

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

September 20, 2016

File No. 160986

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On September 13, 2016, Supervisor Wiener introduced the following proposed legislation:

File No. 160986

Ordinance amending the San Francisco Fire Code to amend the San Francisco Fire Marshal's authority to increase the minimum access widths for streets; repeal the prohibition against traffic calming devices that the Fire Marshal has not approved, and reaffirm and clarify that the City has not adopted as part of the San Francisco Fire Code Appendix D of the California Fire Code, addressing standards for fire apparatus access roads; 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

for Alisa Somera

By: Alisa Somera, Deputy Director
Land Use and Transportation Committee

Attachment

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

1 [Fire Code - Fire Apparatus Access Roads]

2
3 **Ordinance amending the San Francisco Fire Code to amend the San Francisco Fire**
4 **Marshal's authority to increase the minimum access widths for streets; repeal the**
5 **prohibition against traffic calming devices that the Fire Marshal has not approved, and**
6 **reaffirm and clarify that the City has not adopted as part of the San Francisco Fire Code**
7 **Appendix D of the California Fire Code, addressing standards for fire apparatus access**
8 **roads; and affirming the Planning Department's determination under the California**
9 **Environmental Quality Act.**

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

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

18 Section 1. The Planning Department has determined that the actions contemplated in
19 this ordinance comply with the California Environmental Quality Act (California Public
20 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the
21 Board of Supervisors in File No. ___ and available on the Board's website and is incorporated
22 herein by reference. The Board affirms this determination.

23 Section 2. The Fire Code is hereby amended by revising Section 503, to add Sections
24 503.2.2 and 503.4.1 to replace the corresponding California Fire Code provisions to read as
25 follows:

1 **SECTION 503 – FIRE APPARATUS ACCESS ROADS**

2 * * * *

3 **503.2.2 [For SF] Authority.** The fire code official may require an increase in the minimum
4 access width where the official issues a written determination that identifies a unique or exceptional
5 condition not generally found in other parts of the city and finds that under the condition the minimum
6 access width prescribed in this code is inadequate for fire or rescue operations.

7
8 **503.4.1 [For SF] Traffic Calming Devices Provision Not Adopted.**

9 Section 503.4.1 of the California Fire Code regarding traffic calming devices is not adopted as
10 part of the San Francisco Fire Code and therefore does not apply in San Francisco.

11
12 Section 3. The Fire Code is hereby amended by revising Section 1.1.8.2 to the Fire
13 Code, to read as follows:

14 **SECTION 1.1**

15 * * * *

16 **1.1.8.2 [For SF] Adoption of New Code.**

17 The 2013 San Francisco Fire Code is designed to regulate and govern the safeguarding of life
18 and property from fire and explosions hazards arising from the storage, handling, and use of hazardous
19 substances, materials, and devices, and from conditions hazardous to life or property in the occupancy
20 of buildings and premises. The 2013 San Francisco Fire Code is also designed to provide for the
21 issuance of permits, inspections, and other Fire Department services, as well as the assessment and
22 collection of fees for those permits, inspections, and services.

23 Generally, the State of California adopts a new California Fire Code every three years, with the
24 new Code going into effect 180 days after publication. The California Fire Code consists of a base
25

1 model code with amendments made by various State agencies with jurisdiction over the California Fire
2 Code. The 2013 California Fire Code is based on the 2012 International Fire Code.

3 Local jurisdictions are required to enforce the California Fire Code. In addition, local
4 jurisdictions may enact more restrictive building standards than those set in the California Fire Code,
5 where those more restrictive standards are reasonably necessary because of local conditions caused by
6 climate, geology, or topography. For San Francisco to enact more restrictive standards, the Board of
7 Supervisors must make express findings regarding the local conditions to support the more restrictive
8 provisions. Local amendments to building standards are not effective until the required findings are
9 locally adopted and sent to the California Building Standards Commission.

10 As in past code cycles, San Francisco has repealed its prior Fire Code and enacted a new 2013
11 Fire Code. The prior San Francisco Fire Code incorporated by reference the 2010 California Fire
12 Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2009 International
13 Fire Code not promulgated by the California Building Standards Commission, with local amendments
14 adopted by San Francisco.

15 The 2013 California Fire Code went into effect on January 1, 2014. A copy of the 2013
16 California Fire Code is on file with the Clerk of the Board of Supervisors in File No. 130786 and is
17 incorporated herein by reference. The San Francisco Fire Department must enforce the California Fire
18 Code. If San Francisco wishes to impose more restrictive building standards than those set in the
19 California Fire Code, it must do so before the effective date of the 2013 California Fire Code. In
20 addition, State and local law allow local amendments in the interim between code adoptions.

21 The 2013 San Francisco Fire Code incorporates by reference the 2013 California Fire Code
22 (Title 24, California Code of Regulations, Part 9), including appendices adopted by the State. In
23 addition, except as expressly deleted, modified, or amended, the 2013 San Francisco Fire Code
24 incorporates by reference those portions of the 2012 International Fire Code that were not adopted by
25 the California Building Standards Commission in the California Fire Code. The 2013 San Francisco

1 Fire Code does not adopt or incorporate by reference Appendix D of the 2103 California Fire Code.

2 The 2013 San Francisco Fire Code also includes local amendments specific to San Francisco.

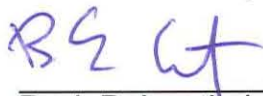
3 The Chief of the Fire Department shall review all adoptions of the California Fire Code
4 by the California Building Standards Commission. Within 180 days of publication of such
5 adoptions, the Chief shall recommend, through the Fire Commission, to the Board of
6 Supervisors more restrictive standards of this code as are reasonably necessary to
7 accommodate local climate, geological, or topographical conditions. This section does not
8 prohibit amendments to this code in the interim between code adoptions by the California
9 Building Standards Commission.

10
11 Section 4. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor's veto of the ordinance.

15
16 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
20 additions, and Board amendment deletions in accordance with the "Note" that appears under
21 the official title of the ordinance.

22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By:



Buck Delventhal
Deputy City Attorney

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