



CITY OF SAN MATEO

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Agenda Report

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TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: October 17, 2022

SUBJECT:

2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Introduction

RECOMMENDATION:

Introduce an Ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 “Buildings and Construction” to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings; and adopt a Resolution to set forth express findings that amendments to the 2022 Building Standards Codes are reasonably necessary based on local climatic, topographical, or geological conditions.

BACKGROUND:

2022 Triennial Building Code Update: The California Building Standards Code (CBSC or State Code) is published in its entirety every three years by order of the California Legislature, with supplements published in intervening years. The State Code includes model Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical, Fire, Existing Building, Green Building, and Reference Standards Codes. The 2022 State Code becomes effective statewide on January 1, 2023, as published, unless local jurisdictions adopt more stringent amendments in accordance with State law. Accordingly, the City amends Title 23 of the Municipal Code, Building and Construction, to incorporate the current version of the State Code by reference. The last local and Triennial State Code Update was in 2019 and took effect on January 1, 2020. For this 2022 Triennial State Code update, the City Council in a separate report, will also review local amendments to the Green Building and Energy Codes, known as the REACH Code. This update under consideration does not contain the additional REACH Code amendments to the model Energy and Green Building Codes.

DISCUSSION:

The Triennial Building Code adoption proposal is like most code adoption years, as this Building Code update is essentially an amendment to reflect the most current version of the model codes, continuation of amendments adopted during previous code adoption cycles, and corrections to specific code sections. During the previous update adopted in 2019, Building Division staff proposed more extensive amendments in addition to adopting the latest version of the model codes. City Council adopted staff’s proposed amendments to accomplish the following:

- Eliminate redundant provisions, i.e. text that essentially tracks the model codes
- Correct improper references to the model codes
- Incorporate additional model codes that were not included in previous Building Code updates, either due to staff oversight or because those codes had not been formally adopted by the Building Standards Commission
- Incorporate by reference the Fire Code as adopted by the San Mateo Consolidated Fire District

The previously adopted revisions needed to meet the 2019 State Code were not particularly burdensome to the building community. The proposed revisions to meet 2022 State Code are also expected to have a minimal impact. In addition to the required State Codes and amendments, the State also provides Model Codes that are optional and may

or may not be adopted by local jurisdictions in the form of Appendices, which are recommended for adoption. A summary of the proposed local amendments to the 2022 State Code and optional Appendices are as follows:

Residential Code Amendment(s):

California Residential Code (CRC) Chapter 6 (Wall Construction) Section R602 Table R602.10.3(3) and Section R602.10.4.5 is amended to provide greater seismic design requirements by disallowing the use of poorly performing plaster, gypsum, and particle board products as bracing methods. This amendment is a continuation of an amendment adopted during the previous code adoption cycle. This amendment is also consistent with the design limitations for similar shear walls found in Table 2308.6.1 of the 2022 California Building Code.

Residential Code Appendices:

Appendix AH – Patio Covers relaxes certain provisions related to Patio Covers intended for recreational use regarding screening, glazing, light, ventilation, egress, footings, and structural design. This appendix helps streamline and expedite processing of recreational project permits not exceeding 12' in height.

Appendix AK - Sound Transmissions relates directly to the psychological and long-term physical well-being of building occupants by mitigating the sound transmission from other spaces and between dwelling units. Adopting this appendix aligns the Residential Code with the provisions of the Building Code.

Appendix AX Swimming Pool Safety Act reflects and aligns the Residential Code with the provisions found in CA Health and Safety Code Sections 115920 through 115929 and Building Code section 3109, which itself is further enhanced for safety through compliance with the International Swimming Pool and Spa Code. This appendix provides enhanced safety measures for swimming pools and spas in residential settings.

Building Code Amendments:

California Building Code (CBC) Chapter 15 (Roof Assemblies) Sections 1505.1, 1505.1.3 is amended to provide greater fire resistance of roof coverings (minimum Class "B") and by disallowing the lower "Class C" roof covering in all construction types. This amendment is a continuation of an amendment adopted during the previous code adoption cycle.

CBC Chapter 17 (Special Inspections) Section 1705.3 is amended to enhance regional consistency in the application and enforcement of the Building Code regarding the requirement of special inspections for isolated spread footings. This amendment is a continuation of an amendment adopted during the previous code adoption cycle.

CBC Chapter 19 (Concrete) Section 1905.1.7 is amended to provide greater seismic design requirements by limiting the use of plain concrete in isolated footings. This amendment is a continuation of an amendment adopted during the previous code adoption cycle.

CBC Chapter 23 (Wood) Section 2308 Table 2308.6.1 is amended to provide greater seismic design requirements by disallowing the use of poorly performing plaster, gypsum, and particle board products as bracing methods. This amendment is a continuation of an amendment adopted during the previous code adoption cycle.

CBC Section 3109 is amended in this cycle to include section 3109 in entirety. This allows enhanced regional consistency in the application and enforcement of the Building Code regarding the construction of swimming pools and spas, requiring compliance with the ISPSA (International Swimming Pool and Spa Code) thereby enhancing safety protection of pool and spa users.

Building Code Appendix:

Appendix G – Flood Resistant Construction, which is needed to ensure local compliance with Federal Emergency Management Agency (FEMA) requirements concerning construction in flood plains. The City's Public Works Department is currently working toward completing the North Shoreview Levee and Pump Station Improvement Project, which would raise the City's levee and remove most properties within the City's North Shoreview and North Central neighborhoods from the flood plain by 2023. However, the City is required to ensure proper flood protection in the meantime, and for the

small number of properties that would remain within a flood zone after the levee is completed. Appendix G requires construction features such as raised floors and drainage vents that would accomplish this.

To adopt local amendments to the 2022 Building Standards Code, California Health and Safety Code Sections 17922, 17958, 17958.5, 17958.7, and 18941.5, the City is required to make express findings that the local amendments are reasonably necessary based on local climatic, geological, or topographical conditions. These express findings are located in an Attachment 1 and should be adopted concurrently with the proposed ordinance.

Dangerous Building Code: On June 20, 2022, a study session was held to explore penalties for repeat offenders of the City's tenant relocation from unsafe buildings ordinance. Part of the resulting direction from City Council was for staff to draft an ordinance to adopt the Dangerous Building Code, "1997 Uniform Code for the Abatement of Dangerous Buildings" (DBC). This code was last published in 1997 and is an invaluable tool to assist in the identification, posting, notification, and appeal process for dangerous buildings. Staff recommends that City Council adopt the DBC in Title 23 Buildings and Construction, as a new Chapter 23.30 "Dangerous Building Code," i.e., 1997 Uniform Code for the Abatement of Dangerous Buildings.

Based on the above, staff recommends adopting the 2022 California Building Standards Codes by reference with local amendments and appendices, the Dangerous Buildings Code, and adopting a resolution making express findings that amendments to the 2022 Building Standards Codes are reasonably necessary based on local climatic, geological, or topographical conditions.

BUDGET IMPACT:

The main budgetary impacts are unsubstantial and relate to staff training and processing of this ordinance.

ENVIRONMENTAL DETERMINATION:

Introduction of an ordinance adopting by reference the 2022 Building Standard Codes with local amendments and the Dangerous Building Code is not a project subject to CEQA review because is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Proposed Resolution

Att 2 – Proposed Ordinance

Att 3 – Proposed Ordinance (redlined)

STAFF CONTACT

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