

***Regular Meeting  
of the  
Building Inspection Commission***

***July 16, 2025***

***Agenda Item 4***

***File No. 250284-2***

**Building Inspection Commission**  
**July 19, 2025**

**Agenda Item #4 – File No. 250284**

**Ordinance amending the Planning Code to provide conditions for repair and relocation of existing noncomplying structures within required yards, grant unpermitted residential structures within yards that were constructed before 2003 noncomplying status, and allow accessory structures up to 10 feet in height and 120 square feet within required yards; amending the Building Code to exempt accessory structures up to 120 square feet from building permits; 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 under Planning Code, Section 302.**

**Background**

The California Building Code provides a list of actions that are exempt from requiring a building permit. One of these actions is the erection of an accessory structure of up to 120 square feet of floor area, intended for use as a tool or storage shed, playhouses, and similar uses.

San Francisco has amended this section to reduce the allowance for accessory structures to 100 square feet. Additionally, San Francisco’s amendments specify that the allowance is for 100 square feet of projected roof area, rather than floor area.

**Ordinance’s Proposed Changes to Existing Law**

The ordinance seeks to revert San Francisco’s amendment to state law, allowing for accessory structures of up to 120 square feet of floor area.

The ordinance makes additional changes to the Planning Code related to the size of detached structures located in rear yards, as well as amending the ability for existing noncomplying structures in yards to be altered, repaired, enlarged or relocated.

**Code Advisory Committee Recommendation**

The Code Advisory Committee, met on May 14, 2025 and recommended the ordinance unanimously. The Building Inspection Commission met on May 21, 2025 and recommended the ordinance unanimously.

The ordinance was substituted on June 10, 2025. No changes to the building code were made from the version reviewed by the Building Inspection Commission on May 21, 2025. Rather, the substituted ordinance adds a new provision to the Planning Code granting noncomplying status to pre-2003 unpermitted residential structures within yard areas, which would allow repairing, altering, and relocating such structures in addition to replacing in-kind.

# **File No. 250284 – Accessory Structures**

Department of Building Inspection  
July 16, 2025

# Status of File No. 250284

The Building Inspection Commission previously reviewed this ordinance at the May 21, 2025 hearing. The Commission **unanimously recommended support.**

Due to the ordinance being substituted on June 10, 2025, the ordinance was re-referred to the Building Inspection Commission for review.

Section 3, which amends the Building Code, **was not altered** by this substitution, and **the ordinance is identical** to the prior version with regards to the code sections under the jurisdiction of the Building Inspection Commission.

# Existing Law

Currently, the California Building Code (CBC) exempts one-story accessory structures that have a floor area of 120 square feet or less from requiring a permit.

These structures are allowed to be used as “tool and storage sheds, playhouses, and other similar uses” per CBC 105.2.

# San Francisco Amendments

San Francisco adopted local amendments that alter this provision, changing the eligibility from 120 square feet of floor area to 100 square feet of projected roof area.

Aside from limiting the capacity of authorized work without a permit, these amendments cause pre-fabricated storage sheds built to comply with state codes to be prohibited in San Francisco without a building permit.

# Proposed Ordinance

File No. 250284 seeks to revert San Francisco's amendments back to state code, increasing the eligible space to 120 square feet and reverting from projected roof area back to floor area.

Additionally, this ordinance proposes an inclusion of CBC language ensuring that these structures are still subject to relevant requirements in Section 710A, despite not needing a permit.

Lastly, the ordinance amends the Planning Code's requirements regarding noncomplying accessory structures.

# CAC Recommendation

On May 14<sup>th</sup>, the Code Advisory Committee reviewed File No. 250284 and unanimously recommended approval without modifications.





**THANK YOU**