

SF Health Code Article 38

Rules & Regulations

Jonathan Piakis, MPH, CIH

Public Health Commission, August 1, 2023

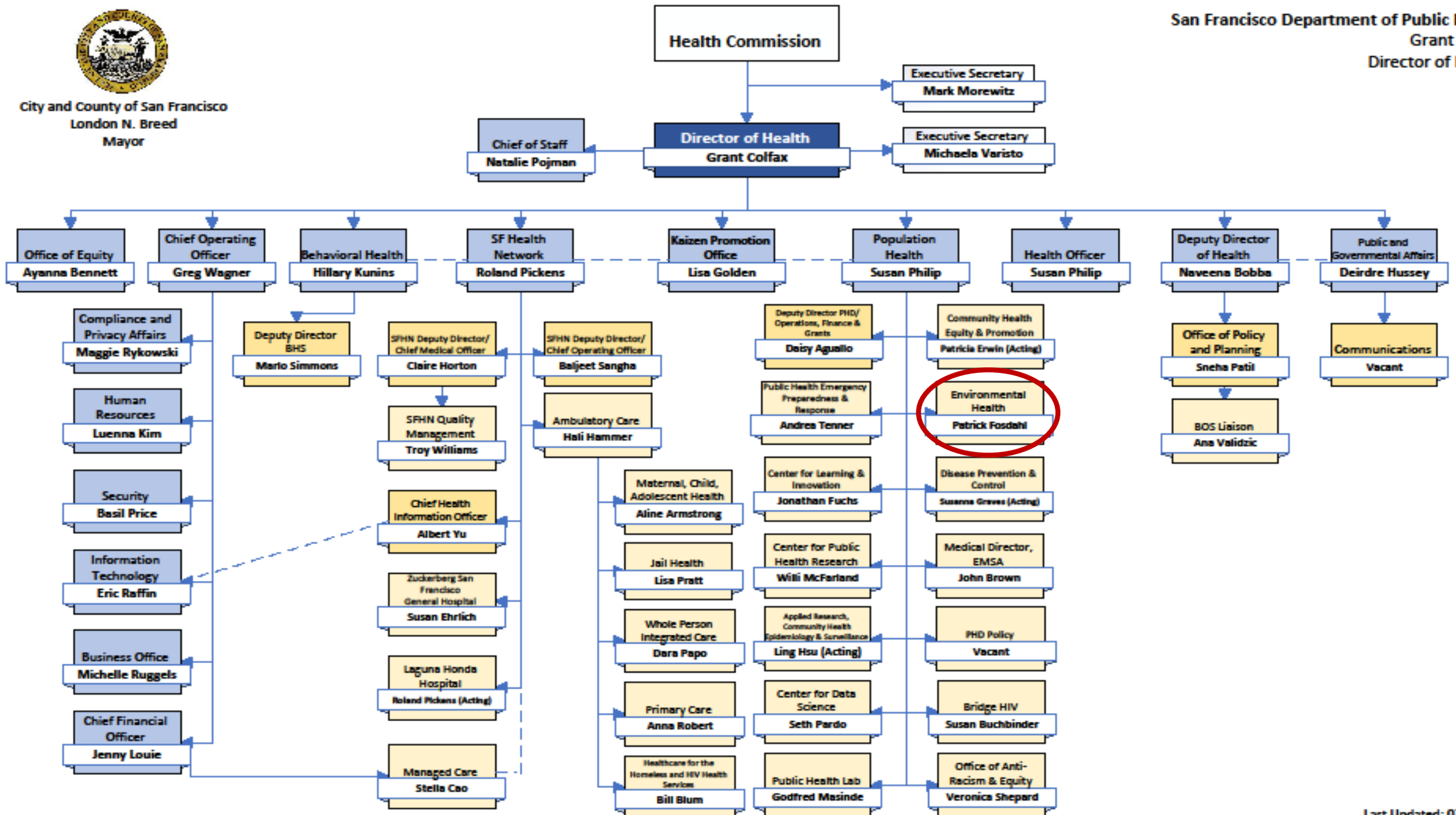


POPULATION HEALTH DIVISION
SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH



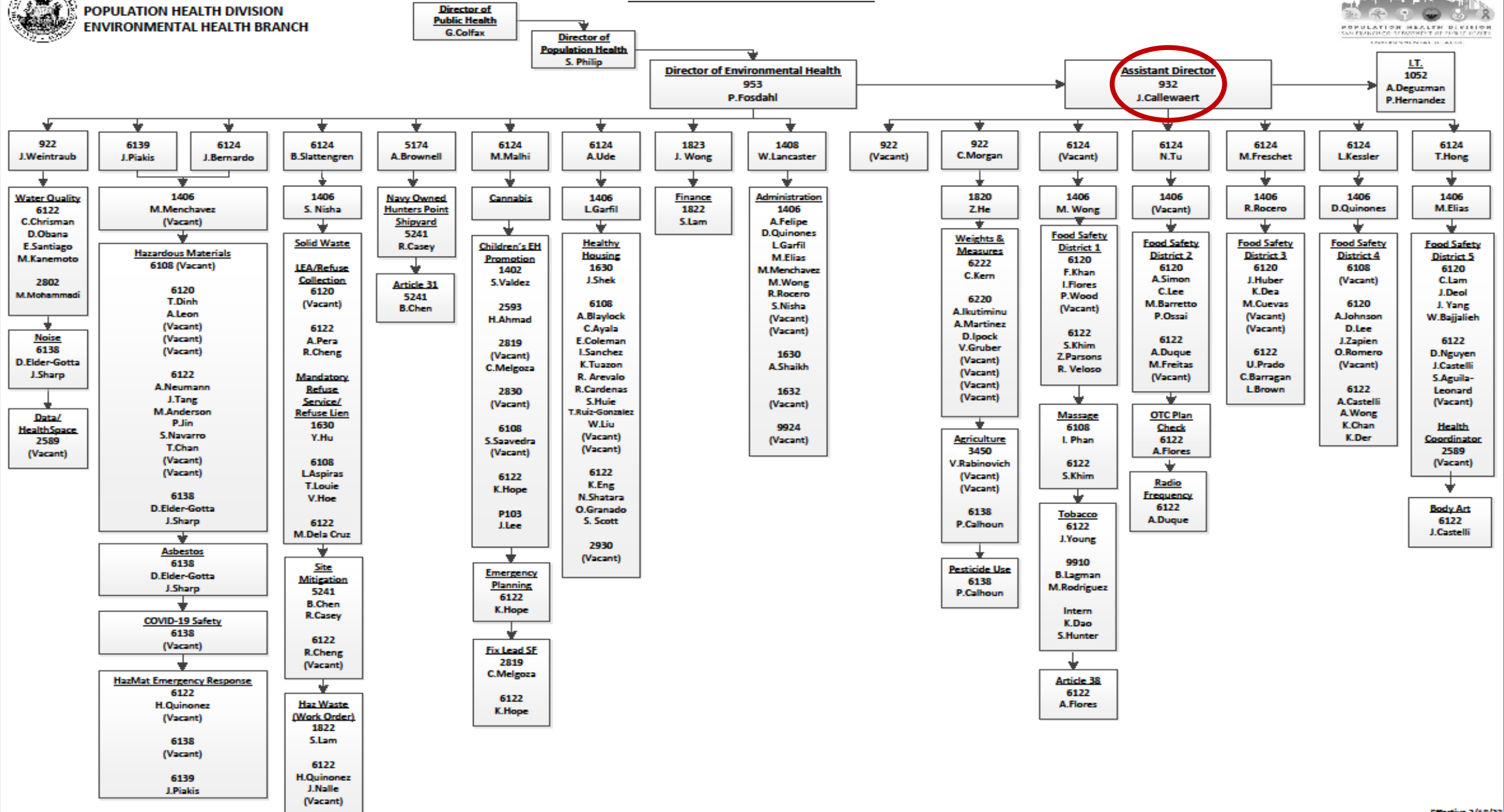
City and County of San Francisco
London N. Breed
Mayor

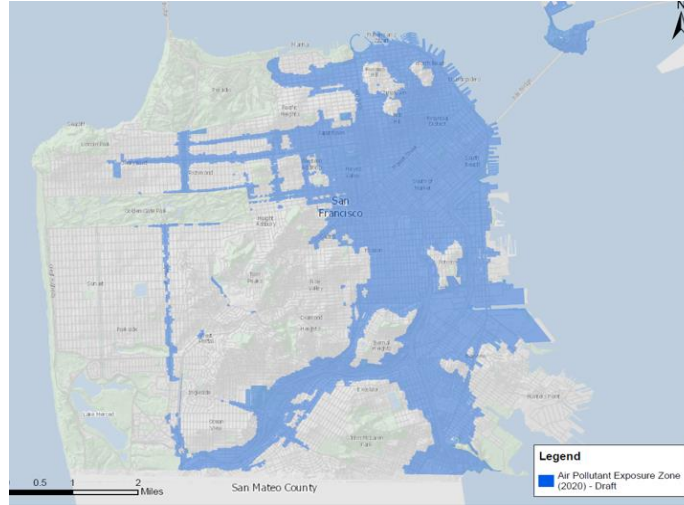
San Francisco Department of Public Health
Grant Colfax
Director of Health





ORGANIZATIONAL CHART





Overview

Health Code Article 38 –
Background

Air Pollution Exposure
Zone

Rules & Regulations

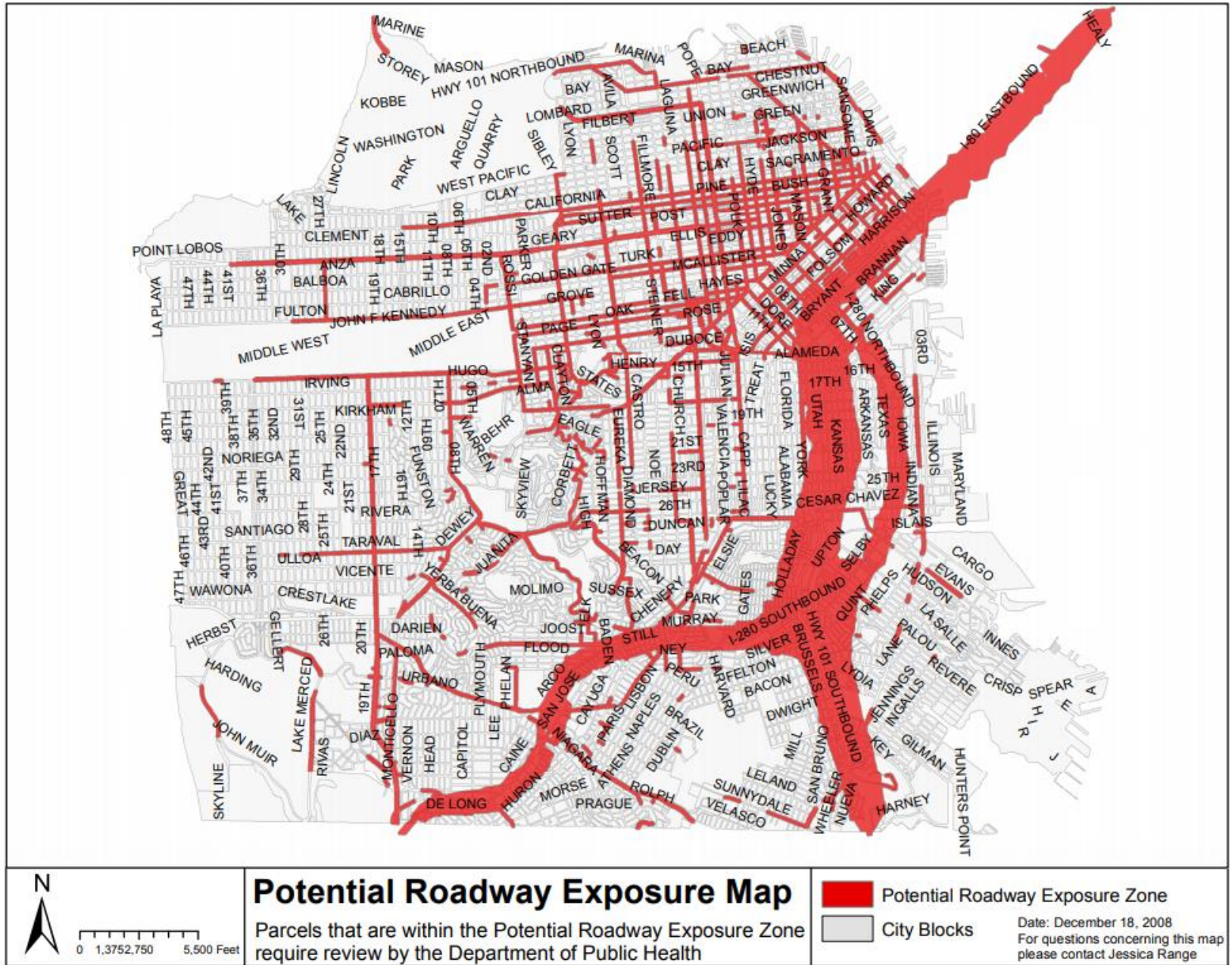
Public Comment Process

Protecting Public Health through Air Pollution Exposure Zone

- **Health Code Article 38** requires **NEW** buildings that would have sensitive uses (i.e. housing or schools), to include a ventilation system that sufficiently removes fine particulate matter (PM_{2.5}) (MERV 13 or equivalent filtration) and provides positive pressure in every unit.
- **Environment Code Chapter 25** requires public works projects within the air pollutant exposure zone to use the cleanest construction equipment available defined by CARB.
- Air Pollutant Exposure Zone is also considered when evaluating projects subject to environmental review under the **California Environmental Quality Act**.

2008 - SFHC Article 38 Signed into Law

- Created enhanced ventilation filtration requirements
- Builder/Project Sponsor required to do air quality model to determine if they need to comply.



Article 38 – 2014 Amendment

Continuous Improvement



■ Sensitive Uses:

1. Residential Unit Threshold
2. Childcare and schools
3. Adult day care & rehabilitation
4. CDPH licensed Health Care

Facilities

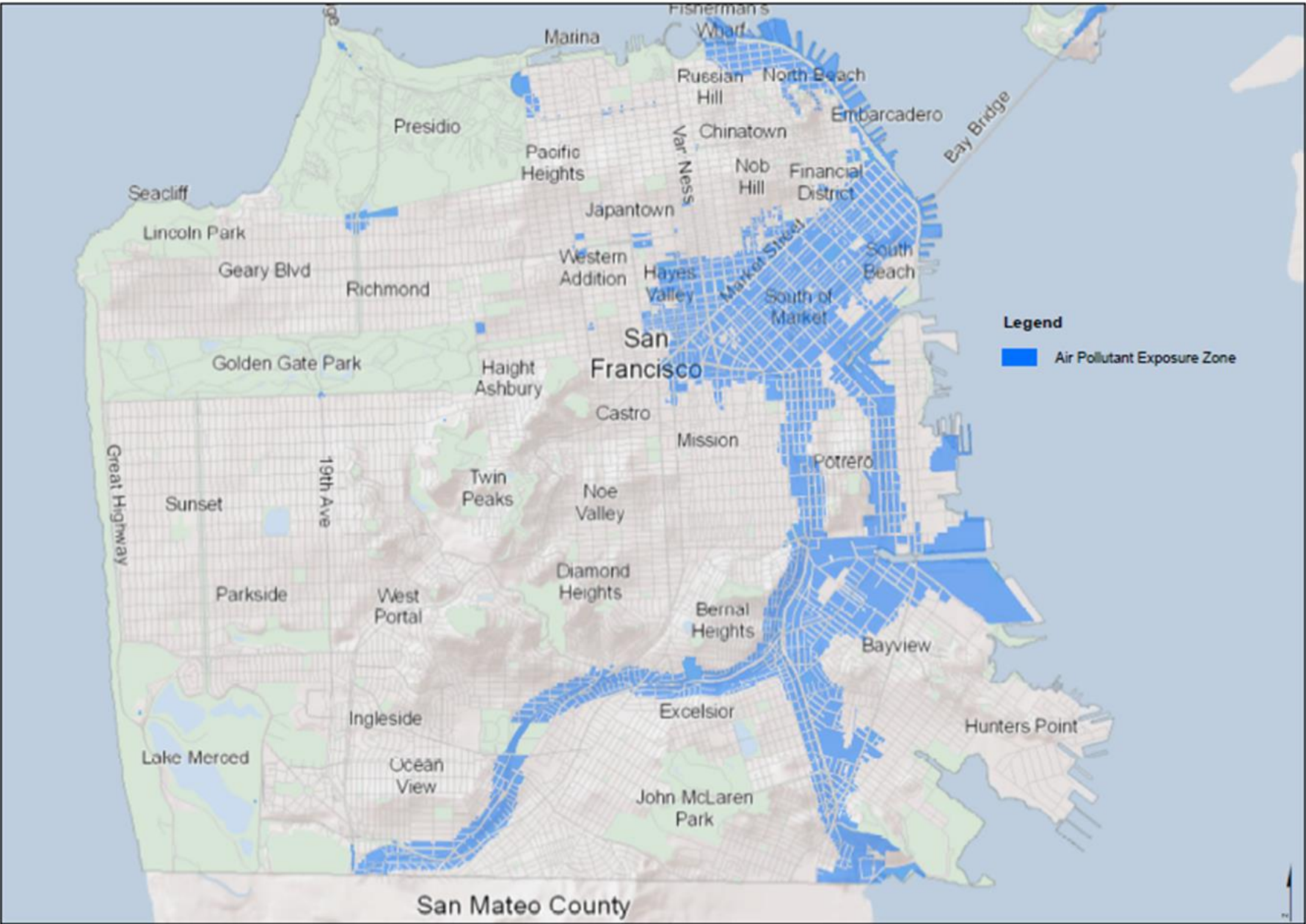
- 3rd Party consultants conducting the AQ modeling
- Cost to comply – mid-rise buildings

■ Who needs to comply in the APEZ?

1. Major sensitive use renovation of 25,000 sq' or greater
2. New Construction
3. Change of Use

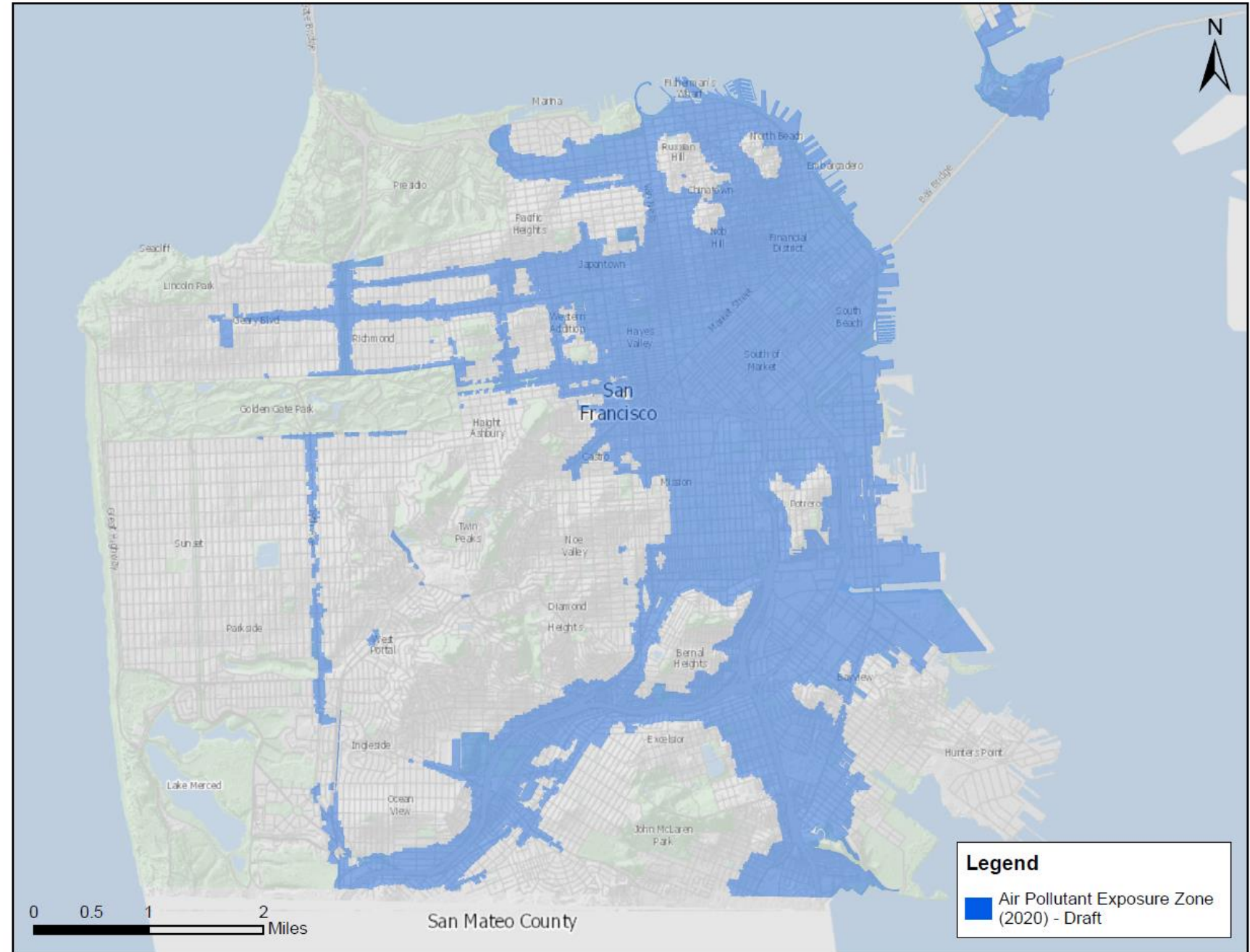
2014 - APEZ modeling revised

HC Article 38 amendment adopted to include all Sensitive Use Buildings



2020 - Article 38 APEZ Map Update Required

Air Pollutant Exposure Zone Map (2020)



- Property
- Zoning Information
- Environmental Information** 3
- Historic Preservation A*
- Planning Applications 3
- Building Permits
- Other Permits
- Complaints
- Appeals
- BBNs & NSRs

101 GROVE ST
🔍

Environmental Information

The two sections below list environmental monitoring requirements and general environmental topics related to this property.

Report for: **101 GROVE ST** 🔗 🖨️

CEQA Information

Known environmental issues related to this property are listed below. Under the California Environmental Quality Act (CEQA), certain types of work on this property may require additional environmental review.

Air Pollutant Exposure Zone

[Health Code Article 38](#) 📄

Site is located in an area with elevated pollutant concentrations. Sensitive use buildings, as defined in the Applicability section of the Ordinance, must comply with Health Code Article 38.

CEQA Impact: An Environmental Evaluation Application may be required for projects that generate air pollutants.

[Read more about this regulation](#) 📄

Added: 12/7/2014

Archeologically Sensitive Areas

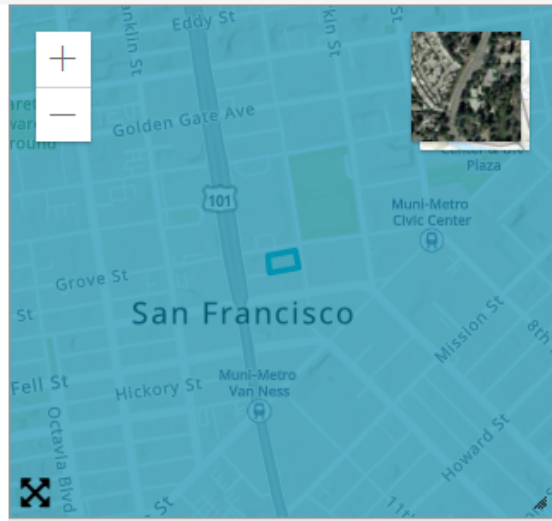
Not applicable.

Cortese List – State Database of Hazardous Sites

[California Government Code Section 65962.5](#) 📄

Not applicable.

Flooding: 100-Year Storm Flood Risk Zone (Stormwater)



Legend

Map Layers

- Air Pollutant Exposure Zone (2014)
- Air Pollutant Exposure Zone (2020)
- Cortese
- Environmental Monitoring
- Flooding (Stormwater) - [Disclaimer](#)
- Flooding FEMA FIRM (Coastal)
- Flooding Sea Level Rise
- Maher Ordinance - [Disclaimer](#)
- Seismic Hazard Zone - Landslide
- Seismic Hazard Zone - Liquefaction
- Serpentine Rocks
- Slopes of 20% or greater
- Slopes of 25% or greater
- Slope Protection Areas

Rules & Regulations

- Criteria for creating the APEZ – explain mortality and Morbidity Data to create the Health Vulnerable Locations
- Performance Standards for enhanced ventilation
- Certification/Licensing requirements for building plans
- Disclosure to renters and buyers
- Definitions to clarify rules
- Clarification on what properties need to comply
- Clarify required enhanced ventilation design and maintenance



Thank you!

Q&A