

1 [Subdivision Code fees.]

2

3 **Ordinance amending the Subdivision Code section 1315 concerning fees and making**  
4 **environmental findings.**

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

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

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

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

15 SEC. 1315. FEES.

16 (a) Fees, payable to the Department of Public Works, shall be charged for checking  
17 and processing the maps, plans and reports, lot line adjustments, certificates of compliance,  
18 amended maps, records or survey, certificates of correction, and other actions and procedures set forth  
19 in California Government Code section 66451.2. including all condominium maps and parcel maps,  
20 filed under this Code. Said fees shall consist of an initial payment in accordance with the estimated  
21 actual cost of checking the maps, plans and reports, together with investigations incidental thereto, and  
22 shall be paid at the time of filing a Tentative Map or a Parcel Map. Where initial payment is  
23 insufficient to compensate the actual cost incurred, an additional sum shall be charged to equal such  
24 actual cost. For Parcel Maps, excepting condominium maps, which do not require the filing of a  
25 Tentative Map, and which do not involve street dedications or improvements, a flat fee of \$500 shall be

1 ~~charged for checking and processing. A fee of \$75 shall be charged for processing a Parcel Map~~  
2 ~~Waiver. All such fees shall be paid at time of filing. Nonprofit organizations with tax-exempt status~~  
3 ~~under the Internal Revenue Code shall be exempt from payment of the checking and processing fees~~  
4 ~~where the organization is building housing to be used exclusively for the benefit of residents who are~~  
5 ~~low-income, as that term is defined in Section 1309(e) of this Code. Said fees shall be due at the time of~~  
6 ~~filing an application. Failure to pay such fees shall result in a return of the application as incomplete~~  
7 ~~to the applicant. The fee schedule is as follows:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

22 time and materials basis. The Department shall provide the applicant with a written estimate of said

23 costs at the time of application, and the applicant shall pay such fees prior to the time that the

24 application is deemed complete. To the extent that the estimated fees do not cover actual costs, any

25 outstanding amount due shall be a condition of the Department's final decision on the action or

1 procedure. To the extent that the estimated fees exceeded the actual costs, the Department shall refund  
2 the excess amount to the applicant within a reasonable period after the Department's final decision on  
3 the action or procedure;

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

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

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

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

23 (f) Beginning with fiscal year 2006-2007, the fees which are established herein may be  
24 adjusted each year, without further action by the Board of Supervisors, to reflect changes in the  
25 relevant Consumer Price Index, as determined by the Controller. No later than April 15th of each

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

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

10 By: \_\_\_\_\_  
11 John D. Malamut  
12 Deputy City Attorney

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25