

ORDINANCE NUMBER O- 22111

DATE OF FINAL PASSAGE JUN 15 2026

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING FEE INCREASES FOR  
ENVIRONMENTAL AND PROJECT APPEALS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. The Development Services Enterprise Fund was established in 1985 and funds the development project review and inspection services and is supported solely from fees paid by customers (fee-for-service) (DSD User Fees).

B. Ordinance O-18822, adopted July 17, 2000, established the Appeal Fee at \$100.

C. Ordinance O-20862, adopted October 25, 2017, did the following:

a. Increased the appeal fee to \$1,000 for CIP-Process Two and Process Four and environmental determinations based on a review of the cost associated with the General Fund staff time involved for staffing an appeal hearing at the Council, as set forth in the Memorandum to the Smart Growth and Land Use Committee Members dated May 12, 2017, on file in the Office of the City Clerk as document O-20862;

b. Kept the fees for appeals to the Planning Commission for Process Two and Three at \$100;

c. Recognized Community Planning Groups were exempt from paying a fee for appeals made in accordance with CIP-Process Two, Process Two, Process Three, Process Four or environmental determinations; and

d. Refunded the appeal fee if appellants withdraw their appeals prior to a public hearing.

- D. Ordinance O-21116, passed August 8, 2019, did the following:
- a. Increased the appeal fees for an extension of time for a map waiver and extension of time for development permits from \$100 to \$1,000 based on the analysis done in 2017 in conjunction with O-20862; and
  - b. Recognized Community Planning Groups may continue to receive a fee waiver for an extension of time for a map waiver and extension of time for development permits.
- E. Resolution R-313899, adopted February 25, 2022, approved the establishment of new rates and fees and adjustments to existing rates and fees based on comprehensive user fee studies and recovering costs incurred by the City of San Diego.
- F. As part of the standardization and study of all City rates and fees done as part of Resolution R-313899, the Fiscal Year 2023 Development Services Fund Appeal Fee was increased to \$1,000, such that all appeal fees were the same at \$1,000.
- G. Ordinance O-21546, passed October 12, 2022, removed the fee waiver for Community Planning Groups.
- H. The appeal fees are intended to recover all reasonable and allowable costs incurred in providing the services necessary to process the appeals.
- I. The appeal fee in 2017 was determined based on the number of appeals, unrecovered cost of those appeals to the Development Services Department (DSD), and the cost to process those appeals to the Council, including a detailed analysis of the positions, hourly rate, and staff time required to staff the appeal hearings.
- J. The analysis prepared in 2017 has been updated to reflect 2025 information as follows:

a. The appeals process has not changed since 2017 and thus the number of staff and positions required to hear an appeal remains constant;

b. The average length of the appeals heard by Council in 2025 was approximately 46 minutes, similar to the length of hearing time used in the 2017 memo;

c. The salaries of City staff processing the appeal have increased, thus the total cost required to process an appeal has increased from \$1,238 to \$2,380, based on the specific salary increases published in Transparent California for the applicable positions.

K. A similar analysis to the one made for Council Appeals was done for appeals to the Planning Commission, as follows:

a. Applicants pay for non-management staff time spent on the appeal but not time spent at the appeal hearing.

b. City Planning Staff reviewed video footage of all Planning Commission appeal hearings from 2025.

c. The average length of the hearings was 1 hour and 8 minutes with nine paid, but un-reimbursed staff members present.

d. Based on average salaries, overhead, and time spent on the hearings, approximately \$1,140 in City staff costs are not reimbursed by the applicant.

L. Low-resource areas, as identified by the California Tax Credit Allocation Committee, often have residents with lower incomes, making even small fees a significant barrier to accessing rights or challenging decisions.

M. Any further changes to the appeal fee may be made by resolution, consistent with Resolution R-313899 establishing new rates and fees throughout the City.

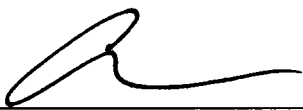
N. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

1. Council adopts the Appeal Fee increase, on file in the Office of the City Clerk as Document No. OO- 22111, effective upon final passage of Ordinance O- 22111 related to Environmental and Project Appeal Fees.
2. Appeal Fees for appeals to the Council are increased from \$1,000 to \$2,380.
3. Appeal Fees for appeals to the Planning Commission are increased from \$1,000 to \$1,140.
4. An appellant shall receive a 50 percent reduction in appeal fees if the appealable project is within a low-resource census tract identified by the California Tax Credit Allocation Committee at the time the application is deemed complete.
5. The Council directs the Department of Finance to amend the Rate Book to include updated fees and provide a link to the City Clerk that the City Clerk must post on its website to ensure public access.

APPROVED: HEATHER FERBERT, City Attorney

By   
\_\_\_\_\_  
Corrine L. Neuffer  
Chief Deputy City Attorney

CLN:LJS:cm  
March 6, 2026  
Or.Dept: City Planning  
Doc. No. 4407301

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on  
JUN 08 2026

DIANA J.S. FUENTES  
City Clerk

By *Kristell Medina*  
Deputy City Clerk

Approved: *6/15/26*  
(date)

*Todd Gloria*  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

0130

Passed by the Council of The City of San Diego on June 8, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 15 2026

**(Please note: When an ordinance is approved by the Mayor, the date of final passage is the date the approved ordinance was returned to the Office of the City Clerk.)**

AUTHENTICATED BY: TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on MAY 11 2026, and on JUN 15 2026.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number **O-22111**