



## **DRAFT MINUTES**

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

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**DATE:** January 10, 2024 (Wednesday)  
**TIME:** 9:30 a.m. to 11:00 a.m.  
**LOCATION:** 49 South Van Ness Ave, 1<sup>st</sup> Floor, Room 0194

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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  
Deepak Patankar, AIA, LEED AP  
Brian Salyers  
John Tostanoski  
Don Libbey, P.E.  
Jim Reed  
Tony Sanchez-Corea  
Gina Centoni  
Paul Staley  
Zachary Nathan, AIA, CASp  
Henry Karnilowicz  
Marc Cunningham

#### **Excused**

Jonathan Rodriguez  
Arnie Lerner, FAIA, CASp  
Ira Dorter  
Rene' Vignos, S.E.

#### **Absent**

#### **Others Present**

Thomas Fessler, DBI	Carl Nicita, DBI	Angie Sommer, BIC
Janey Chan, DBI	Christine Gasparac, DBI	Ken Hu, DBI
Kathy Harold, FIR	Georgia Schuttish, Public	Juan, 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 special meeting of December 6, 2023.
- There is a correction to change “abandon” to “abandoned” in Item 3.0, third bullet point, second line.
  - A motion was made to approve the minutes as amended.
  - Seconded and approved.
- 3.0 Discussion and possible action regarding proposed ordinance amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler systems and annual inspection of fire alarm and detection systems, mandate a filing fee to ensure that the costs of providing for such filings are recovered without producing revenue that is significantly more than such costs, and require a minimum five feet access from the public-right-of-way to residential structures on newly subdivided lots. (File No. 231163)

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

**Discussion:**

- DBI Technical Services Manager Janey Chan and San Francisco Fire Department Assistant Fire Marshal Kathy Harold gave a brief introduction regarding the proposed ordinance.
- The MEP & Fire Subcommittee had a discussion regarding the proposed ordinance.
  - There was a discussion regarding inspections and filing.
  - Questions arose about how the ordinance interacts with existing requirements, particularly for fire alarm systems.
  - Concerns were raised about potential duplication of efforts and ensuring compatibility with other regulations.
  - Mention of a UL program for buildings with more than 15 units, which involves authorization and fees for accessing records.
- The MEP & Fire Subcommittee agreed on the concept but expressed a desire to hear from a representative from the supervisor's office.
- There was a discussion on notification processes for property owners regarding inspection requirements.
- There was a suggestion to amend the proposal to include separate study of fire code and inspection issues.
- There was a recommendation to review existing fire alarm requirements from 1995 and assess their impact on current conditions.
- The building department acknowledges the fire code requirements but does not directly review them. They flag them and coordinate with projects that require their review of access.

**Public Comment:** No public comment.

**Action:**

- A motion was made to send the proposal back to Supervisor Chan's office to understand the underlying reasons and to separate access requirements and inspection filing requirements into two separate ordinances. Additionally, there was a request to examine current requirements to ensure integration and address any redundancies or conflicts.
- The motion was seconded and approved.

- 4.0 Discussion and possible action regarding revised Information Sheet EG-02 on “Emergency Escape and Rescue Openings (EEROs) to Yard or Court for Existing or New Buildings of R-3 Occupancies”.

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

**Discussion:**

- DBI Technical Services Manager Janey Chan made a presentation regarding the major changes to Information Sheet EG-02.
- The primary clarification pertains to the allowance of a 25-foot rear yard from the building to the farthest part of the property.
- Escape criteria for the Emergency Rescue Opening (ERO) now specifies a minimum 25-foot depth measured from the most remote point of the lot to any portion of the building, including combustible projections.
- Differentiation between escape and rescue criteria is made more obvious in this version.
- The aim is to ensure there are no obstructions hindering rescue operations.
- For first-floor units, emergency rescue opening (ERO) access without a ladder is sufficient.
- If the backyard has a significant drop-off, requiring ladder access to reach first-floor windows 50 feet above the ground, then ladders are needed.
- The change in the latest version involves removing alternative four from the previous version. Alternative four allowed for the elimination of escape criteria for existing buildings if increased fire-rated construction and a fire sprinkler system were provided throughout the building.
- The rationale for removing this alternative was that it was already available for R1 and R2 buildings, and there was no need to specifically mention it for R3 buildings. However, it was suggested during the discussion that adding R3 to the section for clarification might be beneficial, even though R3 buildings are unlikely to meet the criteria due to their construction and fire protection systems.
- There's a suggestion to include below-grade conditions in the document, considering ladder and stair access. A friendly amendment is proposed to improve EG-02 by adding mention of subterranean floors or basements in the commentary for rescue criteria alternative one. Ultimately, the consensus is that access requirements still apply for below-grade areas, whether stairs or ladders are used.

**Public Comment:**

- Georgia, a member of the public, recommended that EG-02 should incorporate mention of bedrooms and excavations below grade due to their growing prevalence. They had forwarded photos to illustrate this concern. Georgia asserted that these areas require similar protection and standards as outlined for second and third floors. They stressed the importance of including this information in the Information Sheet to increase awareness. Although they recognized that the existing setup may meet the requirements for the fire department, they insisted on addressing bedrooms below grade due to their rising occurrence.

**Action:**

- A motion was made to approve the revised Information Sheet EG-02 as written.
- The motion was seconded and approved.

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

- The Building Inspection Commission received recommendations from the Code Advisory Committee regarding the vacant storefront fee suspension and the updated Administrative Bulletin 093 - Implementation of Green Building Regulations.

6.0 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.

- Juan, a member of the public and an architect, raised concerns about the review process of Accessible Business Entrance (ABE) projects between the Department of Building Inspection (DBI) and the Department of Public Works (DPW). They highlighted the discrepancy between DBI and DPW requirements regarding the clear floor area, specifically in relation to Code item 11B Section 305. While DPW mandates a 2 percent clear floor area at the sidewalk, DBI does not require this. Juan emphasized that meeting DPW's requirement is nearly impossible for many projects, leading to most ABE entries being filed under hardship. This creates a dilemma as filing under hardship exempts projects from making accessibility upgrades. Juan suggested amending Information Sheet DA-04 and DA-05 to clarify whether the clear floor area is required on the public right of way.

7.0 Committee comments on items not on this agenda.

- There's a pressing issue with conflicting accessibility regulations between departments, causing challenges in ABE compliance. Resolving these conflicts between Public Works and the Building Department is crucial to streamline processes and avoid delays and expenses. There was a suggestion to include this topic on the AGD & DA subcommittee agenda.

8.0 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

- The MEP & Fire Subcommittee held a meeting on January 8, 2024. During the meeting, discussions were held regarding Item 3.0 and Item 4.0 on this CAC agenda, and recommendations were made to the Code Advisory Committee.

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

- 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.

9.0 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.

- The ADA requirement of a 2 percent clear floor area was referred to the AGD & DA Subcommittee
- Potential presentations regarding new electrical technology
- Updates on Concrete Building Safety Program
- Updates on Site Permit Reform
- Summary of 2023 CAC agenda items and actions
- Election of Chair and Vice-Chair

10.0 Adjournment.

- The meeting was adjourned at 11:07 a.m.