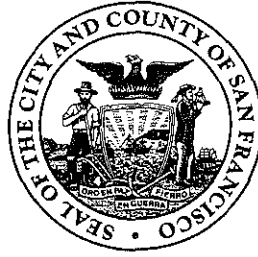


BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

June 2, 2017

File No. 170672

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Ms. Gibson:

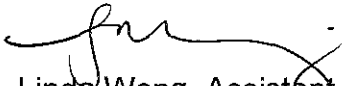
On June 1, 2017, Mayor Lee introduced the following legislation:

**File No. 170672**

**Ordinance amending the Administrative Code to adjust existing surcharges on permit fees, license fees, permit review fees, and permit and license renewal fees for permits and licenses issued by the Planning Department, Department of Building Inspection, Department of Public Health, and Police Department that may be appealed to the Board of Appeals.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

  
By: Linda Wong, Assistant Clerk

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

1 [Administrative Code - Board of Appeals Surcharges - Permit Fees]

2  
3 **Ordinance amending the Administrative Code to adjust existing surcharges on permit**  
4 **fees, license fees, permit review fees, and permit and license renewal fees for permits**  
5 **and licenses issued by the Planning Department, Department of Building Inspection,**  
6 **Department of Public Health, and Police Department that may be appealed to the Board**  
7 **of Appeals.**

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

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

16 Section 1. The Planning Department has determined that the actions contemplated in  
17 this ordinance comply with the California Environmental Quality Act (California Public  
18 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the  
19 Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

20 Section 2. The Administrative Code is hereby amended by revising Section 10G.1, to  
21 read as follows:

22 **SEC. 10G.1. SURCHARGE IMPOSED; CATEGORIES OF PERMITS AND FEES.**

23 In order to recover the cost to the City and County for the Board of Appeals permit  
24 review functions, at the time a fee for permit application, issuance, or review is collected, and  
25 at the time an annual fee for renewal of the permit or license associated with the permit is

1 collected, a surcharge in the amount specified shall be charged and collected for the following  
2 categories of permits and fees.

3 (a) Surcharges on For fees imposed by the Department of City Planning pursuant to  
4 San Francisco Planning Code Sections 350 for review of actions and permits that may be appealed  
5 to the Board of Appeals are identified in Section 4 of Ordinance No. 149-16, referenced in Planning  
6 Code Section 350(d). Notwithstanding the dollar amount stated in Ordinance No. 149-16 for these  
7 surcharges, all Board of Appeals surcharges identified in Ordinance No. 149-16 shall be \$18.50;  
8 351(h), 352(a), 352(e) (except for fees imposed for hearings on Conditional Uses under Section 303 or  
9 Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355 for review of permits  
10 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of  
11 \$25.00;

12 (b) For permits issued pursuant to San Francisco Building Code Section 110A:  
13 Tables 1A-A; 1A-F, Item 3; 1A-H; 1A-K, Item 8; or 1A-Q, Item 5; that may be appealed to the  
14 Board of Appeals pursuant to Charter Section 4.106, a surcharge of ~~\$25.00~~\$18.50;

15 (c) For permits issued pursuant to the ~~San Francisco~~ Public Works Code that may be  
16 appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of ~~\$6.50~~.00;

17 (d) For permits specified in ~~San Francisco~~ Police Code Section 2.26 that may be  
18 appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of ~~\$26.50~~\$6  
19 for such permits issued by the Police Department, and a surcharge of ~~\$4.00~~ for such permits  
20 issued by the Entertainment Commission;

21 (e) For annual license fees specified in ~~San Francisco~~ Police Code Section 2.27 for  
22 permits that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a  
23 surcharge of ~~\$26.50~~\$6 for such permits issued by the Police Department and a surcharge of  
24 ~~\$4.00~~ for such permits issued by the Entertainment Commission;

1 (f) For permits issued pursuant to ~~San Francisco~~ Health Code Section ~~1009.53~~ 19H.4  
2 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, and annual  
3 permit fees pursuant to ~~San Francisco~~ Health Code Section ~~1009.54~~ 19H.7 and Business and  
4 Tax Regulations Code Section 249.16, a surcharge of ~~\$51.00~~\$43.

5  
6 Section 3. The Planning Department Fee Schedule, referenced in Section 4 of  
7 Ordinance No. 149-16, shall be modified to reflect the Board of Appeals surcharge of \$18.50  
8 established in Administrative Code Section 10G.1(a).

9  
10 Section 4. Effective Date. This ordinance shall become effective 30 days after  
11 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
12 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
13 of Supervisors overrides the Mayor's veto of the ordinance.

14  
15 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
16 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
17 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
18 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
19 additions, and Board amendment deletions in accordance with the "Note" that appears under  
20 the official title of the ordinance.

21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:



24 Bradley A. Russi  
25 Deputy City Attorney

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Mayor Lee  
BOARD OF SUPERVISORS

**LEGISLATIVE DIGEST**

[Administrative Code - Board of Appeals Surcharges on Permit Fees]

**Ordinance amending the Administrative Code to adjust existing surcharges on permit fees, license fees, permit review fees, and permit and license renewal fees for permits and licenses issued by the Planning Department, Department of Building Inspection, Department of Public Health and Police Department that may be appealed to the Board of Appeals.**

Existing Law

Existing law imposes a surcharge on permit, license, and permit review fees and permit and license renewal fees for permits and licenses issued or approved by various City authorities based on each department's allocable share of Board of Appeals costs.

Amendments to Current Law

These amendments would adjust the surcharge on permit, license, permit review and renewal fees imposed in connection with permits and licenses issued, approved or renewed by the designated City departments, based on each department's history of appeals filed with the Board of Appeals and consistent with the fiscal year 2017-2018 budget for the Board of Appeals. These amendments also update references for surcharges applicable to the Planning Department and the Department of Public Health.

Background Information

This legislation is designed to reduce the dependency of the Board of Appeals on funding from the City's General Fund by adjusting surcharges in an equitable manner to generate sufficient revenue, together with Board of Appeals filing fees, to meet the operating expenses, including employee wage rates and fringe benefits, attributable to administering the administrative appeals process at the Board of Appeals.

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