



MEMORANDUM

November 4, 2022

TO: MEMBERS, PORT COMMISSION
Hon. Willie Adams, President
Hon. Kimberly Brandon, Vice President
Hon. John Burton
Hon. Gail Gilman
Hon. Steven Lee

FROM: Elaine Forbes
Executive Director

SUBJECT: Informational presentation on amendments to the 2022 Port of San Francisco Building Code

DIRECTOR'S RECOMMENDATION: Information Only – No Action Required

Executive Summary

State law establishes the statewide building standards code, known as the California Building Standards Code, located in Title 24 of the California Code of Regulations also known as (the “California Building Standards Code” or the California Building Code). The California Building Code is considered to provide for the minimum construction standards to achieve reasonable levels of health, safety, and general welfare to occupants and the public.

The California Building Code allows local jurisdictions to establish more restrictive, reasonable, and necessary requirements to the State’s minimum standards by filing local findings and code amendments with the California Building Standards Commission to address local geologic, topographic, climatic, environment, and administrative processes for said local jurisdiction. Local amendments generally must be more restrictive.

Historically, Port engineering staff asked the Port Commission to adopt local amendments to the California Building Standards Code to form the Port of San Francisco Building Code. This report provides an overview of the proposed 2022 Port of San Francisco Building Code. Port staff will then request approval at the December 13, 2022 meeting, and if the Port Commission approves, the 2022 Port of San Francisco Building Code will become effective January 1, 2023.

The majority of changes in the California Building Code can be characterized as

editorial with three changes of note recommended for adoption in the 2022 Port of San Francisco Building Code:

- Additional requirements for floating marine structures not regulated by the U.S. Coast Guard (Section 101A.3.1)
- Expansion of 'Site Permit' regulations and timelines (Section 106A.4.1.2.8)
- Insertion of aluminum welding requirements for special inspections of fabricated aluminum structures used in marine or other environments (Section 1705.22)

The changes clarify ambiguities in the California Building Code and either relate directly to unique Port locations or align Port practices with the San Francisco Building Code.

Strategic Objective:

Adoption of 2022 Port of San Francisco Building Code supports the following objectives:

Resiliency – Port of San Francisco Building Code incorporates the latest code regulations which establish the minimum requirements to safeguard public health, safety, and general welfare through structural strength, stability, fire safety, and general quality of construction.

Sustainability – Port of San Francisco Building Code incorporates the 2019 Green Building Codes which promote the latest environmentally sustainable practices in building construction and operation.

Introduction

The California Building Standards Commission, in accordance with the California Health and Safety Code, establishes construction standards in California which are codified in the California Code of Regulations, Title 24, also known as the "California Building Standards Code" (referred to as the "State Code"). The Building Standards Code consists of legally codified standards governing the design and construction of buildings, structures, and associated infrastructure. The California Building Standards Code consists of 12 parts to address different aspects of design and construction in the building industry.

As an enterprise department, separate from the San Francisco Department of Building Inspection, the Port of San Francisco adopts its own Port of San Francisco Building Code for regulation of construction and improvements of structures and facilities within the Port's jurisdictional boundaries. This code consists of local findings and code amendments adopted by the Port in concert with the State Code.

The Port of San Francisco's local amendments primarily consist of special design requirements to address the Port's proximity to San Francisco Bay waters, its unique topographical and geographical conditions, and unique jurisdictional structure. In response to these requirements, Port staff will seek Port Commission approval to adopt the State Code as amended with the Port's local findings at the Port Commission's meeting on December 13, 2022. This will enable the continuance of the Port's current administrative procedures, submittal requirements, appeal processes and construction standards applicable to the Port's marine environment, facilities, and maritime operations.

The California Building Standards Commission has adopted a new 2022 edition of the California Building Code. The new edition will supersede the current 2019 edition of the State Code in its entirety and will have an effective date of January 1, 2023. As a result, the 2019 edition of the Port of San Francisco Code, which was based on the 2019 edition of the State Code, will be outdated as of January 1, 2023. If the Port Commission does not adopt the updated Port of San Francisco Building Code, the Port's construction standards will, as of January 1, 2023, default to the 2022 California Building Standards Code without Port jurisdictional amendments.

Discussion of Amendments

The notable changes to the proposed 2022 Port Building Code are listed below. Each of the amendments while not modifying a building standard, either clarifies ambiguities in the California Building Code (i.e. floating marine structures and special inspection requirements for aluminum) or more closely aligns Port process with other local agencies (Site Permit regulations and timelines). Other changes to the California Building Code are best characterized as not material in nature and are not included below.

- Requirements for floating marine structures not regulated by the U.S. Coast Guard (Section 101A.3.1). This amendment clarifies the jurisdiction of the Port to include floating marine vessels that are not regulated by the U.S. Coast Guard (i.e. non-self-powered vessels).
- Expansion of "Site Permit" regulations and timelines (Section 106A.4.1.2.8). This amendment clarifies the Port's use of site permits and aligns the process with the process used by the Department of Building Inspection (DBI), which allows the permit process to move forward when certain disciplines (such as site electrical, mechanical, and piping design) lag behind the overall site design process.
- Insertion of special inspection requirements during aluminum welding fabrication (Section 1705.22). This amendment clarifies the requirements for special inspections during the fabrication of aluminum elements. The California Building Code is ambiguous in its requirements for inspections for fabrications using aluminum. This construction material is commonly used in the marine setting for gangways, ramps, and other fabrications due to its light weight and resistance to marine-based corrosion.

Climate Action

The 2022 State Code includes standards for green building practices known as the California Green Building Standards Code, along with standards for energy consumption known as the California Energy Code. The proposed 2022 Port of San Francisco Building Code incorporate these standards.

Schedule

Port staff will post public notices in a local newspaper, announcing a review and comment period of two weeks for the proposed 2022 Port of San Francisco Building

Code. After public review and resolution of comments, staff plans to request Port Commission approval and adoption of the proposed 2022 Port of San Francisco Building Code and associated local findings on December 13, 2022, with an effective date of January 1, 2023. Upon adoption of the 2022 edition of the Port of San Francisco Building Code by the Port Commission, staff will file the local findings and associated code amendments with the California Building Standards Commission to finalize the process.

Summary

Port staff will produce a draft of the proposed 2022 Port of San Francisco Building Code with local findings. Staff will post the draft code for public opinion and comment and will present the final draft of the 2022 Port of San Francisco Building Code and local findings at the December 13, 2022 Port Commission meeting. The 2022 Port of San Francisco Code will, upon review approval and adoption, repeal the 2019 edition of the Port of San Francisco Code, and will be effective as of January 1, 2023.

Prepared By: Neil Friedman
Chief Building Inspector

Peter Luong
Civil Engineer

For: Rod Iwashita
Chief Harbor Engineer