

AMENDED IN COMMITTEE

5/1/13

ORDINANCE

FILE NO. 130284

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

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3 **Ordinance recognizing Small Business Month in May 2013; amending the Planning**  
4 **Code and the San Francisco Building Code to retroactively waive fees for the month of**  
5 **May for certain façade improvements; and making findings, including environmental**  
6 **findings and findings of consistency with the General Plan and priority policies of**  
7 **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 ~~strike-through 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 local permit fees for the month of May for the replacement of awnings and signs on  
16 awnings ~~replacement~~ and installation of pedestrian level lighting as these fees have acted as  
17 a bar from many small businesses to improve their building facades and store fronts.

18 (b) On April 25, 2013, the Planning Commission adopted Resolution No. 18851  
19 recommending adoption of this Ordinance, and adopted findings that the legislation is  
20 consistent, on balance, with the City's General Plan and eight priority policies of Planning  
21 Code Section 101.1(b). The Board adopts these findings as it own. A copy of this  
22 Commission Resolution is on file with the Clerk of the Board in File No. 130284, and is  
23 incorporated by reference herein.

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. 18851, 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. 130284 and is incorporated herein by reference.

8 (e) On April 17, 2013, the Building Inspection Commission conducted a public hearing  
9 on this legislation and recommended approval of this legislation. On April 24, 2013, the  
10 Building Inspection Commission Secretary submitted a letter to the Board describing the  
11 Commission's action. Said letter is on file with the Clerk of the Board of Supervisors in File  
12 No. 130284 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 on awnings, respectively, are hereby waived for any permit issued for such activities  
17 during the 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 500100 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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