



**COUNTY OF SAN LUIS OBISPO  
BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE 11/5/2019		(3) CONTACT/PHONE Cheryl Journey, Chief Building Official / 805-781-1314; Jay Johnson, Planner / 805-781-4573	
(4) SUBJECT 1) Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and 2) introduction of an ordinance amending the Building and Construction Ordinance, Title 19 of the San Luis Obispo County Code, to be consistent with the most recently adopted State codes and to implement other non-substantive changes. Hearing set for November 19, 2019. All Districts.					
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors: <ol style="list-style-type: none"> <li>1. Adopt the attached resolution regarding local conditions per the requirements of state law;</li> <li>2. Introduce the attached ordinance and set November 19, 2019 as the date to hold a public hearing on the proposed ordinance amendments;</li> <li>3. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County, on or before November 12, 2019, indicating the general nature of the proposed amendments that will be considered on November 19, 2019, can act as the alternative publication pursuant to Government Code 25124(b)(2); and</li> <li>4. Authorize that a one-quarter page display advertisement be placed in a newspaper of general circulation in the County within 15 days after adoption of the ordinance.</li> </ol>					
(6) FUNDING SOURCE(S) Department Budget		(7) CURRENT YEAR FINANCIAL IMPACT \$0.00		(8) ANNUAL FINANCIAL IMPACT \$0.00	
(9) BUDGETED? yes					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A					
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A				(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A		(15) BUSINESS IMPACT STATEMENT? No		(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Zachary A. Lute					
(18) SUPERVISOR DISTRICT(S) All Districts					



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Planning and Building / Cheryl Journey, Chief Building Official  
Jay Johnson, Planner

VIA: Trevor Keith, Director

DATE: 11/5/2019

SUBJECT: 1) Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and 2) introduction of an ordinance amending the Building and Construction Ordinance, Title 19 of the San Luis Obispo County Code, to be consistent with the most recently adopted State codes and to implement other non-substantive changes. Hearing set for November 19, 2019. All Districts.

### **RECOMMENDATION**

It is recommended that the Board of Supervisors:

1. Adopt the attached resolution regarding local conditions per the requirements of state law;
2. Introduce the attached ordinance and set November 19, 2019 as the date to hold a public hearing on the proposed ordinance amendments;
3. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County, on or before November 12, 2019, indicating the general nature of the proposed amendments that will be considered on November 19, 2019, can act as the alternative publication pursuant to Government Code 25124(b)(2).
4. Authorize that a one-quarter page display advertisement be placed in a newspaper of general circulation in the County within 15 days after adoption of the ordinance.

### **DISCUSSION**

#### *Introduction*

This ordinance is being introduced on your November 5, 2019 agenda in order to hold a public hearing and take action at your November 19, 2019 meeting.

### *Summary*

Every three years, the California Building Standards Commission considers and adopts revised construction building codes. The Commission recently completed the adoption process for the 2019 edition of the California Building Standards Code, also known as Title 24 of the California Code of Regulations. As a result, the new codes (2019 California Building, Residential, Mechanical, Plumbing, Electrical, Energy, Green, Fire, and Administrative Codes) will become effective statewide on January 1, 2020. The amendments herein also include updates to reflect the 2018 International Property Maintenance Code, 2018 Uniform Solar Energy and Hydronics Code, and the 2018 International Swimming Pool and Spa Code. To be consistent with the latest code revisions, local agencies must amend their local adopting ordinances. For the County, this would result in revisions to Title 19 of the County Code.

Some of the notable amendments are as follows. Attachment 2 illustrates the actual text changes for all proposed amendments to the various codes.

- Adoption of Appendix Q of the California Residential Code, Tiny Homes. This will complement the land use requirements for tiny homes and provides relaxed building code requirements.
- Updated Chapter 3 – Building Codes by restructuring Tables 903.1 and 903.2 for easier understanding and two methods of calculating fire sprinkler requirements for revisions and alterations. This will provide flexibility and options.
- Updated Chapter 7 – Plumbing Code to reflect onsite wastewater (septic) permit requirement authority.
- Updated Chapter 11 – Stormwater Management to be consistent with state permit language.

### *Local Conditions Resolution*

The California Health and Safety Code allows the County to amend provisions of the California Building Standards Code due to local climatic, geological, or topographical conditions. In accordance with State Law, prior to considering the ordinance amendment to Title 19 on November 19, 2019, the County must make findings and adopt a Local Conditions Resolution to amend the code to our specific local conditions. Our local conditions encompass the hot dry weather and substantial San Lucia winds that coupled together increase our fire danger. The County is rural with varied topography affecting access and response times. The County has many active and non-active seismic faults poised to impose varying sizes of seismic events and tsunamis at any given moment. The proposed amendments address local conditions in the unincorporated areas of the County of San Luis Obispo and improve protection of life, the preservation of property and enhance public safety. The proposed resolution contains the findings required to justify the proposed Code modifications (See Attachment 1).

### Advertisement Alternatives for Proposed and Adopted Ordinance Amendments

The California Government Code Section 25124 offers two cost-saving alternatives to publishing complete text of proposed and/or adopted ordinances. The alternatives include publishing a summary of the proposed amendments or, where a summary would not be effective, a display ad. These alternatives are widely used. Display advertisements indicate the general nature of, and provide information about, the proposed or adopted ordinance or amendment, as opposed to publishing a summary. A display ad, which requires the Board's consent to be used, can be published in a local newspaper noting the hearing date, a brief project description, an indication that the ordinance was passed, where the complete text of the ordinance can be obtained, and how the Board voted on the ordinance's adoption.

### Recommendation

A display ad is recommended because a summary of the proposed amendments would not provide enough information to the public. Therefore, in accordance with California Government Code §25124(b)(2), staff is requesting that the Board order that a display advertisement of one-quarter page be published in a newspaper of general

circulation in the County at least five days prior to the hearing date, indicating the general nature of the proposed ordinance amendments to be considered and where the entire amendments can be reviewed. In addition, it is requested that the Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

**OTHER AGENCY INVOLVEMENT/IMPACT**

The proposed ordinance and resolution have been approved by County Counsel as to form and legal effect. The Clerk of the Board of Supervisors will be responsible for publishing the notice prior to the hearing and summary ad following adoption of the ordinance.

**FINANCIAL CONSIDERATIONS**

The cost of developing the proposed ordinance was covered by the current County Planning and Building Department budget.

**RESULTS**

Introduction of these amendments today will allow them to be heard on November 19, 2019 and become effective January 1, 2020.

**ATTACHMENTS**

- 1 Attachment 1 - Resolution adopting Special Findings
- 2 Attachment 2 - Ordinance Amending Title 19 (Showing changes)
- 3 Attachment 3 - Ordinance Amending Title 19 (Clean)