

File No. 180584

Committee Item No. 6

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date June 21, 2018

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
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- Ordinance
- Legislative Digest
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- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
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- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- Notice of Public Hearing
- _____
- _____
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- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Linda Wong Date June 15, 2018
 Completed by: Linda Wong Date _____

1 [Planning Code - Fees for Certain Permits and Transportation Analysis]

2
3 **Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16**
4 **to clarify the fees applicable to projects with no or very low construction cost and to**
5 **change the fees for transportation analysis; and affirming the Planning Department's**
6 **determination under the California Environmental Quality Act, making findings of**
7 **consistency with the General Plan, and the eight priority policies of Planning Code,**
8 **Section 101.1, and adopting findings of public necessity, convenience, and welfare**
9 **under Planning Code, Section 302.**

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

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

18 Section 1. Findings.

19 (a) The Planning Department has determined that the actions contemplated in this
20 ordinance comply with the California Environmental Quality Act (California Public Resources
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
23 this determination.

24 (b) On _____, the Planning Commission, in Resolution No. _____,
25 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
2 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
4 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
5 Commission Resolution No. _____ and the Board incorporates such reasons herein by
6 reference. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in
7 File No. _____.

8 (d) In 2016, the Board adopted Ordinance No. 149-16 to establish initial fees and to
9 authorize the Controller to adjust the fees each year to reflect changes in the two-year
10 average Consumer Price Index (CPI) change for the San Francisco/San Jose Primary
11 Metropolitan Area (PMSA). The Planning Department publishes the Fee Schedule showing
12 the current fee amounts inclusive of annual adjustments in an Appendix to the Planning Code,
13 and posts it on the Planning Department's website. The Fee Schedule must be made
14 available upon request at the main office of the Department.

15 (e) The Planning Department has recommended a change to the fee charged for
16 Transportation Review Associated with Project Applications, and a clarification to the fees to
17 be charged for review of projects with a low construction cost.

18
19 Section 2. The Planning Code is hereby amended by revising Section 350, to read as
20 follows:

21 **SEC. 350. FEES.**

22 * * * *

23 (e) **Estimated Construction Costs.** Estimated construction costs are as defined by
24 the San Francisco Building Code. Certain of the fees specified in Section 4 of Ordinance No.
25 149-16 in Board of Supervisors File No. 160632 place a limit on the fee based on its not

1 exceeding a specified percentage of construction cost. This limit shall apply to certain fees, as
2 set forth in Ordinance No. 149-16 and Ordinance No. _____, amending Ordinance No. 149-16, in
3 Board of Supervisors File No. _____.

4 * * * *

5 Section 3. This section is uncodified. It amends the Transportation Review Fees
6 established in Ordinance No. 149-16 in Board of Supervisors File No. 160632 as follows.

7
8 **TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.**

9 (a) Transportation Study: ~~\$23,977~~ \$25,504 plus time and materials as set forth in
10 Planning Code Section 350(e). ~~Extremely complex transportation studies will be charged a higher~~
11 ~~initial fee based on the specifics of the project, which will be outlined in an Agreement between the~~
12 ~~Department and the project sponsor. Projects that require a transportation study typically require~~
13 ~~analysis of several transportation topics within a geographic area that extends beyond the project~~
14 ~~block. These projects may also be complex because they are multi-phased, require a large~~
15 ~~infrastructure investment, or are of statewide, regional, or area-wide significance as defined in CEQA,~~
16 ~~or the analysis may include both programmatic and project-level review.~~

17 (b) ~~Municipal Transportation Agency review of transportation impact study: \$4,612 per~~
18 ~~study. Site Circulation Review: \$9,560 plus time and materials as set forth in Planning Code Section~~
19 ~~350(e). Projects that require site circulation review typically require analysis of a limited, localized~~
20 ~~analysis of a few transportation topics.~~

21
22 Section 4. This section is uncodified. It amends the limits on certain fees established
23 in Ordinance No. 149-16 in Board of Supervisors File No. 160632 as follows.

24
25 **COMMISSION AND ZONING ADMINISTRATOR HEARING APPLICATIONS.**

1 (a) **Conditional Use (Planning Code Section 303), Planned Unit Development**
2 **(Planning Code Section 304):** The initial fee amount is not to exceed 50% of the
3 construction cost, provided that the fees set forth in the table below shall apply to construction with
4 no construction costs, Wireless Telecommunications Services, and to construction with an estimated
5 cost of \$0 to \$9,999, notwithstanding that any such fees may exceed 50% of the construction cost. A
6 \$120 surcharge shall be added to the fees for a conditional use or planned unit development
7 to compensate the City for the costs of appeals to the Board of Supervisors.

8 * * * *

9 (b) **Variance (Planning Code Section 305):** Variance fees are subject to additional
10 time and material charges, as set forth in Planning Code Section 350(e). The initial fee
11 amount is not to exceed 50% of the construction cost, provided that the fees set forth in the table
12 below shall apply to construction with an estimated cost of \$0 to \$9,999, notwithstanding that such fees
13 may exceed 50% of the construction cost. A \$25 surcharge shall be added to the fees to
14 compensate the City for the costs of appeals to the Board of Appeals.

15 * * * *

16 (c) **Downtown (C-3) District Review (Planning Code Section 309) and Coastal**
17 **Zone Permit (Planning Code Section 330) Applications Commission Hearing Fee**
18 **Schedule:** The initial fee amount is not to exceed 50% of the construction cost, provided that
19 the fees set forth in the table below shall apply to construction with an estimated cost of \$0 to \$9,999,
20 notwithstanding that such fees may exceed 50% of the construction cost. A \$25 surcharge shall be
21 added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

22 * * * *

23 **PERMIT APPLICATIONS.**

24 (a) Building permit applications for a change in use or alteration of an existing
25 building, to be collected by Central Permit Bureau; provided, however, that the fees charged

1 for Planning Department approval over-the-counter for the replacement of windows, roofs,
2 siding, and doors shall be reduced to $\frac{1}{2}$ one-half the fee set forth below. The Planning
3 Department initial fee amount shall not exceed 50% of the construction cost, notwithstanding
4 the foregoing, and provided further that the fees set forth in the table below shall apply to construction
5 with an estimated cost of \$0 to \$9,999, notwithstanding that such fees may exceed 50% of the
6 construction cost. Applications for permit revisions are excluded from this limitation.

7 * * * *

8 (b) **Building Permit Applications for a New Building:** The Planning Department
9 initial fee amount is not to exceed 50% of the construction cost, provided that the fees set forth in
10 the table below shall apply to construction with an estimated cost of \$0 to \$99,999, notwithstanding
11 that such fees may exceed 50% of the construction cost; notwithstanding the foregoing, applications
12 for permit revisions are excluded from this limitation.

13 * * * *

14 **PRESERVATION APPLICATIONS. (Planning Code Article 10).**

15 * * * *

16 (c) **Certificate of Appropriateness:** \$346 for applications with an estimated
17 construction cost less than \$1,000; \$1,380 for applications with an estimated construction cost
18 less than \$20,000, \$6,384 for applications with an estimated construction cost \$20,000 and
19 more, plus in all cases time and materials in excess of the initial fee as set forth in Planning
20 Code Section 350(e). The initial fee amount is not to exceed 50% of the construction cost,
21 provided that the fees shall apply to construction with an estimated cost of \$0 to \$20,000,
22 notwithstanding that such fees may exceed 50% of the construction cost. A \$25 surcharge shall be
23 added to the fees to compensate the City for the costs of appeals to the Board of Appeals.

24 * * * *

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

5
6 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance. In addition, amendments herein to Ordinance No. 149-16, an
12 uncodified ordinance, are indicated in the same manner as amendments to the Municipal
13 Code.

14
15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By: 
18 KATE H. STACY
19 Deputy City Attorney

20 n:\legal\as2018\1800559\01272176.docx

LEGISLATIVE DIGEST

[Planning Code - Fees for Certain Permits and Transportation Analysis]

Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; 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

The Board of Supervisors enacted Ordinance No. 149-16 establishing certain administrative fees to pay for the cost of processing Planning permit applications. Ordinance No. 149-16 also authorized the Controller to adjust the fees each year to reflect changes in the two-year average Consumer Price Index (CPI) change for the San Francisco/San Jose Primary Metropolitan Area (PMSA). The Planning Department publishes the Fee Schedule showing the current fee amounts inclusive of annual adjustments in an Appendix to the Planning Code, and posts it on the Planning Department's website. Among other things, Ordinance No. 149-16 provides a baseline fee for a Transportation Study, plus time and materials. A fee is also charged for SFMTA review of the Study.

The Ordinance also includes a number of fees for conditional use permits, variances, Downtown District and Coastal Zone permit review, Preservation application fees and Building permit application fees, where the text of Ordinance No. 149-16 provides that the amount of the fee shall not exceed 50% of the cost of construction, but the fee amount itself that is shown may exceed the stated cost of construction.

Amendments to Current Law

This legislation would provide 2 different fees for 2 kinds of Transportation Studies. First, a Transportation Study fee is established for a study that would address more complicated transportation analyses, including several transportation topics within a geographic area that extends beyond the project block. Second, a site circulation review fee is established for less complex studies that would address more limited, localized analysis of a few transportation topics. There would be no separate fee for SFMTA review of a transportation study.

The proposed legislation also clarifies that in most cases fees would not exceed 50% of the cost of construction, except that the fee could exceed 50% of construction costs for certain enumerated permits that may have lower construction costs. This change does not alter the amount of the fee, but addresses an apparent inconsistency between the text and the table setting forth the actual fees.

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

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

BUDGET AND FINANCE COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will 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: June 21, 2018

Time: 10:00 a.m.

Location: Legislative Chamber, Room 250, located at City Hall,
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: **File No. 180584.** Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; 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.

If the legislation passes, the following fees shall be increased or established for Permits and Transportation Analysis:

- Transportation Study fee shall be increased from \$23,977 to \$25,504 plus time and materials as set forth in Planning Code, Section 350(e). Projects that require a transportation study typically require analysis of several transportation topics within a geographic area that extends beyond the project block.
- Site Circulation Review fee shall be established at \$9,560 plus time and materials as set forth in Planning Code, Section 350(e). Projects that require site circulation review typically require analysis of a limited, localized analysis of a few transportation topics.

The proposed legislation also clarifies that, in most cases, fees would not exceed 50% of the cost of construction, except that the fee could exceed 50% of construction costs for certain enumerated permits that may have lower construction costs. This change does not alter the amount of the fee, but addresses an apparent inconsistency between the text and the table setting forth the actual fees.

In accordance with Administrative Code, Section 67.7-1, 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 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, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, June 15, 2018.


for Angela Calvillo
Clerk of the Board

DATED: June 8, 2018
PUBLISHED: June 10 & 17, 2018

CALIFORNIA NEWSPAPER SERVICE BUREAU

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SAN FRANCISCO BOARD OF SUPERVISORS
CCSF 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: File No. 180584 - Fee Ad - Permits and Transportation Analysis

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

06/10/2018 , 06/17/2018

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

EXM# 3141944

NOTICE OF PUBLIC HEARING BUDGET AND FINANCE COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS, JUNE 21, 2018 - 10:00 AM LEGISLATIVE CHAMBER, ROOM 250, CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will 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: File No. 180584. Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; 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. If the legislation passes, the following fees shall be increased or established for Permits and Transportation Analysis: - Transportation Study fee shall be increased from \$23,977 to \$25,504 plus time and materials as set forth in Planning Code, Section 350(e). Projects that require a transportation study typically require analysis of several transportation topics within a geographic area that extends beyond the project block. - Site Circulation Review fee shall be established at \$9,560 plus time and materials as set forth in Planning Code, Section 350(e). Projects that require site circulation review typically require analysis of a limited, localized analysis of a few transportation topics. The proposed legislation also clarifies that, in most cases, fees would not exceed 50% of the cost of construction, except that the fee could exceed 50% of construction costs for certain enumerated permits that may have lower construction costs. This change does not alter the amount of the fee, but addresses an apparent inconsistency between the text and the table setting

forth the actual fees. In accordance with Administrative Code, Section 67.7-1, 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 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, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, June 15, 2018.



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

June 4, 2018

File No. 180584

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

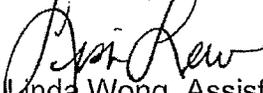
On June 5, 2018, Mayor Farrell will introduce the following proposed legislation:

File No. 180584

Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; 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.

This legislation is being transmitted to you for environmental review.

Angela Galvillo, Clerk of the Board

for By: 
Linda Wong, Assistant Clerk
Budget and Finance Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, 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: 2018.06.13 16:56:15 -0700

OFFICE OF THE MAYOR
SAN FRANCISCO



MARK FARRELL
MAYOR

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 JUN -1 AM 11:35

To: Angela Calvillo, Clerk of the Board of Supervisors
From: Kelly Kirkpatrick, Acting Mayor's Budget Director
Date: June 1, 2018
Re: Mayor's FY 2018-19 and FY 2019-20 Budget Submission

Madam Clerk,

In accordance with City and County of San Francisco Charter, Article IX, Section 9.100, the Mayor's Office hereby submits the Mayor's proposed budget by June 1st, corresponding legislation, and related materials for Fiscal Year 2018-19 and Fiscal Year 2019-20.

In addition to the Annual Appropriation Ordinance, Annual Salary Ordinance, and Mayor's Proposed FY 2018-19 and FY 2019-20 Budget Book, the following items are included in the Mayor's submission:

- The budget for the Treasure Island Development Authority for FY 2018-19 and FY 2019-20
- The budget for the Office of Community Investment and Infrastructure for FY 2018-19
- 15 separate pieces of legislation (see list attached)
- A Transfer of Function letter detailing the transfer of positions from one City department to another. See letter for more details.
- An Interim Exception letter
- A memo highlighting technical adjustments to the Mayor's Proposed May 1st Budget
- A letter addressing funding levels for consumer price index increases for nonprofit corporations or public entities for the coming two fiscal years

If you have any questions, please contact me at (415) 554-6125.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Kirkpatrick".

Kelly Kirkpatrick
Acting Mayor's Budget Director

cc: Members of the Board of Supervisors
Harvey Rose
Controller

DEPT	Budget & Finance Committee Calendar Date	Description or Title of Legislation	Type of Legislation
ADM	14-Jun	Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling	Ordinance
CON	14-Jun	Resolution Adjusting the Access Line Tax with the Consumer Price Index of 2018	Resolution
CON	14-Jun	Proposition J Contract Certification Specified Contracted-Out Services Previously Approved	Resolution
REC	14-Jun	Park Code - Tennis Center Fees	Ordinance
REC	14-Jun	Park Code - Golf Course Fees	Ordinance
CPC	15-Jun	Administrative Code – Planning Code Enforcement Fund	Ordinance
CPC	15-Jun	Planning Code - Fees for Certain Permits and Transportation Analysis	Ordinance
DAT	15-Jun	Administrative Code - Cash Revolving Fund for District Attorney's Office	Ordinance
DAT	15-Jun	Accept and Expend Grant - California Victim Compensation Board – Compensation for Crime Victims - \$2,164,014	Resolution
DPH	15-Jun	Health Code - Patient Rates 2017-2020	Ordinance
DPH	15-Jun	California Mental Health Services Authority – Participation Agreement – Presumptive Transfer	Resolution
DPH	15-Jun	Accept and Expend Grants- Recurring State Grant Funds - Department of Public Health- FY2018-2019	Resolution
HOM	15-Jun	Administrative Code - Mayor's Fund for the Homeless and Navigation Partnerships Fund	Ordinance
HOM	15-Jun	Homelessness and Supportive Housing Fund - FYs 2018-2019 and 2019-2020 Expenditure Plans	Resolution
POL	12-Jul	De-Appropriation and Re-Appropriation – Expenditures of \$6,174,381 Supporting Increased Workers' Compensation Expenditures – Police Department – FY 2017-2018	Ordinance

OFFICE OF THE MAYOR
SAN FRANCISCO



MARK FARRELL
MAYOR
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 JUN -1 AM 11:45

BY _____

TO:  Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Farrell
RE: Planning Code - Fees for Certain Permits and Transportation Analysis
DATE: June 1, 2018

Attached for introduction to the Board of Supervisors is an ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; 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.

Should you have any questions, please contact Andres Power (415) 554-5168.

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

