

1 [Planning Code - Fee Elimination]
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3 **Ordinance amending the Planning Code to eliminate 4 fees, including the Installment**
4 **Agreement Processing Fee, the Refund Processing Fee, the Fee for Information**
5 **Analysis Request for Information Technology, and the Reactivation Fee for Closed**
6 **Cases; making environmental findings, and findings of consistency with the General**
7 **Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

15 Be it ordained by the People of the City and County of San Francisco:
16

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. 140593, and is incorporated herein by reference.

22 (b) On May 8, 2014, the Planning Commission, in Resolution No. 19141, adopted
23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
24 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
25 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
Board of Supervisors in File No. 140593, and is incorporated herein by reference.

1 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
2 amendments will serve the public necessity, convenience, and welfare for the reasons set
3 forth in Planning Commission Resolution No. 19141, and the Board incorporates such
4 reasons herein by reference. A copy of Planning Commission Resolution No. 19141 is on file
5 with the Board of Supervisors in File No. 140593.

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7 Section 2. The Planning Code is hereby amended by revising Sections 350 and 351 to
8 read as follows:

9 **SEC. 350. FEES, GENERAL.**

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

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

15 (b) All fees are payable at time of filing application or request, except where noted
16 otherwise. However, the Director of Planning or his/her designee may authorize phased
17 collection of the fee for a project whose work is projected to span more than one fiscal year. ~~A~~
18 ~~nonrefundable processing fee of \$53 is required to set up any installment payment plan for all~~
19 ~~application fees.~~ The balance of phased payments must be paid in full one week in advance of
20 the first scheduled public hearing before the Planning Commission to consider the project or
21 before issuance of the first site permit if no hearing is required.

22 * * * *

23 (d) Refunds. When an application is withdrawn by the applicant prior to a public
24 hearing, or deemed canceled by the Planning Department due to inactivity on the part of the
25 applicant, then the applicant shall be entitled to a refund of the fee paid to the Department

1 less the time and materials expended *minus a \$436 processing fee*. Refund requests must be
2 submitted within six months of the project closure date.

3 * * * *

4 **SEC. 351. MISCELLANEOUS SERVICES.**

5 (a) **Agendas for Planning Commission:** \$38.00 annual subscription to cover costs of
6 mailing. The Planning Director or his/her designee may authorize exemptions in those
7 instances where costs would impose financial hardship.

8 (b) **Agendas for Historic Preservation Commission:** \$38.00 annual subscription to
9 cover costs of mailing. The Planning Director or his/her designee, may authorize exemption in
10 those instances where costs would impose financial hardship.

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

14 ~~(d) Information, Analysis, Report Preparation and Presentation, Research Services, Data~~
15 ~~Requests: The costs of report preparation may be amortized by factoring full-cost recovery into the~~
16 ~~pricing of such information and reports: \$250.00 as an initial fee.~~

17 **(d e) Monitoring Projects:**

18 ~~(H)~~ **Monitoring Conditions of Approval:** Upon adoption of conditions of
19 approval which the Zoning Administrator determines require active monitoring, the fee shall be
20 \$1,153.00 as an initial fee, plus time and materials as set forth in Section 350(c).

21 ~~(e.f)~~ **Project Review for Policy and Code Review and Interpretation for**
22 **Prospective Projects for which an Application has not been Filed, and Site-Specific**
23 **Design Guidelines and Code-Complying Massing Recommendations and Department**
24 **facilitated pre-application meetings:** \$376.00 for new construction and modifications to 5 or
25 fewer dwelling units and for affordable housing projects as defined in the Guidelines of the

1 United States Housing and Urban Development Department, and \$889.00 for all other
2 projects and Department facilitated pre-application meetings.

3 (f g) (1) Project Notifications for an Individual Requesting Notification of Project
4 Applications:

5 (A) First Address or First Assessor's Lot: \$33.00 per annum.

6 (B) Additional Addresses: \$13.00 for addresses in each new Assessor's
7 Lot thereafter, per annum.

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

12 (A) **First Address or First Assessor's Block:** \$33.00 per annum.

13 (B) **Additional Addresses:** \$13.00 for addresses in each new Assessor's
14 Block thereafter, per annum.

15 (g h) **Zoning Administrator Written Determinations Pursuant to Section 307(a):**
16 \$125.00 for zoning letters of conformance, \$563.00 for other written determinations.

17 ~~(i) Reactivating an application that the Zoning Administrator has deemed withdrawn due to~~
18 ~~inactivity and the passage of time, subject to the approval of the Zoning Administrator and within six~~
19 ~~months of the date the application was deemed withdrawn: \$237.00~~

20 (h j) **Preliminary Project Assessment:** \$4,427 which will be credited to the first project
21 application filed.

22
23 Section 3. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
25

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

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

13 By:



14 Kate Herrmann Stacy
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 140593

Date Passed: July 22, 2014

Ordinance amending the Planning Code to eliminate 4 fees, including the Installment Agreement Processing Fee, the Refund Processing Fee, the Fee for Information Analysis Request for Information Technology, and the Reactivation Fee for Closed Cases; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

June 18, 2014 Budget and Finance Committee - CONTINUED

June 20, 2014 Budget and Finance Committee - RECOMMENDED

July 08, 2014 Board of Supervisors - CONTINUED ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

July 15, 2014 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

July 22, 2014 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Avalos

File No. 140593

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/22/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

7/31/2014
Date Approved