

1 [Hunters Point Shipyard – Subdivision Code Fees.]

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3 **Ordinance amending the San Francisco Subdivision Code by adding Sections 1615,**
4 **1649 and 1664(e) to establish fees to defray the costs of implementation of the**
5 **Subdivision Code, Division 3, Articles 1-8 and making environmental findings.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are strikethrough italics Times New Roman.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough-normal~~.

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

10 Section 1. Environmental Findings.

11 In accordance with the actions contemplated herein, this Board adopted Resolution
12 No. ~~751-04~~, concerning findings pursuant to the California Environmental Quality Act
13 (California Public Resources Code sections 21000 et seq.). Said Resolution is on file with the
14 Clerk of the Board of Supervisors in File No. 041533 and is incorporated herein by
15 reference.

16 Section 2. The San Francisco Subdivision Code is hereby amended by adding Section
17 1615 to read as follows:

18 SEC. 1615. FEES ~~[RESERVED]~~.

19 (a) Fees, payable to the Department of Public Works, shall be charged for checking and
20 processing all maps, plans and reports, including all condominium maps and Parcel Maps, filed under
21 this Code. Said fees shall consist of an initial payment in accordance with the estimated actual cost of
22 checking the maps, plans and reports, together with investigations incidental thereto, and shall be paid
23 before or at the time of filing a Tentative Map or a Parcel Map. Where initial payment is insufficient to
24 compensate the actual cost incurred, an additional sum shall be charged to equal such actual cost.
25 Fees for Parcel Maps, excepting condominium maps, which do not require the filing of a Tentative

1 Map, and which do not involve street dedications or improvements, and for parcel map waivers shall
2 be charged for checking and for processing in accordance with the City's Subdivision Code of general
3 applicability. All such fees for Parcel Maps shall be paid at time of filing. Fees based on the actual cost
4 of processing shall be charged to (1) the person requesting a certificate of compliance for processing
5 and making a determination on the request, (2) the owner of the property who files a petition for
6 initiating reversion to acreage proceedings for processing the petition and (3) the Subdivider for
7 checking, processing and recording an amended map or certificate of correction.

8 (b) A fee of \$250 shall be charged to the appellant to defray costs of an appeal under
9 Section 1614 of this Code.

10 (c) Payment of fees charged under this Code does not waive the fee requirements of other
11 ordinances and rules and regulations pursuant thereto.

12 Section 3. The San Francisco Subdivision Code is hereby amended by adding Section
13 1649 to read as follows:

14 SEC. 1649. INSPECTION AND TESTING FEES ~~[RESERVED]~~.

15 (a) The actual costs of inspecting the construction of improvements under Section 1647(b)
16 of this Code shall be paid by the Subdivider.

17 (b) The actual costs of testing the materials incorporated in the improvements under
18 Section 1647(b) of this Code shall be paid by the Subdivider.

19 Section 4. The San Francisco Subdivision Code is hereby amended by amending
20 Section 1664 to read as follows:

21 SEC. 1664. CORRECTION AND AMENDMENTS OF MAP.

22 (a) Requirements. After a Final or Parcel Map's recorded in the office of the
23 Recorder, it may be amended administratively, without public hearing, by a Certificate of
24
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1 Correction as to Subparagraphs (1) to (6) below, and by an amending map and public hearing
2 as to Subparagraph (7) below:

3 (1) To correct an error in any course or distance shown thereon;

4 (2) To show any course or distance that was omitted therefrom;

5 (3) To correct an error in the description of the real property shown on the map;

6 (4) To indicate monuments set after the death, disability or retirement from practice
7 of the engineer or surveyor charged with responsibility for setting monuments;

8 (5) To show the proper location or character of any monument which has been
9 changed in location or character, or originally was shown at the wrong location or incorrectly
10 as to its character;

11 (6) To correct any other type of map error or omission as approved by the Director,
12 which does not affect any property right. Errors and omissions may include, but not be limited
13 to, lots and numbers, acreage, street names and identification of adjacent record maps. Error
14 does not include changes in courses or distances from which an error is not ascertainable
15 from the data shown on the Final or Parcel Map;

16 (7) To make modifications when there are changes which make any or all of the
17 conditions of the Map no longer appropriate or necessary and when the modifications do not
18 impose any additional burden on the present fee owner of the property, and if the
19 modifications do not alter any right, title or interest in the real property reflected on the
20 recorded map, and the Director finds that the map as modified conforms to the provisions of
21 Section 66474 of the SMA. Such modification shall require an amending map and shall be set
22 for public hearing by the Director according to the procedures established for a hearing on the
23 Tentative Map. The Director shall confine the hearing to consideration of, and action on, the
24 proposed modification.
25

1 (b) Form and Contents. The amending map or certificate of correction shall be
2 prepared and stamped by a registered civil engineer or licensed land surveyor. The form and
3 contents of the amending map shall conform to the requirements for a Final Map, or a Parcel
4 Map as provided in this Code and the SMA. The certificate of corrections shall set forth in
5 detail the corrections made and show the names of the present fee owners of the property
6 affected by the correction.

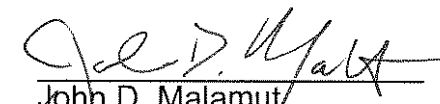
7 (c) Submittal and Approval by Director. The amending map or certificate of
8 correction, complete as to final form, shall be submitted to the Director for review and
9 approval. The Director shall examine the amending map or certificate of correction, and if the
10 only changes made are those in Subsection (a), this fact shall be certified on the amending
11 map or certificate of correction.

12 (d) Filing with Recorder. The amending map or certificate of correction certified by
13 the Director shall be filed in the office of the Recorder in which the original map was filed.
14 Upon such filing, the Recorder shall index the names of the fee owners and the appropriate
15 subdivision designation shown on the amending map or certificate of correction in the general
16 index and map index respectively. The original map shall be deemed to have been
17 conclusively so corrected, and shall impart constructive notice of all the corrections in the
18 same manner as though upon the original map.

19 (e) Fee. The fee for checking, processing and recording the amended map or certificate of
20 correction shall be as provided in Section 1615.

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

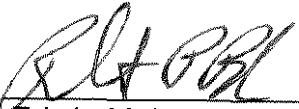
23
24 By:


25 John D. Malamut
Deputy City Attorney

Mayor Newsom, Supervisor Maxwell

BOARD OF SUPERVISORS

1
2 RECOMMENDED:
3 DEPARTMENT OF PUBLIC WORKS

4 By: 
5 Edwin M. Lee
6 Director of Public Works

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 041665

Date Passed:

Ordinance amending the San Francisco Subdivision Code by adding Sections 1615, 1649, and 1664(e) to establish fees to defray the costs of implementation of Subdivision Code, Division 3, Articles 1-8 and making environmental findings.

December 14, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

January 4, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Alioto-Pier

Excused: 1 - Daly

File No. 041665

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on January 4, 2005
by the Board of Supervisors of the City and
County of San Francisco.

JAN 08 2005

Date Approved

Kay Gulbenkian

Gloria L. Young
Clerk of the Board

Gavin Newsom

Mayor Gavin Newsom