



**Contra
Costa
County**

To: Board of Supervisors
From: Jason Crapo, County Building Official
Date: November 15, 2016

Subject: Hearing to Consider Adopting Ordinance No. 2016-22, Adopting the 2016 California Building Standards Code, as Modified

RECOMMENDATION(S):

1. OPEN the public hearing on Ordinance No. 2016-22, RECEIVE testimony, and CLOSE the public hearing.
2. ADOPT Ordinance No. 2016-22, adopting the 2016 California Building Standard Codes, the 2016 California Residential Code, the 2016 California Green Building Standards Code, the 2016 California Electrical Code, the 2016 California Plumbing Code, the 2016 California Mechanical Code and the 2016 Existing Building Codes, with changes, additions and deletions.
3. ADOPT the attached findings in support of the County's changes, additions and deletions to the statewide codes.
4. DIRECT the publication of ordinance summary prepared by County Counsel and DIRECT the Clerk of the Board of Supervisors to publish a certified copy of the full text of the adopted ordinance in the office of the Clerk of the Board, in accordance with Government Code section 25124 (b).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 15, 2016

, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jason Crapo,
925-674-7722

cc:

5. DIRECT the Department of Conservation and Development, pursuant to Health and Safety Code section 17958.7, to send a certified copy of Ordinance No. 2016-22, the attached findings, and the Board Order to the California Department of Housing and Community Development and to the California Building

RECOMMENDATION(S): (CONT'D)

Standards Commission.

6. FIND that adoption of ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061 (b)(3).

7. DIRECT staff to file a Notice of Exemption with the County Clerk.

FISCAL IMPACT:

None.

BACKGROUND:

The California Building Standards Commission has adopted the 2016 California Building Standards Code (CBSC), replacing the 2013 CBSC. The CBSC includes the California Building, Residential, Electrical, Plumbing, Mechanical, Green Building Standards, and Existing Building Codes. These statewide codes are effective January 1, 2017. The Department of Conservation and Development is responsible for enforcing the CBSC within the unincorporated area of Contra Costa County.

The 2016 CBSC represents the new minimum required standards for new building construction in California. Health and Safety Code sections 17958.5 and 18941.5 authorizes a local jurisdiction to modify or change these codes and establish more restrictive building standards if the local jurisdiction finds that the changes and modifications are reasonably necessary because of local climatic, geological or topographical conditions. The attached proposed ordinance would adopt the statewide codes and amend them to address local conditions.

Staff has reviewed the statewide codes and recommends their adoption with a minimum of technical changes in all codes, except for several significant changes in the Green Building Standards Code related to electrical vehicle charging stations and construction and demolition debris recovery, which are further described below. The State did not adopt the new International Housing Codes, and therefore the 1997 Uniform Housing Code (UHC), with local amendments, continues as the adopted housing code for the County.

The proposed Ordinance No. 2016-22 amends the statewide codes due to local climatic, geographical, and topographic conditions. These conditions are described in the attached Findings. The following are the substantive changes to the 2016 California Building Standards Code:

- Modifications to the 2016 California Building Code:
 - More restrictive standards for some building foundations to better withstand seismic forces found in this region of California. This amendment is the same as the local amendment made to previous statewide code.

- Requires the installation of hard-wired smoke detectors in existing flat roof buildings when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed. This amendment is the same as the local amendment made to previous statewide code.
- Modifications to the 2016 California Residential Code:
 - Prohibits in single family dwellings and accessory structures braced wall panels that use gypsum wallboard and limits in single family dwellings and accessory structures the use of braced wall panels that use Portland Cement Plaster to dwellings and accessory structures of only one story, as these materials have performed poorly during recent California seismic events. This is the only new amendment, not made to the previous state-wide code.
- Modifications to the 2016 California Green Building Standards Code:
 - Electric vehicle charging stations requirements. These amendments are the same as the local amendments made to the previous statewide code. The substantive amendments are as follows:
 - For new multi-family buildings:
 - Increase the required number of Electric Vehicle Charging Spaces ("EV spaces") to five percent of the total number of parking spaces provided, where three percent is the minimum required in the statewide code.
 - Require a minimum of one EV space for every new multi-family building (three or more units) as opposed to statewide code which requires no EV spaces for multi-family buildings with fewer than 17 units.
 - Require that Electric Vehicle Supply Equipment ("EVSE") be installed for each EV space in addition to the electrical infrastructure required by the statewide code.
 - For new non-residential buildings:
 - Required number of EV spaces in new construction shall provide fully operational EVSE as opposed to statewide code which requires electrical infrastructure only.
 - Increase the required number of EV spaces for projects with more than nine parking spaces and less than 201 parking spaces.
- More restrictive construction waste reduction, disposal and recycling standards consistent with those presently enforced in the County. The County currently enforces Chapter 418-14 (Construction and Demolition Debris Recovery) of Division 418 (Refuse) of the County ordinance. Chapter 418-14 was written and adopted when the state-wide codes did not have any requirements regarding debris recovery. The ordinance amends the 2016 California Green Building Standards Code (CGBSC) to incorporate the more restrictive requirements from Chapter 418-14. Chapter 418-14 will be deleted in its entirety. The substantive amendments to the 2016 California Green Building Standards are as follows:
 - Imposes the mandatory restrictions from Chapter 4 of the 2016 CGBSC on

certain additional projects for existing residential buildings including:

- Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more.
- Projects that impact 5,000 square feet or more of the total combined conditioned and unconditioned building area.
- Demolition projects when a demolition permit is required, except demolition projects that are necessary to abate a public nuisance.
- Deletes the exception from construction waste management requirements for projects solely based on their isolated location from diversion facilities.
- Requires that weight and not volume is used to measure the amount of the construction and demolition debris disposed and diverted.
- Requires that more comprehensive documentation for construction waste management be provided to the enforcing agency and making submittal of the same a prerequisite for scheduling final inspections.
- Modifications to the 2016 California Existing Building Code:
 - The amendments to the 2016 California Existing Building Code are not substantive in nature and are limited to administrative provisions for the use and enforcement of this Code and to be consistent with the administrative provisions of the other statewide codes as amended.

CONSEQUENCE OF NEGATIVE ACTION:

If the proposed ordinance is not approved, the County will not be able to adopt the 2016 California Building Standards Code as amended.

CLERK'S ADDENDUM

CLOSED the public hearing;

ADOPTED Ordinance No. 2016-22, adopting the 2016 California Building Standard Codes, the 2016 California Residential Code, the 2016 California Green Building Standards Code, the 2016 California Electrical Code, the 2016 California Plumbing Code, the 2016 California Mechanical Code and the 2016 Existing Building Codes, with changes, additions and deletions;

ADOPTED the findings in support of the County's changes, additions and deletions to the statewide codes. DIRECTED the publication of ordinance summary prepared by County Counsel and DIRECTED the Clerk of the Board of Supervisors to publish a certified copy of the full text of the adopted ordinance in the office of the Clerk of the Board;

DIRECTED the Department of Conservation and Development, to send a certified copy of Ordinance No. 2016-22, the findings, and the Board Order to the California Department of Housing and Community Development and to the California Building Standards Commission; FOUND that adoption of ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061 (b)(3); DIRECTED staff to file a Notice of Exemption with the County Clerk.

ATTACHMENTS

Ordinance No. 2016-22

Findings