



INFORMATION SHEET

NO. DA-17

DATE : March 10, 2022

CATEGORY : Disabled Access

SUBJECT : **Accessible Business Entrance Program**

REFERENCES :

- San Francisco Building Code (SFBC) Chapter 2, 11D
- 1998 California Building Code (CBC)
- San Francisco Ordinance 51-16: Mandatory Disability Access Improvements
- San Francisco Ordinance 102-18: Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines - Deletion of Administrative Fee
- San Francisco Ordinance 60-20: Building Code – Mandatory Disability Access Improvements for Places of Public Accommodation – Extension of Time Deadlines
- San Francisco Ordinance 204-21: Building Code – Mandatory Disability Access Improvements for Places of Public Accommodation – Extension of Time Deadlines
- Information Sheet DA-02: Disabled access upgrade compliance checklist package (for existing buildings only)

[Technical Specifications Guidelines](#)

DISCUSSION :

Ordinance No. 51-16, effective May 22, 2016 and recently extended by two years (see Table 1107D), requires any existing building with a Place of Public Accommodation either to have the primary entry and path of travel into the building accessible by persons with disabilities or to receive a determination from the Department of Building Inspection that a technical infeasibility or unreasonable hardship exists.

Nothing in this ordinance is intended to relieve the Owner or the operator of a Place of Public Accommodation of their obligation to comply with the requirements of any Federal or State law, including but not limited to the Americans with Disabilities Act (ADA), or to modify or extend the time for compliance with any such law.

A. SUMMARY OF ORDINANCES 51-16, 102-18, 60-20 & 204-21:

1. Who has to comply?

A Place of Public Accommodation [as defined in Chapter 2 of the Building Code and 42 USC Section 12181(7) of the Americans with Disabilities Act of 1990, as those Acts are amended from time to time] is generally a business where the public will enter the building to obtain goods and services, including, but not limited to: banks, day care centers, health clubs, hotels, offices, repair shops, restaurants, retail stores, theaters, private schools, etc.

2. Compliance category:

Buildings will either be exempted (see Section A4), waived (see Section A5) or fall into one of four categories. Compliance schedule is the same for all categories. (see Table 1107 D).

Category One.

The *Primary Entry or Entries* and the *Accessible Entrance Route(s)* comply with requirements specified herein.

Note: A building falls under Category One if any of the following cases applies:

Case A:

All *Primary Entries* and *Accessible Entrance Routes* are in compliance with the requirements of the 1998 California Building Code (CBC), and the building or portion thereof was constructed or altered under a permit application filed prior to 7/1/92.

Case B:

All *Primary Entries* and *Accessible Entrance Routes* are in compliance with the requirements of the 1998 CBC or a later SFBC in effect at the time of any permit application for a tenant improvement or other alteration, the building or portion thereof was constructed or altered under a permit application filed on or after 7/1/92, and prior to 1/1/02, and DBI gave final approval of the accessible entry work under the construction permit or any alteration permits.

Case C:

All *Primary Entries* and *Accessible Entrance Routes* are in compliance with CHBC in effect at the time of the permit application, the building is eligible to use the California Historical Building Code (CHBC), a building permit application was filed on or after 1/1/95, and DBI gave final approval of the accessible entry work under the construction permit or any alteration permits.

Case D:

A building is within the scope of Chapter 5E of the Existing Building Code, which mandates earthquake retrofit of certain existing Wood-Frame Buildings, and the Owner elected pursuant to Section 1107D to comply with the requirements of this Chapter prior to the compliance deadlines in Table 1107D.

Case E:

A building or portion thereof was altered, or is proposed to be altered, under a permit application filed on or after the effective date of this Chapter 11D and the Owner elected pursuant to Section 1107D to comply with the requirements of this Chapter prior to the compliance deadlines in Table 1107D.

Category Two.

There are no steps to *Primary Entry or Entries* and one or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* do not comply with SFBC requirements. [Such barriers may include non-compliant hardware, door opening clear width, lack of maneuvering space, slope landings not exceeding 8.33% (1:12).]

Note: A building falls under Category Two if any of the following cases applies:

Case A:

Information Sheet DA-

One or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* are not in compliance with the requirements of the 1998 CBC, the building has a *Primary Entry or Entries* with **no steps**, and the building or portion thereof was constructed or altered under a permit application filed prior to 7/1/92.

Case B:

One or more elements of *Primary Entry or Entries* or the *Accessible Entrance Route(s)* are not in compliance with the requirements of the 1998 CBC or a later SFBC in effect at the time of any permit application for a tenant improvement or other alteration, or DBI did not give final approval of the accessible entry work under the construction permit or any alteration permit, the building has a *Primary Entry or Entries* with **no steps**, and the building or portion thereof was constructed or altered under a permit application filed on or after 7/1/92, and prior to 1/1/02.

Case C:

One or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* are not in compliance with CHBC in effect at the time of permit application, or DBI did not give final approval of the accessible entry work under the construction permit or any alteration permit, the *Primary Entry or Entries* has **no steps**, the building is eligible to use CHBC, and a permit application was filed on or after 1/1/95.

Category Three.

There is one step to the *Primary Entry or Entries* and one or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* do not comply with SFBC requirements.

Note: A building falls under Category Three if:

One or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* are not in compliance with the requirements of the 1998 CBC, the building has a *Primary Entry or Entries* with **one step**, the building or portion thereof was constructed or altered under a permit application filed prior to 7/1/92, and DBI gave final approval of the work under the permit.

Category Four.

The building has a *Primary Entry or Entries* with more than one step and one or more elements of the *Primary Entry or Entries* and/or the *Accessible Entrance Route(s)* do not comply with SFBC requirements.

Note: A building falls under Category Four if:

One or more elements of the *Primary Entry or Entries* or the *Accessible Entrance Route(s)* are not in compliance with the requirements of the 1998 CBC, or DBI did not give final approval of the accessible entry work under the construction permit, the building has a *Primary Entry or Entries* with **more than one step**, and the building or portion thereof was constructed or altered under a permit application filed prior to 7/1/92.

3. Compliance timetable:

The times for compliance with the requirements of SFBC Chapter 11D are set forth in the following table 1107D. The Owner of a building within the scope of SFBC Chapter 11D must submit all required forms, documents, and permit applications to the Department prior to the deadlines set forth in Table 1107D but may comply with the requirements of SFBC Chapter 11D, or elect to comply with the requirements and procedures of the Building Code then in effect, at any time prior to the deadlines set forth in Table 1107D.

TABLE 1107D COMPLIANCE SCHEDULE				
Category	Category Description	Submit CCCF	File application for required building permit(s)	Obtain required building permit(s) ¹
Category One Buildings	In compliance	June 30, 2022	N/A	N/A
Category Two Buildings	No steps but barriers	June 30, 2022	December 31, 2022	September 29, 2023
Category Three Buildings	One step with barriers	June 30, 2022	December 31, 2022	September 29, 2023
Category Four Buildings	1+ step with other barriers	June 30, 2022	December 31, 2022	September 29, 2023

¹ Pursuant to Section 1106D.4, all mandated work must be completed within the time periods specified in Section 106A.4.4 of this Code for Permit Expiration unless an extension of time is granted pursuant to Section 1108D.

N/A: Not Applicable

4. Exemptions:

A building that was constructed under a building or site permit application filed on or after January 1, 2002 is exempt. Religious organizations, private clubs, and facilities which are not a Place of Public Accommodations per Attachment A1 are also exempt. Owners of exempt buildings will only be required to complete the Exemption Form (formally pre-screening form) (see Attachment A1) and email the completed form to: dbi.abe@sfgov.org.

5. Waiver for Category Checklist Compliance Form (CCCF) Submittal

For Category One Case B, D or E, the Building Official may waive the requirement for an inspection and submittal of the CCCF if the Building Official determines that an inspection or documents submitted under other permit applications are the equivalent to the inspection and CCCF submittal requirements of this Ordinance.

1. All Primary Entries and Accessible Entrance Routes are in compliance with the requirements of the 1998 CBC or a later SFBC in effect at the time of any permit application for a tenant improvement or other alteration, the building or portion thereof was constructed or altered under a permit application filed on or after 7/1/92, and prior to 1/1/02, and DBI gave final approval of the accessible entry work under the construction permit or any alteration permits.
2. The building is within the scope of Chapter 5E of the Existing Building Code, which mandates earthquake retrofit of certain existing Wood-Frame Buildings, and the Owner elected pursuant to Section 1107D to comply with the requirements of this Chapter prior to the compliance deadlines in Table 1107D.
3. The building or portion thereof was altered, or is proposed to be altered, under a permit application filed on or after the effective date of this Chapter 11D and the Owner elected pursuant to Section 1107D to comply with the requirements of this Chapter prior to the compliance deadlines in Table 1107D.

Owners of Category One Case B, D or E buildings will only be required to complete the Waiver Form (see Attachment A2) and email the completed form to: dbi.abe@sfgov.org.

6. Extensions of time:

For good cause shown, one or more additional extensions of time may be granted the Access Appeals Commission (AAC) pursuant to Section 1110D; provided, however, that in no event shall the

Information Sheet DA-

AAC extend the time to complete the mandatory work required by SFBC Chapter 11D beyond June 30, 2026. The AAC's decision shall be final.

- (a) A written request for an extension of time shall be submitted to the Department of Building Inspection (DBI) or to the Access Appeals Commission prior to the time for compliance.
- (b) For purpose of SFBC Chapter 11D, good cause may include but is not limited to:
 - i. The pendency of a request for a finding of Equivalent Facilitation or Technical Infeasibility;
 - ii. The desirability of coordinating the mandatory work required by SFBC Chapter 11D with voluntary disability access improvements;
 - iii. Financial hardship;
 - iv. A legal hardship such as an existing lease; or
 - v. An undue procedural delay by the DBI or another reviewing City agency.

7. Inspection:

Unless exempted in Section A4 or waived in Section A5, the owner of the building with a Place of Public Accommodation shall obtain an inspection of the items listed in Section 3 of the CCCF (Attachment B) by a California Certified Access Specialist (CAsp) Inspector or a licensed Design Professional.

It is of great importance that the Owner retain the skills of a licensed design professional that is very familiar with the accessibility regulations of both the State of California and the Federal ADA. Many licensed design professionals skilled in many other areas are not totally familiar with the intricacies of these regulations. The Ordinance may require that the licensed design professional be able to assist the Owner in obtaining compliance through alternate methods that will require familiarity and understanding of the regulations, the intent of the regulations and what have and have not been deemed appropriate equivalencies by local, state and federal agencies.

8. Technical Infeasibility, Unreasonable Hardship and other situations:

In situations where removing barriers to the building proves to be infeasible or unreasonable, the Ordinance allows the Owner to request an alternate method of insuring that persons with disabilities can access the goods and services offered. Technical Infeasibilities may be approved by DBI. Unreasonable Hardships may be approved by DBI, but must be ratified by Access Appeals Commission (AAC).

If the CAsp inspector or the licensed Design Professional determines that either a Technical Infeasibility or an Unreasonable Hardship will be requested, the Owner shall submit to DBI a building permit within the Compliance Schedule (see Table 1107D) (with or without additional work) to document the Request for Approval of Technical Infeasibility, Unreasonable Hardship, Alternate Methods or Equivalent Facilitation. Permit fees will be per SFBC Section 110A. In addition, AAC and/or other applicable fees from other departments will apply. Applicant shall also complete the request for approval forms contained in Information Sheet DA-02 with a complete narrative justifying the request. Once DBI grants the Unreasonable Hardship or the Equivalent Facilitation, the request must be submitted to the AAC for ratification.

B. STEPS TO COMPLIANCE:

1. Visit the website at sfdbi.org/abe for guidance in determining which compliance category your building is in or if the property is exempted from the Ordinance.
 - 1A. If exempt, then complete the Exemption Form (previously pre-screening form) (Attachment A1) and submit the form to DBI.
 - 1B. If not exempt, see if your place of public accommodation can be "waived" by reviewing the "Waiver Form" (Attachment A2). If waived, then complete the Waiver Form (Attachment A2) and submit the form to DBI.

Information Sheet DA-

2. If not exempt and not waived, contact a California licensed design professional (architect or engineer) or a CASp inspector.
3. In conjunction with the licensed design professional or CASp inspector, submit to DBI by the date stated on the Compliance Schedule (Table 1107D) a completed Category Checklist Compliance Form (CCCF) (Attachment B):

- Email the completed CCCF to dbi.abe@sfgov.org; or
- As a hardcopy either in person or by U.S. mail to Disability Access Compliance Unit, Department of Building Inspection, 49 South Van Ness, Suite 500, San Francisco, CA 94103

Note: In addition to submitting the CCCF for **Categories Two, Three, and Four** to DBI, you may need to comply with the following:

- a. Fill out the Planning Department's *Checklist for Alterations to Commercial Storefronts for Accessibility* (see Attachment F) and bring it to the Planning Information Center, 49 South Van Ness Avenue, 2nd Floor for review and comment.
 - b. If the Planning Department conceptually approves of the remediation plan, attach Planning's comments to the *Category Checklist Compliance Form* (Attachment B) and submit per the Compliance Schedule (see Table 1107D).
 - c. If the Planning Department determines the structure is a Historic Resource and expresses concern regarding the proposed alterations, consult the Planning Department's *Historic Neighborhood Commercial Storefronts ADA & Seismic Upgrade Design Guidelines*. When compliance with the regular code would threaten or destroy the historic fabric of the building, you may use the alternative compliance methods prescribed in the California Historic Building Code (CHBC). If compliance with the CBC or compliance with CHBC cannot be met without destruction of the historic fabric of the entry, documentation by the "Inspector," Department, and possibly a local group representing persons with disabilities will be required. Consultation with the Compliance Unit and an Architect experienced in working with the CHBC is recommended.
 - d. If the planned work involves alteration to the sidewalk or curb, consult with Public Works Street Division to insure the remediation plan is consistent with that Public Works' guidelines, and to determine what information must be provided to the Streets Division for them to review and grant approval.
4. Apply for any permits by the date on the Compliance Schedule (see Table 1107D) if required.

Note 1: The Ordinance requires the Owner to provide 30 days' written notice to business tenants if a permit is required to remediate the entryway or sidewalk.

Note 2: Please scan the CCCF and the barrier removal form (see Information Sheet DA-02) onto the Plan.

Note to CPB staff:

CPB staff shall input the "description of work" in the PTS as follows:

"To comply with the Accessible Business Entrance program"

If applicable, please submit a permit application by the date on the Compliance Schedule (see Table 1107D) for documentation of the Request for Approval of Technical Infeasibility, Unreasonable Hardship, or Alternate Methods and accompany the application with any plans that would normally be required for such documentation.

Note to CPB staff:

The following stamp shall be stamped on “description of work” on the building permit application form:

Technical Infeasibility or Unreasonable Hardship
for Accessible Business Entrance Program

CPB staff shall input the “description of work” in the PTS as follows:

“Documentation of request for Technical Infeasibility or Unreasonable Hardship for Accessible Business Entrance Program”

5. Complete permitted work and schedule all required inspections.

C. FREQUENTLY ASKED QUESTIONS:

1. What is my compliance deadline?

Please see the compliance schedule in Section A3, Table 1107D.

2. How do I find a licensed design professional or a Certified Access Specialist (CASP) inspector?

On the website, you will find links to American Institute of Architects, Division of the State Architect, and other organizations that maintain lists of licensed design professionals and CASp inspectors. Additional information may be found on the Office of Small Business website: <http://sfosb.org/ada-resources-your-small-business>.

3. How much will this cost?

Depending upon the scope of work, the cost will vary. The cost of permit (if required) will be based on the cost of the work being performed and fees from departments requiring approval.

4. What if I can't afford to do the work?

If the owner can show that he complies with the elements of an “unreasonable hardship,” he may be granted an unreasonable hardship by submitting a permit to the Department that will require approval by the Plan Reviewer and ratification by the Access Appeals Commission. For various sources of financial assistance, please contact Office of Small Business (415) 554-6134

5. What if I can't fix the entry, am I done?

No, at this point you need to obtain a building permit requesting that either a Technical Infeasibility or Unreasonable Hardship exists at the entrance. During that review, you will be required to provide alternate methods of providing the goods or services when it can be accomplished reasonably.

6. Who is responsible for paying for this?

Under the building code, it is the Owner of the building who is legally responsible for complying with any code requirements. This Ordinance does not interfere with any contractual obligations and negotiations between the Owner and lessee(s) with respect to who pays for the upgrades.

7. Does this apply to the public elevator lobbies on every floor and tenant doors as well, or just the main lobby entrances and ground floor retail spaces? What about garage entries to building?

The ABE applies just to the main lobby entry (does not apply to the elevators and the individual offices tenant entry doors) and any ground floor retail spaces fronting the public way. If a (public accommodation) building provides parking for its customers, then the path from the accessible parking stall to the primary entry is required to comply with the ordinance.

8. Regarding which entrance is Primary: Despite the checklist clearly stating that it is to be the entrance “as determined by the Building Official”, will DBI will honor Owner’s choice of which entrance is ‘primary’?

The architect/engineer/CASp shall make a good faith effort to identify the primary entry and when they submit the building permit, to comply with the ABE ordinance, the plan checker will determine then if that is the primary entry. DBI has the authority to determine which entrance is the primary entrance to the building.

9. Will the Category Compliance Checklist Form (CCCF) be reviewed every time a permit of any type is pulled for the building?

No, the CCCF will not be reviewed every time a permit of any type is pulled for the building.

Patrick O’Riordan, C.B.O., Director
Department of Building Inspection

Date

Attachment A1: Exemption Form (Previously Pre-Screening Form) (Rev. 2/14/22)

Attachment A2: Waiver Form (Rev. 2/14/2022)

Attachment B: Category Checklist Compliance Form (Rev. 2/14/2022)

Attachment C: Authorization of Agent to Act on Building Owner’s Behalf (Rev. 2/14/2022)

Attachment D: Alterations to Commercial Storefront for Accessibility Checklist (Planning Department)

This Information Sheet is subject to modification at any time. For the most current version, visit our website at <http://www.sfdbi.org>



Attachment A1

**Compliance Affidavit
Mandatory Disability Access Improvement Program
EXEMPTION FORM
(Formerly Pre- Screening Form)
NO FEE**

Follow the steps below to request an exemption from this program:

- 1. Complete this form
- 2. Register your property and submit this form online at: sf.gov/submit-your-ABE/form

Note to the Owner or Tenant: Ordinance No. 51-16, effective May 22, 2016, requires all non-exempt /non-waiver “Public Accommodations” either to have all primary entries and paths of travel into the building accessible or receive a determination of Equivalent Facilitation, Technical Infeasibility or Unreasonable Hardship from the Department of Building Inspection within a specified time period. If you are uncertain whether you are a “Public Accommodation” or if you are exempt, please review this *Exemption Form* prior to hiring a licensed design professional or Certified Access Specialist (CASp).

The purpose of this form is to document and verify that a building or business is exempt from Ordinance No. 51-16. This form is to be filled out by either the Owner of the building or the Owner of the business; whomever is deemed responsible for accessibility upgrades to the structure.

SECTION 1 – ADMINISTRATIVE INFORMATION

BLOCK / LOT NUMBER _____

BUILDING ADDRESS(ES) _____

If this property has multiple addresses, please provide here or as an attachment.

ENTRY ADDRESS _____ # of entries total: _____

OWNER INFORMATION

Owner name(s) _____

Owner mailing address _____

Owner telephone _____

Owner email _____

TENANT/AGENT INFORMATION

Tenant/Agent name(s) _____

Tenant/Agent mailing address _____

Tenant/Agent telephone _____

Tenant/Agent email _____

SECTION 2 – EXEMPTIONS

There are four exemptions to Ordinance No. 51-16.

- 1. The building was originally constructed with a permit application dated on or after 2002.
- 2. The building or business is owned and operated by a recognized religious organization.
- 3. The building or business is a “bona fide” private club.
- 4. All of the businesses contained in the structure are not “public accommodations” thus the structure is not “a Place of Public Accommodation.”

A complete explanation of each exemption is contained below.

1. The building was constructed on or after January 1, 2002. (NEW BUILDINGS ONLY)

The Ordinance exempts a building that was constructed under a building or site permit application filed on or after January 1, 2002.

In order to use this exemption, the permit application number for the construction of the building or structure must begin with the numbers 2002 or greater. The description of work on the permit application should contain language similar to “construct a XX story building” and be a Form #1/2 application.

If you have been notified that you must comply with this ordinance and you believe your building has been mistakenly included in the list of buildings subject to the Ordinance, please fill in the permit application number below along with the building address.

Permit Application #: _____ -- _____ -- _____ Building Address: _____
--

2. The building is owned or operated by a recognized “religious organization”

The Ordinance uses the same definition for “a Place of Public Accommodation” as is contained in the Section 55.52 of the California Construction-Related Accessibility Compliance Act (CRASCA) and 42 USC Section 12181(7) of the Americans with Disabilities Act of 1990, which exempts religious organizations from coverage under Title II of the ADA.

As such, if the structure is owned by a religious organization and the organization operates what would normally be considered a public accommodation, such as a school or day care center within the structure, they are exempt from this Ordinance.

If a religious organization operates a similar accommodation and is a tenant within a structure not owned by a religious organization, the tenant is exempt, but the Department will require the owner of the structure to comply, unless otherwise exempted.

If the religious entity owns a structure that is leased to a non-religious organization which operates a public accommodation within the structure, the Department will exempt the owner of the structure, but the tenant is not exempt.

If you believe your religious organization is exempt, please fill out the following and submit as indicated below.

The following Religious Organization:

Name : _____ Tax Exempt ID # : _____ <input type="checkbox"/> Owns the building <input type="checkbox"/> Operates located at : _____ <div style="text-align: right; margin-top: 5px;"><i>address</i></div>
--

3. The building or business is a “bona fide” private club

The Ordinance uses the same definition for “a Place of Public Accommodation” as is contained in the Section 55.52 of the California Construction-Related Accessibility Compliance Act (CRASCA) and 42 USC Section 12181(7) of the Americans with Disabilities Act of 1990, which exempts religious organizations and “bona fide” private clubs from coverage under Title II of the ADA.

The 1991 Americans with Disabilities Act Accessible Guidelines (ADAAG) addressed Private Clubs as follows:

“Private club. The term “private club” is defined in accordance with section 307 of the ADA as a private club or establishment exempted from coverage under title II of the Civil Rights Act of 1964. Title II of the 1964 Act exempts any “private club or other establishment not in fact open to the public..... In determining whether a private entity qualifies as a private club under title II, courts have considered such factors as the degree of member control of club operations, the selectivity of the membership selection process, whether substantial membership fees are charged, whether the entity is operated on a nonprofit basis, the extent to which the facilities are open to the public, the degree of public funding, and whether the club was created specifically to avoid compliance with the Civil Rights Act.”

In order to qualify as a private club for purposes of exemption from this Ordinance, a club must meet the following seven (7) conditions:

1. The club should have members that share a common bond such as ancestry, or common interests. This would be the case with organizations such as the family associations or benevolent societies, heritage societies, fishing clubs, model boat or airplane clubs, elks or masonic clubs and societies, etc. In all of these, there is a basis of inclusion and commonality; such as, ancestry or interest in a sport, philosophy, benevolence or technology that is a common bond provided the organization.
2. The club screens and selects members based upon the common interest often under the control of the membership, such as with certain fraternities or sororities. The criteria must be of inclusive of those with common interest rather than the exclusion of certain groups of people.
3. The operations of the club must be for the benefit of the members only and may not be open to the public. The club should be open only to the members and their guests and the facilities may not be leased or rented to anyone other than members.
4. The members should have a voice in the operations of the club, although they may employ staff to manage the day to day affairs of the club.
5. The club should be limited in scope as to the commonality of its members and not open to anyone “except” certain groups. The club cannot have been formed to evade civil rights laws.
6. The club operates on a non-profit basis. The club will have non-profit tax status with the IRS.
7. The club must not actively advertises for membership or advertises their events to anyone outside of their members.

If you believe your private club is exempt, please fill out the following and submit as indicated below.

The following Private Club:

Name : _____ Tax Exempt ID # : _____ <input type="checkbox"/> Owns the building <input type="checkbox"/> Operates located at : _____ address
--

4. The address is NOT for a “Place of Public Accommodation”

1. What is a Place of Public Accommodation? A Place of Public Accommodation is a facility whose operations affect commerce and fall within at least one of the following 12 categories:
 - (1) Places of lodging (e.g. inns, hotels, motels) (except for owner-occupied establishments renting fewer than six rooms);
 - (2) Establishments serving food or drink (e.g. restaurants and bars);
 - (3) Places of exhibition or entertainment (e.g. motion picture houses, theaters, concert halls, stadiums);
 - (4) Places of public gathering (e.g. auditoriums, convention centers, lecture halls);
 - (5) Sales or rental establishments (e.g. bakeries, grocery stores, hardware stores, shopping centers);
 - (6) Service establishments (e.g. laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals);
 - (7) Public transportation terminals, depots, or stations (not including facilities relating to air transportation);
 - (8) Places of public display or collection (e.g. museums, libraries, galleries);
 - (9) Places of recreation (e.g. parks, zoos, amusement parks);
 - (10) Places of education (e.g. nursery schools, elementary, secondary, undergraduate, or postgraduate private schools);
 - (11) Social service center establishments (e.g. day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies); and,
 - (12) Places of exercise or recreation (e.g. gymnasiums, health spas, bowling alleys, golf courses).

Are only those 12 types of businesses considered "Places of Public Accommodation?"

The 12 categories are considered an exhaustive list. However, within each category the examples given are just illustrations. For example, the category "sales or rental establishments" would include many facilities other than those specifically listed, such as video stores, carpet showrooms, and athletic equipment stores. Generally speaking, any business that offers goods or services directly to the public would most likely be a public accommodation, and the building would be a "Place of Public Accommodation". If you are not sure you may contact the U.S. Access Board at (800) 872-2253 or the U.S. Department of Justice at (800) 514-0383 for further clarification.

All the businesses at _____ address is/are NOT public accommodation(s).

2. Vacant or Abandoned Commercial Storefronts

Building Address: _____

Note: Once occupied by a Place of Public Accommodation, the property is subject to this Ordinance and need to comply with all applicable deadline.

5. **This address is RESIDENTIAL only. (e.g., Apartment, Condominium, 1-2 Family Dwelling)**

Address: _____

SECTION 3 – VERIFICATION AND SIGNATURE

Under penalty of perjury, I certify that the information provided in Sections 1 and 2 of this form is correct to the best of my knowledge.

Owner / Property Manager

Tenant

Agent

Agent Authorization Form (see Attachment C) is attached

Signature

Date

FOR DBI USE ONLY

DBI has received the materials submitted and filed under “Access Business Entrance Program” per Ordinance No. 51-16, Ordinance No. 102-18, Ordinance No. 60-20 and Ordinance No. 204-21.

Date received by DBI:

[This Page Intentionally Left Blank]



Attachment A2

Compliance Affidavit Mandatory Disability Access Improvement Program Waiver Form

NO FEE

Follow the steps below to request an exemption from this program:

1. Complete this form
2. Register your property and submit this form online at: sf.gov/submit-your-ABE/form

Note to the Owner or Tenant: Ordinance No. 51-16, effective May 22, 2016, requires all non-exempt/non-waiver "Public Accommodations" either to have all primary entries and paths of travel into the building accessible or receive a determination of Equivalent Facilitation, Technical Infeasibility or Unreasonable Hardship from the Department of Building Inspection within a specified time period.

The purpose of this form is to document the primary entry or entries and the accessible entrance route comply with code requirements based on other permits previously issued or completed prior to compliance deadlines per table 1107D. A waiver may be granted for the requirement for an inspection and submission of the Category Checklist Compliance Form (Attachment B).

SECTION 1 – ADMINISTRATIVE INFORMATION

BLOCK / LOT NUMBER _____
BUILDING ADDRESS(ES) _____

(If this property has multiple addresses, please provide here or as an attachment.)

ENTRY ADDRESS _____ # of entries total: _____

OWNER INFORMATION

Owner name(s) _____
Owner mailing address _____
Owner telephone _____ Owner email _____

AGENT INFORMATION

Agent name(s) _____
Agent mailing address _____
Agent telephone _____ Agent email _____



Attachment B

Compliance Affidavit
Mandatory Disability Access Improvement Program
CATEGORY CHECKLIST COMPLIANCE FORM

PRIMARY ENTRY COMPLIANCE FORM – NO FEE

Follow the steps below to request an exemption from this program:

1. Complete this form
2. Register your property and submit this form online at: sf.gov/submit-your-ABE/form

Note to the Owner or Tenant: Ordinance No. 51-16, effective May 22, 2016, requires all non-exempt/non-waiver “Public Accommodations” either to have all primary entries and paths of travel into the building accessible or receive a determination of Equivalent Facilitation, Technical Infeasibility or Unreasonable Hardship from the Department of Building Inspection within a specified time period. If you are uncertain whether you are a “Public Accommodation” or if you are exempt, please review our *Exemption Form* prior to hiring a licensed design professional or Certified Access Specialist (CAsp). The *Exemption Form* may be found in Information Sheet DA-17, Attachment A1.

Submittal of this Compliance Affidavit is required for any building or portion of a building with a Place of Public Accommodation. This **Category Checklist Compliance Form** is for buildings with a primary entry or entries that are categorized in one of four categories as specified in the Ordinance. (Ordinance No. 51-16 may be found at <http://sfbos.org/ordinances-2016>).

The building owner shall obtain an inspection of elements on the Compliance Form by a California licensed design professional or Certified Access Specialist (CAsp). This form is intended to assist in compliance with the Ordinance and must be filled out by a licensed design professional or CAsp. A separate document, *Technical Specifications Guidelines*, provides explanation, instructions, and minimum standards to be used in completing this form.

Multiple Businesses in One Building: Please submit one or multiple Compliance Affidavit(s) for the building(s) with multiple businesses. The Accessible Business Entrance (ABE) Program applies just to the primary entry (does not apply to the elevators and the individual offices tenant entry doors) and any primary entries serving tenant spaces which are fronting the public way. If a (public accommodation) building provides parking for its customers, then the path from the accessible parking stall to the primary entry is required to comply with the ordinance.

SECTION 1 – ADMINISTRATIVE INFORMATION

BLOCK / LOT NUMBER _____

BUILDING ADDRESS(ES) _____

If this property has multiple addresses, please provide here or as an attachment.

ENTRY ADDRESS _____ # of entries total _____

OWNER INFORMATION

Owner name(s) _____

Owner mailing address _____

Owner telephone _____

Owner email _____

TENANT/AGENT INFORMATION

Tenant/Agent name(s) _____

Tenant/Agent mailing address _____

Tenant/Agent telephone _____

Tenant/Agent email _____

Any required work will be done by (*check one*): Owner Tenant Both Tenant and Owner

Does this Category Checklist Compliance Form replace or supplement a previously submitted Form for the same building and Place of Public Accommodation? Yes No

SECTION 2 – STREET VIEW OF ENTRY

Attach digital photographs of unobstructed street view of primary entry or entries.

Photo taken on: _____
Date

SECTION 3 – PRIMARY ENTRY COMPLIANCE CHECKLIST

CBC Section 202: ENTRANCE. Any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibule if provided, the entry door or gate, and the hardware of the entry door or gate.

CBC Section 202: PRIMARY ENTRANCE. The principal entrance through which most people enter the building, as determined by the Building Official.

Note: The architect/engineer/CASp shall make a good faith effort to identify the primary entry and when they submit the building permit, to comply with the ABE ordinance, DBI will determine then if that is the primary entry. DBI will not “pre-determine” for the licensed design professional.

This section is an inventory of **existing conditions** and is intended to assist in determining which Compliance Category the entrance will be classified as and identify the barrier removal work required. Complete this section for the primary entry to all public accommodations.

Check ONE box for each item listed below.

CODE REQUIREMENTS	DOES THE ENTRY COMPLY?		
1) Site Arrival – Accessible entrance route from public transportation, and parking spaces/facilities See Technical Specifications: Section 1: Site Arrival Point – Accessible Routes	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
2) Site Arrival – Sidewalks: Free of excessive damage; changes in level > 1/2”; grates and other openings > 1/2” ; cross slope greater than 1:48 See Technical Specifications: Section 2: Site Arrival Point – Sidewalks	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
3) Entry Approach – Exterior Ramps See Technical Specifications: Section 3: Entry Approach – Exterior Ramps	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
4) Entry Approach – Exterior Lifts See Technical Specifications: Section 4: Entry Approach – Exterior Elevator & Lifts	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
5) Level landings both sides of door. ** See Technical Specifications: Section 5: Level Landings – Exterior / Interior ** Power door operator as per Information Sheets DA-04/05 may be considered equivalent	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
6) Threshold max 1/2” (1/4” vertical max; 1/4” max at a slope of 2:1 maximum) See Technical Specifications: Section 6: Thresholds	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
7) Floor levels within 1/2” both sides of door, no vertical elevation or drop-off adjacent to threshold. See Technical Specifications: Section 7: Floor Levels at Doors	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
8) Doorway sized to permit a door that is 36” wide and 6’8” in height. Net clear door opening = 32” min. See Technical Specifications: Section 8: Doorway Size	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>

CODE REQUIREMENTS	DOES THE ENTRY COMPLY?		
9) Door has a smooth, uninterrupted surface at bottom 10" of push side of door. ** See Technical Specifications: Section 9: Doors – Smooth Surface. <i>** Power door operator as per Information Sheets DA-04/05 may be considered equivalent</i>	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
10) Hardware operable with one hand, single motion, no grasping, pinching, or twisting of the wrist. See Technical Specifications: Section 10: Doors – Hardware	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
11) Door hardware located between 30" and 44" above the floor on both sides of door. ¹ See Technical Specifications: Section 11: Doors – Hardware Height	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
12) Door operating force maximum 8.5lbs (fire door-15lbs max) ¹ ** See Technical Specifications: Section 12: Door Operating Force <i>** Power door operator as per Information Sheets DA-04/05 is considered equivalent</i>	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
13) Panic Hardware* See Technical Specifications: Section 13: Panic Hardware	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
14) Maneuvering space both sides of door. ** See Technical Specifications: Section 14: Maneuvering Space – Exterior / Interior <i>** Power door operator as per Information Sheets DA-04/05 is considered equivalent</i>	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
15) Recessed doormats, adequately anchored See Technical Specifications: Section 15: Recess Doormats	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
16) Vestibules and doors in series See Technical Specifications: Section 16: Vestibules and Doors in Series	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
17) Automatic / Power doors ¹ tested and in operating condition. (required and non-required) ** See Technical Specifications: Section 17: Automatic Doors <i>** Power door operator as per Information Sheets DA-04/05 is considered equivalent</i>	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
18) Turnstiles, rails, and pedestrian controls ; Security doors/ gates/ roll up doors See Technical Specifications: Section 18: Turnstiles, Rails, Pedestrian Controls, Security Doors, and Gates	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>
19) Historic Buildings-entry approved per CHBC* See Technical Specifications: Section 19: Historic Buildings-CHBC Approved under PA# _____	<u>Yes</u> <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>	<u>N/A</u> <input type="checkbox"/>

CODE REQUIREMENTS	DOES THE ENTRY COMPLY?	
<p>20) CONCLUSION: All responses to proceeding questions either Yes or N/A?</p>	<p><u>Yes</u> <input type="checkbox"/></p>	<p><u>No</u> <input type="checkbox"/></p>
<p>¹These requirements differ from the current or subsequent CBC or 2010 ADA's requirements. See Technical Specifications Guidelines for discussion of the differences.</p> <p>* Document how the CHBC was used and which elements would be threatened by strict compliance with the CBC in Section 5. See Technical Specifications Guidelines, Section 19 for further information.</p> <p>** Information Sheets may be found at http://sfdbi.org/information-sheets</p>		

SECTION 4 – CATEGORY DETERMINATION

Determine which Compliance Category the primary entry most closely falls into and check the appropriate box below:

- CATEGORY ONE:** If all of the checklist items in SECTION 3 were checked either Yes or N/A and there are no steps or other barriers, check this box.
- CATEGORY TWO:** If any of the checklist items in SECTION 3 were checked No and there are no steps, check this box. (Note: A ramp that has a slope greater than 1:10 for a distance of more than 5 feet, or a slope greater than 1:6 for a distance of more than 13 inches shall be considered a step. See Below.) If there are only minor corrections such as changing the door hardware or removing a door stop in the 10 inch smooth surface, please correct these items and submit as Category One.
- CATEGORY THREE:** If the entry has one step, check this box. (Note: A ramp that has a slope greater than 1:10 for a distance of more than 5 feet, or a slope greater than 1:6 for a distance of more than 13 inches shall be considered a step.)
 - Check here if entry has a ramp that qualifies as a step.
- CATEGORY FOUR:** If the entry has more than one step or any other major barriers, check this box.

CATEGORY ONE: If you checked Category One, complete SECTIONS 1, 2, 3, 4, and 6 and submit this form to dbi.abe@sfgov.org. Be sure to include a photograph of the entry.

CATEGORIES TWO THROUGH FOUR: Complete the information asked in ALL SECTIONS and submit this form by the date of Compliance Schedule. Full plans are not required at this time. If required, plans will be submitted with a permit application when applying for a permit.

SECTION 5 – PROPOSED BARRIER REMEDIATION

This section must be completed by the California licensed design professional or CASp in consultation with the Owner or Tenant.

Any box checked “No” in SECTION 3 will require a remedy and must be addressed. Please give a concise description of all non-compliant elements and propose the work needed to make the entry useable. Attach

Owner / Property Manager

Agent Agent Authorization Form (see Attachment C) is attached

Signature

Date

FOR DBI USE ONLY

DBI has received the materials submitted and filed under "Mandatory Disability Access Improvement Program" per Ordinance No. 50-16, Ordinance No. 102-18 and Ordinance 60-20.

Date received by DBI:

[This Page Intentionally Left Blank]



Attachment C

Note: The following Authorization Form is required to be completed by the owner or agent when designating an agent of the building owner to submit forms, documents and/or permit applications to DBI for compliance with Ordinance No. 51-16.

AUTHORIZATION OF AGENT TO ACT ON BUILDING OWNER’S BEHALF

Excluding the Notice to Building Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to submit forms, documents and/or permit applications to DBI for compliance with Ordinance No. 51-16, No. 102-18, No. 60-20 and No.204-21.

- Submittals: Exemption Form (Previously Pre-Screening Form)
- Waiver Form
- Category Checklist Compliance Form
- Other: _____

Block/Lot Number: _____

Building Address: _____

Entry Address: _____ # of entries total: _____

Name of Authorized Agent(s): _____

Address of Authorized Agent(s): _____

Agent’s telephone: _____ Agent’s email: _____

Owner’s name(s): _____

Owner’s mailing address: _____

Owner’s telephone: _____ Owner’s email: _____

Owner / Property Manager Signature: _____ Date: _____

[This Page Intentionally Left Blank]

Alterations to Commercial Storefront for Accessibility Checklist (Planning Department)

The Alterations to Commercial Storefront for Accessibility Checklist is a tool for a property owner, tenant, or designer to seek accessibility design guidance prior to submitting a permit application to modify an existing commercial storefront. The checklist should be completed and reviewed with a planner at the Planning Information Center as soon as accessibility work is known to be a part of the project's scope.

Planning Department recommendations regarding particular scopes of work are intended to achieve accessibility as well as maintain or enhance the livability and sustainability of the subject building and its surroundings. Properties that qualify for use of the California Historical Building Code may be able to identify, or successfully demonstrate other acceptable means to meeting accessibility requirements.

HOW DOES THE ACCESSIBILITY CHECKLIST WORK?

1. Gather the following documentation and complete the attached form to the best of your ability. Because there may be a substantial wait at the Planning Information Center (PIC), please gather as much information as possible prior to visiting the PIC. If you have questions about filling out the form or gathering the requested documentation, you may also call the PIC at 628-652-7300.
2. Once the checklist is complete, bring your materials to the PIC and meet with a Preservation Planner or one of the PIC staff members to review your project scope.
PIC location and operating hours can be found at the end of the form or at www.sfplanning.org.
3. A Preservation Planner or one of the PIC staff members will review the checklist and the documentation to help determine modifications that may be necessary for the project to comply with Planning Code and existing Design Guidelines requirements. If the building is more than 50 years old, it will require review by a Preservation Planner. Please note that all recommendations are preliminary **and should be used to inform the applicant and designer of the Planning Department review**. These recommendations are not a Planning Department approval or a review for the purpose of the California Environmental Quality Act.
4. Once you have met with a Preservation Planner or one of the PIC staff members, provide the completed and signed checklist to your design professional to inform preparation of any permit application materials. Include a copy of the completed checklist with your permit application and materials. Please note that additional review may be necessary. **The Accessibility Checklist is a voluntary tool designed to identify issues early in the design and permitting process, not a requirement.**

HOW TO USE THIS CHECKLIST

The purpose of the Alterations to Commercial Storefront for Accessibility Checklist is to provide information to the applicant as early as possible during the planning and design phase of the project.

This checklist includes information regarding four areas of the building: entrances, level changes, power door operators and push buttons, and storefront systems. These features are reviewed by the Planning Department through design guidelines, historic preservation standards, and storefront transparency standards.

For each project the planner should review drawings, photos, and the completed checklist. The applicant should fill out the checklist to the best of their ability in order to inform the planner of the scope of work desired to achieve accessibility. With the given information the planner will review proposed alterations (if any), and provide as much feedback as possible to inform the applicant of where the Planning Department may potentially require additional review or changes to the project scope. Make sure to sign, date, and note if any plans were brought in for this initial review. This will ensure that when the project is taken in for additional review, the next planner can reference the original plans, comments, and any changes that were made to the project.

If additional review is required by a Preservation Planner, the planner will inform the applicant in written comments and why. For example, "Retain mosaic tile entry. Tile may be historic, additional review is required if proposing to remove." Recommendations may also include information on additional documentation necessary for further review.

The Planning Department will not be reviewing your project for compliance with the accessibility standards in the California Building Code or the Americans with Disability Act, or compliance with the street and sidewalk standards. Access code compliance and review is within the purview of the Department of Building Inspection (DBI). Sidewalk safety standards are under the jurisdiction of the San Francisco Public Works (SF PW). As part of your preliminary design review, we strongly recommend that you consult with a Certified Accessibility Specialist and with DBI and SF PW when necessary. See Page 7 and 8 for more detail on department roles.

DOCUMENTATION:

During this voluntary assessment, please provide the following documentation for a thorough and comprehensive review of your project at these preliminary stages.

A Certified Access Specialist Evaluation & Report.

The Certified Access Specialist (CAsp) Report can help protect your business and assist in determining which architectural barriers exist and explain how the business owner can determine which barriers are readily removable. If this report has been conducted, please bring it with you for the Department to review. No written documentation of the report will be made or retained by the City.

1. Photographs

Existing conditions of storefront

- The entire building with the existing storefront taken from across the street with adjacent buildings
- The storefront system in its entirety
- Close-up photos of storefront
- Interior photographs indicating existing space and layout
- Existing sidewalk and streetscape if undertaking a project that may require modifying the sidewalk (a minimum of 3 views; i.e. side views, (at least one from each) and a view from the front, including the existing curb)

2. Drawings & Notes

While not necessary, the following information will help the Department give additional feedback on your project scope and will allow for a more detailed preliminary review.

- Drawings (hand, sketch, or computer aided) with notes identifying existing materials, conditions, or issues
- Dimensions of storefront, including width of entry (opening and with frame), and depth of vestibule
- Elevations at top of curb, back of sidewalk, at any other grade separation fronting and immediately adjacent to the subject property (a minimum of 3 of each of the elevation points should be provided, especially if the existing street has a longitudinal grade of over 2%). It is not necessary to provide each elevation if there is no slope nor stairs.

General

Project Address	Block/Lot(s)
-----------------	--------------

Case No./Permit No.	If none, check here: <input type="checkbox"/>
---------------------	---

Have you consulted a Certified Access Specialist (CASp)? *(A CASp evaluation and report can help protect your business and assist in determining which architectural barriers exist, and explain how the business owner can determine which barriers are readily removable).*

Yes No

Please summarize the project description and check off any of the following items that will be included in the scope of work.

- Entrances *(See section A)*

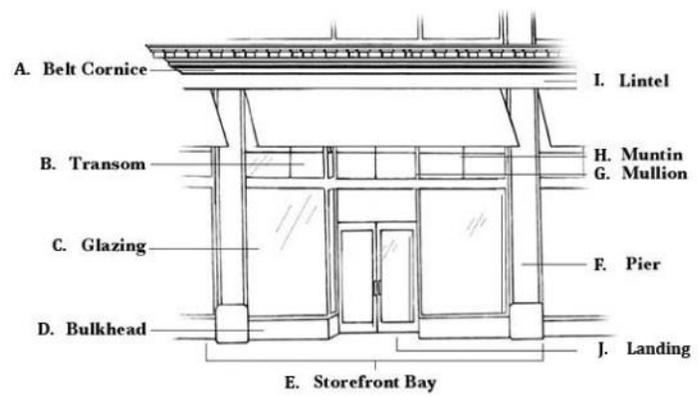
- Level Changes *(See section B)*

- Power Door Operators and Push Buttons *(See section C)*

- Storefront System & Other Building Features *(See section D)*

Use figure below to note any architectural features that are being removed/ altered.

- A) Belt Cornice G) Mullion
- B) Transom H) Muntin
- C) Glazing I) Lintel
- D) Bulkhead J) Landing
- E) Storefront Bay Other
- F) Pier



A. Entrances	
1. Will the existing door and entryway opening be altered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will the storefront configuration and entrance design be maintained? <i>(See Figure A.4 on page 5 for examples)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Planning Department Recommendation Given the information provided the Planning Department staff can make a preliminary recommendation for how the project meets the Historic Preservation standards. <i>Please note this recommendation is not a Planning Department approval or a review for the purpose of the California Environmental Quality Act.</i></p>	
<p>With the following modifications the project will comply with the Historic Preservation Storefront Standards:</p> <hr/> <hr/>	

B. Power Door Operators and Push Buttons	
1. Will a power-assist door operator be installed? <i>(See Figure C.1 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will a freestanding vertical actuation bar be installed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
a. Will it be located in the public right-of-way? <i>(If yes, consult DPW for technical requirements, review, and approval)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Will any required or voluntary signage that is visible from the exterior be added? <i>(See Figure C.3 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Planning Department Recommendation Given the information provided the Planning Department staff can make a preliminary recommendation for how the project meets the Historic Preservation standards. <i>Please note this recommendation is not a Planning Department approval or a review for the purpose of the California Environmental Quality Act.</i></p>	
<p>With the following modifications the project will comply with the Historic Preservation Storefront Standards:</p> <hr/> <hr/>	

C. Level Changes	
1. Will a step/steps need to be removed? <i>(See Figure B.1 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will the entryway require a new slope or re-grading to provide a new level landing? <i>(See Figure B.2 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Will new railings, guards, or handrails be installed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
a. If yes: Will the new railing extend into the sidewalk/public right-of-way? <i>(If yes, consult DPW for technical requirements, review, and approval)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Will the sidewalk be modified to provide an accessible entrance or level landing? <i>(If yes, consult DPW for technical requirements, review, and approval)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Planning Department Recommendation

Given the information provided the Planning Department staff can make a preliminary recommendation for how the project meets the Historic Preservation standards. *Please note this recommendation is not a Planning Department approval or a review for the purpose of the California Environmental Quality Act.*

With the following modifications the project will comply with the Historic Preservation

Storefront Standards:

D. Storefront System & Other Building Features

1. Will the bulkhead be retained or repaired to match the existing fabric? <i>(See Figure D.1 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will alterations be made to the storefront system to allow for accessibility? <i>(See Figure D.2 on page 5 for example)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Will the transom configuration or glazing be modified as a result of other modifications?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Will any other building features be modified? (If yes, please explain below)	<input type="checkbox"/> Yes <input type="checkbox"/> No

Planning Department Recommendation

Given the information provided the Planning Department staff can make a preliminary recommendation for how the project meets the Historic Preservation standards. *Please note this recommendation is not a Planning Department approval or a review for the purpose of the California Environmental Quality Act.*

With the following modifications the project will comply with the Historic Preservation

Storefront Standards:

Were plans reviewed as a part of this submission? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Plans Dated:	Date:
Preservation Planner Signature	
<hr/>	

Planning Department

The Planning Department is the first stop for permit review when alterations are proposed to the exterior of a building and the Department will assess a project and how the scope of work will impact the historic fabric of a building, the exterior façade, and/or the public right-of-way. Further consultation with a Preservation Planner may also be necessary. Please note a “Protection of Historic Elements” specification should also be completed before approval. The checklist will guide Preservation Planners on the work’s compliance with the Department’s historic preservation standards. First consult a Certified Access Specialist (CAsp) to get a full evaluation of your property, including the adjacent sidewalk, to determine what architectural barriers can be readily removed to meet accessibility.

Planning Information Center (PIC)

49 South Van Ness Avenue, 2nd Floor
San Francisco CA 94103-2479
TEL: 628-652-7300
EMAIL: pic@sfgov.org

Department of Building Inspection

The Department of Building Inspection will review the project to confirm that the proposed work meets the disabled access requirements in the CBC and/or the CHBC, where applicable. As a general rule, all new work must be fully accessible; however there are circumstances where the project may be eligible for a finding of technical infeasibility because existing structural or legal constraints prevent full compliance with the current building code. The CHBC is an example of a legal constraint because it requires the local building department to allow alternatives to specific disabled access regulations within the code on a case by case basis, if it is documented that the alteration would damage or destroy a historic feature.

In order to be approved for a finding of technical infeasibility, the barrier to full compliance needs to be clearly documented and justified and an equivalent facilitation solution included as part of the project proposal. One example of an equivalent facilitation solution is that the San Francisco Building Code has Administrative Bulletins that allow the use of a power door operator to mitigate common problems such as non-level landings or alcoves that lack strike side clearances. For more information about DBI’s Administrative Bulletins and Information Sheets go to <http://sfdbi.org/plan-review-services>.

The Department of Building Inspection has a Disabled Access Upgrade Compliance Checklist Package “Information Sheet DA-02” (for existing buildings only) that should be filled out and included with the building permit application for all projects regulated under section 1.9 of the California Building Code (CBC). This information is not required for the purposes of this checklist.

According to DBI Accessibility Requirements, in choosing which accessible elements to provide, priority should be given in the following order:

- An accessible entrance¹ (including the sidewalk, see SF PW);
- An accessible route to the altered area;
- At least one accessible toilet for each gender;
- Accessible drinking fountains; and
- Additional features such as parking, storage, and alarms.

¹An accessible entrance is one that fully complies with the CBC and the ADA that will have at least one door that is 32” wide. Both the exterior and interior landings at the door should be level with no changes in elevation (or minimal ½” max) between them. When the door swings out towards the street, the entry landing or alcove must

also provide 24" additional strike side clearances for a total landing that is 60" wide by 60" deep. When the door swings inward toward the interior then the exterior landing needs to be 36" wide by 48" deep minimum, and 48" wide by 48" deep if the door has both a latch and a closer.

Department of Building Inspection

49 South Van Ness Avenue

San Francisco, CA 94103

TEL: 628-652-3704

EMAIL: dbi.abe@sfgov.org

Department of Public Works

San Francisco Public Works will be consulted with projects regarding sidewalk modifications and encroachments in the public right-of-way. In most cases, special sidewalk surfaces may be allowed adjacent to the subject property and within the curb furnishing zone; provided that a minimum of 6-foot accessible path of travel is maintained using standard concrete.

San Francisco Public Works, Bureau of Street Use and Mapping (PW BSM) is the agency that issues permits to repair, alter, and/or reconstruct the sidewalk. The Public Works Code, the Americans with Disabilities Act (ADA), and various Director's Orders contain the minimum standards for code compliance in order to provide accessibility within the public right-of-way. Under the State Highway Code and Section 706 of the Public Works Code, the fronting property owner is responsible for maintaining the sidewalk in front of their property. When defects such as excessive cross slope or damaged pavement are found by BSM Inspection Staff, the owner may receive a Notice to Repair (NTR) to correct or mitigate the damaged and/or non-standard condition.

As a general rule, any transitions between an exterior (sidewalk) and interior (floor) elevation should be made within the building envelope or property line. BSM will review very carefully any permit application and proposed plan to construct a ramp or a ramped landing within the sidewalk area. Under some circumstances, and for certain designs, PW BSM may issue what is known as a Minor Sidewalk Encroachment permit (MSE) where the sidewalk is ramped or warped up in order to raise the sidewalk elevation at the entry to eliminate a step or make the landing have a more shallow slope. A MSE permit typically requires a survey and the services of a Civil Engineer or Architect to establish spot elevations and design transitions that meet all Public Works criteria.

Sidewalk modification may be necessary to provide an accessible entrance. This modification may include sidewalk warping to achieve a code-complying slope that is not more than 2% in all directions and a level sidewalk landing. While not required to complete his checklist, an applicant should consult with Public Works staff and provide the following information:

The width of the sidewalk

Heights at each side of the entrance or the slope between the two

The slope from the entrance across the sidewalk to the curb

The curb height opposite the entrance

Note that Public Works' Bureau of Street Use and Mapping (BSM) has Grade Maps available which indicate the official grade or longitudinal slope of most City streets.

San Francisco Public Works + Bureau of Street-Use & Mapping Permit Section

49 South Van Ness, 3rd Floor
San Francisco, CA 94103
Operating Hours: 8:00am-5:00pm
Permit Processing Hours: 7:30am-4:00pm
TEL: 628-652-2000
EMAIL: dpw@sfdpw.org

The Access Appeals Commission

The Access Appeals Commission (AAC) is a five-member government commission that provides ratification for unreasonable hardship requests approved by the Department of Building Inspection. The Commission hears written appeals brought by any person regarding actions taken by the Department of Building Inspection in the enforcement of the requirements for Access to Public Accommodations by persons with a disability (Health and Safety Code Section 19955 including section 19957 exceptions), as well as action taken by the Department in the enforcement of the disabled access and adaptability provisions of the San Francisco Building Code. The Commission may also hear written appeals regarding actions taken by the Department in the enforcement of the disabled access and adaptability provisions of the San Francisco Building Code. The AAC ratifies or disapproves of Unreasonable Hardship Request (UHR).

Access Appeals Commission

Department of Building Inspection
49 South Van Ness Avenue
San Francisco, CA 94103-2414
TEL: 628-652-3721
EMAIL: Thomas.Fessler@sfgov.org

Office of Small Business

The Office of Small Business has resources to assist small businesses with disability access compliance requirements for public accommodation. These resources include:

Tax credits and deductions

Certified Access Specialist (CASp) Small Business Assessment Program

Guide on how to hire a Certified Access Specialist (CASp)

A list of Certified Access Specialist (CASp)

Office of Small Business

City Hall, Room 140

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

TEL: 415.554.6134

EMAIL: sfosb@sfgov.org

WEB: www.sfosb.org