

## Cotati City Council Agenda Staff Report

**Item type:** PUBLIC HEARINGS (ACTION)  
**To:** City Council  
**Subject:** Adoption of the 2022 California Building Code  
**Date:** November 22, 2022  
**Written by:** Noah Housh, Director of Community Development

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### **Recommendation**

It is recommended that the Council of the City of Cotati conduct the second reading and adopt an Ordinance to update and amend the California Building Code to implement changes for the 2022 Building Code cycle.

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### **Background**

The California Building Standards Code (Title 24) is organized into 13 parts and is updated every three years. Local jurisdictions that choose to amend Title 24 are required to adopt this building code by ordinance for local enforcement within 180-days after the updated Title 24 is published by the State, which occurred on July 1, 2022.

In adopting Title 24 for local enforcement, a local jurisdiction may amend the State standards to address local geologic, topographic or climatic conditions, but in no case may these amendments be less restrictive than the State code. The authority to make such amendments is provided through a combination of Government Code Sections; however each amendment requires specific justification. In addition, there are a number of Appendices which are not required to be adopted by local agencies, however their adoption may serve to simplify or clarify local regulation processes by providing consistent regulations across jurisdictions.

Since the 2008 Code adoption, Sonoma County jurisdictions have collaborated in adopting local amendments. The goal is to limit local amendments to the State Codes as much as practical and use common language in their adoptions. This “common code” is designed to give developers, contractors and citizens consistent requirements and code language, which streamlines the permitting process and requires less education for the local building community. Minor changes have been made to the code language, but Sonoma County jurisdictions have attempted to limit code amendments in an effort to remain uniform with the State. It should be noted that most of the changes in this year’s code deal with energy conservation and improving the overall efficiency of the structure.

The Sonoma County Fire Prevention Officer’s Association and the Sonoma County Fire Chief’s Association have endorsed the 2022 Fire Code amendments. Municipal Code Section 15.08

Excavation, Grading and Earthwork Construction are amended to reflect the State regulations regarding Stormwater management and reference 2022 State Building Codes.

The City Council introduced the proposed ordinance and held the first reading at a duly notice public hearing on October 25, 2022.

**Analysis/Discussion**

The ordinance will supersede the City of Cotati Building Code (Municipal Code Chapter 14.04) to meet the requirements and criteria of the 2022 California Building Code Standards. While the 2022 Code is very similar to the 2019 code, it does include several differences which are summarized below.

Separately, the Ordinance proposes to adopt several Appendices to the 2022 California Building Standards Code with the intent to establish clear and consistent regulation of elements outside of the typical building code. Note that the proposed amendments to the code and appendices are the same amendments and appendices adopted by the City in the prior building code cycle. The only difference is the addition of the residential code appendix for Tiny Homes. With the recent approval by City Council of the Cottage Housing Ordinance, staff believes there may be some need to allow modified standards for things like stairways, lofts, etc. in the cottage homes. The addition of this appendix does not change the zoning requirements, simply allows for modified building standards when applicable.

The amendments will establish (or re-establish) local City of Cotati regulations addressing:

1. Appendices in the California Building Code to be adopted include:
  - H. Signs
  - I. Patio Covers
  - J. Grading
  - O. Emergency Housing
2. Appendices in the California Plumbing Code to be adopted include:
  - A. Recommended Rules for sizing the Water Piping System.
  - B. Explanatory Notes on Combination Water and Vent Systems.
  - C. Alternate Plumbing Systems.
  - D. Sizing Storm Drainage Systems.
  - I. Installation Standards for PEX Tubing Systems
3. Appendices in the California Existing Building Code to be adopted include:
  - A1. Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings.

- A3. Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Framed Residential Buildings
  - A4. Earthquake Risk Reduction in Wood-Framed Residential Buildings with Soft, Weak, or Open Front Walls.
  - A5. Referenced Standards.
4. Appendices in the California Green Building Standards Code to be adopted include:
- A4. Residential Voluntary Measures, Tier 1, for New Buildings and substantial remodels.
  - A5. Nonresidential Voluntary Measures, Tier 1, for New Buildings and substantial remodels.
5. Appendices in the California Residential Code to be adopted include:
- H. Patio Covers
  - J. Existing Buildings and Structures
  - K. Sound Transmission
  - T. Solar-Ready Provisions for Detached One- and Two-Family Dwellings.
  - Q. Tiny Houses

Other codes recommended for adoption by the City of Cotati include:

1. The International Property Maintenance code amended to reference the California Building Codes.
2. 2022 National Fire Code Enforcement.

#### Highlights of the State Code Updates from the 2019 Edition to the 2022 Edition

With each code adoption cycle, the California Building Standards Code is updated to clarify ambiguous language and to bring consistency where conflicts exist among the various codes. The updated version also includes additional code provisions to address current building-related issues as highlighted below:

1. Building Code
  - Although Cotati does not have any Wildland-Urban Interface designated areas it is worth noting there are extensive updates to Chapter 7A Wildland-Urban Interface (WUI) regulations such as clearer definition (fire-resistant vegetation) and scoping (accessory structures), and more prescriptive measures for exterior assembly. The amendments were developed through the Office of the State Fire Marshal WUI task group and collaboration with local fire departments, other state agencies, the building industry, testing labs, and stakeholders.

- The definition for Group R-2 was amended to meet the requirements of SB 234, clarifying that small and large family childcare houses can operate in apartments when they comply with the regulations and with HSC 1597.46.

## 2. Residential Code

- Provisions for aging-in-place design and fall prevention was added to address specific aging-in-place design elements in new residential construction to facilitate access to operational features and to allow people to stay longer in their homes as they age.
- Energy Storage System (ESS) vehicle impact protection was included to illustrate the zones in which a typical residential garage ESS installation would need impact protection.

## 3. Energy Code

- Single Family Residential - New energy storage system (ESS) ready requirements, including interconnection equipment or a dedicated raceway, a minimum of four branch circuits, a minimum busbar rating of 225 amps, and space for future installation of system isolation equipment or transfer switch.
- Single Family Residential and Multifamily - New electric ready requirements for space heating, cooking, and clothes dryers serving individual dwelling units and common areas, when gas equipment is installed. Electrical infrastructure must be provided and reserved to the equipment location for the future installation of electrical appliances.
- Nonresidential - New prescriptive requirements were added for new photovoltaic (PV) and battery storage systems for specific building types, and a prescriptive heat pump space-conditioning baseline for certain climate zones. The commercial buildings included in this change include high-rise residential projects, hotels, offices, medical offices, health clinics, retailers, grocery stores, restaurants, schools and civic spaces.

## 4. CALGreen

- In addition to an increased number of Electric Vehicle (EV) charging spaces required for new development, expanded EV charging infrastructure for additions and alterations are triggered when new parking facilities are added or electrical systems or lighting of existing parking facilities are added or altered.

## Other recent solar changes

In 2018, California Building Standards Commission created a new standard that requires new single-family homes and multi-family dwellings up to three stories high to install solar panels. The California solar mandate took effect on January 1, 2020 and was incorporated into the California building codes.

Solar systems on new construction projects must have the capacity to provide all of the power needs on an annual basis. These properties haven't been inhabited in the past, so builders estimate the electricity needs of the home based on the climate zone and square footage.

If the solar system includes battery storage systems, builders can reduce the size requirement of the solar system by up to 25%. In addition, when incorporating other energy-efficiency initiatives and demand-response measures, builders can reduce the size of the solar power system by 40% or more.

There are a few types of new residential construction that are exempt from the code. In some cases, properties with a small enough roof or those that receive an abundance of shade may be exempt from installing a PV system. Additionally, building developers can pursue and build community solar projects, as opposed to rooftop solar panel systems for each property, so long as they receive approval from both the California Clean Energy Commission (CEC) and the local utility company. Any community solar project offered in lieu of on-site solar needs to offer similar benefits to the new homeowner that a rooftop or ground-mounted system located on their property would provide.

### **Financial Considerations**

There are no specific general fund impacts associated with the proposed Ordinance adoption, separate from the staff and consultant time required to draft and implement the specific revisions and updates to the Cotati Building Code and adopted Appendices.

### **Environmental Issues**

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378. Further, building permits are ministerial actions not subject to CEQA review.