

Amendment 4 Version 1 to CB 120761 – OPCD Conversion to Housing ORD

Sponsor: Councilmember Morales

Allowing permit applicants to vest to a later date

Effect: This amendment would allow applicants for conversion projects to apply for building permits before the effective date of this legislation but still allow vesting to occur after the effective date. It would allow projects to begin the permitting process and potentially get to construction more quickly because they would not have to wait for the ordinance to pass. The amendment would allow the applicant to vest to a later date than their permit, after the effective date of the legislation.

Amend Section 1 of CB 120761 as follows:

23.40.080 Conversion to residential use in an existing structure

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F. A conversion to residential use in an existing structure meeting the criteria of subsection 23.40.080.A shall be subject to the following if the conversion is in a building approved for future development for which an unexpired Master Use Permit was issued prior to March 1, 2024, and construction on the structural frame for the structure has not yet commenced:

1. Any design review modification to the issued and unexpired Master Use Permit necessary to add residential use shall be reviewed, and may be approved by the Director as a Type I decision; and

2. Notwithstanding the provisions of subsection 23.58C.025.B, any portion of the development proposal that converts floor area from a nonresidential use to a residential use shall be subject to the requirements of Chapter 23.58C that were in effect on the vested date of the unexpired Master Use Permit.

Asha Venkataraman
Land Use Committee
July 3, 2024
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G. An applicant for a conversion to residential use in an existing structure meeting the criteria of subsection 23.40.080.A that vested to Chapter 23.40 prior to the effective date of this ordinance may elect to modify the vesting date of the development pursuant to subsection 23.76.026.E to a date subsequent to the effective date of this ordinance.