

BOARD of SUPERVISORS



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MEMORANDUM

Date: October 9, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250959
Existing Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☐ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☐ General Plan ☐ Planning Code, Section 101.1 ☐ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

[Existing Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code]

Ordinance repealing the 2022 Existing Building Code in its entirety and enacting a 2025 Existing Building Code consisting of the 2025 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2026; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission as required by State law.

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

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

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

Section 2. General Findings.

(a) The California Building Standards Code is contained in Title 24 of the California Code of Regulations. It consists of 12 Parts, which are based upon model codes that are

1 amended by the State agencies with jurisdiction over the subject matter. The California
2 Existing Building Code is Part 10 of Title 24 of the California Code of Regulations.

3 (b) The State of California adopts a new California Building Standards Code every
4 three years ("triennial CBSC") with supplemental amendments published in intervening years.
5 The triennial CBSC goes into effect throughout the State of California 180 days after its
6 publication by the California Building Standards Commission or at a later date established by
7 the Commission. The 2025 triennial CBSC will go into effect on January 1, 2026.

8 (c) Local jurisdictions must enforce the California Building Standards Code but they
9 may also enact more restrictive building standards that are reasonably necessary because of
10 local climate, geologic, or topographical conditions. Local amendments may be made both to
11 a triennial CBSC and to its individual Parts during the intervening years; however, local
12 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,
13 they must be re-enacted with the required findings of local climate, geologic, or topographical
14 conditions, expressly made applicable to the new triennial CBSC, and with an operative date
15 no earlier than the effective date of the triennial CBSC.

16 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of
17 Supervisors repeals the 2022 San Francisco Existing Building Code in its entirety, enacts the
18 2025 San Francisco Existing Building Code, and re-enacts the existing local amendments to
19 make them applicable to the 2025 California Existing Building Code.

20 (e) On _____, the Building Inspection Commission considered this
21 ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building
22 Code Section 104A.2.11.2. A copy of a letter from the Secretary of the Building Inspection
23 Commission regarding the Commission's recommendation is on file with the Clerk of the
24 Board of Supervisors in File No. _____.
25

1 Section 3. Findings Regarding Local Conditions.

2 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that
3 before making any changes or modifications to the California Existing Building Code and any
4 other applicable provisions published by the California Building Standards Commission, the
5 local governing body must make an express finding that each such change or modification is
6 reasonably necessary because of specified local conditions. The local amendments together
7 with the required findings must be filed with the California Building Standards Commission
8 before the local changes or modifications can go into effect.

9 (b) The City and County of San Francisco is unique among California communities
10 with respect to local climate, geologic, topographical, and other conditions. A specific list of
11 findings that support San Francisco's modifications to the 2025 California Existing Building
12 Code, with a section-by-section correlation of each modification with a specific numbered
13 finding, are contained in Exhibit A entitled "Standard Findings for San Francisco Building
14 Standards Code Amendments."

15 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,
16 the Board of Supervisors finds and determines that the local conditions described in Exhibit A
17 constitute a general summary of the most significant local conditions giving rise to the need
18 for modification of the 2025 California Existing Building Code provisions published by the
19 California Building Standards Commission. The Board of Supervisors further finds and
20 determines that the proposed modifications are reasonably necessary based upon the local
21 conditions set forth in Exhibit A.

22
23 Section 4. Repeal of the 2022 San Francisco Existing Building Code and Enactment of
24 the 2025 San Francisco Existing Building Code.

1 (a) The 2022 San Francisco Existing Building Code is hereby repealed in its
2 entirety. The San Francisco Existing Building Code being repealed was enacted by Ordinance
3 No. 226-22 on November 10, 2022, with an operative date of January 1, 2023. It was
4 amended by Ordinance Nos. 97-23, 16-24, and 70-25. These ordinances are available on the
5 Board of Supervisors' website and in the Office of the Clerk of the Board of Supervisors.

6 (b) The 2025 San Francisco Existing Building Code is hereby enacted. It consists of
7 the 2025 California Existing Building Code and San Francisco's existing local amendments,
8 which are re-enacted and expressly made applicable to the 2025 California Existing Building
9 Code. Copies of the 2025 California Existing Building Code and the stand-alone San
10 Francisco amendments are declared to be part of Board File No. 250959 and are incorporated
11 into this ordinance by reference as though fully set forth. Existing San Francisco amendments
12 that are being made applicable to the 2025 California Existing Building Code are shown in
13 unformatted ("plain") text and may include bold and/or italicized formatting; new San
14 Francisco amendments are underlined; and deleted San Francisco amendments are in
15 strikeout text.

16
17 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this
18 ordinance shall be construed as abating any action now pending under or by virtue of any
19 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance
20 be construed as discontinuing, abating, modifying, or altering any penalties accruing, or to
21 accrue, or as waiving any right of the City under any such ordinance.

22
23 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this
24 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the
25 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would

1 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this
2 ordinance, irrespective of the fact that any one or more sections, subsections, sentences,
3 clauses, or phrases be declared invalid.

4
5 Section 7. Effective and Operative Dates. This ordinance shall become effective 30
6 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
7 returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it,
8 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall
9 be operative and after either January 1, 2026 or its effective date if the effective date is later.

10
11 Section 8. Directions to Clerk. Upon enactment of this ordinance, the Clerk of the
12 Board of Supervisors is hereby directed to transmit to the California Building Standards
13 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit
14 A attachment, and 3) the San Francisco amendments to the 2025 California Existing Building
15 Code.

16
17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/ Robb Kapla
20 ROBB KAPLA
Deputy City Attorney

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LEGISLATIVE DIGEST

[Existing Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code]

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Existing Law

The Existing Building Code regulates additions, alterations, or repairs to existing buildings, structures, and property. The current San Francisco Existing Building Code consists of the 2022 California Existing Building Code and San Francisco's local amendments to the California Existing Building Code.

Amendments to Current Law

Every three years the State of California adopts a new California Building Standards Code ("triennial CBSC"), which amends the California Existing Building Code and the other state codes that constitute the CBSC. The 2025 triennial CBSC will go into effect throughout the State on January 1, 2026. As in past triennial CBSC adoption cycles, San Francisco will repeal its current Existing Building Code in its entirety and adopt a new Existing Building Code that applies San Francisco's existing local amendments to the new California Existing Building Code. Except for non-substantive or technical modifications required by amendments to the state code.

Background Information

Local jurisdictions are required to enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geology, or topography. Local amendments may be made to a triennial CBSC and also throughout the intervening years. However, local amendments previously adopted are not automatically transferred to a new triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.