

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: SCOTT MOON, FIRE MARSHAL  
FIRE DEPARTMENT  
MARK SETTERLAND, CHIEF BUILDING OFFICIAL  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

SUBJECT: ORDINANCE ADOPTION – ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING CHAPTER 18-44 IN ITS ENTIRETY AND SUBSECTION (B) OF SECTION 18-04.015 OF THE SANTA ROSA CITY CODE CONCERNING ADOPTION OF THE 2016 CALIFORNIA FIRE CODE AS AMENDED, ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING CHAPTER 18 TO ADOPT BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2016 CALIFORNIA BUILDING STANDARDS CODE, THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AND WASTE DISCHARGE REQUIREMENTS

AGENDA ACTION: ORDINANCES

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RECOMMENDATION

It is recommended by the Fire Department and the Planning and Economic Development Department that the Council 1) adopt an Ordinance adopting by reference the 2016 edition of the California Fire Code as adopted and amended by the State of California, and further amended based on local conditions, for use in Chapter 18-44 of the Santa Rosa City Code, repeal existing sections not applicable to new codes and modify the Santa Rosa City Code to reflect the new model code, 2) adopt an Ordinance adopting by reference, with local amendments, the 2016 California Administrative Code, 2016 California Building Code, 2016 California Residential Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code, 2016 California Energy Code, 2016 California Historical Building Code, 2016 California Existing Building Code, 2016 California Green Building Standards Code, 2016 California Referenced Standards Code, 2015 International Property Maintenance Code, and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements

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## EXECUTIVE SUMMARY

Every three years the State of California updates the California Code of Regulations, Title 24 (CCR-T24) including its twelve component building and safety codes (collectively, the California Building Standards Code). Through the State code adoption cycle, the State of California adopts and publishes amendments to national model codes and updates codes specific to California. Such model codes with State amendments and California specific codes go into effect in every City and County in the State of California 180 days after publication. The new California Building Standards (CCR-T24) were published on July 1, 2016, and will take effect on January 1, 2017.

Similarly, every three years the International Code Council updates the International Property Maintenance Code, with the most recent update in 2015. Adoption of the International Property Maintenance Code is at the discretion of the local agency.

In addition, the California Regional Water Quality Control Board North Coast Region recently issued the National Pollutant Discharge Elimination (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems, NPDES No CA0025054, which staff recommends be incorporated into the Santa Rosa City Code by reference.

Government Code section 50022.3 identifies the procedure for the adoption of codes by reference. Pursuant to that section, the Council introduced and had first reading of the ordinances on November 1, 2016 and, at that time, set a public hearing for November 29, 2016 for consideration of final adoption.

## BACKGROUND

The State of California has adopted and published the 2016 update to the California Building Standards Code, including twelve elements:

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| 1) California Administrative Code      | 9) California Existing Building Code         |
| 2) California Building Code            | 10)  |
| 3) California Residential Code         | 11) California Green Building Standards Code |
| 4) California Electrical Code          | 12) California Referenced Standards Code     |
| 5) California Mechanical Code          | 13) California Fire Code                     |
| 6) California Plumbing Code            |  |
| 7) California Energy Code              |  |
| 8) California Historical Building Code |  |

The model State codes will go into effect in all California cities and counties effective January 1, 2017. The Health and Safety Code allows local jurisdictions to change or modify the State adopted model codes based on local geologic, climatic, or topographic

MODEL CODE ADOPTION AMENDMENTS TO THE CALIFORNIA FIRE AND  
BUILDING CODE  
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conditions. The Fire Department is requesting adoption of the 2016 California Fire Code with local amendments and administrative changes. The Planning and Economic Development Department is requesting adoption of the 2016 California Building Standard Code as well as the updated 2015 International Property Maintenance Code, with certain local amendments and administrative changes. In addition, the Planning and Economic Development Department is requesting adoption by reference of National Pollutant Discharge Elimination (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems, NPDES No CA0025054.

#### Fire Code Update

A committee of Fire Prevention Officers from across Sonoma County was formed in February 2016 by the Sonoma County Fire Chiefs Association Fire Prevention Officers Section to evaluate the various Fire Code Ordinances throughout Sonoma County. The goals of this committee were to evaluate, update, edit and create more consistency between the various ordinances within Sonoma County. The document presented for review is a consensus document that was the result of this committee's work that achieves the highest level of consistency and community protection.

This ordinance has been slightly reformatted to match that of the model code adopted by the State to create a seamless and transparent format for reference and enforcement of the code. The proposed Fire Code ordinance has been extensively peer reviewed for content, accuracy, and necessity by numerous city, county, regional, and state fire, building and industry organizations and agencies. The contents of this ordinance that cross over into the Building Codes have been incorporated into that ordinance for consistency amongst the codes enforced within the City of Santa Rosa and throughout Sonoma County. Due to the extensive network of peer reviewers, many portions of this ordinance are being used in ordinances up and down the State of California.

The more significant amendments include, but are not limited to, the following:

- Re-inserts amendments and administrative changes previously established in the Santa Rosa City Code, but that now have revised code section numbers;
- Reduces and eliminates previous local amendments that are no longer necessary due to their inclusion into the model code and/or that creates a conflict with model code language;
- Restructuring of Chapter 9 (*Fire Protection Systems*) to clarify the fire sprinkler requirements applicable to both new buildings and existing buildings undergoing additions, remodels, or alterations;
- Includes permits and provisions for emerging industries with in our community.

## Building Code Update

The Redwood Empire Chapter of Code Officials (REACO) has prioritized the effort to collaborate and review common goals in establishing local amendments that reflect common concerns germane to local conditions within the North Bay areas including Sonoma, Marin, Napa, and Mendocino Counties. The goals of this group were to evaluate, update, edit and create more consistency between the various local amendments within the North Bay area. Consistent with REACO's efforts, Staff is recommending a series of revisions to the City's building regulation.

The more significant amendments include, but are not limited to, the following:

- Re-inserts amendments and administrative changes previously established in the Santa Rosa City Code, but that now have revised code section numbers;
- Added language and requirements pertinent to medical cannabis facilities;
- Added requirements for new residential construction projects to be "solar ready" consistent with the City's new designation as a SolSmart Gold tier municipality;
- Added clarification for structural and fire protection requirements for row house construction;
- Added a permit exemption for plumbing fixture replacement if part of the Water Departments water conservation program;
- Added language and additional tools for use in the City's seismic retrofit of existing buildings program originally enacted in 1973
- Added a provision to adopt, by reference, the provisions of the City's NPDES Permit and Waste Discharge Requirements

## PRIOR CITY COUNCIL REVIEW

On November 1, 2016, the City Council heard a report and adopted Resolution No. 28879 to set a public hearing to adopt the 2016 California Fire Code with amendments by Ordinance and to adopt the 2016 California Building Standards Code, the 2015 International Property Maintenance Code and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements by ordinance amending the Santa Rosa City Code.

## ANALYSIS

1. In January 2016, the State of California Building Standards Commission adopted updated building and safety codes with amendments and published them as California codes. The Codes are compiled in the California Code of Regulations, Title 24, and are known collectively as the California Building Standards Code.
2. The new California Code of Regulations, Title 24, was published in July 2016. The codes adopted by the Building Standards Commission go into effect 180

days after publication by the State and must be enforced by each City and County.

3. Staff participated in the Sonoma County Fire Prevention Officer's Fire Code Committee to create a consensus document to be utilized county-wide by cities, fire districts and the County in an effort to ensure uniformity in requirements.
4. Local jurisdictions may amend the State building standards only upon an express finding that such amendments are reasonably necessary because of local topographic, geologic, or climatic conditions. In general, amendments may not be less restrictive than the State standards.
5. In 2015, International Code Council published the triennial update of the International Property Maintenance Code and made it available for local adoption. Staff has reviewed the new codes adopted by the State of California and the new International Property Maintenance Code and has prepared the ordinance for adoption of these codes into the Santa Rosa City Code with appropriate amendments to address local conditions.
6. The California Regional Water Quality Control Board North Coast Region recently issued the National Pollutant Discharge Elimination (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems, NPDES No. CA0025054. To ensure enforceability of the provisions of that Permit to all development within the City, staff recommends that the Permit be incorporated into the Santa Rosa City Code by reference.
7. Government Code Section 50022.3 identifies the procedure for the code adoption process and requires an introduction and first reading of the ordinance title and the scheduling of a public hearing date. The proposed ordinances were introduced and first heard at Council on November 1, 2016.

#### FISCAL IMPACT

There is no fiscal impact from the adoption of the Ordinance.

#### ENVIRONMENTAL IMPACT

The City Council finds that the adoption of the proposed Ordinances is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential to result in physical change to the environment, directly or indirectly.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not Applicable.

NOTIFICATION

Notice of the public hearing was published on November 14, 2016 and November 21, 2016.

ATTACHMENTS

- Ordinance – Building Code
- Ordinance – Fire Code

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