

File No. 130119

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date March 18, 2013

Board of Supervisors Meeting

Date _____

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Environmental Review Determination, dtd 2/25/13 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Building Inspection Commission Recommendation, dtd 2/21/13 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Notice of Public Hearing |
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Completed by: Alisa Miller Date March 14, 2013

Completed by: _____ Date _____

[Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike through italics Times New Roman~~.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Findings.

(a) At a duly noticed public hearing held on February 20, 2013, the Building Inspection Commission considered this ordinance.

(b) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130119 and is incorporated herein by reference.

(c) In Section 19160 of the California Health & Safety Code, the State Legislature declared that because of the generally acknowledged fact that California will experience moderate to severe earthquakes in the foreseeable future, increased efforts to reduce

1 earthquake hazards should be encouraged and supported. California Health and Safety Code
2 Section 19161 authorizes each city, city and county, or county to assess the earthquake
3 hazard in its jurisdiction and to identify buildings that are potentially hazardous to life in the
4 event of an earthquake. Health and Safety Code Section 19162 authorizes the governing
5 body of any city, city and county, or county to establish by ordinance seismic retrofit standards
6 for these buildings.

7 (d) Among the potentially hazardous buildings identified in Health and Safety Code
8 Section 19161 are wood-frame, multi-unit residential buildings constructed before January 1,
9 1978 having soft, weak or open front wall lines (a "soft-story condition"). These conditions
10 generally arise in a building because the first story has perimeter walls that have large
11 openings for garage doors or windows, has few interior partitions, and/or is constructed of
12 materials that have deteriorated over time.

13 (e) In enacting Health and Safety Code Section 19160 et seq., the State Legislature
14 found that residential buildings with a soft-story condition are particularly vulnerable to severe
15 damage and collapse. Their collapse can ignite fires that threaten trapped occupants and
16 neighboring buildings in the event of an earthquake and could complicate emergency
17 response. In addition, these buildings are an important component of the State's housing
18 stock that are in jeopardy of being lost in the event of a major earthquake. Soft-story
19 residential buildings were responsible for 7,700 of the 16,000 housing units rendered
20 uninhabitable by the Loma Prieta earthquake and over 34,000 of the housing units rendered
21 uninhabitable by the Northridge earthquake. As noted in subsection (j) of Health and Safety
22 Code Section 19160, the Association of Bay Area Governments estimates that soft-story
23 residential buildings will be responsible for 66 percent of the uninhabitable housing following a
24 seismic event on the Hayward fault. In subsections (l) and (n) of Health and Safety Code
25 Section 19160, the Seismic Safety Commission recommended to the State Legislature that

1 any mandatory mitigation programs adopted significantly reduce unacceptable hazards in
2 buildings by 2020 and the Legislature stated its intent that local jurisdictions be encouraged to
3 address the seismic safety of soft-story residential buildings and to initiate efforts to reduce
4 the seismic risk in these vulnerable buildings.

5
6 Section 2. Findings of Local Conditions Under California Health and Safety Code
7 Section 17958.7.

8 (a) The Applied Technology Council (ATC) is a nonprofit organization that develops
9 and promotes state-of-the-art, user-friendly engineering resources and applications to mitigate
10 the effects of natural and other hazards on the built environment. Beginning in 1998, ATC was
11 contracted to perform a study called the San Francisco Community Action Plan for Seismic
12 Safety (CAPSS), which was initiated by the San Francisco Building Inspection Commission.
13 Under CAPSS, ATC, together with the CAPSS Public Advisory Committee, studied buildings
14 in San Francisco that are vulnerable to collapse or severe damage in an earthquake.

15 (b) The purpose of the CAPSS study was to develop earthquake safety policy
16 recommendations founded on clear technical bases. "Here Today, Here Tomorrow," ATC's
17 first policy report under CAPSS, was published in February 2009 and focused on the City's
18 wood-frame structures that have five or more residential units, three or more stories, and were
19 built before the adoption of codes regulating earthquake-resistant construction. It was
20 determined that the possible collapse of many of San Francisco's wood-frame, multi-story
21 buildings containing residential units represents one of the most significant earthquake
22 impacts to the City. The final CAPSS report, issued December 31, 2010, also addressed other
23 vulnerable building types that present risks to the people of the City and County of San
24 Francisco.

1 (c) In 2010, the San Francisco Planning and Urban Research Association (SPUR)
2 published a white paper entitled "The Resilient City – Part I," containing SPUR's
3 recommendations regarding how San Francisco can prepare for and rebound quickly from a
4 major earthquake. As noted in the Preface to "Here Today – Here Tomorrow," there has been
5 significant cooperation and communication between the CAPSS Public Advisory Committee
6 and SPUR's hazard mitigation task force. The CAPSS recommendations were strongly
7 influenced by SPUR's vision of city-wide mitigation actions to be taken to assure San
8 Francisco's speedy recovery after a future earthquake .

9 (d) At the request of participants in the CAPSS project, in May 2009 the Federal
10 Emergency Management Agency (FEMA) commissioned ATC to prepare guidelines for the
11 seismic retrofit of so-called soft-story wood frame buildings. Technical advisors to the CAPSS
12 project had concluded that existing engineering procedures were not adequate to fully
13 evaluate the complex behavior of these vulnerable buildings, and were not necessarily
14 yielding optimal retrofit designs. Those advisors recommended that new evaluation and
15 design procedures were needed to ensure more reliable, cost-effective engineering practices
16 for evaluation and retrofit and to provide guidance for practical and enforceable retrofit
17 regulations.

18 (e) In May 2012 FEMA issued a guidelines document entitled FEMA P-807, Seismic
19 Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings with Weak First Stories, which
20 details procedures for the analysis and seismic retrofit of vulnerable wood-frame buildings that
21 are common in Northern and Southern California and the Pacific Northwest. The guidelines
22 are suitable for implementation through model code provisions that ensure uniform application
23 and enforcement. The retrofit requirements contained in this Ordinance allow the use of
24 FEMA P-807 and other approved methodologies. The retrofit provisions of FEMA P-807 focus
25 on projects in which work is limited to the first story and the second floor diaphragm. Such

1 retrofits can improve performance and reduce risk of collapse but will not necessarily provide
2 a comprehensive building retrofit to a specific performance objective.

3 (f) In early 2010, then Mayor Newsom convened a Soft-Story Retrofit Task Force with
4 the aim of crafting a mandatory seismic retrofit program for weak-story buildings in San
5 Francisco, including consideration of a phased implementation program and possible
6 financing mechanisms. In 2011, Mayor Lee initiated the Earthquake Safety Implementation
7 Program (ESIP) to implement the recommendations of the CAPSS program, including
8 completing the development of an ordinance for retrofit of weak-story buildings. That work has
9 resulted in the mandatory seismic retrofit program established in this ordinance.

10 (g) There are approximately 4,300 wood-frame buildings in San Francisco that were
11 built before January 1, 1978, having five or more dwelling units and three or more stories. The
12 CAPSS analysis determined that at least 2,800 of these may have a weak-story condition or
13 similar vulnerability. These vulnerable buildings can be found throughout the City, most
14 notably in the Mission, Western Addition, Richmond, North Beach, and Marina
15 neighborhoods.

16 (h) California Health and Safety Code Section 19161(a)(2) has set January 1, 1978 as
17 a benchmark date for characterizing wood-frame, multi-unit residential buildings. This January
18 1, 1978 date supersedes the date of May 21, 1973 found in the San Francisco Building Code
19 that was previously used to distinguish obsolete structural designs from acceptable structures
20 of this building type. Under the California Health and Safety Code, buildings constructed after
21 January 1, 1978 are considered to have been designed to meet a life safety standard in the
22 design-basis earthquake, which has a two percent chance of occurring in any 50-year period.
23 In San Francisco, the design-basis earthquake is similar to a magnitude 7.9 earthquake on a
24 nearby segment of the San Andreas fault.

1 (i) Buildings located within the City's potential liquefaction zones may not perform as
2 well as buildings outside these mapped areas. These liquefaction zones are identified in the
3 Official Map of the State of California's Seismic Hazard Zones, which was signed by the State
4 Geologist and released on November 17, 2000. Notwithstanding these possible local
5 geological impacts, buildings in these areas will benefit significantly from the seismic retrofit
6 requirements of this ordinance.

7 (j) The CAPSS study estimates that as they now stand, 43 to 85 percent of the most
8 vulnerable multi-unit, wood-frame buildings would be posted with a red UNSAFE placard
9 ("red-tagged") following a magnitude 7.2 earthquake on a nearby segment of the San Andreas
10 fault, representing 1,200 to 2,400 red-tagged buildings. Red-tagged buildings are
11 uninhabitable and may not be occupied after an earthquake until they are either repaired or
12 replaced. A quarter of the red-tagged buildings, representing 300 to 850 multi-unit buildings,
13 would be expected to collapse. The CAPSS study estimates that with appropriate seismic
14 retrofit the overall rate of collapse in a 7.2 San Andreas fault earthquake drops dramatically.

15 (k) The CAPSS study found that about 58,000 people live in the subset of 2,800
16 buildings with the largest perimeter wall openings. These buildings house close to 2,000
17 businesses that employ an estimated 7,000 people. Without retrofit, the heavy damage that
18 these buildings are likely to sustain and the fires resulting from the earthquake would kill and
19 injure many people and disrupt many neighborhoods for years after an earthquake. This
20 disruption would displace tens of thousands of people from their homes and neighborhoods
21 and thus they could not contribute to bringing communities back to life. Small businesses
22 along neighborhood shopping streets would suffer severe impacts. Many of these buildings
23 contain rent-controlled apartments that might be rebuilt as condominiums rather than
24 apartment buildings or, if rebuilt as apartments, would be exempt from rent control. The
25

1 demographics and character of neighborhoods that experience substantial damage could
2 change significantly.

3 (l) A resilient city is a city that can rebound from a natural disaster and quickly resume
4 normal function. The purpose of this ordinance is to promote the resiliency goals as identified
5 in the Community Safety Element of San Francisco's General Plan, as well as to protect the
6 health, safety, and welfare of San Francisco residents by reducing the possible collapse,
7 major structural damage, loss of housing stock, or risk of fire caused by an earthquake to the
8 most vulnerable wood-frame, residential buildings. This ordinance requires retrofits that will
9 greatly increase the probability of a building being safely occupiable within 24 hours of an
10 expected moderate earthquake, a measure of performance commonly referred to as "shelter-
11 in-place," using criteria that limit retrofit costs. This moderate earthquake has a magnitude of
12 7.2 on the Peninsula segment of the San Andreas Fault. For most of the City, the shaking
13 associated with this scenario is expected to occur at least once during the useful life of a
14 structure and more than once if the structure is renovated periodically to extend its useful life.

15 (m) As the CAPSS study showed, the seismic retrofitting of multi-unit, wood-frame
16 buildings as required by this ordinance would dramatically reduce the consequences of
17 earthquakes to San Francisco by substantially reducing the collapse hazard and allowing up
18 to 58,000 San Franciscans to remain in their homes rather than be relocated to temporary or
19 emergency housing. It would retain significant amounts of housing, preserve architectural and
20 cultural attributes, contribute to sustainability through conservation of energy and resources,
21 improve public safety, and shorten the time that the City requires to recover from large
22 earthquakes.

23
24 Section 3. The San Francisco Building Code is hereby amended by adding Chapter
25 34B, to read as follows:

1 **CHAPTER 34B**

2 **MANDATORY EARTHQUAKE RETROFIT OF WOOD-FRAME BUILDINGS**

3 **Section 3401B. Purpose and Intent.** *The purpose of this Chapter is to promote the health,*
4 *safety, and welfare of San Francisco residents as well as the ability of the City and County of San*
5 *Francisco to recover from a major earthquake by reducing the possibility of collapse, major structural*
6 *damage, or risk of fire caused by an earthquake to certain wood-frame buildings.*

7 *In furtherance of this purpose, this Chapter establishes seismic retrofit requirements intended to*
8 *significantly reduce the collapse risk of residential buildings with critically vulnerable lower stories*
9 *and to increase the likelihood that these buildings will be structurally safe to occupy shortly after an*
10 *earthquake. The engineering criteria established by this Chapter generally limit the structural retrofit*
11 *work to the ground story or to a basement or underfloor area that extends above grade where the most*
12 *critical vulnerabilities are typically located, thereby improving building performance while limiting*
13 *retrofit costs and impacts.*

14 **Section 3402B. Scope.** *This Chapter shall apply to existing buildings, including mixed-*
15 *occupancy buildings, that are Type V (wood-frame) construction of three or more stories or two stories*
16 *over a basement or underfloor area that has any portion extending above grade, and containing five or*
17 *more dwelling units and for which a permit for construction of a new building was applied for before*
18 *January 1, 1978 or which is determined by the Department to have been originally constructed before*
19 *January 1, 1978.*

20 **Exceptions:**

21 *1. A building that has been seismically strengthened to meet or exceed the standards of*
22 *Section 1604.11 of this Code or its predecessor provisions within 15 years prior to the operative date of*
23 *this Chapter is exempt from this Chapter upon the submittal of documentation showing that such work*
24 *was properly permitted, completed, and maintained as required by this Code, and that the Department*
25 *has approved such documentation.*

1 2. A building that has completed voluntary seismic strengthening under the provisions of
2 Administrative Bulletin AB-094 is exempt from the requirements of this Chapter.

3 **Section 3403B. Definitions.**

4 In addition to the definitions in Chapter 2 of this Code, the following definitions shall apply for
5 purposes of this Chapter:

6 **DWELLING UNIT.** A dwelling unit shall include any individual residential unit within either
7 an R-1 or an R-2 occupancy building. It shall also include a guestroom, with or without a kitchen,
8 within either a tourist or residential hotel or motel but shall not include a "housekeeping room." A
9 dwelling unit shall include an area that is occupied as a dwelling unit, whether such is approved or
10 unapproved for residential use.

11 **STORY.** The first story of any building shall be considered a story, whether or not previously
12 exempted from story count under an earlier edition of the San Francisco Building Code.

13 **Section 3404B. Compliance Requirements.**

14 **3404B.1. General.** The owner of each building subject to this Chapter shall comply with the
15 reporting requirements of this section. If the building is not exempt and does not meet the minimum
16 criteria specified in this Chapter, the owner shall cause the building to be retrofitted to conform to such
17 criteria according to the compliance deadlines set forth in Table 34B-A. Notice of the compliance
18 requirements shall be given by the Department pursuant to Section 3405B.4.

19 **3404B.2. Screening Form.** The owner of a building who has been notified that their building is
20 within the scope of this Chapter as well as all other owners of buildings that may be subject to this
21 Chapter shall engage an architect or engineer to submit to the Department within the time limits set
22 forth in Table 34B-A a properly completed Screening Form.

23 **Exception:** Buildings exempt based on the exception in Section 3402B, Exception 2 of this
24 Chapter may complete and submit the required Screening Form without engaging an architect or
25 engineer.

1 **3404B.2.1. Required information.** *The Screening Form to be developed by the*
2 *Department shall be used to determine whether a building is or is not subject to the requirements of*
3 *this Chapter, and to assign a building to the appropriate Compliance Tier. The Screening Form shall*
4 *be completed by an architect as defined in Section 5500 of the California Business and Professions*
5 *Code or by a civil or structural engineer registered pursuant to the provisions of Section 6700 et seq. of*
6 *the California Business and Professions Code.*

7 *The submitted Screening Form shall include:*

- 8 1. *all information required by the Department to determine compliance*
9 *requirements, and*
10 2. *whether the building is exempt based on Section 3402B, Exception 1 of this*
11 *Chapter, and*
12 3. *a Declaration, based on a review of building information, of:*
13 (a) *whether the building is exempt because it is outside the scope of this*
14 *Chapter based on its date of original permit application or construction, number of dwelling units, or*
15 *number of stories, or*
16 (b) *if not exempt, the appropriate Compliance Tier.*

17 **3404B.2.2. Optional Evaluation Form.** *The Optional Evaluation Form to be developed*
18 *by the Department shall be used to determine if an existing building already meets the criteria of*
19 *Section 3406B.2 of this Chapter. The Optional Evaluation Form shall be completed by an architect as*
20 *defined in Section 5500 of the California Business and Professions Code or by a civil or structural*
21 *engineer registered pursuant to the provisions of Section 6700 et seq. of the California Business and*
22 *Professions Code. The Optional Evaluation Form shall be accompanied by a completed Screening*
23 *Form and shall include:*

- 24 1. *dates and scope of any seismic retrofit work, and*
25

1 2. plans and other information as the Department may require that are sufficient
2 to support the Declaration below, and

3 3. a Declaration of whether the building satisfies the evaluation criteria given in
4 Section 3406B.2 of this Chapter.

5 **3404B.3. Compliance Tiers.** Each building not exempt from this Chapter shall be assigned to
6 one of the following Compliance Tiers:

7 1. Tier I: Buildings that contain a Group A, E, R-2.1, R-3.1 or R-4 occupancy on any
8 story.

9 2. Tier II: Buildings containing 15 or more dwelling units, except for buildings assigned
10 to Tier I or Tier IV.

11 3. Tier III: Buildings not falling within the definition of another tier.

12 4. Tier IV: Buildings that contain a Group B or M occupancy on the first story or in a
13 basement or underfloor area that has any portion extending above grade, and buildings that are in
14 mapped liquefaction zones, except for buildings assigned to Tier I.

15 **3404B.4. Application for a building permit.** For each non-exempt and non-complying building,
16 the owner or the owner's authorized agent shall submit to the Department an application for a building
17 permit accompanied by the necessary permit submittal documents indicating the proposed seismic
18 retrofit. A permit for this seismic retrofit work may include minor ancillary work but shall be separate
19 from any other permits for building alterations or repairs unless such work is triggered by or integral
20 to the seismic retrofit work. No work other than is required under current codes shall be triggered by
21 this seismic retrofit work.

22 **3404B4.1. Compliance deadlines.** Compliance deadlines for the submission of the
23 Screening Form, Optional Evaluation Form, building permit application, and for completion of seismic
24 retrofit work are given in Table 34B-A. No transfer of title shall alter the time limits for compliance.

1 **3404B4.2. Certificate of Final Completion and Occupancy.** A Certificate of Final
2 Completion and Occupancy indicating completion of the required seismic retrofit work shall be
3 obtained upon completion of required seismic retrofit work.

4 **3404B4.3. Damaged Buildings.** Notwithstanding the provisions of the Table 34B-A
5 Compliance Deadlines, if an as-yet unretrofitted building subject to this Chapter suffers damage from
6 an earthquake or subsequent fire caused by the earthquake that renders the building uninhabitable,
7 results in structural damage that triggers retrofit under regulations adopted by the Department of
8 Building Inspection, or results in "disproportionate damage" as defined in this Code, such building
9 shall comply with the requirements of this Chapter and other applicable Sections of this Code within
10 one year of such damage. The Department may grant an extension of this time period for good cause.
11 Compliance with the provisions of this Chapter does not supersede the requirement to comply with
12 Section 3405.3 of this Code when otherwise required by this Code.

13 **3404B.5. Historic Preservation.** If any portion of the seismic retrofit work will be visible from
14 the exterior of the subject property and the San Francisco Planning Department determines that the
15 building is a historic resource, or if the interior of the building has been given landmark status, the
16 seismic retrofit work shall be conducted in accordance with guidelines developed by the San Francisco
17 Planning Department, taking into account provisions of the California Historical Building Code.

18 **3405B. Program Implementation and Administration; Fee.**

19 **3405B.1. Administrative Bulletin.** The Department shall prepare an Administrative Bulletin
20 detailing the procedural and implementation requirements for this Chapter. Such procedures shall be
21 generally consistent with the requirements set forth in this Chapter. The Administrative Bulletin may
22 require sign-posting and other public information that the Department determines is necessary or
23 appropriate.

3405B.2. Compliance Deadlines.

TABLE 34B-A

Compliance Deadlines (in years¹).

<u>Compliance Tier</u>	<u>Submission of Screening Form and Optional Evaluation Form</u>	<u>Submittal of Permit Application with Plans for Seismic Retrofit Work</u>	<u>Completion of Work And Issuance of CFC2</u>
<i>I</i>	<i>1</i>	<i>2</i>	<i>4</i>
<i>II</i>	<i>1</i>	<i>3</i>	<i>5</i>
<i>III</i>	<i>1</i>	<i>4</i>	<i>6</i>
<i>IV</i>	<i>1</i>	<i>5</i>	<i>7</i>

¹All time periods are in years measured from 90 days after the operative date of this Chapter.

²All time limits and extensions of Chapter 1A of this Code are applicable, except that all work is to be completed by December 31, 2020, as recommended in California Health & Safety Code Section 19160(l).

3405B.3. Administrative Fee. The fee for services provided by the Department under this Chapter shall be the Standard Hourly Rate for Plan Review and Administration set forth in Table 1A-D of this Code. There shall be no fee required for submittal or review of the Screening Form required by Section 3404B.2. A minimum fee corresponding to two hours for plan review and administration is payable upon submittal of a voluntary Optional Evaluation Form. Additional fees may be charged at the Standard Hourly Rate for additional work and will be payable within 30 days of the Department's notice that payment is due.

3405B.4. Notice.

3405B.4.1. Service of notice on owner. No later than 90 days after the operative date of this Chapter, the Department shall send a notice in accordance with Section 102A.4.2 of this Code to the owner of each building believed to be within the scope of this Chapter. The notice shall inform the owner of the requirement to comply with the provisions of this Chapter, and shall be accompanied by a Screening Form and an informational letter or brochure. Any person who believes that a building that

1 is within the scope of this Chapter has not been so identified by the Department may notify the
2 Department of the address or location of such building. If the Department determines upon review of
3 the building and/or building records that the building may be within the scope of this Chapter, the
4 Department shall provide notice to the owner as provided in this Section.

5 **3405B.4.2. Failure to give or receive notice.** If the owner of a building within the scope
6 of this Chapter has knowledge that they own such a building, then the failure of the Department to issue
7 the notice required by this Section, or the failure of the owner to receive such a notice, shall not relieve
8 the owner of the obligation to comply with the requirements of this Chapter within the time limits set
9 forth in Table 34B-A. For a building not known to the Department to be within the scope of this
10 Chapter and whose owner or owners have no knowledge that the building is within the scope of this
11 Chapter, the time limits set forth in Table 34B-A shall commence upon an owner having actual or
12 constructive notice that the building may be within the scope of this Chapter. In no case, however, shall
13 the final completion date be extended without the approval of the Board of Examiners after hearing an
14 appeal pursuant to Section 3405B.5.

15 **3405B.4.3. Notice to public on Department's website.** A list of the buildings by street
16 address and by block and lot for which notice has been given under this Section shall be maintained
17 and made public on the Department's website.

18 **3405B.5. Appeals.** The owner of any building subject to this Chapter may appeal to the Board
19 of Examiners any determination made by the Department with respect to compliance with the technical
20 requirements of this Chapter. Such appeal shall be in accordance with the provisions of Section 105A
21 of this Code. The time limits for compliance established by Table 34B-A shall not be extended during
22 any appeal period unless specifically approved by the Board of Examiners. Any person may appeal a
23 determination of the Director related to this Chapter to the Building Inspection Commission pursuant
24 to Chapter 77 of the San Francisco Administrative Code.

1 **3405B.6. Enforcement.** Whenever any required action has not been completed within the time
2 limits set forth in Table 34B-A, the Department shall abate the violation in accordance with Section
3 102A of this Code.

4 **3405B.6.1. Posting of notice.** An enforcement action shall, in every case, include the
5 Department posting of the building with a standard Department notice stating as follows:

6 "Earthquake Warning. This building is in violation of the requirements of the San Francisco
7 Building Code regarding earthquake safety."

8 This notice shall not be removed until the building is in compliance with this Chapter. This notice shall
9 also be recorded against the title of the building. The Building Official shall cause a release of such
10 notice to be filed with the Assessor-Recorder's Office upon conformance with the requirements of this
11 Chapter.

12 **3406B Engineering Criteria for Evaluation and Retrofit.**

13 **3406B.1. General.** This Chapter requires that evaluation and/or retrofit of buildings within its
14 scope be undertaken using the engineering criteria established in this section.

15 **3406B.2. Engineering Criteria.** A proposed seismic evaluation and/or retrofit plan shall
16 demonstrate that the building satisfies one of the following:

17 1. FEMA P-807, Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings
18 With Weak First Stories, as detailed in an Administrative Bulletin to be prepared pursuant to 3406B.3
19 of this ordinance, with the performance objective of 50 percent maximum probability of exceedance of
20 Onset of Strength Loss drift limits with a spectral demand equal to 0.50 SMS, or

21 2. ASCE 41-13, Seismic Evaluation and Rehabilitation of Existing Buildings, with the
22 performance objective of Structural Life Safety in the BSE-1E earthquake, or

23 3. ASCE 41-06, Seismic Rehabilitation of Existing Buildings, with the performance
24 objective of Structural Life Safety in the BSE-1 earthquake with earthquake loads multiplied by 75
25 percent, or

1 4. for evaluation only, ASCE 31-03, Seismic Evaluation of Existing Buildings, with the
2 performance level of Life Safety, or
3 5. for retrofit only, 2012 International Existing Building Code (IEBC) Appendix A-4, or
4 6. any other rational design basis deemed acceptable by the Department that meets or
5 exceeds the intent of this Chapter.

6 **3406B.3. Alternative Retrofit Criteria.** A proposed seismic retrofit plan which fails to meet the
7 criteria of 3406B.2(1) or 3406B.2(5) shall be deemed to comply with this Chapter if, with the approval
8 of the Department, it satisfies the intent of FEMA P-807, Section 6.4.2 with a maximum acceptable
9 Onset of Strength Loss drift limit probability of exceedance of 70 percent.

10 **Exception:** Alternative retrofit criteria shall not apply to buildings in which the critical stories,
11 basements, or underfloor areas contain other than parking, storage, or utility uses or occupancies.

12 **3406B.4. Administrative Bulletin for Technical Requirements.** The Department shall develop
13 and publish one or more Administrative Bulletins that detail the technical requirements to be used for
14 the evaluation and retrofitting of buildings required to meet the criteria established in Section 3406B.2.

15 **3406B.5. Conformance Period.** Any building retrofitted in compliance with this Chapter and
16 properly maintained, shall not, within a period of 15 years after the operative date of this Chapter, be
17 identified as a seismic hazard pursuant to any local building standards adopted after the date of the
18 building seismic retrofit unless the building incurred disproportionate damage, or otherwise has been
19 damaged or altered so that it no longer meets the engineering criteria under which it was retrofitted.

20 **3406B.6.** Compliance with this Chapter does not supersede the requirements for compliance
21 with Section 3401.B when otherwise under Chapter 34 of this Code. A permit issued solely for
22 compliance with the provisions of this Chapter shall not be considered a "substantial change" or
23 "structural work" as defined in Chapter 34 and compliance with Section 3401.8 will not be
24 requirement by such work.

1 Section 4. The City intends to consider the creation of a voluntary special tax financing
2 program to provide financing for the seismic retrofit work required by Chapter 34B. Under this
3 program, the City would issue bonds on behalf of property owners to finance the required
4 seismic retrofit work on participating properties, and each participating property owner would
5 pay special taxes in an amount sufficient to pay its share of the debt service on the bonds.
6 The financing would be voluntary; only those property owners who elect to participate in the
7 program would receive the benefit of the financing and would be obligated to pay special
8 taxes. Such tax financing program does not obligate the City to pay the special taxes.

9
10 Section 5. Outreach and Assistance. The Department, with the assistance of other City
11 agencies, intends to implement a comprehensive outreach and assistance program to provide
12 property owners, tenants, design professionals, contractors, and other interested parties with
13 information about the procedures and technical standards necessary to implement the
14 requirements of this Chapter. Information and assistance to be provided would include, but
15 not be limited to, notice of requirements and standards, assistance with preparation of
16 required forms and permit submittal documents, guidance on available finance options, and
17 general assistance in understanding and complying with the requirements of this Chapter.

18
19 Section 6. Reporting. The Department shall maintain current information about
20 program implementation, including the number of buildings at each stage of compliance,
21 program administration and budget, and shall annually provide a report to the Mayor and the
22 Board of Supervisors.

23
24 Section 7. Undertaking for the General Welfare. In enacting and implementing this
25 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not

1 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
2 is liable in money damages to any person who claims that such breach proximately caused
3 injury.
4

5 Section 8. Severability. If any section, subsection, sentence, clause, phrase, or word
6 of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any
7 court of competent jurisdiction, such decision shall not affect the validity of the remaining
8 portions of the ordinance. The Board of Supervisors hereby declares that it would have
9 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and
10 word not declared invalid or unconstitutional without regard to whether any other portion of
11 this ordinance would be subsequently declared invalid or unconstitutional.
12

13 Section 9. Effective and Operative Date. This ordinance shall become effective 30
14 days after the date of passage and operative 60 days after the date of passage.
15

16 Section 10. This section is uncodified. In enacting this ordinance, the Board intends to
17 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
18 punctuation, charts, diagrams, or any other constituent part of the Building Code that are
19 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
20 Board amendment deletions in accordance with the "Note" that appears under the official title
21 of the legislation.
22

23 Section 11. Directions to Clerk of the Board. The Clerk of the Board is directed to
24 forward this ordinance to the State Building Standards Commission after final passage, as
25

1 required by Health and Safety Code Section 17958.7. The Clerk is further directed to send a
2 copy of the finally-passed ordinance to the California Department of Housing and Community
3 Development for informational purposes, as required by Health and Safety Code Section
4 19165.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:


9 JUDITH A. BOYAJIAN
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(3/12/2013, Substituted in Board)

[Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

Existing Law

Among other things, the San Francisco Building Code regulates the construction and alteration of buildings and structures in the City and County of San Francisco and establishes the minimum structural, seismic, and other standards necessary to safeguard life and property. Minimum requirements are established by the California Building Code, but a local jurisdiction is authorized to modify the requirements if they are reasonably necessary because of local conditions.

Amendments to Current Law

The proposed legislation adds a new chapter to the San Francisco Building Code that would require mandatory seismic retrofitting of existing wood-frame buildings, including mixed-occupancy buildings that are three or more stories and contain five or more dwelling units for which a construction permit was applied for before January 1, 1978. An exception is made for a building that has been seismically strengthened within fifteen years prior to the legislation's operative date, which is 60 days from the date of passage. An administrative fee is imposed to cover services provided by the Building Department in implementing and enforcing the seismic retrofitting program.

The retrofit requirements allow the use of guidelines issued by the Federal Emergency Management Agency (FEMA) and other approved methodologies. The owner of a building subject to the mandatory retrofit program must engage an architect or engineer to prepare and submit to the Department of Building Inspection a Screening Form and optional Evaluation Form within one year from the operative date of the legislation. Buildings subject to the seismic retrofitting program are organized into four Compliance Tiers and all retrofitting work under the program must be completed within seven years from the legislation's operative date.

Background Information

California Health and Safety Code Sections 19161 and 19162 authorize local jurisdictions to identify buildings that are potentially hazardous to life in the event of an earthquake and to establish by ordinance retrofit standards for these buildings. Among the potentially hazardous buildings identified by the State Legislature are wood-frame, multi-unit residential buildings constructed before January 1, 1978 having soft, weak or open front wall lines (a "soft-story condition"). These conditions generally arise in a building because the first story has perimeter walls that have large openings for garage doors or windows, has few interior partitions, and/or is constructed of materials that have deteriorated over time. The State Legislature expressly found that residential buildings with a soft-story condition are particularly vulnerable to severe damage and collapse and that these buildings are an important component of the State's housing stock in jeopardy of being lost in the event of an earthquake.

In a study commissioned by San Francisco's Building Inspection Commission, Applied Technology Council (ATC) and a Public Advisory Committee looked at buildings in San Francisco that are vulnerable to collapse or severe damage in an earthquake and developed earthquake policy recommendations. The first policy report was published in February 2009 and focused on the City's wood-frame structures that have five or more residential units, three or more stories, and were built before the adoption of codes regulating earthquake-resistant construction. The study determined that the possible collapse of many of these buildings represents one of the most significant earthquake impacts to San Francisco. The final ATC report issued on December 31, 2010 addressed other vulnerable building types.

In 2010, the San Francisco Planning and Urban Research Association (SPUR) published a white paper containing recommendations for how San Francisco can prepare for and rebound quickly from a major earthquake. The recommendations contained in the ATC study were strongly influenced by SPUR's vision of city-wide mitigation actions to be taken to assure San Francisco's speedy recovery after a future earthquake.

In early 2010, then Mayor Newsom convened a Soft-Story Retrofit Task Force with the aim of crafting a mandatory seismic retrofit program for weak-story buildings in San Francisco, including consideration of a phased implementation program and possible financing mechanisms. In 2011, Mayor Lee initiated the Earthquake Safety Implementation Program to implement recommendations and develop an ordinance for the retrofit of weak-story buildings. That work resulted in the mandatory seismic retrofit program established in this legislation.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: John Rahaim, Director, Planning Department

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: February 6, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed ordinance, introduced by Mayor Lee on February 5, 2013:

File No. 130119

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Zoning Administrator
Bill Wycko, Environmental Review Officer
AnMarie Rodgers, Legislative Affairs Manager
Joy Navarrete, Senior Environmental Planner
Monica Pereira, Environmental Planner

Non-physical exemption
CEQA Section 15060 (c)(2)
J. [Signature] 2/25/13



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection

1660 Mission Street, San Francisco, California 94103-2414

Voice (415) 558-6164 - Fax (415) 558-6509

February 21, 2013

Edwin M. Lee
Mayor

COMMISSION

Angus McCarthy
President

Warren Mar
Vice-President

Kevin Clinch
Frank Lee
Dr. James McCray, Jr.
Myrna Melgar
Debra Walker

Sonya Harris
Secretary

Tom Hui
Acting Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

RE: Proposed Ordinance (File No. 130119) amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

Dear Ms. Calvillo:

On February 20, 2013 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

President McCarthy	Yes	Vice-President Mar	Yes
Commissioner Clinch	Yes	Commissioner Lee	Yes
Commissioner Melgar	Yes	Commissioner Walker	Yes

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris
Commission Secretary

cc: Tom Hui, S.E., Acting Director
Mayor Edwin M. Lee
Supervisor David Chiu
Supervisor Scott Wiener
Supervisor Norman Yee
Supervisor Mark Farrell
Supervisor London Breed
Supervisor Eric Mar

March 13, 2013

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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File 130119
BOS-11
Alisa-
Cpage

Dear Supervisors,

I have been a resident of San Francisco since 1982 and have always put 'seismic safety and awareness' as a high priority. I am NERT trained, and frequently discuss this topic with my neighbors and family. In fact, after attending a neighborhood meeting last year on earthquake safety in the community, I agreed to be on the mayor's task force that was formed to study seismic safety in private schools.

I strongly support the passage of the Mandatory Seismic Retrofit Program for Wood-Frame Buildings. This ordinance is a critical step forward to ensure that San Francisco is safe and resilient and able to handle the eventual large earthquake predicted in the near future. It is all of our responsibilities to ensure that every citizen has access to seismic-safe housing and that our radiant City- by -the -Bay is preserved by strong clear-thinking heads at City Hall and progressive-minded citizens. The more time, effort and resources we expend now, the less tragedy we will experience afterwards.

When this disaster occurs, we want to be remembered for being on guard and ready. Even in an earthquake-prepared city such as Tohoki, Japan, many people died unnecessarily. We all need to think 'outside the box' so that San Francisco avoids such a tragedy!

Please help to bring us together as a community, so this program for wood-frame buildings will pass. In the eyes of the nation and the world, our City stands for so much that is good~~ let's show people that we have what it takes to be proactive, roll up our sleeves, and do the necessary work to keep our City the jewel that she is.

I am grateful that you are working so hard to prepare San Francisco for a destructive earthquake. No one really wants to think about this subject, but hopefully your leadership will provide the necessary collaborative spirit to move people to implement this program.

Sincerely,

Pat McGuire

Pat McGuire
1648 8th Avenue
San Francisco, CA 94122

cc: Mayor Edwin Lee
Patrick Otellini

L. Thomas Tobin

Tobin & Associates

3451 18th Street

San Francisco, CA 94110

415 380-9141

— lttobin@aol.com

March 13, 2013

The Honorable Members
Land Use Committee
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Attn: Angela Calvillo, Clerk of the Board of Supervisors

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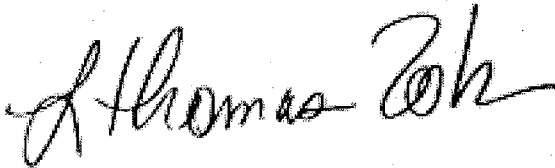
Dear Members Chiu, Kim and Wiener:

I am writing in support of an ordinance to require evaluation and retrofit, when needed, of all wood frame residential buildings with three or more stories and five or more units.

Weak walls at the ground floor of a few thousand multi unit residential buildings in the City pose a clear threat to public safety, housing availability and affordability, community character, the viability of small businesses and retention of jobs. When earthquakes strike the San Francisco Bay Area the consequences will be severe and long lasting, but avoidable. Fortunately, economically effective and fair measures to strengthen these weaknesses are available. We cannot afford to not fix these obvious deficiencies and protect people and our City.

Your support for this mandatory measure will help San Franciscans prepare for earthquakes, protect the City, tenants and owners, and leave a legacy of leadership.

Sincerely,

Email: Board.of.Supervisors@sfgov.org

Miller, Alisa

From: Board of Supervisors
Sent: Thursday, March 14, 2013 10:53 AM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130119: Letter of Support for File No. 130119 by EERI Northern California Chapter
Attachments: EERI NC Support File No 130119_FINAL.pdf

From: Heidi Tremayne [mailto:htremayne@berkeley.edu]
Sent: Wednesday, March 13, 2013 4:31 PM
To: Board of Supervisors
Cc: Otellini, Patrick; Hilt, Micah; Schotanus, Marko I.; Laura Dwelley-Samant; Sharyl Rabinovici; MaffeiJ@calquake.com; Mark, Kenneth M; Danielle Hutchings Mieler; Laurence; chuck.real@conservation.ca.gov
Subject: Letter of Support for File No. 130119 by EERI Northern California Chapter

Angela Calvillo, Patrick Otellini, and Micah Hilt,

On behalf of the Earthquake Engineering Research Institute's Northern California Chapter, I am sending our letter of support for the the Ordinance to establish Mandatory Seismic Retrofit Program for Wood-Frame Buildings (File No. 130119). A pdf of the letter is attached.

The EERI Northern California Chapter strongly supports this initiative as we feel that it will help protect the City's inhabitants and make the San Francisco more resilient. The effort builds up on lessons learned from multiple Bay Area policy initiatives to address soft-story housing, utilizes both engineering knowledge and practical experience, and ensures that a higher level of building performance can be achieved for San Francisco residents in a reasonable time frame.

Thank you for sharing our letter with the Board of Supervisors.

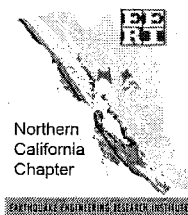
Representatives of our Chapter will attend Monday's Board of Supervisors Land Use Committee meeting to support this ordinance.

Regards,

Heidi

--

Heidi Tremayne (Faison)
President
EERI Northern California Chapter
&
Outreach Director
Pacific Earthquake Engineering Research Center
University of California, Berkeley
325 Davis Hall, MC1792
Berkeley, CA 94720
Tel: 510.642.3462
Fax: 510.642.1655
<http://peer.berkeley.edu>



EARTHQUAKE ENGINEERING RESEARCH INSTITUTE Northern California Chapter

Board of Directors

Heidi Tremayne, *President*
 Janiele Maffei, *Past-President*
 Marko Schotanus, *Secretary-Treasurer*
 Danielle Hutchings Mieler
 Sharyl Rabinovici

Chuck Real
 Laurence Kornfield
 Laura Dwelley-Samant
 Ken Mark

March 13, 2013

Via email: Board.of.Supervisors@sfgov.org

To: Angela Calvillo
 Clerk of the Board of Supervisors
 1 Dr. Carlton B. Goodlett Place
 City Hall, Room 244
 San Francisco, 94102-4689

Cc: Mayor Edwin Lee
 Members of the Board of Supervisors
 City Hall
 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102-4689

Cc: Patrick Otellini
 City Hall, Room 362
 1 Dr. Carlton B. Goodlett Place
 San Francisco, 94102-4689

**Subject: EERI Northern California Chapter statement of support for Ordinance to establish
 Mandatory Seismic Retrofit Program for Wood-Frame Buildings (File No. 130119)**

Dear Supervisors:

The Northern California Chapter of the Earthquake Engineering Research Institute (EERI-NC) is a regional, member-based organization dedicated to reducing earthquake risk. Our members have long been active in the Community Action Plan for Seismic Safety (CAPSS) study, for example through our help in 2007 to collect data on existing multi-unit residential wood-frame buildings. EERI-NC advocates the development of comprehensive programs for mitigation of the harmful effects of earthquakes. The City and County of San Francisco's (City) Earthquake Safety Implementation Program (ESIP) is such a program, and its measures will help protect the City's inhabitants, and make it a more resilient community.

EERI-NC is strongly in favor of the initiative to create a Mandatory Seismic Retrofit Program for Wood-Frame Buildings in the City of San Francisco. The City's ability to recover quickly from the next major earthquake depends on residents being able to shelter-in-place while their homes are being repaired. However, the vulnerability of the City's housing stock to soft-story earthquake hazards is significant and well-documented (in particular by the CAPSS technical reports). Furthermore, the situation is unlikely to improve without additional public action.

499 14TH STREET, SUITE 220, OAKLAND, CALIFORNIA 94612-1934

PHONE (510) 451-0905 FAX (510) 451-5411 CHAPTERINFO@EERINC.ORG [HTTP://WWW.EERINC.ORG](http://WWW.EERINC.ORG)

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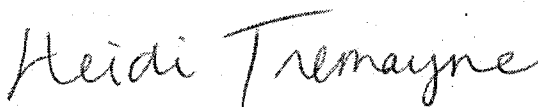
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The proposed ordinance builds upon recent momentum and lessons learned from multiple Bay Area policy initiatives to address soft-story housing, including inventories in Santa Clara County, Sebastopol, and Richmond, regional studies by the Association for Bay Area Governments, and a mandatory screening ordinance in Oakland. The mandatory evaluation ordinances in the cities of Berkeley and Alameda, in particular, demonstrate a turning tide of public opinion towards preventative, required seismic upgrading for buildings with documented deficiencies with serious public ramifications. Fremont has had a mandatory retrofit ordinance in place since 2007. Sufficient engineering knowledge and practical experience exists to facilitate mandatory soft-story policymaking. The extensive technical and stakeholder ground work laid by the CAPSS study, combined with insights from the experiences of other cities, can be used to guide the implementation of an administratively efficient and inclusive program in San Francisco.

Most importantly, a mandatory ordinance to retrofit certain weak wood-frame buildings, such as the one introduced by Mayor Lee and Supervisors Chiu, Wiener, Yee, Farrell, Breed and Mar, is a direct way to cost-effectively increase the post-earthquake habitability of the City's housing stock overall. The cost of retrofitting these buildings is much less than the cost of rebuilding them and providing temporary housing for displaced residents during the process. The proposed ordinance allows flexibility in timing for owners to adapt to the new requirements, while still ensuring that a much higher level of building performance is achieved in a reasonable time frame. For all the above reasons, EERI-NC fully supports this ordinance.

Adoption of the ordinance would be an important milestone for implementation of retrofit programs in the City. We look forward to continuing to be a partner of the City and ESIP to achieve our mutual goal of reducing vulnerability to earthquakes.

Sincerely,



Heidi Tremayne
President

About EERI's Northern California Chapter

The Earthquake Engineering Research Institute's (EERI) Northern California Chapter is a nonprofit technical society dedicated to reducing earthquake risk in Northern California by advancing the science and practice of earthquake engineering, by improving understanding of the impact of earthquakes on the physical, social, economic, political and cultural environment and by advocating comprehensive and realistic measures for reducing the harmful effects of earthquakes. EERI's national office is headquartered in Oakland, California.

PACIFIC HEIGHTS RESIDENTS ASSOCIATION

2585 PACIFIC AVENUE
SAN FRANCISCO, CA 94115
TELEPHONE: (415) 922-3572

14 March 2013

San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, Ca. 94102-4689

VIA e-mail

Subject: File Number 130119 – Mandatory Soft Story Seismic Retrofit Program

Dear Supervisors:

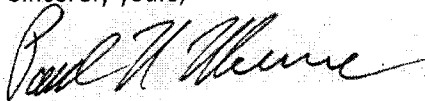
The Pacific Heights Resident's Association (PHRA) represents San Francisco residents within the boundaries of Union to Bush Streets, Presidio to Van Ness Avenues. PHRA was founded over 40 years ago, with the mission of preserving the quality of life and neighborhood characteristics of San Francisco.

Our boundaries include buildings that may be soft story buildings, at risk of collapse in a major earthquake. We are well aware of both the risk to life and the loss of housing should such buildings collapse.

The need for the Mandatory Soft Story Seismic Retrofit Program is clear. This program will save lives and, by preserving existing housing, speed San Francisco's recovery in the event of a major earthquake. The leaders and participants in the CAPSS program have done San Francisco a great service in identifying this need.

PHRA supports the Mandatory Soft Story Seismic Retrofit Program, and urges you to pass the enabling legislation.

Sincerely yours,



Paul H. Wermer
Board Member, Pacific Heights Residents Association

Cc: Angela Calvillo, Clerk of the Board of Supervisors
Patrick Otellini, Director of Earthquake Safety

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130119

San Francisco Apartment Association

March 13, 2013

Re: File Number 130119

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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To Whom It May Concern,

The San Francisco Apartment Association is in support of Ordinance Number 130119, the Mandatory Soft Story Seismic Retrofit Program, **as it is currently written**. Although mandatory seismic retrofitting could cause a financial burden and hardship on many small residential housing providers, the San Francisco Apartment Association and its members understand that earthquake preparedness and building and resident safety is paramount.

The San Francisco Apartment Association also recognizes that the Mandatory Soft Story Seismic Retrofit Program is a necessary measure to preserve San Francisco's current rent-controlled housing stock and its ability to shelter in place in case of emergency.

Sincerely,

Janan New
Executive Director
San Francisco Apartment Association

Cc: Patrick Otellini
Earthquake Safety Implementation Program

STANFORD UNIVERSITY



Department of Geophysics
Stanford University
Stanford, CA 94305-2115

Tel.: (650) 723-2782
Fax: (650) 725-7344
e-mail: marylouz@stanford.edu

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, Ca. 94102-4689

Re File Number 130119 – Mandatory Soft Story Seismic Retrofit Program

Dear Board of Supervisors,

I am writing to lend my strongest support for the Mandatory Soft Story Seismic Retrofit Program. I was involved in the Advisory Committee for the CAPSS (Citizen's Action Plan for Seismic Safety) for 10 years, and had the honor of serving as its co-chair from 2008-2010. The mandatory soft story seismic retrofit ordinance you are considering came directly from CAPSS recommendations which were vetted with technical experts as well as with community members representing building owners, tenants, and neighborhood associations.

The CAPSS program began with detailed (neighborhood scale) assessment of San Francisco's vulnerability to future earthquakes. In the end CAPSS recommended a staged, thirty-year plan to retrofit all seismically vulnerable building types in the city. No other city in the United States has undertaken such a detailed and objective assessment on its seismic vulnerability.

You now have an opportunity to maintain San Francisco's unique national leadership in seismic safety by approving the proposed mandatory soft-story seismic retrofit program. I strongly urge you to do this as the first step in a long-term program that will assure that San Francisco is the safest and most resilient community in the United States,

Sincerely,

Mary Lou Zoback
Consulting Professor, Dept. of Geophysics
Past Co-Chair, CAPSS Advisory Committee

Cc: Patrick Ottelini, SF Director of Earthquake Safety

Miller, Alisa

From: Board of Supervisors
Sent: Wednesday, March 13, 2013 10:12 AM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130119: Soft Story Seismic Retrofit Program

From: Dee Seligman [mailto:deesel91@gmail.com]
Sent: Tuesday, March 12, 2013 6:33 PM
To: Board of Supervisors
Cc: Otellini, Patrick
Subject: Soft Story Seismic Retrofit Program

Dear Bd of Supervisors Land Use Committee Members,
Please support File Number 130119 – Mandatory Soft Story Seismic Retrofit Program. As an active NERT, I understand fully the dangers of soft story construction, and how it will affect all of us as we approach search and rescue after a major earthquake. There is little likelihood that many owners will voluntarily do the retrofitting that is needed, particularly in multi-unit buildings. The City must mandate this retrofitting, and this program is the beginning of that city-wide process that must take place.

Sincerely your,

Dee Seligman
H: 415-668-6308

March 12, 2012

Supervisors Wiener, Kim, and Chiu
Land Use Committee
SF Board of Supervisors
City and County of San Francisco
City Hall
1 Dr. Carlton Goodlett Place
San Francisco, CA. 94102

RE: March 18th Land Use Committee Meeting; Proposed Soft Story Building Legislation

Dear Supervisors Wiener, Kim, and Chiu:

This is in regard to the subject legislation. I have followed with interest the development of the proposed ordinance. I appreciate all the hard and fine work that has gone into it. The flexibility that is in the "Engineering Criteria for Evaluation and Retrofit" is, I believe, reasonable. I think there should be a little more flexibility in the ordinance.. Suppose a building that is slated for retrofit experiences an earthquake, but the damage that results is significantly less than what had been predicted. Would the owner be allowed to just repair or be required to retrofit to lesser requirements than are in the proposed ordinance or what? In conclusion, it seems that given the gaps of knowledge that still exist regarding the destructiveness of earthquakes that there should be some flexibility in the ordinance to take into account any new information, etc., if only for the fact that it is very costly to retrofit.

The cost of retrofit for most landlords will never be fully recovered given the SF Rent Board regulations. For one thing the passthroughs can only be imposed on those tenants who had lived for a certain period prior to the completion of the retrofit. Also, if rents already were at market rates property owners would be reluctant to use the passthroughs less they lose their tenants. I think retrofits could be very costly for small landlords to comply with as I think we are looking at costs around \$100,000. In the year the retrofit is done the cost of it may exceed the total rent from the building. I believe the proposed legislation would put too heavy of a financial burden on landlords and for that reason I must voice opposition to it even though I support the intent.

Sincerely,

Bill Quan

Bill Quan
2526 Van Ness Ave., #10
San Francisco, CA. 94109

SoftStoryLegislation-March2013CommentsToLandUseCommittee



SAN FRANCISCO
FEDERAL CREDIT UNION

130119

March 8, 2013

San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, Ca. 94102-4689

Dear Supervisors,

This letter is to express our support of the Mandatory Soft Story Retrofit Ordinance as well as to express our commitment to working with property owners on financing those needed retrofits. Supporting the financial needs of our San Francisco community is at the heart of our organization.

Sincerely,

Steven Stapp
President & CEO

Cc:

Patrick Otellini
Director of Earthquake Safety
City Hall, Room 12A
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
email: patrick.otellini@sfgov.org

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, Ca. 94102-4689
Email: Board.of.Supervisors@sfgov.org

March 11, 2013.

To: Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Cc: Mayor Edwin Lee
Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Cc: Patrick Otellini
City Hall, Room 362
1 Dr. Carlton B. Goodlett Place
San Francisco, 94102

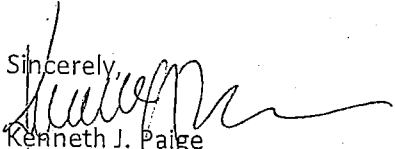
Dear Supervisors,

I, Kenneth Paige, strongly support the passage of the Mandatory Seismic Retrofit Program for Wood-Frame Buildings. This ordinance is a critical step forward for San Francisco, making our City safer and more resilient. It is all of our responsibilities to ensure every citizen has equal access to safe housing and that our great City is preserved.

Because I am on the CAPPs Committee, I feel it is incumbent on me to set a good example of how a good landlord should respond to a potentially dangerous problem without encumbering my tenants with additional obligations or increased rent. I am planning to add a few additional apartment units in the soft story floor and thereby defraying the cost of the seismic upgrade. Although the apartment will be more stable, the future rents not my tenants will pay for the seismic work. With a better constructed building and with more income, First Republic Bank has offered a larger property loan at a much reduced rate. Win, win, win!!

Thank you so much for your consideration. I am looking forward to working together to make San Francisco a safer, stronger, and more resilient City.

Sincerely,


Kenneth J. Paige

Miller, Alisa

130119

From: Board of Supervisors
Sent: Tuesday, March 12, 2013 5:10 PM
To: BOS-Supervisors; Miller, Alisa
Subject: "File Number 130119 – Mandatory Soft Story Seismic Retrofit Program"

-----Original Message-----

From: Diana Arsham [mailto:da@arsham.com]
Sent: Tuesday, March 12, 2013 2:42 PM
To: Board of Supervisors
Subject: "File Number 130119 – Mandatory Soft Story Seismic Retrofit Program"

To Whom it May Concern:

Although I will be unable to attend the meeting on Monday March 18th, I am writing to show support for the Mandatory Soft Story Seismic Retrofit Program.

Thank you for your consideration.

Diana Arsham
PO Box 15608, SF, CA 94115-0608
415-346-4740 (VOICE MAIL)
415-567-3929 (FAX)
DIANA@ARSHAM.COM

From: Board of Supervisors
Sent: Tuesday, March 12, 2013 5:10 PM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130119: the proposed "soft story retrofit" ordinance..."

From: jackbarry99@gmail.com [mailto:jackbarry99@gmail.com] **On Behalf Of** Jack Barry
Sent: Tuesday, March 12, 2013 3:00 PM
To: Board of Supervisors
Subject: the proposed "soft story retrofit" ordinance..."

Dear Board Clerk

Please tell all the Board members that this proposed ordinance must be passed , ASAP.

SF cannot afford to let such risky conditions go on as they will cause the city to waste big money, in the "damage clean up" after the next big quake.

thanks.

John Barry, Board member, SHARP, the Sunset Hts Assoc. of Responsible People.

(SHARPSF.com)

Real Estate Sales & Management. Full Service. Rates Half the Norm..!
jackbarry99@gmail.com

130119

• Laura Dwelley-Samant •
Supporting Seismic Safety

To: Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

March 12, 2013

Dear Supervisors,

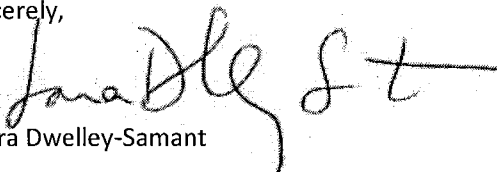
I am writing to express my strong support for the ordinance to mandate retrofit of vulnerable soft-story residential buildings.

Earthquakes are an inevitable part of San Francisco's future and we must plan for them. We know that this type of building, without retrofit, is likely to see heavy damage in future earthquakes. We have seen a preview of this damage before, during the moderate 1989 Loma Prieta earthquake.

After future earthquakes, the proposed ordinance would reduce casualties, preserve housing (notably, rent controlled housing), reduce the number of people that need emergency shelters, and speed the City's economic, social and cultural recovery.

As a San Francisco resident, specialist in earthquake risk issues, and former co-project manager of the San Francisco Community Action Plan for Seismic Safety (CAPSS) project, I have watched a broad group of San Franciscans—building owners, renters, neighborhood representatives, historic building advocates, business leaders, engineers, urban planners, and many others—study these buildings and craft this ordinance from its early stages. This ordinance is the result of years of effort by and discussion among people who truly care about San Francisco's future, and I urge you to support it.

Sincerely,



Laura Dwelley-Samant

Cc: Mayor Edwin Lee
Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Cc: Patrick Otellini
City Hall, Room 362
1 Dr. Carlton B. Goodlett Place
San Francisco, 94102

130119

JOHN C. PAXTON

155 Montgomery Street, Suite 610
San Francisco, California 94104

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 MAR 12 PM 4:13

Telephone (415) 421-3700

Fax (415) 421-3706

March 11, 2013

To the Member of the Land Use Committee,
Supervisors Wiener, Kim and Chiu:

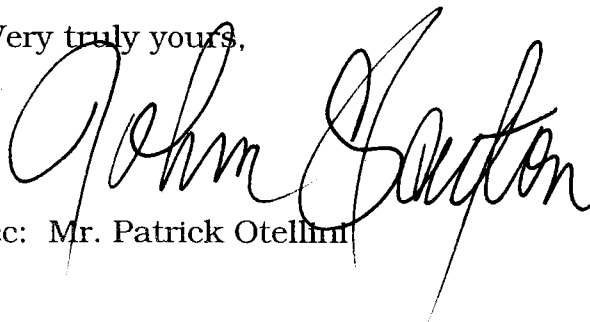
I strongly encourage you to support the Ordinance to mandate the seismic retrofit of vulnerable, soft-story buildings.

I am a residential tenant, and I served as the co-chair of the CAPSS Citizen's Advisory Committee. The diverse participants on the Advisory Committee unanimously concluded that we needed to move forward with programs to retrofit the vulnerable, privately-owned structures in San Francisco. The soft story residential buildings addressed in this ordinance will be the easiest and cheapest to address, and will have the greatest impact on the well being of San Francisco.

The majority of San Francisco's residential buildings were built before WWII, when no design standards existed which recognized seismic forces. The CAPSS report entitled Potential Earthquake Impacts estimated that over 28,000 dwelling units (in wood-frame, soft-story buildings with 5 or more units) would not be "occupyable" following a 7.2 Magnitude earthquake on the San Andreas Fault. To put that in perspective, over the past 20 years, San Francisco has built approximately 31,000 new residential units. In a brief period of time, we could lose nearly as many residential units (mainly rent-controlled, rental units) as have been built since 1993. These losses are largely avoidable if we take the action required by this ordinance.

This ordinance is the first of many steps to make San Francisco safer and more resilient from future earthquakes. Thank you for your support on this important issue.

Very truly yours,



cc: Mr. Patrick Otellini

March 11, 2013

To: Mayor Edwin Lee
Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Cc: Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor and Supervisors,

As a native San Franciscan, with a lifetime of experience in real estate ownership and management, I, George Orbelian, strongly support the passage of the Mandatory Seismic Retrofit Program for Wood-Frame Buildings. This ordinance is a critical step forward to making San Francisco a safer and more resilient city. It is all of our responsibilities to ensure every citizen has equal access to safe housing and workspaces and that our great City is preserved.

Preparing for earthquakes by retrofitting our most vulnerable housing and infrastructure will protect and empower the business continuity of the City we love and call home. With this program in place our residential and commercial tenants will continue to have access to homes and businesses ensuring rents to owners. The continuation of rents will make it possible for owners to honor mortgage and tax obligations. This very clear and well thought out policy reflects a consensus of win / win thinking inspired by care for the future of our City. Passage of this program is essential to insuring we avoid foreseeable and preventable earthquake consequences we have witnessed around the world, enabling San Francisco to continue working.

I am proud to live in San Francisco, a city that implements solutions to challenges the rest of the world dreams about solving. I thank you for your efforts and look forward to working with you in furthering our great legacy.



George Orbelian
Owner, Orbelian Holdings, L.P.
March 11, 2013

130119

DAVID BONOWITZ, S.E.
605A BAKER STREET
SAN FRANCISCO, CA 94117
415-771-3227
DBONOWITZ@ATT.NET

March 11, 2013

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

BY EMAIL ONLY: Board.of.Supervisors@sfgov.org

SUBJECT Support for Mandatory Seismic Retrofit Program for Wood-Frame Buildings

Supervisors:

I urge you to support the proposed ordinance addressing our collapse-prone wood-frame buildings – buildings just like those that collapsed in the Loma Prieta and Northridge earthquakes.

Our engineering community has been studying these buildings and San Francisco's earthquake risk for years, and we know two things with high confidence:

- The buildings targeted by this ordinance are legitimate collapse risks.
- If you were to rank the seismic vulnerability of every building in the city, these few thousand would be among the very worst.

So if you want to be serious about reducing San Francisco's earthquake risk, approving this ordinance should be your top priority.

Thank you,



DAVID BONOWITZ, S.E.

P.S. For identification purposes only: I am a Fellow Member of the Structural Engineers Association of Northern California, and I chair the Existing Buildings Committee of the National Council of Structural Engineers Associations. For disclosure purposes, please note that I served as a volunteer on the CAPSS Community Advisory Panel and later had a small contracted role on part of the project. I have also provided professional services that helped to develop the proposed ordinance, and I am in the process of being considered for a paid advisory role to the city's Earthquake Safety Implementation Program.

CC: Patrick Otellini, Director of Earthquake Safety, Patrick.Otellini@sfgov.org



STRUCTURAL ENGINEERS ASSOCIATION OF NORTHERN CALIFORNIA

2012-2013

February 11, 2013

PRESIDENT

Grace Kang, SE

Via email: Board.of.Supervisors@sfgov.org

VICE PRESIDENT

Colin Blaney, SE

Angela Calvillo

SECRETARY

Sarah Billington, PhD

Clerk of the Board of Supervisors

1 Dr. Carlton B. Goodlett Place

City Hall, Room 244

TREASURER

Darrick Hom, SE

San Francisco, 94102-4689

DIRECTORS

Ian Aiken, PE, PhD

Michael Gemmill, SE

Walterio Lopez, SE

Taryn Stubblefield, SE

Re: SEAONC Statement of Support for Ordinance to establish Mandatory Seismic Retrofit Program for Wood-Frame Buildings (File No. 130119)

Dear Ms. Calvillo:

PAST PRESIDENT

Peter Lee, SE

EXECUTIVE

SECRETARY

Ken Miles

The Structural Engineers Association of Northern California (SEAONC) enjoys a close working relationship with the City and County of San Francisco and has provided both formal and informal advice on a variety of technical issues related to the field of structural engineering. On September 13, 2011, the City and County of San Francisco published a 30-year workplan as part of the Earthquake Safety Implementation Program (ESIP) which identifies numerous tasks related to improving the overall seismic safety and resilience of the City and County of San Francisco. In support of the ESIP effort, the SEAONC Board set up a formalized process by which both the SEAONC Board and SEAONC members can assist this effort. The main objectives of this process are to engage our members and utilize their technical skills to assist, review, and provide timely and well-coordinated technical feedback to the ESIP.

In this regard, SEAONC has established a working group to participate in ESIP's development of the proposed Soft-Story Wood Frame Retrofit Ordinance which we understand has been introduced to the City and County of San Francisco Board of Supervisors on February 5th. This working group of fifteen Structural Engineers has met numerous times over the last few months to discuss the technical aspects of the proposed ordinance.

As part of these discussions, this working group has developed, and the SEAONC Board endorses, the following seven statements of support for the ESIP and the proposed Soft-Story Wood Frame Retrofit Ordinance:

February 11, 2013

Ms. Angela Calvillo

Clerk of the Board of Supervisors

Re: SEAONC Statement of Support for Ordinance to establish Mandatory Seismic Retrofit Program for Wood-Frame Buildings (File No. 130119)

Page 2 of 3

- SEAONC supports the City and County of San Francisco's ("the City's") efforts to reduce earthquake risks through a comprehensive program such as that envisioned by the Earthquake Safety Implementation Program (ESIP).
- SEAONC supports the City's conclusion that a mandatory ordinance to retrofit certain soft-story buildings can be effective toward its risk-reduction goals, specifically toward a more resilient housing stock better able to provide post-earthquake habitability.
- SEAONC supports both the general objective for the retrofit of these buildings to mitigate the soft story vulnerability, and the use of both existing methodologies and policies (such as those named in AB 094) and new ones (such as FEMA P-807), consistent with the overall risk reduction goal.
- SEAONC finds FEMA P-807 suitable for use in the City's proposed program, subject to SEAONC's concurrence with necessary future modifications as needed for implementation.
- SEAONC will continue to work with the City to develop technical criteria appropriate to the ordinance's purpose and intent. While we expect the retrofit criteria, where applied, will reduce a building's collapse risk and will increase the likelihood that it will be structurally safe to occupy, neither the available engineering tools nor any criteria written into the ordinance or administrative bulletin will explicitly address post-earthquake habitability.
- SEAONC commits to continue working with the City in coordination with ESIP, and commits to working with the Department of Building Inspection and others to develop a mechanism for interpretation and resolution of questions as implementation of the ordinance proceeds.
- SEAONC will continue to support the City's implementation of the ordinance through education and guidance of engineers and other stakeholders.

SEAONC looks forward to continuing to work with the City and County of San Francisco as the language of the ordinance is finalized, and as the Administrative Bulletins used to enforce the

February 11, 2013

Ms. Angela Calvillo

Clerk of the Board of Supervisors

Re: SEAONC Statement of Support for Ordinance to establish Mandatory Seismic Retrofit
Program for Wood-Frame Buildings (File No. 130119)

Page 3 of 3

enacted amendments to the San Francisco Building Code are developed. We also look forward to continuing our technical participation in ESIP efforts during the coming years.

Very truly yours,

STRUCTURAL ENGINEERS ASSOCIATION OF NORTHERN CALIFORNIA



Grace S. Kang, SE
President

cc: Mr. Patrick Otellini, Director of Earthquake Safety, City and County of San Francisco

About SEAONC

Founded in 1930, the Structural Engineers Association of Northern California (SEAONC) is committed to the advancement and incorporation of the state-of-the-art in structural engineering standards and practices through applied research, continuing education, and the promotion of professional relations among Civil, Structural, and Geotechnical Engineers.

SEAONC endeavors to enhance the life safety, environmental health, and economic well-being of the public served by Structural Engineers through direct involvement in the development of building codes, through community education and through liaison and consultation with legislative and regulatory agencies that influence the design and construction industry.

The success of SEAONC, in its efforts to serve the public and the profession, stems chiefly from the volunteer commitments of members working on committees, both technical and non-technical, that form the basis of SEAONC operations. The majority of Association members are licensed engineers regularly engaged in the practice of structural engineering. The Association also draws membership from related fields involved in design and construction, including academe (professors and students), contractors, architects, and representatives from industry and government.

AIA San Francisco

A Chapter of the American Institute of Architects



February 7, 2013

Mayor Ed Lee
Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor Ed Lee and Members of the Board of Supervisors:

On behalf of the American Institute of Architects San Francisco chapter, I would like to address seismic risk communications, particularly in respect to the upcoming soft-story ordinance. The ordinance, now under final development, as we understand it, will require a seismic upgrade of wood-frame, soft-story buildings of 3 or more stories and containing 5+ dwelling units. The program is proposed to be over a 7 year period in 4 phases, based upon impacts on occupants and on the City.

AIA San Francisco's Board of Directors would like to express their support of this proposed soft-story ordinance for the following reasons:

- This ordinance will enhance the City of San Francisco's efforts to reduce earthquake risks through a comprehensive program such as that envisioned by the CAPSS/Earthquake Safety Implementation Program.
- It will encourage the City's adoption of a mandatory ordinance to retrofit certain "soft story" buildings to reduce collapse, which will save lives, reduce injuries, and help create a more resilient housing stock that will better provide post-earthquake habitability.
- The ordinance will support the City's objective that certain weak story buildings, as mandated by the ordinance, should be retrofitted to a performance level meeting the City's risk-reduction goal allowing the use of both existing methodologies and codes and new methodologies consistent with the overall risk reduction goal.

By backing the ordinance, AIA San Francisco will continue to support the City's implementations of the ordinance through education and guidance or architects and other stakeholders.

Please utilize these general guidelines as you review the soft-story ordinance and implement legislative actions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. O'Driscoll".

Margie O'Driscoll
Executive Director

CC: Patrick Otellini

Hallidie Building
130 Sutter Street, Suite 600
San Francisco, CA 94104
Facsimile 415.874.2642
Telephone 415.362.7397
www.aiaasf.org

Miller, Alisa

From: Board of Supervisors
Sent: Friday, February 08, 2013 5:00 PM
To: Miller, Alisa
Subject: File 130119: NO on Retrofit

From: Mary Robinson [mailto:marycrobinson@yahoo.com]
Sent: Thursday, February 07, 2013 12:25 AM
To: Board of Supervisors
Subject: Re: NO on Retrofit

Please Forward to All Supervisors

There is no proof anywhere that demonstrates an older building can be successfully retrofitted without spending hundreds of thousands of dollars on foundation work, etc. I studied this in great detail. It will do nothing unless every window is reinforced requiring a building be taken down to the studs. The unemployed contractors would like this... The East Bay was

required to remove their retrofitting because it caused more problems then it solved. You must be joking or trying to force older owners to sell their rental properties.

This is a complete travesty and unlawful control of property owners. If you vote this in you will be voted out next term. We don't need to spend \$100,000 on shiny new metal that you can not prove will do anything if the quake moves over one millimeter.

Maybe you should dig under the Marina and remove all of the landfill and fill it with concrete...There was a NOVA documentary that tested a building retrofitted when built and an unretrofitted building under the same earthquake stress - they BOTH fell down equally. This will also displace tenants...

Miller, Alisa

From: Board of Supervisors
Sent: Friday, February 08, 2013 5:01 PM
To: Miller, Alisa
Subject: File 130119: NO on Retrofit

From: Mary Robinson [mailto:marycrobinson@yahoo.com]
Sent: Thursday, February 07, 2013 12:00 AM
To: Board of Supervisors
Subject: NO on Retrofit

There is no proof anywhere that demonstrates an older building can be satisfactorily retrofitted without spending hundreds of thousands of dollars on foundation work, etc. I studied this in great detail. It will do nothing unless every window is reinforced requiring a building be taken down to the studs. The unemployed contractors would like this... The East Bay was required to remove their retrofitting because it caused more problems then it solved. You must be joking or trying to force older owners to sell their rental properties. This is a complete travesty and unlawful control of property owners. If you vote this in you will be voted out next term. We don't need to spend \$100,000 on new shiny metal!

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, March 18, 2013


Time: 1:30 p.m.

Location: Committee Room 263, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: File No. 130119. Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

If the legislation passes, an Administrative Fee for services provided under Building Code, Chapter 34B, Mandatory Earthquake Retrofit of Wood-Frame Buildings, by the Department of Building Inspection shall be codified at the standard hourly rate set forth in Building Code Table 1A-D: \$187/hour for plan review; \$170/hour for inspection or \$180/hour for OSHPD inspection; and \$104/hour for administration services, with a minimum charge of \$52 for 30 minutes or less. When a Screening Form is required by Building Code, Section 3404B.2, a minimum fee equivalent to one hour for plan review and administration shall be charged, or two hours when a voluntary Evaluation Form is also submitted with the Screening Form. Additional fees may be charged for additional work and payable within 30 days of notice that payment is due. Monies collected shall be deposited into the Building Inspection Operating Fund.

In accordance with San Francisco Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, March 15, 2013.


Angela Calvillo, Clerk of the Board

DATED: February 26, 2013
POSTED: February 28, 2013
PUBLISHED: March 4 & 11, 2013

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Alisa Miller
S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description AM - 3.18.13 Land Use - File 130119 Fee Ad

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

03/04/2013 , 03/11/2013

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CNS 2451955

NOTICE OF PUBLIC HEARING LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

MONDAY, MARCH 18, 2013 - 1:30 PM
COMMITTEE ROOM 263, CITY HALL
1 DR. CARLTON B. GOODLETT
PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard. File No. 130119, Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

If the legislation passes, an Administrative Fee for services provided under Building Code, Chapter 34B, Mandatory Earthquake Retrofit of Wood-Frame Buildings, by the Department of Building Inspection shall be codified at the standard hourly rate set forth in Building Code Table 1A-D: \$187/hour for plan review; \$170/hour for inspection or \$180/hour for OSHPD inspection; and \$104/hour for administration services, with a minimum charge of \$521 or 30 minutes or less. When a Screening Form is required by Building Code, Section 3404B.2, a minimum fee equivalent to one hour for plan review and administration shall be charged, or two hours when a voluntary Evaluation Form is also submitted with the Screening Form. Additional fees may be charged for additional work and payable within 30 days of notice that payment is due. Monies collected shall be deposited into the Building Inspection Operating Fund. In accordance with San Francisco Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, March 15, 2013.
Angela Calvillo, Clerk of the Board



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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: March 13, 2013

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following *substitute* ordinance, introduced by Mayor Lee on March 12, 2013:

File No. 130119-2

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

The Building Inspection Commission held a public hearing on this matter on February 20, 2013, and provided their recommendation on the previous version. This matter is scheduled to be heard at the Land Use and Economic Development Committee next week on March 18, 2013.

If you have additional reports or comments to be considered with this matter, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: John Rahaim, Director, Planning Department

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: March 13, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following *substitute* ordinance, introduced by Mayor Lee on March 12, 2013:

File No. 130119-2

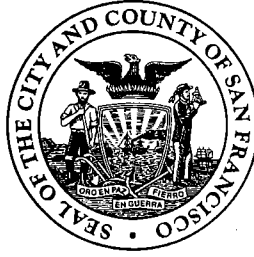
Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

The Planning Department issued an environmental review exemption for this matter on February 25, 2013.

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Zoning Administrator
Sarah Jones, Environmental Review Officer
AnMarie Rodgers, Legislative Affairs Manager
Joy Navarrete, Senior Environmental Planner
Monica Pereira, Environmental Planner

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 19, 2013

File No. 130119

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On February 5, 2013, Mayor Lee introduced the following proposed legislation:

File No. 130119

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

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MEMORANDUM

TO: John Rahaim, Director, Planning Department

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: February 6, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed ordinance, introduced by Mayor Lee on February 5, 2013:

File No. 130119

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings; and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Zoning Administrator
Bill Wycko, Environmental Review Officer
AnMarie Rodgers, Legislative Affairs Manager
Joy Navarrete, Senior Environmental Planner
Monica Pereira, Environmental Planner

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MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: February 19, 2013

SUBJECT: LEGISLATION INTRODUCED: BUILDING CODE AMENDMENT

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed ordinance, introduced by Mayor Lee on February 5, 2013:

File No. 130119

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

The proposed ordinance is being transmitted pursuant to Charter Section D3.750-5 for public hearing and recommendation. It is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Carolyn Jayin, Department of Building Inspection

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: *for* Mayor Edwin M. Lee *for*
RE: Substitute Ordinance File No. 130119 - Building Code – Mandatory
Seismic Retrofit Program for Wood-Frame Buildings; Optional Evaluation
Form Fee
DATE: March 12, 2013

Attached for substitution to the Board of Supervisors is the ordinance amending the Building Code to establish a mandatory seismic retrofit program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978 and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code Section 17958.7; establishing an operative date; and directing the Clerk to forward the legislation to specified state agencies.

Please note this item is cosponsored by Supervisors Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang.

I request that this item be calendared in Land Use and Economic Development Committee on March 18, 2013.

Should you have any questions, please contact Jason Elliott (415) 554-5105.

cc. Supervisor David Chiu
Supervisor Scott Wiener
Supervisor Norman Yee
Supervisor Mark Farrell
Supervisor London Breed
Supervisor Eric Mar
Supervisor Katy Tang

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OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Edwin M. Lee *jr*
RE: Building Code – Mandatory Seismic Retrofit Program for Wood-Frame Buildings
DATE: February 5, 2013

Attached for introduction to the Board of Supervisors is the ordinance amending the Building Code to establish a mandatory seismic retrofit program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978 and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code Section 17958.7; establishing an operative date; and directing the Clerk to forward the legislation to specified state agencies.

Please note this item is cosponsored by Supervisors Chiu, Wiener, Yee, Farrell, Breed and Mar.

I request that this item be calendared in Land Use and Economic Development Committee on March 4, 2013.

Should you have any questions, please contact Jason Elliott (415) 554-5105.

cc. Supervisor David Chiu
Supervisor Scott Wiener
Supervisor Norman Yee
Supervisor Mark Farrell
Supervisor London Breed
Supervisor Eric Mar

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