



# City of Chula Vista

## Staff Report

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**File#: 16-0555, Item#: 3.**

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- A. ORDINANCE NO. 3382 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE, ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL BUILDING CODES (SECOND READING AND ADOPTION)
- B. ORDINANCE NO. 3383 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- C. ORDINANCE NO. 3384 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.09 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- D. ORDINANCE NO. 3385 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.10 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- E. ORDINANCE NO. 3386 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.12 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- F. ORDINANCE NO. 3387 OF THE CITY OF CHULA VISTA ADOPTING CHAPTER 15.14 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- G. ORDINANCE NO. 3388 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.16 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA MECHANICAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- H. ORDINANCE NO. 3389 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- I. ORDINANCE NO. 3390 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ENERGY CODE, 2016 EDITION (SECOND READING AND ADOPTION)
- J. ORDINANCE NO. 3391 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE

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CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2016 EDITION (SECOND READING AND ADOPTION)

K. ORDINANCE NO. 3392 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA FIRE CODE, 2016 EDITION (SECOND READING AND ADOPTION)

**RECOMMENDED ACTION**

Council adopt the ordinances.

**SUMMARY**

The California Building Standards Commission has mandated that jurisdictions within the State start enforcing the 2016 Editions of the California building codes on January 1, 2017. 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.

**ENVIRONMENTAL REVIEW**

**Environmental Notice**

The Project qualifies for a Class 8 Categorical Exemption pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the California Environmental Quality Act State Guidelines. Thus, no further environmental review is required. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

**Environmental Determination**

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 environmental review is required.

**BOARD/COMMISSION RECOMMENDATION**

The Board of Appeals and Advisors at their Monday, October 10, 2016 meeting unanimously recommended adoption of the various 2016 Editions of the California building codes.

**DISCUSSION**

As mandated by the California Building Standards Commission (CBSC), jurisdictions within the State shall begin enforcing the 2016 Editions of the California building codes on January 1, 2017. Every three years, the State adopts and amends the newest model codes published by the various independent code-developing bodies. New State building codes take effect one-hundred and eighty (180) days after they are published to allow local jurisdictions time to adopt local amendments to the

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State building codes before they take effect. Local amendments cannot be less restrictive than the State building codes and must be based on findings that the amendments are necessary because of local climatic, geological or topographical conditions. Local amendments are not effective until the amendments have been filed with the CBSC.

The majority of the proposed local amendments currently exist in our Municipal Code, as amendments to the current building codes adopted by the City and are being proposed for re-adoption as the City adopts the 2016 codes. The 2016 California codes are updated editions to the current codes that are enforced locally and throughout the state and therefore it should not be difficult for staff and the industry to incorporate into their current practices.

The following are brief discussions on the various ordinances adopting the 2016 building codes:

Proposed Ordinance “A” - Administrative Provisions for the Technical Codes

This ordinance proposes minor amendments to Municipal Code Chapter 15.06, Administrative Provisions for the Technical Codes, adding reference to the proposed new Chapter 15.14, Existing Building Code to various sections of the Chapter, adding language to Section 15.06.080 (B)(1)(o) clarifying when a window replacement is exempt from a building permit, and adding language to Section 15.06.080 (B)(1)(c) clarifying when a fence, wall or gate that is exempt from a building permit might still require a permit from the Fire Department.

Proposed Ordinance “B” - 2016 California Building Code

The proposed ordinance adopts the 2016 California Building Code and proposes the re-adoption of existing local amendments to the current Building Code adopted by the City.

Proposed Ordinance “C” - 2016 California Residential Code

The proposed ordinance adopts the 2016 California Residential Code. Staff is not proposing any local amendments to the code.

Proposed Ordinance “D” - 2016 California Referenced Standards Code

The proposed ordinance adopts the 2016 California Referenced Standards Code. Staff is not proposing any local amendments to the code.

Proposed Ordinance “E” - 2016 California Green Building Standards Code

The proposed ordinance adopts the 2016 California Green Building Standards Code and proposes the re-adoption of existing local amendments to the current Green Building Standards Code adopted by the City.

Proposed Ordinance “F” - 2016 California Existing Building Code

The proposed ordinance adopts a new chapter to the Municipal Code, Chapter 15.14, adopting the

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2016 California Existing Building Code (2016 CEBC). The reason for staff's recommendation to adopt the 2016 CEBC this adoption cycle and not prior cycles is that the International Code Council (ICC), developer and publisher of the International Codes which are the base codes adopted and amended by the State, relocated certain regulations applicable to existing buildings from the International Building Code (IBC) to the International Existing Building Code (IEBC). In order to maintain the relocated regulations, the State adopted the 2015 IEBC and amended it for California as the 2016 CEBC. Staff is not proposing any local amendments to the 2016 CEBC.

Proposed Ordinance "G" - 2016 California Mechanical Code

The proposed ordinance adopts the 2016 California Mechanical Code. Staff is not proposing any local amendments to the code.

Proposed Ordinance "H" - 2016 California Electrical Code

The proposed ordinance adopts the 2016 California Electrical Code and proposes the re-adoption of existing local amendments to the current Electrical Code adopted by the City.

Proposed Ordinance "I" - 2016 California Energy Code

The proposed ordinance adopts the 2016 California Energy Code and proposes the re-adoption of existing local amendments to the current Energy Code adopted by the City.

Proposed Ordinance "J" - 2016 California Plumbing Code

The proposed ordinance adopts the 2016 California Plumbing Code and proposes the re-adoption of existing local amendments to the current Plumbing Code adopted by the City.

Proposed Ordinance "K" - 2016 California Fire Code

The proposed ordinance adopts the 2016 California Fire Code and proposes minor revisions to the re-adoption of existing local amendments, along with new minor amendments to Chapter 1, Chapter 4 and Appendices, to the current Fire Code adopted by the City.

**DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining 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.

**LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy

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Community, Strong and Secure Neighborhoods and a Connected Community. The proposed ordinances support the Strong and Secure Neighborhoods goal as it seeks to provide citizens and businesses a safe environment to live, work and play.

**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 10, 2016 Meeting Minutes.