

1 [Discretionary Review; Fees.]

2  
3 **Ordinance amending the San Francisco Planning Code by amending Section 311 and**  
4 **312 to provide that a request for discretionary review will be heard by the Planning**  
5 **Commission or its designee if the application demonstrates exceptional and**  
6 **extraordinary circumstances as defined, to replace the term Residential Design**  
7 **Guidelines with the term Residential Design Standards, and to repeal the ability of a**  
8 **project sponsor to request discretionary review; amending Sections 352 and 355 to**  
9 **allow for collection and refund of fees associated with Planning Department**  
10 **Reconsideration; adopting environmental and Section 302 findings.**

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

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

15 Section 1. Findings.

16 (a) Environmental Finding. The Planning Department has determined that the  
17 actions contemplated in this ordinance comply with the California Environmental Quality Act  
18 (California Public Resources Code Section 21000 et seq.). Said determination is on file with  
19 the Clerk of the Board of Supervisors in File No. 091020 and is incorporated  
20 herein by reference.

21 (b) Section 302 Findings. This ordinance will serve the public necessity,  
22 convenience, and welfare for the reasons set forth in Planning Commission Resolution No.  
23 17908, and said reasons are incorporated herein by reference. A copy of  
24 Planning Commission Resolution No. 17908 is on file with the Clerk of the Board of  
25 Supervisors in File No. 091020.

Planning Commission  
BOARD OF SUPERVISORS

1 Section 2. The San Francisco Planning Code is hereby amended by amending Section  
2 311, to read as follows:

3 SEC. 311. RESIDENTIAL PERMIT REVIEW PROCEDURES FOR RH, RM, AND RTO  
4 DISTRICTS.

5 (a) Purpose. The purpose of this Section is to establish procedures for reviewing  
6 building permit applications for lots in R Districts in order to determine compatibility of the  
7 proposal with the neighborhood and for providing notice to property owners and residents  
8 neighboring the site of the proposed project and to interested neighborhood organizations, so  
9 that concerns about a project may be identified and resolved during the review of the permit.

10 (b) Applicability. Except as indicated herein, all building permit applications for  
11 demolition and/or new construction, and/or alteration of residential buildings in RH, RM, and  
12 RTO Districts shall be subject to the notification and review procedures required by this  
13 Section. Subsection 311(e) regarding demolition permits and approval of replacement  
14 structures shall apply to all R Districts. For the purposes of this Section, an alteration shall be  
15 defined as any change in use or change in the number of dwelling units of a residential  
16 building, removal of more than 75 percent of a residential building's existing interior wall  
17 framing or the removal of more than 75 percent of the area of the existing framing, or an  
18 increase to the exterior dimensions of a residential building except those features listed in  
19 Section 136(c)(1) through 136(c)(24) and 136(c)(26).

20 (c) Building Permit Application Review for Compliance and Notification. Upon  
21 acceptance of any application subject to this Section, the Planning Department shall review  
22 the proposed project for compliance with the Planning Code and any applicable design  
23 *guidelines standards* approved by the Planning Commission. Applications determined not to be  
24 in compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code,  
25 Residential Design *Standards Guidelines*, including design *standards guidelines* for specific areas

1 adopted by the Planning Commission, or with any applicable conditions of previous approvals  
2 regarding the project, shall be held until either the application is determined to be in  
3 compliance, is disapproved or a recommendation for cancellation is sent to the Department of  
4 Building Inspection.

5 (1) Residential Design Standards Guidelines. The construction of new residential  
6 buildings and alteration of existing residential buildings in R Districts shall be consistent with  
7 the design policies and guidelines of the General Plan and with the "Residential Design  
8 Standards Guidelines" as adopted and periodically amended for specific areas or conditions by  
9 the City Planning Commission. The Director of Planning may require modifications to the  
10 exterior of a proposed new residential building or proposed alteration of an existing residential  
11 building in order to bring it into conformity with the "Residential Design Standards Guidelines"  
12 and with the General Plan. These modifications may include, but are not limited to, changes in  
13 siting, building envelope, scale texture and detailing, openings, and landscaping.

14 All references in this Code to the "Residential Design Guidelines" shall be deemed to mean the  
15 "Residential Design Standards" set forth herein.

16 (2) Notification. Upon determination that an application is in compliance with the  
17 development standards of the Planning Code, the Planning Department shall cause a notice  
18 to be posted on the site pursuant to rules established by the Zoning Administrator and shall  
19 cause a written notice describing the proposed project to be sent in the manner described  
20 below. This notice shall be in addition to any notices required by the Building Code and shall  
21 have a format and content determined by the Zoning Administrator. It shall include a  
22 description of the proposal compared to any existing improvements on the site with  
23 dimensions of the basic features, elevations and site plan of the proposed project including  
24 the position of any adjacent buildings, exterior dimensions and finishes, and a graphic  
25

1 reference scale. The notice shall describe the project review process and shall set forth the  
2 mailing date of the notice and the expiration date of the notification period.

3 Written notice shall be mailed to the notification group which shall include the project  
4 sponsor, relevant neighborhood organizations as described in Subparagraph 311(c)(2)(C)  
5 below, all individuals having made a written request for notification for a specific parcel or  
6 parcels pursuant to Planning Code Section 351 and all owners and, to the extent practical,  
7 occupants, of properties in the notification area.

8 (A) The notification area shall be all properties within 150 feet of the subject lot in  
9 the same Assessor's Block and on the block face across from the subject lot. When the  
10 subject lot is a corner lot, the notification area shall further include all property on both block  
11 faces across from the subject lot, and the corner property diagonally across the street.

12 (B) The latest City-wide Assessor's roll for names and addresses of owners shall be  
13 used for said notice.

14 (C) The Planning Department shall maintain a list, available for public review, of  
15 neighborhood organizations which have indicated an interest in specific properties or areas.  
16 The organizations having indicated an interest in the subject lot or its area shall be included in  
17 the notification group for the proposed project.

18 (3) Notification Period. All building permit applications shall be held for a period of  
19 30 calendar days from the date of the mailed notice to allow review by residents and owners  
20 of neighboring properties and by neighborhood groups.

21 (4) Elimination of Duplicate Notice. The notice provisions of this Section may be  
22 waived by the Zoning Administrator for building permit applications for projects that have  
23 been, or before approval will be, the subject of a duly noticed public hearing before the  
24 Planning Commission or Zoning Administrator, provided that the nature of work for which the  
25

1 building permit application is required is both substantially included in the hearing notice and  
2 is the subject of the hearing.

3 (5) Notification Package. The notification package for a project subject to notice  
4 under this Section 311 shall include:

5 (A) A description of the proposal compared to any existing improvements on the site  
6 with dimensions of the basic features, elevations and site plan of the proposed project  
7 including exterior dimensions and finishes, and a graphic reference scale.

8 (B) Information stating whether the proposed project includes horizontal, vertical, or  
9 both horizontal and vertical additions.

10 (C) Information showing the relationship of the project to adjacent properties,  
11 including the position and height of any adjacent building and location of windows facing the  
12 subject property.

13 (D) 11 by 17 drawings at a measurable scale with all dimensions legible that shows  
14 (i) both existing and proposed floor plans, (ii) specific dimensional changes to the building,  
15 including parapets, penthouses, and other proposed building extensions and (iii) the location  
16 and amount of removal of exterior walls.

17 (E) Floor plans where there is a new building, building expansion, or change in the  
18 floor plans of an existing building.

19 (F) The name and telephone number of the project planner at the Planning  
20 Department assigned to review the application.

21 (G) A description of the project review process, information on how to obtain  
22 additional information about the project, and information about the recipient's rights to request  
23 additional information, to request discretionary review by the Planning Commission, and to  
24 appeal to other boards or commissions.  
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1 (d) Requests for Planning Commission Review. ~~A request for t~~The Planning  
2 Commission or its designee shall consider a public request to exercise ~~its~~ discretionary review  
3 powers over a specific building permit application if the application requesting discretionary  
4 review demonstrates exceptional and extraordinary circumstances.

5 Exceptional and extraordinary circumstances occur where the standard application of adopted  
6 design standards to a project does not enhance or conserve neighborhood character, or balance the  
7 right to develop the property with impacts on nearby properties or occupants. These circumstances  
8 may arise due to complex topography, irregular lot configuration, unusual context, or other conditions  
9 not addressed in the design standards. shall be considered by the Planning Commission if An  
10 application for discretionary review must be received by the Planning Department no later than  
11 5:00 p.m. of the last day of the notification period as described under Subsection (c)(3) above,  
12 subject to guidelines adopted by the Planning Commission.

13 ~~The project sponsor of a building permit application may request discretionary review by the~~  
14 ~~Planning Commission to resolve conflicts between the Director of Planning and the project sponsor~~  
15 ~~concerning requested modifications to comply with the Residential Design Guidelines.~~

16 (1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing  
17 requests for discretionary review by the Planning Commission or its designee within a  
18 reasonable period.

19 (2) Notice. Mailed notice of the discretionary review hearing ~~by the Planning~~  
20 ~~Commission~~ shall be given not less than 10 days prior to the date of the hearing to the  
21 notification group as described in Paragraph 311(c)(2) above. Posted notice of the hearing  
22 shall be made as provided under Planning Code Section 306.8.

23 (e) Demolition of Dwellings, Approval of Replacement Structure Required. Unless  
24 the building is determined to pose a serious and imminent hazard as defined in the Building  
25 Code an application authorizing demolition in any R District of an historic or architecturally

1 important building or of a dwelling shall not be approved and issued until the City has granted  
2 final approval of a building permit for construction of the replacement building. A building  
3 permit is finally approved if the Board of Appeals has taken final action for approval on an  
4 appeal of the issuance or denial of the permit or if the permit has been issued and the time for  
5 filing an appeal with the Board has lapsed with no appeal filed.

6 (1) The demolition of any building whether or not historically and architecturally  
7 important may be approved administratively where the Director of the Department of Building  
8 Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after  
9 consultation with the Zoning Administrator, that an imminent safety hazard exists, and the  
10 Director of the Department of Building Inspection determines that demolition or extensive  
11 alteration of the structure is the only feasible means to secure the public safety.

12 (f) Wireless Telecommunications Services Facility as Accessory Use, Notification  
13 and Review Required. Building permit applications for new construction of a wireless  
14 telecommunications services facility as an accessory use under Article 2 of the Planning Code  
15 in RH and RM Districts shall be subject to the notification and review procedures required by  
16 this Section.

17 Section 3. The San Francisco Planning Code is hereby amended by amending Section  
18 312, to read as follows:

19 SEC. 312. NEIGHBORHOOD COMMERCIAL PERMIT REVIEW PROCEDURES FOR ALL  
20 NC DISTRICTS.

21 (a) Purpose. The purpose of this Section is to establish procedures for reviewing  
22 building permit applications for lots in NC Districts in order to determine compatibility of the  
23 proposal with the neighborhood and for providing notice to property owners, occupants and  
24 residents neighboring the site of the proposed project and to interested neighborhood  
25

1 organizations, so that concerns about a project may be identified and resolved during the  
2 review of the permit.

3 (b) Applicability. Except as indicated herein, all building permit applications for  
4 demolition, new construction, changes in use to a formula retail use as defined in Section  
5 703.3 of this Code or alterations which expand the exterior dimensions of a building shall be  
6 subject to the notification and review procedures required by Subsection 312(d). Subsection  
7 312(f) regarding demolition permits and approval of replacement structures shall apply to all  
8 NC Districts. For the purposes of this Section, addition to a building of the features listed in  
9 Section 136(c)(1) through 136(c)(24) and 136(c)(26) shall not be subject to notification under  
10 this Section.

11 (c) Changes of Use. All building permit applications for a change of use to a bar, as  
12 defined in Section 790.22, a liquor store, as defined in Section 790.55, a walkup facility, as  
13 defined in Section 790.140, other large institutions, as defined in Section 790.50, other small  
14 institutions, as defined in Section 790.51, a full-service restaurant, as defined in Section  
15 790.92, a large fast food restaurant, as defined in Section 790.90, a small self-service  
16 restaurant, as defined in Section 790.91, a self-service specialty food use, as defined in  
17 Section 790.93, a massage establishment, as defined in Section 790.60, an outdoor activity,  
18 as defined in Section 790.70, an adult or other entertainment use, as defined in Sections  
19 790.36 and 790.38, or a fringe financial service use, as defined in Section 790.111, shall be  
20 subject to the provisions of Subsection 312(d).

21 (d) Building Permit Application Review for Compliance and Notification. Upon  
22 acceptance of any application subject to this Section, the Planning Department shall review  
23 the proposed project for compliance with the Planning Code and any applicable design  
24 standards guidelines approved by the Planning Commission. Applications determined not to be  
25 in compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, including



1 design standards guidelines for specific areas adopted by the Planning Commission, or with any  
2 applicable conditions of previous approvals regarding the project, shall be held until either the  
3 application is determined to be in compliance, is disapproved or a recommendation for  
4 cancellation is sent to the Department of Building Inspection.

5 (1) Neighborhood Commercial Design Standards Guidelines. The construction of new  
6 buildings and alteration of existing buildings in NC Districts shall be consistent with the design  
7 policies and guidelines of the General Plan as adopted and periodically amended for specific  
8 areas or conditions by the Planning Commission. The Director of Planning may require  
9 modifications to the exterior of a proposed new building or proposed alteration of an existing  
10 building in order to bring it into conformity with the General Plan. These modifications may  
11 include, but are not limited to, changes in siting, building envelope, scale texture and detailing,  
12 openings, and landscaping.

13 (2) Notification. Upon determination that an application is in compliance with the  
14 development standards of the Planning Code, the Planning Department shall cause a notice  
15 to be posted on the site pursuant to rules established by the Zoning Administrator and shall  
16 cause a written notice describing the proposed project to be sent in the manner described  
17 below. This notice shall be in addition to any notices required by the Building Code and shall  
18 have a format and content determined by the Zoning Administrator. It shall include a  
19 description of the proposal compared to any existing improvements on the site with  
20 dimensions of the basic features, elevations and site plan of the proposed project including  
21 the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference  
22 scale, existing and proposed uses and commercial or institutional business name, if known.  
23 The notice shall describe the project review process and shall set forth the mailing date of the  
24 notice and the expiration date of the notification period.

1 Written notice shall be mailed to the notification group which shall include the project  
2 sponsor, relevant neighborhood organizations as described in Subparagraph 312(d)(2)(C)  
3 below, all individuals having made a written request for notification for a specific parcel or  
4 parcels pursuant to Planning Code Section 351 and all owners and, to the extent practical,  
5 occupants, of properties in the notification area.

6 (A) The notification area shall be all properties within 150 feet of the subject lot in  
7 the same Assessor's Block and on the block face across from the subject lot. When the  
8 subject lot is a corner lot, the notification area shall further include all property on both block  
9 faces across from the subject lot, and the corner property diagonally across the street.

10 (B) The latest City-wide Assessor's roll for names and addresses of owners shall be  
11 used for said notice.

12 (C) The Planning Department shall maintain a list, updated every six months with  
13 current contact information, available for public review, and kept at the Planning Department's  
14 Planning Information Counter, and reception desk, as well as the Department of Building  
15 Inspection's Building Permit Counter, of neighborhood organizations which have indicated an  
16 interest in specific properties or areas. The organizations having indicated an interest in the  
17 subject lot or its area shall be included in the notification group for the proposed project.

18 Notice to these groups shall be verified by a declaration of mailing signed under penalty of  
19 perjury. In the event that such an organization is not included in the notification group for a  
20 proposed project as required under this subsection, the proposed project must be re-noticed.

21 (3) Notification Period. All building permit applications shall be held for a period of  
22 30 calendar days from the date of the mailed notice to allow review by residents, occupants,  
23 owners of neighboring properties and by neighborhood groups.

24 (4) Elimination of Duplicate Notice. The notice provisions of this Section may be  
25 waived by the Zoning Administrator for building permit applications for projects that have

1 been, or before approval will be, the subject of a duly noticed public hearing before the  
2 Planning Commission or Zoning Administrator, provided that the nature of work for which the  
3 building permit application is required is both substantially included in the hearing notice and  
4 is the subject of the hearing.

5 (e) Requests for Planning Commission Review. ~~A request for t~~The Planning  
6 Commission or its designee shall consider a public request to exercise ~~its~~ discretionary review  
7 powers over a specific building permit application if the application requesting discretionary  
8 review demonstrates exceptional and extraordinary circumstances.

9 Exceptional and extraordinary circumstances occur where the standard application of adopted  
10 design standards to a project does not enhance or conserve neighborhood character, or balance the  
11 right to develop the property with impacts on nearby properties or occupants. These circumstances may  
12 arise due to complex topography, irregular lot configuration, unusual context, or other conditions not  
13 addressed in the design standards. shall be considered by the Planning Commission if An application  
14 for discretionary review must be shall be considered by the Planning Commission if received by the  
15 Planning Department no later than 5:00 p.m. of the last day of the notification period as  
16 described under Subsection (d)(3) above, subject to guidelines adopted by the Planning  
17 Commission.

18 ~~The project sponsor of a building permit application may request discretionary review by the~~  
19 ~~Planning Commission to resolve conflicts between the Director of Planning and the project sponsor~~  
20 ~~concerning requested modifications to comply with relevant design guidelines of the General Plan.~~

21 (1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing  
22 requests for discretionary review by the Planning Commission or its designee within a  
23 reasonable period.

24 (2) Notice. Mailed notice of the discretionary review hearing ~~by the Planning~~  
25 ~~Commission~~ shall be given not less than 10 days prior to the date of the hearing to the

1 notification group as described in Paragraph 312(d)(2) above. Posted notice of the hearing  
2 shall be made as provided under Planning Code Section 306.8.

3 (f) Demolition of Dwellings, Approval of Replacement Structure Required. Unless  
4 the building is determined to pose a serious and imminent hazard as defined in the Building  
5 Code an application authorizing demolition in any NC District of an historic or architecturally  
6 important building or of a dwelling shall not be approved and issued until the City has granted  
7 final approval of a building permit for construction of the replacement building. A building  
8 permit is finally approved if the Board of Appeals has taken final action for approval on an  
9 appeal of the issuance or denial of the permit or if the permit has been issued and the time for  
10 filing an appeal with the Board has lapsed with no appeal filed.

11 (1) The demolition of any building whether or not historically and architecturally  
12 important may be approved administratively where the Director of the Department of Building  
13 Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after  
14 consultation with the Zoning Administrator, that an imminent safety hazard exists, and the  
15 Director of the Department of Building Inspection determines that demolition or extensive  
16 alteration of the structure is the only feasible means to secure the public safety.

17 (g) Wireless Telecommunications Services Facility as Accessory Use, Notification  
18 and Review Required. Building permit applications for new construction of a wireless  
19 telecommunications services facility as an accessory use under Article 7 of the Planning Code  
20 in all NC Districts shall be subject to the notification and review procedures required by this  
21 Section.

22 Section 4. 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	
3	extension of hours	\$785.00
4	No construction cost, extension of hours	\$1,206.00
5	Estimated Construction Cost	Initial Fee
6	\$1.00 to \$9,999.00	\$1,206.00
7	\$10,000.00 to \$999,999.00	\$1,206.00 plus 0.557% of cost over \$10,000.00
8	\$1,000,000.00 to \$4,999,999.00	\$6,722.00 plus 0.664% of cost over \$1,000,000.00
9	\$5,000,000.00 to \$9,999,999.00	\$33,315.00 plus 0.557% of cost over \$5,000,000.00
10	\$10,000,000.00 to \$19,999,999.00	\$61,176.00 plus 0.290% of cost over \$10,000,000.00
11	\$20,000,000.00 or more	\$90,213.00
12		
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(b) Variance (Section 305)

18	Estimated Construction Cost	Initial Fee
19	\$0.00---\$9,999.00	\$782.00
20	\$10,000.00--\$19,999.00	\$1,741.00
21	\$20,000.00 and greater	\$3,476.00
22		
23		
24		
25		

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

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	\$244.00
5 \$10,000.00 to \$999,999.00	\$244.00 plus 0.112% of cost over \$10,000.00
6 \$1,000,000.00 to \$4,999,999.00	\$1,352.00 plus 0.133% of cost over \$1,000,000.00
7 \$5,000,000.00 to \$9,999,999.00	\$6,684.00 plus 0.111% of cost over \$5,000,000.00
8 \$10,000,000.00 to 9 \$19,999,999.00	\$12,234.00 plus 0.058% of cost over \$10,000,000.00
10 \$20,000,000.00 or more	\$18,063.00

14 (1) Applications with Verified Violations of this Code: The Planning Department shall  
 15 charge \$191.00 as an initial fee, plus time and materials as set forth in Section 350(c).

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

21 (3) Minor project modifications requiring a public hearing to amend conditions of  
 22 approval of a previously authorized project, not requiring a substantial reevaluation of the prior  
 23 authorization: \$896.00

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

1 (5) An applicant proposing significant revisions to a project for which an application  
2 is on file with the Planning Department shall be charged time and materials to cover the full  
3 costs in excess of the initial fee.

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

6 (d) Discretionary Review Requests: \$300.00; provided, however, that the fee shall  
7 be waived if the discretionary review request is filed by a neighborhood organization that: (1)  
8 has been in existence for 24 months prior to the filing date of the request, (2) is on the  
9 Planning Department's neighborhood organization notification list, and (3) can demonstrate to  
10 the Planning Director or his/her designee that the organization is affected by the proposed  
11 project. Such fee shall be refunded to the individual or entity that requested discretionary  
12 review in the event the Planning Commission denies the Planning Department's approval or  
13 authorization upon which the discretionary review was requested.

14 (1) Mandatory ~~d~~Discretionary ~~r~~Reviews (Planning Commission or Planning Department  
15 initiated): \$3,223.00.

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

17 (1) Full Institutional Master Plan or Substantial Revision: \$11,492.00 plus time and  
18 materials if the cost exceeds the initial fee as set forth in Section 350(c).

19 (2) Abbreviated Institutional Master Plan: \$2,103.00 plus time and materials if the  
20 cost exceeds the initial fee as set forth in Section 350(c).

21 (f) Land Use Amendments and Related Plans and Diagrams of the San Francisco  
22 General Plan: Fee based on the Department's estimated actual costs for time and materials  
23 required to review and implement the requested amendment, according to a budget prepared  
24 by the Director of Planning, in consultation with the sponsor of the request.  
25

1 (g) General Plan Referrals: \$3,103.00 plus time and materials if the cost exceeds  
2 the initial fee as set forth in Section 350(c).

3 (h) Redevelopment Plan Review: The Director of Planning shall prepare a budget to  
4 cover actual time and materials expected to be incurred, in consultation with the  
5 Redevelopment Agency. A sum equal to 1/2 the expected cost will be submitted to the  
6 Department, prior to the commencement of the review. The remainder of the costs will be due  
7 at the time the initial payment is depleted.

8 (i) Reclassify Property or Impose Interim Zoning Controls: \$6,611.00.

9 (1) The applicant shall be charged for any time and materials as set forth in Section  
10 350(c).

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

13 (j) Setback Line, Establish, Modify or Abolish: \$2,672.00.

14 (k) Temporary Use Fees \$391.00 as an initial fee, plus time and materials if the cost  
15 exceeds the initial fee, as set forth in Section 350(c).

16 (l) Amendments to Text of the Planning Code: \$13,209.00 as an initial fee, plus  
17 time and materials if the cost exceeds the initial fee as set forth in Section 350(c).

18 (m) Zoning Administrator Conversion Determinations Related to Service Station  
19 Conversions: \$2,609.00 as an initial fee, plus time and materials if the cost exceeds the initial  
20 fee. (Section 228.4):

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

22 (1) \$500.00 for the appellant of a conditional use authorization decision to the Board  
23 of Supervisors; provided, however, that the fee shall be waived if the appeal is filed by a  
24 neighborhood organization that: (1) has been in existence for 24 months prior to the appeal  
25 filing date, (2) is on the Planning Department's neighborhood organization notification list, and



1 (3) can demonstrate to the Planning Director or his/her designee that the organization is  
2 substantially affected by the proposed project.

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

6 Section 5. The San Francisco Planning Code is hereby amended by amending Section 355,  
7 to read as follows:

8 Section 5. The San Francisco Planning Code is hereby amended by amending Section  
9 355, to read as follows:

10 SEC. 355. PERMIT APPLICATIONS.

11 (a) Building permit applications for a change in use or alteration of an existing  
12 building, to be collected by Central Permit Bureau; provided, however, that the fees charged  
13 for Planning Department approval over-the-counter for the replacement of windows, roofs,  
14 siding, and doors shall be reduced to 1/2 the fee set forth below.

Estimated Construction Cost	Initial Fee
\$0.00 to \$9,999.00	\$305.00
\$10,000.00 to \$49,999.00	\$306.00 plus 3.196% of cost over \$10,000.00
\$50,000.00 to \$99,999.00	\$1,585.00 plus 2.136% of cost over \$50,000.00 plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee
\$100,000.00 to	\$2,654.00 plus 2.337% of cost over \$100,000.00 plus

1	\$499,999.00	\$81.00 Discretionary Review Surcharge and \$267.00
2		Categorical Exemption Stamp Fee
3	\$500,000.00 to	\$12,003.00 plus 0.591% of cost over \$500,000.00 plus
4	\$999,999.00	\$81.00 Discretionary Review Surcharge and \$267.00
5		Categorical Exemption Stamp Fee
6	\$1,000,000.00 to	\$14,959.00 plus 0.232% of cost over \$1,000,000.00 plus
7	\$4,999,999.00	\$81.00 Discretionary Review Surcharge and \$267.00
8		Categorical Exemption Stamp Fee
9	\$5,000,000.00 to	\$24,240.00 plus 0.004% of cost over \$5,000,000.00 plus
10	\$99,999,999.00	\$81.00 Discretionary Review Surcharge and \$267.00
11		Categorical Exemption Stamp Fee
12	\$100,000,000.00 or	\$28,041.00 plus \$81.00 Discretionary Review Surcharge
13	more	and \$267.00 Categorical Exemption Stamp Fee
14		

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

17 (2) Back-Check Fee for Permit Revisions: \$191.00 for the initial fee, plus time and  
18 materials as set forth in Section 350(c), to be collected at time of permit issuance.

19 (3) Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in  
20 Height (Section 295): Additional \$438.00 plus time and materials as set forth in Section  
21 350(c).

22 (4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section  
23 311: \$45.00, plus \$3.03 per envelope (subject to increase based on envelope and postage  
24 costs). The City's reprographics department will print and mail public notices.

1 (5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section  
2 312: \$45.00, plus \$0.89 per envelope (subject to increase based on envelope and postage  
3 costs). The City's reprographics department will print and mail public notices.

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

6 (7) Permits for solar panels and over-the-counter permits for solar equipment  
7 installation shall be \$129.00 per permit.

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

9 10 Estimated 11 Construction Cost	Initial Fee
12 13 \$0.00 to \$99,999.00	\$1,734.00, plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee
14 15 \$100,000.00 to 16 \$499,999.00	\$1,735.00 plus 2.337% of cost over \$100,000.00 plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee
17 18 \$500,000.00 to 19 \$9,999,999.00	\$11,084.00 plus 0.746% of cost over \$500,000.00 plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee
20 21 \$1,000,000.00 to 22 \$4,999,999.00	\$14,815.00 plus 0.287% of cost over \$1,000,000.00 plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee
23 24 \$5,000,000.00 to 25 \$99,999,999.00	\$26,296.00 plus 0.005% of cost of \$5,000,000.00 plus \$81.00 Discretionary Review Surcharge and \$267.00

	Categorical Stamp Fee
\$100,000,000.00 or more	\$31,047.00 plus \$81.00 Discretionary Review Surcharge and \$267.00 Categorical Exemption Stamp Fee

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

(d) Fire, Police, Entertainment Commission, State Alcohol and Beverage Control and Health Department Permit Applications Referral Review: \$114.00 initial fee collected by the other Departments in conjunction with current fee collections, plus time and materials as set forth in Section 350(c).

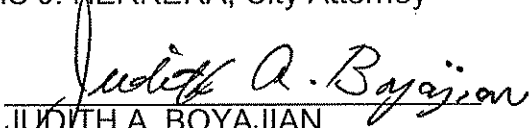
(e) Sign Permit Applications, to be collected by Central Permit Bureau: \$119.00.

(f) Requests for Planning Department Reconsideration: \$300.00; provided, however, that the fee shall be waived if the reconsideration request is filed by a neighborhood organization that: (1) has been in existence for 24 months prior to the filing date of the request, (2) is on the Planning Department's neighborhood organization notification list, and (3) can demonstrate to the Planning Director or his/her designee that the organization is affected by the proposed project. Such fee shall be refunded to the individual or entity that requested reconsideration in the event the Planning Department determines that the Planning Code and/or adopted design standards were not appropriately applied to the subject building permit application under reconsideration.

Section 6. Report to the Board of Supervisors. Within 24 months after the operative date of this ordinance, the Planning Department shall present a report to the Board of Supervisors about the results of the Discretionary Review reform trial period. At that time, the Board may choose to introduce legislation to repeal or change the Discretionary Review reform legislation, or take no action should it feel that the reform has been successful during

1 the 24 month trial period. This Report shall be given subsequent to and shall include a  
2 summary of a hearing before the Planning Commission on the same topic.

3 APPROVED AS TO FORM:  
4 DENNIS J. HERRERA, City Attorney

5 By:   
6 JUDITH A. BOYAJIAN  
Deputy City Attorney

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