



# COUNTY OF SANTA CRUZ

0133

## PLANNING DEPARTMENT

701 Ocean Street, 4<sup>th</sup> floor, Santa Cruz, Ca 95060  
(831) 454-2580 Fax: (831) 454-2131 Tdd: (831) 454-2123  
TOM BURNS, PLANNING DIRECTOR

September 10, 2007

**AGENDA DATE:** September 25, 2007

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**SUBJECT: BACKGROUND REPORT REGARDING ADOPTION OF THE 2007 CALIFORNIA BUILDING STANDARDS CODE AND LOCAL AMENDMENTS**

Members of the Board:

Every three years the State adopts a new Building Standards Code, which results in the need to adopt new local codes that address a number of aspects of building construction. With the State's adoption this past July of the 2006 International Codes, we are required to take actions needed to have these new codes be effective on January 1, 2008. The purpose of this letter is to highlight some of the significant changes in the new 2007 Building Code and outline the process and timeline for adopting the new Building Standards Code and for filing local amendments. It should be noted that elsewhere on this agenda is a letter related to changes to the Fire Code.

### **Background**

The State of California periodically adopts a new Building Standards Code, comprised of twelve codes, including new Building, Plumbing, Mechanical, Energy and Electrical Codes. The new Building Standards Code is mandatory for local governments, and automatically becomes effective throughout the state 180 days after it is published -- in this case, on January 1, 2008. All building permits submitted after that date must meet the new code requirements.

Although the adoption process for the 2007 Building Standards is similar to that of previous years, some technical aspects of the code have changed substantially, through adoption of the 2006 International Code as the model code for the California Building Code and Fire Code. The International Code, which is an entirely new code and substantially different in some areas from previous code, has several advantages over previous model codes used in California and emphasizes the most current national safety standards, technologies, and construction methods. However, because it is an entirely new code for jurisdictions in California, there are many technical issues that are not yet fully understood.

As typically occurs, various state agencies have amended the International Code as necessary to deal with conditions specific to California, including new structural design requirements to address seismic safety concerns and additional fire protection standards for buildings in areas at risk of wildfires.

The State also allows local governing bodies to amend the building standards in the new codes, as long as they are more restrictive than the state standards and are based on findings that the amendments are necessary due to local climatic, topographic, or geological conditions. The local jurisdiction must file the amendments, along with the required findings, with the State.

### **Process for Local Adoption of the 2007 California Building Standards**

Since early this year, in anticipation of new codes, staff has been evaluating various ordinances related to the building permit process and regulations. In addition, since formal State adoption of the codes in July, staff has been involved in numerous training sessions to better understand the technical aspects of the new codes. Additionally, staff has been working closely with local fire agencies and other local building departments to better understand the effect of the code changes – both with regard to building standards and the building permit process – with the goal of establishing common application of the codes throughout the region.

In order to meet the state-mandated deadline of January 1<sup>st</sup> for adopting the new Building Standards Code, the following timeline will need to be met:

- |                     |  |
|---------------------|--|
| September 25, 2007: | Consider report and set public hearing for the County to formally adopt the 2007 Building Standards, along with necessary local amendments to the County Code and to the state Standards.                          |
| November 3, 2007:   | Public hearing on proposed changes to Chapter 12.10 of the County Code (where the Building Standards are referenced), and adoption of the 2007 California Building Standards Code, including any local amendments. |
| November 2007:      | File the approved ordinance adopting the 2007 Building Standards, including any local amendments with the necessary findings, with the State.  |
| Oct/Nov/Dec 2007:   | Train staff on changes to codes. Update handouts and website to reflect code changes. Inform the public of upcoming changes.   |
| January 1, 2008:    | The 2007 Building Standards, as locally amended, goes into effect and will apply to all building permits applied for, on or after that date.   |

### **Status of Review and Adoption Process**

#### Changes in the 2007 California Building Code

While technical staffs throughout the State are still working to understand all the changes contained in the new code, to date a number of significant changes have been identified, including:

- New requirements for calculating the appropriate seismic design category may necessitate soils reports for a greater number of construction projects. In its extreme, the code could require soils reports for even small additions to existing residences. Needless to say, we believe that such a requirement would add unreasonable costs and delays to some projects. Staff is currently evaluating whether the code could allow flexibility to exempt small-scale projects and additions from these requirements.
- Due to new seismic design requirements, standards for conventional construction may be so restrictive as to limit their appeal, resulting in a greater number of projects requiring engineered design. Again, this is a topic that we are discussing with other jurisdictions to better understand if we can exempt small-scale construction projects.
- New standards for protecting life and property in areas of significant fire hazard will replace the existing Urban Wildland Intermix Code (UWIC) requirements in the County Code. Fortunately, due to the previous adoption by the County of proactive Building and Fire codes, many of the new state standards appear to be similar to our local UWIC requirements. While the new statewide construction standards are very similar to the UWIC standards now in effect, it appears that they may apply to more structures than before, including non-habitable buildings such as garages and barns. Staff is still in the process of evaluating how these requirements will apply, and whether any local amendments can be developed to limit the application of these new standards. Further, the UWIC requirements now apply in the State Responsibility Areas, which for the most part are the rural and mountainous areas of the County. But starting January 1, 2008, the new state requirements will also apply to high-risk areas within the more densely developed urbanized areas. We do not know the extent of these high-risk areas yet, and have requested copies of the applicable maps. We will be in a better position to inform your Board as to the magnitude of this change once we get a chance to study the proposed maps.
- Other fire-related changes include new requirements for fire-resistive construction, firewalls and fire sprinklers, and new occupancy class definitions.
- There are numerous minor changes to standards throughout the code. For example, the height of railings and pool barriers has been increased and stair risers have been modified.
- Many of the requirements for administering building permits have been removed from the Building Code and are being left up to the local jurisdictions. We are currently evaluating our existing procedures contained in Chapter 12.10 relating to the processing of building permits and permit applications.

It's important to stress that, while we have been working closely with other jurisdictions, we continue to discover new requirements in the code – some small in nature and others significant. **As** a result, local jurisdictions could well find ourselves in the awkward position of not fully understanding the scope of the code changes until they are being applied after January 1.

Once the technical aspects of the code changes are better understood, we will provide staff training and update our website and handouts to reflect these changes. Additionally, we will continue to inform the public of training opportunities on the new Building Code sponsored by the California Building Officials Association and the International Code Council.

#### Local amendments to the 2007 Building Code

Staff has been meeting regularly with the local Chapter of the California Building Officials and with a regional code review committee to determine if any local or regional amendments need to be made to the Building Code or other 2007 codes. Staff will bring recommended amendments developed by the local building officials based upon local climatic, geological or topographical conditions to your Board in November. As well, this would be the process for including special county-sponsored amendments, as has occurred in past years. Our local standards for pool barriers are an example of unique local standards.

#### **Future Additional Revisions to County Building Regulations**

In the course of reviewing our local building regulations, staff has discovered a number of related regulatory changes that should be made to clarify existing procedures and reflect current State regulations, as well as to better coordinate with the new codes. Fortunately, these changes are not required in order to implement the new codes, as the available time will not allow us to complete these additional code changes. As a result, we will need to pursue these changes next year. Examples of those future changes are noted below.

#### Update Local Building Regulations

Many of our local building regulations are outdated or difficult to administer, including requirements for demolition permits and provisions related to processing of building permits. Additionally, many chapters in the County Code need to be updated to reflect changes in the new state codes and to reference the correct code sections and code year. In early 2008 staff will bring recommendations to your Board for changes to these chapters of the County Code.

#### Energy Conservation and Alternative Energy

Existing chapters in the County Code relating to energy conservation for buildings and alternative energy are in need of major revisions to reflect current technologies, current State law, and address the desire of the local community to reduce our impact on global warming. Later in 2008 staff intends to develop a number of recommendations relative to this subject area for your Board's consideration. These will be developed in consultation with the Commission on the Environment. Additionally, we will be monitoring the State's efforts to develop statewide green building standards requiring more efficient design and construction for buildings, and standards requiring more efficient use of existing buildings. We have been told that the State may require these changes as early as 2009, to comply with Governor's executive order to reduce state greenhouse gas emissions. Clearly, if a statewide approach is achieved in this area, it would be far superior to having different codes adopted by jurisdictions throughout the state.

## Conclusion and Recommendations

Staff has been working for months to anticipate the upcoming substantive changes to the Building Standards Code and will bring formal recommendations to your Board this November, within a timeframe that will allow the County to have the new Building Code in place by January 1, 2008.

It is therefore, RECOMMENDED, that your Board take the following actions:

1. Accept and file this report;
2. Schedule a public hearing for the morning agenda of November 6, 2007 at **9:00a.m.** or thereafter to consider the adoption of the 2007 California Building Standards Code, local amendments to the 2007 Building Standards required due to local climatic, geological or topographic conditions, and proposed amendments to Chapter 12.10 relating to the adoption of the 2007 California Building Standards Code; and
3. Direct the Clerk to provide the required public notice for the hearing.


Sincerely,



---

Tom Burns  
Planning Director

RECOMMENDED



---

SUSAN A. MAURIELLO  
County Administrative Officer

TB:GH \am\G:\Board Letters\Pending