

*Regular Meeting of the  
Building Inspection Commission  
September 18, 2024*

*Agenda Item 8c*

**Department of Building Inspection Legislative Update**  
**Building Inspection Commission Meeting, September 18, 2024**

DBI has compiled the following summary of legislation affecting the San Francisco Building Codes from the Board of Supervisors, as well as from Code Advisory Committee meetings and recommendations.

**Ordinances and Resolutions**

**File No. 240798** – Ordinance amending the Building Code to excuse the requirement for professionally prepared architectural drawings for building permits to change certain use designations that do not increase occupant load or occupancy class, or include alterations; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The ordinance was introduced on July 30, 2024. This ordinance was heard by the Mechanical, Electrical, Plumbing and Fire Subcommittee on September 11, 2024. The subcommittee could not reach a consensus vote on the matter, providing no recommendation to the full Code Advisory Committee. The Code Advisory Committee met on September 11, 2024 and discussed numerous possible changes to the ordinance, some of which are incorporated in the ordinance. The Committee did not vote on a motion relating to the ordinance.

**File No. 240845** - Ordinance amending the Building Code to allow new construction that complies with the Design Guidelines for Electric-Ready Buildings to install gas infrastructure to serve appliances covered by the Energy Policy and Conservation Act (EPCA); adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

**STATUS:** The ordinance was introduced on September 3, 2024. The Code Advisory Committee on September 11, 2024 and unanimously recommended approval of the ordinance.

**Planning Commission Resolution No. 21599** - Ordinance amending the Building and Planning Codes to correct typographical errors, update outdated cross-references, make non-substantive revisions to clarify or simplify Code language, and make other minor, substantive updates to various Code provisions; directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Department of Housing and Community Development upon final passage; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

**STATUS:** The Planning Commission initiated the ordinance on August 1, 2024. The Code Advisory Committee met on August 14, 2024 and recommended approval of the ordinance. The Building Inspection Commission met on August 21, 2024 and recommended approval of the ordinance. The ordinance is pending a hearing in the Land Use and Transportation Committee.

**File No. 240807** - Ordinance amending the Housing Code to require R-1 and R-2 group buildings to maintain at least one existing elevator for residents’ use; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The ordinance was introduced on July 30, 2024 and referred to the Building Inspection Commission on August 8, 2024. The Code Advisory Committee met on September 11, 2024, and unanimously recommending approval of the ordinance with the Department’s suggested amendments.

### **Hearings**

**File No. 240243** – Hearing to receive presentations on the City's concrete plans to finance, underwrite and/or build the Housing Element's stated annual goal of 1,748 Extremely-Low Income (ELI) units, or 13,981 ELI units total over eight years, including concrete financing mechanisms and progress benchmarks; and requesting the Mayor's Office of Housing and Community Development and Department of Disability and Aging Services to report.

**STATUS:** The hearing request was introduced on March 12, 2024 and referred to the referred to the Land Use and Transportation Committee. The committee met on May 6, 2024 and heard presentations from the Mayor’s Office of Housing and Community Development and the Department of Disability and Aging Services. The request is now considered heard and filed.

**File No. 240181** - Hearing on the ongoing delays in the disbursement of funds to fix elevators in Single Room Occupancy housing; and requesting the Department of Homelessness and Supportive Housing and Mayor's Office to report.

**STATUS:** The hearing request was introduced on February 27, 2024 and was assigned to the Government Audit and Oversight Committee. The committee met on April 18, 2024, heard a presentation from the Department of Homelessness and Supportive Housing, and continued the matter to the call of the Chair.

**File No. 240182** – Hearing on the future of Union Square, the plan to attract a diversity of uses to the area, and the impact of Macy’s closure on retail workers, security guards and other workers in the area; and requesting the Controller’s Office, Office of Economic and Workforce Development, Planning Department, Building Inspection Department, Police Department, and Department of Labor Standards to report.

**STATUS:** The hearing request was introduced on February 27, 2024 and was assigned to the Land Use and Transportation Committee. Land Use and Transportation Committee met and continued the ordinance on May 13, 2024 to a date to be determined.

### **Recently Enacted Legislation**

**File No. 240499** - Ordinance amending the Building Code to exempt storefronts that are vacant due to public infrastructure construction from vacant storefront registration requirements; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The ordinance was introduced on May 14, 2024. The ordinance was heard by the Code Advisory Committee on July 10, 2024 with a recommendation of disapproval. The Building Inspection Commission met on July 17, 2024 and recommended approval with modifications. The Board of Supervisors reviewed the ordinance on both July 23, 2024 and July 30, 2024, passing the ordinance both times. The Mayor signed the ordinance on August 8, 2024, and it will take effect September 8, 2024.

**File No. 240474** - Ordinance amending the Building and Planning Codes to make permanent the streamlined permitting provisions for unpermitted awnings and extend the waiver of applicable fees for one fiscal year, until July 1, 2025; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

**STATUS:** The ordinance was introduced on May 7, 2024 and referred to the Building Inspection Commission for review on May 15, 2024. The ordinance was passed through the Land Use and Transportation Committee on July 1, 2024. The Board of Supervisors heard the legislation on first reading on July 2, 2024 and finally passed the measure on July 9, 2024. The ordinance was signed on July 17, 2024 by the Mayor and will take effect August 17, 2024.

**File No. 240297** – Duplicate ordinance (to File no. 231005) amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors regarding the disability access improvement program.

**STATUS:** The ordinance was introduced on March 25, 2024 and heard by the Building Inspection Commission on May 17<sup>th</sup>, 2024 resulting in an approval recommendation. The Board of Supervisors met on July 23, 2024 and July 30, 2024, passing the ordinance both times. The ordinance was signed by the Mayor on August 8, 2024, and will take effect September 8, 2024.

**File No. 240457** - Ordinance amending the Building Code to adjust fees charged by the Department of Building Inspection; and affirming the Planning Department's determination under the California Environmental Quality Act.

**STATUS:** The ordinance was introduced on May 1, 2024, and received a recommendation of approval by the Building Inspection Commission on May 17, 2024. The ordinance was then heard by the Budget and Appropriations Committee on May 22, 2024, where another recommendation for approval was granted. The Board of Supervisors heard the ordinance on first reading on June 4, 2024, and finally passed the legislation on June 11, 2024. The ordinance was signed by the Mayor on June 18, 2024 and will take effect on July 19, 2024.

**File No. 240456** - Ordinance amending the Administrative Code to adjust surcharges on fees imposed under Planning Code, Section 350, and Building Code, Section 110A, for actions that may be appealed to the Board of Appeals; authorizing the Controller to make future adjustments to ensure that the costs of the Board of Appeals' services are recovered without producing revenue which is significantly more than such costs; and affirming the Planning Department's determination under the California Environmental Quality Act.

**STATUS:** The ordinance was introduced on May 1, 2024 and referred to the Budget and Appropriations Committee on May 22, 2024. The legislation was then passed by the Board of Supervisors on first reading on June 4, 2024, and finally passed on June 11, 2024. The Mayor signed the ordinance on June 21, 2024, and it will take effect on July 22, 2024.

**File No. 231163** – Ordinance amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler systems and annual inspection of fire alarm and detection systems, mandate a filing fee to ensure that the costs of providing for such filings are recovered without

producing revenue that is significantly more than such costs, and require a minimum five feet access from the public-right-of-way to residential structures on newly subdivided lots; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

**STATUS:** The Building Inspection Commission recommended approval of the ordinance to the Land Use Committee on January 17, 2023, which recommended the ordinance to the Board of Supervisors. The ordinance passed on its final reading at the Board of Supervisors on February 6, 2024, was signed by the Mayor on February 16, 2024 and became effective March 17, 2024.

**File No. 231005** – Ordinance amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection’s Report to the Board of Supervisors regarding the disability access improvement program.

**STATUS:** The ordinance was introduced on September 26, 2023 and signed by the Mayor on April 26, 2024.

**File No. 231125** – Ordinance amending the local findings included by reference in the following Ordinances: 1) 2022 San Francisco Building Code (Ordinance No. 225-22); 2) 2022 San Francisco Green Building Code (Ordinance No. 227-22); 3) 2022 San Francisco Mechanical Code (Ordinance No. 228-22); 4) San Francisco Plumbing Code (Ordinance No. 230-22); and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission as required by State law.

**STATUS:** After the Building Inspection Commission’s approval, the ordinance was introduced by the department on November 7, 2023 and referred to the Land Use Committee, which recommended the ordinance to the Board of Supervisors. The ordinance passed on its final reading at the Board of Supervisors on January 23, 2024, was signed by the Mayor on February 1, 2024 and is now in effect.

**File No. 231130** – Ordinance amending the Existing Building Code to require buildings with 15 or more stories to conduct and submit supplemental inspection reports that will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failure; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The Building Inspection Commission recommended approval of the ordinance to the Land Use Committee on December 13, 2023, which recommended the ordinance to the Board of Supervisors. The ordinance passed on its final reading at the Board of Supervisors on January 30, 2024, was signed by the Mayor on February 9, 2024 and became effective March 10, 2024.

**File No. 231118** – Resolution retroactively authorizing the Department of Building Inspection to accept and expend a grant in the amount of \$100,000 from the California Energy Commission for participation in the California Automated Permit Processing Program and for costs associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023, through May 31, 2027.

**STATUS:** The resolution was introduced on October 24, 2023 and referred to the Budget and Finance Committee, which recommended the ordinance to the full Board of Supervisors. The resolution was adopted by the Board of Supervisors on January 23, 2024.

**File No. 230764** – Ordinance amending the Planning Code to 1) modify the annual indexing of certain development impact fees, with the exception of inclusionary housing fees; 2) provide that the type and rates of applicable development impact fees, with the exception of inclusionary housing fees, shall be determined at the time of project approval; 3) exempt eligible development projects in PDR (Production, Distribution, and Repair) Districts, and the C-2 (Community Business) and C-3 (Downtown Commercial) Zoning Districts from all development impact fees for a three-year period; 4) allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy; and 5) adopt the San Francisco Citywide Nexus Analysis supporting existing development impact fees for recreation and open space, childcare facilities, complete streets, and transit infrastructure and making conforming revisions to Article 4 of the Planning Code; amending the Building Code to allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy and repealing the fee deferral surcharge.

**STATUS:** The Building Inspection Commission recommended approval of the ordinance to the Land Use Committee on July 19, 2023, which recommended the ordinance to the full Board of Supervisors. The ordinance passed 10-1 on its final reading by the Board of Supervisors on September 5, Board of Supervisors, was signed by the Mayor on September 15, 2023 and became effective on October 15, 2023.

**File No. 230559** – Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for Business Signs and new awning installations applied for during the months of May 2023 and May 2024, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May.

**STATUS:** The Building Inspection Commission recommended approval of the ordinance with modification to the Land Use Committee on July 19, 2023, which recommended the ordinance to the full Board of Supervisors. The ordinance passed unanimously on its final reading by the Board of Supervisors on September 5, 202, was signed by the Mayor on September 15, 2023 and became effective on October 15, 2023.

**File No. 230447** – Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings that do not comply with the Planning Code; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

**STATUS:** The Building Inspection Commission recommended approval to the Land Use Committee on May 17, 2023. The Land Use Committee recommended the ordinance to the full Board of Supervisors with amendments (none of which effect the Building Code). The ordinance was passed by the Board of Supervisors, signed by the Mayor on July 20, 2023 and became effective August 19, 2023.

**File No. 230374** – Ordinance amending the Building Code to outline the site permit application process, define and limit the scope of Building Official review of site permits, and require simultaneous

interdepartmental review of site permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

**STATUS:** The Building Inspection Commission recommended modifications to the ordinance to the Land Use Committee on June 13, 2023. The Land Use Committee recommended the ordinance to the full Board of Supervisors. The ordinance was passed by the Board of Supervisors, signed by the Mayor on July 28, 2023 and became effective August 28, 2023.

**File No. 230371** – Ordinance amending the Planning Code to 1) facilitate residential uses Downtown by authorizing the conversion of non-residential uses to residential use in C (Commercial) zoning districts, and exempting such projects from requirements for rear yard, open space, streetscape improvements, dwelling unit exposure, bike parking, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such project, streamlining administrative approvals for projects in the C-3 zoning district, and modifying the dimensional limits on exemptions to height restrictions for mechanical equipment, elevator, stair, and mechanical penthouses; 2) economically revitalize Downtown by adding Flexible Workspace as a defined use, authorizing large scale retail uses in the C-3 zoning district, allowing window displays in the C-3 zoning district, allowing Flexible Workspace as an active ground floor commercial use along certain street frontages in C-3 zoning districts, allowing accessory storage in any C zoning district, allowing the temporary installation for 60 days of certain signs in the C-3-R district, allowing temporary non-residential uses in vacant spaces for up to one year, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 zoning districts east of or fronting Van Ness/South Van Ness Avenue and north of Townsend Street, principally permitting Laboratory, Life Science, Agricultural and Beverage Processing, and Animal Hospitals in C-2 zoning districts, principally permitting Senior Housing, Residential Care Facilities, Outdoor Entertainment, Open Recreation Areas, Animal Hospitals, and Trade Schools in the C-3 zoning district, allowing formula retail as a ground floor use on Market Street, principally permitting office and design professional uses on the second floor and higher in the C-3-R zoning district, and requiring consideration of office vacancy in consideration of granting exceptions in the Transit Center Commercial Special Use District; 3) streamline sign permitting citywide and in the C-3 districts by allowing for the repair and rehabilitation of certain neon signs, and exempting existing business signs in the C-3 zoning district from certain zoning controls; 4) streamline Historic Preservation review of administrative certificates of appropriateness, and minor permits to alter for awnings, and Qualifying Scopes of Work, as may be delegated by the Historic Preservation Commission; 5) provide alternatives to on-site open space in certain C-3 districts by allowing for payment of an in lieu fee as an alternative to providing open space; 6) facilitate residential adaptive reuse by amending the Building Code to add standards for adaptive reuse of non-residential buildings; and 7) principally permit formula retail and waive size limitations for such uses on a portion of Showplace Square Area (555-9th Street, Assessor's Parcel Block No. 3781, Lot No. 003); affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

**STATUS:** The Building Inspection Commission recommended approval to the Land Use Committee on May 17, 2023, which recommended the ordinance to the full Board of Supervisors. The ordinance was passed by the Board of Supervisors, signed by the Mayor on July 5, 2023 and became effective August 4, 2023.



**File No. 230373** – Ordinance amending the Existing Building Code to require buildings with 15 or more stories constructed after 1998 to conduct and submit façade inspection reports; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The Board of Supervisors passed the ordinance, which was signed by the Mayor on May 26, 2023 and became effective on June 26, 2023.

**File No. 230167** – Ordinance amending the Campaign and Governmental Conduct Code to create a Permit Prioritization Task Force responsible for recommending permit prioritization guidelines to the Department of Building Inspection, the Planning Department, and the Department of Public Works, requiring those departments to review and update their permit prioritization guidelines periodically, and requiring the commissions that oversee each department to approve the department’s permit prioritization guidelines; and affirming the Planning Department’s determination under the California Environmental Quality Act.

**STATUS:** The Board of Supervisors passed the ordinance on May 26, 2023. The Mayor returned the ordinance unsigned, and it became effective June 26, 2023.

**File No. 230310** – Ordinance amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**STATUS:** The ordinance was introduced on March 20, 2023 and assigned to the Land Use Committee. After further amendments to the Planning Code, this ordinance was re-referred to the Planning Commission. The Planning Commission recommended approval with modifications on February 29, 2024. The Board of Supervisors passed the ordinance on May 19, 2024, Mayor Breed signed on March 28, 2024, and the ordinance went into effect on April 29, 2024.





# Legislative Update

Tate Hanna, Legislative Affairs Manager  
September 18, 2024

# SF Board of Supervisors: Ordinances

**File No. 240807:** Ordinance amending the Housing Code to require R-1 and R-2 group buildings to maintain at least one existing elevator for residents' use; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Status:** The ordinance was introduced on July 30, 2024 and referred to the Building Inspection Commission on August 8, 2024. The Code Advisory Committee met on September 11, 2024, and recommended unanimous approval with the Department's suggested amendments.

**File No. 240845 -** Ordinance amending the Building Code to allow new construction that complies with the Design Guidelines for Electric-Ready Buildings to install gas infrastructure to serve appliances covered by the Energy Policy and Conservation Act (EPCA); adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

**Status:** The ordinance was introduced on September 3, 2024. It was heard by the Code Advisory Committee on September 11, 2024, and received a unanimous recommendation of approval.

# SF Board of Supervisors: Ordinances

**Planning Commission Resolution No. 21599:** Ordinance amending the Building and Planning Codes to correct typographical errors, update outdated cross-references, make non-substantive revisions to clarify or simplify Code language, and make other minor, substantive updates to various Code provisions.

**Status:** The Planning Commission initiated the ordinance on August 1, 2024. The Code Advisory Committee met on August 14, 2024 and unanimously recommended approval of the ordinance. The Building Inspection Commission met on August 21, 2024 and recommended approval of the ordinance. The ordinance is pending a hearing in the Land Use and Transportation Committee.

**File No. 240874:** Ordinance amending the Building Code to exempt the requirement for architectural drawings for building permits to change use designations that do not increase occupant load or occupancy class, or entail physical improvements; add to the list of work exempt from needing building permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Status:** The ordinance was introduced on September 10, 2024. This ordinance is substantially similar to File No. 240798, which was heard by the Mechanical, Electrical, Plumbing and Fire Subcommittee met on September 11, 2024. The subcommittee could not reach a consensus vote on the matter, providing no recommendation to the full Code Advisory Committee. The Code Advisory Committee met on September 11, 2024 and discussed numerous possible changes to the ordinance, some of which are incorporated in the ordinance. The Committee did not vote on a motion relating to the ordinance.

# SF Board of Supervisors: Ordinances

**File No. 240499:** Ordinance amending the Building Code to exempt storefronts that are vacant due to public infrastructure construction from vacant storefront registration requirements.

**Status:** The ordinance was introduced on May 14, 2024 and was approved by the Building Inspection Commission on July 17, 2024. The ordinance was signed by Mayor Breed on August 8, 2024 and took effect on September 8, 2024.

**File No. 240297:** Ordinance amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors regarding the disability access improvement program.

**Status:** The ordinance was introduced on March 25, 2024 and was approved by the Building Inspection Commission on May 17, 2024. The ordinance was signed by Mayor Breed on August 8, 2024 and took effect on September 8, 2024.

# 2024 State Legislation

**AB 2533 (J. Carrillo)** - Extends the Accessory Dwelling Unit (ADU) amnesty law to unpermitted ADUs and junior accessory dwelling units (JADUs) built before 2020, provides a process for homeowners to permit their unpermitted ADUs, and provides financial assistance to lower- and moderate-income households seeking to permit their unpermitted ADUs and JADUs.

**Status:** Passed through the Legislature. Pending Governor's signature.

**SB 1465 (Archuleta)** – This bill allows any structure used for human habitation to be declared a substandard building regardless of the zoning or approved use of the building, and makes other changes to code enforcement procedures.

**Status:** Passed through the Legislature. Pending Governor's signature.

# 2024 State Legislative Calendar

**Sep. 30:** Last day for Governor to sign or veto bills

**Nov. 5:** General Election

**Dec. 2:** Convening of the 2025-26 Regular Session

**Jan. 1:** Statutes take effect



**THANK YOU**