



SAN FRANCISCO PLANNING DEPARTMENT

February 11, 2015

Honorable Mayor Edwin M. Lee
Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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**Re: Transmittal of Planning Department Case Number 2015-000717GEN
Amendments Relating to Building Code – Building Façade Inspection and
Maintenance
Board File No. 141118
Historic Preservation Commission Action: Review and comment**

Dear Mayor Lee and Ms. Calvillo,

On February 4, 2015, the Historic Preservation Commission conducted a public hearing at regularly scheduled meeting to consider the proposed Ordinance, introduced by Mayor Lee, which would amend Building Code Chapter 16 to require façade inspections and maintenance for buildings of five or more stories. The Commission voted unanimously to provide the following recommendations and comments to the Board of Supervisors regarding the proposed Ordinance.

The Historic Preservation Commission's comments:

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission recommends:

The Historic Preservation Commission supports the overall goal of this Ordinance because it has the potential to protect and maintain historic fabric as well as public health and safety. Requiring façade inspections will also provide baseline condition information that will be useful during review of any future exterior rehabilitation projects for historic buildings.

The Commission has concerns regarding the details of the Ordinance as it pertains to historic buildings, particularly those properties designated pursuant to Articles 10 and 11 of the Planning Code. To address these concerns, the Commission recommends:

Recommendation 1: Amend Section 1602E – Definitions. The Commission recommends amending this section to include a definition for "historic resources" for the purposes of this Chapter. The Commission recommends the following definition be added to this section:

Historic Resource. All buildings designated pursuant to Articles 10 and 11 of the Planning Code as well as all buildings listed on, or determined eligible for listing on, the California Register of Historical Resources or the National Register of Historic Places.

Recommendation 2: Amend Section 1604E. The Commission recommends amending this section to include specific provisions for historic resources. Specifically, the Commission recommends that the Ordinance provide, at minimum, the following provisions:

- a. Require that inspections and maintenance recommendations be prepared by professionals with qualifications specific to structural inspection and maintenance of historic resources.
- b. Require that inspection methods for historic resources utilize the least intrusive or invasive means possible.
- c. Refer to the California Historical Building Code or best practices within the field of historic preservation for façade inspection and maintenance.
- d. Specify that any proposed façade maintenance work stemming from required inspections will be done in conformance with *The Secretary of the Interior's Standards for the Treatment of Historic Buildings*.
- e. Specify that any proposed façade maintenance work for properties designated pursuant to Articles 10 and 11 of the Planning Code shall be referred to Planning Preservation staff for review.

Recommendation 3: Amend Section 1604E.1. The Commission recommends amending this section of the Ordinance to indicate that the Historic Preservation Commission and Planning Department will be involved in preparation of the Administrative Bulletin.

The proposed Ordinance was determined not to be a project per State CEQA Guidelines, Section 15060(c) and 15378.

Please find the attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

M. Pilar LaValley
Preservation Planner, Planning Department

cc:

Andrea Ausberry, Land Use Committee Clerk
Nicole A. Elliott, Legislative Director, Office of Mayor Edwin M. Lee
Judith A. Boyajian, Deputy City Attorney
Aaron D. Starr, Manager of Legislative Affairs, Planning Department

Attachments

Historic Preservation Commission Resolution 744
Historic Preservation Commission Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 744

HEARING DATE FEBRUARY 4, 2015

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Project Name: **Amendments relating to the Building Code – Building Façade Inspection and Maintenance**

Case Number: **2015-000717GEN [Board File No. 141118]**

Initiated by: **Mayor Lee / Introduced October 28, 2014**

Staff Contact: **Pilar LaValley, Preservation
pilar.lavalley@sfgov.org, 415-575-9084**

Reviewed by: **Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Tim Frye, Preservation Coordinator
tim.frye@sfgov.org, 415-575-6822**

Recommendation: **Review and comment**

PROVIDING REVIEW AND COMMENT TO THE BOARD OF SUPERVISORS ON A PROPOSED ORDINANCE THAT WOULD AMEND CHAPTER 16 OF THE BUILDING CODE TO REQUIRE THAT: 1) THE FAÇADES OF CERTAIN BUILDINGS HAVING FIVE OR MORE STORIES BE INSPECTED PERIODICALLY BY A QUALIFIED LICENSED ARCHITECT OR ENGINEER; 2) INSPECTION REPORTS BE SUBMITTED TO THE OWNER AND THE DEPARTMENT OF BUILDING INSPECTION ACCORDING TO AN INSPECTION AND REPORTING SCHEDULE; 3) MAINTENANCE OF THE FAÇADES BE CONDUCTED IN ACCORDANCE WITH AN ADMINISTRATIVE BULLETIN THAT IS BASED ON A NATIONAL STANDARD; 4) ESTABLISHING A FEE TO COMPENSATE FOR REVIEW AND RELATED EVALUATION PROCESSING.

WHEREAS, on October 28, 2014 Mayor Lee introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 141118, which would amend Chapter 16 of the Building Code to require inspection, reporting, and maintenance of building façades for Class I, II, III, or IV buildings that are five or more stories;

WHEREAS, The Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on February 4, 2015; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(c) and 15378; and

WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Historic Preservation Commission has reviewed the proposed Ordinance; and

MOVED, that the Historic Preservation Commission hereby provides the following comments to the Board of Supervisors on the proposed ordinance.

COMMENTS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission recommends:

The Historic Preservation Commission supports the overall goal of this Ordinance because it has the potential to protect and maintain historic fabric as well as public health and safety. Requiring façade inspections will also provide baseline condition information that will be useful during review of any future exterior rehabilitation projects for historic buildings.

The Commission has concerns regarding the details of the Ordinance as it pertains to historic buildings, particularly those properties designated pursuant to Articles 10 and 11 of the Planning Code. To address these concerns, the Commission recommends:

Recommendation 1: Amend Section 1602E – Definitions. The Commission recommends amending this section to include a definition for “historic resources” for the purposes of this Chapter. The Commission recommends the following definition be added to this section:

Historic Resource. All buildings designated pursuant to Articles 10 and 11 of the Planning Code as well as all buildings listed on, or determined eligible for listing on, the California Register of Historical Resources or the National Register of Historic Places.

Recommendation 2: Amend Section 1604E. The Commission recommends amending this section to include specific provisions for historic resources. Specifically, the Commission recommends that the Ordinance provide, at minimum, the following provisions:

- a. Require that inspections and maintenance recommendations be prepared by professionals with qualifications specific to structural inspection and maintenance of historic resources.
- b. Require that inspection methods for historic resources utilize the least intrusive or invasive means possible.
- c. Refer to the California Historical Building Code or best practices within the field of historic preservation for façade inspection and maintenance.
- d. Specify that any proposed façade maintenance work stemming from required inspections will be done in conformance with *The Secretary of the Interior’s Standards for the Treatment of Historic Buildings*.

- e. Specify that any proposed façade maintenance work for properties designated pursuant to Articles 10 and 11 of the Planning Code shall be referred to Planning Preservation staff for review.

Recommendation 3: Amend Section 1604E.1. The Commission recommends amending this section of the Ordinance to indicate that the Historic Preservation Commission and Planning Department will be involved in preparation of the Administrative Bulletin.

NOW THEREFORE BE IT RESOLVED that the Commission hereby provides comments to the Board on the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 4, 2015

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Hasz, Hyland, Johnck, Johns, Matsuda, Pearlman, and Wolfram

NOES: None

ABSENT: None

ADOPTED: February 4, 2015



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Building Code Amendment

HEARING DATE: FEBRUARY 4, 2015

Project Name: **Amendments relating to the Building Code – Building Façade Inspection and Maintenance**

Case Number: **2015-000717GEN [Board File No. 141118]**

Initiated by: **Mayor Lee / Introduced October 28, 2014**

Staff Contact: **Pilar LaValley, Preservation
pilar.lavalley@sfgov.org, 415-575-9084**

Reviewed by: **Aaron Starr, Manager of Legislative Affairs
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Recommendation: **Review and comment**

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BUILDING CODE AMENDMENT

The proposed ordinance would amend the Building Code to require: 1) the façades of certain buildings having five or more stories be inspected periodically by a qualified licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; and 5) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

The Way It Is Now:

The Building Code establishes minimum requirements for, among other things, the construction, alteration, repair, and maintenance of buildings and structures. Chapters 16 and 16A regulate structural design. Over the years, San Francisco has added to Chapter 16 of the California Building Code three additional chapters to implement local programs that reduce earthquake hazards for existing buildings:

- (1) Chapter 16B - Earthquake Hazard Reduction in Unreinforced Masonry Bearing Wall Buildings;
- (2) Chapter 16C - Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings; and,
- (3) Chapter 16D - Parapets and Appendages – Retroactive Provisions.

The California Health and Safety Code authorize each municipality to assess the earthquake hazard in its jurisdiction and identify buildings that may be potentially hazardous to life in the event of the earthquake. There is currently no requirement in Building Code Chapter 16 for regular façade inspections and maintenance.

The Way It Would Be:

The proposed Ordinance adds Chapter 16E to the Building Code to require initial inspections, periodic inspections, maintenance, and repair of the façades of buildings¹ that are five or more stories. The requirements of this Ordinance are retroactive and shall apply to buildings erected prior to the Ordinance.

ISSUES AND CONSIDERATIONS

Definition of Façade

Under the proposed Ordinance, the façade includes all areas on the exterior of the building except for horizontal roof areas. Specifically, the façade is defined as: all exterior walls, windows, balconies, cornices, parapets, and appurtenances as well as penthouse walls, chimneys, and so forth. It also includes interior walls and appurtenances where such area has been converted from exterior areas by enclosing the area under a roof, skylight, or other covering. The Ordinance also cites the list of additional exterior building elements provided in ASTM² E2270 (Standard Practices for Periodic Inspection of Building Façades for Unsafe Conditions) and includes these additional façade elements in the list of items to be inspected. The ASTM E2270 list of additional façade elements to be inspected is:

- (1) attached equipment such as communications equipment, pipes and ductwork,
- (2) decorative elements such as urns, friezes, balustrades, and attached artwork,
- (3) signs,
- (4) fire escapes,
- (5) flagpoles,
- (6) vertical extensions such as vents,
- (7) lights and other fixtures,
- (8) hanging air conditioners and other devices, and
- (9) other elements that could pose a safety hazard if dislodged.

Façade Inspection Schedule

Each building within the scope of this Ordinance shall be subject to an initial façade inspection with submittal of the first such reports, for buildings constructed prior to 1920, due by December 31, 2018. The complete Initial Inspection Schedule is contained in Table 1603E of the Ordinance. Buildings constructed after January 2, 2002 are exempt from the requirement for an initial inspection. Buildings for which a comprehensive façade inspection and maintenance, restoration, or replacement has been performed in the past 10 years may apply for a waiver from the initial inspection requirement. Notwithstanding the initial inspection schedule, property owners shall be required to provide an inspection report within 30 days of any façade elements exhibiting significant damage or failure due to passage of time or due to an earthquake or other event.

¹ The Ordinance will apply to buildings that are Construction Types I, II, III, and V. These construction types identify building construction by combustibility, or fire-rating, with Type I as least combustible and Type V as most combustible.

² American Society for Testing and Materials (ASTM) (ASTM International) develops and publishes technical standards.

Administrative Bulletin

According to the Ordinance, façade inspections and maintenance shall be conducted in accordance with procedures to be detailed in an Administrative Bulletin adopted by the Department of Building Inspection. The Administrative Bulletin will utilize ASTM E2770 (Standard Practices for Periodic Inspection of Building Façades for Unsafe Conditions) as a guide to standard inspection processes. Qualifications of the architect or engineer and other inspection details shall be as defined in ASTM E2270 and ASTM E2841 (Standard Guide for Conducting Inspections of Façades for Unsafe Conditions).

The Department is concerned that this Ordinance does not make any provision for buildings designated pursuant to Articles 10 and 11 of the Planning Code; therefore, The Department would like to ensure that the Administrative Bulletin include provisions to address Article 10 and 11 designated buildings. These may include: appropriate professional qualifications for personnel preparing the inspection reports and maintenance recommendations, inspection methods that use the least intrusive or invasive means possible, application of the California Historic Building Code or Historic Best Practices, and/or referral of projects to Planning Preservation staff for review.

The Department would also recommend that the Administrative Bulletin, which will guide façade maintenance, be reviewed and approved by both the Historic Preservation and Building Inspection Commissions.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may review and comment on legislation pending with the Board of Supervisors that may affect historic resources.

COMMENTS

The Department recommends the following comments for the Commission to consider when reviewing the proposed Ordinance and for the Commission to adopt the attached Draft Resolution relaying these comments to the Board. The Department's proposed recommendations are as follows:

1. Modify the Ordinance to provide specific provisions regarding buildings designated pursuant to Articles 10 and 11 of the Planning Code. To provide adequate provisions for these historic properties, the Department recommends that the Ordinance include:
 - a. Require professional qualifications specific to structural inspection and maintenance of historic buildings.
 - b. Require that inspection methods for historic buildings utilize the least intrusive or invasive means possible.
 - c. Refer to the California Historical Building Code or best practices within the field of historic preservation.
 - d. Specify that proposed maintenance work stemming from required inspections will be referred to Planning Preservation for review.
2. Modify the Ordinance to allow for Historic Preservation Commission and/or Planning Preservation staff review and comment in the development of the Administrative Bulletin.

BASIS FOR RECOMMENDATION

The Department supports the overall goals of this Ordinance because it has the potential to protect and maintain historic fabric as well as public health and safety. Requiring façade inspections will provide baseline condition information that will be useful during the Department's review of any future exterior rehabilitation projects.

As noted above, the Department has concerns regarding the details of the Ordinance as it pertains to historic buildings, particularly those properties designated pursuant to Articles 10 and 11 of the Planning Code. To address these concerns, the Department recommends the following:

Recommendation 1: Amend Section 1604E. Staff recommends amending this section to include specific provisions for buildings designated pursuant to Articles 10 and 11 of the Planning Code. Specifically, staff recommends that the Ordinance provide the following for such buildings:

- a. Require professional qualifications specific to structural inspection and maintenance of historic buildings.
- b. Require that inspection methods for historic buildings utilize the least intrusive or invasive means possible.
- c. Refer to the California Historical Building Code or best practices within the field of historic preservation in addition to the standards outlined in ASTM E2270 and E2841.
- d. Specify that any proposed maintenance work stemming from required inspections will be referred to Planning Preservation for review.

Recommendation 2: Amend the Ordinance to provide additional information regarding the proposed Administrative Bulletin and to include the Historic Preservation Commission and/or Preservation Planning staff in the development of said Bulletin.

ENVIRONMENTAL REVIEW

The proposed Ordinance would result in no physical impact on the environment. The proposed amendments are exempt from environmental review under Sections 15060(c)(2) and 15378 of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

RECOMMENDATION:	Review and comment
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Attachments:

Exhibit A: Draft Historic Preservation Commission Resolution

Exhibit B: Board of Supervisors File No. 141118