

Environmental Health

Article 38 of the San Francisco Health Code

Scientific studies consistently show an association between exposure to air pollution and significant human health problems. In 2008, San Francisco Health Code (HC) Article 38 was adopted to require new residential construction projects located in areas where models show poor air quality and pollution from roadways must install enhanced ventilation to protect residents from the respiratory, heart, and other health effects of living in a poor air quality area. The law was updated in 2014 to improve consistency with CEQA and streamline implementation.

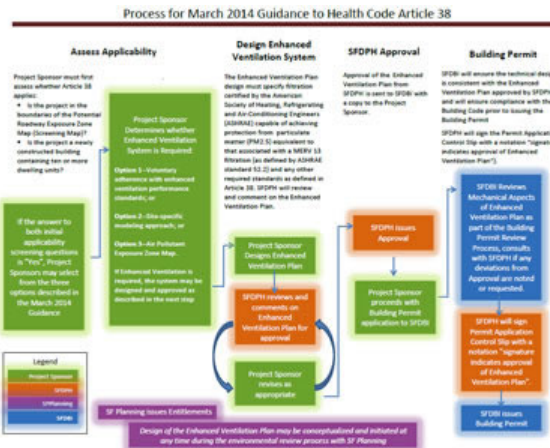
The 2014 amendments included revisions to the underlying map of the city's Air Pollution Exposure Zone—the end result of a collaborative effort with the Bay Area Air Quality Management District. The amendments codify the implementation strategy that was formalized in July 2013, when the Air Quality Program began providing several options for determining compliance with Article 38, described in our [Guidance for Project Sponsors](#). New rules and regulations consistent with the 2014 amendments will be forthcoming.

Article 38 states that those buildings requiring enhanced ventilation "design a system capable of achieving the protection from particulate matter (PM_{2.5}) equivalent to that associated with MERV 13 filtration (as defined by ASHRAE standard 52.2)". Building engineers and designers may choose the ventilation design that works best for their setting, as exemplified by [some of these examples of enhanced ventilation designs that comply with the requirements of Article 38](#).

Project sponsors may refer to the [Air Pollutant Exposure Zone Map*](#) to determine whether their project will be required to install enhanced ventilation.

Projects located within the Air Pollutant Exposure Zone must first **submit an application** to DPH prior to or at the beginning of the CEQA entitlement process with SF Planning.

The Ventilation Plan demonstrating compliance with Article 38 must be submitted to DPH for approval prior to submittal of plans to DBI for Mechanical Permit approval. Ventilation plans should include specific information as detailed in the guidance and should include: (1) Project location (address and parcel number); (2) Map of project including all surrounding streets within 500 feet; (3) Name of assigned planner to the project from the Planning Department; and (4) The **appropriate fee** in the form of a check payable to the San Francisco Environmental Health Section. Mail all requests to: Article 38 Air Quality Assessment Manager, 1390 Market Street, Suite 210, San Francisco, CA 94102.



HELPFUL LINKS

San Francisco Health Code:

[Article 22B](#) Construction Dust

[Article 31](#) Hunters Point Shipyard

[Article 38](#) Enhanced Ventilation

San Francisco Public Works Code:

[Article 21](#) Construction Dust

California Codes

[Title 17 Chapter 1](#)

Other Websites

[California Air Resources Board](#)

[SF Air Quality Element](#)

[Community Air Risk Evaluation \(CARE\) Program](#)

Related Documents

[Article 38 Guidance](#) (pdf)

[Article 38 Application](#) (pdf)

[SFDPH Fee Schedule](#)

For buildings subject to the requirements of Article 38, enhanced ventilation must be provided to all units in a building, even those on the upper floors, as there is **compelling evidence that outdoor air quality at higher elevations is not consistently improved over air quality at street level**. In addition, a purpose of the local law is to align with CEQA mitigation requirements for new residential and sensitive uses in poor air quality areas.

*Air Pollutant Exposure Zone information may also be found by visiting the Planning Department's [Property Information Page](#); if Article 38 is applicable, an entry stating that will appear at the end of the list under "Other Information" on the "Zoning" tab as shown below:

<https://www.sfdph.org/dph/eh/Air/Article38.asp>