



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Administrative Code Text Change

HEARING DATE: JUNE 24, 2010

Reissued report from June 14, 2010

Project Name: **Amendments relating to Administrative Code Sections 31.22 and 31.23: Increase fees to recover costs.**

Date: June 14, 2010

Case Number: 2010.0440T, Board File 10-0724

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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ADMINISTRATIVE CODE AMENDMENTS

The proposed ordinance would amend Administrative Code Sections 31.22, 31.23 and 31.23.1 to (1) increase fees 4.65 percent (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 new fees for mitigation monitoring, MTA and PUC Categorical Exemption Certificates, and a phased payments processing fee; and (3) clarify the phased collection and refund policy and change the due date of EIR fees.

The Way It Is Now:

The Controller annually adjusts environmental review 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 \$107K (the total value is \$240K, \$133K for Planning Code fees, and \$107K for CEQA fees).

Currently, there are no fees for MEA staff to monitor mitigation measures and conditions of approval. Staff time spent on monitoring activities is typically recovered through time and materials billings or through the initial project review fee. Currently, the MTA and PUC should be charged the Categorical Exemption Certificate fee of \$5,333 for the projects that are exempt. However, other City agencies do the majority of the work associated with the review and therefore \$5,333 is too high a fee for our review. Currently, the Planning Code includes a phased collection payment fee of \$50, and clarification that fee refunds must be requested within 6 months of the date the case was closed, but the Administrative Code does not have these provisions. Currently, the EIR fee is due at the preliminary draft environmental impact report (PDEIR 1) which is late in the review process.

The Way It Would Be:

To support \$107K of the historic preservation and code enforcement programs, the proposed legislation increases all environmental review fees 2.04%. The result of this change is a 4.65% increase to environmental review 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 \$243K, of which \$136K is from the automatic CPI adjustment, and \$107K 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 increased 3.88% and the CPI adjustment was 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%.

The table below describes in detail the other fee changes:

New Fee Category

Existing Rule	Proposed Change	Revenue Impact
<p>For review of a categorical exemption prepared by another City Agency, such as the Municipal Transportation Agency or the Public Utilities Commission the Department currently should charge the Categorical Exemption Certificate fee, which is the same initial fee as private parties that have not prepared their own exemption.</p>	<p>For review of a categorical exemption prepared by another City Agency, such as the Municipal Transportation Agency or the Public Utilities Commission: \$240, plus time and materials as set forth in Subsection (b)(2).</p> <p><i>The current fee is \$5333 but the Department typically charges based only on time and materials since the fee is too high.</i></p>	<p>0</p>
<p>Currently, the Department does not charge an initial fee for Monitoring Conditions of Approval and mitigation monitoring but recovers in some instances through time and materials billing.</p>	<p>Monitoring Conditions of Approval and Mitigation Monitoring: Upon adoption of conditions of approval and/or mitigation measures which the Environmental Review Officer determines require active monitoring, the fee shall be \$1,130, as an initial fee, plus time and materials as set forth in Section 31.22(b)2.</p> <p><i>An estimate of 20 projects per year will be charged this new fee, but the Department currently recovers for monitoring through time and materials billing.</i></p>	<p>0</p>

Modifications and Changes to Existing Rules

Existing Rule	Proposed Change	Revenue Impact
Currently, when an environmental impact report is determined to be required, the fee specified in Subsection (a)(2) shall be paid at the time the preliminary draft environmental impact report 1 (PDEIR 1) is prepared.	When an environmental impact report is determined to be required, the fee specified in Subsection (a)(2) shall be paid when the Notice of Preparation is prepared.	0
There is not a payment plan processing fee for environmental review fees.	A nonrefundable processing fee of \$52 is required to set-up any installment payment plan for all application fees. The balance of phased payments must be paid in full one week in advance of the first scheduled public hearing before the Planning Commission in consider the project or before any Environmental Impact report is published. <i>The Department typically receives 10 to 15 applications a year for payment plans.</i>	\$780
There was no limit specified in Charter 31 regarding when refund requests could be submitted.	Refund request must be submitted within six months of the project closure date.	0

RECOMMENDED AMENDMENTS

Currently, the initial fees for Categorical Exemption Class 32 (charged using Categorical Exemption Certificate fee), Negative Declaration Addendum, and EIR Addendum 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. Staff recommends that the Commission

encourage the Board of Supervisors to adjust these initial fees to cost recovery as follows:

EIR and Negative Declaration Addendum:

Page 5, line 16, strike \$9,538 and replace with \$22,381.

Class 32 Categorical Exemptions (specify a different rate for Class 32 Exemptions from other Categorical Exemption Certificates):

Page 6, line 6 add new section (7)(b) as follows:

(7)(b) For preparation of a Class 32 Certificate of Exemption from Environmental Review determining that a project is categorically exempt, the initial fee shall be:

— Where the total estimated construction cost as defined by the San Francisco Building Code is between \$0 and \$9,999: \$10,264;

— Where said total estimated construction cost is \$10,000 or more, but less than \$200,000: \$10,264 +PLUS 0.178% of the cost over \$10,000;

— Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000: \$10,602 PLUS 0.169% of the cost over \$200,000;

— Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000: \$11,954 PLUS 0.052% of the cost over \$1,000,000;

— Where said total estimated construction cost is \$10,000,000 or more: \$16,634 PLUS 0.378% of the cost over \$10,000,000.

Page 6, line 1, add (a) after (7) for formatting consistency. The analysis for these fee increase recommendations is included in Exhibit C to this report.

BASIS FOR APPROVAL WITH AMENDMENTS RECOMMENDATION

The Department supports increasing fees 4.65 percent to support a portion of the Preservation and Code Enforcement programs; adding new fees for mitigation

monitoring, MTA and PUC Categorical Exemption Certificates, and a phased payments processing fee; (3) clarifying the phased collection and refund policy and change the due date of the EIR fees; and (4) increasing Categorical Exemption Class 32 Negative Declaration Addendum, and EIR Addendum fees for cost recovery. These changes are needed to support core functions in the Department, to shift payments from time and materials billing to the initial fee, and to clarify refund and phased payment policies.

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. 10-0724)
- Exhibit C: Proposed Fee Schedule

Exhibit A Planning Commission Resolution No. xxxxx

HEARING DATE: JUNE 24, 2010

Project Name: **Amendments relating to Administrative Code Section 31.22 and 31.23**

Case Number: 2010.0440T [Board File No. 10-0724]

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 SECTION 31.22 AND 31.23 TO INCREASE FEES 4.65 PERCENT, AND MAKE OTHER FEE ADJUSTMENTS FOR COST RECOVERY AND POLICY REASONS; AND MAKES ENVIRONMENTAL FINDINGS.

WHEREAS, the Planning Commission supports (1) retaining the Preservation and Code Enforcement programs, (2) new fees for monitoring mitigation measures and conditions of approval, and a City Agency Categorical Exemption fee, (3) setting initial fees at cost recovery, and (4) clarification of the phased collection and refund policies; 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:

Page 5, line 16, strike \$9,538 and replace with \$22,381.

Class 32 Categorical Exemptions (specify a different rate for Class 32 from other Categorical Exemption Certificates):

Page 6, line 6 add new section (7)(b) as follows:

- (7)(b) For preparation of a Class 32 Certificate of Exemption from Environmental Review determining that a project is categorically exempt, the initial fee shall be:
- Where the total estimated construction cost as defined by the San Francisco Building Code is between \$0 and \$9,999: \$10,264;
- Where said total estimated construction cost is \$10,000 or more, but less than \$200,000: \$10,264 +PLUS 0.178% of the cost over \$10,000;
- Where said total estimated construction cost is \$200,000 or more, but less than \$1,000,000: \$10,602 PLUS 0.169% of the cost over \$200,000;
- Where said total estimated construction cost is \$1,000,000 or more, but less than \$10,000,000: \$11,954 PLUS 0.052% of the cost over \$1,000,000;
- Where said total estimated construction cost is \$10,000,000 or more: \$16,634 PLUS 0.378% of the cost over \$10,000,000.

Page 6, line 1, add (a) after (7) for formatting consistency.

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 [Update to environmental review fees to increase fees for cost recovery, establish a new fee
2 for mitigation and conditions of approval monitoring, and make other clarifying changes.]

3 **Ordinance amending the San Francisco Administrative Code by amending Sections**
4 **31.22, 31.23 and 31.24 to increase all fees 2.61 percent which is the cost of living**
5 **adjustment, and an additional 2.04 percent for cost recovery, further increase**
6 **Categorical Exemption Class 32, Negative Declaration and EIR addendum fees for cost**
7 **recovery, change the timing of EIR payments, add a new fee for mitigation and**
8 **condition of approval monitoring, and for the MTA and PUC for Categorical Exemption**
9 **Certificates, clarify phase collection payments and refund policy, and establish a**
10 **processing fee for phased payments.**

11 Note: Additions are single-underline italics Times New Roman;
12 deletions are ~~strikethrough italics Times New Roman~~.
13 Board amendment additions are double underlined.
14 Board amendment deletions are ~~strikethrough normal~~.

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

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

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

23 (c) It is in the public interest for the private project sponsor to reimburse the City for
24 the benefit he or she derives as a consequence of public supported planning.

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

6 Section 2. The San Francisco Administrative Code is hereby amended by amending
7 Sections 31.22 and 31.23 and adding 31.24, to read as follows:

8 SEC. 31.22 BASIC FEES.

9 (a) The Planning Department shall charge the following basic fees to applicants for
10 projects located outside of recently adopted Plan Areas (adopted after July 1, 2005) that do
11 not require one or more of the following, which will be initiated through the adoption of an Area
12 Plan: Code amendments for the height or bulk district and General Plan amendments, as
13 specified in Section 31.21 above:

14 (1) For an initial study of a project excluding use of special expertise or technical
15 assistance, as described in Section 31.23 below, the initial fee shall be:

16 — Where the total estimated construction cost as defined by the San Francisco
17 Building Code is between \$0 and \$9,999: ~~\$1,003~~ 1,070;

18 — Where said total estimated construction cost is \$10,000 or more, but less than
19 \$200,000: ~~\$4,163,903~~ PLUS 1.9342.024% of the cost over \$10,000;

20 — Where said total estimated construction cost is \$200,000 or more, but less than
21 \$1,000,000: ~~\$8,0847,579~~ PLUS 1.4621.530% of the cost over \$200,000;

22 — Where said total estimated construction cost is \$1,000,000 or more, but less
23 than \$10,000,000: ~~\$20,56149,275~~ PLUS 1.2271.284% of the cost over \$1,000,000;

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1 — Where said total estimated construction cost is \$10,000,000 or more, but less
2 than \$30,000,000: ~~\$138,356,129,705~~ PLUS ~~0.3780.396%~~ of the cost over \$10,000,000;

3 — Where said total estimated construction cost is \$30,000,000 or more, but less
4 than \$50,000,000: ~~\$ 218,998,205,305~~ PLUS ~~0.1420.149%~~ of the cost over \$30,000,000;

5 — Where said total estimated construction cost is \$50,000,000 or more, but less
6 than \$100,000,000: ~~\$249,293,233,705~~ PLUS ~~0.0340.036%~~ of the cost over \$50,000,000;

7 — Where said total estimated construction cost is \$100,000,000 or more:
8 ~~\$267,426,250,705~~ PLUS ~~0.0150.016%~~ of the cost over \$100,000,000.

9 An applicant proposing major revisions to a project application that has been inactive
10 for more than six months and is assigned shall submit a new application. An applicant
11 proposing significant revisions to a project which has not been assigned and for which an
12 application is on file with the Planning Department shall be charged time and materials to
13 cover the full costs in excess of the initial fee paid.

14 (2) For preparation of an environmental impact report excluding use of special
15 expertise or technical assistance, as described in Section 31.23 below, the initial fee shall be:

16 — Where the total estimated construction cost as defined in the San Francisco
17 Building Code is between \$0 to \$199,999: ~~\$23,763,22,277~~;

18 — Where said total estimated construction cost is \$200,000 or more, but less than
19 \$1,000,000: ~~\$23,763,22,277~~ PLUS ~~0.5580.584%~~ of the cost over \$200,000;

20 — Where said total estimated construction cost is \$1,000,000 or more, but less
21 than \$10,000,000: ~~\$28,655,26,864~~ PLUS ~~0.3780.396%~~ of the cost over \$1,000,000;

22 — Where said total estimated construction cost is \$10,000,000 or more, but less
23 than \$30,000,000: ~~\$64,945,60,884~~ PLUS ~~0.1620.155%~~ of the cost over \$10,000,000;

24

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1 — Where said total estimated construction cost is \$30,000,000 or more, but less
2 than \$50,000,000: ~~\$98,01291,884~~ PLUS ~~0.0440.042%~~ of the cost over \$30,000,000;

3 — Where said total construction cost is \$50,000,000 or more, but less than
4 \$100,000,000: ~~\$107,025100,333~~ PLUS ~~0.0440.042%~~ of the cost over \$50,000,000;

5 — Where said total estimated construction cost is \$100,000,000 or more:
6 ~~\$129,747121,634~~ PLUS ~~0.0160.015%~~ of the cost over \$100,000,000.

7 An applicant proposing major revisions to a project application that has been inactive
8 for more than six months and is assigned shall submit a new application. An applicant
9 proposing significant revisions to a project which has not been assigned and for which an
10 application is on file with the Planning Department shall be charged time and materials to
11 cover the full costs in excess of the initial fee paid.

12 (3) For an appeal to the Planning Commission: The fee shall be \$500.00 to the
13 appellant; provided, however, that the fee shall be waived if the appeal is filed by a
14 neighborhood organization that: (a) has been in existence for 24 months prior to the appeal
15 filing date, (b) is on the Planning Department's neighborhood organization notification list, and
16 (c) can demonstrate to the Planning Director or his/her designee that the organization is
17 affected by the proposed project. An exemption from paying this appeal fee may be granted
18 when the requestor's income is not enough to pay for the fee without affecting their abilities to
19 pay for the necessities of life, provided that the person seeking the exemption demonstrates
20 to the Planning Director or his/her designee that they are substantially affected by the
21 proposed project.

22 (4) For an appeal to the Board of Supervisors of environmental determinations,
23 including the certification of an EIR, a negative declaration, or determination of a categorical
24 exemption, the fee shall be \$500.00 to the appellant; provided, however, that the fee shall be
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1 waived if the appeal is filed by a neighborhood organization that: (a) has been in existence for
2 24 months prior to the appeal filing date, (b) is on the Planning Department's neighborhood
3 organization notification list, and (c) can demonstrate to the Planning Director or his/her
4 designee that the organization is affected by the proposed project. Fees shall be used to
5 defray the cost of appeal for the Planning Department. Such fee shall be refunded to the
6 appellant in the event the Planning Department rescinds its determination or the Board of
7 Supervisors remands or rejects the environmental impact report, negative declaration, or
8 determination of a categorical exemption to the Planning Commission for revisions based on
9 issues related to the adequacy and accuracy of the environmental determination. An
10 exemption from paying this appeal fee may be granted when the requestor's income is not
11 enough to pay for the fee without affecting their ability to pay for the necessities of life,
12 provided that the person seeking the exemption demonstrates to the Clerk of the Board of
13 Supervisors or his/her designee that they are substantially affected by the proposed project.

14 (5) For preparation of an addendum to an environmental impact report that has
15 previously been certified, pursuant to Section 15164 of the State CEQA Guidelines: or
16 reevaluation of a modified project for which a negative declaration has been prepared: \$9, 5388,941
17 plus time and materials as set forth in Subsection (b)(2).

18 (6) For preparation of a supplement to a draft or certified final environmental impact
19 report: One-half of the fee that would be required for a full environmental impact report on the
20 same project, as set forth in Paragraph (2) above, plus time and materials as set forth in
21 Subsection (b)(2).

22 (7) ~~For reevaluation of a modified project for which a negative declaration has been~~
23 ~~prepared: \$8,941 plus time and materials as set forth in Subsection (b)(2).~~

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1 (7) For preparation of a Certificate of Exemption from Environmental Review
2 determining that a project is categorically exempt, statutorily exempt, ministerial/nonphysical,
3 an emergency, or a planning and feasibility study: ~~\$285,267~~ for applications that require only a
4 stamp, ~~\$5,5815,232~~ as an initial fee for applications that require an Exemption Certificate, plus
5 time and materials as set forth in Subsection (b)(2).

6 (8) For preparation of an exemption that requires review of historical resource
7 issues only, the following fees apply. For a determination of whether a property is an
8 historical resource under CEQA, the fee is ~~\$2,3392,193~~. For a determination of whether a
9 project would result in a substantial adverse change in the significance of an historical
10 resource, the fee is ~~\$3,2433,040~~.

11 (9) For preparation of a letter of exemption from environmental review: ~~\$285,267~~,
12 plus time and materials as set forth in Subsection (b)(2).

13 (10) For review of a categorical exemption prepared by another City Agency, such as the
14 Municipal Transportation Agency or the Public Utilities Commission: \$240, plus time and materials as
15 set forth in Subsection (b)(2).

16 (11) For reactivating an application that the Environmental Review Officer has
17 deemed withdrawn due to inactivity and the passage of time, subject to the approval of the
18 Environmental Review Officer and within six months of the date the application was deemed
19 withdrawn: ~~\$232218~~ plus time and materials to cover any additional staff costs.

20 (12) Monitoring Conditions of Approval and Mitigation Monitoring: Upon adoption of
21 conditions of approval and/or mitigation measures which the Environmental Review Officer determines
22 require active monitoring, the fee shall be \$1,130, as an initial fee, plus time and materials as set forth
23 in Section 31.22(b)2.

24 (b) Payment.
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1 (1) The fee specified in Subsection (a)(1) shall be paid to the Planning Department
2 at the time of the filing of the environmental evaluation application, and where an
3 environmental impact report is determined to be required, the fee specified in Subsection
4 (a)(2) shall be paid at the time ~~the preliminary draft environmental impact report 1 (PDEIR 1)~~
5 the Notice of Preparation is prepared, except as specified below. However, the Director of
6 Planning or his/her designee may authorize phased collection of the fee for a project whose
7 work is projected to span more than one fiscal year. A nonrefundable processing fee of \$52 is
8 required to set-up any installment payment plan for all application fees. The balance of phased
9 payments must be paid in full one week in advance of the first scheduled public hearing before the
10 Planning Commission in consider the project or before any Environmental Impact report is published.

11 (2) The Planning Department shall charge the applicant for any time and material
12 costs incurred in excess of the initial fee charged if required to recover the Department's costs
13 for providing services. Provided, however, that where a different limitation on time and
14 materials is set forth elsewhere in this section, then that limitation shall prevail.

15 (3) The Controller will annually adjust the fee amounts specified in Section
16 31.22(a)(1), (2), (5), (7), (8), (9), (10) , and (11), Section 31.22 (c), Section 31.23(d) and
17 Section 31.23.1(a) and (b) by the two-year average consumer price index (CPI) change for
18 the San Francisco/San Jose Primary Metropolitan Statistical Area (PMSA).

19 (4) Any fraternal, charitable, benevolent or any other nonprofit organization, that is
20 exempt from taxation under the Internal Revenue laws of the United States and the Revenue
21 and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or
22 other nonprofit organization, or public entity that submits an application for the development of
23 residential units or dwellings all of which are affordable to low and moderate income
24 households, as defined by the United State Housing and Urban Development Department, for
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1 a time period that is consistent with the policy of the Mayor's Office of Housing and the San
2 Francisco Redevelopment Agency may defer payment of the fees specified herein, with the
3 exception of the fees payable pursuant to Section 31.22(a)(3) and (4) and Section
4 31.22(a)(11) herein, until the time of issuance of the building permit, before the building permit
5 is released to the applicant; or (2) within one year of the date of completion of the
6 environmental review document, whichever is sooner. This exemption shall apply
7 notwithstanding the inclusion in the development of other nonprofit ancillary or accessory
8 uses.

9 (5) An exemption from paying the full fees set forth in Section 31.22(a) (3) and (4)
10 herein may be granted when the requestor's income is not enough to pay the fee without
11 affecting his or her ability to pay for the necessities of life, provided that the person seeking
12 the exemption demonstrates to the Director of Planning or his/her designee that he or she is
13 substantially affected by the proposed project.

14 (6) Exceptions to the payment provisions noted above may be made when the
15 Director of Planning or his/her designee has authorized phased collection of the fee for a
16 project whose work is projected to span more than one fiscal year. A nonrefundable processing
17 fee of \$52 is required to set-up any installment payment plan for all application fees. The balance of
18 phased payments must be paid in full one week in advance of the first scheduled public hearing before
19 the Planning Commission to consider the project or before any Environmental Impact report is
20 published.

21 (c) Refunds. When a request for an initial evaluation or for preparation of an
22 environmental impact report is (1) either withdrawn by the applicant prior to publication of an
23 environmental document or (2) deemed canceled by the Planning Department due to inactivity
24 on the part of the applicant, then the applicant shall be entitled to a refund of the fees paid to
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1 the Department less the time and materials expended minus a ~~\$427400~~ processing fee. Refund
2 requests must be submitted within six months of the project closure date.

3 (d) Late Charges and Collection of Overdue Accounts. The Director or his/her
4 designee shall call upon the Bureau of Delinquent Revenues or duly licensed collection
5 agencies for assistance in collecting delinquent accounts more than 60 days in arrears, in
6 which case any additional costs of collection may be added to the fee amount outstanding. If
7 the Department seeks the assistance of a duly licensed collection agency, the approval
8 procedures of Administrative Code Article 5, Section 10.39-1 et seq. will be applicable.

9 (e) These amendments to fees related to the Planning Department are intended to
10 provide revenues for the staffing and other support necessary to provide more timely
11 processing of applications within that Department.

12 SEC. 31.23 OTHER FEES.

13 (a) Where an initial evaluation or preparation of an environmental impact report and
14 related environmental studies require the use of special expertise or technical assistance not
15 provided by the board, commission, department or other person who is to carry out the
16 project, such expertise or assistance shall be paid for by such board, commission, department
17 or other person. This payment shall be made either to the Planning Department or, if the
18 Planning Department so requests, directly to the party that will provide such expertise or
19 technical assistance.

20 (b) Where outside consultants are used for such purposes, and the project is to be
21 directly carried out by a person other than a board, commission or department of the City,
22 such consultants shall report their findings directly to the Planning Department.

23 (c) Where employees of the City are used for such purposes, the costs of such
24 employees shall be paid to the board, commission or department providing such employees.

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1 (d) In addition to any filing fees required by statute, the County Clerk shall collect a
2 documentary handling fee in the amount of ~~\$3230~~ for each filing made pursuant to California
3 Fish and Game Code Section 711.4, Subdivision (d).

4 **SEC. 31.23.1 Community Plan Fees.**

5 (a) The Planning Department shall charge the following Community Plan Fees for
6 environmental applications filed in adopted Plan Areas effective after July 1, 2005:

7 (1) For Class 1 and 3 Exemptions: same as basic fees outlined in Section
8 31.22(a)(8) and (10).

9 (2) For determination of the appropriate environmental document: ~~\$12,46211,683~~
10 and any fee pursuant to Section 31.23.1(c) below. In addition, the applicant shall pay the
11 following fees as appropriate:

12 (i) If the determination is that the project qualifies for a Community exemption or
13 exclusion, the applicant shall pay a fee of ~~\$6,8096,383~~.

14 (ii) If the determination is that the project does not qualify for a Community exemption
15 or exclusion, the applicant shall pay fees as set forth in Section 31.23.1(b) below.

16 (b) The fees for projects determined not to qualify for a Community exemption or
17 exclusion are as follows:

18 (1) For an initial study excluding use of special expertise or technical assistance, as
19 described in Section 31.22 above, the initial fee shall be:

20 — Where the total estimated construction cost as defined by the San Francisco
21 Building Code is between \$0 and \$9,999: ~~\$1,3321,249~~;

22 — Where said total estimated construction cost is \$10,000 or more, but less than
23 \$200,000: ~~\$5,5365,190~~ PLUS ~~2.5192.407~~% of the cost over \$10,000;

1 — Where said total estimated construction cost is \$200,000 or more, but less than
2 \$1,000,000: \$10,4159,764 PLUS 1.9041.819% of the cost over \$200,000;

3 — Where said total estimated construction cost is \$1,000,000 or more, but less
4 than \$10,000,000: \$25,94124,319 PLUS 1.5971.526% of the cost over \$1,000,000;

5 — Where said total estimated construction cost is \$10,000,000 or more, but less
6 than \$30,000,000: \$172,491161,706 PLUS 0.4920.470% of the cost over \$10,000,000;

7 — Where said total estimated construction cost is \$30,000,000 or more, but less
8 than \$50,000,000: \$272,846255,785 PLUS 0.1850.177% of the cost over \$30,000,000;

9 — Where said total estimated construction cost is \$50,000,000 or more, but less
10 than \$100,000,000: \$310,647291,223 PLUS 0.0440.042% of the cost over \$50,000,000;

11 — Where said total estimated construction cost is \$100,000,000 or more:
12 \$333,148312,317 PLUS 0.0190.018% of the cost over \$100,000,000.

13 An applicant proposing major revisions to a project application that has been inactive
14 for more than six months and is assigned shall submit a new application. An applicant
15 proposing significant 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 materials to
17 cover the full costs in excess of the initial fee paid.

18 (2) For preparation of an environmental impact report excluding use of special
19 expertise or technical assistance, as described in Section 31.23 above, the initial fee shall be:

20 — Where the total estimated construction cost as defined in the San Francisco
21 Building Code is between \$0 to \$199,999: \$29,57327,724;

22 — Where said total estimated construction cost is \$200,000 or more, but less than
23 \$1,000,000: \$29,57327,724 PLUS 0.7260.694% of the cost over \$200,000;

24
25

1 — Where said total estimated construction cost is \$1,000,000 or more, but less
2 than \$10,000,000: ~~\$35,663,433~~ PLUS ~~0.4920.470%~~ of the cost over \$1,000,000;

3 — Where said total estimated construction cost is \$10,000,000 or more, but less
4 than \$30,000,000: ~~\$80,822,757.69~~ PLUS ~~0.2020.193%~~ of the cost over \$10,000,000;

5 — Where said total estimated construction cost is \$30,000,000 or more, but less
6 than \$50,000,000: ~~\$121,999,114,371~~ PLUS ~~0.0550.053%~~ of the cost over \$30,000,000;

7 — Where said total construction cost is \$50,000,000 or more, but less than
8 \$100,000,000: ~~\$133,306,124,971~~ PLUS ~~0.0550.053%~~ of the cost over \$50,000,000;

9 — Where said total estimated construction cost is \$100,000,000 or more:
10 ~~\$161,573,151,471~~ PLUS ~~0.0190.018%~~ of the cost over \$100,000,000.

11 An applicant proposing major revisions to a project application that has been inactive
12 for more than six months and is assigned shall submit a new application. An applicant
13 proposing significant revisions to a project which has not been assigned and for which an
14 application is on file with the Planning Department shall be charged time and materials to
15 cover the full costs in excess of the initial fee paid.

16 (3) For the preparation of a focused Environmental Impact Report: one-half the fee
17 that would be required for a full environmental impact report, as set forth in Paragraph (b)(2)
18 above, plus time and materials.

19 (4) The fees above listed in Section 31.24(b) will sunset 20 years after the effective
20 date of Plan Adoption.

21 (c) The Planning Department shall recover the cost of preparing and defending
22 programmatic EIRs, including consultant and City Attorney costs, from project sponsors that
23 file or have filed projects in recently adopted Plan Areas (after July 1, 2005) and filed projects
24 within 10 years of the Programmatic EIR certification.

25

1 The fee shall be a proportional share of the cost of the Programmatic EIR, which is
2 equal to the Department's average time and material costs to prepare and defend a
3 Programmatic EIR divided by the buildable envelope times the square footage of the
4 proposed project.

5 (d) Except as provided below for projects in the Transit Center District area, if at the
6 time of Community Plan adoption, a project application undergoing review required
7 amendments for height or bulk districts or General Plan amendments and now complies with
8 the Community Plan Zoning, the applicant may choose to pay either the fees specified in
9 Section 31.22 or Section 31.23.1. For projects that paid fees under Section 31.22 and opt to
10 pay fees under Section 31.23.1, the applicant shall withdraw the application filed under
11 Section 31.22 and file a new application. Applicants that file a new application and pay the
12 Section 31.23.1 fees shall be entitled to a refund under Section 31.22(c).

13 (i) Transit Center District Plan. Projects in the Transit Center District area that
14 require amendments for height or bulk district or General Plan amendments at the time of
15 project application shall pay the fees specified in Administrative Code Section 31.23.1(b) and
16 31.23.1(c). For projects that paid fees under Section 31.22, the applicant shall pay the
17 difference between Section 31.22 fees and Section 31.23.1(b) and 31.23.1(c) fees.

18

19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21

22 By: _____
23 Kate Herrmann Stacy
24 Deputy City Attorney

24

25

City of San Francisco City Planning (Dept Summary) Adopted FY2010/2011									
							BoA & BoS		
Service Name	Code Section	Current Fee w/o appeal surchg	BoS appeal surchg	FY10/11 Proposed New Fee	incl. Board Surcharge	Round to the nearest dollars			
CEQA Administrative Code Section 31.22 for All Other Areas and Section 31.23.1 for Adopted									
Environmental Evaluation Initial Study outside an adopted Plan Area Area	31.22(a)(1)	Variable	111						
EIR outside an adopted plan area	31.22(a)(2)	Variable							
Environmental Evaluation Initial Study within an adopted Plan Area	31.23.1(b)(1)	Variable	111						
EIR within an adopted Plan Area	31.23.1(b)(2)	Variable							
Reactivate Withdrawn Application	31.22(a)(11)	\$ 222		\$ 232.32		\$ 232			
EIR Addendum	31.22(a)(5)	\$ 9,114		\$ 22,380.93		\$ 22,381			
EIR Supplement	31.22(a)(6)	1/2 EIR fee							
Negative Declaration Addendum/Re- evaluation	31.22(a)(5)	\$ 9,114		\$ 22,380.93		\$ 22,381			
Review of Cat.Ex. prepared by other City Agency	31.22 (a)(10)	N/A		\$ 240.00					
Cat. Ex. Certificate Class 32	31.22 (a)(7)(b)	Variable							
Exemption Certificate, Preservation HRER review	31.22(a)(7)(a)	\$ 5,333	111	\$ 5,691.98	\$ 5,691.98	\$ 5,692			
Cat. Ex. Determination	31.22(a)(8)	\$ 2,235	111	\$ 2,449.93	\$ 2,449.93	\$ 2,450			
Cat. Ex. Determination (significance HR)	31.22(a)(8)	\$ 3,099		\$ 3,243.10		\$ 3,243			
Exemption Stamp or Letter	31.22(a)(7)(a) & (9) & 31.23.1(a)(1)	\$ 272		\$ 284.65		\$ 285			
EE Determination in Plan Areas	31.23.1(a)(2)	\$ 11,908	N/A	\$ 12,461.72		\$ 12,462			
Community Plan Exemption/Exclusion	31.23.1(a)(2)(i)	\$ 6,506	111	\$ 6,919.53	\$ 6,919.53	\$ 6,920			
Appeal of Preliminary Neg. Decl. to Planning Commission	31.22(a)(3)	\$ 500				\$ 500			
Appeal of ND, EIR Cert., Cat.Ex. to the Board of Supv	31.22(a)(4)	\$ 500				\$ 500			
CEQA Refund Request	31.22 c(1)(2)	\$ 408		\$ 426.97		\$ 427			
County Clerk documentary handling fee	31.23 d	\$ 31		\$ 32.44		\$ 32			

Exhibit C

**SAN FRANCISCO PLANNING DEPARTMENT
PROPOSED FORMULAS FOR "CAT. EX. - CLASS 32" (CEQA REVIEW)**

Construction Cost Range	Proposed Fee Schedule Formula	Proposed Estimated Variable Fee	Proposed Flat Fee	FY09-10 Proposed Flat Fee plus Variable Fee	FY09-10 Proposed Flat + Variable add-on BOS appeal \$111
\$ 0 - \$ 9,999	Flat Fee*	\$ -	\$ 10,264	\$ 10,264	\$ 10,375
\$ 10,000 - \$ 199,999	$=(199999-10000)*0.178\%$	\$ 338	\$ 10,264	\$ 10,602	\$ 10,713
\$ 200,000 - \$ 999,999	$=(999999-200000)*0.169\%$	\$ 1,352	\$ 10,602	\$ 11,954	\$ 12,065
\$ 1,000,000 - \$ 9,999,999	$=(9999999-1000000)*0.052\%$	\$ 4,680	\$ 11,954	\$ 16,634	\$ 16,745
\$ 10,000,000 and above	$=(29999999-10000000)*0.378\%$	\$ 5,400	\$ 16,634	\$ 22,034	\$ 22,145
construction cost at \$99,999,999	$=(99999999-10000000)*0.378\%$	\$ 24,300	\$ 16,634	\$ 40,934	\$ 41,045

SAN FRANCISCO PLANNING DEPARTMENT								
ADOPTED PLAN AREAS								
PROPOSED FORMULAS FOR "EE" (Environmental Evaluations)								
Factor	1.0465							
=	2.61% CPI + 2.04% add'l Increase							
						FY09-10	FY10-11	FY10-11
						Current	Proposed	Proposed
						Flat Fee plus	Flat Fee plus	Flat + Variable
Construction Cost Range	Proposed Fee Schedule Formula	Current Variable Fee	Proposed Estimated Variable Fee	Current Flat Fee	Proposed Flat Fee	Variable Fee	Variable Fee	add-on BOS appeal \$111
\$ 0 - \$ 9,999	Flat Fee*	\$ -	\$ -	\$ 1,273	\$ 1,332	\$ 1,273	\$ 1,332	\$ 1,443
\$ 10,000 - \$ 199,999	=(199,999-10,000)*2.519%	\$ 4,573	\$ 4,786	\$ 5,290	\$ 5,536	\$ 9,863	\$ 10,322	\$ 10,433
\$ 200,000 - \$ 999,999	=(999,999-200,000)*1.904%	\$ 14,552	\$ 15,232	\$ 9,952	\$ 10,415	\$ 24,504	\$ 25,647	\$ 25,758
\$ 1,000,000 - \$ 9,999,999	=(9,999,999-1,000,000)*1.597%	\$ 137,340	\$ 143,730	\$ 24,788	\$ 25,941	\$ 162,128	\$ 169,671	\$ 169,782
\$ 10,000,000 - \$ 29,999,999	=(29,999,999-10,000,000)*0.492%	\$ 94,000	\$ 98,400	\$ 164,827	\$ 172,491	\$ 258,827	\$ 270,891	\$ 271,002
\$ 30,000,000 - \$ 49,999,999	=(49,999,999-30,000,000)*0.185%	\$ 35,400	\$ 37,000	\$ 260,722	\$ 272,846	\$ 296,122	\$ 309,846	\$ 309,957
\$ 50,000,000 and \$ 99,999,999	=(99,999,999-50,000,000)*0.044%	\$ 21,000	\$ 22,000	\$ 296,844	\$ 310,647	\$ 317,844	\$ 332,647	\$ 332,758
\$ 100,000,000 - more	=(999,999,999-100,000,000)*0.019%	\$ 162,000	\$ 171,000	\$ 318,345	\$ 333,148	\$ 480,345	\$ 504,148	\$ 504,259
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee x factor							

Exhibit C

SAN FRANCISCO PLANNING DEPARTMENT							
ADOPTED PLAN AREAS							
PROPOSED FORMULAS FOR "EIR" (Environmental Impact Reports)							
	Factor	1.0465					
		2.61% CPI + 2.04% add'l Increase					
						FY09-10	FY10-11
						Current	Proposed
			Proposed			Flat Fee plus	Flat Fee plus
Construction Cost Range	Proposed Fee Schedule Formula	Current Variable Fee	Estimated Variable Fee	Current Flat Fee	Proposed Flat Fee	Variable Fee	Variable Fee
\$ 0 - \$ 199,999	Flat Fee	\$ -	\$ -	\$ 28,259	\$ 29,573	\$ 28,259	\$ 29,573
\$ 200,000 - \$ 999,999	=(999,999-200,000)*0.726%	\$ 5,552	\$ 5,808	\$ 28,259	\$ 29,573	\$ 33,811	\$ 35,381
\$ 1,000,000 - \$ 9,999,999	=(9,999,999-1,000,000)*0.492%	\$ 42,300	\$ 44,280	\$ 34,078	\$ 35,663	\$ 76,378	\$ 79,943
\$ 10,000,000 - \$ 29,999,999	=(29,999,999-10,000,000)*.202%	\$ 38,600	\$ 40,400	\$ 77,231	\$ 80,822	\$ 115,831	\$ 121,222
\$ 30,000,000 - \$ 49,999,999	=(49,999,999-30,000,000)*0.055%	\$ 10,600	\$ 11,000	\$ 116,578	\$ 121,999	\$ 127,178	\$ 132,999
\$ 50,000,000 and \$ 99,999,999	=(99,999,999-50,000,000)*0.055%	\$ 26,500	\$ 27,500	\$ 127,383	\$ 133,306	\$ 153,883	\$ 160,806
\$ 100,000,000 - more	=(999,999,999-100,000,000)*0.019%	\$ 162,000	\$ 171,000	\$ 154,394	\$ 161,573	\$ 316,394	\$ 332,573
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee x factor						

SAN FRANCISCO PLANNING DEPARTMENT								
PROPOSED FORMULAS FOR "EE" (Environmental Evaluations)								
Factor	1.0465							
	= 2.61% CPI + 2.04% add'l Increase							
						FY09-10 Current	FY10-11 Proposed	FY10-11 Proposed
			Proposed			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 \$111
\$ 0 - \$ 9,999	Flat Fee*	\$ -	\$ -	\$ 1,022	\$ 1,070	\$ 1,022	\$ 1,070	\$ 1,181
\$ 10,000 - \$ 199,999	=(199,999-10,000)*2.024%	\$ 3,675	\$ 3,846	\$ 3,978	\$ 4,163	\$ 7,653	\$ 8,009	\$ 8,120
\$ 200,000 - \$ 999,999	=(999,999-200,000)*1.530%	\$ 11,696	\$ 12,240	\$ 7,725	\$ 8,084	\$ 19,421	\$ 20,324	\$ 20,435
\$ 1,000,000 - \$ 9,999,999	=(9,999,999-1,000,000)*1.284%	\$ 110,430	\$ 115,560	\$ 19,647	\$ 20,561	\$ 130,077	\$ 136,121	\$ 136,232
\$ 10,000,000 - \$ 29,999,999	=(29,999,999-10,000,000)*0.396%	\$ 75,600	\$ 79,200	\$ 132,208	\$ 138,356	\$ 207,808	\$ 217,556	\$ 217,667
\$ 30,000,000 - \$ 49,999,999	=(49,999,999-30,000,000)*0.149%	\$ 28,400	\$ 29,800	\$ 209,267	\$ 218,998	\$ 237,667	\$ 248,798	\$ 248,909
\$ 50,000,000 and \$ 99,999,999	=(99,999,999-50,000,000)*0.036%	\$ 17,000	\$ 18,000	\$ 238,216	\$ 249,293	\$ 255,216	\$ 267,293	\$ 267,404
\$ 100,000,000 - more	=(999,999,999-100,000,000)*0.016%	\$ 135,000	\$ 144,000	\$ 255,543	\$ 267,426	\$ 390,543	\$ 411,426	\$ 411,537
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee x factor							

Exhibit C

SAN FRANCISCO PLANNING DEPARTMENT							
PROPOSED FORMULAS FOR "EIR" (Environmental Impact Reports)							
Factor		1.0465		2.61% CPI + 2.04% add'l Increase		FY09-10	FY10-11
						Current	Proposed
						Flat Fee plus	Flat Fee plus
Construction Cost Range	Proposed Fee Schedule Formula	Current Variable Fee	Proposed Estimated Variable Fee	Current Flat Fee	Proposed Flat Fee	Variable Fee	Variable Fee
\$ 0 - \$ 199,999	Flat Fee	\$ -	\$ -	\$ 22,707	\$ 23,763	\$ 22,707	\$ 23,763
\$ 200,000 - \$ 999,999	=(999,999-200,000)*0.584%	\$ 4,464	\$ 4,672	\$ 22,707	\$ 23,763	\$ 27,171	\$ 28,435
\$ 1,000,000 - \$ 9,999,999	=(9,999,999-1,000,000)*0.396%	\$ 34,020	\$ 35,640	\$ 27,382	\$ 28,655	\$ 61,402	\$ 64,295
\$ 10,000,000 - \$ 29,999,999	=(29,999,999-10,000,000)*.162%	\$ 31,000	\$ 32,400	\$ 62,059	\$ 64,945	\$ 93,059	\$ 97,345
\$ 30,000,000 - \$ 49,999,999	=(49,999,999-30,000,000)*0.044%	\$ 8,400	\$ 8,800	\$ 93,657	\$ 98,012	\$ 102,057	\$ 106,812
\$ 50,000,000 and \$ 99,999,999	=(99,999,999-50,000,000)*0.044%	\$ 21,000	\$ 22,000	\$ 102,269	\$ 107,025	\$ 123,269	\$ 129,025
\$ 100,000,000 - more	=(999,999,999-100,000,000)*0.016%	\$ 135,000	\$ 144,000	\$ 123,982	\$ 129,747	\$ 258,982	\$ 273,747
Key to Adjustment Formula:	total cost/current revenue = factor, current % and flat fee x factor						

Class 32 fee analysis

Total number	23
Average time	65.6
Median time	66.4
% cost recovery	28%
current fee	\$ 3,040
proposed new fee	\$10,264
proposed new fee at median	\$ 11,948

CaseNo	Suffix	File Date	Project Name	Close Date	Case Type	Total Hours	Time & Materials	Initial Fees	100% cost recovery fee
2005.0285	E	3/21/2005	717 BATTERY ST	11/27/2007	Class 32	85.75	\$8,990	\$154,477	\$15,435
2005.0937	E	9/29/2005	736 VALENCIA ST	1/4/2007	Class 32	117.25	\$8,599	\$8,599	\$21,105
2006.1409	E	11/21/2006	2200 MARKET ST	9/19/2008	Class 32	35.5	\$3,212	\$83,180	\$6,390
2008.0907	E	7/30/2008	1 MARKET ST	3/13/2009	Categorical Exemption Certificate Class 32	89.25	\$8,807	\$5,214	\$16,065
2008.0795	E	7/2/2008	574 NATOMA ST	4/2/2009	Categorical Exemption Certificate Class 32	77.25	\$7,217	\$5,214	\$13,905
2008.0239	E	2/27/2008	1801 GREEN ST	5/28/2009	Categorical Exemption Certificate Class 32	25.5	\$2,391	\$3,040	\$4,590
2008.0023	E	1/8/2008	461 29TH ST	4/8/2008	Categorical Exemption Certificate Class 32	23.25	\$1,808	\$5,214	\$4,185
2007.1397	E	12/7/2007	1266 09TH AV	6/12/2008	Categorical Exemption Certificate Class 32	38.5	\$3,462	\$5,214	\$6,930
2007.1379	E	12/5/2007	SFPUC Waste Vegetable Oil Station	6/9/2008	Categorical Exemption Certificate Class 32	51	\$4,682	\$5,214	\$9,180
2007.1337	E	11/19/2007	134-140 NEW MONTGOMERY ST	10/28/2008	Categorical Exemption Certificate Class 32	109.25	\$10,556	\$185	\$19,665
2007.0980	E	8/13/2007	220 GOLDEN GATE AV	8/7/2008	Categorical Exemption Certificate Class 32	92.25	\$8,635	\$4,905	\$16,605
2007.0679	E	7/20/2007	290 BEACON ST	3/13/2009	Categorical Exemption Certificate Class 32	55.5	\$5,236	\$170	\$9,990
2007.0388	E	6/13/2007	2574 SAN BRUNO AV	8/22/2007	Categorical Exemption Certificate Class 32	55.25	\$5,083	\$4,785	\$9,945
2007.0178	E	2/16/2007	2350 19TH AV	10/3/2007	Categorical Exemption Certificate Class 32	47.75	\$3,664	\$4,785	\$8,595
2007.0081	E	1/16/2007	129 & 137 GIRARD ST	6/5/2008	Categorical Exemption Certificate Class 32	79	\$7,341	\$4,785	\$14,220
2006.1525	E	11/1/2007	2829 California Street	1/9/2008	Categorical Exemption Certificate Class 32	16.5	\$1,528	\$4,905	\$2,970
2006.0674	E	5/25/2006	636 PLYMOUTH AV	1/15/2008	Categorical Exemption Certificate Class 32	98.25	\$7,479	\$150	\$17,685
2006.0660	E	5/19/2006	100 CALIFORNIA ST	1/15/2008	Categorical Exemption Certificate Class 32	118.25	\$10,795	\$160	\$21,285
2005.0488	E	5/20/2005	25 LUSK ST	12/26/2006	Categorical Exemption Certificate Class 32	104.25	\$8,998	\$160	\$18,765
2005.0275	E	3/17/2005	229 32ND AV KDBurke School	8/31/2006	Categorical Exemption Certificate Class 32	118	\$9,609	\$160	\$21,240
2007.1121	E	10/24/2007	429 BEALE ST	5/27/2009	Community Exemption Exclusion Class 32	95.25	\$11,807	\$6,494	\$17,145
2009.0066	E	1/27/2009	1 GRANT AV	6/25/2009	Determination of Historic Resource Impact Class 32	8.25	\$824	\$3,040	\$1,485
2008.1064	E	9/9/2008	2471 33RD AV	12/15/2008	Exemption Determination of Historic Resource Class 32	9	\$926	\$2,304	\$1,620
Total						\$1,312	\$120,849	\$66,098	\$236,070

* uses cases closed in FY 2007 - FY 2009
cost recovery assumed at \$180 dollars per hour

Neg Nec Addendum and EIR Addendum fee analysis

	Total number
	12
Average time	105.9
Median time	40.8
% cost recovery	25%
current fee	\$ 9,114.00
proposed new fee at average	\$ 37,093.76
proposed new fee at median	\$ 22,380.93

CaseNo	Suffix	File Date	Project Name	Close Date	Case Type	Total Hours	Time & Materials	Initial Fees	100% cost recovery fee
1998.834	E	1/16/2007	West Harbor Dredging	6/20/2007	Negative Declaration Addendum/Re-evaluation	67.75	\$6,116	\$7,891	135,982*
1998.902	E	6/5/2006	First & Howard Office Development	10/4/2006	EIR Addendum	591.75	\$42,498	\$5,000	\$ 110,137
2007.1267	E	11/7/2007	631 FOLSOM ST	6/6/2008	Negative Declaration Addendum/Re-evaluation	50.5	\$4,993	\$8,588	\$ 101,359
2007.1126	E	9/28/2007	5800 03RD ST	1/9/2008	Negative Declaration Addendum/Re-evaluation	30.5	\$3,493	\$8,477	\$ 61,217
2007.0094	E	1/23/2007	1401 DIVISADERO ST	5/1/2008	EIR Addendum	218	\$23,866	\$7,780	\$ 40,574
1998.902	E	12/7/2007	First & Howard Office Development	10/2/2008	EIR Addendum	162.5	\$14,999	\$8,477	\$ 30,245
2003.0262	E	5/9/2008	1455 MARKET ST	4/24/2009	EIR Addendum	78	\$7,838	\$8,477	\$ 14,517
2006.1248	E	11/2/2006	55 09TH ST	1/9/2008	EIR Addendum	31	\$3,259	\$7,780	\$ 5,770
2007.1149	E	10/9/2007	SFIA Terminals 1 & 2	12/31/2007	EIR Addendum	23	\$3,429	\$8,477	\$ 4,281
1999.377	E	10/27/2006	Southern Waterfront-Pier 96	12/1/2006	EIR Addendum	9	\$943	\$7,780	\$ 1,675
2006.0829	E	7/7/2006	Hunters Point Shipyard Phase I Dev.	8/22/2006	EIR Addendum	6.25	\$629	\$5,000	\$ 1,163
2000.005	E	7/31/2007	Laguna Honda Hospital	6/4/2008	EIR Addendum	2	\$246	\$7,780	372*
Total						1270.25	\$ 112,307	\$ 91,507	\$ 370,938

* uses cases closed in FY 2007 - FY 2009
 cost recovery assumed at \$186 dollars per hour