



DRAFT MINUTES

Regular Meeting of the CODE ADVISORY COMMITTEE

DATE: August 9, 2023 (Wednesday)
TIME: 9:30 a.m. to 11:00 a.m.
LOCATION: 49 South Van Ness Ave, 5th Floor, Room 0578

Note: Public comment is welcome and will be heard during each agenda item. Reference documents relating to agenda are available for review at the 49 South Van Ness Ave, 2nd Floor, TSD Counter. For information, please email ken.hu@sfgov.org.

Present

Ned Fennie, A.I.A, Chair
Stephen Harris, S.E., Vice-Chair
Arnie Lerner, FAIA, CASp
Don Libbey, P.E.
Tony Sanchez-Corea
Rene' Vignos, S.E.
Paul Staley
Ira Dorter
Zachary Nathan, AIA, CASp
Gina Centoni
Henry Karnilowicz
Deepak Patankar, AIA, LEED AP
Brian Salyers

Excused

Marc Cunningham
Jim Reed
Jonathan Rodriguez
John Tostanoski

Absent

Others Present

Thomas Fessler, DBI
Kelly Broth, BOS
Ken Hu, DBI
Steve, Public

Christine Gasparac, DBI
Carl Nicita, DBI
Willy Yau, DBI

Mathew Armour, DBI
Lorenzo Rosas, BOS
Jim Heron, Public

1.0 The meeting was called to order. Roll call found a quorum of committee members were present.

2.0 Approval of the minutes of the Code Advisory Committee regular meeting of July 12, 2023.

- Item 5.0 revised as follow:

There was a suggestion that we have a policy of the letter sent to the Building Inspection Commission regarding CAC recommendations would be cc'd to all CAC members.

- A motion was made to approve the minutes amended as above.
- Seconded and approved.

3.0 Discussion and possible action regarding proposed ordinance amending the Electrical Code to require electrical and communications work installations be performed by contractors with specific certifications under the California Labor Code. (File No. 230703)

The possible action would be to make a recommendation to the Building Inspection Commission (BIC) for their further action.

Discussion:

- Kelly Groth from Supervisor Chan's office emphasized the request to continue discussing the proposed changes at a future Code Advisory Committee meeting. The changes aim to ensure a safe and efficient transition from gas to electricity in new buildings. An Administrative Bulletin is proposed to reflect these amendments and gather public feedback, leveraging the committee's expertise. Supervisor Chan plans to introduce revised legislation based on this AB, subject to approval, with hopes of adoption in the near future.
- The decision to postpone further discussion is driven by the desire to gather more feedback and address concerns from stakeholders, such as IBEW, Local 6 and contractors. The administrative bulletin allows for expert input and public feedback. This delay ensures that the proposed changes align better with the needs of all involved parties.
- There were concern about the proposed legislation referencing state law without specifying licensing exceptions, prompting the consideration of an administrative bulletin to provide clarity on these exceptions.
- There was a question about the sudden need for certification. It was clarified that the current practice allows DBI to issue electrical permits, with the proposed changes aiming to define the class of license required for various types of work.
- The complexity of low voltage work, particularly in cases like alarm systems and LED lighting, was discussed, reflecting the need for consistent regulations and clear guidelines in this domain.
- It was noted that administrative bulletins can contain commentary and provide clarity without needing approval from the Board of Supervisors, making them potentially more agile for managing certain processes.
- The committee also expressed appreciation to Supervisor Chan's office for addressing this long-standing issue and hoped for a simpler and faster process for obtaining permits.
- CAC member Don Libbey disclosed working for a company affiliated with unions and mentioned that these changes could potentially push work towards union and electrical contractors, which may impact construction costs in San Francisco.
- There was a concern that enforcing the certification aspect could be challenging, especially for low voltage work.
- The discussion also delved into the complexities of distinguishing between line voltage and low voltage work and the importance of qualified individuals performing line voltage tasks for safety reasons. Concerns were raised about low voltage work being seen as inconvenient rather than a safety issue. The need for clarification and consideration of

exceptions for low voltage components was suggested, and it was noted that further input from experts, like Jim Reed, was needed to assess the implications comprehensively.

Public Comment: No public comment.

Action:

- A motion was made to refer the item back to the MEP & Fire Subcommittee to gather their input.
- Seconded and approved.

4.0 Discussion and possible action regarding proposed code changes amending San Francisco Housing Code Section 713 – ELEVATORS to remove the 50-foot height exemption for existing elevators in privately-owned residential buildings.

The possible action would be to make a recommendation to the Building Inspection Commission (BIC) for their further action.

Discussion:

- Jim Heron, a member of the public and an architect with 45 years of experience in San Francisco, expressed his gratitude for the opportunity to address the CAC committee regarding proposed changes to the housing code, specifically section 713 concerning existing elevators in R1 and R2 buildings. Jim highlighted the proposed change, which seeks to remove the height exemption from section 713, emphasizing the need to prevent situations like the one he personally experienced. Jim explained that elevator codes appear to have been structured at a time when elevators were considered a luxury and that elevator permitting is handled by state departments with a broader focus, not fully addressing accessibility. He noted potential pushback on this issue but emphasized the importance of holding existing elevator buildings to a responsibility of providing accessibility for residents to live independently in their neighborhoods. Jim expressed his belief that the purpose of the committee's work is to enhance the quality of life for city residents, and he concluded by thanking the committee for the opportunity to address the issue.
- Both the Housing and the AGD & DA Subcommittee had discussions regarding this agenda item. The AGD & DA Subcommittee had made a recommendation to present the proposed changes to the full committee.
- There was mention of a draft amendment being considered, but questions were raised about how the proposed wording aligns with the fire code's requirements for elevators' maintenance. There was also some discussion about the scope of the fire code's requirements, particularly regarding buildings with two or more elevators.
- The discussion continued with a focus on the requirements outlined in the fire code related to elevator maintenance. The discussion also touched on the practical implications of maintaining elevators for the fire department's use, particularly when there are multiple elevators in a building.
- A reference was made to another code section in San Francisco Building Code Chapter 30 that addresses elevator requirements for the fire department, potentially offering more comprehensive guidelines. The conversation highlighted the need for clarity in the code regarding elevator maintenance requirements.
- The discussion delved into specific examples of older buildings with outdated elevators that couldn't be repaired and were subsequently locked off. It was noted that these buildings were less than 50 feet tall. The origin and rationale behind the 50 foot height exemption in the housing code remained unclear. Members questioned how widespread this issue was in the city and how many buildings might be affected. Additionally, it was highlighted that elevators were used for purposes beyond transporting people, such as

moving firefighting equipment, which underscored the importance of maintaining elevators for immediate use by the fire department.

- There was a discussion about the challenges of maintaining older elevators, especially antique ones, which can be difficult due to the scarcity of replacement parts. The challenges of sourcing replacement parts for antique elevators were also highlighted, underscoring the practical difficulties of maintaining them.
- There was a discussion regarding the practical challenges of elevator maintenance, particularly when elevators are out of service for extended periods. Concerns were raised about the impact on residents who rely on elevators for accessibility and the potential financial hardships they may face if elevators are not operational.
- The Committee emphasized the need for the department to consider how to address such situations, including the possibility of providing financial assistance or exceptions in cases of hardship. Additionally, the conversation highlighted the complexities of maintaining older elevators and the difficulty of sourcing replacement parts.
- The idea of setting a specific time limit for repairs was discussed, with an emphasis on the need for a good faith effort by building owners to address maintenance issues promptly. The importance of obtaining permits and demonstrating progress in elevator repair efforts was also mentioned.
- The point was raised that some older elevators in buildings may not have been in operation for many years due to lack of maintenance or functionality. The conversation then considered the potential burden on landlords who acquire buildings with non-functional elevators that have not been maintained for an extended period.
- The proposal being discussed primarily pertained to residential buildings, not commercial ones. Members emphasized that residential buildings with elevators are essential for accessibility, particularly for individuals with disabilities. The importance of addressing this issue to prevent similar situations from occurring in the future was highlighted, even if it might not directly benefit the current situation.

Public Comment: No public comment.

Action:

- A motion was made to add a new San Francisco Housing Code Section 713.1, which states that in all R1 and R2 occupancies with existing elevators, regardless of building height, shall maintain at least one operable elevator for residential occupant use.
- The motion was seconded and approved unanimously, with no opposition.

5.0 Discussion on new IEBC chapters adopted by State.

Discussion:

- The Building Standards Commission has approved new chapters for the IEBC. These chapters cover various aspects of renovations and changes in occupancy for existing buildings.
- The new chapters include Chapter 5 (Prescriptive Method of Modifying), Chapter 7 (Alterations Level 1), Chapter 8 (Alterations Level 2), Chapter 9 (Alterations Level 3), Chapter 10 (Change of Occupancy), Chapter 11 (Addition), and Chapter 13 (Performance Method for Accomplishment).
- Chapter 13 introduces a performance-based approach for demonstrating code compliance, allowing flexibility in meeting code requirements through performance demonstration rather than strict prescriptive measures.

- Professional organizations like the AIA and CALBO are planning to provide training sessions on these new chapters to help code professionals and practitioners understand and apply these changes effectively.
- The new chapters are set to go into effect on July 1st, 2024.
- These new chapters align with efforts to encourage adaptive reuse of vacant or underutilized buildings, especially office spaces, by providing more flexible code options.
- When evaluating designs and alterations, DBI may refer to other codes, even if they are not adopted locally, to gain insights and ideas for code compliance.
- Chapter 5 of the International Existing Building Code (IEBC) has already been partially adopted, but further adoption of specific sections is being considered. The discussion touched on the complexities that can arise when only certain sections of a chapter are adopted, leading to questions about which provisions apply.
- Regarding Chapter 13, it was noted that while it has been printed and made available, it is not fully adopted by the state. San Francisco would need to decide whether to adopt Chapter 13 and, if so, make the necessary amendments to incorporate it into the local building code.
- Chapter 13 of the IEBC appears to use tables and a numbering system to provide a performance-based approach to code compliance. It allows for different options based on various factors, such as the presence of sprinklers or other building features, to achieve an equivalent level of code compliance. This approach aims to offer flexibility while maintaining a quantitative basis for assessment.
- There was a discussion regarding provisions in Level 3 alterations of the International Existing Building Code (IEBC) that address seismic upgrades based on the extent of structural alterations made during the renovation. A concern is raised about potential inconsistencies with local triggers, such as San Francisco's "structural trigger" based on 30 percent of the floor area. The impact of these triggers and whether the new provisions make more buildings eligible for seismic upgrades is being considered.
- There was a conversation underscores the complexities involved in seismic retrofitting and aligning local building code triggers with state-level provisions. Seismic safety remains a critical consideration, especially in regions prone to earthquakes like San Francisco.
- The committee members expressed the need to access the updated provisions electronically and requested that DBI shares them with the committee.
- There was a question about the timeline for making amendments to these new provisions. Typically, code amendments are made within a six-month window during regular triennial code cycle. The committee was interested in determining whether the same timeframe applies to these interim code cycle changes.

Public Comment: No public comment.

6.0 Update on Accessible Business Entrance (ABE) program.

- DBI Technical Services Supervisor Thomas Fessler gave an update on the progress of an ongoing outreach program to property owners regarding.
- There was a discussion regarding various categories of property owners and their compliance status, including those who have fully complied, those who need permits, those who are exempt, and those who have submitted waiver forms.
- There was a mention about the challenges faced by small business owners in meeting accessibility requirements and how this program has raised awareness about accessibility issues.

- 7.0 Update on Mandatory Soft Story Retrofit program quality assurance.
- No discussion.
- 8.0 Review of communication items. The Committee may discuss or acknowledge communication items received for discussion.
- The upcoming release of a window study related to a past event involving window failures in high-rise buildings.
- 9.0 Public Comments on items not on this agenda but within the jurisdiction of the Code Advisory Committee. Comment time is limited to 3 minutes or as determined by of the Chairperson.
- No Public comments.
- 10.0 Committee comments on items not on this agenda.
- No comments.
- 11.0 Subcommittee Reports: (Discussion & possible action)
- a. Housing Code Subcommittee:
- Subcommittee Chair: Henry Karnilowicz
Subcommittee Members: Ira Dorter
Jim Reed
Paul Staley
- No meeting. No report.
- b. Mechanical Electrical Plumbing & Fire Subcommittee:
- Subcommittee Chair: Brian Salyers, F.P.E.
Subcommittee Members: Henry Karnilowicz
Jim Reed
- No meeting. No report.
- c. Administrative & General Design and Disability Access Subcommittee:
- Subcommittee Chair: Jonathan Rodriguez
Subcommittee Members: Arnie Lerner, F.A.I.A., CASp
Tony Sanchez-Corea
Zachary Nathan, A.I.A., CASp
Henry Karnilowicz
Jonathan Rodriguez
Deepak Patankar, AIA, LEED AP
- No meeting. No report.
- d. Structural Subcommittee:
- Subcommittee Chair: Stephen Harris, S.E.
Subcommittee Members: Rene' Vignos, S.E., LEED A.P.
Marc Cunningham
Ned Fennie, A.I.A.
Don Libbey, P.E.
- No meeting. No report.

e. Green Building Subcommittee:

Subcommittee Chair: Zachary Nathan, AIA, CASp
Subcommittee Members: Gina Centoni
Henry Karnilowicz
Jonathan Rodriguez

- No meeting. No report.

12.0 Committee Member's and Staff's identification agenda items for the next meeting, as well as current agenda items to be continued to another CAC regular meeting or special meeting, or a subcommittee meeting.

- Vacant storefront fee waiver

13.0 Adjournment.

- The meeting was adjourned at 10:53 a.m.

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