File No.	130284		Committee Item No.	· ·	1	
			Board Item No	12	<u>:</u>	·

# COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date:	05/1/2013
Board of Supervisors Meeting Date:	may 7, 201
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OTHER (Use back side if additional space is needed	I)
Completed by: Victor Young  Date April 2  Completed by: Victor Young  Date 5	26, 2013 12//7

# AMENDED IN COMMITTEE 5/1/13 ORDINANCE

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

FILE NO. 130284

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Ordinance recognizing Small Business Month in May 2013; amending the Planning Code and the San Francisco Building Code to <u>retroactively</u> 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.

NOTE:

Additions are <u>single-underline italics Times New Roman</u>; deletions are <u>strike-through italics Times New Roman</u>. Board amendment additions are <u>double-underlined</u>; Board amendment deletions are <u>strikethrough normal</u>.

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

- (a) May is Small Business Month and this Board desires to recognize the importance of small businesses in San Francisco. As part of this recognition, the Board elects to waive various <u>local</u> permit fees for the month of May for <u>the replacement of awnings and signs on awnings replacement</u> and installation of pedestrian level lighting as these fees have acted as a bar from many small businesses to improve their building facades and store fronts.
- (b) On April 25, 2013, the Planning Commission adopted Resolution No. <u>18851</u> recommending adoption of this Ordinance, and adopted findings that the legislation is consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1(b). The Board adopts these findings as it own. A copy of this Commission Resolution is on file with the Clerk of the Board in File No. <u>130284</u>, and is incorporated by reference herein.

- (c) Pursuant to Planning Code Section 302, this Board finds that this Ordinance will promote the public necessity, convenience, safety and welfare for the reasons set forth in Commission Resolution No. <u>18851</u>, which is incorporated herein by reference.
- (d) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130284 and is incorporated herein by reference.
- (e) On April 17, 2013, the Building Inspection Commission conducted a public hearing on this legislation and recommended approval of this legislation. On April 24, 2013, the Building Inspection Commission Secretary submitted a letter to the Board describing the Commission's action. Said letter is on file with the Clerk of the Board of Supervisors in File No. 130284 and is incorporated herein by reference.

Section 2. This Section is uncodified.

- (a) Notwithstanding any provision of the Planning Code, including the fee schedule associated with Sections 355(a) and 355(e), the permit fee for awning replacement and for signs on awnings, respectively, are hereby waived for any permit issued for such activities during the month of May 2013.
- (b) Notwithstanding any provision of the Building Code, including the fee schedules of Tables 1A-A and 1A-E, the permit fees related to reviewing the structural integrity of awning replacements for those permits submitted "over the counter" at the Central Permit Bureau and installation of pedestrian level lighting, respectively, are hereby waived for any permit issued for such activities during the month of May 2013.
- Section 3. The fee waivers set forth in this Ordinance shall apply only to small business enterprises. For purposes of this Ordinance a small business enterprise shall be one that has 500100 or fewer employees. The Board of Supervisors hereby delegates to the

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

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

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

By:

John∖D. Malamut Deputy City Attorney

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# **LEGISLATIVE DIGEST**

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

Ordinance recognizing Small Business Month in May 2013; amending the San Francisco Planning Code and the San Francisco Building Code to retroactively 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.

# **Existing Law**

The Planning Code establishes permit fees for certain applications, including awning replacement and for signs. The Building Code establishes permit fees to review the structural integrity of awning replacements among other types of permit review.

# Amendments to Current Law

In recognition of Small Business Month in May 2013, this legislation would waive Planning Code fees for awning replacement and for signs on awnings during the month of May 2013 for small businesses. The Ordinance also would waive Building Code fees related to review of the structural integrity of awning replacements during this time for small businesses. The legislation would define small businesses to be those with 100 or fewer employees and delegate to the Directors of City Planning and Building Inspection the ability to establish a process to certify that a business meets this definition. The Ordinance would adopt environmental findings and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1.



# BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection Voice (415) 558-6164 - Fax (415) 558-6509 1660 Mission Street, San Francisco, California 94103-2414

April 24, 2013

Edwin M. Lee Mayor

COMMISSION

Ms. Angela Calvillo Clerk of the Board

Angus McCarthy

Board of Supervisors, City Hall

President:

1 Dr. Carlton B. Goodlett Place, Room 244

Warren Mar Vice-President San Francisco, CA 94102-4694

Kevin Clinch Frank Lee Dr. James McCrav. Myrna Melgar Debra Walker

RE: Discussion and possible action regarding proposed ordinance (File No. 130284) 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 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.

Sonya Harris Secretary

Tom Hui Acting Director

Dear Ms. Calvillo:

On April 17, 2013 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Planning Code and the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

President McCarthy Vice-President Mar Aye Ay.e Commissioner Clinch Commissioner Lee Aye Aye Commissioner Melgar Commissioner McCray, Jr. Aye Ave

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris

Commission Secretary

Llonge Abarro

cc:

Tom C. Hui, S.E., Acting Director Supervisor Katy Tang





SMALL BUSINESS COMMISSION OFFICE OF SMALL BUSINESS

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

April 24, 2013

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

Re: File No. 130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Small Business Commission Recommendation: Approval

Dear Ms. Calvillo:

On April 22, 2013 the Small Business Commission voted 6-0 to recommend approval of Board of Supervisors File No. 130824.

The Commission supports this ordinance, which will provide businesses with a waiver of permit fees when making certain improvements to their storefront businesses during the month of May. Enhancements such as new awnings and pedestrian lighting are crucial to improving both individual businesses as well as improving our important commercial corridors. Waiving these fees, which for awnings with signs average between \$250 to \$350 at the Department of Building Inspection and up to \$481 at Planning, will serve as an incentive for many businesses that operate on low profit margins to install new awnings and pedestrian lighting during the month of May.

The Office of Small Business looks forward to working with the Supervisor Katy Tang and her staff to ensure that outreach takes place to the small business community. The Commission also thanks DBI and the Planning Department for their continued support of this annual program.

Sincerely,

Regina Dick-Endrizzi

Director, Office of Small Business

Cc: Supervisor Katy Tang
Jason Elliot, Mayors Office
Aaron Star, Planning Department

William Strawn, DBI

# BOARD of SUPERVISORS



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

April 2, 2013

File No. 130284

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

Dear Ms. Jones:

On March 26, 2013, Supervisor Tang introduced the following proposed legislation:

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.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Victo Hours

By: Victor Young, Committee Clerk Budget and Finance Committee

Attachment

c: Monica Pereira, Environmental Planning Joy Navarrete, Environmental Planning Stadu fory Exemption pursuand to CEQA Guidelines Section 15273, "Rates, Jolls, Janes, and Charges."

Tlannie Y. Surrell April 4, 2013 April 29, 2013

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

Reception: 415.558.6378

1650 Mission St. Suite 400

San Francisco, CA 94103-2479

Fax: 415.558.6409

Planning Information: **415.558.6377** 

Re:

Transmittal of Planning Department Case Number 2013.0464T Waiving Certain Fees for Small Business Month

Board File No. 13-0284

Planning Commission Recommendation: Approval with Modifications

Dear Ms. Calvillo and Supervisor Tang,

On April 25, 2013, the Planning Commission conducted a duly noticed public hearing at regularly scheduled meetings to consider the proposed Ordinance that would recognize Small Business Month in May 2013 and amend the San Francisco Planning Code, and the San Francisco Building Code to waive fees for the month of May for certain façade improvements introduced by Supervisor Tang. At the hearing, the Planning Commission recommended approval with modifications.

The proposed modifications include:

Limit the fee waiver to permits for awning and permits for signs on awnings only.

The proposed amendments to the Planning Code has been reviewed and found exempt from CEQA per Section 15273, Rates, Tolls, Fares and Charges.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commissions.

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,

AnMarie Rodgers

Manager of Legislative Affairs

www.sfplanning.org

CC

John D. Malamut, Deputy City Attorney Dyanna Quizon, Aide to Supervisor Tang Alisa Miller, Office of the Clerk of the Board

Attachments
Planning Commission Resolution
Planning Department Executive Summary

# **Planning Commission** Resolution No. 18851

**HEARING DATE: APRIL 25, 2013** 

1650 Mission St. Suite 400 San Francisco. CA 94103-2479

Reception: 415.558.6378

Project Name:

Waiving Certain Fees for Small Business Month

Case Number:

2013.0464T [Board File No. 13-0284]

415.558.6409

Initiated by:

Supervisor Tang / Introduced March 26, 2013

Planning Information:

Staff Contact:

Aaron Starr, Legislative Affairs aaron.starr@sfgov.org. 415.558.6362 415.558.6377

Reviewed by:

AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415.558.6395

RECOMMENDING THAT THE BOARD OF SUPERVISORS PASS AN ORDINANCE THAT WOULD 1) RECOGNIZE SMALL BUSINESS MONTH IN MAY 2013; 2) AMEND THE SAN FRANCISCO PLANNING CODE, AND THE SAN FRANCISCO BUILDING CODE TO WAIVE FEES FOR THE MONTH OF MAY FOR CERTAIN FAÇADE IMPROVEMENTS; AND 3) MAKE ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1

#### **PREAMBLE**

Whereas, this is the eighth year in a row that the City of San Francisco has celebrated Small Business Week during the month of May; and

Whereas, small businesses are the backbone of the American economy, representing 99.7 percent of all employer firms; and

Whereas, on April 25, 2013 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed Ordinance have been found exempt from the California Environmental Quality Act per Section 15273, Rates, Tolls, Fares and Charges; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

www.sfplanning.org

CASE NO. 2013.0464T Waiving Certain Fees for Small Business Month

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Commission hereby recommends that the Board of Supervisors recommend *approval* with modification of the proposed Ordinance and adopts the Draft Resolution to that effect.

The Commission recommended modification would be to limit the fee waiver to permits for awning and permits for signs on awnings only.

#### **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:

- 1. As amended, this Ordinance would provide an incentive to improve business facades at what is projected to be minimal cost to the City. Therefore, we recommend support of this proposed Ordinance as a gesture of goodwill during Small Business Month 2013.
- 2. **General Plan Compliance.** The proposed Ordinance is, on balance, consistent with the following Objectives and Policies of the General Plan:

## **COMMERCE AND INDUSTRY ELEMENT**

#### POLICY 2.3

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

#### POLICY 4.1

Maintain and enhance a favorable business climate in the city.

#### POLICY 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

The proposed Ordinance would provide a gesture of goodwill for Small Business Month 2013.

#### URBAN DESIGN ELEMENT

#### POLICY 4.7

Encourage and assist in voluntary programs for neighborhood improvement.

The proposed Ordinance would assist building owners in voluntary façade upgrades.

1. The proposed replacement project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:
  - The proposed Ordinance will assist neighborhood-serving retail uses in renovation of facades.
- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

  The proposed Ordinance will have no adverse impact on housing and will encourage improvements to neighborhood commercial corridors.
- C) The City's supply of affordable housing will be preserved and enhanced:

  The proposed Ordinance will have no adverse effects on the City's supply of affordable housing.
- The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:
   The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.
- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

  The proposed Ordinance would have no negative effects on industry.
- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

  The proposed Ordinance would not affect the preparedness against injury and loss of life in an earthquake is unaffected.
- G) That landmark and historic buildings will be preserved:

  The proposed Ordinance would not adversely affect landmark and historic buildings as it would encourage renovations and would not exempt any project from historic resource or other required review.
- H) Parks and open space and their access to sunlight and vistas will be protected from development:

  The proposed Ordinance would not adversely affect parks and open spaces in terms their access to sunlight and vistas.

CASE NO. 2013.0464T Waiving Certain Fees for Small Business Month

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on April 25, 2013

Jonas P Ionin Acting Commission Secretary

AYES:

Commissioners Antonini, Fong, Hillis, Moore, and Wu

NAYS:

none

ABSENT:

Commissioners Borden and Sugaya

ADOPTED:

April 25, 2013

# **Executive Summary Planning Code Text Change**

**HEARING DATE: APRIL 25, 2013** 

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

415.558,6409

Planning

Information: 415.558.6377

Project Name:

Waiving Certain Fees for Small Business Month

Case Number:

2013.0464T [Board File No. 13-0284]

Initiated by: Staff Contact: Supervisor Tang / Introduced March 26, 2013

Aaron Starr, Legislative Affairs

Reviewed by:

aaron.starr@sfgov.org. 415.558.6362 AnMarie Rodgers, Manager Legislative Affairs

anmarie.rodgers@sfgov.org, 415.558.6395

Recommendation:

Recommend Approval with Modification

# PLANNING AND BUILDING CODE AMENDMENTS

The proposed Ordinance would 1) recognize Small Business Month in May 2013; 2) amend the San Francisco Planning Code, and the San Francisco Building Code to waive fees for the month of May for certain façade improvements; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1

# The Way It Is Now:

Planning Code (hereinafter "Code") Section 355(a) establishes fees for alterations to existing buildings based upon the cost of construction of the work. The Code establishes the current fees as follows:

<b>Estimated Construction Cost</b>	Initial Fee
\$0.00 to \$9,999.00	\$326.00
\$10,000.00 to \$49,999.00	\$334.00 + 3.414% of cost over \$10,000.00
\$50,000.00 to \$99,999.00	\$1,725.00 + 2.281% of cost over \$50,000.00 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee
\$100,000.00 to \$499,999.00	\$2,890.00 + 2.497% of cost over \$100,000.00 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee
\$500,000.00 to \$999,999.00	\$13,068.00 + 0.631% of cost over \$500,000.00 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee
\$1,000,000.00 to \$4,999,999.00	\$16,286.00 + 0.248% of cost over \$1,000,000.00 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee
\$5,000,000.00 to \$99,999,999.00	\$26,392.00 + .004% of cost over \$5,000,000.00 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee
\$100,000,000.00 or more	\$30,530 + \$89.00 D.R. Surcharge and \$291.00 Cat Ex Stamp Fee

www.sfplanning.org

Hearing Date: April 25, 2013

Planning Code Section 355(e) establishes a flat \$155 fee for sign replacement, including signage that is located on awnings.

## The Way It Would Be:

The Ordinance proposes to waive Planning Department fees for permits of awning replacements and signs that are issued during the month of May 2013. The Ordinance also proposes to waive Building Department fees for both awning and sign replacement and pedestrian-level lighting.

#### Issues and Considerations:

- Same Ordnance Passed for Small Business Month 2012: The exact same Ordinance was passed last year for Small Business month. It was originally introduced by Supervisor Carmen Chu under Board File No. 120188. Supervisor Chu's ordinance originally waived the fees for awnings alone. On March 22, 2012, the Planning Commission voted 6-0 to approve the Ordinance with Modifications. The Planning Commission recommended that the fee for awnings on signs also be waived for Small Business month, as the original version of the Ordinance only waived the replacement fee for awnings. Because the Supervisor's intent was to encourage façade improvements through repair and replacement of awnings, the Commission noted that without additionally waiving the fee for awnings on signs, small businesses would likely still need to pay a fee for awning replacements as most awning replacements include a signage permit fee. After the Planning Commission's vote, the Ordinance was revised to include a fee waiver for all signs. However, in practice the Department of Building Inspection only waived the fee for awnings and signs on awnings last year, consistent with the Commission's recommendation.
- Small Business Commission (SBC): The SBC will be voting on this Ordinance at their April 22 2013 meeting. Last year the SBC voted 7-0 to recommend approval of the proposed Ordnance. This year the recommendation from the SMC Staff is for approval.
- Permits: The Department of Building Inspection (hereinafter "DBI") reviews both pedestrianoriented lighting and awning replacement permits. The Planning Department is not typically
  involved in the review of pedestrian-level lighting. DBI's Central Permit Bureau accepts and issues
  construction permits for buildings located within the City and County of San Francisco. Last year 11
  awning permits, four of which also included signs received waivers. Therefore, last year this
  Ordinance cost DBI approximately \$20,000. DBI's Electrical Division was not able to separate the
  specific electrical permits that might fall into that pedestrian level lighting category. That said, DBI
  estimates that any permit fees tied specifically to such lighting would have a very minor impact on
  DBI permit fee revenues.
- Planning Department Review of Awning and Sign Replacement Permits: The proposed Ordinance would waive fees not only for replacement of awnings with signs, but also replacement of existing stand-alone signs. During last year's Small Business Month, the Department of Building Inspection waived a total of 11 awning replacement fee, four of which included signs. The Planning Department fee for review of awning replacement is dependent on two factors: 1) the cost of construction and 2) whether or not the awning contains signage. The cost of construction for an awning replacement is typically under \$10,000 and therefore the fee for awning replacement alone would likely be \$326. If

signage on the awning were to change, a flat fee of \$155 is added for review of the signage, bringing the total Planning fees for awning and signage review to \$481. Therefore last year this proposal cost the Planning Department \$4,206.

Under the proposed Ordinance, fees for both awnings and all signs would be waived. Last May the Planning Department approved 92 sign permits. On average we approve 55 signs a month last year. There is no way to track how many of those permits were for small business signs, but including all signs instead of just signs on awnings would significantly increase the fee exemption and therefore the cost to the Department. The cost to the Department for waiving 92 sign permits would have been \$14,260, or over 3 times as much as it cost the Department last year. This issue has been discussed with Supervisor Kim's office. While the Supervisor would like to include all signs in the proposed Ordinance, she is also inclined to listen to the input from the Planning Commission and modify her proposal accordingly.

- Incentive for Small Business Façade Improvements. It should be noted that while the Ordinance acknowledges "Small Business Month" and is intended to help small businesses to improve their building facades and store fronts, as drafted, the Ordinance would exempt any property owner from fees for these permits issued during May 2013. The legislative sponsor, Supervisor Katy Tang, has partnered with the Department of Building Inspection, Planning Department, Office of Economic & Workforce Development, and Office of Small Business. Together these parties intend to market this waiver to small businesses.
- **Full Review Provided.** The proposed Ordinance does not circumvent any City or State requirements. Any building permit which needed additional review for historic resources, CEQA, public notice or other issues would be reviewed consistent with City practice. The fee exemption only applies to permits which can be *issued* during the month of May and does not require expediting or shortening of the permit review process.
- Definition of a Small Business. The Ordinance defines a small business enterprise as one that has 500 or fewer employees. In conversations with Supervisor Tang's office, they intend to reduce that to 100 employees.

# REQUIRED COMMISSION ACTION

The proposed Resolution is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

#### RECOMMENDATIONS

The Department recommends that the Commission recommend approval with modifications. Staff proposes the following modifications:

Limit the fee waiver to permits for awning and permits for signs on awnings only.

Basis for Recommendation: With Staff's proposed revision, the Department believes that the proposed Ordinances would provide an incentive to improve business facades at what is projected to be minimal cost to the City. Therefore, we recommend support of this proposed Ordinance as a gesture of goodwill

**Executive Summary** 

Hearing Date: April 25, 2013

CASE NO. 2013.0464T Waiving Certain Fees for Small Business Month

during Small Business Month 2013, consistent with the Commission's recommendations from 2012. However, the Department finds that expanding the Ordnance so that it includes all signs for small business enterprises may set a precedent for waiving fees too broadly. Last year the Commission voted to expand the Ordinance so that it included signs on awnings, and the Department believes that this recommendation is still the most prudent approach.

#### **ENVIRONMENTAL REVIEW**

The proposed amendments to the Planning Code has been reviewed and found exempt from CEQA per Section 15273, Rates, Tolls, Fares and Charges.

# **PUBLIC COMMENT**

As of the publication of this report, no public comment was received on this item.

RECOMMENDATION:

Recommendation of Approval with Modification

Attachments:

Exhibit A:

Draft Planning Commission Resolution

Exhibit B:

Draft Board of Supervisors Ordinance [Board File No. 130284]

# 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,

# 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

# Member, Board of Supervisors District 4



# City and County of San Francisco

# **KATY TANG**

# Exenciones de Tarifas para Pequeñas Empresas Durante el Mes de Mayo 2013

Según la legislación patrocinada por la Supervisora Kathy Tang y en colaboración con el Departamento de Inspección de Edificios (Department of Building Inspection), Departamento de Planificación (Planning Department), Oficina del Desarrollo Económico y Laboral (Office of Economic & Workforce Development), y la Oficina de Pequeñas Empresas (Office of Small Business), los comerciantes recibirán una exención de tarifas para los permisos expedidos en mayo por: 1) el reemplazo de toldos y 2) nivel de iluminación peatonal.

Por favor tome en cuenta que esta legislación está en proceso de ser revisada por varias comisiones y comités antes de ser llevada a votación ante la Junta de Supervisores.

# Forma en la cual los permisos son tramitados:

# Reemplazo de Toldos

- El reemplazo de toldo completo, incluyendo la estructura adjunta al edificio: Departamento de Inspección de Edificios y el Departamento de Planificación.
- Reemplazo de la cubierta de toldos: Departamento de Planificación.
- Cualquier otro tipo de fachada que toque el edificio: el Departamento de Inspección de Edificios y el Departamento de Planificación.

# Nivel de Iluminación Peatonal (Pedestrian Level Lighting)

• Permiso eléctrico a través del Departamento de Inspección de Edificios.

## Tarifa

El costo de los diferentes permisos varía según el tipo y la cantidad de trabajo que se tenga que realizar.

#### Tarifa para permisos de toldo del Departamento de Planificación:

La tarifa en la sección 355 (a) se aplica al reemplazo de la cubierta de toldo. La tarifa en la sección 355 (e) se debe aplicar si hay texto incluido en la cubierta del toldo.

http://www.amlegal.com/nxt/gateway.dll/California/planning/article35fees?f=templates\$fn=default.htm\$3.0\$vid=amlegal:sanfrancisco\_ca\$anc=JD\_355

# Tarifa para permisos de toldo del Departamento de Inspección de Edificios:

Las tarifas de revisión de planes y emisión de permisos del Departamento de Inspecciones de Edificios aplican si va a cambiar algo que toque a su edificio.

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

Para más información:

Planning Department Departamento de Planificación 1650 Mission Street, Suite 400 (415) 558-6378 Department of Building Inspection Departamento de Inspección de Edificios 1660 Mission Street (415) 558-6088



City and County of San Francisco

# **KATY TANG**

# 2013年5月小商業月費減免

根據由湯凱蒂市參事與建築物檢察局、規劃局、經濟及勞動力發展辦事處和小商業管理局共同支持的立法案,小商戶(員工人數在 100 人或以下)將在 5 月獲得以下兩類許可證的費用減免: 1 )更換遮篷 2)行人路照明設備。

請注意,此項立法案正在由幾個不同的委員會和小組委員會進行審查,然後再送交市參事委員投票表決。

## 各類許可證的處理程序:

# 更換遮篷

- □ 更換整個遮篷,包括連接到建築物的結構部分:由建築物檢察局及規劃局處理
- □只更換庶篷蓋部分: 由規劃局處理
- 口涉及建築物的任何其他類型的店面招牌: 由建築物檢察局及規劃局處理

# 行人路照明設備

□電力許可證由建築物檢察局發放

# 費用

許可證的費用因應相關工程的類型和金額而有所不同。

### 規劃局的遮篷許可證費用:

條例 355(a)項適用於遮逢蓋的更換。假如您的遮篷蓋包含任何文字,則必須遵照條例第 355 (e) 項所訂的 費用標準。

http://www.amlegal.com/nxt/gateway.dll/California/planning/article35fees?f=templates\$fn=default.htm\$3.0\$vid=amlegal:sanfrancisco\_ca\$anc-ID\_355

# 建築物檢察局的遮篷許可證費用:

建築物檢察局計劃審批和許可證發放的費用適用於任何涉及您的建築物的更改工程。 http://sfdbi.org/ftp/uploadedfiles/dbi/Table1AA2Alterations.pdf

# 欲了解更多相關資料,請聯緊:

## 規劃局

# 建築物檢察局

地址:1650 Mission Street, Suite 400

地址:1660 Mission Street

City Hall · 1 Dr. Carlton B. Goodlett Place, Room 244 · San Francisco, California 94102-4689 (415) 554-7460 · Fax (415) 554-7432 · TDD/T 67 (15) 554-5227 · E-mail: carmen.chu@sfgov.org



# **ADMINISTRATIVE BULLETIN**

NO. AB-078

DATE

June 5, 2012

SUBJECT

Permit Review and Operation

TITLE

Criteria for Waiving Special Inspection Requirements for Signs, Awnings and

Canopies

**PURPOSE** 

The purpose of this Administrative Bulletin is to establish criteria for waiving the special

inspection requirements for signs, awnings and canopies meeting the conditions of this

Administrative Bulletin.

REFERENCES

2010 San Francisco Building Code

Section 108A.1 Inspections, General

Chapter 17 Structural Tests and Special Inspections

Section 3107 Signs

Section 3105 Awnings and Canopies

DBI Administrative Bulletin AB-046, Special Inspection and Structural Observation Procedure

# DISCUSSION

SFBC Section 1704.1 Exception 1 states that "Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official".

This Administrative Bulletin is to establish criteria for waiving the special inspection requirements for signs, awnings and canopies which are less than the sizes, weights and projection as specified below.

# **Conditions of Waivers**

#### 1. Awnings and canopies

- a. For fabric awnings and canopies, engineering calculations and special inspection on welding are waived.
- b. For fabric awnings and canopies, special inspection on anchor bolts is waived, provided that:
  - All expansion bolts are installed with the required torque per manufacturer's ICC report, and,
  - ii. There are at least 4 bolts per connection and bolts are at least 3/8" diameter and embedded at least 3 inches.

#### 2. Signs

For signs weighing less than 250 lbs., less than 24 sq. ft. in area and less than a 4 feet projection, engineering calculations and all special inspections are waived, provided that all expansion bolts are installed with the required torque per manufacturer's ICC report.

Technical Services Division
1660 Mission Street – San Francisco CA 94103
Office (415) 558-6205 – FAX (415) 558-6401 – www.sfdbi.org

For signs less than 24 sq. ft. in area but exceeding the weight and projection limits above, special inspection on welding is waived. Special inspection on anchor bolts is also waived, provided that:

- a. Structural calculations are submitted showing that the stress level is not more than 25% of the design allowable;
- b. All expansion bolts are installed with the required torque per manufacturer's ICC report; and
- c. There are at least 4 bolts per connection and bolts are at least 3/8" diameter and embedded at least three (3) inches.

Vivian L. Day, C.B.O.

Director

Department of Bullding Inspection

Approved by the Building Inspection Commission on 3/21/2012

VD:DL



# FEE SCHEDULE ALTERATION BUILDING PERMIT

CITY AND COUNTY OF SAN FRANCISCO
1660 MISSION STREET, SAN FRANCISCO, CA 94103
PHONE: (415) 558-6088 FAX: (415) 558-6041 www.sfqov.org/dbi
August 2008

TABLE 1A-A (2 of 3)

The following building permit fees apply to all building permit issued on and after September 2, 2008. The Building Permit Fee is the Plan Review Fee plus the Permit Issuance Fee.

The Alteration Building Permit Fee Schedule applies to alterations, repairs, additions or other work on an existing building or structure, or to the modification of the scope of an approved permit as required by San Francisco Building Code Section 106A.4.7.

TOTAL VALUATION	PLAN REVIEW FEE	PERMIT ISSUANCE FEE
\$1.00 to \$2,000.00	\$155.75 for the first \$500.00 or less plus \$3.15 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$66.75 for the first \$500.00 or less plus \$1.35 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$50,000.00	\$203.00 for the first \$2,000.00 plus \$19.11 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$87.00 for the first \$2,000.00 plus \$8.19 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$200,000.00	\$1,120.28 for the first \$50,000.00 plus \$11.43 for each additional \$1000.00 or fraction thereof, to and including \$200,000.00	\$480.12 for the first \$50,000.00 plus \$4.90 for each additional \$1000.00 or fraction thereof, to and including \$200,000.00
\$200,001.00 to \$500,000.00	\$2,834.78 for the first \$200,000.00 plus \$9.33 for each additional \$1000.00 or fraction thereof, to and including \$500,000.00	\$1,215.12 for the first \$200,000.00 plus \$4,00 for each additional \$1000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$5,633.78 for the first \$500,000.00 plus \$6.42 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	\$2,415.12 for the first \$500,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 to \$5,000,000.00	\$8,843.78 for the first \$1,000,000.00 plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including \$5,000,000.00	\$3,790.12 for the first \$1,000,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$5,000,000.00
\$5,000,001.00 and up	\$32,163.78 for the first \$5,000,000.00 plus \$5.48 for each additional \$1,000.00 or fraction thereof	\$13,790.12 for the first \$5,000,000.00 plus \$2.35 for each additional \$1,000.00 or fraction thereof

This worksheet is for informational purposes only. Additional fees may apply to your building permit. This information is available in alternative formats for persons with disabilities. To request this fee schedule in alternative format, contact (415) 558-6088 or <a href="mailto:DBICustomerService@sfgov.org">DBICustomerService@sfgov.org</a>



# FEE SCHEDULE ELECTRICAL PERMIT ISSUANCE AND INSPECTION

TABLE 1A-E

CITY AND COUNTY OF SAN FRANCISCO 1660 MISSION STREET, SAN FRANCISCO, CA 94103 PHONE: (415) 558-6088 FAX: (415) 558-6041 www.sfgov.org/dbi Effective August 2009

Permit applicants are required to itemize the proposed scope of work and select the appropriate category and fee amount.

Separate electrical permits are required for each structure, condominium unit, existing dwelling unit (except in R3 occupancies), common area, commercial office floor or individual tenant space.

Standard hourly permit issuance and inspection rates shall apply for installations not covered by this fee schedule.

Fees shall be paid in full prior to obtaining: occupancy approval, job card signature, permission to energize, or final sign-off, as applicable.

For the purpose of fee calculation, appliances and utilization equipment each count as one outlet or device in addition to receptacles, switches, and light outlets.

Category 1 General Wiring: Residential Buildings up to 10,000 sq. ft.	
Up to 10 outlets and/or devices (1 inspection)	\$160.00
11 to 20 outlets and/or devices (up to 2 inspections)	\$240.00
Up to 40 outlets and/or devices, includes up to 200 Amp service upgrade (up to 3 inspections)	\$300.00
*More than 40 outlets and/or devices (up to 4 inspections)	\$420.00
*Buildings of 5,000 to 10,000 sq. ft. area (up to 5 inspections)	\$600.00

Category 2 General Wiring: Nonresidential Buildings & Residential Buildings over 10,000 sq. ft.				
Up to 5 outlets and/or devices (up to 2 inspections)		\$240.00		
6 to 20 outlets and/or devices (up to 3 inspections)		\$360.00		
*Areas up to 2,500 sq. ft. (up to 4 inspections)		\$480.00		
*2,501 to 5,000 sq. ft. (up to 6 inspections)		\$720.00		
*5,001 to 10,000 sq. ft. (up to 8 inspections)		\$1,200.00		
*10,001 to 30,000 sq. ft. (up to 12 inspections)		\$2,400.00		
*30,001 to 50,000 sq. ft. (up to 18 inspections)		\$4,800.00		
*50,001 to 100,000 sq. ft. (up to 24 inspections)		\$7,200.00		

*100,001 to 500,000 sq. ft. (up to 48 inspections)	\$14,400.00
*500,001 to 1,000,000 sq. ft. (up to 120 inspections)	\$32,400.00
*More than 1,000,000 sq. ft. (up to 240 inspections)	\$64,800.00
*Includes Category 3 & 4 installations in new buildings or major remodel wor	rk

Service, Distribution, and Uti and Fire Pumps(Use Categor Categories 1 or 2 (includes 2	y 3 for ir	Equipm Istallat		clude				
225 amps rating or less					 -			\$240.00
250 to 500 amps		•				4. 1		\$360.00
600 to 1000 amps	1			,			• : 1	\$480.00
1,200 to 2,000 amps			-		·			\$720.00
More than 2,000 amps								\$960.00
600 volts or more						* .	,	\$960.00
150 KVA rating or less								\$240.00
151 KVA or more								\$360.00
Fire Pump installations				<i>:</i>		٠.		\$480.00

Category 4 Installations of Fire Warning and Controlled Devices (Use Catego separate from the scope of work in Categories 1 a	
Up to 2,500 sq. ft. (up to 2 inspections)	\$240.00
2,501 to 5,000 sq. ft. (up to 3 inspections)	\$360.00
5,001 to 10,000 sq. ft. (up to 6 inspections)	\$720.00
10,001 to 30,000 sq. ft. (up 8 inspections)	\$1,200.00
30,001 to 50,000 sq. ft. (up 12 inspections)	\$2,400.00
50,001 to 100,000 sq. ft. (up to 18 inspections)	\$4,800.00
100,001 to 500,000 sq. ft.(up to 24 inspections)	\$7,200.00
500,001 to 1,000,000 sq. ft. (up to 60 inspections)	\$16,200.00
More than 1,000,000 sq. ft. (up to 120 inspections)	\$32,400.00

Installations of Fire Warning and Controlled Devices (Retrofit Systems)	
Buildings of not more than 6 dwelling units (up to 2 inspections)	\$360.00
Buildings of not more than 12 dwelling units (up to 3 inspections)	\$480.00

Buildings with more than 12 dwelling units and non-resident occupancies	tial
Building up to 3 floors (up to 4 inspections)	\$7,20.00
4-9 floors (up to 8 inspections)	\$1,440.00
10 to 20 floors (up to 12 inspections)	\$2400.00
21-30 floors (up to 18 inspections)	\$4,800.00
More than 30 floors (up to 24 inspections)	\$7,200.00

Category 5 Miscellaneous Installations	· .
Remodel/Upgrade of Existing Hotel Guest /SRO Rooms	
Up to 6 rooms (up to 3 inspections)	\$300.00
Each additional group of 3 rooms	\$150.00
Data, Communications, and Wireless Systems	
10 cables or less	Exempt
11 to 500 cables (1 inspection)	\$170.00
Each additional group of 100 cables	\$25.00
Security Systems. Includes installations and devices that interface with life safety systems; excludes installations in R3 Occupancies	
10 components or less (1 inspection)	\$170.00
Each additional group of 10 components	\$10.00
Office Workstations, 5 or less (1 inspection)	\$170.00
Each additional group of 10 workstations	\$50.00
Temporary Exhibition Wiring, 1 to 100 booths (1 inspection)	\$240.00
Each additional group of 10 booths	\$25,00
Exterior Electrical Sign (1 inspection)	\$170.00
Interior Electrical Sign (1 inspection)	\$170.00
Each Additional Sign, at the same address	\$40.00
Garage Door Operator (Requiring receptacle installation) (1 inspection)	\$170.00
Quarterly Permits Maximum 5 outlets in any one location (1 inspection)	\$375.00
Survey, per hour or fraction thereof)	\$170.00
Survey Research and Report preparation, per hour or fraction thereof	\$300.00
Witness Testing: life safety, fire warning, emergency, and energy management systems	
Hourly Rate	\$170.00
Additional hourly rate	\$170.00
Off-hour inspections: Two hour minimum	\$340.00

Additional off-hourly rate		\$255.00
Energy Management, HVAC controls, and Low-Voltage	ge Wiring Systems	
1 – 10 floors ( 3 inspections)		\$480.00
Each additional floor		\$50.00
Solar Photovoltaic Systems		
10 kW rating or less	,	\$170.00
Each additional 10 kW (up to two inspections)		\$100.00
Standard Hourly Inspection Rate D	See Tab	ole 1A-

This worksheet is for informational purposes only. Additional fees may apply to your building permit. This information is available in alternative formats for persons with disabilities. To request this fee schedule in alternative format, contact (415) 558-6088 or <a href="mailto:DBICustomerService@sfgov.org">DBICustomerService@sfgov.org</a>

#### PLANNING DEPARTMENT FEES

#### SEC. 355. PERMIT APPLICATIONS.

(a) Building permit applications for a change in use or alteration of an existing building, to be collected by Central Permit Bureau; provided, however, that the fees charged for Planning Department approval over-the-counter for the replacement of windows, roofs, siding, and doors shall be reduced to ½ the fee set forth below. The Planning Department initial fee amount shall not to exceed 1 50% of the construction cost; notwithstanding the foregoing, applications for permit revisions are excluded from this limitation.

Estimated Construction Cost	Initial Fee		
\$0.00 to \$9,999.00	\$326.00		
\$10,000.00 to \$49,999.00	\$334.00 plus 3.414% of cost over \$10,000.00		
\$50,000.00 to \$99,999.00	\$1,725.00 plus 2.281% of cost over \$50,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		
\$100,000.00 to \$499,999.00	\$2,890.00 plus 2.497% of cost over \$100,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		
\$500,000.00 to \$999,999.00	\$13,068.00 plus 0.631% of cost over \$500,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		
\$1,000,000.00 to \$4,999,999.00	\$16,286.00 plus 0.248% of cost over \$1,000,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		
\$5,000,000.00 to \$99,999,999.00	\$26,392.00 plus .004% of cost over \$5,000,000.00 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		
\$100,000,000.00 or more	\$30,530 plus \$89.00 Discretionary Review Surcharge and \$291.00 Categorical Exemption Stamp Fee		

- (1) Application with Verified Violations of this Code: The Planning Department shall charge \$1,153.00 as an inspection fee for monitoring code violation abatements.
- (2) Back-Check Fee for Permit Revisions: \$208.00 for the initial fee, plus time and materials as set forth in Section 350(c), to be collected at time of permit issuance.
- (3) Shadow Impact Fee for New Construction or Alteration Exceeding 40 Feet in Height (Section 295): Additional \$477.00 plus time and materials as set forth in Section 350(c).
- (4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 311: \$49.00, plus \$3.26 per envelope (subject to increase based on envelope and postage costs). The City's reprographics department will print and mail public notices.
- (5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 312: \$49.00, plus \$1.13 per envelope (subject to increase based on envelope and postage costs). The City's reprographics department will print and mail public notices.
- (6) For projects with a construction cost of \$100,000,000.00 or more, the applicant shall be charged the permit fee for a project with a \$100,000,000.00 construction cost.
- (7) Permits for solar panels and over-the-counter permits for solar equipment installation shall be \$140.00 per permit.
- (e) Sign Permit Applications, to be collected by Central Permit Bureau: \$130.00.



Edwin M. Lee, Mayor Tom C. Hui, S.E., C.B.O., Acting Director

	Job Addre	ss:	•	<del></del>
	Block/Lot	Number:	:	
				•
SMALL BUSINESS I	MONTH FI FOR MAY		ERS AFFIDA	VIT
	· .			
I declare under penalty of perjury that	the applicant	below is a sm	nall business wit	h 100 or fewer
employees.				
	Applicant'	s Signature:_		
	Print Nam	e:		
	Date:			·

Permit Application #:

Central Permit Bureau 1660 Mission Street–San Francisco CA 94103 Office (415) 558-6070 – FAX (415) 558-6170 – www.sfdbi.org