

1 [Subdivision Code - Fee to Set Survey Monuments]

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3 **Ordinance amending the Subdivision Code to adopt a fee to set survey monuments,**  
4 **and affirming the Planning Department’s determination under the California**  
5 **Environmental Quality Act.**

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

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

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13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this  
15 ordinance comply with the California Environmental Quality Act (California Public Resources  
16 Code Sections 21000 et seq.). The Board of Supervisors hereby affirms this determination.  
17 Said determination is on file with the Clerk of the Board of Supervisors in File No. 140594 and  
18 is incorporated herein by reference.

19 (b) On June 3, 2014, in Department of Public Works Order No. 182647, the Director of  
20 the Department recommended approval of this legislation. A copy of said Order is on file with  
21 the Clerk of the Board in File No. 140594.

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23 Section 2. The Subdivision Code is hereby amended by revising Section 1315, to read  
24 as follows:

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1           **SEC. 1315. FEES.**

2           (a) Fees, payable to the Department of Public Works, shall be charged for checking  
3 and processing the maps, plans and reports, lot line adjustments, certificates of compliance,  
4 amended maps, records of survey, certificates of correction, and other actions and  
5 procedures set forth in California Government Code section 66451.2. Said fees shall be due  
6 at the time of filing an application. Failure to pay such fees shall result in a return of the  
7 application as incomplete to the applicant. The fee schedule is as follows:

- 8           (1) Air Space (four lots or less) is \$8,598.00 with a fee of \$500.00 for each additional  
9 lot;
- 10           (2) Lot Subdivision "Final Map" is \$8,437.00;
- 11           (3) Condominium Conversion is \$8,336.00;
- 12           (4) Parcel Map is \$7,770.00;
- 13           (5) Lot Merger Re-subdivision is \$6,943.00;
- 14           (6) Amended Map is \$2,704.00;
- 15           (7) Lot Line Adjustment is \$2,704.00;
- 16           (8) Lot Merger is \$2,581.00;
- 17           (9) Certificate of compliance is \$2,139.00;
- 18           (10) Certificate of correction is \$2,139.00;
- 19           (11) Record of survey is \$507.00; *and*
- 20           (12) Survey Monument Setting is \$3,100.00; and

21           (13) Other actions not specified above, shall be based on actual costs that the  
22 Department incurs in administering and processing the action or procedure and shall be  
23 charged on a time and materials basis. The Department shall provide the applicant with a  
24 written estimate of said costs at the time of application, and the applicant shall pay such fees  
25 prior to the time that the application is deemed complete. To the extent that the estimated fees

1 do not cover actual costs, any outstanding amount due shall be a condition of the  
2 Department's final decision on the action or procedure. To the extent that the estimated fees  
3 exceeded the actual costs, the Department shall refund the excess amount to the applicant  
4 within a reasonable period after the Department's final decision on the action or procedure.

5 (b) A fee of \$250 shall be charged to defray costs of an appeal under Section 1314 of  
6 this Code.

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

9 (d) There is hereby created a Subdivision Fund wherein all funds received under the  
10 provisions of this Section shall be deposited. All expenditures from the Fund shall be for  
11 engineering or technical investigations and equipment directly related to the checking and  
12 processing of the maps, plans, reports and parcel map waivers filed under this Code, and all  
13 such expenditures are hereby appropriated for said purposes.

14 (e) Additional Fees.

15 (1) In instances where administration or processing of any application, action, or  
16 procedure is or will exceed the fee amount established pursuant to subsection (a), the  
17 Director, in his or her discretion, may require an applicant or permittee to pay a sum in excess  
18 of the subject fee amounts. This additional sum shall be sufficient to recover actual costs that  
19 the Department incurs and shall be charged on a time and materials basis. The Director also  
20 may charge for any time and materials costs that other agencies, boards, commissions, or  
21 departments of the City, including the City Attorney's Office, incur in connection with the  
22 processing or administration of a particular application, action, or procedure. Whenever  
23 additional fees are or will be charged, the Director, upon request of the applicant or permittee,  
24 shall provide in writing the basis for the additional fees or an estimate of the additional fees to  
25 be charged.

1 (2) DBI Review Fee. A fee of \$374.00 shall be charged for each action specified  
2 above that the Department of Building Inspection reviews. This fee is in addition to the fees  
3 specified above and shall be paid separately at the time of application.

4 (f) Beginning with fiscal year 2006-2007, the fees which are established herein may  
5 be adjusted each year, without further action by the Board of Supervisors, to reflect changes  
6 in the relevant Consumer Price Index, as determined by the Controller. No later than April  
7 15th of each year, the Director shall submit the Department's current fee schedule to the  
8 Controller, who shall apply the price index adjustment to produce a new fee schedule for the  
9 following year. No later than May 15th of each year, the Controller shall file a report with the  
10 Board of Supervisors reporting the new fee schedule and certifying that: (a) the fees produce  
11 sufficient revenue to support the costs of providing the services for which the fee is charged  
12 and (b) the fees do not produce revenue that exceeds the costs of providing the services for  
13 which each permit fee is charged. Notwithstanding the procedures set forth in this Section, the  
14 Board of Supervisors, in its discretion, may modify the fees at any time.

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

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

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

6 By: \_\_\_\_\_  
7 John D. Malamut  
8 Deputy City Attorney

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