

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 5/15/2023)

[Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation]

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for new awning installations applied for during the months of May 2023 and May 2024, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; 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

May is Small Business Month in San Francisco. (See Administrative Code Section 2A.240(a)(7).)

Planning Code Section 350 authorizes the Planning Department to charge fees to compensate the Department for the cost of processing applications, developing and revising land use controls, and performing or providing other activities and services. Currently, such fees are contained in Ordinance No. 149-16.

Planning Code Section 350(j) provides for waivers or reductions of certain fees. Certain waivers are contained in Ordinance No. 149-16, which includes a waiver for permit fees for awning replacement and signs on awnings during the month of May for a Small Business Enterprise.

Building Code Section 110A contains the schedule of fees for building permits. Table 1A-A contains a fee waiver for awning replacements for a Small Business Enterprise during the month of May. Table 1A-E contains a fee waiver for pedestrian-level lighting permits for a Small Business Enterprise during the month of May.

Fire Code Section 107 contains the schedule of fees for plan review and inspection. Table 107-B contains the fee schedule for plan review. Table 107-C contains the schedule of fees for field inspections.

Amendments to Current Law

This ordinance would amend Planning Code Section 350(j) to codify the existing planning fee waivers for Small Businesses. It would also add a fee waiver for new installation of awnings during the months of May 2023 and May 2024.

This ordinance would also amend Building Code Section 110A to add the building permit fee waiver for new installation of awnings for Small Businesses during the months of May 2023 and May 2024, and make additional clarifying edits.

This ordinance would amend Section 107 of the Fire Code to add a waiver of plan review and inspection fees for awning replacements and installation of pedestrian level lighting for Small Businesses during the month of May. Additionally, it would add a waiver for awning installations during the months of May 2023 and May 2024.

This ordinance also clarifies that the fee waivers are available to Small Businesses that apply for a permit during the month of May. The ordinance defines a “Small Business” as one with a total workforce of 100 or fewer fulltime employees.

The operative provisions of this ordinance shall be retroactive to May 1, 2023 should the effective date of the ordinance occur after May 1, 2023.

This ordinance also contains provisions that overlap with subsection (f) on page 43 of Ordinance No. 149-16. To the extent the provisions of this ordinance differ from those of Ordinance No. 149-16, the provisions of this ordinance govern.

Background Information

This legislative digest reflects amendments made at the Land Use and Transportation Committee on May 15, 2023. Those amendments:

- clarified the refund procedures; and
- limited the waiver of Planning, Building, and Fire permit and inspection fees for new awning installations to permits applied for during the months of May 2023 and May 2024.

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