File No. <u>140594</u>

Committee Item No. 9 Board Item No. /9

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: <u>Bu</u>	dget & Finance Committee Date June 20, 2014
Board of Super	visors MeetingDate7 3 / 4
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Su Co For Aw Ap Put	ant Budget bcontract Budget ntract/Agreement rm 126 – Ethics Commission ard Letter plication blic Correspondence se back side if additional space is needed)
	DPW Order No. 182647 ublic. Notice
Completed by:_ Completed by:_	

1291

	I FILE NO. 140594 ORDINANCE N
۰.	
1	[Subdivision Code - Fee to Set Survey Monuments]
2	
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 <u>single-underline italics Times New Roman font</u> . Deletions to Codes are in strikethrough italies Times New Roman font.
8	Board amendment additions are in <u>double-underlined Arial font</u> . Board amendment deletions are in strikethrough Arial font.
9	Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.
10	
11	Be it ordained by the People of the City and County of San Francisco:
12	
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. <u>140594</u> 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. <u>140594</u> .
22	
23	Section 2. The Subdivision Code is hereby amended by revising Section 1315, to read
24	as follows:
25	
	Mayor Lee BOARD OF SUPERVISORS Page 1

1292

SEC. 1315. FEES.

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

(1) Air Space (four lots or less) is \$8,598.00 with a fee of \$500.00 for each additional lot;

- (2) Lot Subdivision "Final Map" is \$8,437.00;
 - (3) Condominium Conversion is \$8,336.00;
 - (4) Parcel Map is \$7,770.00;

(5) Lot Merger Re-subdivision is \$6,943.00;

(6) Amended Map is \$2,704.00;

(7) Lot Line Adjustment is \$2,704.00;

- (8) Lot Merger is \$2,581.00;
- (9) Certificate of compliance is \$2,139.00;
- (10) Certificate of correction is \$2,139.00;
- (11) Record of survey is \$507.00; and
- (12) Survey Monument Setting is \$3,100.00; and

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

Mayor Lee BOARD OF SUPERVISORS do not cover actual costs, any outstanding amount due shall be a condition of the
Department's final decision on the action or procedure. To the extent that the estimated fees
exceeded the actual costs, the Department shall refund the excess amount to the applicant
within a reasonable period after the Department's final decision on the action or procedure.
(b) A fee of \$250 shall be charged to defray costs of an appeal under Section 1314 of
this Code.
(c) Payment of fees charged under this Code does not waive the fee requirements of
other ordinances and rules and regulations pursuant thereto.

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

(e) Additional Fees.

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

Mayor Lee BOARD OF SUPERVISORS

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

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

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

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

Mayor Lee BOARD OF SUPERVISORS

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additions, and Board amendment deletions in accordance with the "Note" that appears under

the official title of the ordinance.

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APPROVED AS TO FORM: DENNIS J. HERRERA, City Attomey

By: John D. Malamut / Deputy City Attorney

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Mayor Lee BOARD OF SUPERVISORS

FILE NO. 140594

LEGISLATIVE DIGEST

[Subdivision Code — Fee to Set Monuments]

Ordinance amending the Subdivision Code to adopt a fee to set survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Subdivision Code establishes fees for various City services and permit programs concerning subdivisions and related actions. The Department of Public Works has an administratively adopted fee for setting survey monuments.

Amendments to Current Law

This Ordinance would update and codify the administratively adopted fee for setting survey monuments. The legislation also would affirm the Planning Department's determination under the California Environmental Quality Act.

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BOARD OF SUPERVISORS

BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 554-5227

June 2, 2014

File No. 140594

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

Dear Ms. Jones:

Our office has received the following legislation introduced by Mayor Lee today:

File No. 140594

Ordinance amending the Subdivision Code to adopt a fee to set survey monuments 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

By: Linda Wong, Assistant Clerk Budget and Finance Committee

Attachment

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

Statuting Examplion - CEAN Guidelines Sections 15273-kaper, toller, Farer, and Changes.) kes 6/4/14 INY NOVARAFIF

Wong, Linda (BOS)

From:Navarrete, Joy (CPC)Sent:Thursday, June 05, 2014 2:42 PMTo:Wong, Linda (BOS)Subject:RE: File 140594 - Environmental ReviewAttachments:140594 Subdivision Code Fee to Set Monuments.pdf

CEQA determination for 140594

Joy Navarrete, Senior Environmental Planner San Francizco Planning Department 1650 Mizzion Street, Suite 400 San Francizco, CR 94103 P. 415-575-9040 F. 415-558-6409

www.sfplanning.org

From: Wong, Linda (BOS) Sent: Monday, June 02, 2014 4:55 PM To: Jones, Sarah (CPC) Cc: Poling, Jeanie (CPC); Navarrete, Joy (CPC) Subject: File 140594 - Environmental Review

Good Afternoon,

Attached is a referral for BOS File No. 140594, which is being referred to the Planning Department for environmental review.

Sincerely, Linda Wong Board of Supervisors 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102-4689 Phone: 415.554.7719 | Fax: (415) 554-5163 Linda.Wong@sfgov.org | www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking here.

The <u>Legislative Research Center</u> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers,

1

City and County of San Francisco

Edwin M. Lee, Mayor

Mohammed Nuru, Director

San Francisco Department of Public Works

Bureau of Street-Use & Mapping 875 Stevenson Street, Room 460, S.F., CA 94103

(415) 554-5810 🕷 www.sfdpw.org



Jerry Sanguinetti, Bureau Manager

DPW Order No: 182647

ESTABLISHING GUIDELINES FOR THE PROTECTION AND PRESERVATION OF SURVEY MONUMENTS WITHIN THE CITY AND COUNTY OF SAN FRANCISCO.

I. <u>PURPOSE</u>: The State of California Business and Professions Code, Sections 8725 and 8771, and Streets and Highways Code, Sections 732 and 732.5 govern and protect the setting of survey monuments which provide horizontal and vertical survey control for subdivisions, tracts, boundaries, roads, streets or highways. This Department of Public Works (DPW) Order provides detailed information and guidelines for the protection and preservation of survey monuments within the City and County of San Francisco.

II. GENERAL INFORMATION:

- 1. All survey monuments shall be located, referenced and/or re-set by the office of the City & County Surveyor or under the direction of a licensed land surveyor or a pre-1982 registered civil engineer prior to the construction, reconstruction, maintenance, resurfacing of public rights-of-way.
- 2. Many references to monuments or monument lines exist in the form of marks at building corners, granite curbs, fire hydrants, manhole/utility covers, etc. The City's primary goal and concern is to protect and preserve those City monuments marked with brass survey markers or similar markers, as noted on the City's Monument Mapping System. Monuments can exist in monument wells or they can be inserted directly into sidewalks and/or other permanent locations.
- 3. Other monuments may exist, including those set by federal agencies; e.g. USGS, U.S. Army, U.S. Navy; private surveyors for subdivisions, et al. These monuments must also be preserved where they are located.
- II. <u>PROCESS.</u> Prior to the construction, reconstruction, maintenance, resurfacing of public rights-ofway or any excavation work within ten (10) feet of an existing survey monument, a Corner Record or Record of Survey shall be filed with the County Surveyor.
 - An applicant may request the County Surveyor to perform this task; if the County Surveyor agrees, the applicant shall provide/submit the following:
 - A. <u>A letter addressed/email to the County Surveyor's office identifying the applicant's and/or</u> contractor's name, contact information (address, phone, e-mail), and location of the monument(s) affected.



1.

San Francisco Department of Public Works Making San Francisco a beautiful, livable, vibrant, and sustainable city.

- B. <u>A copy of the permit allowing construction if the work is associated with a private job, or a job billing</u> number if the construction is associated with a City job.
- C. <u>A fee of \$3,100 per monument which shall include all before and after survey services, and the creation</u> and filing of the <u>Corner</u> Records.
- D. The County Surveyor shall require a minimum of two (2) weeks notice prior to performing this task, and shall complete all survey services prior to construction starting

An applicant may hire a private surveyor to perform this task.

A. All fees shall be negotiated between the applicant and private surveyor.

- B. The private surveyor shall meet with the County Surveyor to get all detailed information prior to starting construction.
- C. A pre-construction Corner Record or Record of Survey shall be filed prior to starting construction.
- D. Within one (1) month after construction is completed, a post-construction Corner Record or Record of Survey shall be filed.
- E. If (C) or (D) above are not created to the specifications set by the County Surveyor or within the specified time period, the applicant(s) shall be held responsible and a minimum fee of \$10,000 per monument shall be required for the County Surveyor to reestablish the monument.

6/3/2014

6/3/2014

Bruce R. Storrs

2.

Storrs, Bruce City and County Surveyor

Mohammed Nuru

Nuru, Mohammed Director, DPW



San Francisco Department of Public Works Making San Francisco a beautiful, livable, vibrant, and sustainable city.

DPW Order K2

	DPW Order		Welcome: Nuru, Mohammed
DPW Order (182647)		a da a cara a	·····
Bureau: Bureau of Street-Use & Mapping			nguinetti, Bureau Manager
Phone: (415) 554-5810	Fax: (415) 554-5843	. Address: 875 Stev	enson Street, Room 460, S.F., CA 9410
Director: Mohammed Nuru, Director		Mayor: Edwin M.	Lee, Mayor
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Approvers			···· ··· ······· ··· ·······
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City and County Surveyor	(5) A set of the se	Bruce Storrs	Approval 👻 Signature and Approval
Director, DPW		Mohammed Nuru	Approval 🖷 Signature and Approval
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User	Email		
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6/2/2011

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- 1. An applicant may request the County Surveyor to perform this task; if the County Surveyor agrees, the applicant shall provide/submit the following:
 - A. <u>A letter addressed/email to the County Surveyor's office identifying the applicant's and/or contractor's</u> name, contact information (address, phone, e-mail), and location of the monument(s) affected.

B. A copy of the	permit	allowing	construction	if the	work	is associated	with a pr	ivate jo	<u>b, or a job</u>	billing
number	if	the	construction	i	s	associated	with	a	City_	job.

С. <u>А</u>	fee of \$3,100	per monument	<u>which shall</u>	include all before	and after survey services	s, and the creation
•	and	filing	of	the	Corner	Records.

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- B. The private surveyor shall meet with the County Surveyor to get all detailed information prior to starting construction.
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- D. Within one (1) month after construction is completed, a post-construction Corner Record of Survey shall be filed.
- E. If (C) or (D) above are not created to the specifications set by the County Surveyor or within the specified time period, the applicant(s) shall be held responsible and a minimum fee of \$10,000 per monument shall be required for the County Surveyor to reestablish the monument.

BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BUDGET AND FINANCE COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will a hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date:	Monday, June 16, 2014				
Time:	10:00 a.m.				
Location:	Legislative Chamber, Room 250 located a 1 Dr. Carlton B. Goodlett Place, San Fran		•		
Subject:	File No. 140594 Ordinance amending the Subdivision Code to adopt a feesset survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.				

If the Ordinance passes, it would authorize a new fee of \$3,100 to set survey monuments.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on June 13, 2014.

Angela Calvillo, Clerk of the Board

DATED: June 3, 2014 PUBLISHED: June 5, 2014 and June 12, 2014

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Linda Wong S.F. BD OF SUPERVISORS (OFFICIAL NOTICES) 1-DR-CARLTON-B-GOODLETT PL-#244 SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type:

GPN GOVT PUBLIC NOTICE

Ad Description

LW - 140594 Survey Monuments Fee

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

06/05/2014,06/12/2014

CNS 2630673

NOTICE OF PUBLIC HEARING BUDGET AND FINANCE COMMITTEE SAN FRANCISCO BOARD OF SU-PERVISORS June 16, 2014 – 10:00 a.m. Agentise Chamber, Room 250 loccated at City Hail 1 Dr. Cariton B. Goodiett Place, San Francisco, CA NOTICE IS HEREBY GIVEN THAT the bidget and Finance Committee will a bidget parties may attand and be heard. File No. 140594. Ordinance amending the Subdivision Code to adopt a fee to set survey monuments detarmination under the California Envinomment Quality Act. If the Ordinance passes, it would authorize a new fee of sing to be survey monuments. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attand the hearing on his matter, and shall be brought to the attention of the Members of the Control the Subdivise Calvillo, Clerk of the Board, Room 244, City Hail, 1 Dr. Carton Goodiet Mace, San Francisco, Spice to the san finance passes of the Board, Room 244, City Hail, 107. Carton Goodiet Mace, San Francisco, Spice to the san Hand the hearing on hose and the Roard, Agenda Information relating to this mether will be part of the Sond Agenda Information relating to this mether will be caldrassed to Angela Calvillo, Clerk of the Board, Room 244, City Hail, 1 Dr. Carton Goodiet Mace, San Francisco, Spice for bubic review on June 13, 2015, Natton Goodiet Place, San Francisco, Spice for bubic review on June 13, 2015, Natton Goodiet Place, San Francisco, Spice for public review on June 13, 2017, Natton Goodiet Place, San Francisco, Spice for public review on June 13, 2017, Natton Goodiet Place, San Francisco, Spice for public review on June 13, 2017, Natton Goodiet Place, San Francisco, Spice for public review on June 13, 2017, Natton Formation the San Francisco, Spice for public review on June 13, 2017, Natton Formation Flating to the grant will be spice for public review on June 13, 2017, Natton Formation Flating to the San Francisco, Spice for public review on June 13, 2017, Natton Formation Flating to the San Francisco, Spice Formation San Fl

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SAN DIEGO COMMERCE, SAN DIEGO	(619) 232-3486
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THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747





EDWIN M. LEE Mayor

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: For Mayor Edwin M. Lee *Gale*RE: Subdivision Code – Fee to Set Monuments
DATE: June 2, 2014

OFFICE OF THE MAYOR

SAN FRANCISCO

Attached for introduction to the Board of Supervisors is the ordinance amending the Subdivision Code to adopt a fee to set survey monuments and affirming the Planning Department's determination under the California Environmental Quality Act.

I request that this item be calendared in Budget and Finance Committee.

Should you have any questions, please contact Jason Elliott (415) 554-5105.



1 DR. CARLTON B. GOODLETT PLACE, ROOM 200 SAN FRANCISCO, CALIFORNIA 94102-4681 TELEPHONE: (435) 854-6141

140594