

File No. 231125

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Transportation

Date: Dec. 11, 2023

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Date: _____

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- _____
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- _____

Prepared by: John Carroll

Date: Dec. 8, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Building, Green Building, Mechanical, and Plumbing Codes - Amending Findings Supporting
2 Enactment of 2022 Codes]

3 **Ordinance amending the local findings included by reference in the following**
4 **Ordinances: 1) 2022 San Francisco Building Code (Ordinance No. 225-22); 2) 2022 San**
5 **Francisco Green Building Code (Ordinance No. 227-22); 3) 2022 San Francisco**
6 **Mechanical Code (Ordinance No. 228-22); 4) San Francisco Plumbing Code (Ordinance**
7 **No. 230-22); and directing the Clerk of the Board to forward the Ordinance to the**
8 **California Building Standards Commission as required by State law.**

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

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

17 Section 1. Environmental Findings. 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 Sections 21000 et seq.). Said determination is on file with
20 the Clerk of the Board of Supervisors in File No. 231125 and is incorporated herein by
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are
25 amended by the State agencies with jurisdiction over the subject matter. The State of

1 California adopts a new California Building Standards Code every three years (“triennial
2 CBSC”) with supplemental amendments published in intervening years. Local jurisdictions
3 must enforce the California Building Standards Code but they may also enact more restrictive
4 building standards that are reasonably necessary because of local climate, geologic, or
5 topographical conditions. Local amendments may be made both to a triennial CBSC and also
6 to its individual Parts during the intervening years; however, local amendments previously
7 adopted are not automatically applicable to a triennial CBSC. Rather, they must be re-enacted
8 with the required findings of local climate, geologic, or topographical conditions, expressly
9 made applicable to the new triennial CBSC, and with an operative date no earlier than the
10 effective date of the new State Code.

11 (d) Consistent with the triennial CBSC, the Board of Supervisors: repealed the 2019
12 San Francisco Building and enacted the 2022 San Francisco Building Code by the enactment
13 of Ordinance Number 225-22, in Board File No. 220940; repealed the 2019 San Francisco
14 Green Building Code and enacted the 2022 San Francisco Green Building Code by the
15 enactment of Ordinance Number 227-22, in Board File No. 220942; repealed the 2019 San
16 Francisco Mechanical Code and enacted the 2022 San Francisco Mechanical Code by the
17 enactment of Ordinance Number 228-22, in Board File No. 220943; and repealed the 2019
18 San Francisco Plumbing Code and enacted the 2022 San Francisco Plumbing Code by the
19 enactment of Ordinance Number 230-22, in Board File No. 220945 (hereinafter, collectively,
20 “2022 Building Code Ordinances”).

21 (e) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,
22 the Board of Supervisors made express findings, section-by-section, that each local
23 amendment to the California Building Standards Codes was reasonably necessary because of
24 local conditions. The findings are contained in Exhibit A to each of the 2022 Building Code
25 Ordinances, and are on file with the Clerk of the Board in the respective Board Files.

1 (f) Upon enactment of the 2022 Building Code Ordinances, the Clerk of the Board
2 of Supervisors forwarded the ordinances to the California Building Standards Commission.
3 The California Building Standards discovered technical omissions in Exhibit A to these 2022
4 Building Code Ordinances and requested correction to the respective files. This Ordinance
5 makes the technical corrections requested by the California Building Standards Commission
6 by updating the local findings incorporated by reference in each of the Building Code
7 Ordinances.

8 (g) On October 18, 2023, at a duly noticed public hearing, the Building Inspection
9 Commission considered this ordinance in accordance with Charter Section D3.750-5 and
10 Building Code Section 104A.2.11.1.1. A copy of a letter from the Secretary of the Building
11 Inspection Commission regarding the Commission's recommendation is on file with the Clerk
12 of the Board of Supervisors in File No. 231125.

13
14 Section 3. Findings Regarding Local Conditions. Pursuant to California Health and
15 Safety Code Sections 17958.7 and 18941.5, the Board of Supervisors finds and determines
16 that the local conditions described in: Corrected Exhibit A to the 2022 San Francisco Building
17 Code; Corrected Exhibit A to the 2022 San Francisco Green Building Code; Corrected Exhibit
18 A to the 2022 San Francisco Mechanical Code; and Corrected Exhibit A to the 2022 San
19 Francisco Plumbing Code constitute a general summary of the most significant local
20 conditions giving rise to the need for modification of the respective 2022 California Building
21 Standards Codes and are reasonably necessary based upon these local conditions. Each
22 Corrected Exhibit A is on file with the Clerk of the Board of Supervisors in Board File
23 No. 231125.

1 Section 4. The 2022 San Francisco Building Code Ordinances are amended as
2 follows:

3 (a) Ordinance Number 225-22, File No. 220940 is amended by replacing Exhibit A
4 with the Corrected Exhibit A to the 2022 San Francisco Building Code in Board File
5 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in
6 ~~strikeout text.~~

7 (b) Ordinance Number 227-22, File No. 220942 is amended by replacing Exhibit A
8 with the Corrected Exhibit A to the 2022 San Francisco Green Building Code in Board File
9 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in
10 ~~strikeout text.~~

11 (c) Ordinance Number 228-22, File No. 220943 is amended by replacing Exhibit A
12 with the Corrected Exhibit A to the 2022 San Francisco Mechanical Code in Board File
13 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in
14 ~~strikeout text.~~

15 (d) Ordinance Number 230-22, File No. 220945 is amended by replacing Exhibit A
16 with the Corrected Exhibit A to the 2022 San Francisco Plumbing Code in Board File
17 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in
18 ~~strikeout text.~~

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1 Section 8. Directions to Clerk. Upon enactment of this ordinance, the Clerk of the
2 Board of Supervisors is hereby directed to transmit this ordinance to the California Building
3 Standards Commission pursuant to the applicable provisions of State law and to update the
4 Board files of the 2022 Building Code Ordinances to add the ordinance in Board File
5 No. 231125 and a copy of the applicable Corrected Exhibit A.

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7
8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Robb Kapla
11 ROBB KAPLA
12 Deputy City Attorney

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FILE NO.

LEGISLATIVE DIGEST

[Building, Green Building, Mechanical, and Plumbing Codes - Amending Findings Supporting Enactment of 2022 Codes]

Ordinance amending the local findings included by reference in the following Ordinances: 1) 2022 San Francisco Building Code (Ordinance No. 225-22); 2) 2022 San Francisco Green Building Code (Ordinance No. 227-22); 3) 2022 San Francisco Mechanical Code (Ordinance No. 228-22); 4) San Francisco Plumbing Code (Ordinance No. 230-22); and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission as required by State law.

Existing Law

The 2022 San Francisco Building Inspection Codes (“2022 Building Codes”) regulate and control the design, construction, quality of materials, use and occupancy, location, maintenance and demolition of all buildings and structures. The 2022 Building Codes are based on the 2022 California Building Codes and local amendments that the City finds are reasonably necessary to address local conditions. The legislative files for each 2022 Building Code ordinance include an exhibit listing the applicable findings supporting the local amendments to that Code.

Amendments to Current Law

The supporting exhibits for 2022 Building, Green Building, Mechanical and Plumbing Codes inadvertently omitted findings for several subsections and appendices. The Proposed Legislation corrects these omissions by amending the applicable exhibits for each of the ordinance files.

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2022 San Francisco Building Code Findings Including Building and Residential Standards

Chapter 1A

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1302A	9	1308A	9	1312A.2	9
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1304A.1	9	1309A.1	9	1313A.2	9
1304A.2	9	1310A	9	1313A.3	9
1305A	9	1310A.1	9	1313A.4	9
1305A.1	9	1311A	9	1313A.5	9
1306A	9	1311A.1	9	1314A.	9
1306A.1	9	1311A.2	9	1314A.1	9
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1306A.2.1	9	1311A.4	9	1314A.3	9

1306A.2.2	9	1311A.4.1	9	1314A.4	9
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**CHAPTER 13C
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**CHAPTER 16A
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**CHAPTER 17A
NO S.F. AMENDMENTS**

**CHAPTER 18
NO S.F. AMENDMENTS**

**CHAPTER 18A
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**CHAPTER 19
NO S.F. AMENDMENTS**

**CHAPTER 19A
NO S.F. AMENDMENTS**

**CHAPTER 20
NO S.F. AMENDMENTS**

**CHAPTER 21
NO S.F. AMENDMENTS**

**CHAPTER 21A
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**CHAPTER 22
NO S.F. AMENDMENTS**

**CHAPTER 22A
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CHAPTER 23

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**CHAPTER 25
NO S.F. AMENDMENTS**

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**CHAPTER 27
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NO S.F. AMENDMENTS**

**CHAPTER 29
NO S.F. AMENDMENTS**

CHAPTER 30

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3107.1.3	9	3107.5.2	1,2,5,8	3116.2	9
3107.1.4	9	3107.5.3	1,2,5,8	3116.3	9
3107.1.5	9	3107.5.4	1,2,5,8	3116.4	9
3107.2	9	3107.6	8	3116.5	9
		3107.6.1	8		

**CHAPTER 31A RESERVED
NO S.F. AMENDMENTS**

**CHAPTER 31B
NO S.F. AMENDMENTS**

**CHAPTER 31C
NO S.F. AMENDMENTS**

**CHAPTER 31D
NO S.F. AMENDMENTS**

**CHAPTER 31E RESERVED
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**CHAPTER 31F
NO S.F. AMENDMENTS**

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3303.1.2	5,6	3306.10	5,6	3311.2	5,6
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**CHAPTER 34
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**CHAPTER 34A
NO S.F. AMENDMENTS**

**CHAPTER 35
NO S.F. AMENDMENTS**

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APPENDIX C – No San Francisco Building Code Amendments

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APPENDIX I – No San Francisco Building Code Amendments

<u>Section #</u>	<u>Finding #</u>
<u>Appx I</u>	<u>2,5,11</u>

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2022 San Francisco Green Building Code Findings

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**CHAPTERS 2,
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**APPENDICES B, C
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CHAPTER 17 No San Francisco Amendments		Appendix A - N No San Francisco Amendments	

Appendices

<u>Section #</u>	<u>Finding #</u>
<u>Appx A</u>	<u>4,6,7, 8,10</u>
<u>Appx B</u>	<u>7,8,15,17</u>
<u>Appx C</u>	<u>7, 8, 15, 17</u>
<u>Appx D</u>	<u>7,8,15,17</u>
<u>Appx E</u>	<u>7,8,15,17</u>
<u>Appx F</u>	<u>2,5,</u>
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<u>Appx H</u>	<u>6,7,8,10</u>
<u>Appx I</u>	<u>6,7,8,10</u>
<u>Appx J</u>	<u>3,4,5,14</u>
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<u>Appx M</u>	<u>13, 14, 15, 17</u>
<u>Appx N</u>	<u>13,14,15,17</u>



October 30, 2023

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

Dear Clerk Calvillo:

Attached please find a proposed ordinance, considered and approved by the Building Inspection Commission on October 18, 2023, amending the local findings included by reference in the following ordinances:

- 1) 2022 San Francisco Building Code (Ordinance Number 225-22; File No. 220940)
- 2) 2022 San Francisco Green Building Code (Ordinance Number 227-22; File No. 220942)
- 3) 2022 San Francisco Mechanical Code (Ordinance Number 228-22; File No. 220943)
- 4) 2022 San Francisco Plumbing Code (Ordinance Number 230-22; File No. 220945)

For each of the above ordinances (hereinafter, collectively, "2022 Building Code Ordinances"), the Board of Supervisors made express findings, section-by-section, that each local amendment to the California Building Standards Codes was reasonably necessary because of local conditions. The findings are contained in Exhibit A to the 2022 Building Code Ordinances, and are on file in the respective Board Files.

Upon enactment of the 2022 Building Code Ordinances, after your office forwarded the ordinances to the California Building Standards Commission (CBSC), the CBSC discovered technical omissions in Exhibit A to these 2022 Building Code Ordinances and requested correction to the respective files.

This ordinance makes the technical corrections requested by the CBSC by updating the local findings incorporated by reference in Exhibit A to the each of the Building Code Ordinances. The corrections are tracked in italicized and underlined type and deletions are in ~~strikeout~~ text. This ordinance does not amend any of the underlying Codes.

If enacted, this ordinance directs the Clerk of the Board of Supervisors to transmit this ordinance to the CBSC and to update the Board files of the 2022 Building Code Ordinances to add this ordinance and a copy of the applicable Corrected Exhibit A.

The following is a list of accompanying documents to this ordinance:

OFFICE OF THE DIRECTOR
49 South Van Ness Avenue, Suite 500 – San Francisco CA 94103
Office (628) 652-3500 – FAX (628) 652-3509
Email: Patrick.Oriordan@sfgov.org

- 1) Amended findings for the 2022 San Francisco Building Code (Ordinance Number 225-22; File No. 220940)
- 2) Amended findings for the 2022 San Francisco Green Building Code (Ordinance Number 227-22; File No. 220942)
- 3) Amended findings for the 2022 San Francisco Mechanical Code (Ordinance Number 228-22; File No. 220943)
- 4) Amended findings for the 2022 San Francisco Plumbing Code (Ordinance Number 230-22; File No. 220945)
- 5) Legislative Digest for this ordinance
- 6) Letter from the Building Inspection Commission recommending approval of this ordinance

Please contact me for any issues regarding this proposed ordinance or any related matters. I can be reached at carl.nicita@sfgov.org or (628) 652-3536.

Sincerely,

/s/

Carl Nicita
Legislative Affairs Manager
Department of Building Inspection



BUILDING INSPECTION COMMISSION (BIC)

**Department of Building Inspection
49 South Van Ness Avenue, 5th Floor San Francisco, California 94103**

Voice (628) 652 -3510

October 26, 2023

London N. Breed
Mayor

COMMISSION

Alysabeth
Alexander-Tut
Interim President

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Monique Mustapha
Asst. Secretary

Patrick O’Riordan,
C.B.O., 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

Dear Ms. Calvillo:

RE: Amending the local findings included by reference in the following ordinances: 1) 2022 San Francisco Building Code (Ordinance Number 225-22); 2) 2022 San Francisco Green Building Code (Ordinance Number 227-22); 3) 2022 San Francisco Mechanical Code (Ordinance Number 228-22); 4) San Francisco Plumbing Code (Ordinance Number 230-22) and recommend approval to the Board of Supervisors.

The Code Advisory Committee (CAC) considered technical amendments to the index of local findings for each Building Code Ordinance referenced above on October 11, 2023. The CAC voted unanimously to recommend that the Building Inspection Commission (BIC) recommend approval of the amendments as written.

The Building Inspection Commission met and held a public hearing on October 18, 2023 regarding the proposed technical amendments to the index of local findings incorporated by reference in each of the Building Code Ordinances referenced above. The Commissioners voted unanimously to **recommend** that the Board of Supervisors **approve** the amendments by ordinance.

Interim President Alexander-Tut	Yes
Commissioner Chavez	Excused
Commissioner Neumann	Yes
Commissioner Shaddix	Yes
Commissioner Sommer	Yes
Commissioner Williams	Yes

Should you have any questions, please do not hesitate to call me at (628) 652-3510.

Sincerely,

A handwritten signature in blue ink that reads "Sonya Harris". The signature is fluid and cursive, with the first name "Sonya" and last name "Harris" clearly legible.

Sonya Harris
Commission Secretary

cc: Patrick O'Riordan, Director
Mayor London N. Breed
Board of Supervisors


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: November 15, 2023
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 231125
Building, Green Building, Mechanical, and Plumbing Codes - Amending Findings
Supporting Enactment of 2022 Codes

- California Environmental Quality Act (CEQA) Determination *(California Public Resources Code, Sections 21000 et seq.)* Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
- Ordinance / Resolution
- Ballot Measure 12/7/2023 
- 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.