

BOARD of SUPERVISORS



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September 26, 2017

File No. 170972

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

Dear Ms. Gibson:

On September 19, 2017, the Building Inspection Commission introduced the following proposed legislation:

File No. 170972

Ordinance amending the Building Code to revise the scope section of the City's Slope Protection Act by deleting the reference to an obsolete map and re-enacting a paragraph that was omitted inadvertently in the adoption of the 2016 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

1 [Building Code - Slope Protection Act]

2
3 **Ordinance amending the Building Code to revise the scope section of the City's Slope**
4 **Protection Act by deleting the reference to an obsolete map and re-enacting a**
5 **paragraph that was omitted inadvertently in the adoption of the 2016 Code; affirming**
6 **the Planning Department's determination under the California Environmental Quality**
7 **Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to**
8 **the California Building Standards Commission upon final passage.**

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

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

17 Section 1. General Findings.

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

23 (b) On August 16, 2017, the Building Inspection Commission considered this
24 ordinance at a duly noticed public hearing pursuant to Charter Section D3.750-5.

25 Section 2. California Health and Safety Code Section 17958.7(b). No finding is
required under California Health and Safety Code Section 17958.7 because the ordinance

1 does not amend a "building standard" as defined in Section 18909 of the Health and Safety
2 Code. The proposed amendment deletes a reference to the obsolete Blume Map in the scope
3 section of the City's Slope Protection Act.

4
5 Section 2. The Building Code is hereby amended by revising Section 106A.4.1.4.3, to
6 read as follows:

7 **106A.4 Permits issuance.**

8 * * * *

9 **106A.4.1.4 The Slope Protection Act.** This Section of the San Francisco Building
10 Code shall be known as the Slope Protection Act.

11 * * * *

12 **106A.4.1.4.3 Scope.** Properties are subject to these requirements where any portion
13 of the property lies within the areas of "Earthquake-Induced Landslide" in the Seismic Hazard
14 Zone Map, released by California Department of Conservation, Division of Mines and
15 Geology, dated November 17, 2000, or amendments thereto; ~~or within the "Landslide Hazard~~
16 ~~Areas" mapped as "Landslide Locations" in Figure 4 of the San Francisco Seismic Safety Investigation~~
17 ~~report prepared by URS/John A. Blume & Associates, Engineers, June 1974, or any successor map~~
18 ~~thereto.~~

19 Proposed construction work that is subject to these requirements includes the construction of
20 new buildings or structures having over 1000 square feet of new projected roof area and horizontal or
21 vertical additions having over 1000 square feet of new projected roof area. In addition, these
22 requirements shall apply to the following activity or activities if, in the opinion of the Building Official,
23 the proposed work may have a substantial impact on the slope stability of any property: shoring,
24 underpinning, excavation, or retaining wall work; grading, including excavation or fill, of over 50
25 cubic yards of earth materials; or any other construction activity.

1 * * * *

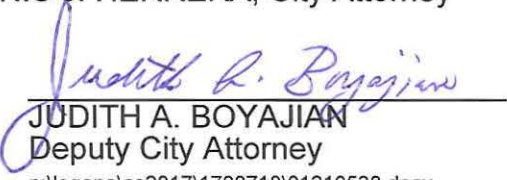
2 Section 3. Effective Date. This ordinance shall become effective 30 days after
3 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
4 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
5 of Supervisors overrides the Mayor's veto of the ordinance
6

7 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
9 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
10 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
11 additions, and Board amendment deletions in accordance with the "Note" that appears under
12 the official title of the ordinance.
13

14 Section 5. Directions to the Clerk. The Clerk of the Board of Supervisors is hereby
15 directed to forward a copy of this ordinance to the California Building Standards Commission
16 upon final passage.
17

18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By:


21 JUDITH A. BOYAJIAN
22 Deputy City Attorney

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LEGISLATIVE DIGEST

[Building Code - Slope Protection Act]

Ordinance amending the Building Code to revise the scope section of the City's Slope Protection Act by deleting the reference to an obsolete map and re-enacting a paragraph that was omitted inadvertently in the adoption of the 2016 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

Building Code Sections 106A.4.1.4 et seq. establishes the City's Slope Protection Act and requires permit applications for the construction of new buildings or structures, and certain other construction work on property subject to the Act, to undergo additional review for structural integrity and effect on slope stability. The properties subject to the requirements are those where any portion of the property lies within either (1) areas of "Earthquake-Induced Landslide" in the specified Seismic Hazard Map released by the California Department of Conservation, Division of Mines and Technology or (2) the "Landslide Hazard Areas" mapped as "Landslide Locations" by URS/John A. Blume & Associates, Engineers, in what is known as the Blume Map.

Amendments to Current Law

The proposed amendments delete the reference in Building Code Section 106A.4.1.4.3 to the Blume Map, which is now obsolete. It also re-enacts language inadvertently omitted in the adoption of the 2016 Code.

Background Information

On January 1, 2017, the 2016 California Building Code went into effect. Every three years the State of California enacts a new Building Code and other state codes, which are enforced by a local jurisdiction. Local amendments to these state codes that have been adopted during the intervening period are not automatically carried forward but must be re-enacted and made applicable to the new state code with the required findings. In the Board's re-enactment of San Francisco's Building Code amendments at the end of 2016, the last paragraph of the scope section of the City's Slope Protection Act was dropped unintentionally. This ordinance re-enacts that paragraph in addition to deleting the reference to the now-obsolete Blume Map.