



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Change

HEARING DATE: JUNE 24, 2010

Report reissued from June 14, 2010

Project Name: **Amendments relating to Planning Code Article 3.5:
Increase fees to recover costs.**

Date: June 14, 2010

Case Number: 2010.0439T, Board File 10-0703

Initiated by: **Mayor/ Introduced June 8, 2010**

Staff Contact: Elaine Forbes, Chief Administrative Officer
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Recommendation: **Recommend Approval with Amendments**

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PLANNING CODE AMENDMENTS

The proposed ordinance would amend Planning Code Sections 350 through 358 to (1) increase fees 4.65 percent with the exception of fee types associated with small projects (2.61 percent to reflect the two-year average consumer price index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA) which is an automatic adjustment, and 2.04 percent as a surcharge to support a portion of the Preservation and Code Enforcement programs); (2) add a new fee for Conditional Use Applications for Wireless Telecommunication Services (WTS) Facilities; (3) provide for a higher initial fee for complex transportation studies; (4) increase the Discretionary Review filing fee from \$300 to \$500, consistent with the fee for CEQA and Conditional Use appeals; and (5) make other fee adjustments for cost recovery.

The Way It Is Now:

The Controller annually adjusts planning application fees, excluding appeal fees, by the two-year average consumer price index (CPI) for the San Francisco/San Jose PMSA. In 2006, Supervisor Peskin sponsored a fee revision which brought application fees to full cost recovery, with the exception of areas that the Commission and Board of Supervisors opted to charge less than full cost recovery for policy reasons, such a designation of a landmark building. Additionally, a surcharge to support long range planning was included in the 2006 fee schedule which ranged from a 25 percent to 33 percent depending on the application type and its nexus to long range planning. Since FY2006-

2007, the Department has proposed two fee increases to retain cost recovery, as the Department's true costs have grown at a faster rate than the CPI adjustments.¹

The City's overall financial condition has required the Department to reduce its General Fund allocation annually to meet the Mayor's budget instructions. The budget proposal for FY2010-11 includes a 43% reduction in General Fund Support (from \$2,507,806 to \$1,422,507). This reduction eliminates General Fund support for the Historic Preservation and Code Enforcement programs which are core functions. The funding strategy to retain these core programs includes additional penalty revenue, grant support, reductions to these programs, and a modest fee surcharge which is valued at \$133K. (the total value is \$240K: \$133K for Planning Code fee changes and \$107K for CEQA fee changes).

Currently, the initial fees for Conditional Use for Wireless Telecommunication Services (WTS), for zero estimated construction costs and for complex Transportation Studies are set too low to recover staff costs. Ultimately, the Department bills the project sponsor the total cost at the end of the review process which is labor intensive and does not provide an accurate upfront estimate of costs.

Currently, the public initiated Discretionary Review filing fee is \$300, which is 9 percent of the total average cost (\$3,285) of bringing a Discretionary Review to the Commission. CEQA and Conditional Use appeal filing fees are set at \$500. Section 350(C) provides an exemption for paying the appeal fee when the requestor's income is not enough to pay the fee with affecting his or her ability to pay for the necessities of life and provides a fee waiver for neighborhood organizations that have been in existence for 24 months prior to the filing date, are on our neighborhood organization notification list, and can demonstrate that the organization is affected by the proposed project.

The Way It Would Be:

To support \$133K of the historic preservation and code enforcement programs, the proposed legislation increases all Planning fees 2.04%. The result of this change is a 4.65% increase to Planning fees, which includes the CPI adjustment of 2.61%. Exhibit C to this report shows the current fee schedule and the proposed new fees. The revenue impact to the Department is approximately \$331K, of which \$198K is from the automatic CPI adjustment, and \$133K is from the additional 2.04 percent increase.

¹ For example, in FY2007-2008, wages and benefits increased 4.09%, but the CPI adjustment was 2.50%, or 1.59% less than our actual cost increase. In FY2008-2009, wages and benefits will increase 3.88% and the CPI adjustment will be 3.84% or .04% less than our actual cost increase. In sum, during that period, CPI adjustments have lagged behind true labor cost increases by 1.63%.

For proposed ordinance creates a new fee for Conditional Use for Wireless Telecommunication Services (WTS), and increases the fee for zero estimate cost Conditional Use to reflect the average hours spent on review. This change shifts the payment to the initial fee and away from time and materials billing which is performed typically when the project closes. The ordinance also provides for an option for the Department to charge more upfront for complex transportation studies based on the terms outlined in an Agreement between the Department and the project sponsor.

The proposed ordinance also increases the public initiated Discretionary Review fees from \$300 to \$500, consistent with CEQA and Conditional Use appeal fees. This change would result in cost sharing of 15 percent for the DR filer and 85 percent to the DR surcharge on permits.

Minimal fee increases for small projects

Per the Planning Commission’s request, the proposed ordinance includes CPI increases only for the following applications which impact small projects. As a matter of policy the Commission intends to minimize the impact of cost recovery on small projects that could be most burdened by fee increases.

Existing Rule	Proposed Change	Revenue Impact
Building permit applications for a change in use or alteration of an existing building with estimated construction costs of \$0 to \$9,999 are currently charged an initial fee of \$311.	A fee increase to recapture for CPI only – 2.61%. Building permit applications for a change in use or alteration of an existing building with estimated construction costs of \$0 to \$9,999 would be charged an initial fee of \$319. <i>A full cost recovery, with a 4.65% increase would result in a \$325 initial fee. We receive approximately 2,545 permits with a construction value \$9,999 and under annually.</i>	\$15,270
Variance for projects with construction costs of \$0 – \$9,999 are currently charged an initial fee of \$797.	A fee increase to recapture for CPI only – 2.61%. Variance for projects with construction costs of \$0 – \$9,999 would be charged an initial fee of \$817. <i>A full cost recovery, with a 4.65% increase would result in an \$834 initial fee. We receive approximately 30 variances a year with construction costs under \$9,999.</i>	\$510

Existing Rule	Proposed Change	Revenue Impact
<p>Variance for projects with estimated construction costs of \$10,000—\$19,999 are currently charged an initial fee of \$1,775.</p>	<p>A fee increase to recapture for CPI only – 2.61%. Variance for projects with construction costs of \$10,000—\$19,999 would be charged an initial fee of \$1,821.</p> <p><i>A full cost recovery, with a 4.65% increase would result in a \$1,858 initial fee. We receive approximately 15 variances a year with construction costs between \$10,000 and \$19,999.</i></p>	<p>\$555</p>
<p>Downtown (C-3) District Review (Section 309) and Coastal Zone with estimated construction costs of \$0 to \$9,999 are currently charged an initial fee of \$249.</p>	<p>A fee increase to recapture for CPI only – 2.61%. Downtown (C-3) District Review (Section 309) and Coastal Zone with estimated construction costs of \$0 to \$9,999 would be charged an initial fee of \$256.</p> <p><i>A full cost recovery, with a 4.65% increase would result in a \$261 initial fee. We receive less than five of these applications annually and therefore estimate no revenue impact.</i></p>	<p>0</p>
<p>Temporary Uses are currently charged an initial fee of \$399.</p>	<p>A fee increase to recapture for CPI only – 2.61%. Temporary Uses would be charged an initial fee of \$409.</p> <p><i>A full cost recovery, with a 4.65% increase would result in a \$418 initial fee. We receive approximately 15 temporary use requests a year.</i></p>	<p>\$135</p>
	<p>Total</p>	<p>\$16,470</p>

The table below describes in more detail the fee changes described above:

New Fee Category

Existing Rule	Proposed Change	Revenue Impact
Currently Wireless Telecommunication Services (WTS) conditional use applicants pay the same initial fee as any other construction type, based on cost of construction. However, these projects often have low construction costs, and require more extensive staff time, resulting in additional billing for time and materials at the end of the project cycle.	The proposed legislation would create a new initial fee for WTS conditional use applications, \$4,500. This new fee rate more accurately assesses demonstrated actual costs for WTS CU applications. Over 70% of WTS permits take 25 hours or more; on average each WTS CU requires 26 hours, and most commonly cases require 29 hours of staff time. The proposed fee rate is based on costs for 25 hours of staff time.	\$0, shifts from T&M billing to initial fee

Fees increased more than 4.65% based on demonstrated costs or policy consideration

Existing Rule	Proposed Change	Revenue Impact
Currently Conditional Use permits with zero estimated construction costs are charged an initial fee of \$800 plus time and materials. Most often these cases relate to changes of use, which often require additional staff analysis and are therefore billed time and materials.	Conditional use permits with zero estimated costs of construction would be charged an initial fee of \$1,800 which is based on ten hours of staff time. Over 70% of no-cost CUs require more than ten hours of staff time. <i>A full cost recovery, with a 4.65% increase would result in an \$837 initial fee.</i>	\$0, shifts from T&M billing to initial fee
Discretionary Review Request is currently \$300.00.	Discretionary Review fee increased to \$500, which is 15 percent of total cost. <i>A full cost recovery, the fee would be \$3,285. We receive approximately 70 public initiated DRs per year.</i>	\$14,000

Modifications and Changes to Existing Rules

Existing Rule	Proposed Change	Revenue Impact
Transportation Study \$21,317 \$20,370 plus time and materials as set forth in Section 350(c).	<p>Adds the following clause: <i>Extremely complex transportation Studies will be charged a higher initial fee based on the specifics of the project.</i></p> <p>This change allows project sponsors that require complex transportation studies to anticipate higher initial fees.</p>	\$0, shifts from T&M billing to initial fee
	Total	\$14,000

RECOMMENDED AMENDMENT

The Department’s process improvement effort includes a new preliminary project assessment process intended to provide the following benefits:

- A clear procedural roadmap for use by sponsors and staff,
- Early comments on major issues so they can be addressed before the initial project application,
- Early coordination between the sponsor and all Divisions of the Department, and
- Fee neutral system that will increase sponsor accountability and the efficiency of project review.

This proposed process requires an initial fee that is then credited against the first project application filed. An estimate of this interdepartmental review process shows that the average time needed will be 23.5 hours, which is equal to a \$4,427 initial fee.

Amend page 7 of the proposed ordinance to add a new Section 351 – Miscellaneous Services (J) as follows:

- (J) Preliminary Project Assessment: \$4,427 which will be credited to the first project application filed.

BASIS FOR APPROVAL WITH AMENDMENTS RECOMMENDATION

The Department supports amending Planning Code Sections 350 through 358 to (1) increase fees 4.65 percent, (2) add a new fee for Conditional Use Applications for Wireless Telecommunication Services (WTS) Facilities; (3) provide for a higher initial fee

for complex transportation studies; (4) increase the Discretionary Review filing fee from \$300 to \$500, consistent with the fee for CEQA and Conditional Use appeals; and (5) make other fee adjustments for cost recovery. These changes are needed to support core functions in the Department, and to shift payments from time and materials billing to the initial fee for those fees not set at cost recovery to give project sponsors a more accurate sense of total fees and reduce the Planning Department's administrative time spent on recovering time and materials fees collected after the initial fee. The Department also supports the increase in the Discretionary Review fee from \$300 to \$500 because this fee is consistent with CEQA and Condition Use appeal fees and Section 350(c) provides an exemption for paying the appeal fee when the requestor's income is not enough to pay the fee with affecting his or her ability to pay for the necessities of life and provides a fee waiver for neighborhood organizations that have been in existence for 24 months prior to the filing date, are on our neighborhood organization notification list, and can demonstrate that the organization is affected by the proposed project.

The Department recommends the above described amendment to add a Preliminary Project Assessment fee.

ENVIRONMENTAL REVIEW

CEQA does not apply to the establishment, modification, structuring, restructuring or approval of rates, tolls, fares, and other charges.

The proposed amendment is except from environmental review under Section 15273 of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received no letters in support or opposition to the proposal from the public.

RECOMMENDATION: Approve, with amendments

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors Ordinance (BOS File No. 10-0703)
- Exhibit C: Proposed Fee Schedule
- Exhibit D: Jurisdictional comparison
- Exhibit E: Summary presentation

Exhibit A

Planning Commission Resolution No. xxxxx

HEARING DATE: JUNE 24, 2010

Project Name: **Amendments relating to Planning Code Article 3.5**
Case Number: 2010.0439T [Board File No. 10-0703]
Initiated by: **Planning Commission**
Staff Contact: Elaine Forbes, Chief Administrative Officer
Elaine.Forbes@sfgov.org, 415.558.6417
Recommendation: **Recommend Approval with Amendments**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND ARTICLE 3.5 TO INCREASE FEES 4.65 PERCENT, AND MAKE OTHER FEE ADJUSTMENTS FOR COST RECOVERY AND POLICY REASONS; AND MAKES SECTION 302 AND ENVIRONMENTAL FINDINGS.

WHEREAS, the Planning Commission supports (1) retaining the Preservation and Code Enforcement programs, (2) for most fees, increases that are no more than 4.65% to enable cost recovery, (2) supports maintaining current fee rates with very minimal increases to reflect CPI (2.61 percent) that relate to small projects which can face undue hardships related to fee increases (3) a new fee category for Wireless Telecommunication Services (WTS) facilities and Preliminary Project Assessment; and

WHEREAS, the Commission approves changes to the Planning Code in an effort to update fees annual to accurately reflect actual costs;

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinances on June 17, 2010; and,

The Planning Department has determined the proposed Planning Code amendment and Administrative Code amendment are subject to a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Section 15273 of the Guidelines for rates, tolls, increased charges; and,

The Department has not received any letters or phone calls in support or in opposition to the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with the following amendments:

Amend page 7 of the proposed ordinance to add a new Section 351 – Miscellaneous Services (J) as follows:

- (K) Preliminary Project Assessment: \$4,427 which will be credited to the first project application filed.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June ____, 2010.

Linda Avery
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

1 [Planning Code Amendments to Update Fees for Cost Recovery.]

2 **Ordinance amending the San Francisco Planning Code by amending**
3 **Sections 350, 351, 352, 353, 354, 355, and 358 to increase fees 2.61**
4 **percent, and an additional 2.04 percent for all fees except those associated**
5 **with small projects for cost recovery; add a new fee for Conditional Use**
6 **Applications for Wireless Telecommunication Services (WTS) Facilities;**
7 **increase the Discretionary Review filing fee; and make other adjustments**
8 **for cost recovery.**
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10 Note: Additions are single-underline italics Times New Roman.
11 Deletions are ~~strikethrough italics Times New Roman~~.
12 Board amendment additions are double underlined.
13 Board amendment deletions are ~~Strikethrough Normal~~.

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

15 Section 1. Findings. (a) The Planning Department is able to recover the
16 cost of long range planning through its building permit review, CEQA (California
17 Environmental Quality Act, California Public Resources Code Sections 21000 et
18 seq.) review, and land use entitlement fees.

19 (b) The current fee structure is set to recover a portion of long range
20 planning cost through said fees, but the cost of long range planning, which
21 includes historic preservation survey and designation work, ~~isn~~ increasing
22 beyond the annual cost of living adjustment.

23 (c) It is in the public interest for the private project sponsor to
24 reimburse the City for the benefit he or she derives as a consequence of public
25 supported planning. This Board of Supervisors finds that this Ordinance is
consistent with the General Plan and Priority Policies of Section 101.1(b) of the
Planning Code for the reasons set forth in the Planning Commission Resolution
No. _____ and incorporates said Resolution herein by reference. A

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

8 (d) Environmental Finding. The Planning Department has determined
9 that the proposed fee adjustments are statutorily excluded from CEQA under the
10 CEQA Guidelines Section 15273(a), which exempts rates, tolls, fares and
11 charges such as those proposed here. Said determination is on file with the
12 Clerk of the Board of Supervisors in File No. _____ and is incorporated
13 herein by reference.

14 Section 2. The San Francisco Planning Code is hereby amended by
15 amending Section 350 to read as follows:

16 **SEC. 350. - FEES, GENERAL.**

17 Fees shall be imposed in order to compensate the Planning Department
18 for the cost of processing applications and for the development and revision of
19 land use controls. Fees shall be charged and collected as indicated for each
20 class of application, permit, filing request or activity listed in Sections 351 through
21 358 below.

22 (a) Estimated construction costs are as defined by the San Francisco
23 Building Code.

24 (b) All fees are payable at time of filing application or request, except
25 where noted otherwise. However, the Director of Planning or his/her designee
may authorize phased collection of the fee for a project whose work is projected
to span more than one fiscal year. A nonrefundable processing fee of ~~\$50~~52 is

1 required to set-up any installment payment plan for all application fees. The
2 balance of phased payments must be paid in full one week in advance of the first
3 scheduled public hearing before the Planning Commission to consider the project
4 or before issuance of the first site permit if no hearing is required.

5 (c) Time and Materials. The Planning Department shall charge the
6 applicant for any time and materials cost incurred in excess of the initial fee
7 charged if required to recover the Department's costs for providing services.

8 (1) The Department shall charge time and materials to recover the cost of
9 correcting code violations and violations of Planning Commission and
10 Department conditions of approval of use if such costs are not covered by the
11 monitoring fee for conditions of approval specified in Section 351(e)(1).

12 (2) Where a different limitation on time and material charges is set forth
13 elsewhere in this Article, that limitation shall prevail.

14 (3) The Planning Department may also charge for any time and material
15 costs incurred by other departments or agencies of the City and County of San
16 Francisco.

17 (4) Any balance of time and materials costs for active and open projects
18 must be paid in full one week in advance of a scheduled public hearing before
19 the Planning Commission to consider the project or before issuance of the first
20 site permit if no hearing is required.

21 (d) Refunds. When an application is withdrawn by the applicant prior to a
22 public hearing, or deemed canceled by the Planning Department due to inactivity
23 on the part of the applicant, then the applicant shall be entitled to a refund of the
24 fee paid to the Department less the time and materials expended minus a ~~\$400~~
25 427 processing fee. Refund requests must be submitted within six months of the
project closure date.

(e) Deferred or Reduced Fee.

1 (1) Any fraternal, charitable, benevolent or any other nonprofit
2 organization, that is exempt from taxation under the Internal Revenue laws of the
3 United States and the Revenue and Taxation Code of the State of California as a
4 bona fide fraternal, charitable, benevolent or other nonprofit organization, or
5 public entity that submits an application for the development of residential units
6 all of which are affordable to low and moderate income households, as defined
7 by the United States Housing and Urban Development Department, for a time
8 period that is consistent with the policy of the Mayor's Office of Housing and the
9 San Francisco Redevelopment Agency, may defer payment of the fees except
10 those under 352d and 352n until (1) before final Planning Department approval of
11 the building permit, preparatory to issuance of the building permit, before the
12 building permit is released to the applicant, or (2) within one year of the date of
13 action on the application, whichever comes first. This exemption shall apply
14 notwithstanding the inclusion in the development of other nonprofit ancillary or
15 accessory uses. Should the project be withdrawn prior to final Planning approval,
16 the applicant shall pay time and material costs pursuant to Section 350(c).

17 (2) An exemption from paying the full fees specified under Section 352d
18 and 352n may be granted when the requestor's income is not enough to pay for
19 the fee without affecting their abilities to pay for the necessities of life, provided
20 that the person seeking the exemption demonstrates to the Planning Director or
21 his/her designee that they are substantially affected by the proposed project.

22 (f) Late Payment.

23 (1) Charges and Collection of Overdue Accounts. The Director or his/her
24 designee shall call upon the Bureau of Delinquent Revenues or duly licensed
25 collection agencies for assistance in collecting delinquent accounts more than 60
days in arrears, in which case any additional costs of collection may be added to
the fee amount outstanding. If the Department seeks the assistance of a duly

1 licensed collection agency, the approval procedures of Administrative Code
2 Article 5, Section 10.39-1 et seq. will be applicable.

3 (g) Fee Adjustments.

4 (1) The Controller will annually adjust the fee amounts specified in Section
5 351(d), (e), (f), (g), (h), (i) and Section 352(b), (d), (e), (g), (i), (j), (k), (l), (m), and
6 Section 353(a), (c), (d), and Section 355(a), (2), (3), (4), (5), (6), (7)(b), (c), (d),
7 (e), and Section 356(c), (d), (e), and Section 357 and Section 358 (a), (b), (c), (d)
8 by the two-year average consumer price index (CPI) change for the San
9 Francisco/San Jose Primary Metropolitan Statistical Area (PMSA).

10 Section 3. The San Francisco Planning Code is hereby amended by
11 amending Section 351 to read as follows:

12 **SEC. 351. - MISCELLANEOUS SERVICES.**

13 (a) Agendas for Planning Commission: ~~\$3537~~.00 annual subscription to
14 cover costs of mailing. The Planning Director or his/her designee may authorize
15 exemptions in those instances where costs would impose financial hardship.

16 (b) Agendas for Historic Preservation Commission: ~~\$3537~~.00 annual
17 subscription to cover costs of mailing. The Planning Director or his/her designee,
18 may authorize exemption in those instances where costs would impose financial
19 hardship.

20 (c) Document Retrieval: Files stored on-site - actual costs for printing
21 file(s), Files stored off-site: - actual costs for retrieval, printing and return of files,
22 as specified in a retrieval schedule prepared by Director of Planning, or his/her
23 designee.

24 (d) Information, Analysis, Report Preparation and Presentation, Research
25 Services, Data Requests: The costs of report preparation may be amortized by
factoring full-cost recovery into the pricing of such information and reports:

~~\$230245~~.00 as an initial fee.

1 (e) Monitoring Projects:

2 (1) Monitoring Conditions of Approval: Upon adoption of conditions of
3 approval which the Zoning Administrator determines require active monitoring,
4 the fee shall be ~~\$1,0801,130~~.00 as an initial fee, plus time and materials as set
5 forth in Section 350(c).

6 (f) Project Review for Policy and Code Review and Interpretation for
7 Prospective Projects for which an Application has not been Filed, and Site-
8 Specific Design Guidelines and Code-Complying Massing Recommendations
9 and Department facilitated pre-application meetings: ~~\$345368~~.00 for new
10 construction and modifications to 5 or fewer dwelling units and for affordable
11 housing projects as defined in the Guidelines of the United States Housing and
12 Urban Development Department, and ~~\$816871~~.00 for all other projects and
13 Department facilitated pre-application meetings.

14 (g) (1) Project Notifications for an Individual Requesting Notification of
15 Project Applications:

16 (A) First Address or First Assessor's Lot: ~~\$3032~~.00 per annum.

17 (B) Additional Addresses: ~~\$1213~~.00 for addresses in each new Assessor's
18 Lot thereafter, per annum.

19 (2) Project Notifications for a Neighborhood Organization, defined as (i)
20 having been in existence for 24 months prior to the request, and (ii) is listed on
21 the Planning Department's neighborhood organization notification list, requesting
22 Notification of Project Applications:

23 (A) First Address or First Assessor's Block: ~~\$3032~~.00 per annum.

24 (B) Additional Addresses: ~~\$1213~~.00 for addresses in each new Assessor's
25 Block thereafter, per annum.

1 (h) Zoning Administrator Written Determinations Pursuant to Section
2 307(a): ~~\$115122.00~~ for zoning letters of conformance, ~~\$517552.00~~ for other written
3 determinations.

4 (i) Reactivating an application that the Zoning Administrator has deemed
5 withdrawn due to inactivity and the passage of time, subject to the approval of
6 the Zoning Administrator and within six months of the date the application was
7 deemed withdrawn: ~~\$218232.00~~

8 Section 3. The San Francisco Planning Code is hereby amended by
9 amending Section 352 to read as follows:

10 **SEC. 352. - COMMISSION AND ZONING ADMINISTRATOR HEARING**
11 **APPLICATIONS.**

12 (a) Conditional Use (Section 303), Planned Unit Development (Section
13 304),
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Estimated Construction Cost	Initial Fee
No construction cost, excluding extension of hours	<u>\$7851,800.00</u>
No construction cost, extension of hours	<u>\$1,2061,286.00</u>
<u>Wireless Telecommunications Services (WTS)</u>	<u>\$4,500.00</u>
Estimated Construction Cost	Initial Fee
\$1.00 to \$9,999.00	<u>\$1,2061,286.00</u>
\$10,000.00 to \$999,999.00	<u>\$1,2061,286.00</u> plus 0.557583% of cost over \$10,000.00
\$1,000,000.00 to \$4,999,999.00	<u>\$6,7227,171.00</u> plus 0.664695% of cost over \$1,000,000.00
\$5,000,000.00 to \$9,999,999.00	<u>\$33,31535,537.00</u> plus 0.557583% of cost over \$5,000,000.00
\$10,000,000.00 to \$19,999,999.00	<u>\$61,17665,257.00</u> plus 0.290303% of cost over \$10,000,000.00
\$20,000,000.00 or more	<u>\$90,21396,230.00</u>

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<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>No construction cost, excluding extension of hours</i>	<i>\$785.00</i>
<i>No construction cost, extension of hours</i>	<i>\$1,206.00</i>
<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$1.00 to \$9,999.00</i>	<i>\$1,206.00</i>
<i>\$10,000.00 to \$999,999.00</i>	<i>\$1,206.00 plus 0.557% of cost over \$10,000.00</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$6,722.00 plus 0.664% of cost over \$1,000,000.00</i>
<i>\$5,000,000.00 to \$9,999,999.00</i>	<i>\$33,315.00 plus 0.557% of cost over \$5,000,000.00</i>
<i>\$10,000,000.00 to \$19,999,999.00</i>	<i>\$61,176.00 plus 0.290% of cost over \$10,000,000.00</i>
<i>\$20,000,000.00 or more</i>	<i>\$90,213.00</i>

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(b) Variance (Section 305)

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Estimated Construction Cost	Initial Fee
\$0.00—\$9,999.00	\$782.00 <u>\$17.00</u>
\$10,000.00—\$19,999.00	\$1,741 <u>\$1,821.00</u>
\$20,000.00 and greater	\$3,476 <u>\$3,708.00</u>

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
\$0.00 – \$9,999.00	\$782.00
\$10,000.00 – \$19,999.00	\$1,741.00
\$20,000.00 and greater	\$3,476.00

Variance fees are subject to additional time and material charges, as set forth in Section 350(c).

(c) Downtown (C-3) District Review (Section 309) and Coastal Zone

Estimated Construction Cost	Initial Fee
\$0.00 to \$9,999.00	\$244 <u>256.00</u>
\$10,000.00 to \$999,999.00	\$244 <u>261.00</u> plus 0.112 <u>117</u> % of cost over \$10,000.00
\$1,000,000.00 to \$4,999,999.00	\$1,352 <u>1,442.00</u> plus 0.133 <u>139</u> % of cost over \$1,000,000.00
\$5,000,000.00 to \$9,999,999.00	\$6,684 <u>7,130.00</u> plus 0.111 <u>116</u> % of cost over \$5,000,000.00
\$10,000,000.00 to \$19,999,999.00	\$12,234 <u>13,050.00</u> plus 0.058 <u>061</u> % of cost over \$10,000,000
\$20,000,000.00 or more	\$18,063 <u>19,268.00</u>

Permit (Section 330) Applications Commission Hearing Fee Schedule:

(1) Applications with Verified Violations of this Code: The Planning Department shall charge ~~\$191~~204.00 as an initial fee, plus time and materials as set forth in Section 350(c).

1 (2) Where an applicant requests two or more approvals involving a
2 conditional use, planned unit development, variance, Downtown (C-3) District
3 Section 309 review, certificate of appropriateness, permit to alter a significant or
4 contributory building both within and outside of Conservation Districts, or a
5 coastal zone permit review, the amount of the second and each subsequent
6 initial fees of lesser value shall be reduced to 50 percent.

7 (3) Minor project modifications requiring a public hearing to amend
8 conditions of approval of a previously authorized project, not requiring a
9 substantial reevaluation of the prior authorization: ~~\$896~~955.00.

10 (4) The applicant shall be charged for any time and materials beyond the
11 initial fee in Section 352, as set forth in Section 350(c).

12 (5) An applicant proposing major revisions, as determined by the Zoning
13 Administrator, to a project application that has been inactive for more than six
14 months and is assigned shall submit a new application. An applicant proposing
15 major revisions to a project which has not been assigned and for which an
16 application is on file with the Planning Department shall be charged time and
17 materials to cover the full costs in excess of the initial fee paid.

18 (6) For agencies or departments of the City and County of San Francisco,
19 the initial fee for applications shall be based upon the construction cost as set
20 forth above.

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<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0.00 to \$9,999.00</i>	<i>\$<u>256.00</u></i>
<i>\$10,000.00 to \$999,999.00</i>	<i>\$<u>261.00</u> plus 0.112% of cost over \$10,000.00</i>
<i>\$1,000,000.00 to \$4,999,999.00</i>	<i>\$<u>1,442.00</u> plus 0.133% of cost over \$1,000,000.00</i>
<i>\$5,000,000.00 to \$9,999,999.00</i>	<i>\$<u>7,130.00</u> plus 0.111% of cost over \$5,000,000.00</i>
<i>\$10,000,000.00 to \$19,999,999.00</i>	<i>\$<u>13,050.00</u> plus 0.058% of cost over \$10,000,000</i>
<i>\$20,000,000.00 or more</i>	<i>\$<u>19,268.00</u></i>

(d) Discretionary Review Request: ~~\$500,300.00~~; provided, however, that the fee shall be waived if the discretionary review request is filed by a neighborhood organization that: (1) has been in existence for 24 months prior to the filing date of the request, (2) is on the Planning Department's neighborhood organization notification list, and (3) can demonstrate to the Planning Director or his/her designee that the organization is affected by the proposed project. Such fee shall be refunded to the individual or entity that requested discretionary review in the event the Planning Commission denies the Planning Department's approval or authorization upon which the discretionary review was requested. Mandatory discretionary reviews: ~~\$3,223,438.00~~.

(e) Institutional Master Plan (Section 304.5).

(1) Full Institutional Master Plan or Substantial Revision: ~~\$11,492,12,259.00~~ plus time and materials if the cost exceeds the initial fee as set forth in Section 350(c).

(2) **Abbreviated Institutional Master Plan:** ~~\$2,103,2,244.00~~ plus time and materials if the cost exceeds the initial fee as set forth in Section 350(c).

1 (f) **Land Use Amendments and Related Plans and Diagrams of the**
2 **San Francisco General Plan:** Fee based on the Department's estimated actual
3 costs for time and materials required to review and implement the requested
4 amendment, according to a budget prepared by the Director of Planning, in
5 consultation with the sponsor of the request.

6 (g) **General Plan Referrals:** ~~\$3,103~~3,310.00 plus time and materials if the
7 cost exceeds the initial fee as set forth in Section 350(c).

8 (h) **Redevelopment Plan Review:** The Director of Planning shall prepare
9 a budget to cover actual time and materials expected to be incurred, in
10 consultation with the Redevelopment Agency. A sum equal to ½ the expected
11 cost will be submitted to the Department, prior to the commencement of the
12 review. The remainder of the costs will be due at the time the initial payment is
13 depleted.

14 (i) **Reclassify Property or Impose Interim Zoning**
15 **Controls:** ~~\$6,611~~7,052.00

16 (1) The applicant shall be charged for any time and materials as set forth
17 in Section 350(c).

18 (2) Applications with Verified Violations of this Code: The Planning
19 Department shall charge time and materials as set forth in Section 350(c).

20 (j) Setback Line, Establish, Modify or Abolish: ~~\$2,672~~2,851.00

21 (k) Temporary Use Fees: ~~\$391~~409.00 as an initial fee, plus time and
22 materials if the cost exceeds the initial fee, as set forth in Section 350(c).

23 (l) Amendments to Text of the Planning Code: ~~\$13,209~~14,090.00 as an
24 initial fee, plus time and materials if the cost exceeds the initial fee as set forth in
25 Section 350(c).

1 (m) Zoning Administrator Conversion Determinations Related to Service
2 Station Conversions: ~~\$2,609~~2,783.00 as an initial fee, plus time and materials if
3 the cost exceeds the initial fee. (Section 228.4).

4 (n) Conditional Use Appeals to the Board of Supervisors:

5 (1) \$500.00 for the appellant of a conditional used authorization decision
6 to the Board of Supervisors; provided, however, that the fee shall be waived if the
7 appeal is filed by a neighborhood organization that: (1) has been in existence for
8 24 months prior to the appeal filing date, (2) is on the Planning Department's
9 neighborhood organization notification list, and (3) can demonstrate to the
10 Planning Director or his/her designee that the organization is substantially
11 affected by the proposed project.

12 (2) Such fees shall be used to defray the cost of an appeal to the Planning
13 Department. At the time of filing an appeal, the Clerk of the Board of Supervisors
14 shall collect such fee and forward the fee amount to the Planning Department.

15 Section 4. The San Francisco Planning Code is hereby amended by
16 amending Section 353 to read as follows:

17 **SEC. 353. - DOWNTOWN APPLICATIONS.**

18 (a) Exception in C-3 District (Section 309): ~~\$1,701~~1,815.00 as an initial fee,
19 plus time and materials as set forth in section 350(c) for one or more exceptions
20 to the Planning Code, which shall not be reduced per Section 352(c)(2).

21 (b) Modifications in C-3 District, Determination of Need (Section 309):
22 Same as Basic commission hearing fee schedule (Sections 352(c), 352(c)(1) et
23 seq.).

24 (c) Office Development Limitation Projects (Sections 320 through 323):
25 ~~\$4,562~~4,866.00 per application at initial intake plus time and materials as set forth
in Section 350(c).

(d) Article 11 Designated Buildings:

1 (1) Significant or Contributory Building, Designation or Change of
2 Boundary: \$6,2775,884.00.

3 (2) Conservation District, Designation or Change of Boundary:
4 \$6,2775,884.00

5 (3) Permit to Alter a Significant or Contributory Building Within a
6 Designated Conservation District, not Deemed Minor by the Zoning
7 Administrator: \$8,2877,769.00 plus time and materials in excess of initial fee as
8 set forth in Section 350(c).

9 (4) Alteration of a Contributory Building Located Outside a Conservation
10 District From Which No TDR Has Been Transferred and No Issuance of a Permit
11 Pursuant to Sections 1111 through 1111.6: \$8,2877,769.00

12 (5) Significant or Contributory Building Demolition in or outside of a
13 Conservation District for which TDRs have been transferred: \$8,2877,769.00 This
14 fee shall be in addition to any fee otherwise required for permits to alter or
15 demolish. However, applications to demolish a Contributory Building located
16 outside a Conservation District from which no TDR has been transferred or a
17 Category V Building in a Conservation District from which no TDR has been
18 transferred are subject only to the demolition fee contained in Section 355(b).

19 (6) Statement of Eligibility: \$1,4701,378.00.

20 (7) Certificate of Transfer, Execution: \$424397.00.

21 (8) Certification of Transfer of TDR, Notice of Use: \$1,3241,241.00.

22 Section 5. The San Francisco Planning Code is hereby amended by
23 amending Section 355 to read as follows:

24 **SEC. 355. - PERMIT APPLICATIONS.**

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

1 replacement of windows, roofs, siding, and doors shall be reduced to ½ the fee
2 set forth below.

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1	Estimated	Initial Fee
2	Construction	
3	Cost	
4	\$0.00 to \$9,999.00	\$319,305.00
5	\$10,000.00 to	\$327,306.00 plus 3.3453 1.96% of cost over \$10,000.00
6	\$49,999.00	
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8	\$50,000.00 to	\$1,690,158.50 plus 2.235136% of cost over \$50,000.00
9	\$99,999.00	plus \$8781.00 Discretionary Review Surcharge and
10		\$285,267.00 Categorical Exemption Stamp Fee
11	\$100,000.00 to	\$2,831,265.40 plus 2.446337% of cost over \$100,000.00
12	\$499,999.00	plus \$8781.00 Discretionary Review Surcharge and
13		\$285,267.00 Categorical Exemption Stamp Fee
14	\$500,000.00 to	\$12,803,120.03 plus 0.618591% of cost over \$500,000.00
15	\$999,999.00	plus \$8781.00 Discretionary Review Surcharge and
16		\$285,267.00 Categorical Exemption Stamp Fee
17		
18	\$1,000,000.00 to	\$15,956,149.59 plus 0.243232% of cost over
19	\$4,999,999.00	\$1,000,000.00 plus \$8781.00 Discretionary Review
20		Surcharge and \$285,267.00 Categorical Exemption Stamp
21		Fee
22	\$5,000,000.00 to	\$25,857,242.40 plus .004% of cost over \$5,000,000.00
23	\$99,999,999.00	plus \$8781.00 Discretionary Review Surcharge and
24		\$285,267.00 Categorical Exemption Stamp Fee
25	\$100,000,000.00 or more	\$29,911,280.41 plus \$8781.00 Discretionary Review Surcharge and \$285,267.00 Categorical Exemption Stamp

	Fee
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(1) Application with Verified Violations of this Code: The Planning Department shall charge ~~\$1,130.00~~^{1,080} as an inspection fee for monitoring code violation abatements.

(2) Back-Check Fee for Permit Revisions: ~~\$204~~¹⁹¹.00 for the initial fee, plus time and materials as set forth in Section 350(c), to be collected at time of permit issuance.

(3) Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in Height (Section 295): Additional ~~\$467~~⁴³⁸.00 plus time and materials as set forth in Section 350(c).

(4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 311: ~~\$4845.00~~, plus ~~\$3.263~~⁰³ per envelope (subject to increase based on envelope and postage costs). The City's reprographics department will print and mail public notices.

(5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 312: ~~\$4845.00~~, plus ~~\$1.130~~⁸⁹ per envelope (subject to increase based on envelope and postage costs). The City's reprographics department will print and mail public notices.

(6) For projects with a construction cost of \$100,000,000.00 or more, the applicant shall be charged the permit fee for a project with a \$100,000,000.00 construction cost.

(7) Permits for solar panels and over-the-counter permits for solar equipment installation shall be ~~\$137~~¹²⁹.00 per permit.

(b) Building Permit Applications for a New Building:

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Estimated Construction Cost	Initial Fee
\$0 to \$99,999	\$1,8491,734.00 , plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$100,000.00 to \$499,999.00	\$1,8501,735.00 , plus 2.3372.446% of cost over \$100,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$500,000.00 to \$999,999.00	\$11,82311,084.00 plus 0.7460.781% of cost over \$500,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$1,000,000 to \$4,999,999.00	\$15,80314,815 plus 0.2870.300% of cost over \$1,000,000.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$5,000,000.00 to \$99,999,999.00	\$28.04926,296.00 plus 0.005% of cost of \$5,000,000 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee
\$100,000,000.00 or more	\$33,11831,047.00 plus \$8781.00 Discretionary Review Surcharge and \$285267.00 Categorical Exemption Stamp Fee

(1) **Applications with Verified Violations of this Code:** ~~\$1,1301,080~~ as an inspection fee for monitoring code violation abatements.

<i>Estimated Construction Cost</i>	<i>Initial Fee</i>
<i>\$0 to \$99,999</i>	<i>\$1,849, plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>
<i>\$100,000.00 to \$499,999.00</i>	<i>\$1,850, plus 2.446% of cost over \$100,000.00 plus \$81.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>
<i>\$500,000.00 to \$999,999.00</i>	<i>\$11,823.00 plus 0.781% of cost over \$500,000.00 plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>
<i>\$1,000,000 to \$4,999,999.00</i>	<i>\$15,803 plus 0.300% of cost over \$1,000,000.00 plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>
<i>\$5,000,000.00 to \$99,999,999.00</i>	<i>\$28,049.00 plus 0.005% of cost of \$5,000,000 plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>
<i>\$100,000,000.00 or more</i>	<i>\$33,118.00 plus \$87.00 Discretionary Review Surcharge and \$285.00 Categorical Exemption Stamp Fee</i>

(c) Demolition Applications, to be collected by Central Permit Bureau:

~~\$1,441 1,351.00.~~

1 (d) Fire, Police, Entertainment Commission, State Alcohol & Beverages
2 Control and Health Department Permit Applications Referral Review: ~~\$121~~ 114.00
3 initial fee collected by the other departments in conjunction with current fee
4 collections, plus time and materials as set forth in Section 350(c).

5 (e) Sign Permit Applications, to be collected by Central Permit Bureau:
6 ~~\$127~~ 119.00.

7 Section 6. The San Francisco Planning Code is hereby amended by
8 amending Section 356 to read as follows:

9 **SEC. 356. - PRESERVATION APPLICATIONS. (Article 10).**

10 (a) Landmark: ~~\$262~~ 250.00.

11 (b) Amendment, Rescission or Designation of Historical District: ~~\$1,000~~ 1,047
12 ~~.00~~ plus time and materials in excess of initial fee as set forth in Section
13 350c. The Planning Director or his/her designee may waive time and material
14 charges for the designation of a Historical District to encourage Citywide
15 preservation activities.

16 (c) Certificate of Appropriateness: ~~\$308~~ 288.00 for applications with an
17 estimated construction cost less than \$1,000.00; ~~\$1,227~~ 1,150.00 for applications
18 with an estimated construction less than \$20,000.00, ~~\$5,676~~ 5,321.00 for
19 applications with an estimated construction value \$20,000.00 and more, plus
20 time and materials in excess of initial fee as set forth in Section 350(c).

21 (d) Determination that a Building is a Compatible Rehabilitation or a
22 Compatible Replacement Building, Pursuant to Section 309 or 1109: Same as for
23 Conditional Use (Section 352(a)).

24 (e) Processing and Administering an Application for a Historical Properties
25 Contract Under the California Mills Act, California Government Code Sections
50280—50290: ~~\$17,939~~ 16,817.00 for commercial properties and ~~\$8,973~~ 8,412.00
for residential properties.

1 Section 7. The San Francisco Planning Code is hereby amended by
2 amending Section 357 to read as follows:

3 **SEC. 357. - TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT**
4 **APPLICATIONS.**

5 (a) Transportation Study ~~\$21,317~~ ~~19,984.00~~ plus time and materials as set
6 forth in Section 350(c). *Extremely complex transportation studies will be charged a*
7 *higher initial fee based on the specifics of the project which will be outlined in an*
8 *Agreement between the Department and the project sponsor.*

9 (b) Municipal Transportation Agency review of transportation impact study:
10 ~~\$4,100~~ ~~4,000~~ per study.

11 Section 8. The San Francisco Planning Code is hereby amended by
12 amending Section 358 to read as follows:

13 **SEC. 358. - GENERAL ADVERTISING SIGNS FEES.**

14 (a) The fee for the relocation agreement application pursuant to Section
15 611 and Administrative Code Section 2.21 shall be ~~\$1,224~~ ~~1,148.00~~ per individual
16 relocation agreement application.

17 (b) The fee for the initial inventory processing pursuant to Section 604.2
18 shall be ~~\$685.643~~.00 per sign structure.

19 (c) The fee for an in-lieu application pursuant to Section 604.1 shall be
20 ~~\$391~~ ~~367.00~~ per sign structure.

21 (d) The fee for annual inventory maintenance pursuant to Section 604.2
22 shall be ~~\$221~~ ~~211.00~~.

23 (e) Fee Review and Adjustment. Beginning with fiscal year 2007-2008, the
24 fees established in this Section may be adjusted each year, without further action
25 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 fees schedule to the Controller,

1 who shall apply the price index adjustment to produce a new fee schedule for the
2 following year. No later than May 15th of each year, the Controller shall file a
3 report with the Board of Supervisors reporting the new fee schedule and
4 certifying that: (a) the fees produce sufficient revenue to support the costs of
5 providing the services for which the fee is charged and (b) the fees do not
6 produce revenue that exceeds the costs of providing the services for which each
7 permit fee is charged. Notwithstanding the procedures set forth in this Section,
8 the Board of Supervisors, in its discretion, may modify the fees by ordinance at
9 any time.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: _____
14 Kate Herrmann Stacy
15 Deputy City Attorney

Exhibit C: Proposed Fee Schedule

Planning Department

Proposed FY2010/2011

		eff. 9/6/2009		2.61%	2.04%	
Service Name	Code Section	Current Fee w/o appeal surchg	BoA appeal surchg	2.61% of CPI Increase	2.04% of Additional Increase	FY10/11 Proposed New Fee
Refund fee	350 (d)	\$ 408		\$ 10.65	\$ 8.32	\$ 427
Discretionary Review Request	352 (d)	\$ 300				\$ 500
DR Permit Surcharges	355	\$ 83		\$ 2.17	\$ 1.69	\$ 87
Mandatory Discretionary Review	352 (d)	\$ 3,285		\$ 85.74	\$ 67.01	\$ 3,438
Planning Code Text Amendment Request	352 (l)	\$ 13,464		\$ 351.41	\$ 274.67	\$ 14,090
Zoning Map Change (incl. interim controls)	352 (i)	\$ 6,739		\$ 175.89	\$ 137.48	\$ 7,052
Setback Change	352 (j)	\$ 2,724		\$ 71.10	\$ 55.57	\$ 2,851
Institutional Master Plan - Full	352 (e)(1)	\$ 11,714		\$ 305.74	\$ 238.97	\$ 12,259
Institutional Master Plan - Abbreviated	352 (e)(2)	\$ 2,144		\$ 55.96	\$ 43.74	\$ 2,244
General Plan Referral	352 (g)	\$ 3,163		\$ 82.55	\$ 64.53	\$ 3,310
General Plan Amendment + Related Plans	352 (f) & (h)	T/M				T/M
Conditional Use (including PUD)	352 (a)	Variable				see revised formulas
Wireless Telecommunications Services	352 (a)	N/A				\$ 4,500
Section 321 (Annual Limit) Review	353 c	\$ 4,650	22.50	\$ 121.37	\$ 94.86	\$ 4,889
Variance (\$0- \$9,999)	352 (b)	\$ 797	22.50	\$ 20.80	\$ 16.26	\$ 857
Variance (\$10,000- \$19,999)	352 (b)	\$ 1,775	22.50	\$ 46.33	\$ 36.21	\$ 1,880
Variance (\$20,000 or more)	352 (b)	\$ 3,543	22.50	\$ 92.47	\$ 72.28	\$ 3,730
CU appeals to BoS	352 (n)(1)	\$ 500				\$ 500
Section 309 Review	352 c	Variable	22.50			see revised formulas
Application for 1 or more Exceptions under 309	353 (a)	\$ 1,734	22.50	\$ 45.84	\$ 35.37	\$ 1,838
Landmarks Designation - Applicant Initiated	356 (a)	\$ 250		\$ 6.53	\$ 5.10	\$ 262
Historic District Designation	356 (b)	\$ 1,000		\$ 26.10	\$ 20.40	\$ 1,047
Certificate of Appropriateness - \$0 to \$999	356 c	\$ 294	22.50	\$ 8.26	\$ 6.00	\$ 331
Certificate of Appropriateness - \$1,000 to \$9,999	356 c	\$ 1,172	22.50	\$ 31.18	\$ 23.91	\$ 1,250
Certificate of Appropriateness - \$10,000 or more	356 c	\$ 5,424	22.50	\$ 142.15	\$ 110.65	\$ 5,699

Exhibit C: Proposed Fee Schedule
Planning Department
Proposed FY2010/2011

		eff. 9/6/2009		2.61%	2.04%	
Service Name	Code Section	Current Fee w/o appeal surchg	BoA appeal surchg	2.61% of CPI Increase	2.04% of Additional Increase	FY10/11 Proposed New Fee
		Variable same as CU formulas				see revised formulas
Determination of compatibility	356 (d)					
Mills Act - Commercial	356 (e)	\$ 17,142		\$ 447.41	\$ 349.70	\$ 17,939
Mills Act - Residential	356 (e)	\$ 8,574		\$ 223.78	\$ 174.91	\$ 8,973
Article 11 - Dtn Preservation Review - Designation or Change of Boundary	353 (d)(1)	\$ 5,998		\$ 156.55	\$ 122.36	\$ 6,277
Article 11 - Dtn Preservation Review - Designation or Change of Boundary of a conservation district	353 (d)(2)	\$ 5,998		\$ 156.55	\$ 122.36	\$ 6,277
Article 11 - Alteration of Sig/Contrib Building	353 (d) (3 & 4)	\$ 7,919	22.50	\$ 207.27	\$ 161.55	\$ 8,310
Article 11 - Demolition of Sig/Contr Building	353 (d)(5)	\$ 7,919	22.50	\$ 207.27	\$ 161.55	\$ 8,310
Statement of Eligibility	353 (d)(6)	\$ 1,405	22.50	\$ 37.26	\$ 28.66	\$ 1,493
Certificate of Transfer, Execution of	353 (d)(7)	\$ 405		\$ 10.57	\$ 8.26	\$ 424
TDR (notice of use)	353 (d)(8)	\$ 1,265		\$ 33.02	\$ 25.81	\$ 1,324
Monitoring Approval Secs, CU, Var, Sec 309 Proj	351 (e)(1)	\$ 1,080		\$ 28.19	\$ 22.03	\$ 1,130
Sale of Documents		Varies				
Photocopies (per sheet)	Admin. 8.28	\$ 0.10				
Research Services & Other T/M requests	351 (d)	\$ 234		\$ 6.11	\$ 4.77	\$ 245
Subscription to PC agenda	351 (a)	\$ 35		\$ 0.91	\$ 0.71	\$ 37
Subscription to Landmarks Board agenda	351 (b)	\$ 35		\$ 0.91	\$ 0.71	\$ 37
Project Review - new construction ; 5 or fewer units	351 (f)	\$ 352		\$ 9.19	\$ 7.18	\$ 368
Project Review - all other projects	351 (f)	\$ 1,108		\$ 28.92	\$ 22.60	\$ 1,160
Dept facilitated Pre-Application Mtg	351 (f)	\$ 832		\$ 21.72	\$ 16.97	\$ 871
Dept(s) facilitated Pre-Application Mtg	351 (f)	\$ 1,588		\$ 41.45	\$ 32.40	\$ 1,662
BBN- Individual/Assessor's Lot	351 (g)(1)(A)	\$ 31		\$ 0.81	\$ 0.63	\$ 32
BBN- Individual/each additional Lot	351 (g)(1)(B)	\$ 12		\$ 0.31	\$ 0.24	\$ 13
BBN- Neigh. Org./ Assessor's Block	351 (g)(2)(A)	\$ 31		\$ 0.81	\$ 0.63	\$ 32
BBN- Neigh. Org./ each add'l Block	351 (g)(2)(B)	\$ 12		\$ 0.31	\$ 0.24	\$ 13
ZA letters of Conformance	351 (h)	\$ 117	22.50	\$ 3.64	\$ 2.39	\$ 146
ZA Written Determination	351 (h)	\$ 527	22.50	\$ 14.34	\$ 10.75	\$ 575
Preliminary Project Assessment	351 (j)	N/A				\$ 4,427
Transportation Review-Trans Study	357 (a)	\$ 20,370		\$ 531.66	\$ 415.55	\$ 21,317
MTA Transportation Impact Analysis	357 (b)	\$ 4,077		\$ 106.41		\$ 4,183
Temporary Use Permit Review	352 (k)	\$ 399		\$ 10.41	\$ 8.14	\$ 418

Exhibit C: Proposed Fee Schedule

Planning Department

Proposed FY2010/2011

		eff. 9/6/2009		2.61%	2.04%	
Service Name	Code Section	Current Fee w/o appeal surchg	BoA appeal surchg	2.61% of CPI Increase	2.04% of Additional Increase	FY10/11 Proposed New Fee
Service Station Conversion Determination	352 (m)	\$ 2,659		\$ 69.40	\$ 54.24	\$ 2,783
Reactivating application deemed inactive by ZA	351 (i)	\$ 222		\$ 5.79	\$ 4.53	\$ 232
Advertising Signs-Relocation Agreemt	358 (a)	\$ 1,170		\$ 30.54	\$ 23.87	\$ 1,224
Initial Sign Inventory processing	358 (b)	\$ 655		\$ 17.10	\$ 13.36	\$ 685
In-lieu application - Sign Inventory	358 (c)	\$ 374		\$ 9.76	\$ 7.63	\$ 391
Annual Inventory Maintenance	358 (d)	\$ 211		\$ 5.51	\$ 4.30	\$ 221
Tourist Hotel Conversion	Admin Code 41F	\$ 600				
Tourist Hotel Conversion - with Commission Hearing	Admin Code 41F	\$ 2,400				
Installment Payment Plan - Processing Fee	350 (b)	\$ 50		\$ 1.31	\$ 1.02	\$ 52
BP Appl (Existing, Change in Use, Alteration)	355 (a)	Variable				
BP Appl (New Construction)	355 (b)	Variable				
Windows/Roofs/Siding/Doors Replacemt approved OTC at PIC	355 (a)	1/2 permit fee				
BP-Solar Panels	355 (a)(7)	\$ 131	22.50	\$ 4.01	\$ 2.67	\$ 160
BP-Permit Revision back check fee	355 (a)(2)	\$ 195	22.50	\$ 5.68	\$ 3.98	\$ 227
Shadow Review - No Impact	355 (a)(3)	\$ 446	22.50	\$ 12.23	\$ 9.10	\$ 490
311 Public Notification - ReproMail	355 (a)(4)	\$ 46	22.50	\$ 1.79	\$ 0.94	\$ 71
312 Public Notification - ReproMail	355 (a)(5)	\$ 46	22.50	\$ 1.79	\$ 0.94	\$ 71
Demolition Applications	355 c	\$ 1,377	22.50	\$ 36.53	\$ 28.09	\$ 1,464
BP-Fire Police and Health Permit Fees	355 d	\$ 116		\$ 3.03	\$ 2.37	\$ 121
BP Referral - Entertainment	355 d	\$ 116		\$ 3.03	\$ 2.37	\$ 121
BP Referral - ABC (State)	355 d	\$ 116		\$ 3.03	\$ 2.37	\$ 121
Signs - Permit Applications	355 (e)	\$ 121	22.50	\$ 3.75	\$ 2.47	\$ 150
BP-Solar (over the counter)	355 (a)(7)	\$ 131	22.50	\$ 4.01	\$ 2.67	\$ 160

SAN FRANCISCO PLANNING DEPARTMENT								
PROPOSED FORMULAS FOR SUFFIX "C" (Conditional Use)								
FORMULAS BELOW DO NOT INCLUDE (\$111) BOARD OF SUPERVISORS - APPEAL SURCHARGE								
Factor	1.0465							
Reason	2.61% CPI + 2.04% add'l Increase							
						FY09-10 Current	FY09-10 Proposed	FY09-10 Proposed
			FY10-11 Proposed		FY10-11	Flat Fee plus	Flat Fee plus	Flat + Variable
Construction Cost Range	Proposed Fee Schedule Formula	Current Variable Fee	Estimated Variable Fee	Current Flat Fee	Proposed Flat Fee	Variable Fee	Variable Fee	add-on BOS appeal surchg
\$ 0 (No Construction Cost)	Flat Fee	\$ -	\$ -	800	\$ 1,800	\$ 800	\$ 1,800	\$ 1,911
\$ 1 - \$ 9,999	Flat Fee	\$ -	\$ -	1,229	\$ 1,286	\$ 1,229	\$ 1,286	\$ 1,397
\$ 10,000 - \$ 999,999	$=(999999-10000)*0.583\%$	\$ 5,514	\$ 5,772	1,229	\$ 1,286	\$ 6,743	\$ 7,058	\$ 7,169
\$ 1,000,000 - \$ 4,999,999	$=(4999999-1000000)*0.695\%$	\$ 26,560	\$ 27,800	6,852	\$ 7,171	\$ 33,412	\$ 34,971	\$ 35,082
\$ 5,000,000 - \$ 9,999,999	$=(9999999-5000000)*0.583\%$	\$ 27,850	\$ 29,150	33,958	\$ 35,537	\$ 61,808	\$ 64,687	\$ 64,798
\$ 10,000,000 - \$ 19,999,999	$=(19999999-10000000)*0.303\%$	\$ 29,000	\$ 30,300	62,357	\$ 65,257	\$ 91,357	\$ 95,557	\$ 95,668
\$ 20,000,000 and more		\$ -	\$ -	91,954	\$ 96,230	\$ 91,954	\$ 96,230	\$ 96,341
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee * factor							

SAN FRANCISCO PLANNING DEPARTMENT								
PROPOSED FORMULAS FOR SUFFIX "X" (C-3 Downtown Controls and Coastal Zone Permit Applications)								
FORMULAS BELOW DO NOT INCLUDE (\$22.50) BOARD OF APPEAL SURCHARGE								
Factor	1.0465							
Reason	2.61% CPI + 2.04% add'l Increase							
Construction Cost Range	Proposed Fee Schedule Formula	Current Variable Fee	FY10-11 Proposed Estimated Variable Fee	Current Flat Fee	FY10-11 Proposed Flat Fee	FY09-10 Current Flat Fee plus Variable Fee	FY09-10 Proposed Flat Fee plus Variable Fee	FY09-10 Proposed Flat + Variable add-on BOA surcharge
\$ 0 - \$ 9,999	Flat Fee	\$ -	\$ -	249	\$ 256	\$ 249	\$ 256	\$ 283.50
\$ 10,000 - \$ 999,999	$= (999999 - 10000) * 0.112\%$	\$ 1,109	\$ 1,158	249	\$ 261	\$ 1,358	\$ 1,419	\$ 1,441.50
\$ 1,000,000 - \$ 4,999,999	$= (4999999 - 1000000) * 0.133\%$	\$ 5,320	\$ 5,560	1,378	\$ 1,442	\$ 6,698	\$ 7,002	\$ 7,024.50
\$ 5,000,000 - \$ 9,999,999	$= (9999999 - 5000000) * 0.111\%$	\$ 5,550	\$ 5,800	6,813	\$ 7,130	\$ 12,363	\$ 12,930	\$ 12,952.50
\$ 10,000,000 - \$ 19,999,999	$= (19999999 - 10000000) * 0.058\%$	\$ 5,800	\$ 6,100	12,470	\$ 13,050	\$ 18,270	\$ 19,150	\$ 19,172.50
\$ 20,000,000 and more		\$ -	\$ -	18,412	\$ 19,268	\$ 18,412	\$ 19,268	\$ 19,290.50
Minor change of Condition Only	Flat Fee	\$ -	\$ -	913	\$ 955	\$ 913	\$ 955	\$ 977.50
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee * factor							

SAN FRANCISCO PLANNING DEPARTMENT - BUILDING PERMITS PLAN CHECK FEES									
PROPOSED FORMULAS FOR Building Permits - New Construction									
FORMULAS BELOW DO NOT INCLUDE (\$22.50) BOARD OF APPEAL SURCHARGE									
Factor	1.0465								
Reason	2.61% CPI + 2.04% add'l Increase								
NOTE: CURRENT FLAT FEE INCLUDE DR SURCHARGES OF (\$77*1.0547=\$81*1.0193=\$83)									
					DR \$83	DR \$87			DR \$83
					CE \$272	CE \$285			CE \$272
					Current	Proposed			FY10-11
					Flat Fee plus	Flat Fee with			Proposed
Construction Cost Range (DR Surcharge are included on all level for new construction)	Proposed Fee Schedule Formula	Current Flat Fee w/o DR & CE surcharges	FY 10/11 Proposed Base Flat Fee w/ no surchg added	Current Flat Fee with DR & CE surcharges	FY 10/11 Proposed Flat Fee with DR & CE Surchgs	Current Variable Fee	FY 10-11 Proposed Estimated Variable Fee	Variable Fee (w/ DR & CE surcharges)	Variable Fee (plus DR & CE surcharges)
Less than \$99,999	Flat Fee	\$ 1,767	\$ 1,849	\$ 2,122	2,221	N/A	N/A	\$ 2,122	\$ 2,221
\$100,000 to \$499,999	=(499,999-100,000)*2.446%	\$ 1,768	\$ 1,850	\$ 2,123	2,222	\$ 9,348	\$ 9,784	\$ 11,471	\$ 12,006
\$500,000 to \$999,999	=(999,999-500,000)*0.781%	\$ 11,298	\$ 11,823	\$ 11,653	12,195	\$ 3,730	\$ 3,905	\$ 15,383	\$ 16,100
\$1,000,000 to \$4,999,999	=(4,999,999-1,000,000)*0.300%	\$ 15,101	\$ 15,803	\$ 15,456	16,175	\$ 11,480	\$ 12,000	\$ 26,936	\$ 28,175
\$5,000,000 to \$99,999,999	=(99,999,999-5,000,000)*0.005%	\$ 26,803	\$ 28,049	\$ 27,158	28,421	\$ 4,750	\$ 4,750	\$ 31,908	\$ 33,171
\$100,000,000 or more	Flat Fee	\$ 31,646	\$ 33,118	\$ 32,001	33,490	\$ -	\$ -	\$ 32,001	\$ 33,490
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee * factor								

**Exhibit D: Jurisdiction Comparison
San Francisco Planning Department**

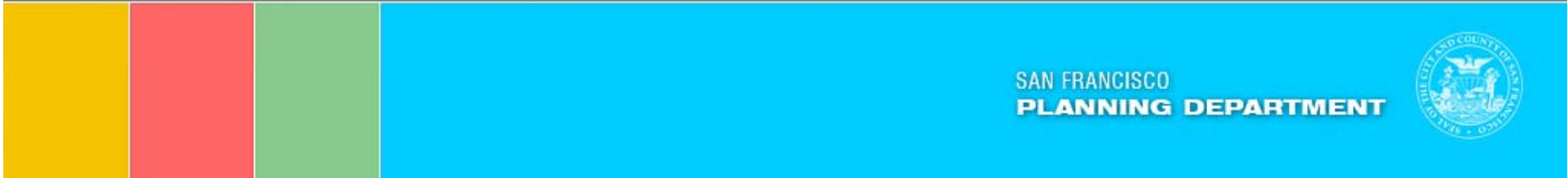
Building Permit (DBI) and Plan Check Fees (CPC)

Project Descriptions	San Francisco	Comment	San Mateo	Comment	Los Angeles	Comment
To replace exterior windows in the front of a one-story 1915 building. Estimated construction cost is \$15K	\$ 1,601	This building permit fee strictly covers DBI permit inspection, processing and plan review & Planning Dept. plan check review fee	\$ 1,200	SM has no planning fee included here since there is no plan check review needed for this remodeling project (regardless whether it is front or rear window)	\$ 651	LA includes dwelling unit construction tax (\$200) and residential development tax (\$300) which was net out from this fee example to be comparable to other jurisdiction
To construct a 2nd story addition of 500 s.f. to a single family home which includes 2 bedrooms and 1 bathroom. Estimated construction cost is \$200K	\$ 7,544	2nd story addition permit fee included DBI plan review, permit process and site inspection, mechanical plan review & Planning Dept. plan check review	\$ 16,129	SM charges 10 hr of planning staff time (\$1,804 refund portion if not used) for plan check review and building permit cost \$13,609 for 2nd story addition	\$ 3,561	LA includes dwelling unit construction tax (\$200) and residential development tax (\$300) which was net out from this fee example to be comparable to other jurisdiction
New construction of a 30-story, 231-residential dwelling unit tower. Estimated construction cost is \$50M	\$ 447,862	New construction permit fee included DBI plan review, permit process and site inspection, mechanical plan review, fire plan check & Planning Dept. plan check review	\$ 1,485,451	SM charges \$29,896 plan check review fee for its Planning Dept. & \$1,389,551 for building permit fee	\$ 519,368	LA includes dwelling unit construction tax (\$46,200) and residential development tax (\$69,300) which was net out from this fee example to be comparable to other jurisdiction
Convert office space to 1 dwelling unit; need building permit to review 2nd fire exit and conversion. Estimated construction cost is \$40K	\$ 3,457	SF permit fee consist of strictly DBI permit fee and Planning Dept. plan check review fee	\$ 1,623	SM has no planning fee included here since there is no plan check review needed for this conversion project	\$ 1,160	LA includes dwelling unit construction tax (\$200) and residential development tax (\$300) which was net out from this fee example to be comparable to other jurisdiction
<i>Note: Electrical and Plumbing are separate permits that applicants must apply if it is applicable to their project; thus their fees are not included below for all jurisdiction.</i>						
<i>The following jurisdictional comparisons do not include development impact fees</i>						

FY2010-11

Proposed Fee Changes

June 24, 2010



SAN FRANCISCO
PLANNING DEPARTMENT



Fee Proposals

- FY2010-2011 Budget reduces the General Fund allocation 43 percent, from \$2,507,806 to \$1,422,507.
- Commission recommended modest fee increase capped at 4.65 percent to retain core programs that were previously General Fund supported.

Automatic CPI adjustment	2.61 percent
Proposed increase	<u>2.04 percent</u>
	4.65 percent



Revenue Impacts

Increase	Chapter 31: CEQA fees	Article 3: Planning Fees	Total
CPI – 2.61 percent	\$136K	\$198K	\$334K
Fee increase – 2.04 percent	\$107K	\$133K	\$240K
Total	\$243K	\$331K	\$574K



Chapter 31 CEQA Fees: Other Changes

- New \$1,130 fee for monitoring mitigations and conditions of approval
- Specific \$240 fee for Categorical Exemption Certificates that other agencies prepare.
- Payment plan processing fee of \$52.
- Change of due date for EIR fee from preliminary draft environmental impact report to Notice of Preparation.
- Requirement that refunds be requested within six months of project closure date.



Chapter 31 CEQA Fees: Amendments

- **Set initial fees to more accurately reflect costs to provide an accurate upfront estimate to the project sponsor and reduce staff time on time and materials billing.**
 - **Categorical Exemption: Class 32**
 - **Add construction based fee starting at \$10,375 to \$22,145 for a project valued at \$10M and above**
 - **Increase EIR and Negative Declaration Addendum fee from \$9,538 to \$22,381**



Article 3.5 Planning Fees: Other Changes

- **No fee increase for very small projects**
 - Building permits, downtown review, variances, and temporary use applications limited to CPI only for low construction cost projects
- **New \$4,500 Wireless Telecommunications Conditional Use Fee**
- **Increase no construction value Conditional Use fee from \$837 to \$1,800 to reflect cost recovery**
- **Increase Discretionary Review fee from \$300 to \$500**



Article 3.5 Planning Fees: DR Fee

- CEQA and Conditional Use Appeal fees are \$500

- Section 350(c) provides an exemption from the fee for
 - Hardship
 - Neighborhood organizations

- Fee of \$500 will cover 15 percent of the total cost which is approximately \$3,285.



Article 3.5 Planning Fees: Amendment

- Add a new \$4,427 Preliminary Project Assessment fee which will be credited against the first project application filed.



Questions

- **Fee revenue assumed in FY2010-11 budget**
- **Ordinances are before Budget and Finance Committee June 21, will be continued pending the Commission's review**
- **Resolutions for approval with amendments**

