discretionary Review	<u>\$98 Discretionary Review</u>
21		Surcharge and \$321	<u>Surcharge and \$321</u>
22		Categorical Exemption Stamp	<u>Categorical Exemption</u>
23		Fee	<u>Stamp Fee</u>
24	\$1,000,000 to \$4,999,999	\$18,366 plus 0.274% of cost	<u>\$17,775 plus 0.338% of</u>
25		over \$1,000,000 plus \$98	<u>cost over</u>

	Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee	<u>\$1,000,000, plus \$98</u> <u>Discretionary Review</u> <u>Surcharge and \$321</u> <u>Categorical Exemption</u> <u>Stamp Fee</u>
\$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	<u>\$31,550 plus 0.005% of</u> <u>cost of \$5,000,000,</u> <u>plus \$98 Discretionary</u> <u>Review Surcharge</u> <u>and \$321 Categorical</u> <u>Exemption Stamp Fee</u>
\$100,000,000 or more	\$34,062 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee	<u>\$37,251, plus \$98</u> <u>Discretionary Review</u> <u>Surcharge and \$321</u> <u>Categorical Exemption</u> <u>Stamp Fee</u>

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

(2) **Back-Check Fee for Permit Revisions:** \$229 for the initial fee, plus time and materials as set forth in Planning Code Section 350(e), to be collected at time of permit issuance. A ~~\$25~~ surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that ordinance, shall be added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

(3) **Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in Height (Planning Code Section 295):** Additional \$526 plus time and materials as set forth in Planning Code Section 350(e). A \$25 surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that ordinance, shall be added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

(4) **Public Notification Fee for Projects Requiring Public Notice Pursuant to Planning Code Section 311:** \$54, plus \$3.26 per envelope (subject to increase based on envelope and postage costs). A \$25 surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that ordinance, shall be added to the fees to compensate the City for the costs of appeals to the Board of Appeals. The City's reprographics department will print and mail public notices.

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

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

(57) Permits for solar panels and over-the-counter permits for solar equipment installation shall be \$154 per permit. A \$25 surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that ordinance, 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 provided further that the fees set forth in the table below shall apply to construction with an estimated cost of \$0 to \$9,999, notwithstanding that such fees may exceed 50% of the construction cost; notwithstanding the foregoing, applications for permit revisions are excluded from this limitation.

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0 to \$99,999</i>	<i>\$2,079, plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>
<i>\$100,000 to \$499,999</i>	<i>\$2,080 plus 2.752% of cost over \$100,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>
<i>\$500,000 to \$999,999</i>	<i>\$13,298 plus 0.878% of cost over \$500,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>
<i>\$1,000,000 to \$4,999,999</i>	<i>\$17,775 plus 0.338% of cost over \$1,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>
<i>\$5,000,000 to \$99,999,999</i>	<i>\$31,550 plus 0.005% of cost of \$5,000,000 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>
<i>\$100,000,000 or more</i>	<i>\$37,251 plus \$98 Discretionary Review Surcharge and \$321 Categorical Exemption Stamp Fee</i>

1 ~~—— (1) — Applications with Verified Violations of the Planning Code: \$1,271 as an~~
2 ~~inspection fee for monitoring Code violation abatements.~~

3 **(be) Demolition Applications, ~~to be collected by Central Permit Bureau:~~ \$1,621. A \$25**
4 **surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as**
5 **may be increased over time pursuant to that ordinance,** shall be added to the fees to compensate
6 the City for the costs of appeals to the Board of Appeals.

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

11 **(de) Sign Permit Applications, ~~to be collected by Central Permit Bureau:~~ \$143. A \$25**
12 **surcharge of \$44 as of the effective date of Ordinance No. 127-24, in Board File No. 240456, and as**
13 **may be increased over time pursuant to that ordinance,** shall be added to the fees to compensate
14 the City for the costs of appeals to the Board of Appeals.

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

22 * * * *

23 **ENVIRONMENTAL REVIEW.**

24 (a) The Planning Department shall charge the following fees to applicants for
25 projects located outside of recently adopted Plan Areas (adopted after July 1, 2005) that do

1 not require one or more of the following, which will be initiated through the adoption of an Area
2 Plan: Code amendments for the height or bulk district and General Plan amendments, as
3 specified in Administrative Code Section 31.21:

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

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

8 Where said total estimated construction cost is \$10,000 or more, but less than
9 \$200,000: \$4,682 PLUS 2.276% of the cost over \$10,000;

10 Where said total estimated construction cost is \$200,000 or more, but less than
11 \$1,000,000: \$9,092 PLUS 1.721% of the cost over \$200,000;

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

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

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

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

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

22 An applicant proposing major revisions to a project application that has been
23 inactive for more than six months and is assigned shall submit a new application. An applicant
24 proposing significant revisions to a project which has not been assigned and for which an
25 application is on file with the Planning Department shall be charged time and materials to

1 cover the full costs in excess of the initial fee paid. A \$120 surcharge shall be added to this
2 fee to compensate the City for the costs of appeals to the Board of Supervisors.

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

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

8 Where said total estimated construction cost is \$200,000 or more, but less than
9 \$1,000,000: \$26,729 PLUS 0.657% of the cost over \$200,000;

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

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

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

16 Where said total construction cost is \$50,000,000 or more, but less than
17 \$100,000,000: \$120,381 PLUS 0.049% of the cost over \$50,000,000;

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

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

1 (3) For an appeal to the Planning Commission: The fee shall be \$562 to the
2 appellant; provided, however, that the fee shall be waived if the appeal is filed by a
3 neighborhood organization that: (A) has been in existence for 24 months prior to the appeal
4 filing date, (B) is on the Planning Department's neighborhood organization notification list, and
5 (C) can demonstrate to the Planning Director or the Director's his/her designee that the
6 organization is affected by the proposed project. An exemption from paying this appeal fee
7 may be granted when the requestor's income is not enough to pay for the fee without affecting
8 ~~his or her~~requestor's ability-abilities to pay for the necessities of life, provided that the person
9 seeking the exemption demonstrates to the Planning Director or the Director's his/her designee
10 that ~~he or she~~the person is substantially affected by the proposed project.

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

1 demonstrates to the Clerk of the Board of Supervisors or the Clerk's ~~his/her~~ designee that ~~he or~~
2 ~~she~~ the person is substantially affected by the proposed project.

3 (5) For preparation of an addendum to an environmental impact report that
4 has previously been certified, pursuant to Section 15164 of the State CEQA Guidelines, or
5 reevaluation of a modified project for which a negative declaration has been prepared:
6 \$25,174 plus time and materials as set forth in Administrative Code Section 31.22(e).

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

12 (7) ~~(4)~~—For preparation of a Certificate of Exemption from Environmental
13 Review determining that a project is categorically exempt, statutorily exempt,
14 ministerial/nonphysical, an emergency, or a planning and feasibility study: \$321 for
15 applications that require only a stamp, \$6,278 as an initial fee for applications that require a
16 Certificate of Exemption—~~Certificate~~, plus time and materials as set forth in ~~§~~ subsection (b)(2). A
17 \$120 surcharge shall be added to this fee to compensate the City for the costs of appeals to
18 the Board of Supervisors.

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

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

23 ~~——Where said total estimated construction cost is \$10,000 or more, but less than \$200,000:~~
24 ~~\$11,544 PLUS 0.201% of the cost over \$10,000;~~
25

1 ~~Where said total estimated construction cost is \$200,000 or more, but less than~~
2 ~~\$1,000,000: \$11,926 PLUS 0.190% of the cost over \$200,000;~~

3 ~~Where said total estimated construction cost is \$1,000,000 or more, but less than~~
4 ~~\$10,000,000: \$13,446 PLUS 0.057% of the cost over \$1,000,000;~~

5 ~~Where said total estimated construction cost is \$10,000,000 or more: \$18,709 PLUS~~
6 ~~0.426% of the cost over \$10,000,000.~~

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

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

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

17 (10) For review of a categorical or statutory exemption prepared by another
18 City Agency, such as the Municipal Transportation Agency or the Public Utilities Commission:
19 \$270, plus time and materials as set forth in Administrative Code Section 31.22(e).

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

24 (12) Monitoring Conditions of Approval and Mitigation Monitoring: Upon
25 adoption of conditions of approval and/or mitigation measures which the Environmental

1 Review Officer determines require active monitoring, the fee shall be \$1,271, as an initial fee,
2 plus time and materials as set forth in Administrative Code Section 31.22(e).

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

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

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

10 (A) If the determination is that the project qualifies for a Community
11 exemption or exclusion or General Plan exemption, the applicant shall pay a fee of \$7,659. A
12 \$120 surcharge shall be added to this fee to compensate the City for the costs of appeals to
13 the Board of Supervisors.

14 (B) If the determination is that the project does not qualify for a
15 Community exemption or exclusion, the applicant shall pay fees as set forth in ~~S~~subsection (c)
16 below.

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

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

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

24 Where said total estimated construction cost is \$10,000 or more, but less than
25 \$200,000: \$6,227 PLUS 2.833% of the cost over \$10,000;

1 Where said total estimated construction cost is \$200,000 or more, but less than
2 \$1,000,000: \$11,715 PLUS 2.141% of the cost over \$200,000;

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

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

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

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

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

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

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

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

22 Where said total estimated construction cost is \$200,000 or more, but less than
23 \$1,000,000: \$33,263 PLUS 0.818% of the cost over \$200,000;

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

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

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

5 Where said total construction cost is \$50,000,000 or more, but less than
6 \$100,000,000: \$149,941 PLUS 0.061% of the cost over \$50,000,000;

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

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

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

17 (4) The fees listed listed in subsection (c) above will sunset 20 years after the
18 effective date of Plan Adoption.

19
20 Section 6. Effective Date. This ordinance shall become effective 30 days after
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
23 of Supervisors overrides the Mayor's veto of the ordinance.

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

Section 8. Effect of Ordinance on Ordinance No. 149-16; Directions to Clerk of the Board of Supervisors.

As it pertains to Planning fees, this ordinance has the effect of amending and superseding certain of those provisions in Section 4 of Ordinance No. 149-16 setting the fees. Accordingly, to maximize public notice of these changes, upon the effective date of this ordinance, the Clerk of the Board of Supervisors shall place a copy of this ordinance in Board File No. 160632, the file for Ordinance No. 149-16, and shall indicate on the Board's website chart for ordinances enacted in 2016 that Ordinance No. 149-16 has been superseded in part by this ordinance.

Section 9. Retroactivity.

As noted in Section 5, the fee reductions in Section 5 of this ordinance shall apply to any project that submits a Development Application on or after September 2, 2025.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
AUSTIN M. YANG
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Planning Fees]

Ordinance amending the Planning Code to require certain Planning Department fees to be paid to the Department at the time the Development Application is submitted, modify the environmental review fees for large projects, and remove the separate fee schedule for “Class 32” categorical exemptions under the California Environmental Quality Act; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302

Existing Law

The Planning Department’s fees are set forth in Ordinance No. 149-16, which is uncodified. The fees are indexed and increase annually based on the Consumer Price Index.

For projects that do not require a discretionary approval from the Planning Commission or Zoning Administrator, the Planning Department charges a fee that is collected by the Central Permit Bureau at the time of the project applies its building permit application.

The Planning Department charges various fees to evaluate projects under the California Environmental Quality Act (CEQA). One of the CEQA fees is for projects that are considered exempt because they are located in urbanized areas. This is called an in-fill or Class 32 exemption. For large projects requiring an Environmental Impact Report, the Planning Department charges a fee based on the estimated cost of construction. These fees have two parts: an initial fee, and a variable fee. The initial fee is based on the whether the estimated cost of construction exceeds certain thresholds. The variable fee is based on the amount that the estimated cost of construction exceeds the specific threshold.

Amendments to Current Law

This ordinance would require fees for projects that do not require a discretionary approval from the Planning Commission or Zoning Administrator to be paid at the time of the Development Application.

This ordinance would remove the separate fee for Class 32 categorical exemptions. As a result, projects being evaluated under a Class 32 categorial exemption would pay the standard fee for categorical exemptions.

FILE NO. 250888

This ordinance would also remove the variable fee for the highest category of construction projects that require an Environmental Impact Report.

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