

File No. 100703

Committee Item No. 1

Board Item No. 39

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance

Date: July 9, 2010

Board of Supervisors Meeting

Date: 7/20/10

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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OTHER

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Completed by: Andrea S. Ausberry

Date Friday, July 2, 2010

Completed by: AG

Date 7/15/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

FILE NO. 100703

ORDINANCE NO.

[Planning Code Amendments to Update Fees for Cost Recovery]

1
2 Ordinance amending the San Francisco Planning Code by amending Sections 350, 351,
3 352, 353, 354, 355, ~~and~~ through 358 to increase fees 2.61 percent, and an additional 2.04
4 percent for all fees except those associated with small projects for cost recovery; add a
5 new fee for Conditional Use Applications for Wireless Telecommunication Services
6 (WTS) Facilities; increase the Discretionary Review filing fee; and make other
7 adjustments for cost recovery.

8 NOTE: Additions are single-underline italics Times New Roman;
9 deletions are ~~strike-through italics Times New Roman~~.
10 Board amendment additions are double-underlined;
11 Board amendment deletions are ~~strikethrough-normal~~.

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

13 Section 1. Findings. (a) The Planning Department is able to recover the cost of long
14 range planning through its building permit review, CEQA (California Environmental Quality
15 Act, California Public Resources Code Sections 21000 et seq.) review, and land use
16 entitlement fees.

17 (b) The current fee structure is set to recover a portion of long range planning cost
18 through said fees, but the cost of long range planning, which includes historic preservation
19 survey and designation work, ~~isn~~ increasing beyond the annual cost of living adjustment.

20 (c) It is in the public interest for the private project sponsor to reimburse the City for
21 the benefit he or she derives as a consequence of public supported planning. This Board of
22 Supervisors finds that this Ordinance is consistent with the General Plan and Priority Policies
23 of Section 101.1(b) of the Planning Code for the reasons set forth in the Planning Commission
24 Resolution No. 11814 and incorporates said Resolution herein by reference. A copy of said
25 resolution is on file with the Clerk of the Board of Supervisors in File No. 100703. Pursuant to

Mayor Newsom
BOARD OF SUPERVISORS

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1 Planning Code Section 302, this Board of Supervisors finds that this Ordinance will serve the
2 public necessity, convenience and welfare for the reasons set forth in Planning Commission
3 Resolution No. 11814 and incorporates said Resolution herein by reference. A copy of said
4 resolution is on file with the Clerk of the Board of Supervisors in File No. 100703.

5 (d) Environmental Finding. The Planning Department has determined that the
6 proposed fee adjustments are statutorily excluded from CEQA under the CEQA Guidelines
7 Section 15273(a), which exempts rates, tolls, fares and charges such as those proposed here.
8 Said determination is on file with the Clerk of the Board of Supervisors in File No. 100703 and
9 is incorporated herein by reference.

10 Section 2. The San Francisco Planning Code is hereby amended by amending Section
11 350 to read as follows:

12 **SEC. 350. - FEES, GENERAL.**

13 Fees shall be imposed in order to compensate the Planning Department for the cost of
14 processing applications and for the development and revision of land use controls. Fees shall
15 be charged and collected as indicated for each class of application, permit, filing request or
16 activity listed in Sections 351 through 358 below.

17 (a) Estimated construction costs are as defined by the San Francisco Building Code.

18 (b) All fees are payable at time of filing application or request, except where noted
19 otherwise. However, the Director of Planning or his/her designee may authorize phased
20 collection of the fee for a project whose work is projected to span more than one fiscal year. A
21 nonrefundable processing fee of ~~\$50~~ \$12 is required to set-up any installment payment plan for
22 all application fees. The balance of phased payments must be paid in full one week in
23 advance of the first scheduled public hearing before the Planning Commission to consider the
24 project or before issuance of the first site permit if no hearing is required.

1 (c) Time and Materials. The Planning Department shall charge the applicant for any
2 time and materials cost incurred in excess of the initial fee charged if required to recover the
3 Department's costs for providing services.

4 (1) The Department shall charge time and materials to recover the cost of correcting
5 code violations and violations of Planning Commission and Department conditions of approval
6 of use if such costs are not covered by the monitoring fee for conditions of approval specified
7 in Section 351(e)(1).

8 (2) Where a different limitation on time and material charges is set forth elsewhere in
9 this Article, that limitation shall prevail.

10 (3) The Planning Department may also charge for any time and material costs incurred
11 by other departments or agencies of the City and County of San Francisco.

12 (4) Any balance of time and materials costs for active and open projects must be paid
13 in full one week in advance of a scheduled public hearing before the Planning Commission to
14 consider the project or before issuance of the first site permit if no hearing is required.

15 (d) Refunds. When an application is withdrawn by the applicant prior to a public
16 hearing, or deemed canceled by the Planning Department due to inactivity on the part of the
17 applicant, then the applicant shall be entitled to a refund of the fee paid to the Department
18 less the time and materials expended minus a ~~\$400~~427 processing fee. Refund requests must
19 be submitted within six months of the project closure date.

20 (e) Deferred or Reduced Fee.

21 (1) Any fraternal, charitable, benevolent or any other nonprofit organization, that is
22 exempt from taxation under the Internal Revenue laws of the United States and the Revenue
23 and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or
24 other nonprofit organization, or public entity that submits an application for the development of
25 residential units all of which are affordable to low and moderate income households, as

1 defined by the United States Housing and Urban Development Department, for a time period
2 that is consistent with the policy of the Mayor's Office of Housing and the San Francisco
3 Redevelopment Agency, may defer payment of the fees except those under 352d and 352n
4 until (1) before final Planning Department approval of the building permit, preparatory to
5 issuance of the building permit, before the building permit is released to the applicant, or (2)
6 within one year of the date of action on the application, whichever comes first. This exemption
7 shall apply notwithstanding the inclusion in the development of other nonprofit ancillary or
8 accessory uses. Should the project be withdrawn prior to final Planning approval, the
9 applicant shall pay time and material costs pursuant to Section 350(c).

10 (2) An exemption from paying the full fees specified under Section 352d and 352n may
11 be granted when the requestor's income is not enough to pay for the fee without affecting their
12 abilities to pay for the necessities of life, provided that the person seeking the exemption
13 demonstrates to the Planning Director or his/her designee that they are substantially affected
14 by the proposed project.

15 (f) Late Payment.

16 (1) Charges and Collection of Overdue Accounts. The Director or his/her designee
17 shall call upon the Bureau of Delinquent Revenues or duly licensed collection agencies for
18 assistance in collecting delinquent accounts more than 60 days in arrears, in which case any
19 additional costs of collection may be added to the fee amount outstanding. If the Department
20 seeks the assistance of a duly licensed collection agency, the approval procedures of
21 Administrative Code Article 5, Section 10.39-1 et seq. will be applicable.

22 (g) Fee Adjustments.

23 (1) The Controller will annually adjust the fee amounts specified in Section 351(d), (e),
24 (f), (g), (h), (i) and Section 352(b), (d), (e), (g), (i), (j), (k), (l), (m), and Section 353(a), (c), (d),
25 and Section 355(a), (2), (3), (4), (5), (6), (7)(b), (c), (d), (e), and Section 356(c), (d), (e), and

1 Section 357 and Section 358 (a), (b), (c), (d) by the two-year average consumer price index
2 (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA).

3 Section 3. The San Francisco Planning Code is hereby amended by amending Section
4 351 to read as follows:

5 **SEC. 351. - MISCELLANEOUS SERVICES.**

6 (a) Agendas for Planning Commission: ~~\$3537.00~~ annual subscription to cover costs of
7 mailing. The Planning Director or his/her designee may authorize exemptions in those
8 instances where costs would impose financial hardship.

9 (b) Agendas for Historic Preservation Commission: ~~\$3537.00~~ annual subscription to
10 cover costs of mailing. The Planning Director or his/her designee, may authorize exemption in
11 those instances where costs would impose financial hardship.

12 (c) Document Retrieval: Files stored on-site - actual costs for printing file(s), Files
13 stored off-site: - actual costs for retrieval, printing and return of files, as specified in a retrieval
14 schedule prepared by Director of Planning, or his/her designee.

15 (d) Information, Analysis, Report Preparation and Presentation, Research Services,
16 Data Requests: The costs of report preparation may be amortized by factoring full-cost
17 recovery into the pricing of such information and reports: ~~\$230245.00~~ as an initial fee.

18 (e) Monitoring Projects:

19 (1) Monitoring Conditions of Approval: Upon adoption of conditions of approval which
20 the Zoning Administrator determines require active monitoring, the fee shall be ~~\$1,0801,130.00~~
21 as an initial fee, plus time and materials as set forth in Section 350(c).

22 (f) Project Review for Policy and Code Review and Interpretation for Prospective
23 Projects for which an Application has not been Filed, and Site-Specific Design Guidelines and
24 Code-Complying Massing Recommendations and Department facilitated pre-application
25 meetings: ~~\$345368.00~~ for new construction and modifications to 5 or fewer dwelling units and

1 for affordable housing projects as defined in the Guidelines of the United States Housing and
2 Urban Development Department, and ~~\$816871.00~~ for all other projects and Department
3 facilitated pre-application meetings.

4 (g) (1) Project Notifications for an Individual Requesting Notification of Project
5 Applications:

6 (A) First Address or First Assessor's Lot: ~~\$3032.00~~ per annum.

7 (B) Additional Addresses: ~~\$1213.00~~ for addresses in each new Assessor's Lot
8 thereafter, per annum.

9 (2) Project Notifications for a Neighborhood Organization, defined as (i) having been in
10 existence for 24 months prior to the request, and (ii) is listed on the Planning Department's
11 neighborhood organization notification list, requesting Notification of Project Applications:

12 (A) First Address or First Assessor's Block: ~~\$3032.00~~ per annum.

13 (B) Additional Addresses: ~~\$1213.00~~ for addresses in each new Assessor's Block
14 thereafter, per annum.

15 (h) Zoning Administrator Written Determinations Pursuant to Section 307(a):
16 ~~\$115122.00~~ for zoning letters of conformance, ~~\$517552.00~~ for other written determinations.

17 (i) Reactivating an application that the Zoning Administrator has deemed withdrawn
18 due to inactivity and the passage of time, subject to the approval of the Zoning Administrator
19 and within six months of the date the application was deemed withdrawn: ~~\$218232.00~~

20 (j) Preliminary Project Assessment: \$4,427 which will be credited to the first project
21 application filed.

22 Section 3. The San Francisco Planning Code is hereby amended by amending Section
23 352 to read as follows:

24 **SEC. 352. - COMMISSION AND ZONING ADMINISTRATOR HEARING APPLICATIONS.**

25 (a) Conditional Use (Section 303), Planned Unit Development (Section 304),

1	Estimated Construction Cost	Initial Fee
2	No construction cost, excluding extension	\$7851,800.00
3	of hours	
4	No construction cost, extension of hours	\$1,2061,286.00
5		
6	<u>Wireless Telecommunications Services (WTS)</u>	<u>\$4,500.00</u>
7	Estimated Construction Cost	Initial Fee
8	\$1.00 to \$9,999.00	\$1,2061,286.00
9	\$10,000.00 to \$999,999.00	\$1,2061,286.00 plus 0.557583% of cost over
10		\$10,000.00
11	\$1,000,000.00 to \$4,999,999.00	\$6,7227,171.00 plus 0.664695% of cost over
12		\$1,000,000.00
13	\$5,000,000.00 to \$9,999,999.00	\$33,31535,537.00 plus 0.557583% of cost over
14		\$5,000,000.00
15	\$10,000,000.00 to \$19,999,999.00	\$61,17665,257.00 plus 0.290303% of cost over
16		\$10,000,000.00
17	\$20,000,000.00 or more	\$90,21396,230.00
18		
19		
20	Estimated Construction Cost	Initial Fee
21	No construction cost, excluding extension of	\$785.00
22	hours	
23	No construction cost, extension of hours	\$1,206.00
24		
25		

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$1.00 to \$9,999.00</i>	<i>\$1,206.00</i>
<i>\$10,000.00 to \$999,999.00</i>	<i>\$1,206.00 plus 0.557% of cost over \$10,000.00</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$6,722.00 plus 0.664% of cost over \$1,000,000.00</i>
<i>\$5,000,000.00 to \$9,999,999.00</i>	<i>\$33,315.00 plus 0.557% of cost over \$5,000,000.00</i>
<i>\$10,000,000.00 to \$19,999,999.00</i>	<i>\$61,176.00 plus 0.290% of cost over \$10,000,000.00</i>
<i>\$20,000,000.00 or more</i>	<i>\$90,213.00</i>

(b) Variance (Section 305)

Variance fees are subject to additional time and material charges, as set forth in Section 350(c).

Estimated Construction Cost	Initial Fee
\$0.00—\$9,999.00	\$782.00 <u>817.00</u>
\$10,000.00—\$19,999.00	\$1,741 <u>1,821.00</u>
\$20,000.00 and greater	\$3,476 <u>3,708.00</u>

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0.00 — \$9,999.00</i>	<i>\$782.00</i>
<i>\$10,000.00 — \$19,999.00</i>	<i>\$1,741.00</i>
<i>\$20,000.00 and greater</i>	<i>\$3,476.00</i>

1 (c) Downtown (C-3) District Review (Section 309) and Coastal Zone Permit (Section
 2 330) Applications Commission Hearing Fee Schedule:

3 Estimated Construction Cost	Initial Fee
4 \$0.00 to \$9,999.00	\$ 244 <u>256</u> .00
5 \$10,000.00 to \$999,999.00	\$ 244 <u>261</u> .00 plus 0. 42 <u>11</u> 7% of cost over \$10,000.00
6 \$1,000,000.00 to \$4,999,999.00	\$ 1,352 <u>1,442</u> .00 plus 0. 133 <u>139</u> % of cost over \$1,000,000.00
7 \$5,000,000.00 to \$9,999,999.00	\$ 6,684 <u>7,130</u> .00 plus 0. 44 <u>11</u> 6% of cost over \$5,000,000.00
8 \$10,000,000.00 to \$19,999,999.00	\$ 12,234 <u>13,050</u> .00 plus 0. 058 <u>061</u> % of cost over \$10,000,000
9 \$20,000,000.00 or more	\$ 18,063 <u>19,268</u> .00

10
 11
 12 (1) Applications with Verified Violations of this Code: The Planning Department shall
 13 charge \$~~191~~204.00 as an initial fee, plus time and materials as set forth in Section 350(c).

14 (2) Where an applicant requests two or more approvals involving a conditional use,
 15 planned unit development, variance, Downtown (C-3) District Section 309 review, certificate of
 16 appropriateness, permit to alter a significant or contributory building both within and outside of
 17 Conservation Districts, or a coastal zone permit review, the amount of the second and each
 18 subsequent initial fees of lesser value shall be reduced to 50 percent.

19 (3) Minor project modifications requiring a public hearing to amend conditions of
 20 approval of a previously authorized project, not requiring a substantial reevaluation of the prior
 21 authorization: \$~~896~~955.00.

22 (4) The applicant shall be charged for any time and materials beyond the initial fee in
 23 Section 352, as set forth in Section 350(c).

24 (5) An applicant proposing major revisions, as determined by the Zoning Administrator,
 25 to a project application that has been inactive for more than six months and is assigned shall

1 submit a new application. An applicant proposing major revisions to a project which has not
 2 been assigned and for which an application is on file with the Planning Department shall be
 3 charged time and materials to cover the full costs in excess of the initial fee paid.

4 (6) For agencies or departments of the City and County of San Francisco, the initial fee
 5 for applications shall be based upon the construction cost as set forth above.

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0.00 to \$9,999.00</i>	<i>\$256.00</i>
<i>\$10,000.00 to \$999,999.00</i>	<i>\$261.00 plus 0.112% of cost over \$10,000.00</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$1,442.00 plus 0.133% of cost over \$1,000,000.00</i>
<i>\$5,000,000.00 to \$9,999,999.00</i>	<i>7,130.00 plus 0.111% of cost over \$5,000,000.00</i>
<i>\$10,000,000.00 to \$19,999,999.00</i>	<i>\$13,050.00 plus 0.058% of cost over \$10,000,000</i>
<i>\$20,000,000.00 or more</i>	<i>\$19,268.00</i>

15
 16 (d) Discretionary Review Request: ~~\$500,000.00~~; provided, however, that the fee shall be
 17 waived if the discretionary review request is filed by a neighborhood organization that: (1) has
 18 been in existence for 24 months prior to the filing date of the request, (2) is on the Planning
 19 Department's neighborhood organization notification list, and (3) can demonstrate to the
 20 Planning Director or his/her designee that the organization is affected by the proposed project.
 21 Such fee shall be refunded to the individual or entity that requested discretionary review in the
 22 event the Planning Commission denies the Planning Department's approval or authorization
 23 upon which the discretionary review was requested. Mandatory discretionary reviews:

24 ~~\$3,223,438.00.~~

25 (e) Institutional Master Plan (Section 304.5).

1 (1) Full Institutional Master Plan or Substantial Revision: ~~\$11,492~~12,259.00 plus time
2 and materials if the cost exceeds the initial fee as set forth in Section 350(c).

3 (2) **Abbreviated Institutional Master Plan:** ~~\$2,103~~2,244.00 plus time and materials if
4 the cost exceeds the initial fee as set forth in Section 350(c).

5 (f) **Land Use Amendments and Related Plans and Diagrams of the San Francisco**
6 **General Plan:** Fee based on the Department's estimated actual costs for time and materials
7 required to review and implement the requested amendment, according to a budget prepared
8 by the Director of Planning, in consultation with the sponsor of the request.

9 (g) **General Plan Referrals:** ~~\$3,103~~3,310.00 plus time and materials if the cost exceeds
10 the initial fee as set forth in Section 350(c).

11 (h) **Redevelopment Plan Review:** The Director of Planning shall prepare a budget to
12 cover actual time and materials expected to be incurred, in consultation with the
13 Redevelopment Agency. A sum equal to ½ the expected cost will be submitted to the
14 Department, prior to the commencement of the review. The remainder of the costs will be due
15 at the time the initial payment is depleted.

16 (i) **Reclassify Property or Impose Interim Zoning Controls:** ~~\$6,611~~7,052.00

17 (1) The applicant shall be charged for any time and materials as set forth in Section
18 350(c).

19 (2) Applications with Verified Violations of this Code: The Planning Department shall
20 charge time and materials as set forth in Section 350(c).

21 (j) **Setback Line, Establish, Modify or Abolish:** ~~\$2,672~~2,851.00

22 (k) **Temporary Use Fees:** ~~\$391~~409.00 as an initial fee, plus time and materials if the cost
23 exceeds the initial fee, as set forth in Section 350(c).

24 (l) **Amendments to Text of the Planning Code:** ~~\$13,209~~14,090.00 as an initial fee, plus
25 time and materials if the cost exceeds the initial fee as set forth in Section 350(c).

1 (m) Zoning Administrator Conversion Determinations Related to Service Station
2 Conversions: ~~\$2,600~~2,783.00 as an initial fee, plus time and materials if the cost exceeds the
3 initial fee. (Section 228.4).

4 (n) Conditional Use Appeals to the Board of Supervisors:

5 (1) \$500.00 for the appellant of a conditional used authorization decision to the Board
6 of Supervisors; provided, however, that the fee shall be waived if the appeal is filed by a
7 neighborhood organization that: (1) has been in existence for 24 months prior to the appeal
8 filing date, (2) is on the Planning Department's neighborhood organization notification list, and
9 (3) can demonstrate to the Planning Director or his/her designee that the organization is
10 substantially affected by the proposed project.

11 (2) Such fees shall be used to defray the cost of an appeal to the Planning Department. At the
12 time of filing an appeal, the Clerk of the Board of Supervisors shall collect such fee and
13 forward the fee amount to the Planning Department.

14 Section 4. The San Francisco Planning Code is hereby amended by amending Section
15 353 to read as follows:

16 **SEC. 353. - DOWNTOWN APPLICATIONS.**

17 (a) Exception in C-3 District (Section 309): ~~\$1,701~~1,815.00 as an initial fee, plus time
18 and materials as set forth in section 350(c) for one or more exceptions to the Planning Code,
19 which shall not be reduced per Section 352(c)(2).

20 (b) Modifications in C-3 District, Determination of Need (Section 309): Same as Basic
21 commission hearing fee schedule (Sections 352(c), 352(c)(1) et seq.).

22 (c) Office Development Limitation Projects (Sections 320 through 323): ~~\$4,562~~4,866.00
23 per application at initial intake plus time and materials as set forth in Section 350(c).

24 (d) Article 11 Designated Buildings:
25

1 (1) Significant or Contributory Building, Designation or Change of Boundary:
2 \$6,2775,884.00.

3 (2) Conservation District, Designation or Change of Boundary: \$6,2775,884.00

4 (3) Permit to Alter a Significant or Contributory Building Within a Designated
5 Conservation District, not Deemed Minor by the Zoning Administrator: \$8,2877,769.00 plus
6 time and materials in excess of initial fee as set forth in Section 350(c).

7 (4) Alteration of a Contributory Building Located Outside a Conservation District From
8 Which No TDR Has Been Transferred and No Issuance of a Permit Pursuant to Sections
9 1111 through 1111.6: \$8,2877,769.00

10 (5) Significant or Contributory Building Demolition in or outside of a Conservation
11 District for which TDRs have been transferred: \$8,2877,769.00 This fee shall be in addition to
12 any fee otherwise required for permits to alter or demolish. However, applications to demolish
13 a Contributory Building located outside a Conservation District from which no TDR has been
14 transferred or a Category V Building in a Conservation District from which no TDR has been
15 transferred are subject only to the demolition fee contained in Section 355(b).

16 (6) Statement of Eligibility: \$1,4701,378.00.

17 (7) Certificate of Transfer, Execution: \$424397.00.

18 (8) Certification of Transfer of TDR, Notice of Use: \$1,3241,241.00.

19 Section 5. The San Francisco Planning Code is hereby amended by amending Section
20 355 to read as follows:

21 **SEC. 355. - PERMIT APPLICATIONS.**

22 (a) Building permit applications for a change in use or alteration of an existing building,
23 to be collected by Central Permit Bureau; provided, however, that the fees charged for
24 Planning Department approval over-the-counter for the replacement of windows, roofs, siding,
25 and doors shall be reduced to ½ the fee set forth below.

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Estimated Construction Cost	Initial Fee
\$0.00 to \$9,999.00	<u>\$319,305.00</u>
\$10,000.00 to \$49,999.00	<u>\$327,306.00</u> plus <u>3.3453196%</u> of cost over \$10,000.00
\$50,000.00 to \$99,999.00	<u>\$1,690,585.00</u> plus <u>2.235136%</u> of cost over \$50,000.00 plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee
\$100,000.00 to \$499,999.00	<u>\$2,831,654.00</u> plus <u>2.446337%</u> of cost over \$100,000.00 plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee
\$500,000.00 to \$999,999.00	<u>\$12,803,003.00</u> plus <u>0.618591%</u> of cost over \$500,000.00 plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee
\$1,000,000.00 to \$4,999,999.00	<u>\$15,956,959.00</u> plus <u>0.243232%</u> of cost over \$1,000,000.00 plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee
\$5,000,000.00 to \$99,999,999.00	<u>\$25,857,240.00</u> plus <u>.004%</u> of cost over \$5,000,000.00 plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee
\$100,000,000.00 or more	<u>\$29,912,041.00</u> plus <u>\$8781.00</u> Discretionary Review Surcharge and <u>\$285,267.00</u> Categorical Exemption Stamp Fee

1 (1) Application with Verified Violations of this Code: The Planning Department shall
2 charge ~~\$1,130,001,080~~ as an inspection fee for monitoring code violation abatements.

3 (2) Back-Check Fee for Permit Revisions: ~~\$204191.00~~ for the initial fee, plus time and
4 materials as set forth in Section 350(c), to be collected at time of permit issuance.

5 (3) Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in Height
6 (Section 295): Additional ~~\$467438.00~~ plus time and materials as set forth in Section 350(c).

7 (4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section
8 311: ~~\$4845.00~~, plus ~~\$3,263.03~~ per envelope (subject to increase based on envelope and
9 postage costs). The City's reprographics department will print and mail public notices.

10 (5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section
11 312: ~~\$4845.00~~, plus ~~\$1,130.89~~ per envelope (subject to increase based on envelope and
12 postage costs). The City's reprographics department will print and mail public notices.

13 (6) For projects with a construction cost of \$100,000,000.00 or more, the applicant shall
14 be charged the permit fee for a project with a \$100,000,000.00 construction cost.

15 (7) Permits for solar panels and over-the-counter permits for solar equipment
16 installation shall be ~~\$137129.00~~ per permit.

17 (b) Building Permit Applications for a New Building:

18 Estimated 19 Construction Cost	Initial Fee
20 \$0 to \$99,999	21 \$1,8491,734.00 , plus \$8781.00 Discretionary Review Surcharge and 22 \$285267.00 Categorical Exemption Stamp Fee
23 \$100,000.00 to 24 \$499,999.00	25 \$1,8501,735.00 ; plus 2.3372.446% of cost over \$100,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00

	Categorical Exemption Stamp Fee
\$500,000.00 to \$999,999.00	\$11,82311,081.00 plus 0.7460.781% of cost over \$500,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$1,000,000 to \$4,999,999.00	\$15,80314,815 plus 0.2870.300% of cost over \$1,000,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$5,000,000.00 to \$99,999,999.00	\$28.04926,296.00 plus 0.005% of cost of \$5,000,000 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$100,000,000.00 or more	\$33,11831,047.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee

(1) Applications with Verified Violations of this Code: ~~\$1,1301,080~~ as an inspection fee for monitoring code violation abatements.

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
\$0 to \$99,999	\$1,849, plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee
\$100,000.00 to \$499,999.00	\$1,850, plus 2.446% of cost over \$100,000.00 plus \$81.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee
\$500,000.00 to	\$11,823.00 plus 0.781% of cost over \$500,000.00 plus \$87.00 Discretionary

1	\$999,999.00	Review Surcharge and \$285.00 Categorical Exemption Stamp Fee
2	\$1,000,000 to	\$15,803 plus 0.300% of cost over \$1,000,000.00 plus \$87.00 Discretionary
3	\$4,999,999.00	Review Surcharge and \$285.00 Categorical Exemption Stamp Fee
4	\$5,000,000.00 to	\$28,049.00 plus 0.005% of cost of \$5,000,000 plus \$87.00 Discretionary
5	\$99,999,999.00	Review Surcharge and \$285.00 Categorical Exemption Stamp Fee
6	\$100,000,000.00 or	\$33,118.00 plus \$87.00 Discretionary Review Surcharge and \$285.00
7	more	Categorical Exemption Stamp Fee

9 (c) Demolition Applications, to be collected by Central Permit Bureau: ~~\$1,441~~ 1,351.00.

10 (d) Fire, Police, Entertainment Commission, State Alcohol & Beverages Control and
 11 Health Department Permit Applications Referral Review: ~~\$121~~ 114.00 initial fee collected by
 12 the other departments in conjunction with current fee collections, plus time and materials as
 13 set forth in Section 350(c).

14 (e) Sign Permit Applications, to be collected by Central Permit Bureau: ~~\$127~~ 119.00.

15 Section 6. The San Francisco Planning Code is hereby amended by amending Section
 16 356 to read as follows:

17 **SEC. 356. - PRESERVATION APPLICATIONS. (Article 10).**

18 (a) Landmark: ~~\$262~~ 250.00.

19 (b) Amendment, Rescission or Designation of Historical District: ~~\$1,047~~ 1,000.00 plus
 20 time and materials in excess of initial fee as set forth in Section 350c. The Planning Director
 21 or his/her designee may waive time and material charges for the designation of a Historical
 22 District to encourage Citywide preservation activities.

23 (c) Certificate of Appropriateness: ~~\$308~~ 288.00 for applications with an estimated
 24 construction cost less than \$1,000.00; ~~\$1,227~~ 1,150.00 for applications with an estimated
 25 construction less than \$20,000.00, ~~\$5,676~~ 5,321.00 for applications with an estimated

1 construction value \$20,000.00 and more, plus time and materials in excess of initial fee as set
2 forth in Section 350(c).

3 (d) Determination that a Building is a Compatible Rehabilitation or a Compatible
4 Replacement Building, Pursuant to Section 309 or 1109: Same as for Conditional Use
5 (Section 352(a)).

6 (e) Processing and Administering an Application for a Historical Properties Contract
7 Under the California Mills Act, California Government Code Sections 50280—50290: \$17,939
8 ~~16,817.00~~ for commercial properties and \$8,973 ~~8,412.00~~ for residential properties.

9 Section 7. The San Francisco Planning Code is hereby amended by amending Section
10 357 to read as follows:

11 **SEC. 357. - TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT**
12 **APPLICATIONS.**

13 (a) Transportation Study \$21,317 ~~19,984.00~~ plus time and materials as set forth in
14 Section 350(c). Extremely complex transportation studies will be charged a higher initial fee based on
15 the specifics of the project which will be outlined in an Agreement between the Department and the
16 project sponsor.

17 (b) Municipal Transportation Agency review of transportation impact study: \$4,100 ~~4,000~~
18 per study.

19 Section 8. The San Francisco Planning Code is hereby amended by amending Section
20 358 to read as follows:

21 **SEC. 358. - GENERAL ADVERTISING SIGNS FEES.**

22 (a) The fee for the relocation agreement application pursuant to Section 611 and
23 Administrative Code Section 2.21 shall be \$1,224 ~~1,148.00~~ per individual relocation agreement
24 application.
25

1 (b)The fee for the initial inventory processing pursuant to Section 604.2 shall be
2 \$~~685.643~~.00 per sign structure.

3 (c)The fee for an in-lieu applicat on pursuant to Section 604.1 shall be \$~~391367~~.00 per
4 sign structure.

5 (d)The fee for annual inventory maintenance pursuant to Section 604.2 shall be
6 \$~~221244~~.00.

7 (e)Fee Review and Adjustment. Beginning with fiscal year 2007-2008, the fees
8 established in this Section may be adjusted each year, without further action by the Board of
9 Supervisors, to reflect changes in the relevant Consumer Price Index, as determined by the
10 Controller. No later that April 15th of each year, the Director shall submit the Department's
11 current fees schedule to the Controller, who shall apply the price index adjustment to produce
12 a new fee schedule for the following year. No later that May 15th of each year, the Controller
13 shall file a report with the Board of Supervisors reporting the new fee schedule and certifying
14 that: (a) the fees produce sufficient revenue to support the costs of providing the services for
15 which the fee is charged and (b) the fees do not produce revenue that exceeds the costs of
16 providing the services for which each permit fee is charged. Notwithstanding the procedures
17 set forth in this Section, the Board of Supervisors, in its discretion, may modify the fees by
18 ordinance at any time.

19
20 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

21
22 By:


Audrey Pearson
Deputy City Attorney

23
24
25
Mayor Newsom
BOARD OF SUPERVISORS

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SAN FRANCISCO PLANNING DEPARTMENT

June 25, 2010

Ms. Angela Calvillo, Clerk
Board of Supervisors
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Re: Transmittal of Planning Department Case Number 2010.0439T, Board File 10-0703:

Amendments relating to Planning Code Sections 350 through 358 to increase fees 4.65 percent with the exception of fee types associated with small projects, add a new fee for Conditional Use Applications for Wireless Telecommunication Services, provide for a higher initial fee for complex transportation studies, increase the Discretionary Review filing fee to \$500, and make other fee adjustments for cost recovery.

Planning Commission Recommendation: Approval with Amendments

Dear Ms. Calvillo,

On June 24th, 2009, the San Francisco Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance;

The proposed Ordinance would amend the Planning Code to increase fees 4.65 percent with the exception of fee types associated with small projects (2.61 percent to reflect the two-year average consumer price index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA) which is an automatic adjustment, and 2.04 percent as a surcharge to support a portion of the Preservation and Code Enforcement programs). Add a new fee for Conditional Use Applications for Wireless Telecommunication Services, provide for a higher initial fee for complex transportation studies, increase the Discretionary Review filing fee from \$300 to \$500 consistent with the fee for CEQA and Conditional Use appeals, and make other fee adjustments for cost recovery.


The proposed amendments have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15273.

At the June 24th hearing, the Commission voted to recommend approval with Amendments of the proposed Ordinance as follows:

1. Page 1, line 3, strike ", and" add "through"
2. Page 7, line 8 and 9, add "(j) Preliminary Project Assessment: \$4,427 which will be credited to the first project application filed."

Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,


for John Rahaim
Director of Planning

Attachments (one copy of the following):

Planning Commission Resolution No. 18114

Planning Commission Executive Summary for Case No. 2010.0439T

Proposed ordinance with recommended amendments

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