

## LEGISLATIVE DIGEST

[Building Code - Slope Protection Act]

**Ordinance amending the Building Code to revise the City's Slope Protection Act by clarifying the scope of its application to properties exceeding an average slope of 25% grade, updating the map references, mandating review by the Department of Building Inspection's Structural Advisory Committee, and re-enacting and modifying a paragraph in the scope section regarding the type of proposed construction that triggers application of the Act which was omitted inadvertently in the adoption of the 2016 Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.**

### Existing Law

Building Code Section 106A.4.1.4 establishes the Slope Protection Act (the "Act"). The Act applies to all properties in San Francisco that are within areas of "Earthquake-Induced Landslide" in the Seismic Hazard Zone Map released by the California Department of Conservation, Division of Mines and Geology or are within "Landslide Hazard Areas" in what is known as the Blume Map, but that are not subject to either the Edgehill Mountain Slope Protection Area or the Northwest Mt. Sutro Slope Protection Area.

Permit applications for new construction and other specified construction work on properties subject to the Act receive heightened review, which requires: (1) mandatory submittal of reports prepared and signed by both a licensed geologist and a licensed geotechnical engineer, (2) a review and written report by a Structural Advisory Committee convened at the discretion of the Building Official, and (3) if a Structural Advisory Committee is convened, a written communication from representatives of the Departments of Planning, Public Works, and Fire each of whom has visited the site. If the Building Official requests review by the Structural Advisory Committee and the Committee determines that there is a reasonable likelihood the proposed design and construction would result in unsafe conditions or would increase the likelihood of hillside instability, and the unsafe conditions or instability cannot be mitigated to the Committee's satisfaction, the Building Official must deny the permit.

### Amendments to Current Law

The following amendments have been made to the existing law:

- The Act has been renamed to more accurately describe its purpose.
- The now outdated Blume Map has been deleted and the language "exceeds an average slope of 25% grade" is added to describe more clearly the properties that are

within the area of the California Department of Conservation, Division of Mines and Geology Map.

- A paragraph has been added to the Scope section specifying the type of construction work that will be subject to heightened review; this paragraph was inadvertently deleted from the Act in the 2016 repeal and re-enactment of the Building Code and is modified in this ordinance.
- Review by the Structural Advisory Committee will be mandatory rather than at the discretion of the Building Official.
- Consultation with and written communication from representatives of the Departments of Planning, Public Works, and Fire who have visited the site will be mandatory.

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