



CITY COUNCIL AGENDA STATEMENT



December 10, 2019

File ID: 19-0566

TITLE

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2019 EDITION (SECOND READING AND ADOPTION WITH TECHNICAL CORRECTION)

RECOMMENDED ACTION

Council adopt the ordinance.

SUMMARY

The California Building Standards Commission has mandated that jurisdictions within the State start enforcing the 2019 Editions of the California building codes on January 1, 2020. The adoption of California building codes is a routine action undertaken by the City in response to State adopted building codes. This action allows the City to incorporate appropriate local amendments into the enforcement program. On November 19, 2019, City Council adopted several building code adoption ordinances; Ordinance I, 2019 California Plumbing Code, was one of the adopted ordinances. Staff realized that the adopted 2019 California Plumbing Code Ordinance attachment did not reflect the removal/strikeout of Section 15.28.015, Solar Water Heater Pre-plumbing, as was intended and stated in the Agenda Statement that accompanied the proposed ordinances. The Agenda Statement did state under Proposed Ordinance I that staff is proposing to not re-adopt Section 15.28.015, Solar Water Heater Pre-plumbing. Staff is proposing this ordinance for second reading and adoption to correct the error.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 8 Categorical Exemption pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the State CEQA Guidelines. Notwithstanding the foregoing, the Director of Development Services has also determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to section 15061(b)(3) of the State CEQA Guidelines the activity is exempt from the provisions of CEQA. Thus, no further environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

The Board of Appeals and Advisors at its Monday, October 14, 2019 meeting unanimously recommended adoption of the various 2019 Editions of the California building codes.

DISCUSSION

On November 19, 2019, City Council adopted several building code adoption ordinances; Ordinance I, 2019 California Plumbing Code, was one of the adopted ordinances. Staff realized that the adopted 2019 California Plumbing Code Ordinance did not reflect the removal/strikeout of Section 15.28.015, Solar Water Heater Pre-plumbing, as was intended and stated in the Agenda Statement that accompanied the proposed ordinances. The Agenda Statement did state under Proposed Ordinance I that staff is proposing to not re-adopt Section 15.28.015, Solar Water Heater Pre-plumbing. Staff is proposing this ordinance for second reading and adoption to correct the error.

The proposed ordinance adopts the 2019 California Plumbing Code and proposes the re-adoption of 15.28.020, Residential Graywater Stub-out. Staff proposes to not re-adopt 15.28.015, Solar Water Heater Pre-plumbing. The reason for not re-adopting 15.28.015 is that, despite State incentives, homeowners have not shown interest in installing Solar Hot Water Heaters (SHWH). Based on our tracking system, since 2010, only five (5) residential systems were installed. In addition, similar to pre-wiring for photovoltaic, installers are reluctant to use conduits installed by others due to unknown workmanship and concern of liability. The requirements of 15.28.015 have not facilitated the installation of SHWH systems, and therefore; staff sees no benefit in continuing to require it.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There are no increases in fees proposed in this adoption. The cost of new code books and related training is included in the current year's budget. Building permit fees may need to be adjusted to recover the cost of any additional staff time associated with plan review and inspection. Any additional staff time will be accounted for in updates to building permit fees.

ONGOING FISCAL IMPACT

No ongoing fiscal impact. Any additional building permit review and inspection time associated with implementing these ordinances will be funded through updated building permit fees.

ATTACHMENTS

1. Board of Appeals and Advisors October 14, 2019 Meeting Minutes.
2. November 19, 2019 City Council Agenda Statement - Adopting several 2019 building codes.
3. November 19, 2019 adopted Ordinance I; 2019 California Plumbing Code.

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