



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Public Hearing and Introduction of Ordinance: 1) Amending Various Sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2019 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with Local Amendments and Related Findings; 2) Adding Chapter 16.10 to Codify Safety Assessment Placards Used Following a Natural Disaster; and 3) Finding that the Action is Exempt from the California Environmental Quality Act

BACKGROUND

The California Building Standards Commission (CBSC) is responsible for administering the implementation of the California building codes, which includes the proposal, review, and adoption processes. The building codes are contained in the California Code of Regulations, Title 24. Since 1989, the CBSC has published triennial editions of these codes.

In January 2019, the State of California adopted the 2019 California Building Codes and published the documents on July 1, 2019. All local jurisdictions are required to hold public hearings and adopt these codes with any local amendments by January 1, 2020, or be mandated to accept by default the version adopted by the State. Local amendments to the model State codes must be supported with findings that are based on unique local climatic, geologic and topographic conditions.

EXISTING POLICY

The City is presently using the 2016 California Building Code, Residential Code, Green Building Code, Plumbing Code, Mechanical Code, Electrical Code, Historical Building Code, Energy Code, Existing Building Code, Building Standards Administrative Code, and the 2015 International Property Maintenance Code. The State of California mandates enforcement of the updated California Building Standards Code and it will go into effect regardless of the City's action or lack of action. The City has discretion to adopt local amendments to the CBSC.

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the local amendments adopted will have a significant effect on the environment.

DISCUSSION

Following is a list of codes adopted by the State of California for implementation on January 1, 2020 and that are proposed to be adopted by the City:

- 2019 California Building Code (based on the 2018 International Building Code)
- 2019 California Residential Code (based on the 2018 International Residential Code)
- 2019 California Mechanical Code (based on the 2018 Uniform Mechanical Code)
- 2019 California Plumbing Code (based on the 2018 Uniform Plumbing Code)
- 2019 California Electrical Code (based on the 2017 National Electrical Code)
- 2019 California Building Standards Administrative Code
- 2019 California Energy Code
- 2019 California Historical Building Code
- 2019 California Existing Building Code
- 2019 California Green Building Standards Code
- 2018 International Property Maintenance Code

Every city and county in California is required to adopt these codes, with local amendments as may be appropriate, and implement them on January 1, 2020. Many of the proposed local amendments to the 2019 California Building and Residential Codes are administrative in nature and are intended to maintain consistency with other provisions of the Municipal Code and reflect the City's current policies and practices dealing with building code enforcement. The proposed local amendments that are technical in nature have been developed with building officials, fire chiefs and code consultants from throughout the region to promote consistency across jurisdictions. Several of these amendments address aspects of the International Building Code or International Residential Code that would otherwise allow less restrictive building design and construction practices than what currently exists, particularly with respect to structural analysis and seismic safety. Other amendments to both the Building and Residential Codes ensure consistency with provisions of the 2019 California Fire Code that is being adopted concurrent with these codes.

The following sections summarize the proposed amendments.

Administrative Provisions

Staff recommends maintaining the current amendments related to administrative provisions for items such as fee payment, refunds, permit submittal requirements, etc. An amendment is proposed to include the use of placards indicating the condition of the structure for continued occupancy following a natural disaster. To maintain consistency with the Health and Safety Code Sections 18938.5 and 18938.6, an amendment is proposed to extend the time for an active permit.

Structural Design

As with previous code adoptions, the City has coordinated with other Bay Area jurisdictions to review proposed structural amendments to the State building codes. During the past year, staff has participated in monthly meetings with other jurisdictions from the Peninsula, East Bay, and Monterey Bay communities and agreed on recommended structural amendments to the State codes.

Staff is recommending that three structural amendments limiting the use of plain (un-reinforced) concrete and prohibiting use of gypsum board as shear material be adopted. These amendments were included in the adoption of the 2016 codes and are recommended to be carried over to the 2019 codes. Staff finds that these are necessary amendments due to the Bay Area's high potential for seismic activity.

Fire Protection Systems

The Fire Protection System standards for buildings other than single-family and duplex are located within the California Building Code (Chapter 9). Amendments to these standards are recommended by the Public Safety Department and will be presented to Council on October 29, 2019 for consideration along with the adoption of the Fire Code.

Fire sprinkler requirements for single-family and duplex buildings are located within the California Residential Code. The California Residential Code requires fire sprinklers to be installed in new single-family and duplex buildings. The proposed ordinance maintains a local amendment (originally adopted in May 1987) that requires existing single-family and duplex buildings to install fire sprinklers when additional living space is added that is at least 500 square feet and is over 50% of the existing living area.

Green Building Standards

The updated version of the California Green Building Standards Code (CALGreen) is included in this adoption cycle. CALGreen now includes standards for required photovoltaic systems (solar panels) in new residential construction. The requirement is for all low rise residential buildings to provide PV in a size that meets the anticipated annual demand of the building. Five exceptions apply to our climate zone.

1. PV is not required if there is less than 80 square feet of roof area available.
2. For 2 story houses, the PV size may be smaller than the size needed for anticipated annual demand however, no less than one watt per square foot (1W/sf) (due to situations where there may not be enough roof area to provide enough energy generation).
3. For 3 story houses, the PV size may be smaller than the size needed for anticipated annual demand, however no less than 0.8W/sf.
4. If the dwelling unit was approved by Planning prior to 1/1/2020 with available solar ready zone between 80 sf - 200 sf, the PV system can meet these size requirements as long as an optimal design to demand ratio is met.
5. If a battery storage system is installed, then the size of the PV system can be reduced by 25%.

As part of Sunnyvale's Green Building Program, the GreenPoint Rated program will continue to be required for new residential projects and the LEED program for non-residential projects. These programs are required, based on project scope, in addition to the requirements of CALGreen. New reach codes are being evaluated alongside the current Sunnyvale Green Building Program to determine if they could further assist the City in reducing the City's impact on greenhouse gases.

Effective Date

Consistent with State law, the California Codes will go into effect on January 1, 2020, unless amended by local ordinance adopted before January 1. Thus, the City's local amendments will be effective on January 1, 2020, when the model codes will otherwise go into effect statewide.

FISCAL IMPACT

Costs related to staff training and the purchase of new code books are included in the FY 2019/20 operating budget for the Building Safety Division. These costs are covered by building permit revenues.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

Notice of this meeting was also published in the Sun newspaper, a newspaper of general circulation, on October 11 and October 18, 2019.

ALTERNATIVES

1. Introduce an Ordinance: 1) Amending Various Sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2019 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with Local Amendments and Related Findings; 2) Adding Chapter 16.10 to codify Safety Assessment Placards Used Following a Natural Disaster; and 3) Finding that the Action is Exempt from the California Environmental Quality Act (Attachment 1 to the report)
2. Do not introduce the proposed ordinance.

STAFF RECOMMENDATION

Alternative 1: Introduce an Ordinance: 1) Amending Various Sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2019 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with Local Amendments and Related Findings; 2) Adding Chapter 16.10 to codify Safety Assessment Placards Used Following a Natural Disaster; and 3) Finding that the Action is Exempt from the California Environmental Quality Act (Attachment 1 to the report).

As noted in the discussion section, staff has been working with other Bay Area jurisdictions to coordinate and limit local amendments to the building codes. As part of these efforts, the amendments that are recommended will be generally made throughout local jurisdictions in the Bay Area. Staff is also recommending other modifications to the 2019 California Building Codes to maintain conformance with current policies and procedures, as described in this report.

The adoption of these codes and amendments will have a positive impact as it will allow the public to avail themselves of current and upgraded construction and life safety provisions that have been revised under these codes.

Prepared by: Suzanne Park, Chief Building Official
Reviewed by: Trudi Ryan, Director, Community Development
Reviewed by: Teri Silva, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENT

1. Draft Ordinance