

File No. 140312

Committee Item No. 6

Board Item No. 1

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date April 14, 2014

Board of Supervisors Meeting Date April 29, 2014

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date April 10, 2014
Completed by: *AA* Date 4.16.14

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

1
2 ~~Ordinance recognizing Small Business Month in May 2014; retroactively~~ waiving fees in
3 the Planning and Building Codes for certain façade improvements during the month of
4 May every year; 2014; affirming the Planning Department's determination under the
5 California Environmental Quality Act; and making findings of consistency with the
6 General Plan, and eight priority policies of Planning Code, Section 101.1.

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

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

15 Section 1. Findings and Purpose.

16 (a) May is Small Business Month, and the Board of Supervisors desires to recognize
17 the importance of small businesses in San Francisco. As part of this recognition, the Board
18 elects to waive various local permit fees for the month of May each year 2014 for the
19 replacement of awnings and signs on awnings and installation of pedestrian level lighting, as
20 these fees have acted as a bar for many small businesses to improve their building facades
21 and store fronts.

22 (b) On March 27, 2014, the Planning Commission adopted Resolution No. 19106
23 recommending adoption of this ordinance, and adopted findings that the ordinance is
24 consistent, on balance, with the City's General Plan and eight priority policies of Planning
25 Code Section 101.1(b). The Board of Supervisors adopts these findings as its own. A copy of

1 this Commission Resolution is on file with the Clerk of the Board in File No. 140312, and is
2 incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
4 ordinance will promote the public necessity, convenience, safety and welfare for the reasons
5 set forth in Commission Resolution No. 19106, which is incorporated herein by reference.

6 (d) The Planning Department has determined that the actions contemplated in this
7 ordinance comply with the California Environmental Quality Act ("CEQA", California Public
8 Resources Code Section 21000 et seq.). The Board of Supervisors affirms the Department's
9 CEQA determination. Said determination is on file with the Clerk of the Board in File No.
10 140312 and is incorporated herein by reference.

11 (e) On March 19, 2014, the Building Inspection Commission conducted a public
12 hearing on this ordinance and recommended approval of this ordinance. On March 24, 2014,
13 the Building Inspection Commission Secretary submitted a letter to the Board of Supervisors
14 describing the Commission's action. Said letter is on file with the Clerk of the Board in File
15 No. 140312 and is incorporated herein by reference.

16
17 Section 2. The Planning Code is hereby amended by revising Section 355, to read as
18 follows:

19 ****

20 (f) Small Business Month Fee Waiver. No Planning Department fees shall apply for
21 permits issued to Small Business Enterprises in the month of May for awning replacement
22 and for signs on awnings. For purposes of this Subsection (f), a Small Business Enterprise
23 shall be a business that has 100 or fewer employees. The Planning Department and the
24 Department of Building Inspection shall establish process by which those two departments will
25

certify that an applicant is a Small Business Enterprise for the purpose of this Subsection and Section 110A, Tables 1A-A and 1A-E of the Building Code.

Section 3. The Building Code is hereby amended by revising Section 110A, Tables 1A-A and 1A-E, to read as follows:

TABLE 1A-A – BUILDING PERMIT FEES

	<i>NEW CONSTRUCTION</i> ^{1,3}		<i>ALTERATIONS</i> ^{1,2,3}		<i>NO PLANS</i> ^{1,2,3}
<i>TOTAL VALUATION</i>	<i>PLAN REVIEW FEE</i>	<i>PERMIT ISSUANCE FEE</i>	<i>PLAN REVIEW FEE</i>	<i>PERMIT ISSUANCE FEE</i>	<i>PERMIT ISSUANCE FEE</i>
\$1.00 to \$2,000.00	\$141.17 for the first \$500.00 plus \$5.83 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$60.50 for the first \$500.00 plus \$2.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$155.75 for the first \$500.00 plus \$3.15 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$66.75 for the first \$500.00 plus \$1.35 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$180.00 for the first \$500.00 plus \$4.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<p>\$2,001.00 to \$50,000.00</p>	<p>\$228.62 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00</p>	<p>\$98.00 for the first \$2,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00</p>	<p>\$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</p>	<p>\$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</p>	<p>\$240.00 for the first \$2,000.00 plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00</p>
<p>\$50,001.00 to \$200,000.00</p>	<p>\$900.62 for the first \$50,000.00 plus \$9.33 for each additional \$1000.00 or fraction thereof, to and including \$200,000.00</p>	<p>\$386.00 for the first \$50,000.00 plus \$4.00 for each additional \$1000.00 or fraction thereof, to and including \$200,000.00</p>	<p>\$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</p>	<p>\$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</p>	<p>\$519.84 for the first \$50,000.00 plus \$2.86 for each additional \$1000.00 or fraction thereof, to and including \$200,000.0</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

					0
\$200,001.00 to \$500,000.00	\$2,300.12 for the first \$200,000.00 plus \$6.53 for each additional \$1000.00 or fraction thereof, to and including \$500,000.00	\$986.00 for the first \$200,000.00 plus \$2.80 for each additional \$1000.00 or fraction thereof, to and including \$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	Plans Required for Submittal
\$500,001.00 to \$1,000,000.0 0	\$4,259.12 for the first \$500,000.00 plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0	\$1,826.00 for the first \$500,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0	\$5,633.78 for the first \$500,000.00 plus \$6.42 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0	\$2,415.12 for the first \$500,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0	Plans Required for Submittal

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<p>\$1,000,001.0 0 to \$5,000,000.0 0</p>	<p>\$7,174.12 for the first \$1,000,000.0 0 plus \$5.13 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0</p>	<p>\$3,076.00 for the first \$1,000,000.0 0 plus \$2.20 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0</p>	<p>\$8,843.78 for the first \$1,000,000.0 0 plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0</p>	<p>\$3,790.12 for the first \$1,000,000.0 0 plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.0 0</p>	<p>Plans Required for Submittal</p>
<p>\$5,000,001.0 0 and up</p>	<p>\$27,694.12 for the first \$5,000,000.0 0 plus \$4.90 for each additional \$1,000.00 or fraction hereof</p>	<p>\$11,876.00 for the first \$5,000,000.0 0 plus \$2.10 for each additional \$1,000.00 or fraction thereof</p>	<p>\$32,163.78 for the first \$5,000,000.0 0 plus \$5.48 for each additional \$1,000.00 or fraction thereof</p>	<p>\$13,790.12 for the first \$5,000,000.0 0 plus \$2.35 for each additional \$1,000.00 or fraction thereof</p>	<p>Plans Required for Submittal</p>

NOTES:

1. These permit fees do not include other fees that may be required by other Departments: Public Works, Planning, Fire, Public Health, etc., nor do they include plumbing,

1 electrical or mechanical permit fees unless so stated in the other fee tables.

2 2. A surcharge of \$5.00 shall be added to those alteration permits sought for buildings
3 classified as R3 (one/two-family dwelling) and E3 (licensed day care) that were constructed
4 prior to 1979 to implement the interior lead safe work practices provisions of Section 3407 *et*
5 *seq.* of this code.

6 3. All permit fees related to reviewing the structural integrity of awning replacements
7 for permits submitted "over the counter" at the Central Permit Bureau are hereby waived for
8 any permit issued to a Small Business Enterprise for such activities during the month of May.
9 For purposes of this Section, a Small Business Enterprise shall be a business that has 100 or
10 fewer employees. The Planning Department and the Department of Building Inspection shall
11 establish process by which those two departments will certify that an applicant is a Small
12 Business Enterprise for the purpose of this Section and Section 355 of the Planning Code.

13
14 * * * *

15 **TABLE 1A-E – ELECTRICAL PERMIT ISSUANCE AND INSPECTION FEE**
16 **SCHEDULE**

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

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

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

24 D. Fees shall be paid in full prior to obtaining: occupancy approval, job card signature,
25 permission to energize, or final signoff, as applicable.

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

3 F. All permit fees related to reviewing the installation of pedestrian level lighting are
4 hereby waived for any permit issued for such activities for Small Business Enterprises during
5 the month of May. For purposes of this Section, a Small Business Enterprise shall be a
6 business that has 100 or fewer employees. The Planning Department and the Department of
7 Building Inspection shall establish process by which those two departments will certify that an
8 applicant is a Small Business Enterprise for the purpose of this Section and Section 355 of the
9 Planning Code.

10 * * * *

11 ~~Section 2. Fee Waivers.~~

12 ~~(a) Notwithstanding any provision of the Planning Code, including the fee schedule~~
13 ~~associated with Sections 355(a) and 355(e), the permit fee for awning replacement and for~~
14 ~~signs on awnings, respectively, are hereby waived for any permit issued for such activities~~
15 ~~during the month of May 2014.~~

16 ~~(b) Notwithstanding any provision of the Building Code, including the fee schedules of~~
17 ~~Tables 1A A and 1A E, the permit fees related to reviewing the structural integrity of awning~~
18 ~~replacements for those permits submitted "over the counter" at the Central Permit Bureau and~~
19 ~~installation of pedestrian level lighting, respectively, are hereby waived for any permit issued~~
20 ~~for such activities during the month of May 2014.~~

21 ~~(c) The fee waivers set forth in Section 2 shall apply only to small business~~
22 ~~enterprises. For purposes of this Section 2 a small business enterprise shall be one that has~~
23 ~~100 or fewer employees. The Board of Supervisors hereby delegates to the Department of~~
24 ~~Building Inspection and the Planning Department the establishment of a process by which the~~
25 ~~respective departments will certify that an applicant is a small business enterprise.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Section ~~34~~. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. ~~However, in order to effectuate the intent of this ordinance, the operative provisions of this ordinance shall be retroactive to May 1, 2014 should the effective date of the ordinance occur after May 1, 2014.~~

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

By: 

JON GIVNER
Deputy City Attorney

n:\legana\as2014\1400370\00916742.doc

LEGISLATIVE DIGEST
(Amended in Committee, 3/31/14)

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

Ordinance waiving fees in the Planning and Building Codes for certain façade improvements during the month of May every year; affirming the Planning Department's determination under the California Environmental Quality Act; and making 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, this legislation would waive Planning Code fees for awning replacement and for signs on awnings for small businesses during the month of May every year. The Ordinance also would waive Building Code fees related to review of the structural integrity of awning replacements for small businesses during the month of May every year. 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 affirm the Planning Department's California Environmental Quality Act determination and make findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1.

Background Information

This Legislative Digest reflects amendments adopted by the Land Use and Economic Development Committee at its meeting on March 31, 2014, to apply the fee waivers every May instead of only in May 2014.

n:\egana\as2014\1400370\00917987.doc



SAN FRANCISCO PLANNING DEPARTMENT

March 28, 2014

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

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

Reception:
415.558.6378

Fac:
415.558.6409

Planning
Information:
415.558.6377

Re: Transmittal of Planning Department Case Number 2014.0296T
Waiving Certain Fees for Small Business Month
Board File No. 14-0122
Planning Commission Recommendation: Approval with Modifications

Dear Ms. Calvillo and Supervisor Tang,

On March 27, 2014, 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 2014 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:

- Making permanent the annual waiver of Planning Department fees for permits issued for awning replacement and for signs on awnings as well as the Central Permit Bureau fees for review of awning replacements and the installation of pedestrian level lighting each May during Small Business Month.
- Amending Planning Code Section 355 to add a subsection (f) as follows: Small Business Month Fee Waiver. Planning Department fees for permits issued for awning replacement and for signs on awnings shall be waived each May during Small Business Month.
- Amending the fee schedules of Tables 1A-A and 1A-E of the Building Code to state: 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 waived for any permit issued for such activities each May during Small Business Month.

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

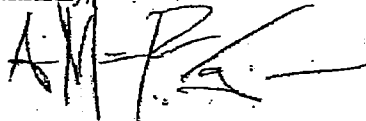
Transmittal Materials

CASE NO. 2013.0464T
Small Business Month

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

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

cc:

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

Attachments

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19106

HEARING DATE: MARCH 27, 2014

1650 Mission St.
Suite 400
San Francisco,
CA 94108-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Waiving Certain Fees for Small Business Month
Case Number: 2014.0290T [Board File No. 14-0122]
Initiated by: Supervisor Tang / Introduced February 11, 2014
Staff Contact: Diego R Sánchez, Legislative Affairs
diego.sanchez@sfgov.org. 415.558.6362
Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
arumarie.rodgers@sfgov.org. 415.558.6395

RECOMMENDING THAT THE BOARD OF SUPERVISORS PASS AN ORDINANCE THAT WOULD 1) RECOGNIZE SMALL BUSINESS MONTH IN MAY 2014; 2) AMEND THE SAN FRANCISCO PLANNING CODE AND THE SAN FRANCISCO BUILDING CODE TO WAIVE FEES FOR CERTAIN FAÇADE IMPROVEMENTS DURING SMALL BUSINESS MONTH, AS DECLARED BY THE SMALL BUSINESS COMMISSION; 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 ninth 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 March 27, 2014 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

Whereas, the Commission has reviewed the proposed Ordinance; and

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

The Commission recommended modification would make permanent the waiver of Planning Department fees for permits issued for awning replacement and for signs on awnings as well as the Central Permit Bureau fees for review of awning replacements and the installation of pedestrian level lighting during Small Business Month each year, as declared by the Small Business Commission.

Specifically, the Commission recommended

- Making permanent the annual waiver of Planning Department fees for permits issued for awning replacement and for signs on awnings as well as the Central Permit Bureau fees for review of awning replacements and the installation of pedestrian level lighting each May during Small Business Month.
- Amending Planning Code Section 355 to add a subsection (f) as follows: Small Business Month Fee Waiver. Planning Department fees for permits issued for awning replacement and for signs on awnings shall be waived each May during Small Business Month.
- Amending the fee schedules of Tables 1A-A and 1A-E of the Building Code to state: 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 waived for any permit issued for such activities each May during Small Business Month.

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 and would provide certainty of fee waivers for such scope of work during Small Business Month each year. Therefore, we recommend support of this proposed Ordinance as a gesture of goodwill during Small Business Month 2014.
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 2014 and for each subsequent year.

URBAN DESIGN ELEMENT

POLICY 4.7

Encourage and assist in voluntary programs for neighborhood improvement.

The proposed Ordinance would assist building owners in voluntary facade 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.

- D) 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 or the service sector.

- 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 of their access to sunlight and vistas.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on March 27, 2014

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antorini, Borden, Fong, Hillis, Moore, Sugaya and Wu

NAYS: none

ABSENT: none

ADOPTED: March 27, 2014



**SAN FRANCISCO
PLANNING DEPARTMENT**

**Executive Summary
Conditional Use**

HEARING DATE: MARCH 27, 2014

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

Reception:
415.558.6378

Fac:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Small Business Month May 2014
Case Number: 2014.0290T [Board File No.14-0122]
Initiated by: Supervisor Tang / Introduced February 11, 2014
Staff Contact: Diego R Sánchez, Legislative Affairs
diego.sanchez@sfgov.org (415) 575-9082
Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org (415) 558-6395
Recommendation: Approval with Modifications

PLANNING AND BUILDING CODE AMENDMENTS

The proposed Ordinance would 1) recognize May as Small Business Month 2) amend the San Francisco Planning Code and the San Francisco Building Code to waive various local permit fees for the month of May 2014 for the replacement of awnings and signs on awnings and the installation of pedestrian level lighting; 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 current fees are as follows:

Estimated Construction Cost	Initial Fee
\$0.00 to \$9,999.00	\$342
\$10,000.00 to \$49,999.00	\$350 + 3.580% of cost over \$10,000.00
\$50,000.00 to \$99,999.00	\$2,605 + 2.392% of cost over \$50,000.00
\$100,000.00 to \$499,999.00	\$3,827 + 2.619% of cost over \$100,000.00
\$500,000.00 to \$999,999.00	\$14,501 + 0.662% of cost over \$500,000.00
\$1,000,000.00 to \$4,999,999.00	\$17,875 + 0.261% of cost over \$1,000,000.00
\$5,000,000.00 to \$99,999,999.00	\$28,473 + .004% of cost over \$5,000,000.00
\$100,000,000.00 or more	\$32,813

Planning Code Section 355(e) establishes a flat fee for Sign Permit Applications; this includes the replacement of signage on awnings. The current fee is \$161.

The Way It Would Be

The Ordinance proposes to waive Planning Department fees for permits issued during the Month of May 2014 for awning replacement and for signs on awnings. The Ordinance also proposes to waive Central

Permit Bureau fees for the review of awning replacements and the installation of pedestrian level lighting during the Month of May 2014.

ISSUES AND CONSIDERATIONS

- **Continuity with Previous Ordinances for Fee Waivers during Small Business Month.** The proposed Ordinance is exactly the same, in content, as the Ordinance that the Board of Supervisors passed in May 2013. The proposed Ordinance includes the revisions made to the 2013 Ordinance after its introduction, such as a refinement to the definition of a Small Business and a waiver of fees for permits to replace both awnings and signs on awnings.
- **Small Business Commission (SBC).** The SBC will be voting on the Ordinance at their March 24, 2014 meeting. In 2013 the SBC voted 6-0 to recommend approval of the 2013 Ordinance.
- **Department of Building Inspection Review of Both Awning Replacement and Pedestrian Lighting Permits.** The Department of Building Inspection (hereinafter "DBI") reviews both pedestrian-oriented lighting and awning replacement permits. The Planning Department is not typically involved in the review of pedestrian-oriented lighting. DBI's Central Permit Bureau accepts and issues construction permits for buildings located within the City and County of San Francisco. For May 2012, DBI reviewed and waived fees for 11 awning permits, four of which included signs and the Ordinance cost DBI approximately \$20,000. The same data for May 2013 could not be secured from DBI in time for the publication of this report.
- **Planning Department Review of Awning and Sign Replacement Permits.** The proposed Ordinance would waive fees for replacement of awnings as well as a change in signage on awnings. During last year's Small Business Month, the Planning Department reports that fees were waived for less than 15 awning replacement permits. It is not known how many of those permits for awning replacement included a change of signage. 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 the awning replacement alone would 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 the proposal cost the Planning Department at least \$4,890, plus a lesser, but unknown amount for some awnings which may have included changes of signage.
- **Full Review Provided.** The proposed Ordinance does not circumvent any the City or State requirements. Any building permit which needed review for historic resources, CEQA, public notice or other issue would be reviewed consistent with current City practice. The fee waiver only applies to permits which can be issued during the month of May 2014. The fee waiver does not require expediting or truncating of the current permit review process.
- **Definition of Small Business.** The proposed Ordinance only applies to *Small Business Enterprises*. The proposed Ordinance defines a *Small Business Enterprise* as one that has 100 or fewer employees. The proposed Ordinance also delegates to the Department of Building Inspection and the Planning

Executive Summary
Hearing Date: March 27, 2014

CASE NO. 2014.0290T
Small Business Month May 2014

Department the establishment of a process by which to certify that an applicant is a *Small Business Enterprise*.

REQUIRED COMMISSION ACTION

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

RECOMMENDATION

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

- Make permanent the annual waiver of Planning Department fees for permits issued for awning replacement and for signs on awnings as well as the Central Permit Bureau fees for review of awning replacements and the installation of pedestrian level lighting each May during Small Business Month.
- Amend Planning Code Section 355 to add a subsection (f) as follows: Small Business Month Fee Waiver. Planning Department fees for permits issued for awning replacement and for signs on awnings shall be waived each May during Small Business Month.
- Amend the fee schedules of Tables 1A-A and 1A-E of the Building Code to state: 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 waived for any permit issued for such activities each May during Small Business Month.

Basis for Recommendation: With the proposed modification the Planning Department believes that the proposed Ordinance would not only provide an incentive to improve business facades at what is projected to be minimal cost to the City but would provide certainty of fee waivers for such scope of work during Small Business Month each year. Therefore, the Planning Department recommends support of this proposed Ordinance as a gesture of goodwill during Small Business Month 2014, consistent with the Commission's recommendations from 2013.

ENVIRONMENTAL REVIEW

The proposed amendments to the Planning Code have been reviewed and found exempt from the California Environmental Quality Act ("CEQA") per Section 15273, Rates Tolls, Fares and Charges.

PUBLIC COMMENT

As of the date of this report, Planning Department staff has not received input from the public regarding the proposed Ordinance.

Executive Summary
Hearing Date: March 27, 2014

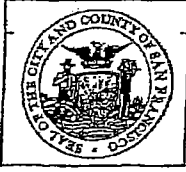
CASE NO. 2014.0290T
Small Business Month May 2014

RECOMMENDATION: Approval with Conditions

Attachments:

Draft Planning Commission Resolution

Draft Board of Supervisors Ordinance [Board File No. 140122]



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection
1660 Mission Street, San Francisco, California 94103-2414

Voice (415) 558-6164 - Fax (415) 558-6509

March 24, 2014

Edwin M. Lee
Mayor

COMMISSION

Angus McCarthy
President

Warren Mar
Vice-President

Kevin Clinch
Frank Lee
Dr. James McCray, Jr.
Myrna Melgar
Debra Walker

Sonya Harris
Secretary

Tom C. Hui
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

RE: Proposed Ordinance (File No. 140122) recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Dear Ms. Calvillo:

On March 19, 2014 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

President McCarthy	Yes	Vice-President Mar	Yes
Commissioner Clinch	Yes	Commissioner Lee	Yes
Commissioner Melgar	Yes	Commissioner McCray	Yes
Commissioner Walker	Yes		

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

Sincerely,

Sonya Harris
Commission Secretary

cc: Tom C. Hui, S.E., Director
Supervisor Katy Tang

BOARD of SUPERVISORS



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

February 21, 2014

Planning Commission
Attn: Jonas Ionin
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On February 11, 2014, Supervisor Tang introduced the following proposed legislation:

File No. 140122

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Budget and Finance Commission and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board


By: Linda Wong, Committee Clerk
Budget and Finance Committee

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

*NOT A PROJECT UNDER CEQA
GUIDELINES SECTIONS 15060(C)
AND 15378 BECAUSE THERE IS
NO DIRECT OR INDIRECT PHYSICAL
CHANGE IN THE ENVIRONMENT.*

*Alexis Swirell
February 21, 2014*

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

MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Linda Wong, Clerk, Budget & Finance Committee
Board of Supervisors

DATE: February 20, 2014

SUBJECT: LEGISLATION INTRODUCED: BUILDING CODE AMENDMENT

The Board of Supervisors' Budget and Finance Committee has received the following legislation, introduced by Supervisor Tang on February 11, 2014:

File No. 140122

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain facade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed Ordinance is being transmitted pursuant to Charter Section D3.750-5 for public hearing and recommendation. It is pending before the Budget and Finance 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.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

BOARD of SUPERVISORS



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

February 21, 2014

Planning Commission
Attn: Jonas Ionin
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

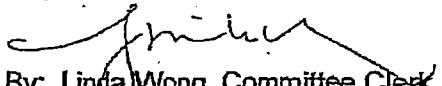
On February 11, 2014, Supervisor Tang introduced the following proposed legislation:

File No. 140122

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act, and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

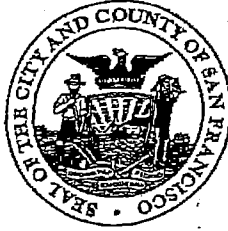
The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Budget and Finance Commission and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board


By: Linda Wong, Committee Clerk
Budget and Finance Committee

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

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

February 21, 2014

File No. 140122

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

Dear Ms. Jones:

On February 11, 2014, Supervisor Tang introduced the following legislation:

File No. 140122

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board


By: Linda Wong, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Environmental Planning
Jeanie Poling, Environmental Planning

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Katy Tang

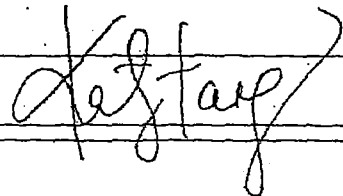
Subject:

Small Business Month May 2014 – Fee Waiver Program

The text is listed below or attached:

See Attached

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

