

LEGISLATIVE DIGEST

[Planning, Administrative Codes – Planning Department Fees; Future Fee Adjustments]

Ordinance amending the Planning and Administrative Codes to adopt fee amounts for Planning Department fees, and set the process for annually adjusting the fee amounts; 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.

Existing Law

Fees for Planning Department services are established in Section 351 et seq. of the Planning Code and Sections 31.22 et seq. of the Administrative Code. Pursuant to Planning Code Section 350(g) and Administrative Code Section 31.22(b)(3), the Controller annually adjusts these fees, without further action by the Board of Supervisors, by the two-year average consumer price index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA). The Department’s current fees, inclusive of the annual indexing for inflation, are listed on a fee schedule that is posted on the Planning Department’s website.

Amendments to Current Law

Planning Code Sections 351 through 360, setting forth the specific fees for Planning Department services, are deleted and the fees on the Department’s current posted fee schedule, as adjusted by the Controller, are adopted in an uncodified section of the ordinance. Section 350 is revised to set forth the process for establishing and adjusting the fees.

Administrative Code Sections 31.22 and 31.23.1 are revised to set forth the process for establishing and adjusting the fees for the Planning Department’s environmental review services. The specific fees are deleted from these sections and the fees on the Department’s current posted fee schedule, including the Controller’s adjustments, are adopted in an uncodified section of the ordinance.

Background Information

Because the Planning and Administrative Codes are not annually amended to show the fees as adjusted by the Controller, the fees shown in the Codes have become inaccurate over time. The correct fees are shown on the fee schedule posted on the Planning Department’s website. Deleting the specific fees from the Codes and codifying only the process for establishing and adjusting the fees will be less misleading and confusing to the public.

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