



San Francisco
Planning



ACCESSIBLE BUSINESS ENTRANCE PROGRAM (ABE) Earthquake Safety Fair June 11, 2019



Program Objectives

Greater access to goods and services

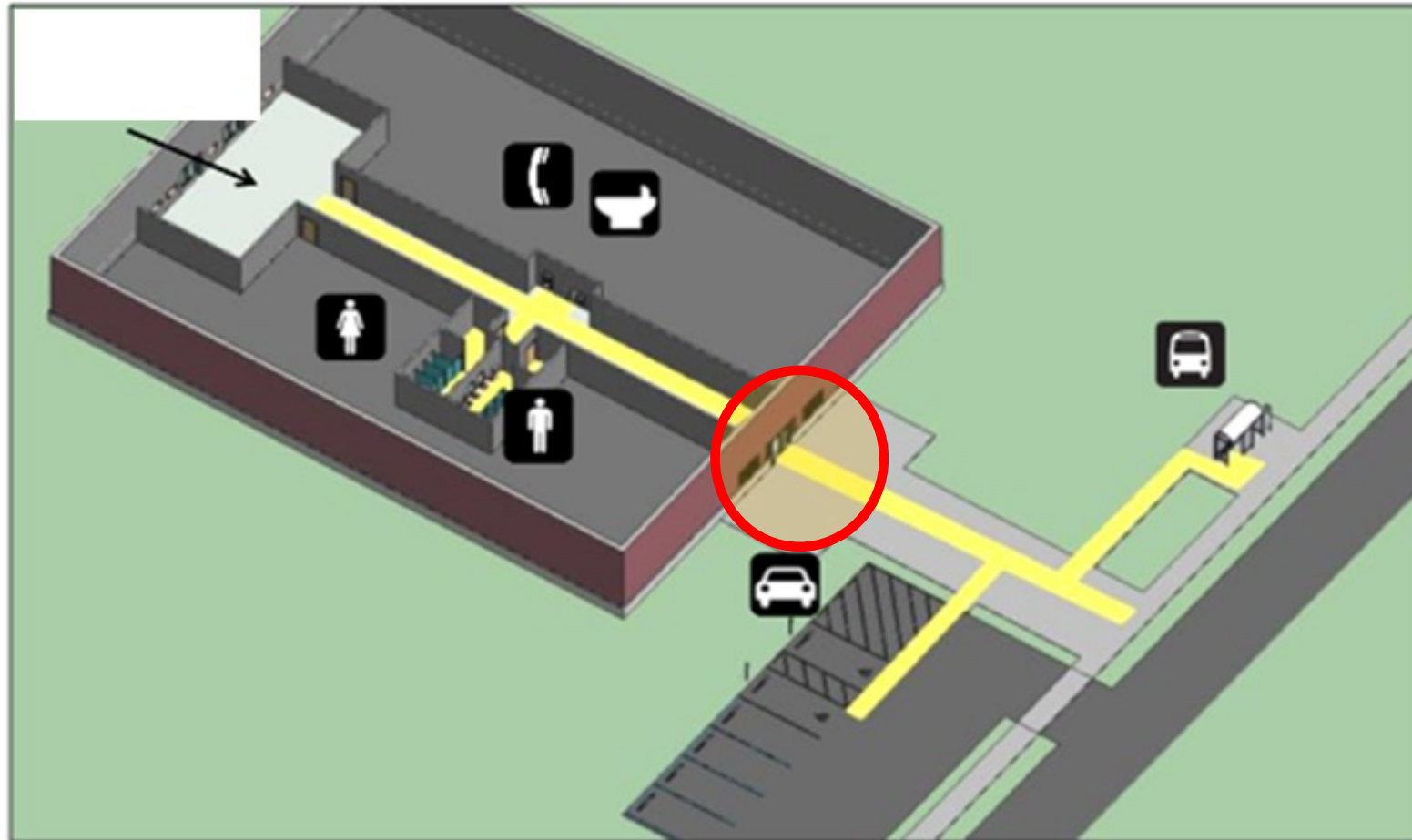
Ensure safe and useable entrances

Reduce liability by eliminating barriers to access under State and Federal laws (“drive-by” lawsuits)

Help property owners better comply with existing construction-related accessibility requirements

Applies to Primary Entrances

Path of Travel (202.4)



Program
applies to
building's
primary
entrance(s)

Partnering Agencies' Roles & Processes

Building Inspection

- Program Administrator

SF Planning

- Historical Building Review

Public Works

- Public Right of Way

Access Appeals
Commission

- Technical Infeasibilities/Unreasonable Hardships

Office of Small Business

- Small Business Resource

Mayor's Office on Disability

- Technical Expertise Relating to ADA Title II

Table 1107D: Compliance Categories & Schedule

	Description	Submit Category Checklist	File Application for Building Permit(s)	Obtain Building Permit(s)
Category 1	In compliance, no steps and no barriers	January 1, 2019	N/A	N/A
Category 2	No steps, has minor barriers	January 1, 2019	April 1, 2019	April 1, 2020
Category 3	One step	June 1, 2019	September 1, 2019	September 1, 2020
Category 4	More than one step and/or other major barriers	December 1, 2019	March 1, 2020	March 1, 2021

Steps to Program Compliance

STEP 1

- Determine which one of the three forms you will need to submit to DBI: Pre-Screening Form, Waiver or Category Checklist Compliance Form. If you submit a Pre-Screening or Waiver form, you will have complied with the Program's requirements and no additional action is required.



STEP 2

- If your property is not exempt or waived, have a licensed architect, licensed engineer, or Certified Access Specialist (CAsp) review and complete the Category Checklist Compliance Form. Submit your completed form to DBI by the compliance date according to your property's compliance



STEP 3

- File application for any required permits by the compliance date according to your property's compliance category.
Note: For properties that fall under compliance category 2, 3 or 4, please consult with Planning and/or Public Works prior to submitting your checklist.

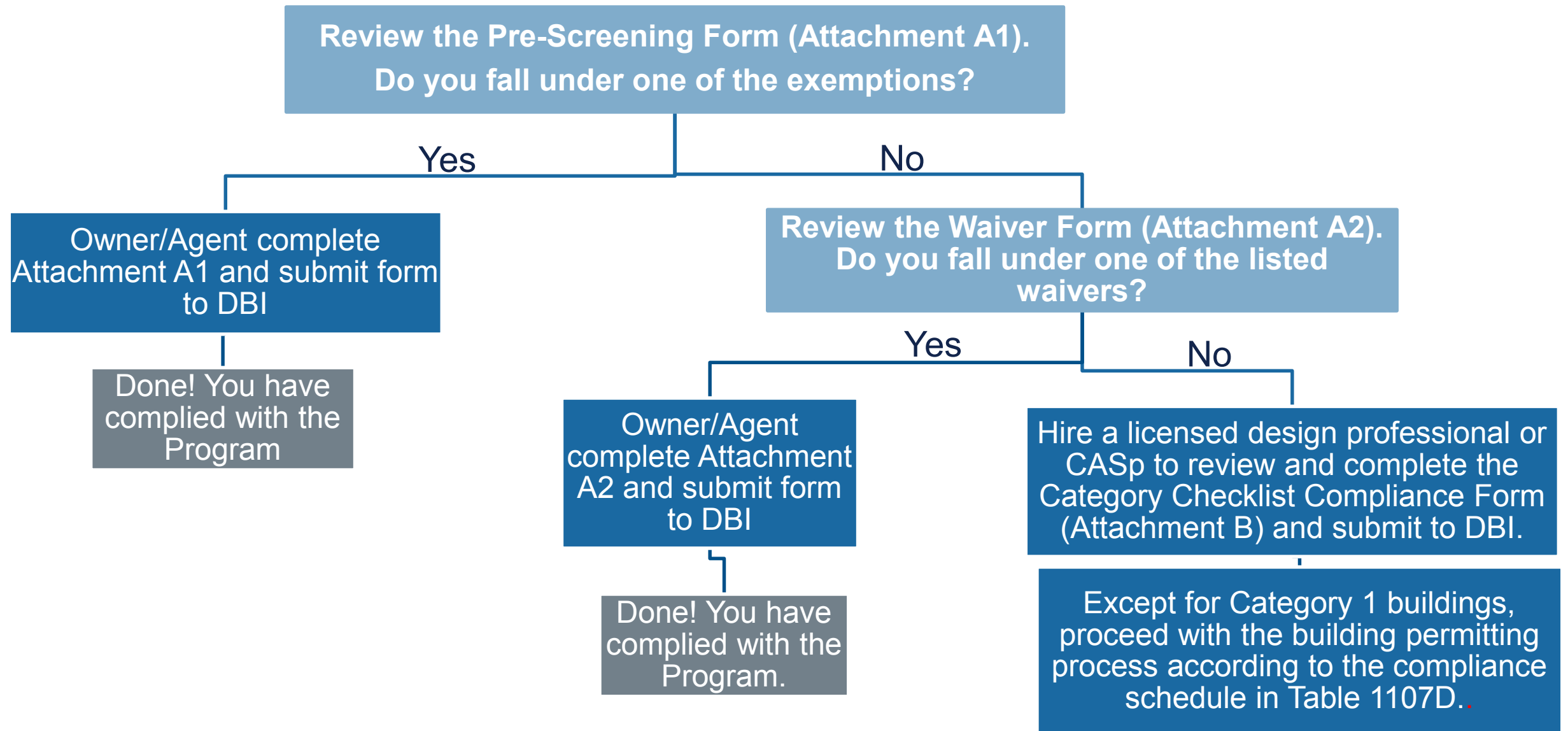


STEP 4

- Obtain required building permit(s) by the compliance date according to your property's compliance category. Complete permitted work and schedule inspections to receive a Certificate of Final Completion per permit requirements.

For Categories 2 to 4: CAsp or licensed design professional will propose barrier remediation.

In-Review: Which Form Do I Need To Fill Out?



Asking for an Extension

- The ordinance allows for extensions due to reasonable delay.
- You may request for an extension of 6-months from DBI. Further extensions can be granted by the AAC.
- Extensions cannot go beyond six years from the effective date of the ordinance.

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Tom C. Hul, S.E., C.B.O., Director

Mandatory Disability Access Improvement Program Request for Extension of Time Form

Note to the Owner or Tenant: Ordinance No. 51-16, effective May 22, 2016, requires all non-exempt/non-waiver "Public Accommodations" either to have all primary entries and paths of travel into the building accessible or receive a determination of Equivalent Facilitation, Technical Infeasibility or Unreasonable Hardship from the Department of Building Inspection within a specified time period.

The purpose of this form is to request for extension of time (6 months) to comply with Ordinance No. 51-16 and Ordinance No. 102-18 per Table 1107D.

TABLE 1107D COMPLIANCE SCHEDULE				
Category	Category Description	Submit Compliance Category Checklist Form	File application for required building permit(s)	Obtain required building Permit(s)
Category One Buildings	In compliance	1/1/2019	N/A	N/A
Category Two Buildings	No steps but barriers	1/1/2019	4/1/2019	4/1/2020
Category Three Buildings	One step with barriers	6/1/2019	9/1/2019	9/1/2020
Category Four Buildings	1+ step with other barriers	12/1/2019	3/1/2020	3/1/2021

Submit the completed Request for Extension of Time Form either:

- As a pdf attachment to dbi.businessentrance@sfgov.org, with "Extension Form Submittal" in subject line; or,
- As a hardcopy in person or by U.S. mail to Disability Access Compliance Unit, Department of Building Inspection, 1660 Mission Street, 1st Floor, San Francisco, CA 94103.

SECTION 1 – ADMINISTRATIVE INFORMATION

BLOCK / LOT NUMBER	
BUILDING ADDRESS(ES)	
OWNER/AGENT INFORMATION	
Owner/Agent Name(s)	
Owner/Agent Mailing Address	
Owner/Agent Telephone	Owner/Agent Email

Technical Services Division
1660 Mission Street – San Francisco CA 94103
Office (415) 558-6205 – FAX (415) 558-6401 – www.sfdbi.org

I've submitted my checklist, what do I need to do now?

Depending on category:

- **Category 1 buildings:** you are done with the process and have complied with the Program.
- **Category 2 buildings:** if required work does not need a building permit, do the work and submit new updated CCCF.
 - If installing power door operator, submit building permit plans with and go through permitting process.
- **Category 3 & 4 buildings:** submit building permit with plans to go through the permitting process. Apply for a technical infeasibility or unreasonable hardship from DBI and/or have it ratified by Access Appeals Commission, as required.

Responding to Building Challenges



Structural Technical
Infeasibility



Non-Structural
Technical
Infeasibility



Unreasonable
Hardship



Equivalent
Facilitation

Applying for and Receiving Required Approval

1. If you believe that your entrance qualifies under a Technical Infeasibility or Unreasonable Hardship, your Inspector will need to file permit application with DBI and document how the business will meet accessibility requirements in another way.
2. Once a Technical Infeasibility or Unreasonable Hardship is approved by DBI, it may need to be approved by the Access Appeals Commission (AAC), as well.

Type	Required Steps	Department
Structural Technical Infeasibility	Review & approve	DBI
Non-Structural Technical Infeasibility	Review & approve	DBI and then AAC
Unreasonable Hardships	Review & approve	DBI and then AAC
Equivalent Facilitation	Review & approve	DBI (may require AAC approval)

Program Forms & Guidelines

- Available on DBI's website at www.sfdbi.org/businessentrance
 1. Information Sheets: DA-17, DA-02, DA-04, and DA-05.
 2. Pre-Screening Form*
 3. Waiver Form
 4. Category Checklist Compliance Form*
 5. Technical Specifications Guidelines* with SF Planning's Checklist

**Available in English, Chinese, and Spanish*

SF PLANNING REQUIREMENTS & PROCESS

Planning's Role: Alterations to Commercial Storefront Checklist



Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

CHECKLIST FOR

Alterations to Commercial Storefront for Accessibility

The Alterations to Commercial Storefront for Accessibility Checklist is a tool for a property owner, tenant, or designer to seek accessibility design guidance prior to submitting a permit application to modify an existing commercial storefront. The checklist should be completed and reviewed with a planner at the Planning Information Center as soon as accessibility work is known to be a part of the project's scope.

Planning Department recommendations regarding particular scopes of work are intended to achieve accessibility as well as maintain or enhance the livability and sustainability of the subject building and its surroundings. Properties that qualify for use of the California Historical Building Code may be able to identify, or successfully demonstrate other acceptable means to meeting accessibility requirements.

HOW DOES THE ACCESSIBILITY CHECKLIST WORK?

1. Gather the following documentation and complete the attached form to the best of your ability. Because there may be a substantial wait at the Planning Information Center (PIC), please gather as much information as possible prior to visiting the PIC. If you have questions about filling out the form or gathering the requested documentation, you may also call the PIC at 415-558-6377.
2. Once the checklist is complete, bring your materials to the PIC and meet with a Preservation Planner or one of the PIC staff members to review your project scope. PIC location and operating hours can be found at the end of the form or at www.sfplanning.org.
3. A Preservation Planner or one of the PIC staff members will review the checklist and the documentation to help determine modifications that may be necessary for the project to comply with Planning Code and existing Design Guidelines requirements. If the building is more than 50 years old, it will require review by a Preservation Planner.

Checklist Goals:

- Tool to provide early design guidance
- Consultation with Preservation Planner at PIC
- Identify storefront features that may be affected by proposed barrier removal
- Identify historic features and materials to be retained; suggest possible scope modifications
- Documents process
- Highlights interagency collaboration
- Checklist available at: <http://sf-planning.org/permit-forms-applications-and-fees>

Recommendations: Documentation

- Prior to beginning design work be sure to get extensive **PHOTO DOCUMENTATION OF EXISTING FEATURES**
- **HAND DRAWINGS** are also helpful in conveying information about materials, conditions or issues that need to be addressed
- Record **CHARACTER-DEFINING FEATURES** of the storefront
- Remember it is important to understand the **CONDITION OF THE SIDEWALK** as well as the storefront





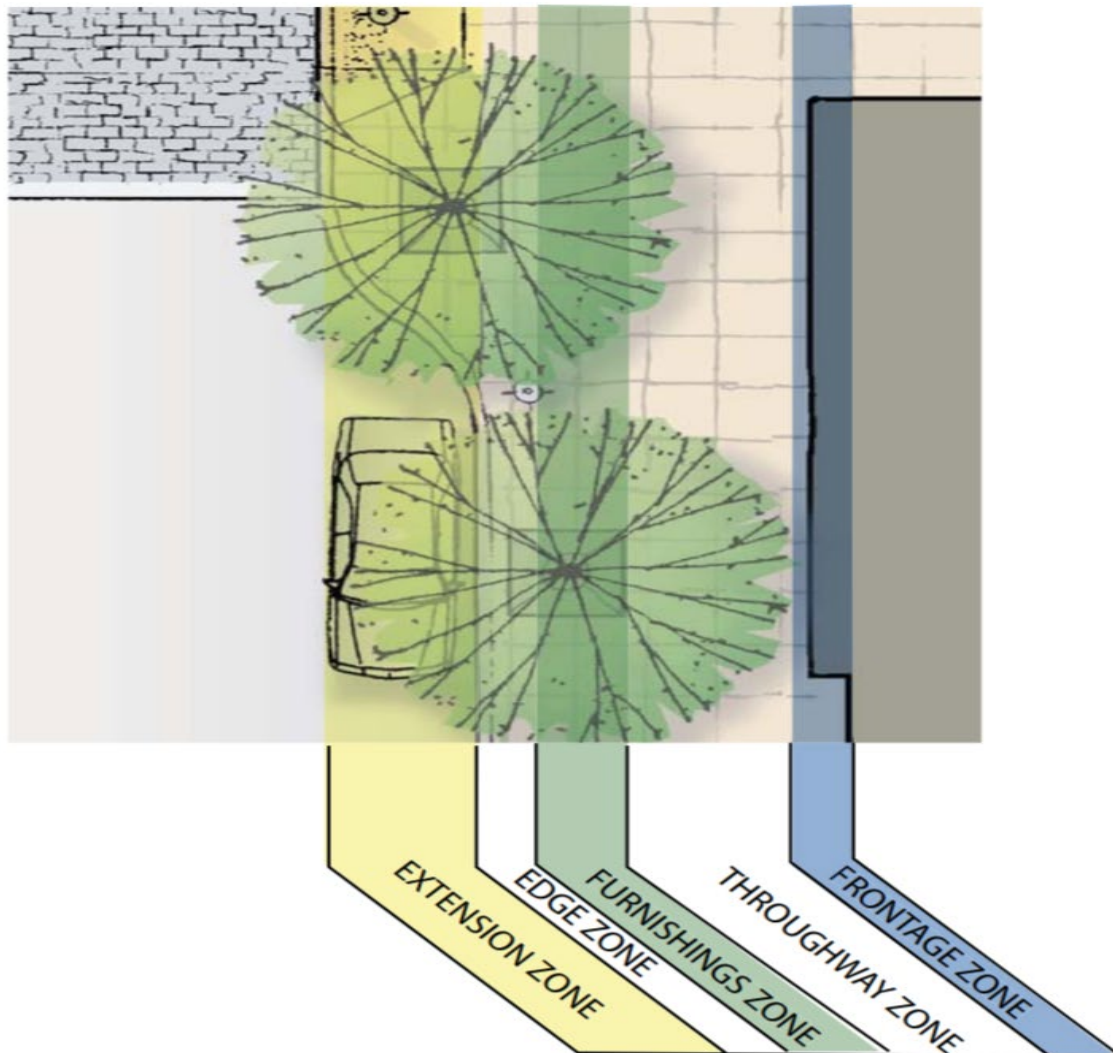
PUBLIC WORKS REQUIREMENTS & PROCESS

Public Works Requirements



SF Better Streets Plan: www.sfbetterstreets.org

Sidewalk Zones (Plan View)



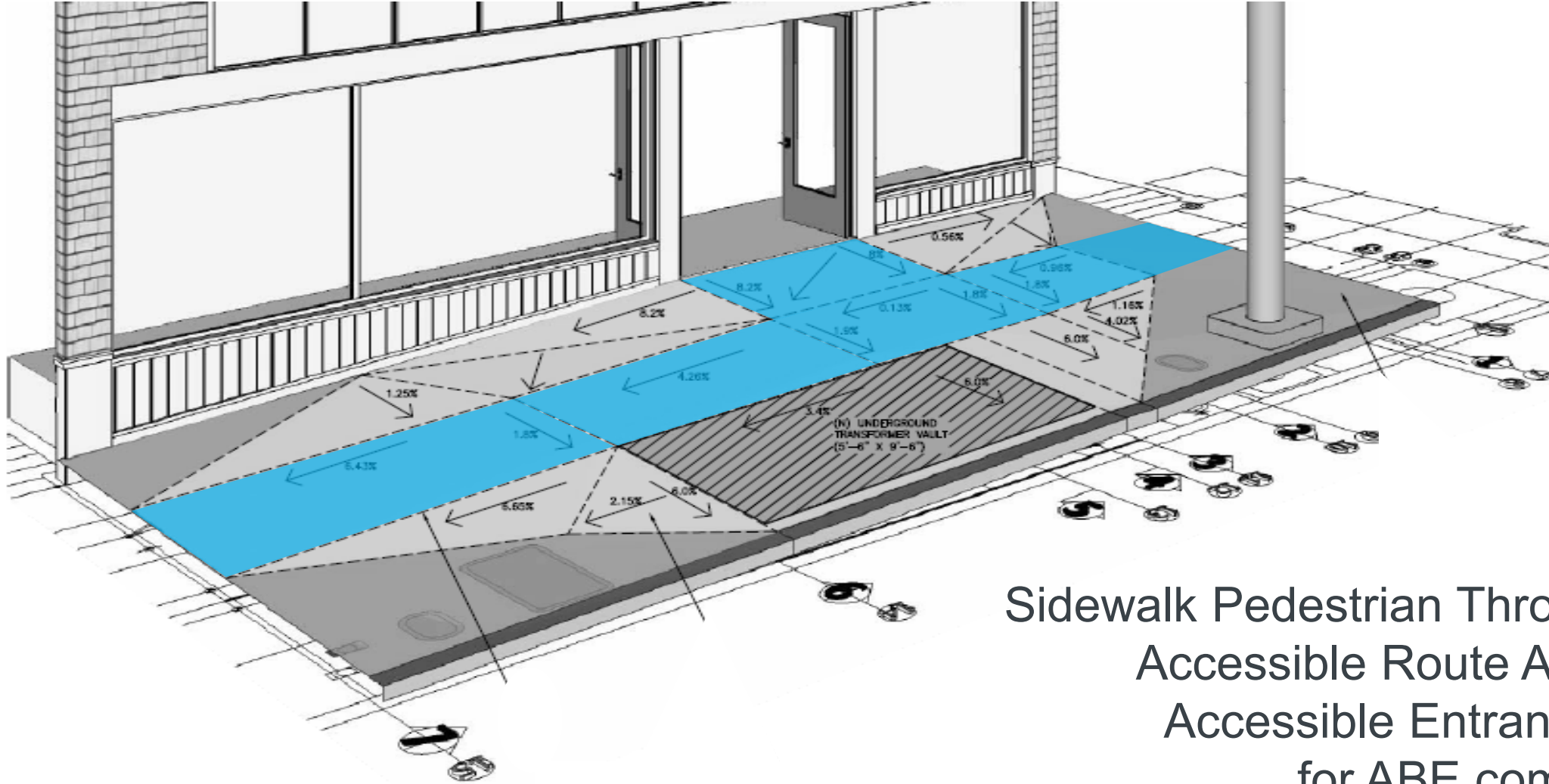
Sidewalk Pedestrian Throughway Zone = Accessible Route Along Sidewalk = Accessible Entrance Component for ABE compliance.

- Americans with Disabilities Act (ADA)
 - 2010 ADA Standards for Accessible Design, Entrance Defined: Section 106.5
 - Public Right of Way Guidelines (PROWAG)
- CA/SF Building Code
 - Entrance Defined: Section 202, Chapter 11B
 - SFDBI Information Sheet DA-04, Power Door Operator in Lieu of Level Landing at Door
 - SFDBI Information Sheet DA-05, Power Door Operator in Lieu of Side Clearance at Door
 - SFDBI Information Sheet DA-17, Accessible Building Entrance Program
- SF Public Works Code, Directors Orders, Standard Plans & Specifications.
- SF Public Works, Bureau of Street Use & Mapping: Sidewalk Improvement Permit, Sidewalk Encroachment Permit.

Public Works Requirements



Example



Sidewalk Pedestrian Throughway Zone (blue) =
Accessible Route Along Sidewalk =
Accessible Entrance Component
for ABE compliance.

Public Works Requirements



Example – As Constructed

Public Works Requirements



Bad Example

High Cross-Slope in Sidewalk.
11B-202.3.1 Prohibited
Reduction in Access.

No Accessible Route Along
Sidewalk Provided.

Level Landing Provided at
Door Only - Entrance Not
Accessible.

Use SFDBI DA-04, Power
Door Operator in Lieu of Level
Landing at Door. Provide
Entrance Landing in
Pedestrian Throughway Zone.



Public Works Requirements - Process



Accessible Route Along Sidewalk = Accessible Entrance Component

- Americans with Disabilities Act (ADA): <https://www.ada.gov/>
 - [Public Right of Way Guidelines \(PROWAG\)](https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way): <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>
 - 2010 ADA Standards for Accessible Design: https://www.ada.gov/2010ADAstandards_index.htm
 - Entrance Defined: Section 106.5
- CA/SF Building Code
 - [Chapter 11B – Accessibility](https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Access-Compliance-Reference-Materials): <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Access-Compliance-Reference-Materials>
 - [SFDBI Information Sheets DA-04, DA-05 & DA-17 for ABE Projects](#)
 - Entrance Defined: Section 202
- Permits in the Public Right-Of-Way: SF Public Works, [Bureau of Street Use and Mapping](#). <https://sfpublicworks.org/about/street-use-and-mapping>. 1155 Market St., 3rd Floor, SF, CA 94102. 415-554-5810. <https://sfpublicworks.org/services/permits>
- SF Public Works Standard Plans & Specifications, [Order No. 200405](#); ABE Program Standard. <https://www.sfpublicworks.org/services/standards-specifications-and-plans>
- SF Public Works Code: <https://www.sfpublicworks.org/about/sf-public-works-code>
- Public Works Orders: <http://sfpublicworks.org/services/permits/public-works-orders>
- SF Public Works Key Maps, including [Grade Maps](#): <http://bsm.sfdpw.org/subdivision/keymap/>

➡ Permits for Private Use of the Public Right-of-Way

Common permits include:

SIDEWALK LANDSCAPE PERMIT:

Required for a property owner to replace paved sidewalk with landscaping in front of their property

TREE PLANTING PERMIT:

Required for a property owner to plant a street tree in front of their property

MINOR ENCROACHMENT PERMIT:

Required for encroachments, either surface or sub-surface, by private properties into the sidewalk area less than 10% of the area, or 25% of the frontage, in front of the adjacent property. Typical encroachments include retaining walls, steps, ADA level landings, and driveway slopes.

MAJOR ENCROACHMENT PERMIT:

Required for encroachments by private property owners into the right-of-way, either surface or sub-surface, of a more substantial nature. Examples include private utility lines or special paving and grading of the entire right-of-way.

TABLES AND CHAIRS/DISPLAY MERCHANDISE PERMITS:

Required for placing outdoor seating or merchandise in the public right-of-way.



SMALL BUSINESS RESOURCES

Resources




*Support Services for Small Businesses

Database of Certified Access Specialists (CASp)

Tips for Selecting CASp

Tips for selecting a CASp or licensed design professional

- Price, report thoroughness, location and availability.
- Familiar with State and Federal accessibility requirements.
- Experience with SF building code, Planning's historic preservation, Public Works' sidewalk modifications.
- Important consideration given for accessibility expertise and dealing with access lawsuits.
- Shopping around is crucial.



Certified Access Specialist
Selecting A CASp Inspector

When you interview your CASp Inspector:

Your expert needs to be familiar with the ADA Accessibility Guidelines (1994 ADAAG), the 2010 ADA Standards, and the California Building Code

- Ask about their background with the ADA and Building Code. Don't rely just on a resume!
- For entryway alterations: Ask if they have experience working with the Planning Department's Historic Preservation staff and Public Works Infrastructure Design and Construction division.
- A good CASp inspector will have experience in construction, design, and inspection.
- Ask how many CASp inspections they have done.
- Ask for references, and then follow up by calling the reference or visiting the business.
- Ask if they work with an attorney, and if so ask about them as well.
- Ask if they work with a contractor, and if the contractor charges for estimates.
- Ask to see a sample CASp report.

The CASp Report:

- Your CASp should pull a full building permit history and include a summary of the remodeling work in the report in order to place the context or previous triggers for

Online Resources

Local Licensed Architects

- American Institute of Architects (SF) - www.aia.org

California Certified Access Specialists

- Division of the State Architect – CASp Program
www.dgs.ca.gov/dsa/Programs/programCert/casp.aspx
- Database of CASps serving SF: <http://bit.ly/2J97rRd>

Free downloadable and searchable accessibility regulations:

- Federal Guidelines to Accessible Small Business:
<https://www.ada.gov/smbusgd.pdf>
- Federal ADA Standards: www.ada.gov
- California Building Code: <http://www.bsc.ca.gov/codes.aspx>