

File No. 121018

Committee Item No. 3

Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 4, 2013

Board of Supervisors Meeting Date February 16, 2013

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
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| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Environmental Impact Determination, dtd 11/9/12</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Building Inspection Commission Recommendation, dtd 1/18/13</u> |
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Completed by: Alisa Miller Date February 1, 2013
Completed by: Alisa Miller Date February 6, 2013

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Housing Code - Telephone Jacks and Grab Bars]

2
3 **Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of**
4 **retroactive provisions; Section 505, to require grab bars in hotel common-use water**
5 **closets and bathing facilities; Section 1002, to include as a substandard housing**
6 **condition the failure to provide a usable telephone jack and telephone wiring as**
7 **required by the California Civil Code; establishing an operative date; and making**
8 **environmental findings, legislative findings, and findings pursuant to California Health**
9 **& Safety Code, Section 17958.5.**

10 NOTE: Additions are *single-underline italics Times New Roman*;
11 deletions are *strike-through italics Times New Roman*.
12 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. Findings.

15 (a) General Finding. The Building Inspection Commission considered this ordinance at
16 a duly noticed public hearing.

17 (b) (a) Environmental Finding. The Planning Department has determined that the
18 actions contemplated in this ordinance comply with the California Environmental Quality Act
19 (California Public Resources Code Section 21000 et seq.). Said determination is on file with
20 the Clerk of the Board of Supervisors in File No. 121018 and is incorporated herein by
21 reference.

22 (c) (b) Findings pursuant to Health and Safety Code Section 17958.5. The Board of
23 Supervisors finds that the legislative findings set forth in Subsection (c) below constitute
24 findings of local conditions justifying deviation from the California Housing Code.

25
Supervisors Mar, Chiu, Campos, Kim, Avalos, Yee
BOARD OF SUPERVISORS

1 (d) ~~(e)~~ Legislative Findings.

2 (1) The high cost of housing in San Francisco makes residential hotel guest rooms with
3 common toilet and bathing facilities ("SROs") the only available housing option for many
4 seniors, persons with disabilities, and others on low or fixed incomes.

5 (2) The Mayor's Office of Housing 2010-2014 Consolidated Plan (with the Mayor's
6 Office of Economic and Workforce Development and the former San Francisco
7 Redevelopment Agency) identified 8,000 seniors and young adults with disabilities living in
8 SROs.

9 (3) In 2012, the Senior Action Network and Mission SRO Collaborative, Central City
10 SRO Collaborative, and SRO Families United Collaborative prepared "The 2012 Senior and
11 Adults with Disabilities in SRO's Survey," which found that 48 percent of the 151 respondents
12 surveyed did not have grab bars in their common toilet and bathing facilities. There is no
13 current grab bar requirement.

14 (4) It is important that seniors and persons with disabilities residing in SROs have
15 access to a working telephone in the room in which they reside. California Civil Code Section
16 1941.4 requires the lessor of a building intended for residential occupancy to be responsible
17 for installing at least one usable telephone jack and for placing and maintaining in good
18 working order inside telephone wiring that meets the applicable standards of the most recent
19 National Electrical Code adopted by the Electronic Industry Association.

20
21 Section 2. The San Francisco Housing Code is hereby amended by amending Section
22 206, to add the following:

23 1002: Section 1002(f).
24
25

1 Section 3. The San Francisco Housing Code is hereby amended by amending Section
2 505 to add subsection (j), to read as follows:

3 **SEC. 505. SANITATION.**

4 (j) Grab Bars. The water-closet, lavatory, and bathing facilities provided for guest rooms
5 situated on the same floor and used in common are required to have grab bars that comply with
6 Chapter 11B of the California Building Code; provided, however, except that limitations within
7 existing floor and room configurations will be taken into consideration regarding grab bar
8 location and configuration for existing tank type toilets, grab bars may be mounted between
9 33" and 35" above the finish floor. Building permits are required for installation, however all
10 Department of Building Inspection fees required by Section 110A of the San Francisco
11 Building Code will be waived for the facilities identified in the application if the applicant
12 obtains the building permit within 60 days from the date this subsection (j) becomes effective.

13
14 Section 4. The San Francisco Housing Code is hereby amended by amending Section
15 1002, to read as follows:

16 **SEC. 1002. ADDITIONAL SUBSTANDARD CONDITIONS: ELECTRICAL OUTLETS,**
17 **ELEVATORS, ILLEGAL CONVERSION OF RESIDENTIAL HOTELS, ~~AND~~ RESIDENTIAL**
18 **HOTEL MAIL RECEPTACLES, TELEPHONE JACKS AND WIRING, AND NOTICE**
19 **POSTING.**

20 In addition to the provisions set forth in Section 1001 of this chapter prescribed by
21 California Health and Safety Code, Division 13, Part 1.5, State Housing Law, Sections
22 17920.3 et seq., the following conditions are considered substandard:

23 (a) **Electrical Outlets.** Habitable rooms and kitchens with insufficient number of
24 electrical convenience outlets as required by Section 504 of this Code.

25 (b) **Elevators.** Lack of elevator service as required by Section 713 of this Code.

1 (c) **Illegal Conversion of Residential Hotels.** Illegal conversion of any residential unit
2 of a residential hotel, or improper recordkeeping as defined and required by Chapter 41 of the
3 San Francisco Administrative Code.

4 (d) **Mold and Mildew.** The existence of mold and mildew which is chronic or severe as
5 defined by Chapter 4 of this code.

6 (e) **Residential Hotel Mail Receptacles.** Lack of an individual mail receptacle for each
7 residential unit in a residential hotel, as required by Section 41E of the San Francisco
8 Administrative Code. The hotel owner is responsible for making arrangements with the United
9 States Postal Service for the installation of these receptacles and delivery of mail thereto.
10 Installation and maintenance of the mail receptacles shall meet all of the specifications and
11 requirements of the United States Postal Service. Compliance with United States Postal
12 Service specifications and requirements, and delivery of mail by the United States Postal
13 Service, will not be enforced by the Department of Building Inspection.

14 (f) Telephone Jack and Wiring. Lack of at least one usable telephone jack and working inside
15 telephone wiring, as required by Section 1941.4 of the California Civil Code.

16 (g) Grab Bars. Lack of grab bars in common-use bathing and lavatory facilities for guest rooms
17 as required by Section 505(j) of this Code.

18 ~~(f)~~ (h) **Residential hotel notice posting requirement.** The owner or operator of a
19 residential hotel, as defined in Chapter 41 of the San Francisco Administrative Code, shall
20 post a notice approved by the Department of Building Inspection notifying the occupants that
21 they may contact the City and County of San Francisco's 24x7 Customer Service Center at
22 311 to report alleged violations of this Code. The notice shall be posted in a conspicuous
23 location at the lobby. If there is no lobby, the notice shall be posted in the public entranceway.
24
25

1 Section 5. Effective and Operative Date. This ordinance shall become effective 30
2 days from the date of passage and operative 180 days from the date of passage.
3

4 Section 6. This section is uncodified. In enacting this Ordinance, the Board intends to
5 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
6 punctuation, charts, diagrams, or any other constituent part of the Housing Code that are
7 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
8 Board amendment deletions in accordance with the "Note" that appears under the official title
9 of the legislation.
10

11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:


14 JUDITH A. BOYAJIAN
15 Deputy City Attorney
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23
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25

REVISED LEGISLATIVE DIGEST

(2/4/2013, Amended in Committee)

[Housing Code - Telephone Jacks and Grab Bars]

Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of retroactive provisions; Section 505, to require grab bars in hotel common-use water closets and bathing facilities; Section 1002, to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; establishing an operative date; and making environmental findings, legislative findings, and findings pursuant to California Health & Safety Code, Section 17958.5.

Existing Law

Section 505 of the San Francisco Housing Code contains sanitation requirements for residential buildings; Section 1002 lists conditions in residential buildings that are considered to be substandard in addition to those set forth in State law. Section 206 of the Housing Code lists those sections of the Code that are retroactive.

Amendments to Current Law

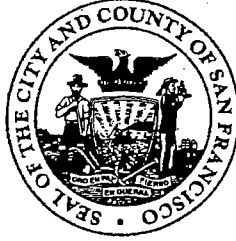
Section 505 of the San Francisco Housing Code is amended to require guest room water-closet, lavatory, and bathing facilities that are shared in common to have grab bars that comply with the Building Code, except that limitations within existing floor and room configurations will be taken into account. Section 1002 is amended to list as substandard conditions the failure to have grab bars in common-use guest room toilet and bathing facilities and usable telephone jacks and wiring as required by State law. Section 206 is amended to make the usable telephone jack and wiring requirement retroactive; the sanitation requirements of Section 505 are currently retroactive.

Building permits are required for installation of grab bars, however all Department of Building Inspection fees required for the installation will be waived for the facilities identified in the application if the applicant obtains the building permit within 60 days of the ordinance's effective date. The ordinance's operative date is 180 days from the date of passage.

Background Information

The high cost of rental housing in San Francisco makes residential hotel guest rooms with common toilet and bathing facilities the only available housing option for people on low or fixed incomes, including many seniors and persons with disabilities. San Francisco's aging population and persons with disabilities who often depend on this housing choice need grab bars in common-use toilet and bathing facilities and the access to telephone service required by State law. Permit fees are waived to encourage early compliance with the requirements.

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

October 29, 2012

File No. 121018

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On October 16, 2012, Supervisor Mar introduced the following proposed legislation:

File No. 121018

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Handwritten signature of Alisa Miller in cursive.

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

Non-physical exemption
CEQA Section 15060(c)(2)

Handwritten signature of Joy Navarrete.
NOV. 9, 2012
JOY NAVARRETE



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection Voice (415) 558-6164 - Fax (415) 558-6509
1660 Mission Street, San Francisco, California 94103-2414

January 18, 2013

Edwin M. Lee
Mayor

COMMISSION

Angus McCarthy
President

Warren Mar
Vice-President

Kevin Clinch
Frank Lee
Dr. James McCray, Jr.
Myrna Melgar
Debra Walker

Sonya Harris
Secretary

Tom Hui
Acting Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

RE: Proposed revised Ordinance (File No. 121018) amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

Dear Ms. Calvillo:

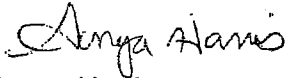
On December 19, 2012 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Housing Code referenced above. The Commissioners voted unanimously to support this proposed amendment, and recommends that a program be developed where there might be a limited time period where fees are waived entirely, and beyond that the fees would be worked out in a way that would encourage the hotel users to install these facilities.

The Commissioners voted as follows:

President McCarthy	Aye	Vice-President Mar	Aye
Commissioner Clinch	Aye	Commissioner Lee	Aye
Commissioner McCray, Jr.	Aye	Commissioner Melgar	Aye
Commissioner Walker	Aye		

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,



Sonya Harris
Commission Secretary

cc: Tom C. Hui, S.E., Acting Director
Supervisor Eric Mar

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

MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: October 29, 2012

SUBJECT: LEGISLATION INTRODUCED: HOUSING CODE AMENDMENT

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed ordinance, introduced by Supervisor Mar on October 16, 2012:

File No. 121018

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

The proposed ordinance is being transmitted pursuant to Charter Section D3.750-5 for public hearing and recommendation. It is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Carolyn Jayin, Department of Building Inspection

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

October 29, 2012

File No. 121018

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On October 16, 2012, Supervisor Mar introduced the following proposed legislation:

File No. 121018

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

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

MEMORANDUM

TO: Olson Lee, Director, Mayor's Office of Housing
John Rahaim, Director, Planning Department
Anne Hinton, Director, Department of Aging and Adult Services

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: October 10, 2012

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Mar on October 16, 2012. This matter is being referred to your department for informational purposes and no additional action is required.

File No. 121018

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

If you do wish to submit any reports or documentation to be included as part of the file, please send those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Zoning Administrator, Planning Department
AnMarie Rodgers, Legislative Affairs Manager, Planning Department
Linda Avery, Secretary, Planning Commission



DENNIS J. HERRERA
City Attorney

JUDITH A. BOYAJIAN
Deputy City Attorney

DIRECT DIAL: (415) 554-4636
E-MAIL: judy.boyajian@sfgov.org

**MEMORANDUM
PRIVILEGED & CONFIDENTIAL**

TO: Supervisor Eric Mar
FROM: Judith A. Boyajian *JAB*
Deputy City Attorney
DATE: October 4, 2012
OUR FILE NUMBER: 1300020
TYPE OF LEGISLATION: Ordinance

Attached please find the original and four copies of the following ordinance and legislative digest:

Ordinance amending the San Francisco Housing Code by 1) amending Section 206 to add Section 1002 to the list of retroactive provisions, 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities, 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental finding, legislative findings, and findings pursuant to California Health & Safety Code Section 17958.5.

NOTES: None.

We have also forwarded you an electronic version of the legislation for submission to the Clerk of the Board upon introduction of this legislation. Please let me know if you have any questions or would like any additional information.

cc: Jon Givner

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee:
- 4. Request for letter beginning "Supervisor inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Subject:

The text is listed below or attached:

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned above a horizontal line.

For Clerk's Use Only: