

1 [Approval of a 90-Day Retroactive Extension for Building Inspection Commission Review of
2 Ordinance Regarding Controls on Residential Demolition, Merger, Conversion, and Alteration
(File No. 181216)]

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4 **Resolution retroactively extending by 90 days the prescribed time within which the**
5 **Building Inspection Commission may render its decision on the proposed Ordinance**
6 **(File No. 181216) amending the Planning Code to increase penalties for violations of**
7 **the Planning Code and change the administrative enforcement procedure; provide new**
8 **definitions for Residential Demolitions and Residential Flats, expand definitions of**
9 **Alteration and Removal, expand definitions of, require additional notice, and impose**
10 **new conditional use criteria for Residential Demolitions, Mergers, and Conversions;**
11 **require additional review for changes of use to Child Care Facilities that propose an**
12 **increase in the exterior dimension of the building; expand definition of change of use**
13 **for Residential, Neighborhood Commercial (NC) and Neighborhood Commercial Transit**
14 **(NCT) districts; add new notification requirements; add requirements for replacement**
15 **structures; and establish definitions, criteria and procedures for approvals of Major**
16 **Expansions of Existing Residential Buildings in certain residential districts; amending**
17 **the Building Code to make the definition of Residential Demolition consistent with the**
18 **Planning Code, and require pre-permit inspections and additional application**
19 **requirements; affirming the Planning Department’s determination under the California**
20 **Environmental Quality Act; making findings of consistency with the General Plan, and**
21 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**
22 **public convenience, necessity, and welfare under Planning Code, Section 302.**

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24 WHEREAS, On December 11, 2018, Supervisor Peskin introduced a proposed
25 ordinance (Board File No. 181216) amending the Planning Code to increase penalties for

1 violations of the Planning Code and change the administrative enforcement procedure;
2 provide new definitions for Residential Demolitions and Residential Flats, expand definitions
3 of Alteration and Removal, expand definitions of, require additional notice, and impose new
4 conditional use criteria for Residential Demolitions, Mergers, and Conversions; require
5 additional review for changes of use to Child Care Facilities that propose an increase in the
6 exterior dimension of the building; expand definition of change of use for Residential,
7 Neighborhood Commercial (NC) and Neighborhood Commercial Transit (NCT) districts; add
8 new notification requirements; add requirements for replacement structures; and establish
9 definitions, criteria and procedures for approvals of Major Expansions of Existing Residential
10 Buildings in certain residential districts; amending the Building Code to make the definition of
11 Residential Demolition consistent with the Planning Code, and require pre-permit inspections
12 and additional application requirements; affirming the Planning Department's determination
13 under the California Environmental Quality Act; making findings of consistency with the
14 General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting
15 findings of public convenience, necessity, and welfare under Planning Code, Section 302; and
16 instructing the Clerk to forward this Ordinance to the California Building Standards
17 Commission upon final passage; and

18 WHEREAS, On December 17, 2018, the Clerk of the Board of Supervisors referred the
19 proposed Ordinance to the Building Inspection Commission; and

20 WHEREAS, On May 7, 2019, Supervisor Peskin introduced a substitute ordinance, and
21 on May 15, 2019, the Clerk of the Board of Supervisors referred the substitute of the proposed
22 Ordinance to the Building Inspection Commission; and

23 WHEREAS, The Building Inspection Commission shall, in accordance with Building
24 Code, Section 104A.2.11, render a decision on the proposed Ordinance within 90 days from
25 the date of referral of the proposed amendment by the Board to the Commission; and

1 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
2 constitute disapproval; and

3 WHEREAS, The Board, in accordance with Building Code, Section 104A.2.11, may, by
4 Resolution, extend the prescribed time within which the Building Inspection Commission is to
5 render its decision on proposed amendments to the Building Code; and

6 WHEREAS, Supervisor Peskin has requested additional time for the Building
7 Inspection Commission to review the proposed Ordinance; and

8 WHEREAS, The Board deems it appropriate in this instance to grant additional time to
9 the Commission to review the proposed Ordinance and render its decision; now, therefore, be
10 it

11 RESOLVED, That the Board hereby retroactively extends the prescribed time within
12 which the Building Inspection Commission may render its decision on the proposed Ordinance
13 by 90 additional days, until November 11, 2019.

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