



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: ORD 20-014, **Version:** 1

Public hearing to consider adoption of an ordinance:

- a. To make express findings that County amendments to the 2019 California Building Standards Code are reasonably necessary due to local climatic, geological or topographical conditions; and
- b. To repeal the 2016 California Building Standards Code with County amendments and adopt the 2019 California Building Standards Code with County amendments.

RECOMMENDATION:

Adopt an ordinance (**Attachment A**):

- a. To make express findings that County amendments to the 2019 California Building Standards Code are reasonably necessary due to local climatic, geological or topographical conditions; and
- b. To repeal the 2016 California Building Standards Code with County amendments and adopt the 2019 California Building Standards Code with County amendments.

SUMMARY:

By state law, the 2019 edition of the California Building Standards Code and other regulations adopted pursuant to Health and Safety Code Section 17922 became effective in each local jurisdiction throughout California on January 1, 2020. These replace the 2016 state code. The County may make changes or modifications in the state-mandated standards upon express findings that the changes or modifications are “reasonably necessary because of local climatic, geological or topographical conditions.” (Health and Safety Code sections 17958.7, 18941.5) Accordingly, the proposed ordinance amends several chapters of Title 18 of the Monterey County Code to repeal the 2016 California Buildings Standards Code with local amendments and to adopt the 2019 California Building Standards Code with local amendments. On July 7, 2020, the Board of Supervisors introduced the ordinance, waived reading, and set a public hearing on July 28, 2020 to consider adoption of the ordinance. Staff recommends adoption of the ordinance.

DISCUSSION:

The proposed ordinance adopts the entirety of the 2019 California Building Standards Code into the Monterey County Code, including certain administrative and enforcement provisions, with County amendments based on Monterey County’s unique local climate, geography, and topography. The following publications will be adopted by reference and incorporated in Title 18 of the Monterey County Code, except as expressly amended: The 2019 edition of Title 24, California Code of Regulations (“CCR”) consisting of the following Parts:

- Part 1 - California Administrative Code;
- Part 2 - California Building Code;
- Part 2.5 - California Residential Building Code;
- Part 3 - California Electrical Code;
- Part 4 - California Mechanical Code;
- Part 5 - California Plumbing Code;
- Part 6 - California Energy Code,
- Part 8 - California Historical Building Code;
- Part 9 - California Fire Code;

- Part 10 - California Existing Building Code;
- Part 11 - California Green Building Standards Code (*CALGreen Code*); and
- Part 12 - Reference Standards Code.

All of these “Parts” make up the Building Code. The ordinance also includes locally adopted standards such as a Property Maintenance Code.

The amendments to the local Fire Code reflect a consensus among all fire districts regarding code content. Thus, the amended local Fire Code applies across division lines, eliminating need for multiple codes. Fire Codes are part of the Building Code, subject to interpretation by the County’s Building Official. Monterey County defers inspection of fire codes to the responsible fire district/agency.

Staff has met with stakeholders from the building industry to present the changes (specifically the local amendments) for their review and comment. Staff has not received any concerns from stakeholders about the proposed local amendments.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the ordinance as to form.

FINANCING:

Building permit fees are based on estimated construction valuation. Staff does not anticipate any change in revenue as a result of these Code changes.

Staff time related to the amendment and adoption of the ordinance are a normal cost of operations. Staff time is budgeted under the FY2020-21 Adopted Budget Fund 001, Building Services Appropriation Unit RMA110.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Board of Supervisors Strategic Initiatives include objectives to:

- Improve efficiency and effectiveness of County services (Administration).
- Improve health and quality of life the County supported policies, programs and services (Health and Human Services)
- Create a safe environment (Public Safety)

RMA has Key Performance Measures to implement the Board’s Strategic Initiatives by improving the permit process. Building Codes are designed for public safety and environmental sustainability. The adoption of the 2019 Building Standards Code with local amendments will allow for efficient and effective County buildings services that are updated in conformity with updated state standards.

Check the related Board of Supervisors Strategic Initiatives:

Economic Development

X Administration

X Health & Human Services

Infrastructure

X Public Safety

Prepared by: Paul T. Nagengast, PE, Project Advisor, Regional Government Services
Reviewed by: John M. Dugan, FAICP, Deputy Director of Land Use and Community Development
Approved by: Carl P. Holm, AICP, Resource Management Agency Director

The final ordinance is attached as Attachment A. A copy of the ordinance showing the changes (yellow highlighted) from current Title 18 of the Monterey County Code is Attachment B. A summary of the changes is Attachment C. During the Board's consideration of the ordinance, the 2019 California Buildings Standards Code will be lodged with the Clerk of the Board and is also available for inspection at the Resource Management Agency.

The following attachments are on file with the Clerk of the Board:

Attachment A - Ordinance (Clean Version)

Attachment B - Ordinance (Highlighted Version)

Attachment C - Summary of Local Amendment Changes from 2016 to 2019