BOARD of SUPERVISORS



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MEMORANDUM

		WENTONIA DOM	
	Date:	September 15, 2025	
	То:	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	
\boxtimes	(Californi ⊠	a Environmental Quality Act (CEQA) Determination a Public Resources Code, Sections 21000 et seq.) Ordinance / Resolution Ballot Measure	
	(Planning	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	
		nent to the Administrative Code, involving Land Use/Planning ule 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.

1	[Planning Code - Planning Fees]
2	
3	Ordinance amending the Planning Code to require certain Planning Department fees to
4	be paid to the Department at the time the Development Application is submitted,
5	modify the environmental review fees for large projects, and remove the separate fee
6	schedule for "Class 32" categorical exemptions under the California Environmental
7	Quality Act; affirming the Planning Department's determination under the California
8	Environmental Quality Act; making findings of consistency with the General Plan, and
9	the eight priority policies of Planning Code, Section 101.1; and making findings of
10	public necessity, convenience, and welfare pursuant to Planning Code, Section 302.
11	NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in single-underline italics Times New Roman font.
12	Deletions to Codes are in <u>strikethrough italics Times New Roman jont.</u> Board amendment additions are in double-underlined Arial font.
13	Board amendment additions are in <u>additioned Anial Iont.</u> Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code
14	subsections or parts of tables.
15	
16	Be it ordained by the People of the City and County of San Francisco:
17	
18	Section 1. Land Use and Environmental Findings.
19	(a) The Planning Department has determined that the actions contemplated in this
20	ordinance comply with the California Environmental Quality Act (California Public Resources
21	Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22	Supervisors in File No and is incorporated herein by reference. The Board affirms this
23	determination.
24	(b) On, the Planning Commission, in Resolution No,
25	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	n waived certain	fees during	Small Bu	ısiness
2	Month.						

- (3) Ordinance No. 127-24, which made amendments to the Board of Appeals fee surcharge.
- (d) As of September 2, 2025, there is also a pending ordinance, in Board File No. 250440, that would amend the surcharge for appeals to the Board of Supervisors.
- (e) Since 2017, the Legislature has passed several "streamlining" bills that establish a ministerial approval pathway for development approvals, which has increased the number of projects that do not require discretionary entitlements from the Planning Commission. Such projects still require Planning Department staff review to ensure compliance with state and local objective standards. As the Planning Code now stands, fees for this review are not assessed until a project has submitted a building permit. As a result, the Planning Department does not reliably receive compensation for staff review in a timely manner, and in cases of projects that stall or never seek a building permit, does not receive any compensation.
- (f) This ordinance ensures that the Planning Department is compensated for its review of building permits by aligning the timing of payment for such review with the time that Planning Department staff review the development application. The ordinance does not modify or change the amount of the fees paid for this review.
- (g) This ordinance also reduces government constraints on development and enhances government efficiency by standardizing the reduction of certain fees for large projects subject to the California Environmental Quality Act (CEQA). Updating these fees will create a clearer pathway for projects to proceed to development while allowing the Planning Department to operate in a fiscally sustainable manner in reviewing development applications. The reductions in CEQA fees would apply to a project that submits a development application 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.

16 * * * *

"Development Application." shall mean aAny 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 an other departments 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- <i>in</i>
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 <i>full-time</i> 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 * * * *

- (b) <u>Initial Base</u> Fees. The <u>initial base</u> fees to be charged and collected by the Department for the activities performed by the Department under Chapter 31 of this Code are stated in Section 4 of Ordinance No. <u>149-16</u>, <u>available in Board of Supervisors File No.</u> <u>160632, as amended by Ordinance No.</u> , <u>in Board of Supervisors File No. 250888,</u> and on the website of the Board of Supervisors. The <u>initial base</u> fees stated in Section 4 of that ordinance are the fees in effect as of the date of introduction of <u>the Oo</u>rdinance No. 149-16.
- (c) Annual Adjustment of <u>Initial</u> <u>Base</u> Fees. Consistent with preexisting law, beginning with the setting of fees for fiscal year 2016-2017, the Controller will annually adjust the base fee amounts referenced in subsection (b) and <u>originally</u> stated in Section 4 of Ordinance No. 149-16-in <u>Board of Supervisors File No. 160632</u>, without further action by the Board of Supervisors, to reflect changes in the two-year average Consumer Price Index (CPI) change for the San Francisco/San Jose Primary Metropolitan Area (PMSA). This process will occur as follows.

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

23 * * * *

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

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

* * * *

SEC. 31.23.1. COMMUNITY PLAN FEES.

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

* * * *

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

PERMIT APPLICATIONS.

(a) Building permit Fees for Development Applications for a change in use or alteration of an existing building, or to construct a new building, and that do not require an entitlement from the Planning Commission or Zoning Administrator, shall to be collected by at the time the Development Application is submitted Central Permit Bureau; provided, however, that the fees charged for Planning Department approval over-the-counter for the replacement of windows, roofs, siding, and doors shall be reduced to one-half the fee set forth below. The Planning Department initial fee amount shall not exceed 50% of the construction cost, notwithstanding the foregoing, and 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. Applications for permit revisions are excluded from this limitation. All fee amounts shown in this section are shown in the values originally set forth in Ordinance No. 149-16. in Board File No. 160632, unless noted otherwise. The Planning Department maintains the Planning Department Fee Schedule showing the current fee amounts, inclusive of any annual adjustments.

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

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

1		Discretionary Review	\$1,000,000, plus \$98
2		Surcharge and \$321	<u>Discretionary Review</u>
3		Categorical Exemption Stamp	Surcharge and \$321
4		Fee	Categorical Exemption
5			Stamp Fee
6	\$5,000,000 to \$99,999,999	\$29,502 plus .004% of cost	\$31,550 plus 0.005% of
7		over \$5,000,000 plus \$98	cost of \$5,000,000,
8		Discretionary Review	plus \$98 Discretionary
9		Surcharge and \$321	<u>Review Surcharge</u>
10		Categorical Exemption Stamp	and \$321 Categorical
11		Fee	Exemption Stamp Fee
12	\$100,000,000 or more	\$34,062 plus \$98	\$37,251, plus \$98
13		Discretionary Review	<u>Discretionary Review</u>
14		Surcharge and \$321	Surcharge and \$321
15		Categorical Exemption Stamp	Categorical Exemption
16		Fee	Stamp Fee

(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.

1	(3) Shadow Impact Fee for New Construction or Alteration Exceeding
2	40 Feet in Height (Planning Code Section 295): Additional \$526 plus time and materials as
3	set forth in Planning Code Section 350(e). A \$25 surcharge of \$44 as of the effective date of
4	Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that
5	ordinance, shall be added to the fees to compensate the City for the costs of appeals to the
6	Board of Appeals.
7	(4) Public Notification Fee for Projects Requiring Public Notice
8	Pursuant to Planning Code Section 311: \$54, plus \$3.26 per envelope (subject to increase
9	based on envelope and postage costs). A \$25 surcharge of \$44 as of the effective date of
10	Ordinance No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that
11	ordinance, shall be added to the fees to compensate the City for the costs of appeals to the
12	Board of Appeals. The City's reprographics department will print and mail public notices.
13	(5) Public Notification Fee for Projects Requiring Public Notice Pursuant to
14	Planning Code Section 312: \$54, plus \$1.13 per envelope (subject to increase based on envelope and
15	postage costs). A \$25 surcharge shall be added to the fees to compensate the City for the costs of
16	appeals to the Board of Appeals. The City's reprographics department will print and mail public
17	notices.
18	(6) For projects with a construction cost of \$100,000,000 or more, the applicant
19	shall be charged the permit fee for a project with a \$100,000,000 construction cost.
20	$(\underline{57})$ Permits for solar panels and over-the-counter permits for solar equipment
21	installation shall be \$154 per permit. A \$25 surcharge of \$44 as of the effective date of Ordinance
22	No. 127-24, in Board File No. 240456, and as may be increased over time pursuant to that ordinance,
23	shall be added to the fees to compensate the City for the costs of appeals to the Board of
24	Appeals.
25	

(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.

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

1	(1) Applications with Verified Violations of the Planning Code: \$1,271 as an
2	inspection fee for monitoring Code violation abatements.
3	(<u>b</u> e) 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	$(\underline{c}\underline{d})$ 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	(<u>de</u>) 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.

The Planning Department shall charge the following fees to applicants for

projects located outside of recently adopted Plan Areas (adopted after July 1, 2005) that do

(a)

24

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.

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

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ı	demonstrates to the Clerk of the Board of Supervisors or the Clerk's his/her designee that he or
2	shethe 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 $\underline{s_s}$ ubsection (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) (A)—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_{H}
16	<u>Certificate of Exemption Certificate</u> , plus time and materials as set forth in <u>Ssubsection</u> (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;

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 <u>or statutory</u> 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 <u>applicable appropriate</u> :
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 $\underline{s_s}$ ubsection (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	Paragraphsubsection (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.
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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.
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1	Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2	intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3	numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4	Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5	additions, and Board amendment deletions in accordance with the "Note" that appears under
6	the official title of the ordinance.
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8	Section 8. Effect of Ordinance on Ordinance No. 149-16; Directions to Clerk of the
9	Board of Supervisors.
10	As it pertains to Planning fees, this ordinance has the effect of amending and
11	superseding certain of those provisions in Section 4 of Ordinance No. 149-16 setting the fees.
12	Accordingly, to maximize public notice of these changes, upon the effective date of this
13	ordinance, the Clerk of the Board of Supervisors shall place a copy of this ordinance in Board
14	File No. 160632, the file for Ordinance No. 149-16, and shall indicate on the Board's website
15	chart for ordinances enacted in 2016 that Ordinance No. 149-16 has been superseded in part
16	by this ordinance.
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18	Section 9. Retroactivity.
19	As noted in Section 5, the fee reductions in Section 5 of this ordinance shall apply to
20	any project that submits a Development Application on or after September 2, 2025.
21	APPROVED AS TO FORM:
22	DAVID CHIU, City Attorney
23	By: /s/
24	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.

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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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