



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20237

HEARING DATE: JULY 19, 2018

Project Name: Fees for Certain Permits and Transportation Analysis
Case Number: 2017-014010CRV [Board File No. 180584]
Initiated By: Mayor Mark Farrell / Introduced June 1, 2018
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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE AND THE FEES SET FORTH IN ORDINANCE NUMBER 149-16 TO CLARIFY THE FEES APPLICABLE TO PROJECTS WITH NO OR VERY LOW CONSTRUCTION COST AND TO CHANGE THE FEES FOR TRANSPORTATION ANALYSIS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 1, 2018, Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180584, which would amend the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 19, 2018; and,

WHEREAS, the proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves** the proposed ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The intent of the Planning Commission was to move this legislation forward with the Department's Fiscal years 2018-19 and 2019-20 budget as heard and recommended in Resolution 20103.
2. The proposed Ordinance will clarify the Planning Code so that it is clear that low and no cost construction projects may be charged Planning fees in accordance with existing fee tables.
3. The proposed Ordinance will change the fees for transportation analysis by adding one lower-cost fee for site circulation analysis and removing a San Francisco Metropolitan Transportation Agency (SFMTA) fee, which has been added to the Transportation Code.
4. **General Plan Compliance.** While there are no Goals or Policies that directly address the proposed Ordinance in the General Plan, the proposed Ordinance is not inconsistent with the General Plan. The proposed Ordinance does not change any policies with an effect on the General Plan and does not change planning, zoning, or other physical aspects of the City. The proposed Ordinance does not have a direct physical impact on the City.
5. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in:
 1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.
 2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have an adverse effect on housing or neighborhood character.
 3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.
 4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302. The amendments would clarify how Planning fees are charged, and would ensure that transportation study fees are assessed fairly and equitably.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 19, 2018.

Jonas P. Ionin
Commission Secretary

AYES: Melgar, Johnson, Koppel, Moore, Richards

NOES: None

ABSENT: Hillis, Fong

ADOPTED: July 19, 2018

