

File No. 101127

Committee Item No. 6

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date October 18, 2010

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	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"/>	Public Correspondence

#### OTHER

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Standard Findings for Building Standards Code Amendments</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Certificate of Environmental Review Determination, dtd 8/16/10</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Building Inspection Commission Recommendation, dtd 8/27/10</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Code Advisory Committee Recommendation, dtd 8/12/10</u>
* <input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>2010 Plumbing Code Amendments</u>
* <input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>2010 California Plumbing Code</u>
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Alisa Somera Date October 14, 2010

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

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



[San Francisco Plumbing Code – Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health & Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011.

Note: Additions are single-underline italics Times New Roman;  
deletions are ~~strikethrough italics Times New Roman~~.  
Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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 are in compliance 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. 101127 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies with

1 jurisdiction. The California Plumbing Code is Part 5 of Title 24 of the California Code of Regulations.  
2 The 2010 California Plumbing Code, and it will go into effect throughout the State on January 1, 2011.

3 B. Local jurisdictions are required to enforce the California Plumbing Code. Local  
4 jurisdictions may also enact more stringent standards than those contained in the California Plumbing  
5 Code where more stringent standards are reasonably necessary because of local conditions caused  
6 by climate, geology or topography.

7 C. As in past State code adoption cycles, in this Ordinance San Francisco repeals its  
8 existing San Francisco Plumbing Code in its entirety and enacts a new 2010 San Francisco Plumbing  
9 Code. The proposed 2010 San Francisco Plumbing Code consists of the 2010 California Plumbing  
10 Code together with the San Francisco amendments thereto.

11 D. On August 18, 2010, at a duly noticed public hearing, the Building Inspection  
12 Commission considered this legislation.

13 Section 3. Findings regarding Local Conditions.

14 A. California Health & Safety Code Section 17958.7 provides that before making any  
15 changes or modifications to the California Plumbing Code and any other applicable provisions  
16 published by the State Building Standards Commission, the governing body must make an express  
17 finding that each such change or modification is reasonably necessary because of specified local  
18 conditions, and the findings must be filed with the State Building Standards Commission before the  
19 local changes or modifications can go into effect.

20 B. The City and County of San Francisco is unique among California communities with  
21 respect to local climatic, geological, topographical, and other conditions. A specific list of findings that  
22 support San Francisco's modifications to the 2010 California Plumbing Code and a section-by-section  
23 correlation of each modification with a specific numbered finding are contained in Exhibit A entitled  
24 "Standard Findings for San Francisco Amendments."  
25

1 C. Pursuant to California Health & Safety Code Section 17958.7, the Board of  
2 Supervisors finds and determines that the local conditions described in Exhibit A constitute a general  
3 summary of the most significant local conditions giving rise to the need for modification of the 2010  
4 California Plumbing Code provisions published by the State Building Standards Commission. The  
5 Board of Supervisors further finds and determines that the proposed modifications are reasonably  
6 necessary based on the local conditions set forth in Exhibit A.

7 Section 4. 2010 San Francisco Plumbing Code. The San Francisco Plumbing Code  
8 establishes minimum requirements to safeguard public health, safety and general welfare through  
9 regulating the installation and maintenance of plumbing systems and fixtures, water heaters, water  
10 supply and distribution, sanitation and ventilation systems, drainage, and fuel piping, and medical gas  
11 and vacuum systems. The 2007 San Francisco Plumbing Code is hereby repealed in its entirety and  
12 replaced with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing  
13 Code and the San Francisco amendments thereto. A copy of the 2010 California Plumbing Code as  
14 modified by San Francisco is on file with the Clerk of the Board of Supervisors in File No. 101127 and  
15 is hereby declared to be part of this Ordinance as if set forth fully therein. Additions to the 2010  
16 California Plumbing Code are shown in bold type; deletions are shown with strikethrough.

17 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this Ordinance shall  
18 be construed as abating any action now pending under or by virtue of any ordinance of the City and  
19 County of San Francisco hereby repealed, nor shall this Ordinance be construed as discontinuing,  
20 abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City  
21 under any ordinance in force at the time of passage of this Ordinance that establishes minimum  
22 requirements to safeguard life or limb, health, property and public welfare by regulating the installation  
23 and maintenance of plumbing systems and fixtures, water heaters, water supply and distribution,  
24 sanitation and ventilation systems, drainage, and fuel piping, and medical gas and vacuum systems in  
25 the City and County of San Francisco.

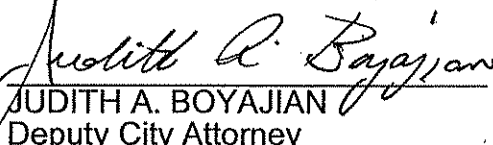
1 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
2 Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the  
3 validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares  
4 that it would have passed this Ordinance, and each section, subsection, sentence, clause, or  
5 phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections,  
6 sentences, clauses, or phrases be declared unconstitutional.

7 Section 7. Operative Date. This Ordinance shall take effect and be in full force on and  
8 after either January 1, 2011 or its effective date if the effective date is later.

9 Section 8. Directions to Clerk. Upon final passage of this Ordinance, the Clerk of the  
10 Board of Supervisors is hereby directed to transmit this Ordinance, the San Francisco  
11 modifications to the 2010 Plumbing Code, and Exhibit A to the State Building Standards  
12 Commission pursuant to the applicable provisions of State law.

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

16 By:

  
17 JUDITH A. BOYAJIAN  
18 Deputy City Attorney  
19  
20  
21  
22  
23  
24  
25

## LEGISLATIVE DIGEST

[San Francisco Plumbing Code – Repealing and Replacing]

**Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health & Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011.**

### Existing Law

The San Francisco Plumbing Code regulates the installation and maintenance of plumbing systems and fixtures, water heaters, water supply and distribution, sanitation and ventilation systems, drainage, fuel piping, and medical and gas vacuum systems. The current Code consists of the 2006 Uniform Plumbing Code, as amended by the 2007 California Plumbing Code, and as further amended by San Francisco.

### Amendments to Current Law

On January 1, 2011, the 2010 California Plumbing Code will go into effect throughout the State of California. As in past State code adoption cycles, San Francisco will repeal its existing Plumbing Code in its entirety and adopt a new San Francisco Plumbing Code that consists of the new California Plumbing Code and San Francisco's local amendments. The 2010 San Francisco Plumbing Code carries forward the amendments made to the 2007 California Plumbing Code and makes no additional substantive changes.

The San Francisco amendments are not integrated into the text of the California Plumbing Code but rather are separately printed in a stand-alone document. Therefore, the user must consult both texts in order to determine the complete code requirement. In the San Francisco amendments, additions to the 2010 California Plumbing Code are shown in bold type; deletions are shown with strikethrough.

### Background Information

Generally, the State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies with jurisdiction. The California Plumbing Code is Part 5 of Title 24 of the California Code of Regulations. The 2010 California Plumbing Code will go into effect throughout the State on January 1, 2011.

Local jurisdictions are required to enforce the California Plumbing Code. Local jurisdictions may also enact more stringent requirements than those contained in the State Code where more stringent requirements are reasonably necessary because of local conditions caused by climate, geology, or topography. The local amendments are not effective until findings supporting any amendments, additions, or deletions to the State Code are adopted and sent to the State Building Standards Commission. Any amendments that San Francisco made to the 2007 California Plumbing Code will not apply to the 2010 California Plumbing Code unless and until those amendments are readopted and sent to the State Building Standards Commission.





# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

**Case No.:** 2010.0689E  
**Project Title:** 2010 San Francisco Building Codes Proposed Amendments  
**Location:** Citywide  
**Project Sponsor:** Laurence Kornfield, Chief Building Inspector, Dept of Building Inspection  
**Staff Contact:** Brett Bollinger – (415) 575-9024  
brett.bollinger@sfgov.org

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION:

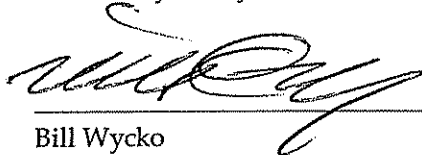
The proposed project includes the updates to the San Francisco Building, Electrical, Plumbing, and Mechanical Codes through the adoption of local amendments to the 2010 California Building Standard Codes. The California Building Code is Part 2, the California Residential Code is Part 2.5, the California Electrical Code is Part 3, the California Mechanical Code is Part 4, the California Plumbing Code is Part 5, and the California Green Building Code is Part 11 of 12 parts of the official compilation and publication of the adopted amendment and repeal of the building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The California Building Code incorporates by adoption the 2009 International Building Code with necessary California amendments. The other codes are likewise based upon model codes amended by California. Local jurisdictions are required by State law to enforce the California Building Codes, and are allowed some discretion under the California Health and Safety Code with respect to local amendments.  
(continued on next page)

### EXEMPT STATUS:

General Rule Exclusion [State Guidelines, Section 15061(b)(3)].

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.



Bill Wycko  
Environmental Review Officer

August 16, 2010  
Date

cc: Laurence Kornfield, DBI  
Willy Yau, DBI  
Sue Hestor

Virna Byrd, M.D.F.  
Bulletin Board

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BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 AUG 26 AM 11:21

**PROJECT DESCRIPTION (continued):**

The purpose of the 2010 San Francisco Building Code and other codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; to regulate and control the demolition of all buildings and structures, and the quarrying, grading, excavation, and filling of land; and to provide safety to fire fighters and emergency responders during emergency operations. (The full text of proposed amendments is available for review at the Department of Building Inspection (DBI)).

**REMARKS:**

As stated above, the City of San Francisco is required by State law to enforce the California Building, Electrical, Plumbing, Mechanical, Housing, and Fire Codes. The only discretionary activity left to local agencies related to local amendments. The local amendments proposed for adoption by the City of San Francisco primarily deals with procedural, informational and non-physical aspects of the various Codes. To the extent that the amendments relate to physical building conditions, they are intended to improve building safety and regulate building features such as wood decks, balconies, earthquake recording instruments, and sidewalks. The physical effects of such modifications are related to building design features which are very minor, localized in terms of visibility and impact, and intended to improve building safety.

CEQA Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant effect on the environment. Since the proposed code amendments would have no significant environmental effects, it is appropriately exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

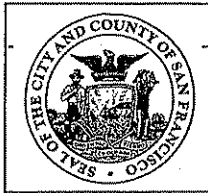
## **EXHIBIT A**

### **STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:**

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)
2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)
3. Topography of San Francisco has led to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)
4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)
5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)
6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)
7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)
8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)
9. Not a building standard; no local findings required.
10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)
11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)
12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure.  
(Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)
14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)
15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste.  
(Topography)
16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)
17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)



## BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection

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

1660 Mission Street, San Francisco, California 94103-2414

Gavin Newsom  
Mayor

August 27, 2010

**COMMISSION**

Mel Murphy  
President

Reuben Hechanova  
Vice-President

Kevin Clinch  
Frank Lee  
Warren Mar  
Criss Romero  
Debra Walker

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: Code amendments to the 2010 California Building, Mechanical, Electrical, Plumbing, Residential & Green Building Codes.**

Dear Ms. Calvillo:

Ann Aherne  
Secretary

Sonya Harris  
Asst. Secretary

Vivian L. Day  
Director

On August 18, 2010 the Building Inspection Commission held a public hearing on the proposed Code amendments referenced above.

The Commission voted unanimously (5-0) to recommend that the Board of Supervisors approve the amendments. The Commissioners voted as follows:

Vice-President Hechanova	Yes	Commissioner Mar	Yes
Commissioner Clinch	Yes	Commissioner Walker	Yes
Commissioner Lee	Yes	Commissioner Romero, excused	
President Murphy, excused			

Enclosed please find the Code Advisory Committee's recommendation to the BIC. Under separate cover, copies of the proposed amendments will follow from the Technical Services Division of the Department of Building Inspection. Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris  
Assistant Secretary

Cc: Mayor Gavin Newsom  
Bill Barnes, BOS  
Rick Caldeira, BOS  
Deputy City Attorney John Malamut  
Director Vivian Day  
Gail Johnson, Office of Clerk of the Board  
Starr Terrell, BOS  
Alisa Somera, Board of Supervisors



August 12, 2010

Building Inspection Commission  
1660 Mission Street  
San Francisco, CA 94103

RE: Proposed 2010 amendments to the California Building Standards Code, CCR Title 24

Honorable Members of the Commission:

At the regular meeting of August 11, 2010, the full Code Advisory Committee (CAC) deliberated on and unanimously voted to approve, and transmit to the Building Inspection Commission, all of the 2010 San Francisco amendments to the 2010 California Title 24 building codes. This Committee has labored long and arduous hours over the past five months and feels that the work product before you represents the basis for a continuing safe and healthy building environment in San Francisco.

The San Francisco building codes approved by this Committee are:

1. 2010 San Francisco Building Code  
(which includes the amended California Building, Residential, and Green Building Standards Codes)
2. 2010 San Francisco Mechanical Code
3. 2010 San Francisco Electrical Code
4. 2010 San Francisco Plumbing Code

These documents are transmitted to you for your further action and a final approval to send them on to the Board of Supervisors. If you have any questions, please call me at (415) 575-6832.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kirk Means".

Kirk Means  
DBI Technical Services Division  
Secretary to the Code Advisory Committee

cc: Vivian L. Day, C.B.O., Director  
Laurence Kornfield, Deputy Director  
Willy Yau, Manager, Technical Services Division  
Ned Fennie, Jr., Chair, Code Advisory Committee  
Bill Strawn, Communications Manager

## 2010 San Francisco Plumbing Code Findings

Section #	Finding #	Section #	Finding #
CHAPTER 1A		103.3.4.1	9
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102.0	9	103.4.1.1	9
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102.2.2	9	103.4.1.1.2	9
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102.2.7	9	103.4.4.2	9
102.2.8	9	103.4.5	9
102.2.9	9	103.5.6	9
102.3.2	9	104.0	9
103.0	9	105.0	9
103.1.1	9	106.0	9
103.1.2	9	106.1	9
103.1.4	9	106.2	9
103.1.5	9		
103.2.1	9		
103.3.1	9		
103.3.4	9		

Section #	Finding #	Section #	Finding #
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<b>CHAPTER 11</b>		<b>CHAPTER 12</b>	
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1101.1.2	9	<b>CHAPTER 13</b> <b>No San Francisco Amendments</b>	
1101.1.3	9	<b>CHAPTER 14</b> <b>No San Francisco Amendments</b>	
<b>CHAPTER 15</b> <b>No San Francisco Amendments</b>		<b>CHAPTER 16 &amp; 16A</b> <b>No San Francisco Amendments</b>	
<b>Appendix A</b> <b>No San Francisco Amendments</b>			



**2010**  
**San Francisco Plumbing Code**  
Amendments to the  
2010 California Plumbing Code

**Operative date: January 1, 2011**

# 2010 California Plumbing Code



California Code of Regulations  
Title 24, Part 5

California Building  
Standards Commission

Based on 2009 Uniform Plumbing Code®



EFFECTIVE  
January 1, 2011

(For Errata and Supplements, See History Note Appendix)