<b>File No.</b> 231125
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Committee Item	No.	4	
Board Item No.	21		

#### **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Date: Dec. 11, 2023							
<b>Board of Supervisors Meeting:</b>	<b>Date</b> : <u>January 9, 2024</u>						
Cmte Board							
☐ Motion							
Resolution							
Legislative Digest							
Budget and Legislative An							
Youth Commission Report	•						
Introduction Form	Letter and/or Benert						
<ul><li>☐ Department/Agency Cover</li><li>☐ MOU</li></ul>	Letter and/or Report						
Grant Information Form							
Grant Budget							
Subcontract Budget							
Contract / DRAFT Mills Act	t Agreement						
Form 126 – Ethics Commis	ssion						
Award Letter							
Application							
Public Correspondence							
OTHER							
	per 11, 2023						
□							
<ul><li>□ ⊠ DBI Presentation – Decemble</li><li>□ Revised Building Code, Green</li></ul>	ber 11, 2023 een Building Code, Mechanical Code Findings 2022 – Exhibits A						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 Building Inspection Commission	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 DBI Letter – October 30 DBI Letter – Octobe	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023 cember 7, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 Building Inspection Commission	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023 cember 7, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 DBI Letter – October 30 DBI Letter – Octobe	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023 cember 7, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 DBI Letter – October 30 DBI Letter – Octobe	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023 cember 7, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For DBI Letter – October 30, 20 DBI Letter – October 30 DBI Letter – Octobe	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ssion – October 26, 2023 cember 7, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For and Plumb	een Building Code, Mechanical Code Findings 2022 – Exhibits A  D23 Ssion – October 26, 2023 Cember 7, 2023 Er 15, 2023  Date: Dec. 8, 2023						
DBI Presentation – Decemble Revised Building Code, Great and Plumbing Code For and Plumb	een Building Code, Mechanical Code Findings 2022 – Exhibits A 023 ession – October 26, 2023 eember 7, 2023 er 15, 2023						

1	[Building, Green Building, Mechanical, and Plumbing Codes - Amending Findings Supporting Enactment of 2022 Codes]
2	Endotment of 2022 Goddoj
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 <u>single-underline italics Times New Roman font</u> .  Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> .
11	Board amendment additions are in double-underlined Arial font.  Board amendment deletions are in strikethrough Arial font.
12	<b>Asterisks (* * * *)</b> indicate the omission of unchanged Code subsections or parts of tables.
13	
14	Be it ordained by the People of the City and County of San Francisco:
15	
16	Section 1. Environmental Findings. The Planning Department has determined that the
17	actions contemplated in this ordinance comply with the California Environmental Quality Act
18	(California Public Resources Code Sections 21000 et seq.). Said determination is on file with
19	the Clerk of the Board of Supervisors in File No. 231125 and is incorporated herein by
20	reference. The Board affirms this determination.
21	
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

- California adopts a new California Building Standards Code every three years ("triennial CBSC") with supplemental amendments published in intervening years. Local jurisdictions must enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geologic, or topographical conditions. Local amendments may be made both to a triennial CBSC and also to its individual Parts during the intervening years; however, local amendments previously adopted are not automatically applicable to a triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.
  - (d) Consistent with the triennial CBSC, the Board of Supervisors: repealed the 2019 San Francisco Building and enacted the 2022 San Francisco Building Code by the enactment of Ordinance Number 225-22, in Board File No. 220940; repealed the 2019 San Francisco Green Building Code and enacted the 2022 San Francisco Green Building Code by the enactment of Ordinance Number 227-22, in Board File No. 220942; repealed the 2019 San Francisco Mechanical Code and enacted the 2022 San Francisco Mechanical Code by the enactment of Ordinance Number 228-22, in Board File No. 220943; and repealed the 2019 San Francisco Plumbing Code and enacted the 2022 San Francisco Plumbing Code by the enactment of Ordinance Number 230-22, in Board File No. 220945 (hereinafter, collectively, "2022 Building Code Ordinances").
  - (e) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, 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 each of the 2022 Building Code Ordinances, and are on file with the Clerk of the Board in the respective Board Files.

(f) Upon enactment of the 2022 Building Code Ordinances, the Clerk of the Board
of Supervisors forwarded the ordinances to the California Building Standards Commission.
The California Building Standards 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 California Building Standards Commission
by updating the local findings incorporated by reference in each of the Building Code
Ordinances.

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

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

1 Section 4. The 2022 San Francisco Building Code Ordinances are amended as follows: 2 3 (a) Ordinance Number 225-22, File No. 220940 is amended by replacing Exhibit A with the Corrected Exhibit A to the 2022 San Francisco Building Code in Board File 4 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in 5 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 strikeout text. 10 Ordinance Number 228-22, File No. 220943 is amended by replacing Exhibit A 11 (c) 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 with the Corrected Exhibit A to the 2022 San Francisco Plumbing Code in Board File 16 17 No. 231125. The corrections are tracked in italicized and underlined type and deletions are in 18 strikeout text. /// 19 20 /// /// 21 /// 22 23 /// /// 24

25

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.
6	
7	
8	APPROVED AS TO FORM:
9	DAVID CHIU, City Attorney
10	By: _/s/ Robb Kapla
11	ROBB KAPLA Deputy City Attorney
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#### **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 inadvertantly 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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BOARD OF SUPERVISORS Page 1



# Amendments to the SF Building Codes

Board of Supervisors Land Use & Transportation Committee December 11, 2023

# Background

- Consistent with the triennial California Building Standards Commission (CBSC) code cycle, the Board of Supervisors enacted the 2022 San Francisco Building Codes:
  - 2022 San Francisco Building Code (Ordinance Number 225-22)
  - 2022 San Francisco Green Building Code (Ordinance Number 227-22)
  - 2022 San Francisco Mechanical Code (Ordinance Number 228-22)
  - 2022 San Francisco Plumbing Code (Ordinance Number 230-22)
- The Board of Supervisors made express findings, section-by-section, that each local amendment to the California Building Standards Code was reasonably necessary because of local conditions (generally related to topography, geology and climate).
- The findings are contained in Exhibit A to each of the 2022 Building Code
   Ordinances, and are on file with the Clerk of the Board in the respective Board files.

#### **EXHIBIT A**

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

- Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous micro zones, 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)
- Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)
- Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)
- 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)
- 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)
- 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)
- 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)
- 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)

#### Excerpt from the San Francisco Building Code Index of Findings:

# 2022 San Francisco Building Code Findings Including Building and Residential Standards

Chapter 1A

Section #	Finding #	Section #	Finding #	Section #	Finding #
101A	9	105A.1.1	9	106A.3.4	9
101A.1	9	105A.1.1.1	9	106A.3.4.1	9
101A.2	9	105A.1.1.2	9	106A.3.4.2	9
101A.3	9	105A.1.1.3	9	106A.3.5	9
101A.3.1	9	105A.1.1.4	9	106A.3.6	9
101A.4	9	105A.1.2	9	106A.3.7	9
101A.4.1	9	105A.1.3	9	106A.3.8	9
101A.4.2	9	105A.1.4	9	106A.3.8.1	9
101A.5	9	105A.1.5	9	106A.4	9
101A.6	9	105A.1.5.1	9	106A.4.1	9
101A.7	9	105A.1.5.2	9	106A.4.1.1	9
101A.7.1	9	105A.1.5.3	9	106A.4.1.2	9

# Background

- The CBSC discovered technical omissions in the index of findings associated with the 2022 Building Code Ordinances and requested correction to the respective files.
- This ordinance would make the technical corrections requested by the CBSC by updating the index of local findings incorporated by reference in each of the Building Code Ordinances.

 The ordinance makes no changes to the underlying Building Codes, only the indexes of findings.

# Recommended by Code Advisory Committee and Building Inspection Commission

On October 12, 2023, the Department of Building Inspection's Code Advisory Committee made a unanimous recommendation to the Building Inspection Commission to recommend approval of the ordinance to the Board of Supervisors.

On October 18, 2023, the Building Inspection Commission made a unanimous recommendation of approval of the ordinance to the Board of Supervisors.



# **THANK YOU**

# **2022 San Francisco Building Code Findings Including Building and Residential Standards**

Chapter 1A

Section #	Finding #	Section #	Finding #	Section #	Finding #
101A	9	105A.1.1	9	106A.3.4	9
101A.1	9	105A.1.1.1	9	106A.3.4.1	9
101A.2	9	105A.1.1.2	9	106A.3.4.2	9
101A.3	9	105A.1.1.3	9	106A.3.5	9
101A.3.1	9	105A.1.1.4	9	106A.3.6	9
101A.4	9	105A.1.2	9	106A.3.7	9
101A.4.1	9	105A.1.3	9	106A.3.8	9
101A.4.2	9	105A.1.4	9	106A.3.8.1	9
101A.5	9	105A.1.5	9	106A.4	9
101A.6	9	105A.1.5.1	9	106A.4.1	9
101A.7	9	105A.1.5.2	9	106A.4.1.1	9
101A.7.1	9	105A.1.5.3	9	106A.4.1.2	9
101A.7.2	9	105A.1.5.4	9	106A.4.1.2.1	9
101A.7.3	9	105A.1.6	9	106A.4.1.2.2	9
101A.8	Reserved	105A.1.7	9	106A.4.1.2.3	9
101A.9	Reserved	105A.1.8	9	106A.4.1.2.4	9
101A.10	Reserved	105A.1.9	9	106A.4.1.3	9
101A.11	Reserved	105A.1.10	9	106A.4.1.3.1	9
101A.12	Reserved	105A.1.11	9	106A.4.1.3.2	9
101A.13	Reserved	105A.1.12	9	106A.4.1.3.3	9
101A.14	Reserved	105A.2	9	106A.4.1.3.4	9
101A.15	Reserved	105A.2.1	9	106A.4.1.4	9
101A.16	Reserved	105A.2.2	9	106A.4.1.4.1	9
101A.17	Reserved	105A.2.3	9	106A.4.1.4.2	9
101A.18	Reserved	105A.2.4	9	106A.4.1.4.3	9
101A.19	Reserved	105A.2.5	9	106A.4.1.4.4	9
101A.20	9	105A.2.6	9	106A.4.1.4.5	9
101A.21	9	105A.2.7	9	106A.4.1.4.6	9
101A.21.1	9	105A.2.8	9	106A.4.2	9
101A.21.2	9	105A.2.8.1	9	106A.4.3	9
101A.21.3	9	105A.2.8.2	9	106A.4.4	9
102A	9	105A.2.8.3	9	106A.4.4.1	9
102A.1	9	105A.2.8.4	9	106A.4.4.2	9
102A.2	9	105A.2.8.5	9	106A.4.5	9

Section #	Finding #	Section #	Finding #	Section #	Finding #
102A.2.1	9	105A.2.8.6	9	106A.4.6	9
102A.2.2	9	105A.2.8.7	9	106A.4.7	9
102A.3	9	105A.2.8.8	9	106A.4.8	9
102A.3.1	9	105A.2.8.9	9	106A.4.9	9
102A.4	9	105A.2.9	9	106A.4.10	9
102A.5	9	105A.2.10	9	106A.4.11	9
102A.6	9	105A.3	9	106A.4.12	9
102A.7	9	105A.3.1	9	106A.4.13	9
102A.8	9	105A.3.2	9	107A.	9
102A.9	Reserved	105A.3.3	9	107A.1	9
102A.10	Reserved	105A.3.4	9	107A.1.2	9
102A.11	9	105A.3.4.1	9	107A.2	9
102A.11.1	9	105A.3.5	9	107A.3	9
102A.11.2	9	105A.3.6	9	107A.3.1	9
102A.11.3	9	105A.3.7	9	107A.3.2	9
102A.12	9	105A.3.8	9	107A.3.3	9
102A.13	9	105A.3.9	9	107A.3.4	9
102A.14	9	105A.3.10		107A.4	9
102A.15	9	105A.4	9	107A.5	9
102A.16	9	105A.4.1	9	107A.6	9
102A.16.1	9	105A.4.2	9	107A.6.1	9
102A.16.1.1	9	105A.4.3	9	107A.6.2	9
102A.16.1.1.1	9	105A.4.3.1	9	107A.7	9
102A.16.1.1.2	9	105A.4.4	9	107A.7.1	9
102A.16.1.1.3	9	105A.4.4.1	9	107A.7.2	9
102A.16.1.2	9	105A.4.4.2	9	107A.7.2A	9
102A.16.1.3	9	105A.4.4.3	9	107A.7.3	9
		105A.5	Reserved		
102A.16.1.4	9	105A.6	9	107A.8	9
102A.17	9	105A.6.1	9	107A.9	9
102A.18,	9	105A.6.2	9	107A.10	9
102A.18.1	9	4054.0.0		4074 44	
102A.18.2	9	105A.6.3	9	107A.11	9
102A.19	9	105A.7	9	107A.11.1	9
102A.19.1	9	105A.8	9	107A.11.2	9
102A.19.2	9	106A	9	107A.12	9
102A.19.3	9	106A.1	9	107A.13	9
102A.19.4	9	106A.1.1	9	107A.13.1	9
102A.19.5	9	106A.1.2	9	107A.13.2	9
102A.20	9	106A.1.3	9	107A.13.3	9
103A	9	106A.1.3.1	9	107A.13.3.1	9

Section #	Finding #	Section #	Finding #	Section #	Finding #
103A.1	9	106A.1.4	9	107A.13.3.1.1	9
103A.2	9	106A.1.4.1	9	107A.13.3.2	9
103A.2.1	9	106A.1.4.2	9	107A.13.4	9
103A.2.2	9	106A.1.5	9	107A.13.5	9
103A.3	9	106A.1.6	9	107A.13.6	9
103A.3.1	9	106A.1.6.1	9	107A.13.7	9
103A.3.2	9	106A.1.7	9	107A.13.8	9
103A.3.3	9	106A.1.8	9	107A.13.9	9
103A.3.4	9	106A.1.9	9	107A.13.9.1	9
103A.3.5	9	106A.1.9.1	9	107A.13.9.2	9
103A.4	9	106A.1.9.2	9	107A.13.10	9
103A.4.1	9	106A.1.9.3	9	107A.13.11	9
103A.4.2	9	106A.1.10	9	107A.13.12	9
103A.4.3	9	106A.1.10.1	9	107A.13.13	9
103A.4.4	9	106A.1.10.2	9	107A.13.14	9
103A.4.5	9	106A.1.10.3	9	107A.13.15	9
103A.4.5.1	9	106A.1.11	9	107A.14	9
103A.4.5.2	9	106A.1.12	9	107A.15	9
103A.4.5.3	9	106A.1.13	9	108A	9
103A.4.6	9	106A.1.14	9	108A.1	9
103A.4.7	9	106A.1.14.1	9	108A.2	9
103A.5	9	106A.1.14.2	9	108A.3	9
103A.5.1	9	106A.1.14.3	9	108A.3.1	9
103A.5.2	9	106A.1.14.4	9	108A.3.2	9
103A.5.3	9	106A.1.14.5	9	108A.4	9
103A.5.4	9	106A.1.15	9	108A.5	9
103A.5.5	9	106A.1.15.1	9	108A.5.1	9
103A.5.6	9	106A.1.15.2	9	108A.5.2	9
103A.5.7	9	106A.1.15.3	9	108A.5.3	9
103A.6	9	106A.1.15.4	9	108A.5.4	9
103A.6.1	9	106A.1.15.5	9	108A.5.5	9
103A.6.2	9	106A.1.15.6	9	108A.5.6	9
103A.6.3	9	106A.1.15.7	9	108A.5.7	9
103A.6.3.1	9	106A.1.15.8	9	108A.5.8	9
103A.6.3.2	9	106A.1.16	9	108A.5.9	9
103A.6.4	9	106A.1.16.1	9	108A.6	9
103A.6.4.1	9	106A.1.16.2	9	108A.7	9
103A.6.4.2	9	106A.1.16.3	9	108A.7.1	9
103A.6.5	9	106A.1.17	9	108A.8	9
104A	9	106A.1.17.1	9	109A	9

Section #	Finding #	Section #	Finding #	Section #	Finding #
104A.1	9	106A.1.17.2	9	109A.1	9
104A.2	9	106A.1.18	9	109A.2	9
104A.2.1	9	106A.2	9	109A.3	9
104A.2.2	9	106A.3.1	9	109A.4	9
104A.2.3	9	106A.3.1.1	9	109A.5	9
104A.2.4	9	106A.3.1.2	9	109A.6	9
104A.2.5	9	106A.3.1.3	9	109A.7	9
104A.2.6	9	106A.3.2	9	109A.8	9
104A.2.7	9	106A.3.2.1	9	110A.	9
104A.2.7.1	9	106A.3.2.2	9		
104A.2.8	9	106A.3.2.2.1	9		
104A.2.8.1	9	106A.3.2.2.2	9		
104A.2.8.2	9	106A.3.2.3	9		
104A.2.8.3	9	106A.3.2.4	9		
104A.2.9	9	106A.3.2.4.1	9		
104A.2.10	9	106A.3.2.4.2	9		
104A.2.11	9	106A.3.2.4.3	9		
104A.2.11.1	9	106A.3.2.4.4	9		
104A.2.11.1.1	9	106A.3.2.5	9		
104A.2.11.1.2	9	106A.3.2.5.1	9		
104A.2.11.2	9	106A.3.2.5.2	9		
104A.3	9	106A.3.2.5.3	9		
104A.3.1	9	106A.3.2.5.4	9		
104A.3.2	9	106A.3.2.6	9		
104A.4	9	106A.3.2.6.1	9		
104A.4.1	9	106A.3.2.6.2	9		
104A.4.2	9	106A.3.2.6.3	9		
104A.5	9	106A.3.2.6.4	9		
104A.6	9	106A.3.2.6.5	9		
104A.6.1	9	106A.3.2.6.6	9		
104A.6.2	9	106A.3.2.6.7	9		
104A.6.3	9	106A.3.2.6.8	9		
105A	9	106A.3.3	9		
105A.1	9				

#### **CHAPTER 2**

Section #	Finding #	Section #	Finding #	Section #	Finding #
202	9				

#### CHAPTER 3 NO S.F. AMENDMENTS

#### **CHAPTER 4**

Section #	Finding #	Section #	Finding #	Section #	Finding #
406.3.4	5	435.3.5	5	456.1	5

# CHAPTER 5 NO S.F. AMENDMENTS

#### CHAPTER 6 NO S.F. AMENDMENTS

#### **CHAPTER 7**

Section #	Finding #	Section #	Finding #	Section #	Finding #
707.1	5,9				

#### CHAPTER 7A NO S.F. AMENDMENTS

# CHAPTER 8 NO S.F. AMENDMENTS

#### **CHAPTER 9**

Section #	Finding #	Section #	Finding #	Section #	Finding #
901.4	1,2,5	905.3.4	1,2,5	907.2.11.2.7	2,5
903.2.8	2,5	907.2.9.1	2,5	912.7	2,5
Table	2,5	907.2.9.5	2,5		
903.2.11.6					

#### **CHAPTER 10**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1010.1.2	3	1011.12.3	3	1015.4	3
1011.5.5	3	1012.2	3	1016.2	3
1011.5.5.1	3	1013.1	3,5	1016.3	3
1011.12	3				

#### **CHAPTER 10A**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1001A.	9	1003A.6	5	1005A.5	5
1001A.1	9	1003A.7	5	1005A.6	5
1001A.2	9	1003A.8	5	1005A.7	5
1001A.3	9	1004A.	5	1005A.8	5
1002A.	9	1004A.1	5	1005A.8.1	5
1003A.	5	1004A.2	5	1005A.8.2	5
1003A.1	5	1004A.3	5	1005A.8.3	5
1003A.2	5	1004A.4	5	1005A.8.4	5
1003A.2.1	5	1005A.	5	1005A.8.5	5
1003A.2.2	5	1005A.1	5	1005A.8.6	5
1003A.3	5	1005A.2	5	1005A.8.7	5
1003A.4	5	1005A.3	5	1005A.8.8	5
1003A.5	5	1005A.4	5		
		1005A.4.1	5		

CHAPTER 11 [RESERVED]

CHAPTER 11A NO S.F. AMENDMENTS

CHAPTER 11B NO S.F. AMENDMENTS

CHAPTER 11C NO S.F. AMENDMENTS

#### **CHAPTER 11D**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1101D	6,9	1105D.1	6,9	1107D	6,9
1101D.1	6,9	1105D.2	6,9	1108D	6,9
1101D.2	6,9	1105D.2.1	6,9	1109D	6,9
1102D	6,9	1105D.3	6,9	1110D	6,9
1103D	6,9	1106D	6,9	1111D	6,9
1104D	6,9	1106D.1	6,9	1112D	6,9
1104D.1	6,9	1106D.1.1	6,9	1113D	6,9
1104D.2	6,9	1106D.2	6,9	1113D.1	6,9
1104D.3	6,9	1106D.3	6,9	1113D.2	6,9
1104D.4	6,9	1106D.4	6,9	1114D	6,9
1105D	6,9	1106D.5	6,9		

#### **CHAPTER 12**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1202.5	5	1206.7.1	4	1210.4	9
1202.6	5	1206.7.2	4	1210.4.1	9
1204.1	5	1206.7.3	4	1210.4.2	9
1204.2.2	5	1206.8	4	1210.4.3	9
1204.4	5	1206.9	4	1210.5	9
1206.6	9	1206.10	4		
1206.7	4	1208.4	4,9		

#### CHAPTER 13 NO S.F. AMENDMENTS

#### **CHAPTER 13A**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1301A	9	1307A.1	9	1312A.1	9
1302A	9	1308A	9	1312A.2	9
1303A	9	1308A.1	9	1313A	9
1304A	9	1309A	9	1313A.1	9
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
1306A.1.1	9				
1306A.2	9	1311A.3	9	1314A.2	9
1306A.2.1	9	1311A.4	9	1314A.3	9

1306A.2.2	9	1311A.4.1	9	1314A.4	9
1306A.3	9	1311A.4.2	9	1314A.5	9
1307A	9	1312A	9	1314A.6	9

#### **CHAPTER 13B**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1301B.	9	1303B.	9	1305B.	9
1302B.	9	1304B.	9		

#### CHAPTER 13C RESERVED

#### **CHAPTER 13D**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1301D	9	1305D.1	9	1307D	9
1302D	9	1305D.2	9	1308D	9
1303D	9	1306D	12	1309D	9
1304D	9	1306D.1	5,12,15	1310D	9
1305D	9	1306D.2	12	1311D	9

#### **CHAPTER 14**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1402.8	3,5,7				

#### **CHAPTER 15**

		•			
Section #	Finding #	Section #	Finding #	Section #	Finding #
1501.1	7	Table 1505.1	1,2,3,5	1511.2.2	5
1502.1	7	1507.8.5	1,2,3,5	1511.10	5
1505.1	1,2,3,5	1507.9.6	1,2,3,5		

#### **CHAPTER 16**

Section #	Finding #	Section #	Finding #	Section #	Finding #
1604.11	1,5	1607.20	1,5	1607.20.3	1,5

CHAPTER 16A NO S.F. AMENDMENTS

**CHAPTER 17** 

Section #	Finding #	Section #	Finding #	Section #	Finding #
1704.2	1,4,5	1705.5.8	1,4,5	1705.22	5
1705.1.1	1	1705.13.5	1, 4, 5	1705.23	5
1705.4.3	1,4,5	1705.21	1,4,5		

CHAPTER 17A NO S.F. AMENDMENTS

CHAPTER 18 NO S.F. AMENDMENTS

CHAPTER 18A NO S.F. AMENDMENTS

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 NO S.F. AMENDMENTS

CHAPTER 22 NO S.F. AMENDMENTS

CHAPTER 22A NO S.F. AMENDMENTS

**CHAPTER 23** 

Section #	Finding #	Section #	Finding #	Section #	Finding #
2304.12.1.5	8	2304.12.2.6.2	8	2304.12.2.3	8

#### **CHAPTER 24**

Section #	Finding #	Section #	Finding #	Section #	Finding #
2405.3	8				

#### CHAPTER 25 NO S.F. AMENDMENTS

#### **CHAPTER 26**

Section #	Finding #	Section #	Finding #	Section #	Finding #
2603.3	5	2603.4.1.5	5	2603.6	5

#### CHAPTER 27 NO S.F. AMENDMENTS

#### CHAPTER 28 NO S.F. AMENDMENTS

#### CHAPTER 29 NO S.F. AMENDMENTS

#### **CHAPTER 30**

Section #	Finding #	Section #	Finding #	Section #	Finding #
3010.1	9	3010.2	9		

#### **CHAPTER 31**

Section #	Finding #	Section #	Finding #	Section #	Finding #
3103.1.2	9	3107.3	4,6	3107.6.2	8
3107.1	9	3107.4	1,2,5,8	3107.7	9
3107.1.1	9	3107.5	1,2,5,8	3116	9
3107.1.2	9	3107.5.1	1,2,5,8	3116.1	9
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 NO S.F. AMENDMENTS

#### CHAPTER 31F NO S.F. AMENDMENTS

#### **CHAPTER 32**

Section #	Finding #	Section #	Finding #	Section #	Finding #
3201.4	7	3203.1	2,5	3203.2.3	2,4,5,6
3202.3.1	6,7	3203.2	2,4,5,6	3203.2.4	2,4,5,6
3202.3.2	2,4,6	3203.2.1	2,4,5,6	3203.2.5	2,4,5,6
3202.3.4	3,5	3203.2.2	2,4,5,6	3203.3	2,4,5,6

#### **CHAPTER 33**

Section #	Finding #	Section #	Finding #	Section #	Finding #
3302.4	5,6	3303.8	5,6	3306.12	5,6
3303.1.1	5,6	3304.1	9	3307.1	5,6
3303.1.2	5,6	3306.10	5,6	3311.2	5,6
3303.4	5,6	3306.11	5,6		

CHAPTER 34 NO S.F. AMENDMENTS

CHAPTER 34A NO S.F. AMENDMENTS

#### CHAPTER 35 NO S.F. AMENDMENTS

#### **CHAPTER 36**

(Index to California Residential Code Provisions)

· · · · · · · · · · · · · · · · · · ·	in a series of the series of t				
Section #	Finding #	Section #	Finding #	Section #	Finding #
CHAPTER 1	9	CHAPTER 5	1,2,3,4,5,7	CHAPTER 9	1,2,3,4,5,7
			,8,9,10,		,8,9,10
CHAPTER 2	9	CHAPTER 6	1,2,3,4,5,7	CHAPTER	1,2,3,4,5,7
			,8,9,10	10	,8,9,10
CHAPTER 3	1,2,3,4,5,7	CHAPTER 7	1,2,3,4,5,7	CHAPTER	9
	,8,9,10		,8,9,10	44	
CHAPTER 4	1,2,3,4,5,7	CHAPTER 8	1,2,3,4,5,7		
	,8,9,10		,8,9,10		

#### <u>APPENDIX C – No San Francisco Building Code Amendments</u>

Section #	Finding #
Appx C	<u>2,3</u>

#### <u>APPENDIX I – No San Francisco Building Code Amendments</u>

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

#### APPENDIX J

Section #	Finding #	Section #	Finding #	Section #	Finding #
J103	9	J104.3	1,4	J109	7
J103.2	9	J106	7	J109.5	7
J104	1,4	J106.1	7	J112	9

#### **APPENDIX P**

Section #	Finding #	Section #	Finding #	Section #	Finding #
P101.1	9	P111.3	2,3,5	P111.10	2,3,5
P103.2.1	2,3,5	P111.4	2,3,5	P111.11	2,3,5
P103.7	2,3,5	P111.5	2,3,5	P111.12	2,3,5
P110.2	3	P111.6	2,3,5	P111.13	2,3,5
P111	2,3,5	P111.7	2,3,5	P112	2,3,5
P111.1	2,3,5	P111.8	2,3,5	P112.1	2,3,5

Section #	Finding #	Section #	Finding #	Section #	Finding #
P111.2	2,3,5	P111.9	2,3,5		

### **2022 San Francisco Green Building Code Findings**

Section #	Finding #	Section #	Finding #	Section #	Finding #
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#### **CHAPTER 1**

Section #	Finding #	Section #	Finding#	Section #	Finding #
101.1	9	101.4	9	101.10	9
101.2	9	101.6.1	9	101.11	9
101.3	9	101.6.3	9		
101.3.1	9	101.7	9		

#### **CHAPTER 2**

Section #	Finding #	Section #	Finding #	Section #	Finding #
202	9				

#### **CHAPTER 3**

Section #	Finding #	Section #	Finding #	Section #	Finding #
301.1	9	302.1	9	303.1.1.1	9

#### **CHAPTER 4**

Section #	Finding #	Section #	Finding #	Section #	Finding #
4.101.1	9	4.103.3.2	4,5,17	4.106.4.1	12,14,15,16
4.103.1	9			4.106.4.1.1	12,14,15,16
4.103.1.1	5,7,11,12,13, 14,15,16,17	4.104.1	12,14,15	4.106.4.2.2.1.2	12,14,15,16
4.103.1.2	7,11	TABLE 4.104.A	12,14,15	4.106.4.2.2.1.3	12,14,15,16
4.103.2	9	4.104.2	9	4.106.4.2.3	12,14,15,16
4.103.2.1	5,7,11,12,13, 14,15,16,17	4.105	9	4.106.2.4	12,14,15,16
4.103.2.3	14,15	4.105.1	12,14,15	4.201	9
4.103.2.4	7,11	4.105.1.1	12,14,15	4.201.2	7,12,16
4.103.2.4.1	7,11	4.105.1.2	12,14,15	4.201.3	1,2,3,4,5,12
4.103.3	9	4.106	9		
4.103.3.1	5,7,11,12,13, 14,15,16,17	4.106.4 – Exception 1.2	12,14,15,16		

#### **CHAPTER 5**

Section #	Finding #	Section #	Finding #	Section #	Finding #
				Table	
5.101.1	9	5.103.1.9	5,8,14,15,16	5.104.A	12,14,15
5.103.1	9	5.103.1.10	9	5.104.2	9
	5, 7,11,12,13,				
5.103.1.1	14,15,16,17	5.103.3	9	5.105.1	12,14,15
			5,7,11,12,13,		
5.103.1.2	11,13,17	5.103.3.1	14,15,16,17	5.105.1.1	12,14,15
5.103.1.3	14,15	5.103.3.2	5,8,14,15,16	5.105.1.2	12,14,15
		<u>5.103.3.3</u>	<u>5,12,15,16</u>		
5.103.1.4	12	5.103.4	9	5.106.5.3	12,14,15,16
			5,7,11,12,13,		
5.103.1.6	7,11	5.103.4.1	14,15,16,17	5.201.1.1	3,5,12,16
5.103.1.7	9	5.103.4.2	5,8,14,15,16	5.201.1.2	3,5,7,12,13,17
5.103.1.8	5,8,14,15,16	5.104.1	12,14,15		

#### CHAPTER 6 NO S.F. AMENDMENTS

#### **CHAPTER 7**

Section	Finding	Section	Finding #	Section	Finding
#	#	#		#	#
701.1	9	702.3	5,7,11,12,13,14,15,16,17	703.1	9
702.2	9				

### **2022 San Francisco Mechanical Code Findings**

CHAPTER 1				
Section #	Finding #			
101.1	9			
103.1	9			
103.4	9			
103.5	9			
103.6	9			
104.2	9			
104.3	9			
104.4	9			
104.4.3	9			
104.5	9			
106.7	9			
106.8	9			
106.9	9			
107.0	9			

#### CHAPTERS 2, NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

CHAPTER 3		
Section # Finding #		
302.2.2		

# CHAPTERS 4 NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

CHAPTER 5		
Section # Finding #		
504.3	9	

# CHAPTERS 6, 7 NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

CHAPTER 8			
Section # Finding #			
802.2.6	9		
802.6.1	5		
802.8	5		

CHAPTER 9		
Section # Finding #		
925.1	5	

CHAPTER 10		
Section # Finding #		
1013.1	9	
1013.2	9	
1013.3	9	
1013.7	9	

#### CHAPTERS 11, 12, 13, 14, 15, 16, 17 NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

# APPENDICES B, C NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

<u>Appendix</u>	Finding #
<u>Appx B</u>	<u> </u>
Appx C	1,2,4,14

## **2022 San Francisco Plumbing Code Findings**

Section #	Finding #	Section #	Finding #
CHAPTER 1			
101.1	9	104.4.3	9
103.1	9	104.4.3.2	9
103.4	9	104.4.3.3	9
103.5	9	104.5	9
103.6	9	104.5.2	9
103.7	9	104.5.3	9
104.1	9	105.2.6	9
104.1.1	9	106.3	9
104.1.2	9	106.5	9
104.2	9	107.0	9
104.3	9	108.0	9
104.3.2	9	109.0	9
104.3.2.1	9	109.1	9
104.3.2.2	9	109.2	9
104.3.2.3	9	109.3	9
104.4	9	109.4	9

Section #	Finding #	Section #	Finding #
CHAPTER 2		CHAPTER 3	
201.1	9	313.9	1
204.0	9	313.9.1	1
208.0	9	313.9.2	1
216.0	9		
218.0	9		
221.0	9		
CHA	APTER 4	CHAP <sup>-</sup>	TER 5
405.4	7,10	504.1	4, 9
415.2.1	13		
CHAPTER 6		CHAPTER 7	
603.1	4	701.2(2)(a)	5,10
603.2	9	701.2(3)	1
603.5.6.4	9	701.2(7)	5
603.5.12	7	706.4	5,7
603.5.22	7	710.1.1	5,7
604.1	5		
606.2	4		
606.3	4		
606.3.1	4, 9	CHAPTER 8 No San Francisco Amendments	
606.5	4	CHAPTER 9	
<u>606.11</u>	<u>4, 5, 7, 11</u>	901.1	5,7

		907.1	2,4,14,16
609.11.2	4	907.3	2,4,14,16
609.11.3	4,9	911.0	4,14,16

Section #	Finding #	Section #	Finding #
CH	CHAPTER 10		
1001.3	4,7		
1008.1	4,7		
1016.3.1	4,7		
CHAPTER 11		CHAPTER 12	
1101.2.1	12,13,15	1208.5.1 1208.5.1.1	16
1101.2.2	12,13,15	CHAPTER 13 No San Francisco Amendments	
1101.2.3	12,13,15	CHAPTER 14 No San Francisco Amendments	
CHA	CHAPTER 15		PTER 16 & 16A
No San Fra	ncisco Amendments	No San Francisco Amendments	
CHAPTE	CHAPTER 17		\ - N
No San Fra	ncisco Amendments	ents No San Francisco Amendments	

<u>Appendices</u>			
Section #	<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>		
Appx E	<u>7,8,15,17</u>		
Appx F	<u>2,5,</u>		
Appx G	<u>2,4,5</u>		
Appx H	<u>6,7,8.10</u>		
Appx I	6,7,8,10		
Appx J	3,4,5,14		
Appx K	<i>13, 14,15, 17</i>		
<u>Appx L</u>	<u>13,14,15,17</u>		
Appx M	<i>13, 14, 15, 17</i>		
<u>Appx N</u>	<u>13,14,15,17</u>		

#### City and County of San Francisco Department of Building Inspection



London N. Breed, Mayor Patrick O'Riordan, C.B.O., Director

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:

- 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 <a href="mailto:carl.nicita@sfgov.org">carl.nicita@sfgov.org</a> or (628) 652-3536.

Sincerely,

/s/

Carl Nicita
Legislative Affairs Manager
Department of Building Inspection



#### **BUILDING INSPECTION COMMISSION (BIC)**

Department of Building Inspection Voice (628) 652 -3510 49 South Van Ness Avenue, 5<sup>th</sup> Floor San Francisco, California 94103

October 26, 2023

London N. Breed Mayor

COMMISSION

Alysabeth Alexander-Tut Interim President

Evita Chavez Bianca Neumann Earl Shaddix Angie Sommer Kavin Williams

Sonya Harris Secretary

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
Commissioner Chavez
Commissioner Neumann
Commissioner Shaddix
Commissioner Sommer
Commissioner Williams
Yes
Yes

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

Sincerely,

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 Transpo	ortation Com	mittee	
	Subject:	Board of Supervisors Legislation Referral - File No. Building, Green Building, Mechanical, and Plumbing Supporting Enactment of 2022 Codes		nending Findings	
$\boxtimes$	(Californ	nia Environmental Quality Act (CEQA) Determination nia Public Resources Code, Sections 21000 et seq.) Ordinance / Resolution	<sup>11</sup> Sections 15 would not re	as a project under CEQA Guidelines 378 and 15060(c)(2) because it esult in a direct or indirect physical ne environment.	
		Ballot Measure	12/7/2023	of Vancoural	
	(Planning	ment to the Planning Code, including the following Fig Code, Section 302(b): 90 days for Planning Commission revenueral Plan    Planning Code, Section 101.1 P	iew)	, Section 302	
		ment to the Administrative Code, involving Land Use Rule 3.23: 30 days for possible Planning Department review)	/Planning		
	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.)				
		C Preservation Commission  Landmark (Planning Code, Section 1004.3)  Cultural Districts (Charter, Section 4.135 & Board Rule of Mills Act Contract (Government Code, Section 50280)  Designation for Significant/Contributory Buildings (1	,	Article 11)	

Please send the Planning Department/Commission recommendation/determination to John Carroll at <a href="mailto:john.carroll@sfgov.org">john.carroll@sfgov.org</a>.