

**Project Sponsor Response to ESHCONSULTANTS letter dated July 15, 2020**

The letter provided by the Appellant from Mr. Gittleman, contains false assumptions about the project, factual inaccuracies, and omits critical sections of the code. The response is in below with excerpts from the ESH letter in red boxes.

ESH  
excerpt:

**eshconsultants**  
Fire Protection Engineers and Code Consultants

July 15, 2020

NOPA West Neighbors (NOPAWN)  
C/O Brian Kingan  
627 Masonic Ave,  
San Francisco, CA, 94117

Subject: Planned Development  
1846 Grove Street, San Francisco, CA  
Fire Protection Opinion Letter

This opinion letter has been prepared **at the request of NOPAWN** to evaluate the fire safety of the proposed means of egress from the planned location of the development.

**Opinion Summary**

Based upon a review of the 2019 California Building and Fire Codes, with City of San Francisco Amendments, the proposed means of egress from the new proposed construction to the public way does not meet code requirements for egress and presents an unsafe condition to the occupants of those new buildings.

The Applicable Code is the **2016 California Building Code and Fire Code with San Francisco Amendments**. The date of permit application defines the code cycle under which it is reviewed. Review under the 2019 code cycle began January 1<sup>st</sup>, 2020. The project remains compliant with both the 2016 and the 2019 codes.

ESH  
excerpt:

**Project Description**

The plans submitted to the San Francisco Planning Department are not clear as to whether the project is four individual buildings or one building with four dwelling units. To be considered as separate buildings, each property needs its own APN designation, and the utilities for each unit shall not be installed in a manner where they pass through another dwelling unit or cross property lines. Thus, all utilities to each unit shall enter the unit directly from the outside of each building. From discussions with members of NOPAWN, the four buildings are located on a single lot. Thus, **with adjacent common walls**, this should be considered as a four dwelling within a single building, thus, R-2 per the California Building Code.

**The Consultant incorrectly describes the buildings:** Permit Applications have been submitted for two 2-unit duplex buildings as **R-3 occupancies under permit application 2019-1224-0615 and 2019-1224-0614**. The homes are not designed with common walls is as **clearly** shown in the plans.

The discussion of the APN is irrelevant. The APN is a tool of the Assessor. With new construction the Assessor receives a record of permit applications. After the "Certificate of Final Completion" from the Building Department the Assessor may issue a unique APN for each dwelling for the purposes of assessment. The lot, (the land) remains a single parcel and will not be subdivided with new property lines. No property lines are crossed for utilities.

Two or more building on a single lot are permitted in the Building Code with requirements found in SFBC Section 705.8.

**ESH incorrectly restates that these Single-family home or duplexes (R-3) should be classified as R-2 or “Apartments”**

ESH excerpt: Based upon the reviewed documentation, it appears the developer is calling these an R-3 Occupancy. Based upon the above information, that designation is incorrect and the correct Occupancy is R-2. These four properties are landlocked with the only access to the public way via a utility easement alley between two existing R-3 residential buildings.

**Below is the definition of an R-2, a class which include Apartments, Convents, Dormitories, Hotels & Motels**

**Building Code:** 310.3 Residential **Group R-2**

Residential **Group R-2** occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

**Apartment houses**

*Congregate residences* (nontransient) with more than 16 occupants

*Boarding houses* (nontransient)

Convents

*Dormitories*

Fraternities and sororities

Monasteries

Hotels (nontransient)

*Live/work units*

Motels (nontransient)

Vacation timeshare properties

**Below is the Definition of an R-3 which include Single-family home and duplex.**

**Building Code:** 310.4 Residential **Group R-3**

Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-2.1, R-2.2, R-3.1, R-4 or I, including:

**Buildings that do not contain more than two *dwelling units***

*Congregate residences* (nontransient) with 16 or fewer occupants

*Boarding houses* (nontransient)

Convents

*Dormitories*

Fraternities and sororities

Monasteries

*Congregate residences* (transient) with 10 or fewer occupants

**The R-3 Occupancy classification is clear in the code and agreed upon by the Department of Building Inspection.**

ESH falsely asserts that the property is landlocked. It is not.

ESH Consultants falsely calls the access to the street an “easement”. An easement is defined as: “*the grant of a nonpossessory property interest that grants the easement holder permission to use another person's land.*” (Source: Legal Information Institute, Cornell Law School).



The Owner of the property has found no easements recorded with the deed, the Survey did not find an easement, nor have the Appellant provided any document showing that a recorded easement.

The ESH letter falsely asserts that the project relies on some older codes. The project will meet or exceed the code as determined by the Department of Building Inspection. A new application cannot be submitted based on an older code cycle.

#### Applying The Codes

ESH  
excerpt:

It is important to understand that the codes currently applied do not apply to any existing construction unless the buildings will be remodeled, renovated, or modified in size as noted in the San Francisco codes. As a result, one cannot infer that if the design was acceptable for the existing buildings, at the time of construction, then it should be acceptable for all new construction. The newer codes have requirements that exceed code requirements at the time of construction of the existing buildings.

The ESH letter **takes out of context the statement** quoted below from the Planning Commission Hearing:

ESH  
excerpt:

The following comment from the developer's fire protection expert, taken from the transcript of the 4/9/2020 Planning Committee Video Conference, does not provide a valid reason for not meeting the current codes. *"For the general public that's listening, and the commissioners, the buildings in san francisco are not unique. We have buildings that are four stories, wood frame construction, no sprinkler system, one way in, one way out. They're throughout the city, and the fire department deals with them on a regular basis."* Using that logic, new high-rise buildings in San Francisco would not need to be built with

At the Planning Commission Hearing Captain Mario Ballard, (retired) firefighter and former head of Fire Plan Check Division, was simply saying that the Fire Department is well equipped to deal with the diversity of home configurations in San Francisco many of which are less fire safe than these homes. His statement did not indicate that project will not conform to current code, but rather that the property is far safer than the typical condition which SFFD deals with on a daily basis. The conditions of approval by the Fire Department require that the project exceed the minimum requirements.

ESH falsely asserts that an AMMR is needed or requested for egress.

ESH  
excerpt:

Per Section 104.9 of the California Fire Code, the fire official can approve the AMMR. Typically, the fire code official would be involved with changes to required fire protection devices and systems, whereas the building official would be involved with changes to building construction and egress issues. In many jurisdictions, since the construction permit is a building permit, the AMMR approval is by the building official. The documentation provided to the Planning Commission does not include an AMMR, only a letter of Conditions of Approval, by the San Francisco Fire Department Fire Prevention Bureau.

In the "Code Definitions" Section: ESH correctly provides the Definitions found in Chapter 2 of the building Code

#### Code Definitions (CBC Chapter 2)

ESH  
excerpt:

*Egress Court* – "A court or yard which provides access **to a public way** for one or more exits".

*Exit* – "That portion of a means of egress system between the exit access and the exit discharge or **public way**. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways and ramps, exit passageways, exterior exit stairways and ramps and horizontal exits".

*Exit Discharge* – "That portion of a means of egress system between the termination of an **exit and a public way**".

*Public Way* – "A street, **alley or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet (3048 mm)**".



In this case, the "Exit" is the door from the dwelling that leads outside- to the courtyard of the project. This door is the building "Exit".

The "Exit Discharge" is the path from that exterior door (the "Exit") to Fulton Street ("Public Way"). The width of "Exit Discharge" on this site varies from more than 20 feet to 3.5' at the narrowest point.

In the definition of "Public Way" ESH bolds a portion of the definition include the width. Fulton Street clearly exceeds the 10' width dimension. The narrowest portion of the property, part of the "Exit Discharge", what ESH calls the 'alley' is not deeded, dedicated, or permanently appropriated to the public, and is not the "Public Way"

In the section of the letter titled 'The Code' ESH correctly states that Chapter 10 of the Building Code governs Exiting.

ESH then incorrectly asserts that the project relies on SFFD Administrative Bulletin 5.12. Neither the project Sponsor, DBI, nor the Fire Department letters cite this bulletin which allowed a 3 foot clear width in similar circumstances.

ESH  
excerpt:

Former SFFD Administrative Bulletin 5.12 (2010) allowed the use of a minimum 36-inch alley access to buildings with no apparatus access to any side of the buildings. As of a few previous code cycles, SFFD AB 5.12 no longer exists and is indicated on the SFFD website as a reserved AB number. As a result, this allowance no longer exists and cannot be applied to this project.

If the SFFD Bulletin 5.12 were available, then the Pre-application review letter and conditions of Approval would not have been required, and the project could have simply referenced the Bulletin.

ESH then goes on to refer to the 3.5 foot section of the "Exit Discharge" as an 'alley', which it is not, but then agrees with the Building Department that this section of the "Exit Discharge" can viewed as "Egress Court".

ESH  
excerpt:

Based upon the California Building Code the alley does not meet the definition of an egress court; however, the proposed use is similar and the egress court section could be applied to the alley. California Building Code Section 1028.4.2 states that when the width of the egress court is less than 10 feet wide, the walls shall have a fire resistance rating of one hour for a distance (height) of ten feet above the floor of the egress court. The two buildings on the sides of the alley appear to be Type V-B construction and are not fire rated. The owner of one of those two buildings indicated they are not willing to change their exposing walls to one-hour fire resistive construction.

ESH cites 1028.4.2 which govern "Egress Courts" but only a portion of Section 1028.4.2 saying that the building walls of an egress court need to be fire rated. The full text of 1028.4.2 is omitted! The full text says that the fire rating is not applicable to Egress Courts serving R-3 occupancies. This is an R-3 occupancy.

#### 1028.4.2 Construction and Openings

Code  
Excerpt:

Where an *egress court* serving a building or portion thereof is less than 10 feet (3048 mm) in width, the *egress court* walls shall have not less than 1-hour *fire-resistance-rated* construction for a distance of 10 feet (3048 mm) above the floor of the *egress court*. Openings within such walls shall be protected by opening protectives having a fire protection rating of not less than  $\frac{3}{4}$  hour.

##### Exceptions:

1. *Egress courts* serving an *occupant load* of less than 10.



2. *Egress courts* serving Group R-3.

ESH continues in his letter to say that the condition of the neighboring buildings, being older, effects the code compliance of this property. It is arguable that the neighboring building adjacent walls are 1-hour rated based on CBC



Section 721.2.1.4(2). However, the construction of the adjacent neighboring buildings is irrelevant as the code does not required rated walls on an Egress Court serving Group R-3. See highlighted above.

ESH continues to say that, true to the conditions of approval, the exit discharge must be kept clear of mobile or fixed obstructions. This is correct.

ESH  
excerpt:

Section 1028.4 for Egress Courts requires a minimum exit Section 1028.5 of the California Building Code, "Access to a public way" states the exit discharge shall provide a direct and unobstructed access to a public way. No means have been shown to prevent occupants of the new buildings from storing items in the alley, such as bicycles, strollers, planters or other obstructive items. The code

Plans show bicycle parking and bins in designated areas not in the Exit Discharge.

In the "Opinions and Comment" Section of the ESH letter\_ESH again references a non-current Fire Department Bulletin on which our project does not rely.

ESH then questions the gate (the entry gate to the property) between the "Exit Discharge" and the Public way which was not specifically address in the Fire Department letter.

ESH  
excerpt:

The Fire Prevention Bureau of the San Francisco Fire Department issued a Conditions of Approval letter to allow the use of the alley based upon a minimum, unobstructed width of 42 inches. This will require the door opening (gate) to be a minimum of 42 inches. It is possible that with a 42-inch-wide alley, when one factors in the two gate frame sides and hinges, the door will not meet the 42-inch minimum opening. The owners of the property on one side of the alley are not willing to allow parts of the gate to be installed on their property. Egress is under the jurisdiction of the Building Department and there is no evidence from the SFFD letter to indicate where the alley meets code requirements or why the code requirements have been waived.

The general language of the Building Code describes exits, corridors, stairways, exit passageways with "clear width" dimensions. This same language is used in the Fire Department Conditions of Approval letter.

The drawings provided to the Fire Department in the pre-application submittal clearly show the gate. It is not explicitly mentioned in the Fire Department letter because there are no additional requirements.

The dimensional requirement for gates is found in 1010.2 and is the same as that for doors.

Code  
Excerpt:

#### 1010.2 Gates

Gates serving the *means of egress* system shall comply with the requirements of this section. Gates used as a component in a *means of egress* shall conform to the applicable requirements for doors.

For doors, in most common circumstances including this one, 32" clear width is required. The size of doors is, without exception, permitted to be narrow than the clear width requirements for corridors, exits and the exit discharge, as doors have door frames.

Code  
Excerpt:

#### 1010.1.1 Size of Doors

The required capacity of each door opening shall be sufficient for the *occupant load* thereof and shall provide a minimum clear opening width of 32 inches (813 mm). The clear opening width of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear opening width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches (813 mm). In Group I-2 or I-2.1, doors

The Owner's reserve the option of moving the gate further back on the property to the location where the Exit Discharge is 5'-6" wide.

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**Conclusion:**

Without valid code citation, legal opinion, or precedent, the ESH letter conjectures that the exiting from the property will be unsafe based on a fire in either building adjacent to the gate. The letter ignores that there would be no requirement to exit the homes if there were a fire on an adjacent property until the fire was extinguished.

The letter ignores the fact that additional fire-fighting resources are provided to all adjacent properties by improving this property, standpipes to which Fire Department may connect hoses, to fight fires from the rear of any adjacent property.

The letter ignores the fact that the new homes are constructed with a construction type considered "non-combustible".

The letter ignores the fact that the new homes are sprinklered to the highest water-flow standards (NFPA-13) designed to fully extinguish a fire.

The letter ignores the fact that the Fire Department and building Department routinely approve construction on flag shaped lots and even lots where access is provide through an "easement" and provide similar conditions of approval.

The letter ignores the Department of Building Inspection Guidance (Information Sheet EG-05) which allows exiting for an unlimited number of ADU's at the rear of a building through a single 3 foot wide tradesman's entry.

The ESH letter incorrectly calls this an "Apartment" R-2 occupancy which it is not.

The ESH letter ignores the Pre-application Review process, the legal process for project review and code clarification as established in DBI Administrative Bulletin 28: Pre-application and Pre-addendum Plan Review Procedures.

Finally, safety is determined by the responsible agencies during the pre-application review and plan check process.

It is not determined to be safe by the project Sponsor, or the Appellant. Outside experts can provide opinions and perspective, but the ultimate decision makers are the Building and Fire Departments.

These Departments have reviewed the Fire Department Access, and Exiting and provided review letters on which the project Sponsor may rely. The pre-application letter was been signed by: Jeff Ma, Department of Building Inspection.

The Fire Department Conditions of Approval have been signed by: Kamal Andrawes, P.E, Captain Michael Patt, Bureau of Fire Prevention, and Daniel de Cossio, Fire Marshall and Assistant Deputy Chief of the SF Fire Department.

The final set of construction drawings will demonstrate compliance with the code. If it does not demonstrate compliance no building permits will be issued.

Response prepared by: Troy Kashanipour, Architect license C-27646, and Mario Ballard, Code Consultant.

**Attachments:**

- Fire Department Conditions of Approval Letter dated
- DBI Pre-application review letter
- Project Site Plan
- Administrative Bulletin AB-028



1821 Fulton Street (5 units R-3 Dwelling units)

Block 1187/ lot 003H

The Architecture plans has been reviewed and SFFD comments:

Condition of approval.

Revise the Architecture plans

- 1- licensed architect need to stamp and sign the Architecture plans.
- 2- Architecture plans must be approved from San Francisco Building department.
- 3- Indicate in the Architecture plans:
  - Each R-3 dwelling shall be sprinklered and monitored per 2016 NFPA 13 and 2016 CFC 903.3.1.1. per pre-application meeting on 2/6/2018.
  - The sprinkler system for each R-3 dwelling shall be monitored.
  - The Maximum height at the second story will not exceed 20 feet above grade.
  - The type construction of each R-3 dwelling shall be Type III per pre-application meeting on 2/6/2018.
  - Standpipe system 2ways X 3 inches outlets shall be provided at the entry, in middle and far end of the property per pre-application meeting on 2/6/2018.
  - Removal of the street tree at sidewalk near entry gate per pre-application meeting on 2/6/2018.
  - A minimum 3.5 feet clear width without obstruction at any access point of the exist discharge shall be provided.
  - A red fire zone curb" NO PARKING" shall be provided in front of property.

Kamal Andrawes, P.E

  
Kamal  
Fire Protection Engineer

4/27/18

San Francisco Fire Department

Captain/ Michael Patt



Bureau of Fire Prevention

San Francisco Fire Department

**APPROVED**  
DATE 4/27/18  
Daniel Poles  
CHIEF, DIVISION OF FIRE  
PREVENTION & INVESTIGATION

AS NOTED

in addition:  
rescue windows  
required

Department of Building Inspection  
1660 Mission Street  
San Francisco, CA 94103-2414  
Phone: 415.558.6133 Fax: 415.558.6686

May 1, 2017

Re: Pre-Application Plan Review Meeting  
Project Address: 1846 Grove Street; Block 1187 Lot 003H  
Code Basis: SFBC 2016

Reviewers: Jeff Ma (DBI), Lt. Janice Hayes (SFFD)  
Meeting Attendees: Troy Kashanipour (Architect), Sasha Plotitsa  
Meeting Date: May 16, 2017

### **Background and Project Summary Information:**

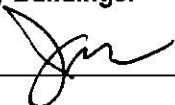
The existing vacant parcel is a flag lot accessed through a gate on Fulton Street. The lot is 7,869 square feet. The access is through a 4' wide space between buildings, six inches of which belong to the adjacent corner parcel on Lot 1. Planning Department density allows, and Planning staff supports 5 dwelling units on a parcel of this size. Five R-3 dwellings are proposed. An existing mature oak tree will be maintained. The proposed 3-R dwellings will be limited in height to 2 story with an internal open courtyard. Also proposed on-site are smaller accessory storage structures. Window area for the dwellings on each parcel shall be based on an assumed property line between buildings per 705.3 and shall conform with fire separation distances as defined in 705.8.

Construction type shall be Type V-A unless otherwise required by Fire and DBI. The buildings on-site and the Site shall have Egress per CBC Chapter 10.

### **Code Discussion Items:**

1. **Number of Exits and Exit Access Doorways from each Dwelling – CBC 1006.**
  - The exit from each dwelling. CBC 1006.2.1 Single Exits are permitted from each R-3 dwelling with an occupant load of less than 20 where the dwelling unit is equipped with sprinklers and the common path of egress travel is less than 125'.

**DBI RESPONSE: Agreed. Access to dwelling unit exit (door to exterior court) less than 125'.  
Maximum 3 Story Buildings.**

  
\_\_\_\_\_, Jeff Ma

2. **Outdoor Area occupant load: Please confirm that outdoor areas are accessory to the residential units No additional occupant load is required per Exception 1 and 2 of 1004.5**

*CBC 1004.5 Outdoor areas: Yards, patios, courts and similar outdoor areas accessible to and*

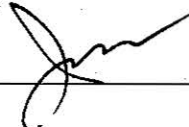


*usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.*

*Exceptions:*

- 1. Outdoor areas used exclusively for service of the building need only have one means of egress.*
- 2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2*

**DBI RESPONSE: Agreed, outdoor areas are accessory to the residential use and do not have their own occupant load.**

  
\_\_\_\_\_, Jeff Ma

### **3. The Exit Discharge:**

**The passage between the existing buildings on lot 1 and lot 13 is 3'-6" wide is considered an Egress Court.**

- Per 1028.4.1: The required width is 36" for R-3 occupancies.
- Per 1028.4.2: The Construction of an egress court serving R-3 occupancies requires no rating per Exception 1.

**DBI RESPONSE: Agreed as long as less than 50 total occupants are served by egress court**

  
\_\_\_\_\_, Jeff Ma

### **4. Sprinklering - The following is proposed:**

- A dedicated fire sprinkler line shall be brought into the property. This line will be provide with a backflow preventer and a check-valve.
- After the valves the main line shall split and, there shall be independent service to each dwelling unit.
- Each unit will be equipped with an independent monitoring service.
- Each R-3 dwelling shall be sprinklered to NFPA-13R standards.
- Small independent accessory to the main structure shall have fire ratings as required by code but are not proposed to be sprinklered. They shall be used for light storage such as bicylces, garden and household equipment.

**FIRE DEPARTMENT RESPONSE: Applicants to meet with Fire Department to discuss Fire Department Access.**

DBI RESPONSE: Sprinklering per NFPA-13.

*subject to Fire Dept. plan review.*

*Jeff Ma*, Jeff Ma

5. Alternate Senario:

Combine Units 1&2 into a single R-3 Occupancy, Combine Units 3&4 into an R-3 Occupancy, Unit 3 shall remain as R-3. This is permitted per 705.3 Exception 1. Please advise of acceptability.

DBI RESPONSE: Combining units as proposed above is acceptable.

*Jeff Ma*, Jeff Ma

Please advise of any additional Fire Department or Building Department requirements for this parcel based on the scheme presented that are anticipated for this parcel.

*Troy Kashanipour*

Troy Kashanipour, Architect & Agent for Owner

*Reviewed and agreed by*

*Jeffrey Ma 6/13/17*

*Jeffrey Ma*

SFDBI



TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.8869  
OWNER: TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.8869  
DATE: ISSUED FOR VARIANCE & CJA 04.15.2018  
PLANNING RECORDS 06.15.2018  
CITY OF SAN FRANCISCO 07.15.2018  
PLANNING CALL RESPONSE 03.17.2018



PROPOSED SITE PLAN

A1.1

PUBLIC WAY



EXIT DISCHARGE

Each home has its own EXIT

**ADMINISTRATIVE BULLETIN**

- NO. AB-028** :
- DATE** : April 3, 2013(Updated 01/01/14 for code references)  
(Supersedes Administrative Bulletin AB-028 dated 9/18/2002, Updated 01/01/11 for code references.)
- SUBJECT** : General Administrative Procedures
- TITLE** : **Pre-application and Pre-addendum Plan Review Procedures**
- 
- PURPOSE** : To establish policies and procedures allowing for review and comment of specific design issues by the Department of Building Inspection (DBI) prior to application for a permit or prior to the submittal of addenda to a Site Permit.
- REFERENCE** : 2013 San Francisco Building Code  
     - Section 106A.4.9 Pre-application Plan Review or Inspection  
     - Section 110, Table 1A-B, Other Building Permit Application and Plan Review Fees  
     - DBI Administrative Bulletin AB-032, Site Permit Processing
- DISCUSSION** : A preliminary verbal interpretation of a code requirement or alternate method of construction is considered informal information and may not always be accepted by the Department of Building Inspection plan reviewer or supervisor who has been assigned to check the submittal documents for a project. Rather than wait for the plan review to reveal requirements of specific design issues, it may be advantageous to project sponsors to verify code requirements with a formal DBI interpretation prior to completion of project drawings and before submitting an application for a building permit or an addendum to a Site Permit.

This bulletin sets out the procedure for requesting, conducting and concluding such a Pre-application or Pre-Addendum Plan Review Meeting. It is not intended that a general, non-directed plan review of a project will be made during this meeting, but that specific code issues will be addressed and resolved. Formal written confirmation of decisions agreed upon will be issued to the project sponsor following the meeting.

**Request For Pre-Application or Pre-Addendum Plan Review Meeting**

1. Submit requests for a pre-application or pre-addendum plan review meeting in writing as follows:
  - a. List the items to be reviewed in the form of specific questions. The applicant shall propose a solution or provide a statement of position regarding each question asked, and shall include pertinent code references. Each item should be numbered. This list of questions or items will then form the agenda for review and response.
  - b. Include applicable drawings, documents, and other information as necessary to describe the conditions under question.
  - c. On the submitted drawings, highlight or “cloud” the areas to be reviewed, and provide cross-references to the questions. Where questions pertain to means of egress, indicate the path of egress on the drawings with arrows.



2. To cover fees, include a check made out to the Department of Building Inspection (See FEES below).
3. Address requests to:

Manager, Permit Services  
Department of Building Inspection  
1660 Mission Street  
San Francisco, CA 94103-2414

Indicate on the outside of the envelope: **Pre-Application/Pre-Addendum Plan Review Request**

4. Provide several acceptable meeting times of your choice. Allow at least 10 working days for a response to the request for a meeting appointment.

#### **Meeting and Response**

5. The Manager, Plan Review Services, will assign your pre-application or pre-addendum plan review request to one of the following section supervisors:
  - a. Structural Plan Review
  - b. Mechanical Plan Review
  - c. Premium Plan Review
  - d. Other Department staff as required
6. The request for a pre-application or pre-addendum plan review meeting may result in a meeting or it may result in a letter of response, if that is determined to be appropriate by the responsible Supervisor.
7. The review will be conducted by the Supervisor of the appropriate section or by other staff as assigned. One or more plan reviewers from Department of Building Inspection staff may be assigned to participate in the pre-application or pre-addendum plan review meeting depending on the complexity of the project and the issues raised. When necessary, representatives from other agencies such as the San Francisco Fire Department, Department of Public Works, Department of Public Health, Planning Department, or the Redevelopment Agency may be requested to attend.
8. The Department representative will have final authority to determine which questions are addressed. Questions which are determined to be too broad in scope may be deleted from the agenda. Discussion will be limited to the items on the agenda.
9. The Department may request additional information from the project sponsor in preparation for a pre-application or pre-addendum plan review meeting or as a follow-up to such a meeting.
10. At the beginning of a meeting the project sponsor will be advised of the time allowed before additional plan review fees will be charged. A typical pre-application or pre-addendum plan review meeting, depending on the complexity of the project or issue, can be covered adequately in 2 hours or less of meeting time.
11. A Department of Building Inspection staff member or the project sponsor will be designated to take notes during the meeting. If the size or location of the meeting warrants, the Department representative may request that a third party take the notes. Notes shall be taken on a standard form provided by DBI. At the conclusion of the meeting a copy of the notes taken during the meeting will be provided to the principal attendees. Those notes, which record the findings and agreements of the meeting, are to be signed by a Department of Building Inspection representative, by representatives of other departments as applicable, and by the project sponsor. Questions or topics not acknowledged in these notes will not be considered as part of the pre-application or pre-addendum plan review agreements. Alternatively, the Department may choose to issue a letter following the meeting. Such letter or other written communication shall be prepared by Department staff or the project sponsor within 10 working days of the conclusion of the meeting. Within 10 working days of receipt of such letter, the DBI staff will review and return the letter, signed, as "approved," "approved with

conditions,” or “disapproved.” The letter shall state the reasons for such determinations. DBI will track the time of issuance and approval of such letters to confirm that the above time limits are met.

12. For clarity, each item number of the written response shall correspond to the item number on the agenda.

13. Any notes, annotated drawings and other documents from the meeting may be attached to the notes or letter of agreement and submitted by the project sponsor for reference at the time of permit or addendum application.

14. The project sponsor shall attach a copy of the signed conclusions of the pre-application or pre-addendum plan review meeting, or the letter of response in lieu of meeting, to the permit application or addendum drawings. **These decisions will be honored by the responsible plan reviewer during the plan review process and subsequently by field inspection staff.**

15. The project sponsor may request a review of the determination of the staff of the Department of Building Inspection by the Manager of Plan Review Services or the Director. Determinations of the Director may be appealed to the Building Inspection Commission. Certain issues related to alternate methods and materials and technical equivalencies may be appealed to the Board of Examiners.

16. In the event the code provisions referenced by the application are substantively revised prior to filing for permit, the applicant will be required to submit for a new pre-application plan review meeting.

#### **FEES:**

16. Fee Schedule:

a. Fees for initial and each subsequent meeting for a pre-application or pre-addendum plan review meeting are as noted in the 2010 San Francisco Building Code Fee Schedule, Table 1A-B, Item 5, Pre-application Plan Review Fee. This fee covers a review of the submitted documents, research, formulating a response, and the meeting itself. The meeting time shall not exceed a total of two hours under this base fee.

b. Additional meeting time beyond two hours for both pre-application and pre-addendum meetings is to be charged on a per person, hourly basis per San Francisco Building Code, Table 1A-D, Item 1.

c. The San Francisco Fire Department charges plan review fees in addition to the above fees when Fire Department personnel are included in a meeting.

17. Fees, in addition to the pre-application plan review fee paid in advance, will be calculated at the conclusion of the meeting. Notes or letters of agreement will not be released by the Department until all pre-application or pre-addendum plan review fees are paid.

18. If the initial pre-application or pre-addendum plan review fee is paid but no such meeting is subsequently held and no preparatory work has been done, the fee may be refunded upon written request by the project sponsor and agreement by the Department.

Revision signed by:

Tom C. Hui, S.E., C.B.O, Acting Director                      April 3, 2013

Revision signed by:

Thomas Harvey, Fire Marshal                                      March 28, 2013

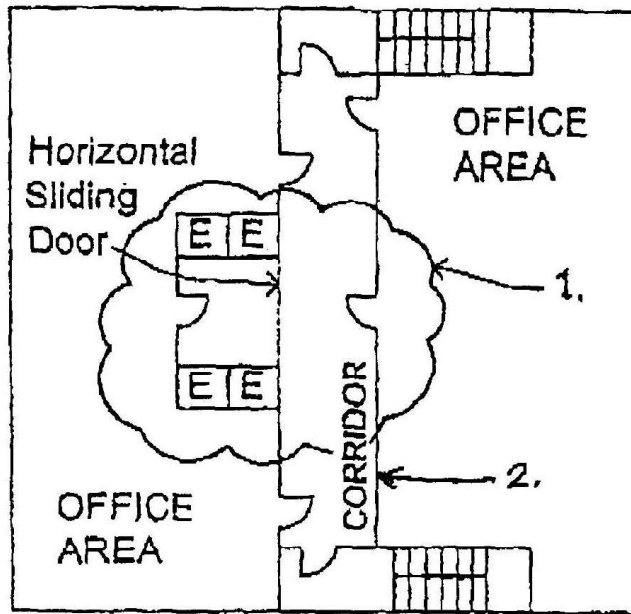
Originally approved by the Building Inspection Commission on September 18, 2002, revision approved March 20, 2013

Attachment: Sample Question



**SAMPLE QUESTION**  
**AB-028**

1. Regarding the typical 56 foot square floor plan of a four-story, fully sprinklered office building as shown, would the elevator lobby be permitted to open onto the corridor? The floor is occupied by a single tenant of less than 30 occupants. The elevator hoist way and stair enclosures are not pressurized. (San Francisco Building Code Section 708.14.1)
2. Is a fire-resistance rated corridor required to connect both exit enclosures? (San Francisco Building Code Section 1015, Section 1016, and Section 1018.)



TYPICAL PLAN @  
UPPER FLOORS