

## **LEGISLATIVE DIGEST**

[Health Code - Enhanced Ventilation Requirements for Urban Infill Sensitive Use Developments]

**Ordinance amending the Health Code to clarify the City's enhanced ventilation standards by codifying the requirement that all new buildings and major renovations of buildings that contain a sensitive use certify that the building's ventilation system is capable of maintaining positive pressure; limiting applicability of the City's enhanced ventilation standard to single family homes, effective January 1, 2026, to align with state law; making findings under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.**

### **Existing Law**

Health Code Article 38 applies to any building or facility designed for residential use or serving specific sensitive populations – adult support centers, child care centers, community treatment centers, health care facilities, schools, and group homes – within the Air Pollution Exposure Zone (APEZ). Developers applying for a San Francisco Planning Department permit to construct a new building, or undergo a major alteration to an existing building, must submit a plan for an Enhanced Ventilation System capable of achieving the protection from particulate matter (PM2.5) equivalent to that associated with MERV 13 filtration.

Currently, regulations promulgated by the Department of Public Health, Environmental Health Branch, pursuant to the authority in Article 38, require that residential buildings and sensitive use buildings have ventilation systems that maintain positive pressure.

Amendments to Subchapter 10 of the California Energy Code will go into effect on January 1, 2026. The California Energy Code will establish statewide mandatory ventilation and indoor air quality requirements regardless of geographic location for multifamily buildings. New multifamily buildings, and replacement of existing ventilation systems, will be required to meet enhanced ventilation system requirements with a minimum of MERV-13 filtration and maintain balanced pressure. The San Francisco Department of Building Inspection will oversee the enhanced ventilation compliance in new buildings throughout San Francisco, including within the APEZ.

### **Amendments to Current Law**

This ordinance would amend Health Code Article 38 to codify the regulatory requirement that enhanced ventilation systems must be capable of maintaining positive pressure in residential

units and habitable spaces. Where maintaining positive pressure is infeasible, the proposal must provide documentation of infeasibility and certify that the ventilation system proposed will be capable of achieving positive pressure in all common areas.

This ordinance would amend the definition of sensitive use to exclude multifamily residential buildings that will become subject to state ventilation and indoor air quality requirements on January 1, 2026.

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