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Staff Report for a City of San Leandro City Council Resolution and Ordinances Adopting State-Mandated California Building Standards Codes and Related Local Amendments

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council introduce and waive the first reading of the following ordinances adopting the California Building Standards Code, 2019 editions as amended; and those certain documents entitled “International Property Maintenance Code, 2015 edition,” reference standards and appendices as approved for use by the Building Official.

- Ordinance Repealing Article 10A of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Residential Code,” and Replacing it with Article 10A, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2019 California Residential Code, as Published by the International Code Council, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and to be Known as the City of San Leandro “Residential Building Code”;
- Ordinance Repealing Article 9 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Plumbing Code,” and Replacing it with Article 9, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2019 California Plumbing Code, as Published by the International Association of Plumbing and Mechanical Officials, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be Known as the City of San Leandro “Plumbing Code”;
- Ordinance Repealing Article 7 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Energy Code,” and Replacing it with Article 7, of Chapter 5 of Title VII

of the San Leandro Municipal Code, the 2019 California Energy Code, as Published by the International Code Council, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be Known as the City of San Leandro “Energy Code”;

- Ordinance Repealing Article 6 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Green Building Standards Code,” and Replacing it with Article 6, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Green Building Standards Code, as Published by the International Code Council, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be Known as the City of San Leandro “Green Building Code”;
- Ordinance Repealing Article 5 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Electrical Code,” and Replacing it with Article 5, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2019 California Electrical Code, as Published by BNi Publications, Inc. Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be Known as the City of San Leandro “Electrical Code”;
- Ordinance Repealing Article 4 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Mechanical Code,” and Replacing it with Article 4, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2019 California Mechanical Code, as Published by the International Association of Plumbing and Mechanical Officials, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be Known as the City of San Leandro “Mechanical Code.”
- Ordinance Repealing Article 8 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Fire Code,” and Replacing it in its entirety by Article 8, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2019 California Fire Code, as published by the International Code Council, Adopting by Reference and Making it a Part Hereof as if Fully Set Forth Herein at Length, and Shall be known as the City of San Leandro “Fire Code.”

Staff also recommends that the City Council set the date of the second reading of the Ordinances.

The adoption of the new codes, as amended and formatted, will comply with State Law and continue to standardize the Code, to conform with other jurisdictions throughout the Bay area. These changes will further allow businesses to relocate to San Leandro with less expense and delay. Adopting the Code with minimal changes increases the City’s ability to attract businesses and allows current occupants the most flexible and economic use of their structures, while affording an upgrade in building safety.

The new codes will have an effective date of January 1, 2020.

BACKGROUND

The State Building Standards Commission (CBSC) publishes triennial editions of the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code (The Code). Last July 1, 2019, the CBSC published the 2019 edition of the California Building Standards Code. The Building Standards Commission then “publishes” the codes as further amended. Cities have 180 days from the official “publication date” to amend the state

codes or adopt the codes without amendments. Failure of a city to adopt or amend the state codes results in automatic adoption of the Codes as the minimum on January 1, 2020. The 2019 Code will apply to any building or structure for which application for a building permit is made on or after January 1, 2020.

The California Building Code, Residential Code and Existing Building Code are based on the 2018 model codes published by the International Code Council, while the Mechanical and Plumbing Codes are based on the 2018 Uniform model codes published by the International Association of Plumbing and Mechanical Officials. The Electrical Code is based on the 2017 National Electrical Code, published by the National Fire Protection Association. Building Energy Efficiency Standards are developed and published by the California Energy Commission. The Fire Code is based on the 2019 California Fire Code, published by the International Code Council.

ANALYSIS

All cities and counties must enforce model codes as revised and published by the State. These codes are generally revised every three years by the organizations that create the model codes. These codes are then reviewed and amended by the State, and pursuant to Health and Safety Code §18941.5, local jurisdictions are mandated to adopt such state codes, generally within 180 days after publication by the California Building Standards Commission. Prior to adoption, amendments to the state codes may be incorporated by the local jurisdiction if they can be justified on the basis of a local climatic, geological, and/or topographical conditions which affect the jurisdiction.

The adoption of these Codes with few enhancements will reduce duplication and over-regulation, the burden of complicated standards, while at the same time ensure safe structures in the community.

The proposed ordinances consist of the following:

- 2019 California Building Code - CCR Title 24 Part 2;
- 2019 California Residential Code - CCR Title 24 Part 2.5;
- 2019 California Electrical Code - CCR Title 24 Part 3;
- 2019 California Mechanical Code - CCR Title 24 Part 4;
- 2019 California Plumbing Code - CCR Title 24 Part 5;
- 2019 California Energy Code - CCR Title 24 Part 6;
- 2019 California Historical Building Code - CCR Title 24 Part 8;
- 2019 California Existing Building Code - CCR Title 24 Part 10;
- 2019 California Green Building Standards Code - CCR Title 24 Part 1;
- California Fire Code, 2019 edition, including Sections 101, 103, 104.6, 108, 109.4, 112, Appendix Chapter D;
- Minor Structural Amendments related to updating seismic design criteria based on San Leandro's proximity to earthquake faults and corrections to the model code structural design standards;
- Updates to previously adopted local amendments to the California Codes to match current code language and cross references; and
- Updates to the Municipal Code to eliminate local amendments to previous California Codes that have been incorporated into the 2019 California Building Standards Code.

Local amendments and certain structural design requirements are based on the following express findings:

1. The San Francisco Bay area region is densely populated and located in an area of high seismic activities. The City of San Leandro is subject to forces from multiple faults, which are capable of producing major earthquakes;
2. Concern for fire-life safety associated with a structural failure due to a seismic

event, considering the increasing number of buildings in the region, the use of new and innovative structural systems, the poor performance of certain materials under these conditions, and the quality of the construction;

3. Severe seismic events could disrupt communications, damage gas mains, cause extensive electrical hazards, result in flooding, cause significant damage to building systems, and place extreme demands on the dispersed resources of the Alameda County Fire Department and the San Leandro Police Department; and
4. The local geological, topographic, and climatic conditions pose an increased hazard in acceleration, spread, magnitude, and severity of potential floods, fires and damage in San Leandro, and may cause a delayed response from emergency responders, allowing further damage and worsening of conditions.

Previous Actions

The City Council previously adopted amendments to the subject Codes on November 21, 2016.

Environmental Review

The City Council should find that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§21000 et seq., "CEQA." and 14 Cal. Code Reg. §§15000 et seq., "CEQA Guidelines") under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines §15061(b)(3)), and this action simply implements State law.

Attachments to Staff Report

- None

Attachments to Resolution

- Exhibit A - Plumbing Code 2019
- Exhibit B - Structural Code 2019
- Exhibit C - Fire Code 2019

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