

BOARD of SUPERVISORS



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MEMORANDUM

TO: Patrick O'Riordan, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: John Carroll, Assistant Clerk
Land Use and Transportation Committee

DATE: August 7 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Mahmood on July 29, 2025:

File No. 250811

Ordinance amending the Building Code to revise the timing of expiration of certain building permits and building permit applications; 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: john.carroll@sfgov.org.

c:
Offices of Chair Melgar and Supervisor Mahmood
Tate Hanna, Department of Building Inspection
Patty Lee, Department of Building Inspection

[Building Code - Building Permit Expiration Timelines]

Ordinance amending the Building Code to revise the timing of expiration of certain building permits and building permit applications; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Section 1. General Findings.

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

(b) On _____, 2025, the Building Inspection Commission considered this ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building Code Section 104A.2.11.1.1.

(c) No local findings are required under California Health and Safety Code Section 17958.7 because the amendments to the Building Code contained in this ordinance do not regulate materials or manner of construction or repair.

1 Section 2. Chapter 1A of the Building Code, Section 106A is hereby amended by
2 revising Sections 106A.3.4, 106A.3.7, and 106A.4.4, to read as follows:

3
4 **106A.3.4 General Permit Procedures.**

5 * * * *

6 **106A.3.4.2.3 Addenda to site permits.** The site permit must be issued prior to
7 submittal of the first addendum. Plans for construction may be divided and submitted in
8 accordance with an addenda schedule submitted on the site permit drawings or on the first
9 addendum drawings. See Section 110A~~1~~, Table 1A-B – Other Building Permit and Plan
10 Review Fees – for applicable fee.

11 The holder of such permit and addenda shall proceed with approved addenda work
12 at the permittee's own risk, without assurance that approvals for the remaining addenda or for
13 the entire building or structure will be granted.

14 Each addendum must be approved and issued before work shown on that addendum
15 may commence. The time allowed for review, approval, and issuance of all addenda is
16 governed by the maximum time allowed under Section 106A.4.4 ~~and Table B – Maximum Time~~
17 ~~Allowed to Complete All Work Authorized by Building Permit~~. The extension times may be applied
18 upon payment of a fee per Section 110A, Table 1A-J – Miscellaneous Fees. If all required
19 addenda are not approved and issued by the maximum time allowed, the site permit, all
20 previously approved addenda, and all remaining addenda shall be deemed to be canceled.
21 When a site permit has been canceled, an alteration work application shall be required to
22 resume processing. The provisions of Section 107A.3.3 shall apply to such alteration work
23 application.

24 * * * *

106A.3.7 Application expiration. The Building Official may hold in abeyance or reject any application, plans, or specifications filed which in the Building Official's opinion, do not provide the necessary information in a clear and concise manner as required in Section 106A.3.3, and shall cancel such an application 365 days after submittal~~upon the expiration of the time period set forth per Table A.~~

At the time the application has been deemed acceptable for building plan review by the Department ~~of Building Inspection~~, any corrections, additional information, plans, or documents that are necessary to complete the processing by the Department ~~of Building Inspection~~ shall be submitted and approved within 365 days~~the following time limitations:~~

~~TABLE A – APPLICATION EXPIRATION~~

<i>Valuation</i>	<i>Time Limitation</i>	<i>Extension Limitation</i>
<i>\$1.00 to \$1 million</i>	<i>360 calendar days</i>	<i>360 calendar days</i>
<i>Over \$1 million</i>	<i>720 calendar days</i>	<i>720 calendar days</i>

The 365-day time limitation shall apply until the application has been approved and permit is issued. A one-time extension of 180 days~~per Table A~~ may be granted by the Building Official at any point during the approval process, upon written request by the applicant and payment of fee. Additional extensions may be granted by the Building Official prior to extension expiration upon written request from the applicant and payment of fee. See Section 110A, Table 1A-J – Miscellaneous Fees – for applicable fee. In the event an extension of time extends the life of an application beyond the effective date of the adoption of a new code, the Building Official may require that all or part of the application be subject to the provisions of the new code and payment of an additional plan review fee per Table 1A-A – Building Permit Fees. In the event the application has not been approved and issued within 60 days before

1 the end of the ~~stated~~ time periods set forth in this Section 106A.3.7-in Table A, the Department
2 shall notify the applicant that the application will be canceled in 60 days unless the application
3 is extended. An application which exceeds the stated or extended time period after such
4 notice shall be deemed canceled without further action by the Department.

5 **EXCEPTIONS:**

6 1. For applications resulting from enforcement actions initiated by the Building
7 Official to abate code violations, the above time limits shall be reduced to 30 days and 10
8 days, respectively. The Building Official may grant an extension for hardship or procedural
9 error. Upon cancellation, such cases shall be referred to the City Attorney for legal action.

10 2. The above time limits shall not apply to applications which are subject to the work
11 without permit investigation fee per Section 110A, Table 1A-K – Penalties, Hearings, Code
12 Enforcement Assessments. Such applications shall be canceled only through specific action
13 by the Building Official.

14 3. The above time limits shall be suspended whenever an application is returned to
15 the Planning Department for review due to a design change that the Building Code(s)
16 requires.

17
18 **106A.4.4 Permit expiration.** Every permit issued by the Building Official under the
19 provisions of this code, including any site permit or site permit addendum~~unless an extension of time~~
20 ~~has been specifically approved by the Building Official~~, shall be valid from the date of issuance,
21 provided that any permit shall expire and become null and void 365 days from date of issuance if the
22 work authorized under any permit associated with the current scope of work has not been commenced;
23 or shall expire and become null and void whenever the Department determines that the work
24 authorized by any permit has been suspended, discontinued, or abandoned for a continuous period of
25 365 days. ~~expire by limitation and become null and void when the time allowed in Table B is reached,~~

~~or when any of the following circumstances is applicable: For purposes of the expiration date for a site permit under this Section 106A.4.4, submittal of a site permit addendum shall constitute commencement or continuation of authorized work.~~

~~1. For Building Official-initiated code compliance permits, the work shall start within 30 days from the date of such permit.~~

~~2. If the building or work authorized is suspended or abandoned at any time after the work has started, for a period as follows:~~

~~2.1. Thirty days for Building Official-initiated code compliance permits.~~

~~2.2. One hundred eighty days for all other permits.~~

Expiration ExceptionsEXCEPTIONS:

~~13. The Building Official may approve oneAn extension of 180 days~~time from the stated periods~~may be permitted for good reason~~, provided such requests for an extension are submitted to the Building Official in writing prior to the end of the time period and accompanied by payment of a fee. ~~Unless approved by t~~The Building Official,~~no more than one~~ may approve additional extensions of time ~~may be grantedif, in the judgment of the Building Official, the permit holder demonstrates justifiable cause for such extension.~~

~~3.1. For all other permits, see Table B—Maximum Time Allowed to Complete All Work Authorized by Building Permit. The maximum time allowed for Building Official-initiated code compliance permits shall be 12 months for all permits exceeding \$25,000 total valuation.~~

~~4. A demolition permit shall expire 180 days after issuance. Only one extension of time of 180 days shall be granted upon written request to the Building Official, accompanied by payment of a fee. If there is a permit for a replacement structure, the demolition permit shall expire concurrently with the permit for that replacement structure.~~

~~25. The Building Official may administratively authorize the processing of applications involving compliance actions initiated by the Department, in a manner other than~~

set forth in this code, so as to effect said compliance most expeditiously; provided, however, that due process is assured all applicants. In this regard, the Building Official may reduce the time periods set forth in this section as they apply to a second application and permit required by the Building Official to effect full compliance with this code and other applicable laws and regulations if by doing so code compliance would be more expeditiously accomplished.

~~3. EXCEPTION:~~ In order to avoid repetitive filings and processing of applications to effect code compliance, the Building Official is hereby authorized to establish alternate procedures and extensions of time from cancellation pursuant to Section ~~106A~~.106A.4.1 and from expiration pursuant to this section; provided, however, that the Building Official, in establishing alternate procedures and extension of time, shall proceed as expeditiously as possible toward abatement of the violations.

When a permit is issued but delayed due to actions before the Board of Appeals or other City agencies, or cases in any court of competent jurisdiction, or is under review by a State or regional regulatory body, the time allowable shall be computed from the date of the final action of the agency or court of jurisdiction.

~~**TABLE B — MAXIMUM TIME ALLOWED TO COMPLETE ALL WORK AUTHORIZED BY BUILDING PERMIT**~~

<i>Valuation</i>	<i>Time Allowed (1)</i>	<i>Extension Limitation</i>
\$1.00 to \$100,000	360 days	360 days
\$100,001 to \$2,499,999	1,080 days	720 days
\$2,500,000 and above	1,440 days	720 days

~~**NOTES:**~~

1 ~~(1) For site permits with a valuation of \$2,500,000 or more, the time allowed to complete work~~
2 ~~authorized by the building permit may be increased by 50 percent. For site permits with a valuation~~
3 ~~less than \$2,500,000, use Table B.~~

4 * * * *

5
6 Section 3. Effective Date. This ordinance shall become effective 180 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance.

10
11 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the "Note" that appears under
16 the official title of the ordinance.

17
18 APPROVED AS TO FORM:
19 DAVID CHIU, City Attorney

20 By: /s/
21 PETER MILJANICH
22 Deputy City Attorney

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24
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LEGISLATIVE DIGEST

[Building Code - Building Permit Expiration Timelines]

Ordinance amending the Building Code to revise the timing of expiration of certain building permits and building permit applications; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Building Code Section 106A.3 sets forth the timing for expiration of any permit application submitted to the Department of Building Inspection, which is either 360 calendar days or 720 calendar days from the time of submittal, depending on the value of the work authorized. Extensions of an additional 360 calendar days or 720 calendar days are also permitted.

Building Code Section 106A.4 sets forth the timing for expiration of any permits issued by the Building Official, which ranges from 360 days to 1,440 days, depending on the value of the work authorized. Extensions of up to 720 days are permitted.

Amendments to Current Law

This ordinance would amend Building Code Section 106A.3 so that any application submitted to the Department shall expire within 365 days of submittal, with a possible extension of 180 days.

This ordinance would amend Building Code Section 106A.4 so that any permit issued by the Department shall expire 365 days from date of issuance if the work authorized has not commenced; or shall expire whenever the Department determines that the work authorized has been suspended, discontinued, or abandoned for a continuous period of 365 days. This ordinance would permit one extension of 180 days.

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

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

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: