



SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

August 25, 2015

Ms. Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File No. 150270 [Public Works Code – Contractor Parking Plan]

Small Business Commission Recommendation: **Approval with eight recommendations**

Dear Ms. Calvillo,

On August 24, 2015, the Small Business Commission voted 6-0 (1 absent) to recommend that the Board of Supervisors approve BOS File No. 150790 with eight recommendations.

The Small Business Commission strongly supports codifying these often discussed and much needed changes regarding contractor parking. The business community has raised this issue at the SBC meetings, and the SBC has had discussion with the varying departments on the topic. Therefore the SBC recommends approval with the following recommended changes to the legislation:

- 1) Section 2.4.20 (b)(2) In addition, material storage time frames wording should be added in an effort to minimize the use of on-site storage for extended lengths of time. For example, to minimize impacted street area, storage of large pipes to be used in construction could be timed for optimal delivery for inclusion in the project as opposed to being stored onsite for weeks until they are needed.
- 2) Section 2.4.20 (b)(3) This section only requires noting the number of employees and not the number of parking spaces or a parking plan for the employees of the contractor. The SBC recommends this section also include the requirement for a parking plan for the contractor's employees that may utilize Section 2.4.20 (b)(6) and Section 2.4.20 (b)(7).
- 3) Section 2.4.20 (b)(5) add: "...and any other agency required by the department." This is to line up with upcoming 150729 -Neighborhood Noticing Ordinance.
- 4) Section 2.4.20 (b)(8) change time to noon instead of 4:00 pm for parking spaces of excavation projects in commercial corridors and business districts when work is complete for the day. The intent of this recommendation is for large projects that have tighter controls over scheduling.
- 5) Section 2.4.20 (b) (9) include "...neighborhood commercial corridor and business districts." Neighborhood generally denotes residential and the noted intent of the legislation includes commercial corridors and business districts. Additionally, strike "neighborhood" from parking supply so it reads the "*surrounding parking supply*." This will similarly cover both residential parking and parking for businesses.

- 6) Section 2.4.20 (c) this section specifies requirements for SFMTA and PUC for projects over 30 days. This should include DPW and sizable private projects that require excavation of the streets and sidewalks as is the noted intent of the legislation. Note “Exception” under recommendation 7.
- 7) Section 2.4.20 (d) 5 days is an inadequate number of days for small businesses to be noticed and be able to prepare for such disruption. The Commission discussed recommending a notification time frame anywhere from 2-3 weeks to 45 days, with no ultimate consensus except that it should be no less than 14 business days.

A notice mailed solely to the property owner with a 5 business day lead will get to the property owner a couple of business days advance of the work and in all likelihood the property owner will not forward the information to the business. In the event the property owner does inform the business owner, the business owner will likely receive the notification after construction has already started. To insure there is not a gap in communication to businesses, notices should also be mailed directly to the business addressed to “Occupant” similar to what Planning does, so they can prepare for the construction and lack of parking in front of or near their business for both customers and deliveries.

Section 2.4.20 (d) should also include *ground and second floor commercial tenants* as entities required to receive notice. And have *Commercial tenant is defined as business in a ground or 2nd floor commercial space, along the frontage where on-street parking will be impacted and/or removed.*

Additionally the notice is to include the parking plan for the contractor employees and requirements of Section 2.4.20 (b)(6).

Exception: There are times when small businesses need to excavate the street to bring increased electricity to the commercial space they are occupying. This is common for restaurants. These small projects should be exempt from the advance noticing requirements of Section 2.4.20 (d). The Commission does not want this policy to inadvertently delay or add time to a small business that is opening their business.

- 8) Section 724 (4) Staff Note: Although the Commission did not discuss notification for projects such as a business doing TI or residential remodels under 3 months, 5 day notice for these small projects seems sufficient. SBC wants to differentiate between large ongoing projects and smaller less intrusive projects. However, SBC would suggest including 2nd floor commercial space here as well.

In summary: The permittee shall mail a courtesy notice within 5 business days from the start of the each phase to all fronting property owners, *ground and second floor commercial tenants*..... Fronting property owner is defined as an owner that owns property along the frontage where on-street parking will be impact and/or removed. *Commercial tenant is defined as business in a ground or 2nd floor commercial space, along the frontage where on-street parking will be impact and/or removed.*

In closing, the SBC is pleased Supervisor Farrell and co-sponsors Supervisors Cohen, Christensen, Breed, Kim and Weiner are addressing codifying changes to contractor parking, and respectfully request that you will consider the suggested recommendations.

Thank you for considering the Small Business Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,



Regina Dick-Endrizzi
Director, Office of Small Business

cc: Mark Farrell, Board of Supervisors
Nicole Elliott, Mayor's Office
London Breed, Board of Supervisors
Malia Cohen, Board of Supervisors
Jane Kim, Board of Supervisors
Scott Wiener, Board of Supervisors
Jess Montejano, Aide to Supervisor Farrell
Todd Rufo, Director, Office of Economic and Workforce Development

BOARD of SUPERVISORS



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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Assistant Clerk, Land Use and Transportation Committee
Board of Supervisors

DATE: July 24, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 150270

Ordinance amending the Public Works Code to require a contractor parking plan as a condition precedent for approval of excavation permits for major work that is 30 consecutive calendar days or longer and specified temporary street space occupancy permits for construction work; adopting fees for review and inspection related to contractor parking plans; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: 8/31/15

No Comment
 Recommendation Attached

Chairperson, Small Business Commission

Referral requested 7/23/15