

File No. 250539

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: June 30, 2025

Board of Supervisors Meeting:

Date: _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance - VERSION 2 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest - VERSION 2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract / DRAFT Mills Act Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
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OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Transmittal – June 27, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>BIC Transmittal – June 20, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SBC Transmittal – June 24, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination – June 4, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referrals CEQA, PC, and BIC – May 28, 2025</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Mayor's Introduction Memo – May 20, 2025</u> |
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Prepared by: John Carroll

Date: June 27, 2025

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

[Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork]

Ordinance amending the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

Section 1. Environmental and General Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 250539 and is incorporated herein by reference. The Board affirms this determination.

1 (b) On June 26, 2025, the Planning Commission, in Resolution No. 21760, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 250539, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board finds that this Planning Code
7 amendment will serve the public necessity, convenience, and welfare for the reasons set forth
8 in Planning Commission Resolution No. 21760, and the Board incorporates such reasons
9 herein by reference. A copy of said resolution is on file with the Clerk of the Board of
10 Supervisors in File No. 250539.

11 (d) On June 18, 2025, at a duly noticed public hearing, the Building Inspection
12 Commission considered this ordinance in accordance with Charter Section 4.121 and Building
13 Code Section 104A.2.11.1.1. A copy of a letter from the Secretary of the Building Inspection
14 Commission regarding the Commission's recommendation is on file with the Clerk of the
15 Board of Supervisors in File No. 250539.

16 (e) No local findings are required under California Health and Safety Code Section
17 17958.7 because the amendments to the Building Code contained in this ordinance do not
18 regulate materials or manner of construction or repair, and instead relate in their entirety to
19 administrative procedures for implementing the Code, which are expressly excluded from the
20 definition of a "building standard" by California Health and Safety Code Section 18909(c).

21
22 Section 2. Chapter 1A of the Building Code is hereby amended by revising Sections
23 106A.5, and 106A.5.1 through 106A.5.4, to read as follows:

24 **106A.5 Awning, Sign, and Gate Amnesty Program.** The Department shall implement
25 the amnesty program outlined in this Section 106A.5 to incentivize and expedite the

1 legalization of Awnings, Signs, and Gates as defined ~~below~~and regulated in Section 1703 of the
2 ~~Building Code~~, that were physically existing on and installed without a building permit, or for
3 which the Department has no record of a building permit on file, as of August 20, 2023. All
4 property owners that have existing Awnings, Signs, and/or Gates that were installed on or before
5 August 20, 2023 without a building permit on file are eligible for the amnesty program, including
6 property owners with active Notices of Violation for installing or having an Awning, Sign, or
7 Gate without a building permit.

8 **SCOPE OF PROGRAM:** *The amnesty program in this Section 106A.5 applies to Awnings,*
9 *Signs, and Gate as follows:*

10 All Awnings, as that term is defined in Section 202 of this Code;

11 Signs, as that term is defined in Section 202 of this Code, that are non-illuminated, under 250 pounds,
12 and 25 square feet or less; and

13 Gates, including security grilles, that are located in B, S, and M occupancies, and are designed to
14 provide security for commercial uses during non-business hours. Vehicular gates, as defined by section
15 202 of this Code, are not eligible for the amnesty program.

16 **106A.5.1 Certification of Existing Installation: No New Construction, Repairs, or**
17 **Corrective Work.** The amnesty program shall provide a streamlined process to verify that an
18 existing Awning, Sign, or Gate complies with applicable provisions of the Building Code as well
19 as Planning Code Section 187.3, and will result in a building permit authorizing the existing
20 Awning, Sign, or Gate. The amnesty program shall not authorize new construction or corrective
21 work to bring an existing Awning, Sign, or Gate into compliance. Any alterations, modifications,
22 or construction required to bring the Awning, Sign, or Gate into compliance with the Building
23 Code will require a standard building permit and is not subject to the provisions of this Section
24 106A.5, except that the fees for any such permit required to repair or replace an Awning that the
25

1 Department determined was not in compliance with the Building Code shall be waived pursuant to
2 Section 106A.5.2.

3 **106A.5.2 Waiving of Fees.** Notwithstanding any other provisions of the Building Code,
4 the Department shall continue until July 1, 2025 to waive all fees for applications eligible for
5 the amnesty program and for any permits required to repair or replace an Awning that the
6 Department determined was not in compliance with the Building Code, including the
7 application fee for plan review, permit issuance fee for inspections, and any enforcement fees,
8 including inspection fees required under Section 107A.5 for work without a permit.

9 **106A.5.3 Streamlined Application Process.** The Department shall develop a
10 streamlined application process to facilitate and expedite review of Awning, Sign, or Gate
11 permits during the amnesty program. The application shall require only information essential
12 to determining whether an existing Awning, Sign, or Gate complies with the applicable Building
13 and Planning Code provisions, including the Planning Code's amnesty program in Planning
14 Code Section 187.3.

15 **106A.5.4 No Relaxation of Building Standards.** The amnesty program governs the
16 certification of existing Awnings', Signs', or Gates' compliance with applicable Building Code
17 provisions. Any Awning, Sign, or Gate that is not in compliance with the Building Code will
18 require a separate building permit to repair, replace, or remove the Awning, Sign, or Gate.
19

20 Section 3. Articles 1.2 and 1.7 of the Planning Code are hereby amended by revising
21 Sections 145.1 and 187.3, to read as follows:

22 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,**
23 **RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

24 * * * *
25

1 (c) **Controls.** The following requirements shall generally apply, except for those
2 controls listed in subsections (c)(1) Above Grade Parking Setback and (c)(4) Ground Floor
3 Ceiling Height, which only apply to a “development lot” as defined above and except as
4 specified in subsection (d).

5 In NC-S Districts, the applicable frontage shall be the primary facade(s) that contains
6 customer entrances to commercial spaces.

7 * * * *

8 (7) **Gates, Railings, and Grillwork for Historic Buildings.** Except as specified
9 in subsection (d), any ~~gates, decorative~~ railings, or grillwork, other than wire mesh, with street
10 frontage at the ground level, which is placed in front of or behind ground floor windows, shall be at
11 least ~~75~~20% open to perpendicular view. ~~Rolling or sliding security gates shall consist of open~~
12 ~~grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are~~
13 ~~closed, and to permit light to pass through mostly unobstructed. To ensure sufficient visibility for fire~~
14 ~~safety, gates that are less than 75% open to perpendicular views shall include a transparent viewing~~
15 ~~window or grill at least 10 inches in height, which shall be located at least 50-60 inches above the~~
16 ~~nearest abutting sidewalk.~~ Gates, when both open and folded or rolled, shall be recessed within,
17 or laid flush with, the building facade. Gates and gate mechanisms shall be consistent with
18 any objective design standards that may be adopted by the Planning Commission.

19 (d) **Exceptions for Historic Buildings.**

20 ~~—(1) **Exceptions for Historic Buildings.**~~ Specific street frontage requirements in this
21 Section 145.1 may be modified or waived by the Planning ~~Commission~~Director for structures
22 designated as landmarks, significant or contributory buildings within a historic district, or
23 buildings of merit when the Historic Preservation Commission advises that complying with
24 specific street frontage requirements would adversely affect the landmark, significant,
25

1 contributory, or meritorious character of the structure, or that modification or waiver would
2 enhance the economic feasibility of preservation of the landmark or structure.

3 ~~(2) Exception to Gates, Railings, and Grillwork Requirements for Cannabis Retail.~~

4 ~~—— (A) A Cannabis Retail use, as defined in Section 890.125 or Section 102, as applicable, is~~
5 ~~exempt from the requirements of Section 145.1(e)(7) as provided herein, and may install gates, railings,~~
6 ~~or grillwork that are less than 20% open to perpendicular view, including features that are fully~~
7 ~~opaque, provided that such gates, railings, or grillwork are deployed only when the Cannabis Retail~~
8 ~~use is not open to the public for business.~~

9 ~~—— (B) A Cannabis Retail use that has installed any gates, railings, or grillwork pursuant to~~
10 ~~subsection (d)(2)(A) shall remove such gates, railings, or grillwork within the earliest of the following:~~

11 ~~—— (i) 90 days after its Cannabis Business Permit issued pursuant to Article 16 of the~~
12 ~~Police Code is revoked or otherwise rendered invalid;~~

13 ~~—— (ii) 90 days after the Cannabis Retail use ceases regular operation at the premises; or~~

14 ~~—— (iii) 90 days after the Cannabis Retail use is abandoned or discontinued pursuant to~~
15 ~~either Section 178 or Section 183.~~

16 ~~—— (C) Any building permit application to install gates, railings, or grillwork pursuant to~~
17 ~~subsection (d)(2)(A) shall include a statement acknowledging the requirements of subsection (d)(2)(B).~~

18 ~~—— (D) Subsections (d)(2)(A) and (C) shall expire by operation of law three years after the~~
19 ~~effective date of the ordinance in Board File No. 220971 enacting this subsection (d)(2). In the event a~~
20 ~~Cannabis Retail use does not procure a building permit pursuant to subsection (d)(2)(A) prior to the~~
21 ~~expiration of subsection (d)(2)(A), the business shall comply with, and not be exempt from, the~~
22 ~~requirements of Section 145.1(e)(7). Subsection (d)(2)(B) shall continue to apply after the expiration of~~
23 ~~subsections (d)(2)(A) and (C).~~

24 ~~—— (E) To deter vandalism of surfaces visible from public sidewalks, any Cannabis Retail~~
25 ~~use that maintains gates, railings, or grillwork that do not qualify for the exception in subsection~~

1 ~~(d)(3)(A), and which are less than 20% open to perpendicular view, shall install a mural on the surface~~
2 ~~of the gate visible from the public sidewalk. The mural required under this subsection (d)(2)(E) shall~~
3 ~~not be a Sign as defined in Article 6 of this Code.~~

4 ~~(3) **Exception for Existing Gates, Railings, or Grillwork.**~~

5 ~~——(A) Any Non-Residential use that has not been discontinued or abandoned as of the~~
6 ~~effective date of the ordinance enacting this subsection (d)(3) and that has gates, railings, or grillwork~~
7 ~~that are less than 20% open to perpendicular view, including features that are fully opaque, will be~~
8 ~~deemed in compliance with the requirements of Section 145.1(e)(7), provided that such gates, railings,~~
9 ~~or grillwork existed and were occupied by the use prior to September 06, 2022, and are deployed only~~
10 ~~when a business is not open to the public. This subsection (d)(3) does not otherwise exempt a use from~~
11 ~~any required building permit.~~

12 ~~(B) Existing gates, railings, and grillwork permitted pursuant to this subsection (d)(3)~~
13 ~~shall be treated as noncomplying structures subject to the restrictions on intensification, expansion,~~
14 ~~and relocation under Section 188(a), and may undergo ordinary maintenance and minor repairs as~~
15 ~~described in Section 181(b). Cannabis Retail use with gates that qualify as noncomplying structures~~
16 ~~under this subsection (d)(3) shall not be subject to the requirement for murals under subsection~~
17 ~~(d)(2)(E).~~

18 ~~——(C) Any Non-Residential use that seeks to be exempt from the requirements of Section~~
19 ~~145.1(e)(7) shall procure a building permit within three years of the date of mailed notice to establish~~
20 ~~any existing gates, railings, or grillwork as a noncomplying structure pursuant to this subsection (d)(3).~~
21 ~~In the event a Non-Residential use does not procure a building permit pursuant to this subsection (d)(3)~~
22 ~~prior to the expiration of three years from the date of mailed notice, the business shall be subject to~~
23 ~~finest pursuant to Section 176 of this Code until a building permit establishing the existence of the gate~~
24 ~~prior to September 06, 2022, as specified in subsection (d)(3)(A), is procured. Any Non-Residential use~~
25 ~~with existing gates, railings, or grillwork that satisfy the criteria set forth in subsection (d)(3)(A) shall~~

1 ~~continue to be exempt from the requirements of Section 145.1(e)(7), but will be fined monetary~~
2 ~~penalties for failing to obtain a building permit as required in this subsection (d)(3)(C).~~

3
4 **SEC. 187.3. PRE-EXISTING AWNINGS, GATES, AND SIGNS; AMNESTY.**

5 (a) **Intent.** The purpose of this Section 187.3 is to recognize the impacts of the
6 COVID-19 pandemic on small businesses, to acknowledge the contribution of those
7 businesses' Awnings, Gates, and Signs, as defined in Sections 102 and 602 of this Code,
8 ~~respectively~~, to the diverse character of the City's commercial corridors, and to establish a ~~time-~~
9 ~~limited~~ program whereby certain existing Awnings, Gates, and Signs that have been erected,
10 installed, or maintained without required permits may be allowed to remain.

11 (b) **Controls.** Notwithstanding any other provision of this Code, an Awning, Gate, or
12 Business Sign physically existing on or serving a non-Residential business on August 20,
13 2023 may be considered an existing noncomplying structure and/or nonconforming use
14 governed by this Article 1.7 so long as the Sign, Gate, or Awning is not affixed to a building
15 designated as significant or contributory under Article 11 of this Code. In addition to the
16 foregoing, Awnings, Gates, or Signs that have been required by the Department of Building
17 Inspection on or after January 1, 2023 to be replaced or altered, may be replaced or altered
18 consistent with such requirement and subsequently considered noncomplying structures
19 and/or nonconforming uses subject to this Section 187.3 so long as such replacement or
20 alteration does not increase the degree of nonconformity or noncompliance with other
21 Sections of this Code. All Signs must comply with the illumination provisions of Article 6 of this
22 Code.

23 (c) **Procedures.** The Planning Director ~~or Zoning Administrator~~ or their designee(s)
24 shall determine the degree of nonconformity or noncompliance for each Awning, Gate, or Sign
25 that is granted amnesty under this Section 187.3. Determinations of nonconformity and/or

1 noncompliance shall be based on (i) historical photographs to be provided by the applicant
2 and/or which are publicly available; (ii) current photographs provided by the applicant,
3 including photographs showing the Awning's points of attachment to the building; and (iii)
4 drawings provided by the applicant which need not be prepared by a state licensed contractor
5 or architect, or registered engineer so long as those drawings depict the width, depth, height,
6 projection, elevation, and other key characteristics of the Signs, Gates, or Awnings in question.
7 Such determination shall be memorialized either on a Building Permit, Sign Permit, or other
8 form developed by the Planning Department or other City agency.

9 (d) **Fees.** Notwithstanding any other provision of this Code or the Administrative
10 Code, no fee shall be charged by the Planning Department for a determination under this
11 Section 187.3 and/or for review of Building Permit Applications, Sign Permit Applications, or
12 other approvals which relate exclusively to the implementation of this Section, including any
13 enforcement fees under Section 350(g)(1) of this Code, as long as the application is submitted
14 before July 1, 2025.

15
16 Section 4. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

20
21 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25

1 additions, and Board amendment deletions in accordance with the “Note” that appears under
2 the official title of the ordinance.

3
4
5 APPROVED AS TO FORM:
6 DAVID CHIU, City Attorney

7 By: /s/ Robb Kapla
8 ROBB KAPLA
Deputy City Attorney

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LEGISLATIVE DIGEST

(Substituted - 6/17/25)

[Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork]

Ordinance amending the Building and Planning Codes to extend the Awning amnesty program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Existing Law

The Building and Planning Codes contain an Awning amnesty program that streamlined the process to receive building permits and planning authorization, by granting the awnings nonconforming use/nonconforming structure status, for awnings installed before August 20, 2023 without a permit. The amnesty program waived Building and Planning Code application and enforcement fees for applications submitted before July 1, 2025.

Amendments to Current Law

The Proposed Legislation would extend the Awning amnesty program's streamlined permitting process to Signs (that are less than 250 pounds and smaller than 25 square feet) and Gates installed before August 20, 2023 without a permit. The Proposed Legislation would not extend the waiver of fees beyond July 1, 2025, and applications to legalize Awnings, Gates, and Signs after that date will need to pay the requisite fees.

The Proposed Legislation also deletes Planning Code design standards for gates, railings, and grillworks installed on non-historic buildings within the Neighborhood Commercial, Residential-Commercial, Commercial and Mixed-Use Districts, and would require such installations on historic buildings in those districts be at least 75% open to perpendicular views.

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October 24, 2014

Ms. Angela Calvillo, Clerk
Honorable Mayor Lurie
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Numbers 2025-004733PCA, 2025-004734PCA, 2025-004737PCA and 2025-004740PCA: Permit SF Planning Code Amendments**
Board File Nos. 250542, 250540, 250539 and 250538

Planning Commission Recommendation:	250542: Approval with Modification 250540: Approval 250539: Approval 250538: Approval with Modification
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Dear Ms. Calvillo and Mayor Lurie,

On June 26, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider four proposed Ordinance, introduced by Mayor Lurie, that would amend the Planning Code, and are associated with the mayor's Permit SF effort. At the hearing, the Planning Commission adopted a recommendation for approval for all four ordinances, with recommended amendments for two of the ordinances, as noted above.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Mayor Lurie, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", with a long horizontal flourish extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc: Austin Yang, Deputy City Attorney
Guilia Gualco-Nelson, Deputy City Attorney
Robb Kapla, Deputy City Attorney
Katy Tang, Office of Small Business
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21760

HEARING DATE: June 26, 2025

Project Name: Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork
Case Number: 2025-004737PCA [Board File No. 250539]
Initiated by: Mayor Lurie / Introduced May 20, 2025
Staff Contact: aaron starr, Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE BUILDING AND PLANNING CODES TO EXTEND THE AWNING AMNESTY PROGRAM TO APPLY TO EXISTING UNPERMITTED SIGNS AND GATES; AMENDING THE PLANNING CODE TO REMOVE DESIGN STANDARDS FOR GATES, RAILINGS, AND GRILLWORK ON GROUND FLOOR STREET FRONTAGES OF NON-HISTORIC BUILDINGS IN NEIGHBORHOOD COMMERCIAL, RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on May 20, 2025, Mayor Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 250539, which would amend the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; and amend the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; and,

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 26, 2025 and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval** of the proposed ordinance.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission finds that the proposed ordinance advances multiple policy goals related to economic recovery, equitable enforcement, and neighborhood vitality. The ordinance expands the existing amnesty program to include unpermitted gates—a feature often installed by small businesses during the COVID-19 pandemic without access to technical or financial resources.

The Commission finds that by removing outdated design standards for non-historic buildings and offering a fee-free, streamlined path to legalization, the ordinance encourages compliance without imposing unnecessary burdens.

The Commission finds that the ordinance responds to longstanding racial and social equity concerns around enforcement practices in historically marginalized communities. The ordinance achieves these objectives without compromising safety or design integrity and requires no changes to implementation procedures.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

By providing an amnesty path for existing unpermitted awnings and signs—many of which support legacy and small businesses—the ordinance sustains commercial activity and contributes to neighborhood vitality. This helps preserve the city’s distinctive visual identity and its attractiveness to businesses and visitors.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City’s supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City’s supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in

an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 26, 2025



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.06.27 09:25:51 -07'00'

AYES: Campbell, Williams, Braun, Imperial, Moore, and So
NOES: None
ABSENT: McGarry
ADOPTED: June 26, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: June 26, 2025

90-Day Deadline: August 18, 2025

Project Name: Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork
Case Number: 2025-004737PCA [Board File No. 250539]
Initiated by: Mayor Lurie / Introduced May 20, 2025
Staff Contact: Aaron Starr, Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Adopt of Recommendation for Approval

Planning Code Amendment

Ordinance amending the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts.

The Way It Is Now:

The Way It Would Be:

1	In Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts, any decorative railings or grillwork placed in front of or behind ground floor windows is required to be at least 20% open to perpendicular view. Exceptions to these requirements are provided for historic buildings.	These controls would be removed for non-historic buildings.
2	Security gates are required to be open grillwork rather than solid material. Gates that are less than 75% open to perpendicular views are required to include a transparent viewing window. Gates, when both open and folded or rolled, are required to be recessed within, or laid flush with, the building facade.	These controls would be removed for non-historic buildings.
3	Cannabis Retail uses are provided and exemption that allowed full roll-down gates so long as they were only employed when not open to the public.	These controls would be deleted, as a special carveout for Cannabis Retail would no longer be needed.
4	Planning Code Section 187 provides an amnesty program for pre-existing Awnings, and Signs. The amnesty program in the Building Code covers pre-existing Awnings.	The amnesty program in the Planning Code would be expanded to include pre-existing unpermitted Gates. The amnesty program in the Building Code would be expanded to include pre-existing Signs and Gates.

Background

This Ordinance builds upon the City's prior efforts to support small businesses and promote code compliance through streamlined permitting and equitable enforcement. In 2020, in response to the economic disruptions caused by the COVID-19 pandemic, the City adopted an Awning Amnesty Program to help businesses legalize existing unpermitted awnings. Recognizing the ongoing need for regulatory flexibility and the presence of additional unpermitted features on commercial properties, this Ordinance expands that amnesty program to include existing unpermitted signs and gates installed before August 20, 2023. It also removes outdated design standards for gates, railings, and grillwork in non-historic buildings located in commercial and mixed-use districts. These changes aim to reduce regulatory burdens, preserve the visual character of neighborhood commercial corridors, and encourage property owners to legalize existing installations while maintaining public safety and design integrity.

Issues and Considerations

Existing Amnesty Program

Established in 2023, the Awning and Sign Amnesty Ordinance was developed in response to the significant number of unpermitted signs and awnings installed throughout San Francisco. Recognizing both the economic challenges faced by these businesses and the aesthetic contributions of awnings and signs to neighborhood character, the city created a temporary program to streamline the legalization process. It offers a simplified application procedure, waives associated fees, and allows certain awnings and signs to be recognized as legal nonconforming structures under the Planning Code. The program is designed to reduce regulatory burdens and support small businesses, while maintaining safety and design standards.

Originally the program was proposed to sunset in June 2024, unless extended by the Board of Supervisors. In 2024, the Board extended the program to be permanent, with the fee waiver active until July 1, 2025. This proposed ordinance would expand the amnesty program in the Planning Code to also include security gates. The Building Code's amnesty program would be expanded to include signs and security gates.

Recent Changes to Security Gate Controls

General Plan Compliance

The proposed ordinance is consistent with the San Francisco General Plan as it supports neighborhood character, public safety, and a diverse economic base. By expanding the amnesty program to include existing, unpermitted gates—particularly those installed by small businesses during the COVID-19 pandemic—it helps maintain active ground-floor uses and supports commercial vitality, aligning with Commerce and Industry Element Policy 2.3.

Racial and Social Equity Analysis

The Awning Sign Ordinance promotes racial and social equity by reducing financial and procedural barriers that have historically and disproportionately impacted small business owners in communities of color and immigrant neighborhoods. Many of these businesses, particularly in historically underinvested corridors, have operated with minimal resources and often installed awnings, gates, or signs without permits due to a lack of access to technical assistance or affordable permitting pathways. These features—while technically unpermitted—have served essential safety, visibility, and identity functions for small businesses, especially in neighborhoods such as the Mission, Bayview-Hunters Point, Chinatown, and the Tenderloin.

By extending the existing Awning Amnesty Program to include signs and gates, waiving permitting and enforcement fees through July 1, 2025, and offering a streamlined path to legalization, the Ordinance provides an accessible compliance opportunity that does not penalize businesses for past unintentional code violations. This approach acknowledges systemic inequities in enforcement, technical literacy, and capital access, and offers corrective measures rather than punitive ones.

Additionally, the removal of rigid design standards for gates, railings, and grillwork in non-historic buildings allows for more culturally responsive and practical design choices, especially for immigrant-owned businesses that prioritize visibility and security in distinct ways. Overall, the Ordinance supports economic stability and visual presence for historically marginalized business owners, aligning with the City's equity goals and the priority policies of Planning Code Section 101.1.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department recommends approval of the proposed ordinance because it advances multiple policy goals related to economic recovery, equitable enforcement, and neighborhood vitality. As discussed above, the ordinance expands the existing amnesty program to include unpermitted gates—a feature often installed by small businesses during the COVID-19 pandemic without access to technical or financial resources. By removing outdated design standards for non-historic buildings and offering a fee-free, streamlined path to legalization, the ordinance encourages compliance without imposing unnecessary burdens. It supports a diverse and resilient commercial base and aligns with General Plan policies that promote economic opportunity and neighborhood character. Further, the ordinance responds to longstanding racial and social equity concerns around enforcement practices in historically marginalized communities. The ordinance achieves these objectives without compromising safety or design integrity and requires no changes to implementation procedures.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

ATTACHMENTS:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Board of Supervisors File No. 250539



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection

Voice (628) 652 -3510

49 South Van Ness Avenue, 5th Floor San Francisco, California 94103

June 20, 2025

Daniel Lurie
Mayor

COMMISSION

Alysabeth
Alexander-Tut
President

Catherine Meng
Vice-President

Dan Calamuci
Evita Chavez
Bianca Neumann
Kavin Williams

Sonya Harris
Secretary

Monique Mustapha
Asst. Secretary

Patrick O'Riordan,
C.B.O., Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

Dear Ms. Calvillo:

RE: File No. 250539

Ordinance amending the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

The Code Advisory Committee (CAC) met on June 11, 2025 to consider adoption of File No. 250539 Awning, Sign, and Gate Amnesty Program. After a discussion as to the merits of adding signs and gates to the Awning Amnesty, the CAC voted unanimously to recommend the Building Inspection Commission (BIC) approve the proposed ordinance with the Department's recommended amendments.

The Building Inspection Commission met and held a public hearing on June 18, 2025 regarding the proposed amendment to the Building and Planning Codes contained in Board File No. 250539.

The Commissioners voted unanimously to **recommend approval of the Ordinance.**

President Alexander-Tut	Yes
Vice-President Meng	Yes
Commissioner Calamuci	Yes
Commissioner Chavez	Yes
Commissioner Neumann	Yes
Commissioner Williams	Yes

Should you have any questions, please do not hesitate to call me at (628) 652-3510.

Sincerely,

A handwritten signature in blue ink that reads "Sonya Harris". The signature is fluid and cursive, with the first name "Sonya" and last name "Harris" clearly distinguishable.

Sonya Harris
Commission Secretary

cc: Patrick O'Riordan, Director
Mayor Daniel Lurie
Supervisor Danny Sauter
Board of Supervisors



CITY AND COUNTY OF SAN FRANCISCO
DANIEL L. LURIE, MAYOR

OFFICE OF SMALL BUSINESS
DIRECTOR KATY TANG

June 24, 2025

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

RE: BOS File No. 250539 – Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork - Support

Dear Ms. Calvillo,

On June 23, 2025, the Small Business Commission (the Commission) heard BOS File No. 250539 – Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork. The legislation would add security gates as part of the City's existing amnesty program for awnings and signs, and would ease the City's transparency requirements for security gates, allowing them to be 100% non-transparent. Historic Buildings would still be required to adhere to the 75% transparency requirement. The Commission discussed that current requirements for security gates can be confusing, and that these design guidelines would provide significant clarity to businesses.

The Commission supported the legislation with a 6-0 vote, with one Commissioner absent. Thank you for considering the Commission's recommendations. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Katy Tang". The signature is fluid and cursive, with the first name "Katy" and last name "Tang" clearly distinguishable.

Katy Tang
Director, Office of Small Business

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: May 28, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250539
Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
6/4/2025 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☒ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Patrick O'Riordan, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: John Carroll, Assistant Clerk
Land Use and Transportation Committee

DATE: May 28, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Mayor Lurie on May 20, 2025:

File No. 250539

Ordinance amending the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation 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 or by email at: john.carroll@sfgov.org.

c:
Offices of Chair Melgar and Mayor Lurie
Tate Hanna, Department of Building Inspection
Patty Lee, Department of Building Inspection

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards
for Gates, Railings, and Grillwork
DATE: June 17, 2025

Please note the substitute legislation for BOS File 250539

Ordinance amending the Building and Planning Codes to extend the Awning amnesty program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: [Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork]
DATE: May 20, 2025

Ordinance amending the Building and Planning Codes to extend the Awning amnesty program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org