



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: October 11, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Darcy Smith, Assistant City Manager

SUBJECT: Hold Public Hearing, Read by Title Only and Adopt the Following Ordinances of the City of San Bruno:

- An Ordinance of the City of San Bruno Amending Chapter 11.02 (Administrative and Referenced Standards Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Referenced Standards Code and the 2022 Administrative Code
- An Ordinance of the City of San Bruno Amending Chapter 11.04 (Building Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Building Code Volumes 1 & 2, the 2022 Historical Building Code, and the 1997 Uniform Housing Code
- An Ordinance of the City of San Bruno Adopting Chapter 11.06 (Energy Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Energy Code
- An Ordinance of the City of San Bruno Adding Chapter 11.07 (Green Building Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Green Building Code
- An Ordinance of the City of San Bruno Amending Chapter 11.08 (Mechanical Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Mechanical Code
- An Ordinance of the City of San Bruno Adding Chapter 11.10 (Residential Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Residential Code
- An Ordinance of the City of San Bruno Amending Chapter 11.16 (Electrical Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Electrical Code
- An Ordinance of the City of San Bruno Amending Chapter 11.20 (Plumbing Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Plumbing Code
- An Ordinance of the City of San Bruno Adding Chapter 11.22 (Existing

Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Existing Code

- An Ordinance of the City of San Bruno Amending Chapter 11.24 (Fire Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Fire Code

BACKGROUND: The State of California Building Standards Commission adopted new State Building Codes, including the California Fire Code, referenced as the 2022 California Building Codes which become effective on January 1, 2023. The Commission typically prepares code updates every three years with mid-cycle adjustments. These Codes apply minimum construction standards for all construction throughout the State. As of January 1, 2023, the City is required by State law to enforce the California Building Standards Codes (CBSC). Therefore, they are by law applicable to all projects in San Bruno that obtain building permits.

Local jurisdictions are required to adopt the 2022 California Building Codes by reference. Jurisdictions may also adopt local amendments to these standard State codes to address unique local climatic, geographical and topographical conditions. To adopt these local amendments, the City Council must adopt specific findings in a related resolution. Amendments may also be made to administrative sections of the codes. The 2022 California Building Codes consist of 13 parts as follows:

- Part 1 Administrative Code
- Part 2 California Building Code (CBC)
- Part 2.5 California Residential Code (CRC)
- Part 3 California Electrical Code (CEC)
- Part 4 California Mechanical Code (CMC)
- Part 5 California Plumbing Code (CPC)
- Part 6 California Energy Code
- Part 7 (Currently Vacant)
- Part 8 California Historical Building Code
- Part 9 California Fire Code (CFC)
- Part 10 California Existing Building Code
- Part 11 California Green Building Standards
- Part 12 California Reference Standards Code

On September 13, 2022, the City Council adopted a resolution making findings of local climatic, geological, and topographical conditions which support the local amendments. The adopted resolution is provided as Attachment 1 for reference.

On September 13, 2022, the City Council introduced, read by title only and waived further reading of the ordinances by a vote of 5-0-0. The City Council also set the public hearing on adoption of the ordinances for October 11, 2022. The ordinances which provide for the local adoption of the 2022 California Building Codes, with local amendments, are provided as Attachments 2 through 11.

DISCUSSION: The purpose of this item is to serve as a public hearing for reading by title only and adoption of the ordinances. A public hearing is required for adoption of State codes by reference pursuant to Government Code Sections 50022.1, et. seq. No changes have been made to the ordinances since introduction action on September 13, 2022, with the exception of one modification to the Ordinance adding Chapter 11.10 (Residential Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code and Adopting by Reference the 2022 California Residential Code. During the September 13, 2022 meeting, the City Council directed staff to modify the local amendments to the Residential Code related to required site information signage on construction fencing to include the Building Division's contact information. Staff modified the ordinance to reflect the requested information. Attachment 7 includes the modified ordinance for 2022 Residential Building Code. A summary of the ordinances and the local amendments are provided in this report, with additional details available in the City Council staff report for the September 13, 2022 meeting.

2022 State Code Major Updates Summary

Building Code Update. The 2022 Building code triennial update includes minor language restatements and refinements in addition to requiring more energy-efficient installation for new residential construction and additional safety measures such as expanding WUI requirement, and other energy-efficient installation for new commercial construction.

Fire Code Update. The 2022 Fire code update includes new requirements to authorize the code official to allow the removal of existing occupant use hose lines, to address all configurations of energy systems, including emergency power, standby power, fuel cell power, and stationary battery storage system requirements and to require a 24/7 Fire Watch.

San Bruno, like most jurisdictions, has historically adopted local amendments tailored to our locality. State law also requires the City to make findings that certain amendments to the state-adopted codes are necessary due to local climatic, geological, and topographical conditions. Amendments may also be made to administrative sections of the codes without State review. The explanation for these modifications which are necessitated by particular local conditions are delineated below.

Local Climatic, Geographical and Topographical Conditions

Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the state building standards in order to provide a reasonable and appropriate degree of proper security and fire and life safety in this jurisdiction. Additional information is provided about these topics:

Climactic. San Bruno has several microclimates caused by its particular geography. San Bruno lies in the northern portion of the San Francisco Bay Area's peninsula climatological subregion. The Santa Cruz Mountains extend up the center of the San Francisco Peninsula, with elevations ranging from 500 feet to 2,000 feet. The largest gap in the Santa Cruz Mountains is the San Bruno Gap, which extends from Fort Funston on the Pacific Ocean to SFO Airport on San Francisco Bay. Because the gap is oriented in the same northwest-to-southwest direction as the prevailing winds, and because elevations in the gap are below 200 feet, marine air is easily able to flow through the gap in the direction of the Bay. Atmospheric conditions such as wind speed, wind direction, and air temperature interact with the physical features of the landscape to determine the movement and dispersal of air and air pollutants. Accordingly, San Bruno's microclimate is such that it is often windy. The winds create a significant fire threat to life and

property when they occur during periods of low humidity and high temperature. Sections of the City with large eucalyptus groves, as well as developments that border canyons with large quantities of flammable brush and undergrowth, present a significant fire threat.

Geological. San Bruno, which is only about six (6) square miles, has an active fault and two inactive faults running through it. The San Andreas Fault is considered active and passes through San Bruno running in a northwestern-southeasterly direction. Because of its active status, surface rupture potential is considered moderate to high, especially in western San Bruno. Further, state law governs development within designated areas along active fault lines pursuant to the Alquist-Priolo Special Studies Zone Act enacted in 1972. It requires cities and counties to regulate certain types of development within state delineated special study zones. Parts of San Bruno are located in Alquist-Priolo Earthquake Fault Zones thus signifying that an active fault may pose a risk of surface fault rupture to structures and therefore those areas warrant special planning and disclosures. Liquefaction is also a seismically induced hazard, which is more likely in areas underlain by clean sand lenses saturated by high groundwater. These conditions are found near the freeway, interstate interchanges, airport lands, some schools, parks and jail lands.

There are also other geologic hazards including landslides, mudslides, and erosion that may be related to seismic activity or may occur independently. Slope instability may be induced by a number of factors including heavy rainfall, grading and construction that disrupt natural drainage courses and undermine burdened hillsides. San Bruno has been adversely affected by a number of landslides.

In addition, San Bruno's particular geological situation allows it to provide ground water in addition to receiving surface supply from Hetch Hetchy in order to service the community. However, both systems are susceptible to damage in an earthquake thereby impacting the city's ability to deliver water during a catastrophic event. Due to the aged water infrastructure, an earthquake could present a fire potential and hazardous materials risk that would overwhelm the City's capability to suppress fires and respond to hazardous material incidents. The increased requirement for fire sprinklers would provide an additional means of protection in the community to help mitigate this potential.

Because of low elevations and other factors, flooding periodically occurs during heavy rains and simultaneous high tides. Some low-lying areas are also subject to potential flood hazards, such as City Park, some schools, and the central business district.

Topographic. The greatest fire hazards occur in areas close to natural vegetation, primarily in and above Crestmoor Canyon, and in the western foothills. Heavily wooded, chaparral and grass-covered slopes are highly flammable during dry months, particularly if there is accumulated undergrowth. Access for firefighters and equipment is difficult due to the terrain and lack of streets in undeveloped areas. Other fire hazards occur in urbanized areas including those associated with the transmission of jet fuel to the San Francisco International Airport. Industrial chemicals and processing activities occurring in industrial areas of the City contribute to fire hazards and these may be compounded by crowded conditions where there is not much separation between buildings.

Conclusion. Local climactic, geographical and topographical conditions impact fire prevention efforts relating to the spread, acceleration, intensity, and size of fire involving buildings and vegetative areas in this City. Further, they impact potential damage to all structures, from

earthquake and subsequent fire. On September 13, 2022, the City Council adopted a resolution making findings of local climatic, geological, and topographical conditions which support the local amendments building standards set forth in the state codes in order to mitigate the effects of the above.

Building Code Amendments:

The 2022 California Building Codes are effective on January 1, 2023. Therefore, it is important that the proposed ordinances containing the City's local amendments be adopted. These amendments are necessary to account for local climatic, geological, or topographical conditions, as well as local administrative or construction related special needs.

Adoption and Proposed Local Amendments to the 2022 California Building Code

Staff recommends re-adoption, modifying, or deleting previous amendments to the 2019 Building Code identified in 11.04.020 of the San Bruno Municipal Code (SBMC). The most notable new local amendments include:

- Site Address Identification
 - Section 501.2 amended to ensure address identification is legible and placed in a position that is visible from the street or road fronting to facilitate emergency response.

Adoption and Proposed Local Amendments to the 2022 California Residential Code

Staff recommends adding chapter 11.10 (Residential Code) and adopting and amending the 2022 California Residential Code to the San Bruno Municipal Code (SBMC). The most notable new amendments include:

- Construction Fencing
 - Section R300.3 added for requirements for projects completing substantial construction where the structure does not meet the minimum habitable requirements in the Health and Safety code, shall provide protection for adjoining public and private property to protect from damage and theft during construction, remodeling, and demolition work. Protection will be required maintained in place and kept in good order for the entire length of construction.
- Existing Emergency Escape Windows
 - Size requirement for emergency escape windows.

Adoption and Proposed Local Amendments, deletions, and additions to the 2022 California Existing Code

Staff recommends adding chapter 11.22 (Existing Code) and adopting and amending the 2022 California Existing Code to the San Bruno Municipal Code (SBMC). The most notable new amendments include:

- Existing Emergency Escape Windows
 - Size requirement for emergency escape windows.
- Site Address Identification

- Section R319.1 amended to include revised illumination and height requirements

Fire Code Amendment:

The California Building Standards Commission based the new code for this code adoption cycle on the 2021 edition of the International Fire Code. The proposed ordinance adopts the 2022 State code with local amendments including, but not limited to:

- Mobile Food Preparation Vehicles
- General Definitions
- Recreational Fires
- Nuisance Alarm Notification
- Multiple Nuisance Alarm Activations
- Records Reporting
- Lithium-ion Batteries in Vehicles
- Accessible Combustible and Noncombustible Sub-Floors
- Existing Group R Occupancies and
- Combination Alarm Systems

Additionally, the proposed ordinance includes additional definitions pertaining to the local amendments and updated section numbers.

Next Steps:

If the City Council takes action to adopt these ordinances, staff will file copies of the ordinances and adopted resolution with the California Building Standards Commission and State Department of Housing and Community Development.

To better communicate the Building Division's processes, staff plan to present the relevant information on the City's website in a section targeted to applicants for new construction, alterations, additions, or rebuilds. Additionally, staff will post a notice on the Building Division counters and other City communication methods.

FISCAL IMPACT: There is no fiscal impact from the adoption of the Ordinances.

ENVIRONMENTAL IMPACT: The proposed ordinances qualify for an exemption from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) and 15378 (b)(5), because the ordinances are not a Project that has the potential for causing a significant effect on the environment.

RECOMMENDATION: Hold Public Hearing, Read by Title Only and Adopt the Following Ordinances of the City of San Bruno:

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ALTERNATIVES:

1. Direct staff to make modifications to the ordinances; substantive modifications will require re-introduction at a subsequent meeting.

ATTACHMENTS:

1. Resolution- 2022 Fire and Building Code Amendments (Adopted on September 13, 2022)
2. Ordinance adopting by reference the 2022 Administrative and the 2022 California Reference Standards Code (Ch. 11.02)
3. Ordinance adopting by reference the 2022 Building Code (Ch. 11.04)
4. Ordinance adopting by reference the 2022 Energy Code (Ch. 11.06)
5. Ordinance adopting by reference the 2022 Green Building Code (Ch. 11.07)
6. Ordinance adopting by reference the 2022 Mechanical Code (Ch. 11.08)
7. Ordinance adopting by reference the 2022 Residential Code (Ch. 11.10)
8. Ordinance adopting by reference the 2022 Electrical Code (Ch. 11.16)
9. Ordinance adopting by reference the 2022 Plumbing Code (Ch. 11.20)
10. Ordinance adopting by reference the 2022 Existing Code (Ch. 11.22)
11. Ordinance adopting by reference the 2022 Fire Code (11.24)