

***BIC Meeting of
April 17, 2013***

Agenda Item #6



April 15, 2013

Building Inspection Commission
1660 Mission Street
San Francisco, CA 94103

RE: Proposed Ordinance File # 130284
Fee Waiver Program – Small Business Month May 2013

Honorable Members of the Commission:

At the regular meeting of April 10, 2013, the full Code Advisory Committee (CAC) deliberated on a proposed new ordinance (File #130284) recognizing Small Business Month in May 2013; amending the Planning Code, Sections 302, 355(a) and 355(e) and Building Code, Tables 1A-A and 1A-E to waive fees for the month of May for certain facade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

The CAC forwards a unanimous recommendation of support to the Building Inspection Commission for their consideration as written with the following recommended changes:

- 1) Replace the words "façade improvements" in the ordinance description to "awning, signage and lighting improvements."
- 2) Clarify "Over the Counter" to exclude Historic Buildings.
- 3) Clarify that the waiver of Permit fees does not include any mandated state fees.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kirk Means".

Kirk Means
DBI Technical Services Division
Secretary to the Code Advisory Committee

cc: Tom C. Hui, S.E., Acting Director
Edward Sweeney, Acting Deputy Director
David Leung, Manager
Ned Fennie, Jr., Chair, Code Advisory Committee
William Strawn, Legislative Affairs

Attach: Ord. File #130284

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Victor Young, Clerk, Budget and Finance Committee
Board of Supervisors

DATE: April 2, 2013

SUBJECT: LEGISLATION INTRODUCED: Small Business Month 2013 – Fee Waiver

The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Tang on March 26, 2013:

File No. 130284

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code, Sections 302, 355(a), and 355(e); and amending Building Code, Tables 1A-A, and 1A-E, to waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Charter Section D3.750-5 for public hearing and recommendation. It is pending before the Budget and Finance Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Carolyn Jayin, Department of Building Inspection

1 [Planning, Building Codes - Fee Waiver Program - Small Business Month May 2013]

2
3 **Ordinance recognizing Small Business Month in May 2013; amending the Planning**
4 **Code, Sections 302, 355(a) and 355(e) and Building Code, Tables 1A-A and 1A-E to**
5 **waive fees for the month of May for certain façade improvements; and making findings,**
6 **including environmental findings and findings of consistency with the General Plan**
7 **and priority policies of Planning Code, Section 101.1.**

8 NOTE: Additions are single-underline italics Times New Roman;
9 deletions are ~~strike-through italics Times New Roman~~.
10 Board amendment additions are double-underlined;
11 Board amendment deletions are ~~strikethrough-normal~~.

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

13 (a) May is Small Business Month and this Board desires to recognize the importance
14 of small businesses in San Francisco. As part of this recognition, the Board elects to waive
15 various permit fees for the month of May for awning replacement and installation of pedestrian
16 level lighting as these fees have acted as a bar from many small businesses to improve their
17 building facades and store fronts.

18 (b) On _____, 2013, the Planning Commission adopted Resolution No.
19 _____ recommending adoption of this Ordinance, and adopted findings that the
20 legislation is consistent, on balance, with the City's General Plan and eight priority policies of
21 Planning Code Section 101.1(b). The Board adopts these findings as its own. A copy of this
22 Commission Resolution is on file with the Clerk of the Board in File No. _____, and is
23 incorporated by reference herein.
24
25

1 (c) Pursuant to Planning Code Section 302, this Board finds that this Ordinance will
2 promote the public necessity, convenience, safety and welfare for the reasons set forth in
3 Commission Resolution No. _____, which is incorporated herein by reference.

4 (d) The Planning Department has determined that the actions contemplated in this
5 ordinance comply with the California Environmental Quality Act (California Public Resources
6 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
7 Supervisors in File No. _____ and is incorporated herein by reference.

8 (e) On _____, 2013, the Building Inspection Commission conducted a public
9 hearing on this legislation and recommended approval of this legislation. On _____,
10 2013, the Building Inspection Commission Secretary submitted a letter to the Board
11 describing the Commission's action. Said letter is on file with the Clerk of the Board of
12 Supervisors in File No. _____ and is incorporated herein by reference.

13 Section 2. This Section is uncodified.

14 (a) Notwithstanding any provision of the Planning Code, including the fee schedule
15 associated with Sections 355(a) and 355(e), the permit fee for awning replacement and for
16 signs, respectively, are hereby waived for any permit issued for such activities during the
17 month of May 2013.

18 (b) Notwithstanding any provision of the Building Code, including the fee schedules of
19 Tables 1A-A and 1A-E, the permit fees related to reviewing the structural integrity of awning
20 replacements for those permits submitted "over the counter" at the Central Permit Bureau and
21 installation of pedestrian level lighting, respectively, are hereby waived for any permit issued
22 for such activities during the month of May 2013.

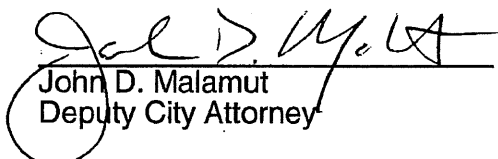
23 Section 3. The fee waivers set forth in this Ordinance shall apply only to small
24 business enterprises. For purposes of this Ordinance a small business enterprise shall be
25 one that has 500 or fewer employees. The Board of Supervisors hereby delegates to the

1 Department of Building Inspection and the Planning Department the establishment of a
2 process by which the respective departments will certify that an applicant is a small business
3 enterprise.

4 Section 4. Effective Date. This ordinance shall become effective 30 days from the
5 date of passage; provided, however, that the provisions of this Ordinance shall be retroactive
6 to May 1, 2013 should the effective date of the Ordinance occur after said date.

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8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:


11 John D. Malamut
12 Deputy City Attorney

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Member, Board of Supervisors
District 4



City and County of San Francisco

KATY TANG

Small Business Month Fee Waivers for May 2013

Under legislation sponsored by Supervisor Katy Tang and in partnership with the Department of Building Inspection, Planning Department, Office of Economic & Workforce Development, and Office of Small Business, merchants would receive a fee waiver for permits issued in May for 1) awning replacements and 2) pedestrian level lighting.

Please note that the legislation is in the process of being reviewed by several commissions and committees before it reaches a vote by the Board of Supervisors.

The way permits are processed:

Awning Replacements

- Replacement of entire awning, including structure attached to building: Department of Building Inspection & Planning Department.
- Replacement of only awning cover: Planning Department.
- Any other type of storefront sign that touches the building: Department of Building Inspection & Planning Department.

Pedestrian Level Lighting

- Electrical permit through Department of Building Inspection.

Fees

Permit fees vary based on the type and amount of work being done.

Planning Department awning permit fees:

Section 355(a) applies to the replacement of the awning cover. The fee in Section 355(e) must be applied if you have wording on your awning cover.

[http://www.amlegal.com/nxt/gateway.dll/California/planning/article35fees?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$anc-ID_355](http://www.amlegal.com/nxt/gateway.dll/California/planning/article35fees?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc-ID_355),

Department of Building Inspection awning permit fees:

The DBI plan review and permit issuance fee applies if you are changing anything that touches the building.

<http://sfdbi.org/ftp/uploadedfiles/dbi/Table1AA2Alterations.pdf>.

For more information:

Planning Department
1650 Mission Street, Suite 400
(415) 558-6378

Department of Building Inspection
1660 Mission Street
(415) 558-6088