

File No. 170870

Committee Item No. 3

Board Item No. 23

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date October 30, 2017

Board of Supervisors Meeting

Date November 14, 2017

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"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 700 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
| <input type="checkbox"/> | <input type="checkbox"/> | Information Sheet |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

- | | | |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEDA Determination</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Building Inspection Commission Recommendation</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Somera

Date October 26, 2017

Completed by: Alisa Somera

Date November 9, 2017

1 [Building, Fire Codes - Fire Alarm System Upgrade Requirements]

2
3 **Ordinance amending the Existing Building and Fire Codes to require buildings sold or**
4 **transferred after September 1, 2017, to comply with fire alarm system upgrade**
5 **requirements for sleeping areas; to exempt mandatory seismic strengthening**
6 **alterations and transient hotels from the alarm system upgrade requirement that**
7 **otherwise applies to completion of work under a building permit with a cost of**
8 **construction of \$50,000 or more; affirming the Planning Department's determination**
9 **under the California Environmental Quality Act; making findings under the California**
10 **Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward**
11 **this Ordinance to the California Building Standards Commission upon final passage.**

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

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

20 Section 1. General Findings.

21 (a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 170870 and is incorporated herein by reference. The Board affirms
25 this determination.

(b) On September 20, 2017, the Building Inspection Commission considered this
ordinance at a duly noticed public hearing pursuant to Charter Section D3.750-5.

1
2 Section 2. Findings under the California Health and Safety Code.

3 The Board of Supervisors hereby finds that the following local conditions apply to the
4 amendments to the Building and Fire Codes enacted by this ordinance:

5 (a) The City and County of San Francisco is unique among California communities
6 with respect to the possible causes and effects of fires, including fires in residential multi-unit
7 buildings. Among other things, San Francisco is located on an active seismic zone; certain
8 buildings in San Francisco are at an increased risk for earthquake-induced failure and
9 consequent fire because of local hazardous microzones, slide areas, and local liquefaction
10 hazards; enhanced fire, structural, and other protections are required due to high building
11 density and high occupancy in many buildings.

12 (b) San Francisco has narrow and crowded sidewalks due to building and population
13 density and unusual topography; and San Francisco has numerous high-rise buildings,
14 including residential buildings with large numbers of people living therein. For these reasons,
15 fires in San Francisco can be especially devastating, and the need for extra measures to
16 prepare for and cope with fires is especially pressing, particularly regarding people who live in
17 multi-unit residential buildings, and who may face fire dangers any day of the week and any
18 hour of the day or night.

19 (c) California Health and Safety Code Sections 17958 and 17958.5 allow the City to
20 make changes or modifications in the requirements contained in the provisions published by
21 the California Building Standards Commission, including the California Fire Code, when those
22 changes or modifications are reasonably necessary because of local climatic, geological, or
23 topographical conditions. California Health and Safety Code Section 17958.7 provides that
24 before making any such changes or modifications, the governing body must make express
25 findings that such changes or modifications are reasonably necessary because of the

1 specified local conditions, and those findings shall be filed with the California Building
2 Standards Commission.

3 (d) Pursuant to the applicable California Health and Safety Code sections, the Board
4 of Supervisors finds and determines that the conditions described above constitute a general
5 summary of the most significant local conditions giving rise to the need for variance from the
6 California Fire and Building Codes and any other applicable provisions published by the
7 California Building Standards Commission. Further, the Board of Supervisors finds and
8 determines that the proposed variances are reasonably necessary based on these local
9 conditions, and that these conditions justify more restrictive standards applicable to residential
10 buildings in San Francisco.

11
12 Section 3. The Existing Building Code is hereby amended by revising Section 401.8, to
13 read as follows:

14 401.8 **Fire alarm systems.** For all buildings that are required to have a fire alarm
15 system under this Code, the Fire Code, the Housing Code, or any other law, the building
16 owner shall upgrade the fire alarm system, if necessary, to comply with the sound level
17 requirement ~~(or for~~ sleeping areas set forth in Section 18.4.5.1 of NFPA 72 (2013 edition), as
18 amended from time to time, upon either (a) completion of work under a building permit with a
19 cost of construction of \$50,000 or more, ~~or~~ (b) July 1, 2021, or (c) for buildings sold or
20 transferred after September 1, 2017, twelve months after the sale of the property, whichever occurs
21 first.

22 Exception. Subsection 401.8(a) shall not apply to mandatory seismic strengthening alterations
23 being performed pursuant to Chapter 4D of this Code, or to transient Hotels within the Residential
24 Group R-1 Occupancy Classification of Section 310.3 of the Building Code.

1 Section 4. The Fire Code is hereby amended by revising Section 1103.7.6.1, to read
2 as follows:

3 1103.7.6.1. **[For SF] Sleeping Area Requirements.**

4 For all buildings that are required to have a fire alarm system under this Code *Section*
5 *1103.7.6, pertaining to Group R-2 occupancies*, the Building Code, the Housing Code, or any
6 other law, the building owner shall upgrade the fire alarm system, if necessary, to comply with
7 the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of NFPA 72 (2013
8 edition), as amended from time to time, upon either (a) completion of work under a building
9 permit with a cost of construction of \$50,000 or more, ~~or~~ (b) July 1, 2021, *or (c) for buildings*
10 *sold or transferred after September 1, 2017, twelve months after the sale of the property*, whichever
11 occurs first.

12 *Exceptions. Division 1103.7.6.1(a) shall not apply to mandatory seismic strengthening*
13 *alterations being performed pursuant to Chapter 4D of the Existing Building Code. This subsection*
14 *1103.7.6.1 applies only to Group R-2 occupancies.*

15
16 Section 5. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance; the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

20
21 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

3
4 Section 7. Undertaking for the General Welfare. In enacting and implementing this
5 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
6 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
7 is liable in money damages to any person who claims that such breach proximately caused
8 injury.

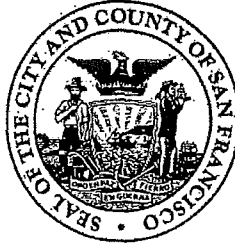
9
10 Section 8. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
11 to forward a copy of this ordinance to the California Building Standards Commission upon final
12 passage as required by State law.

13
14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: 
17 NEHA GUPTA
Deputy City Attorney

18 n:\egana\as2017\1700604\01212848.docx

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

August 1, 2017

File No. 170870

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

Dear Ms. Gibson:

On July 25, 2017, Supervisor Peskin introduced the following proposed legislation:

File No. 170870

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas, and to exempt mandatory seismic strengthening alterations and transient Hotels from those requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; 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

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

REVIEWED

By Joy Navarrete at 8:00 pm, Aug 04, 2017

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

September 6, 2017

File No. 170870-2

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

Dear Ms. Gibson:

On September 5, 2017, Supervisor Peskin introduced the following substitute legislation:

File No. 170870-2

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient Hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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Angela Calvillo, Clerk of the Board

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

Attachment

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

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, ou=Planning,
ou=Environmental Planning,
email=joy.navarrete@sf.gov, c=US
Date: 2017.09.21 15:32:17 -0700



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection
1660 Mission Street, San Francisco, California 94103-2414

Voice (415) 558-6164 - Fax (415) 558-6509

September 21, 2017

Edwin M. Lee
Mayor

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

COMMISSION

Angus McCarthy
President

Debra Walker
Vice-President

Kevin Clinch
Gail Gilman
John Konstin
Frank Lee
James Warshell

Dear Ms. Calvillo:

RE: File No. 170870-2

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient Hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Sonya Harris
Secretary

Tom C. Hui
Director

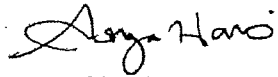
The Building Inspection Commission met and held a public hearing on September 20, 2017 regarding File No. 170870-2 on the proposed amendment to the San Francisco Building and Fire Codes referenced above. The Commissioners voted unanimously to support the amendment.

The Commissioners voted as follows:

President McCarthy	Excused	Vice-President Walker	Yes
Commissioner Clinch	Yes	Commissioner Gilman	Yes
Commissioner Konstin	Excused	Commissioner Lee	Yes
Commissioner Warshell	Yes		

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

Sincerely,

A handwritten signature in black ink that reads "Sonya Harris". The signature is written in a cursive style with a large initial "S".

Sonya Harris
Commission Secretary

cc: Tom C. Hui, S.E., Director
Mayor Edwin M. Lee
Supervisor Aaron Peskin
Board of Supervisors

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: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

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

DATE: September 12, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 170870-2

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

No Comment

Recommendation Attached

Chairperson, Small Business Commission

c: Menaka Mahajan, Small Business Commission

BOARD of SUPERVISORS



City Hall
1 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, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

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

DATE: September 6, 2017

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following substitute legislation, introduced by Supervisor Peskin on September 5, 2017:

File No. 170870-2

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient Hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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 and Transportation 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 or by email at: Erica.Major@sfgov.org.

c: William Strawn, Department of Building Inspection
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
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September 6, 2017

File No. 170870-2

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

Dear Ms. Gibson:

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

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

BOARD of SUPERVISORS



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MEMORANDUM

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

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

DATE: August 1, 2017

SUBJECT: LEGISLATION INTRODUCED

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File No. 170870

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas, and to exempt mandatory seismic strengthening alterations and transient Hotels from those requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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 and Transportation 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 or by email at: Erica.Major@sfgov.org.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

BOARD of SUPERVISORS



City Hall
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TDD/TTY No. 554-5227

August 1, 2017

File No. 170870

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

Dear Ms. Gibson:

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File No. 170870

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

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

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2017 SEP 11 1:22
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 [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [170870]
- 9. Reactivate File No. [redacted]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [redacted]

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 the Imperative Form.

Sponsor(s):

Supervisor Peskin

Subject:

[Existing Building, Fire Codes - Fire Alarm System Upgrade Requirements]

The text is listed:

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient Hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Signature of Sponsoring Supervisor:

For Clerk's Use Only

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 JUL 25 PM 3:16

Time stamp
for meeting date

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

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- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
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- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

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- Youth Commission
- Ethics Commission
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- Building Inspection Commission

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Sponsor(s):

Supervisor Peskin

Subject:

[Existing Building, Fire Codes - Fire Alarm System Upgrade Requirements]

The text is listed:

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017; to comply with fire alarm system upgrade requirements for sleeping areas, and to exempt mandatory seismic strengthening alterations and transient Hotels from those requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Signature of Sponsoring Supervisor:

For Clerk's Use Only

