

File No. 150150

Committee Item No. 1  
Board Item No. 26

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Land Use & Transportation

Date April 6, 2015

Board of Supervisors Meeting

Date Apr. 14, 2015

**Cmte Board**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER** (Use back side if additional space is needed)

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Completed by: Andrea Ausberry Date April 2, 2015  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Building Code - Permit Fee Calculation]

2  
3 **Ordinance amending the Building Code to clarify that the Department of Building**  
4 **Inspection may use multiple data sources to determine annual adjustments to the**  
5 **construction cost schedule for permit issuance fees and affirming the Planning**  
6 **Department’s determination under the California Environmental Quality Act.**

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

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

15 Section 1. Environmental Finding; Building Inspection Commission Hearing. (a) The  
16 Planning Department has determined that the actions contemplated in this ordinance comply  
17 with the California Environmental Quality Act (California Public Resources Code Sections  
18 21000 et seq.). The Board of Supervisors hereby affirms this determination. Said  
19 determination is on file with the Clerk of the Board of Supervisors in File No. 150150 and is  
20 incorporated herein by reference.

21 (b) On December 17, 2014, the Building Inspection Commission held a duly noticed  
22 hearing on this ordinance and recommended its approval. The Building Inspection  
23 Commission Secretary submitted a letter to the Clerk of the Board of Supervisors that  
24 reported this decision. A copy of said letter is on file with the Clerk of the Board in File No.  
25 150150.

1 Section 2. The Building Code is hereby amended by revising Section 107A.2, to read  
2 as follows:

3 107A.2 Permit Issuance Fees. The minimum permit fee per Section 110A, Table 1A-A  
4 – Building Permit Fees – shall be paid at the time an application for a building permit is  
5 issued. The New Construction Permit Fee Schedule applies to new buildings or structures.  
6 The Alteration Permit Fee Schedule applies to alterations, repairs, additions or other work on  
7 an existing building or structure, or to the modification of the scope of an approved permit as  
8 required by Section 106A.4.7.

9 The determination of value or valuation under any of the provisions of this code shall  
10 be made by the Building Official. The value to be used in computing the permit issuance and  
11 plan review fees shall be the final valuation upon completion of all construction work for which  
12 the permit is issued, as well as all finish work, painting, roofing, mechanical, electrical,  
13 plumbing, heating, air conditioning, elevators, fire-extinguishing systems and all other  
14 permanently installed equipment and construction, even though other permits to perform such  
15 work may be required.

16 The valuation shall be calculated at the time of permit issuance according to a cost  
17 schedule posted in the office of the Department or by actual construction cost, whichever is  
18 greater. The valuation shall be recalculated at the time of any addenda and/or revision  
19 issuance. Any additional fees due resulting from the recalculation of valuation shall be paid  
20 prior to addenda and/or revision issuance. The cost schedule shall be adjusted annually  
21 based on construction cost data reported by a variety of sources, including without limitation,  
22 local contractors, design professionals, cost estimators or nationally published construction cost data  
23 books or websites ~~Marshall and Swift, Valuation Engineers~~. Contractor overhead and profit shall be  
24 reflected in the schedule. The Building Inspection Commission is authorized to waive the  
25

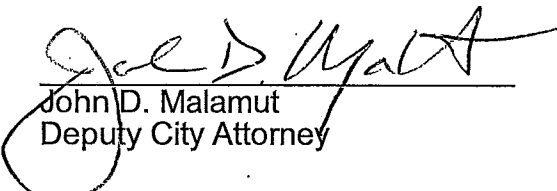
1 annual cost schedule adjustment if it determines that increasing the fees will exceed the cost  
2 of providing the services for which the fees are paid.

3  
4 Section 3. Effective Date. This ordinance shall become effective 30 days after  
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
7 of Supervisors overrides the Mayor's veto of the ordinance

8  
9 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
13 additions, and Board amendment deletions in accordance with the "Note" that appears under  
14 the official title of the ordinance.

15  
16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By:

  
19 John D. Malamut  
20 Deputy City Attorney

21 n:\land\as2014\19690211\00976892.doc

**LEGISLATIVE DIGEST**

[Building Code - Permit Fee Calculation]

**Ordinance amending the Building Code to clarify that the Department of Building Inspection may use multiple data sources to determine annual adjustments to the construction cost schedule for permit issuance fees and affirming the Planning Department's determination under the California Environmental Quality Act.**

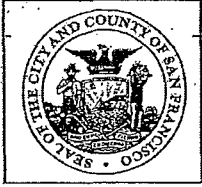
Existing Law

San Francisco Building Code Section 107A.2 requires the Department of Building Inspection (DBI) to use a cost schedule to determine fees for building permit and plan review. Section 107A.2 provides that DBI shall annually adjust the cost schedule "based on construction cost data reported by Marshall and Swift, Valuation Engineers." Currently, DBI uses a Marshall and Swift valuation handbook in addition to numerous other sources to update the cost schedule.

Amendments to Current Law

This ordinance would amend Section 107A.2 to clarify that DBI may rely on construction cost data from a variety of sources, including local contractors, design professionals, cost estimators, or nationally published construction cost data, and other available information sources.

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**BUILDING INSPECTION COMMISSION (BIC)**

Department of Building Inspection      Voice (415) 558-6164 - Fax (415) 558-6509  
1660 Mission Street, San Francisco, California 94103-2414

January 29, 2015

Edwin M. Lee  
Mayor

**COMMISSION**

Angus McCarthy  
President

Warren Mar  
Vice-President

Kevin Clinch  
Frank Lee  
Dr. James McCray, Jr.  
Myrna Melgar  
Debra Walker

Ms. Angela Calvillo  
Clerk of the Board  
Board of Supervisors, City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4694

**RE: Ordinance amending the Building Code to refer to multiple data sources for the cost schedule for permit issuance fees and affirming the Planning Department's determination under the California Environmental Quality Act.**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 FEB - 6 PM 12:00  
M

Sonya Harris  
Secretary

Dear Ms. Calvillo:

Tom C. Hui  
Director

On December 17, 2014 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

President McCarthy	Aye	Vice-President Mar	Aye
Commissioner Lee	Aye	Commissioner McCray	Aye
Commissioner Walker	Aye		

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris  
Commission Secretary

cc: Tom C. Hui, S.E., Director  
Mayor Edwin M. Lee  
Board of Supervisors

BOARD of SUPERVISORS



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

March 6, 2015

File No. 150150

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

Dear Ms. Jones:

On February 24, 2015, the Department of Building Inspection introduced the following legislation:

**File No. 150150**

**Ordinance amending the Building Code to clarify that the Department of Building Inspection may use multiple data sources to determine annual adjustments to the construction cost schedule for permit issuance fees and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use & Transportation Committee

Attachment

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

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy  
Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org, c=US  
Date: 2015.03.20 09:44:03 -07'00'

