

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2012

PRESENT:

ABSENT:

RESOLUTION NO. _____

**RESOLUTION ESTABLISHING SPECIAL FINDINGS RELATED TO ADOPTION
OF THE 2010 CALIFORNIA BUILDING STANDARDS CODE AND
AMENDMENTS THERETO BASED ON LOCAL CLIMATIC, GEOGRAPHICAL
AND TOPOGRAPHICAL CONDITIONS**

The following resolution is hereby offered and read:

WHEREAS, it is the desire and intent of the Board of Supervisors of San Luis Obispo County to protect and promote the public health, safety and welfare of the citizens of the County; and

WHEREAS, the State Building Standards Commission has approved and published the 2010 edition of the California Building Standards Code on July 1, 2010; and such code became effective on January 1, 2011; and

WHEREAS, Health and Safety Code Sections 17958.7 and 18941.5 provide that the County may make changes or modifications to the building standards contained in the California Building Standards Code based on express findings that such changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the Building and Construction Ordinance, Title 19 of the San Luis Obispo County Code, was adopted with the intent to regulate the design and construction of buildings and structures through basic standards for site preparation, construction activities,

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quality of materials, occupancy classifications, the location of buildings and structures and building systems associated with buildings and structures; and

WHEREAS, the California Building Standards Code, California Code of Regulations, Title 24, which incorporates the California Building Standards Administrative Code, the California Building Code, the California Residential Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, the State Historical Building Code, the California Fire Code, the California Existing Building Code, the California Green Buildings Standards Code, and the California Reference Standards Code is adopted every three years by order of the California Legislature with supplements published in intervening years; and

WHEREAS, the Ordinance introduced on this date will amend Title 19 of the San Luis Obispo County Code to adopt and amend the 2010 California Building Standards Code as amended, including annual supplements and state amendments and errata; and

WHEREAS, the Board of Supervisors of San Luis Obispo County desires to make findings as required by California Health and Safety Code Sections 17958.7 and 18941.5 that because of climatic, geographical and topographical conditions that exist within San Luis Obispo County, the amendments to the California Building Standards Code are necessary to protect citizens' life, health, the community environment and property; and

WHEREAS, the Building Official for San Luis Obispo County has prepared a Report and Findings setting forth the underlying factual support for the required local findings, a copy of which is attached hereto as Exhibit A and incorporated herein by reference as though fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, as follows:

1. That the recitals set forth hereinabove are true, correct, valid and incorporated into

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the body hereof by this reference.

2. Based upon the facts contained in the Report and Findings attached as Exhibit A, the Board of Supervisors hereby makes findings that because of climatic, geographical and topographical conditions that exist throughout the unincorporated areas of San Luis Obispo County, the amendments to the California Building Standards Code are necessary to protect the life, health, environment and property within the unincorporated areas of San Luis Obispo County. Said Report and Findings is hereby approved and adopted in the form set forth in Exhibit A.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:
WARREN R. JENSEN
County Counsel

By:  _____

Deputy County Counsel

DATED: June 26, 2012

EXHIBIT A
SAN LUIS OBISPO COUNTY PLANNING AND BUILDING
DEPARTMENT FINDINGS

- A. The Board of Supervisors of the County of San Luis Obispo finds that in order to best protect the health, safety and welfare of the citizens of the County of San Luis Obispo, the standards of building within the County must conform with State law except where local conditions warrant more restrictive regulations which are necessary to protect citizens' life, health, the community environment and property.
- B. Pursuant to Section 18941.5 of the California Health and Safety Code, the governing body of the County of San Luis Obispo, in its ordinances adopting the State Building Standards Code and uniform industry codes, may establish amendments which are more restrictive in nature than those regulations adopted by the State of California in Title 24 of the California Code of Regulations. Based on the materials presented and by the recommendation of the Building Official, the Board of Supervisors further finds that it is necessary to make modifications to the California Building Standards Code. Under the provisions of Sections 17958.5 and 18941.5 of the California Health and Safety Code, local amendments shall be based on climatic, geographical and topographical conditions. As such, the Board of Supervisors finds that the following local conditions exist:

Finding 1.

Climatic: The hot, dry weather in combination with Santa Ana winds frequently results in wildland fires in areas of the County of San Luis Obispo. These conditions create an environment where the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the County without adequate fire department personnel to protect against and control such a situation. During such periods, limited fire-fighting resources support the imposition of greater fire-protection requirements than set forth in of the 2010 California Building Standards Code.

Finding 2.

Geological: The County of San Luis Obispo is in an area of high seismic risk. Four active faults are within the county, each capable of generating large, damaging earthquakes. These faults are: the San Andreas Fault, which trends northwest-southeast near the eastern boundary of San Luis Obispo County; the San Simeon Fault, which is part of the larger Hosgri Fault Zone and parallels the coastline in the northern part of San

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Luis Obispo County; the Los Osos Fault, which parallels the Los Osos Valley a few miles southwest of the city of San Luis Obispo; and the Oceanic Fault, which runs from the city of San Luis Obispo northwest toward the community of Cambria, and was the fault responsible for the Magnitude 6.5 San Simeon earthquake that affected the region in

December 2003. In addition, there are several potentially active faults within the county, including the Rinconada Fault, the Huasna Fault, and the Nacimiento Fault Zone. These faults could also produce large earthquakes.

Earthquakes from these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the county's building stock and infrastructure, and to public health and safety. These hazards include strong shaking causing collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings, pipelines (water, gas, sewage), marine facilities (docks, jetties), railroads, and airports. Fire from broken gas lines and the lack of water from broken water lines could result in major damage. Landslides caused by strong shaking, possibly in combination with wet weather conditions, could block highways and railroads, thereby isolating parts of the county and affecting emergency response. Earthquake-induced landslides could also produce rockfalls that could strike and damage buildings and vehicles. Tsunamis could inundate the coastline. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than set forth in the 2010 California Building Standards Code.

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Finding 3.

Topographical: The County of San Luis Obispo has rural areas that are in very high fire hazard areas. Due to varied topography, access to structures in rural areas increases response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Large structure fires in the hillside areas will have a greater likelihood of starting a

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wildland fire, which may expose additional structures to fire. The above-described problems support the imposition of built-in fire protection requirements greater than those set forth in the 2010 California Building Standards Code.

<u>Chapter/Section</u>	<u>Local Findings</u>
Section 19.01.010	1, 2, 3
Section 19.01.030	1, 2, 3
Section 19.01.040	1, 2, 3
Section 19.01.050	1, 2, 3
Section 19.02.010	1, 2, 3
Section 19.02.020	1, 2, 3
Section 19.02.030	1, 2, 3
Section 19.02.050	1, 2, 3
Section 19.02.080	1, 2, 3
Section 19.02.090	1, 2, 3
Section 19.03.010	1, 2, 3
Section 19.03.020	1, 2, 3
Section 19.05.010	1, 2, 3
Section 19.06.010	1, 2, 3
Section 19.06.040	1, 2, 3
Section 19.07.010	1, 2, 3
Section 19.07.026	1, 2, 3
Section 19.07.040	1, 2, 3
Section 19.07.042	1, 2, 3
Section 19.08.010	1, 2, 3