

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JESSE OSWALD, CHIEF BUILDING OFFICIAL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
IAN HARDAGE, ASSISTANT FIRE MARSHAL
FIRE DEPARTMENT
SUBJECT: 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 2019
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 2019 CALIFORNIA BUILDING STANDARDS
CODE, (NOT INCLUDING THE 2019 CALIFORNIA ENERGY
CODE), THE 2018 INTERNATIONAL PROPERTY MAINTENANCE
CODE, AND THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION PERMIT AND WASTE DISCHARGE
REQUIREMENTS

AGENDA ACTION: TWO ORDINANCES

RECOMMENDATION

It is recommended by the Fire Department and the Planning and Economic Development Department that the Council: 1) adopt an ordinance introduced at the November 19, 2019, Regular meeting by a 5-0-0-2 vote (Vice Mayor Fleming and Council Member Tibbetts abstaining), adopting by reference the 2019 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; and 2) adopt an ordinance introduced at the November 19, 2019, Regular meeting by a 5-0-0-2 vote (Vice Mayor Fleming and Council Member Tibbetts abstaining), adopting by reference, with local amendments, the 2019 California Administrative Code, 2019 California Building Code, 2019 California Residential Code, 2016 California Green Building Standards Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Historical Building Code, 2019 California Existing Building Code, 2019 California Referenced Standards Code, 2018 International Property Maintenance Code,

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and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements

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) was published on July 1, 2019 and will take effect on January 1, 2020.

Similarly, every three years the International Code Council updates the International Property Maintenance Code with the most recent update occurring in 2018. 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 will be recommending be incorporated into the Santa Rosa City Code by reference.

The model State codes will go into effect in all California cities and counties effective January 1, 2020. The Health and Safety Code allows local jurisdictions to change or modify the State adopted model codes based on local geologic, climatic, or topographic conditions. The Fire Department is requesting adoption of the 2019 California Fire Code with local amendments and administrative changes. The Planning and Economic Development Department is requesting adoption of the 2019 California Building Standards Code as well as the updated 2018 International Property Maintenance Code, with certain local amendments and administrative changes. By separate action, staff is proposing the adoption of amended sections of the California Energy Code over and above base code which is considered a "Reach Code". Council's consideration of the Reach Code is a separate agenda item.

Government Code section 50022.3 identifies the procedure for the adoption of codes by reference that established the requirement for first reading of the ordinance title and establishment of the public hearing date.

BACKGROUND

The State of California has adopted and published the 2019 update to the California Building Standards Code, including twelve elements (California Energy Code identified only as reference):

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

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Fire Code Update

A committee of Fire Prevention Officers from across Sonoma County was formed in February 2019 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 cities, county, regional, and state fire, building and industry organizations and agencies. The contents of this ordinance that cross over into other building standard codes have been incorporated into those ordinances 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 throughout North Bay Communities, the Greater Bay Area and various locations throughout 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;

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- Reduces and eliminates previous local amendments that are no longer necessary due to their inclusion into the model code and/or that create a conflict with model code language;
- Includes new permits for vegetation management and fire protection plans.
- Revises existing definitions for more standardized language throughout the codes.
- Inclusion of nationally recognized regulations for marijuana growing, processing, or extraction facilities.
- Inclusion of new appendix chapter for indoor trade shows and exhibitions.
- Ignition free zone around structures in the Wildlands-Urban Interface (WUI) areas.
- Multiple access point triggers for new developments

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.

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 cannabis facilities;
- Includes requirements for additions and alterations to meet minimum WUI construction requirements;
- Includes requirements for ALL new roof installations throughout the City to be Class A;
- Added requirements for expedited plan reviews for Electric Vehicle Charging Stations;
- Added Appendices for adoption for Emergency Housing in the California Building Code and the California Residential Code;
- Added Appendix for minimum requirements for Tiny Houses;
- Added language and additional tools for use in the City's seismic retrofit of existing buildings program originally enacted in 1973

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

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1. In January 2019, 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 2019. 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 2018, 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 requires that a resolution be adopted to establish a public hearing to consider adoption of the ordinances associated with the Code updates. This public hearing is planned for December 3, 2019 subject to Council adoption of the resolution.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

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The proposed Ordinances are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (b)(3) in that there is no possibility that the activities in question may have a significant effect on the environment. The Ordinances are also exempt from CEQA pursuant to CEQA Guidelines sections 15307 and 15308 in that the standards set forth in the Ordinances assure the maintenance, restoration, enhancement or protection of natural resources and the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not Applicable.

NOTIFICATION

This was publicly noticed on October 29, 2019 and November 6, 2019, and will be noticed on November 21, 2019.

ATTACHMENTS

- Ordinance – Building Code
- Ordinance – Fire Code

CONTACT

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