

File No. 151079

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date January 25, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Vacancy Notice
- Information Sheet
- Public Correspondence

OTHER

(Use back side if additional space is needed)

- CEQA Determination, dtd 11/23/15
- Buildings Inspection Commission Recommendation, dtd 12/17/15
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Alisa Somera

Date January 21, 2016

Completed by: _____

Date _____

1 [Building Code - Definition of Vacant or Abandoned Buildings]

2
3 **Ordinance amending the Building Code to provide that a building in probate shall not**
4 **be considered vacant or abandoned for purposes of the annual registration**
5 **requirement if it does not contribute to blight; and affirming the Planning Department's**
6 **determination under the California Environmental Quality Act.**

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

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

15 Section 1. Findings.

16 (a) The Planning Department has determined that the actions contemplated in this
17 ordinance comply with the California Environmental Quality Act (California Public Resources
18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
19 Supervisors in File No. 151079 and is incorporated herein by reference. The Board affirms
20 this determination.

21 (b) The Building Inspection Commission considered this ordinance on December 16,
22 2015, at a duly noticed public hearing, pursuant to Charter Section D3.750-5.

23 Section 2. The Building Code is hereby amended by revising Section 103A.4.1, to read
24 as follows:

1 103A.4 Vacant or Abandoned Buildings – Annual Registration; Registration Fee;
2 Maintenance and Security Requirements.

3 103A.4.1 Definition. A building shall be defined as a vacant or abandoned if it (1) is
4 unoccupied and unsecured; or (2) is unoccupied and secured by boarding or other similar
5 means; or (3) is unoccupied and unsafe as defined in Section 102A of this Code; or (4) is
6 unoccupied and has multiple code violations; or (5) has been unoccupied for over 30 days. A
7 building which is partially unoccupied and has been cited for blight under Chapter 80 of the
8 San Francisco Administrative Code, shall also be deemed a vacant or abandoned building
9 that is subject to this Section. Commercial Storefronts, as defined in Section 103A.5.1 of this
10 Code, located within vacant or abandoned buildings shall be subject to the enforcement
11 provisions in Sections 103A.5-103A.5.6 of this Code.

12 For purposes of this Section 103A.4. a building shall not be considered vacant or
13 abandoned if:

14 (1) There is a valid building permit for repair, rehabilitation, or construction of a building
15 on the parcel and the owner completes the repair, rehabilitation, or construction within one
16 year from the date the initial permit was issued; or

17 (2) The building complies with all codes, does not contribute to blight as defined in
18 Chapter 80 of the San Francisco Administrative Code, is ready for occupancy, and is actively
19 being offered for sale, lease, or rent.

20 (3) The building does not contribute to blight as defined in Chapter 80 of the San Francisco
21 Administrative Code, and is included in an estate that is in an active and ongoing probate proceeding.

22 * * * *

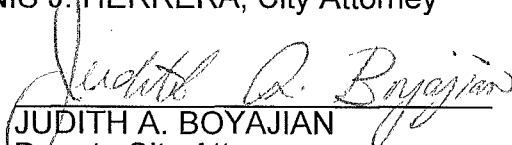
23
24 Section 3. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:


14 JUDITH A. BOYAJIAN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Building Code - Definition of Vacant or Abandoned Buildings]

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Building Code Section 103A.4 requires the owner of a vacant or abandoned building to register the building with the Department of Building Inspection and pay an annual registration fee. A sign meeting certain requirements must be posted on the property, and the property is subject to specified maintenance and security requirements. A building is not considered vacant or abandoned if (1) there is a valid building permit for repair, rehabilitation, or construction of a building on the site and the work is completed within one year from issuance of the permit or (2) the building complies with all codes, does not contribute to blight, is ready for occupancy, and is actively being offered for sale, lease, or rent.

Amendments to Current Law

Section 103A.4 is amended to provide that a building is not considered vacant or abandoned if it does not contribute to blight and is included in an estate that is involved in an active and ongoing probate proceeding.

Background Information

The intent of Section 103A.4 is to prompt owners of buildings that are vacant or abandoned to improve the buildings, restore them to a code-complying state, and return them to community use. Section 103A.4 currently requires that properties in probate be registered with the Department of Building Inspection as vacant or abandoned and pay an annual registration fee. The transition in ownership through the probate process can be a difficult and lengthy process. If the property is not blighted, it should be exempt from the Building Code's registration requirements.

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BOARD of SUPERVISORS



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

October 27, 2015

File No. 151079

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

On October 20, 2015, Supervisor Tang introduced the following proposed legislation:

File No. 151079

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

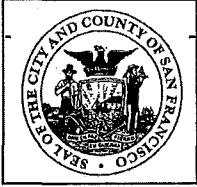
Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy
Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org,
c=US
Date: 2015.11.23 12:02:41 -08'00'



BUILDING INSPECTION COMMISSION (BIC)

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

December 17, 2015

Edwin M. Lee
Mayor

COMMISSION

Angus McCarthy
President

Warren Mar
Vice-President

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

Sonya Harris
Secretary

Tom C. Hui
Director

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

RE: File No. 151079

Dear Ms. Calvillo:

RE: Ordinance (File No. 151079) amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement for a period not to exceed two years if it complies with all codes and does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

The Building Inspection Commission met and held a public hearing on December 16, 2015 regarding File No. 151079 on the proposed amendment to the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

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

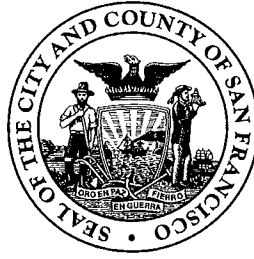
Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris
Commission Secretary

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

BOARD of SUPERVISORS



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October 27, 2015

File No. 151079

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

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File No. 151079

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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MEMORANDUM

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

FROM:  Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

DATE: October 27, 2015

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Tang on October 20, 2015:

File No. 151079

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

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

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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: *AS* Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

DATE: October 27, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 151079

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

No Comment

Recommendation Attached

Chairperson, Small Business Commission

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

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

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

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

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

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

Sponsor(s):

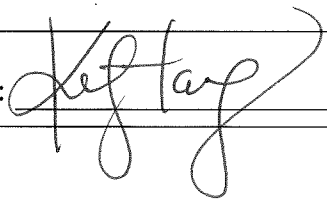
Katy Tang

Subject:

Building Code - Definition of Vacant or Abandoned Buildings

The text is listed below or attached:

[Empty box for text listing]

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: