



Memorandum

TO: COMMUNITY & ECONOMIC
DEVELOPMENT COMMITTEE

FROM: Christopher Burton

SUBJECT: SEE BELOW

DATE: September 12, 2022

Approved

Date

9/15/22

SUBJECT: APPROVAL OF AN ORDINANCE AMENDING TITLE 24 OF THE SAN JOSÉ MUNICIPAL CODE ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS, CCR TITLE 24, PARTS 2, 2.5, 3, 4, 5, 8, AND 10, AND ADOPTING CERTAIN LOCAL AMENDMENTS TO THE TECHNICAL PROVISIONS RELATING TO CERTAIN STRUCTURAL DESIGN REQUIREMENTS, FIRE SPRINKLER REGULATIONS, AND OTHER BUILDING REQUIREMENTS

RECOMMENDATION

Recommend the City Council approve an ordinance to amend Title 24 of the San José Municipal Code to:

- a. Adopt the 2022 editions of the California Building Code (CBC), California Residential Code (CRC), California Electrical Code, California Mechanical Code, California Plumbing Code, California Historical Building Code, and the California Existing Building Code
- b. Find that the City of San José's local climatic, geological and topographical conditions warrant additional protections in the Municipal Code; and
- c. Adopt local amendments regarding certain structural design requirements, fire sprinkler regulations, and other building requirements.
- d. Refer this item to the October 18, 2022 Council Agenda for action.

OUTCOME

Approval of the ordinance will ensure consistency of the City of San José's Building, Electrical, Mechanical, Plumbing, Historical Building, and Existing Building Codes with state standards

and ensure that the City codes provide additional protection for the health, welfare, and safety of local residents required due to local climatic, geological, and topographical conditions.

BACKGROUND

The California Building Standards Commission publishes triennial editions of the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code. On July 1, 2022, the California Building Standards Commission published the 2022 edition of the California Building Standards Code. The 2022 California Building Standard Codes will apply to any building or structure for which an application for a building permit is made on or after January 1, 2023. The CBC, CRC, and the California Existing Building Code are based on the 2021 International model codes published by the International Code Council, while the California Mechanical Code and California Plumbing Code continue to be based on the 2021 Uniform model codes published by the International Association of Plumbing and Mechanical Officials. The California Electrical Code is based on the 2020 National Electrical Code, published by the National Fire Protection Association. The California Historical Building Code is developed and published by the California Building Standards Commission.

The State of California allows local municipalities to modify the state-adopted building standards to make them more restrictive (not less), provided certain express findings are made that the proposed modifications are necessary due to special local climatic, geological, or topographical conditions that can affect the health, welfare, and safety of local residents.

The Building related codes that will be adopted in the proposed ordinance are:

- 2022 California Building Code - CCR Title 24 Part 2
- 2022 California Residential Code - CCR Title 24 Part 2.5
- 2022 California Electrical Code - CCR Title 24 Part 3
- 2022 California Mechanical Code - CCR Title 24 Part 4
- 2022 California Plumbing Code - CCR Title 24 Part 5
- 2022 California Historical Building Code - CCR Title 24 Part 8
- 2022 California Existing Building Code - CCR Title 24 Part 10

The Department of Environmental Services is working on the adoption of the 2022 Green Building Standards Code and the 2022 Energy Efficiency Standards through the Reach Code ordinance separately from this proposed ordinance.

The San José Fire Department is working on the adoption of the 2022 California Fire Code separately from this proposed ordinance.

ANALYSIS

Summary of the Ordinance

The proposed ordinance accomplishes the following:

1. Adopts the 2022 edition of the California Building, Residential, Electrical, Mechanical, Plumbing, Historical Building, and Existing Building Codes by a single ordinance.
2. Updates previously adopted local amendments to the California codes to match current code language and cross-references.
3. Updates the Municipal Code to reflect the 2022 California Building Standards Code.

A complete copy of the proposed ordinance is posted for this agenda. The ordinance publishes the revised sections of Title 24 of the San José Municipal Code. The following is a summary of each of the Title 24 chapters:

- Chapter 24.01 governs the Administrative provisions including definitions, procedures, interpretation, and authority.
- Chapter 24.02 governs the issuance of permits, including requirements, exemptions, applications, issuance, renewals and extensions, fees, inspections, certificates of occupancy, and appeals.
- Chapter 24.03 adopts the California Building Code with the local amendments described below.
- Chapter 24.04 adopts the California Plumbing Code with no local amendments.
- Chapter 24.05 adopts the California Mechanical Code with no local amendments.
- Chapter 24.06 adopts the California Electrical Code with no local amendments.
- Chapter 24.07 adopts the California Existing Building Code with no local amendments.
- Chapter 24.09 adopts the California Residential Code with the local amendments described below.
- Chapter 24.11 adopts the California Historical Building Code with no local amendments.

Building staff worked with other Bay Area jurisdictions by participating in the Tri-Chapter Uniform Code Program. The cities and counties that participate in this program stretch from Contra Costa County in the north to San Benito County in the South. These amendments will be adopted uniformly in the neighboring cities and counties with some local variations. At both regional and state levels, staff will continue to assume a leadership role to reduce individual differences between cities in Silicon Valley

Summary of Amendments

There are no new proposed amendments for this code cycle. However, staff proposes to maintain the currently adopted local amendments regarding certain structural design requirements, fire sprinkler regulations, and other building requirements due to the following express findings:

1. The San Francisco Bay area region is densely populated and located in an area of high seismic activity. San José is bounded by the Hayward and San Andreas faults capable of producing major earthquakes.
2. Concern for the fire-life safety associated with a structural failure due to a seismic event considering the increasing number of buildings in the region, the use of new structural systems, the poor performance of certain materials, and the quality of construction.
3. Severe seismic events could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the San José Fire Department resulting in challenges to meeting the fire and life safety needs of the community.
4. The local geographic, topographic, and climatic conditions pose an increased hazard in acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause a delayed response from emergency responders, allowing further growth of the fire.

A summary of previously adopted amendments to the California Code that remain adopted in Title 24 of the Municipal Code are as follows:

A. Technical Amendments

1. Structural Design (CBC Chapter 16, referenced standard ASCE 7-16)
 - a. ASCE 7-16 Section 12.12.3
Modify CBC Standard ASCE 7-16 Section 12.12.3 to add requirements for seismic separation between adjoining buildings to allow the buildings to respond to earthquake ground motion independently.
2. Concrete Construction (CBC Chapter 17)
 - a. Modification to the CBC Section 1705.3 will require special inspections when the structural design of foundations, under specific conditions, is based on a specified compressive strength greater than 2,500 pounds per square inch.
3. Conventional Light Frame Construction (CBC Chapter 23, and CRC Chapter 6)
 - a. CBC Section 2308.6
Modify the CBC Section 2308.6 to disallow the use of gypsum wallboard or diagonal let-in bracing in braced wall panels of conventional light-frame construction, and to limit the use of Portland cement (stucco), diagonal wall sheathing, particle board sheathing, structural fiberboard sheathing and hardboard panel siding in braced walls.
 - b. Wall Bracing (CRC Chapter 6)

Modify CRC Table 602.10.3 (3) to disallow the use of gypsum wallboard and diagonal let-in bracing in braced wall panels, and to limit certain types of braced walls to single-story use only.

B. Fire Sprinkler Regulations (CBC Chapters 4 and 9 and CRC Chapter 3)

The CBC and CRC sections pertaining to fire sprinklers are modified to:

- a. Require automatic fire sprinklers in existing buildings when additional floor area creates a building of substantially large area in excess of 10,000 square feet, or the proposed change in use or contents of the building creates a higher risk.
- b. Require automatic fire sprinklers in new buildings that exceed 6,200 square feet in area.
- c. Require automatic fire sprinklers throughout buildings and structures four stories or greater in height, regardless of floor area.
- d. Require fire sprinklers in existing detached one- and two-family dwellings where an increase of 500 square feet is made to the floor area resulting in a total building floor area exceeding 3,600 square feet.

C. CRC Appendices

Modify the CRC by adopting Appendices AH, AK, and AX to address Patio Covers; Sound Transmission; and the Swimming Pool Safety Act, respectively.

D. California Plumbing Code Appendices

Modify the California Plumbing Code by adopting Appendices A, B, D, G, H, I and M to address Sizing Water Supply Systems, Combination Waste and Vent Systems, Stormwater Drainage Systems, Venting Systems for Appliances with Draft Hoods, Private Sewage Disposal Systems, Installation Standards, and Peak Water Demand Calculator, respectively.

E. Administrative Provisions

The proposed ordinance will continue to have a single set of administrative provisions for all adopted codes.

EVALUATION AND FOLLOW-UP

The approval of this ordinance will not impact current performance measures. However, due to the changes in the codes and the referenced standards, staff and design professionals will need time to adjust and be familiar with the application of these new codes. Current performance levels are expected to slightly decline in the first six months.

PUBLIC OUTREACH/INTEREST

Free training sessions will be offered to the public early next year to introduce design

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professionals, developers, and contractors to significant changes between the 2019 and 2022 California Codes. Information about the adoption of the new codes will be published on the City's website and hard copies will be available in the Permit Center.

This memorandum will be posted on the October 18, 2022, City Council Agenda website.

COORDINATION

This memorandum and proposed ordinance were coordinated with the City Attorney's Office.

CEQA

Exempt, Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment, File No. ER22-227.

/s/

CHRISTOPHER BURTON, Director
Planning, Building and Code Enforcement

For questions, please contact Lisa Joiner, Deputy Director of Building Division, at (408) 535-7757.