



## **DRAFT MINUTES**

### **Regular Meeting of the CODE ADVISORY COMMITTEE**

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**DATE:** October 11, 2023 (Wednesday)  
**TIME:** 9:30 a.m. to 11:00 a.m.  
**LOCATION:** 49 South Van Ness Ave, 5<sup>th</sup> Floor, Room 0578

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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](mailto: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.  
Paul Staley  
Jim Reed  
Zachary Nathan, AIA, CASp  
Henry Karnilowicz  
John Tostanoski  
Jonathan Rodriguez  
Tony Sanchez-Corea

#### **Excused**

Marc Cunningham  
Ira Dorter  
Rene' Vignos, S.E.  
Deepak Patankar, AIA, LEED AP  
Gina Centoni  
Brian Salyers

#### **Absent**

#### **Others Present**

Thomas Fessler, DBI  
Arfaraz Khambatta, DPW  
Michelle Yu, DBI  
Ken Hu, DBI

Christine Gasparac, DBI  
Carl Nicita, DBI  
Andrew Bishop, WJE  
Matt Worster, Public

Angie Sommer, BIC  
Willy Yau, DBI  
Kathy Harold, FIR  
Lawrence Smith, 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 September 13, 2023.
- A motion was made to approve the minutes as written.
  - Seconded and approved.

- 3.0 Discussion and possible action regarding revised Information Sheet S-19 – “Properties Subject to the Slope and Seismic Hazard Zone Protection Act (SSPA) Ordinance”.

Possible action would be to make a recommendation to the Department of Building Inspection for their further action

**Discussion:**

- The content was thoroughly reviewed at the Structural Subcommittee’s regular meeting on 10/10/2023.
- Permit Services Acting Manager Willy Yau revised the Information Sheet to incorporate recommendations from the Structural Subcommittee and made a presentation to the CAC.
- The importance of the average slope definition, based on a digitized map produced by the Planning Department, was highlighted.
- There was a discussion about the map's potential updates and accessibility.
- There was a discussion to highlight the significance of the 25% slope threshold.
- There is a mention of changes in the definition of average slope and possible revisions to the ordinance.
- The need for exemption forms for specific projects was mentioned.
- There was a conversation that explored the process for construction work in areas with steep slopes.
- The information sheet's updates aim to align practice with the requirements of smaller projects.
- The term "heightened design review" is introduced, replacing "peer review."
- Project sponsors will have a contractual relationship directly with the Heightened Design Review Team (HDRT) and The HDRT will report to both DBI and the sponsor, providing full transparency.
- The additional layer of protection provided by independent reviewers is to ensure a high level of scrutiny.
- There's a discussion about the need for a city to hire full-time experts for this purpose. The process would involve hiring a team of experts, including structural and geotechnical engineers, geologists, and others.
- The frequency of projects going to structural advisory committees varies but could be around 25 projects a year.
- Existing buildings undergoing significant remodeling may also require a heightened design review.
- The information sheet doesn't cover Edgehill or Northwest Sutro, as they are already mandated for heightened review.
- The legislation may need to be updated due to changes in expert list availability.
- The size of ADUs and certain types of renovations may determine if they fall under the heightened review requirements.
- A catch-all provision allows for substantial impact on slope stability to trigger heightened review.

- The current code has a potential loophole involving horizontal and vertical additions. The code language is ambiguous, and there's a need to clarify it.
- The discussion revolves around capturing projects with two stories, each under 500 square feet but collectively exceeding 500 square feet.
- The proposed change is to address this ambiguity in the code language.

**Public Comment:** No public comment.

**Action:**

- A motion was made to approve the changes that Willy Yau had made and presented to the CAC and suggest that further clarification of the code provisions need to be addressed in the future.
- An amendment to the motion was proposed to add the date of the draft (October 10th, 2022) for clarification.
- The motion was seconded and approved.

- 4.0 Discussion and possible action regarding proposed ordinance amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors regarding the disability access improvement program.

Possible action would be to make a recommendation to the Building Inspection Commission for their further action.

**Discussion:**

- AGD & DA Subcommittee had a discussion regarding this item and made a recommendation to CAC to approve the proposed ordinance as written.
- It is a two-year extension.
- The AGD & DA Subcommittee has suggested that DBI conducts outreach to emphasize the importance of the ABE program.

**Public Comment:** No public comment.

**Action:**

- A motion was made to approved the proposed ordinance as written.
- The motion was seconded and approved.

- 5.0 Discussion and possible action regarding proposed ordinance 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).

Possible action would be to make a recommendation to the Building Inspection Commission for their further action.

**Discussion:**

- AGD & DA Subcommittee had a discussion regarding this item and made a recommendation to CAC to approve the proposed ordinance as written.

**Public Comment:** No public comment.

**Action:**

- A motion was made to approved the proposed ordinance as written.
- The motion was seconded and approved.

- 6.0 Discussion and possible action regarding proposed ordinance amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings. (Building Code section on Page 45 – 46)

Possible action would be to make a recommendation to the Building Inspection Commission for their further action.

**Discussion:**

- AGD & DA Subcommittee had a discussion regarding this item and made a recommendation to CAC to approve the proposed ordinance as written.

**Public Comment:** No public comment.

**Action:**

- A motion was made to approved the proposed ordinance as written.
- The motion was seconded and approved.

- 7.0 Discussion and possible action regarding Information Sheet on adaptive reuse of existing office buildings.

Possible action would be to make a recommendation to the Department of Building Inspection for their further action.

**Discussion:**

- Technical Services Supervisor Michelle Yu gave a presentation to the CAC, providing a detailed explanation of the specific changes.
- The information sheet was presented to the different CAC Subcommittees and received approval from the Subcommittees along with suggested edits.
- It's suggested to monitor and update the information sheet periodically due to potential changes in state legislation and code provisions.

**Public Comment:** No public comment.

**Action:**

- A motion was made to recommend to DBI that they publish this new Information Sheet.
- The motion was seconded and approved.

- 8.0 Discussion and possible action regarding recommendations for improving the Façade Inspection Program.

Possible action would be to make a recommendation to the Department of Building Inspection for their further action.

**Discussion:**

- These recommendations stem from WJE's window study report.
- A discussion took place regarding the review of information sheets for urgent inspections, in response to recent legislation.

- Newer buildings will now be required to participate in the facade inspection program, with inspections mandated within six months.
- During the discussion, the notification process for the revised information sheet, involving approximately 75 buildings, was addressed.
- A proposal was made to improve the facade inspection program, which includes adding a requirement for comprehensive inspections for buildings of 15 stories or taller, in addition to the existing 10-year requirement.
- A new component introduced is the five-year supplemental inspection for buildings exceeding 15 stories, with a primary focus on visual inspections.
- The management and reporting of inspection information will be clarified.
- Exemptions based on building criteria, such as the presence of spandrel glass and breakage history, were mentioned.
- Buildings will now be required to maintain a maintenance log to demonstrate their breakage history.
- The Structural Subcommittee conducted a thorough review and discussion of the subject yesterday, stressing the importance of refining the supplemental inspection's focus to specifically target the problem of broken glass, with a primary emphasis on the glazing aspect.
- Supervisor Peskin, the author of the initial legislation from this past spring, has already submitted a request to the City Attorney's office for amending the ordinance.
- The CAC will have the opportunity to review the draft ordinance when it is introduced.

**Public Comment:** No public comment.

**Action:**

- A motion was made to recommend to DBI that they move this subject forward in collaboration with the City Attorney's office.
- The motion was seconded and approved.

9.0 Review of communication items. The Committee may discuss or acknowledge communication items received for discussion.

- It was confirmed that all CAC members received the email regarding CAC's recommendations to the Building Inspection Commission.

10.0 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.

11.0 Committee comments on items not on this agenda.

- There was a request for a bigger meeting room.

12.0 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  
Deepak Patankar, AIA, LEED AP
  - AGD & DA Subcommittee had a meeting on 10/11/2023. There were discussions and motions regarding the proposed ordinances and information sheet about adaptive reuse of office buildings.
  - 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.
  - Structural Subcommittee had a meeting on 10/10/2023. There were discussions and motions regarding the Information Sheet S-19, Information Sheet – Adaptive reuse of office building, and recommendations for improving the Façade Inspection Program.
  - e. Green Building Subcommittee:
    - Subcommittee Chair: Zachary Nathan, AIA, CASp
    - Subcommittee Members: Gina Centoni  
Henry Karnilowicz  
Jonathan Rodriguez
  - No meeting. No report.
- 13.0 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.
- Updates on Concrete Building Safety Program
  - Site permit reform
- 14.0 Adjournment.
- The meeting was adjourned at 11:00 a.m.