

**EFFECTIVE DATE
OF ORDINANCE**

Month DD, YYYY

URGENCY ORDINANCE NO. ____ N.C.S.

Introduced by: _____

Seconded by: _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA ADOPTING
BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE,
INCLUDING: PART 1, 2022 CALIFORNIA ADMINISTRATIVE CODE; PART 2, 2022
CALIFORNIA BUILDING CODE; PART 2.5 CALIFORNIA RESIDENTIAL CODE; PART 3, 2022
CALIFORNIA ELECTRICAL CODE; PART 4 2022 CALIFORNIA MECHANICAL CODE; PART 5
2022 CALIFORNIA PLUMBING CODE; PART 6, CALIFORNIA ENERGY CODE; PART 8, 2022
CALIFORNIA HISTORICAL BUILDING CODE; PART 10, 2022 CALIFORNIA EXISTING
BUILDING CODE; PART 11 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND
PART 12, 2022 CALIFORNIA REFERNCED STANDARDS CODE, LOCAL AMENDMENTS TO
SPECIFIED PROVISIONS OF THE CALIFORNIA BUILDING STANDARDS CODE, 2021
INTERNATIONAL PROPERTY MAINTENANCE CODE**

WHEREAS, every three years, the City of Petaluma adopts local amendments to the State Building Standards Code, Residential, and Fire Codes, and

WHEREAS, the State-adopted 2022 California Building Standards Code become effective on January 1, 2023; and

WHEREAS, the City seeks to amend its Municipal Code to adopt the 2022 California Building Standards Code, and the 2021 International Property Maintenance Code by reference; and

WHEREAS, California Health and Safety Code Sections 17958.7; 17958.5, and 17958.7 require the local governing body of a city before making any modifications or changes to the California Building Standards Code, to make express findings that such modifications or changes are reasonably necessary because of local climactic, geological, or topographical conditions; and

WHEREAS, the City Council finds that local amendments to the California Building Standards Code are reasonably necessary due to local climatic, geological, or topographical conditions; in accordance with findings contained in this ordinance; and **WHEREAS**, in accordance with state law, triennial updates to the California Building Standards Code take effect on January 1, with or without the incorporation of local amendments adopted in accordance with the Health and Safety Code; and

WHEREAS, if the 2022 California Building Standards Code took effect in Petaluma without the local amendments contained in this ordinance taking effect at the same time, the public peace, health and safety in the City would be at risk during the time no local amendments apply, and by this ordinance taking immediate effect as an urgency ordinance, the public peace, health and safety in the City will be preserved as a result of the local amendments addressing safety considerations specific to Petaluma becoming effective and enforceable at the same time as the California Building Standards Code; and

WHEREAS, as a result of the urgency concerning this ordinance and the local amendments it contains taking effect at the same time as the California Building Standards Code, this ordinance for the immediate preservation of the public peace, health, and safety in Petaluma is presented as an urgency ordinance pursuant to the urgency

findings contained in this ordinance, to take effect immediately in accordance with Section 76A of the Petaluma Charter and Government Code Section 36937.

NOW, THEREFORE, be it ordained by the Council of the City of Petaluma as follows:

Section 1. REPEAL OF OLD BUILDING CODES Sections 17.04.010, and 17.04.020 of the Petaluma Municipal Code, entitled “California Codes based on International Codes for Construction and Regulation of Buildings and Structures” are hereby repealed in their entirety.

Section 2. FINDINGS The City Council of the City of Petaluma finds that in order to best protect the health, safety and welfare of the citizens of the City of Petaluma, the standards of building within the City must conform with state law except where local climatic, geological, and topographic conditions warrant more restrictive regulations. Therefore, the City Council hereby adopts the current state building codes, contained in California Building Standards Code Title 24, and other uniform codes governing the construction and regulation of buildings and structures subject to the modifications and amendments contained herein.

Pursuant to California Health and Safety Code Section 17958.7, the City Council makes the factual findings set forth in “Exhibit A” attached hereto and incorporated herein by reference, and finds that the amendments contained in this ordinance to the California Building Standards Code Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 12 and the 2021 International Property Maintenance Code are reasonably necessary because of the local climatic, geological or topographical conditions described in Exhibit A.

Section 3. CURRENT BUILDING CODES ADOPTED

Chapter 17.04 of the Petaluma Municipal Code, entitled “California Codes based on International Codes for Construction and Regulation of Buildings and Structures” is hereby added to read as follows:

17.04.010: Adoption of California Codes based on International Codes

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the amendments listed in this chapter which are made pursuant to the findings of fact set forth in this ordinance.

- A. Part 1—2022 California Administrative Code;
- B. Part 2—2022 California Building Code based on the 2021 International Building Code, including Appendix J (Grading), Appendix N (Replicable Buildings), and Appendix P (Emergency Housing) in their entirety except as amended in Section 17.04.020;
- C. Part 2.5— 2022 California Residential Code based on the 2021 International Residential Code including Appendix AK (Sound Transmission), Appendix AO (Automatic Vehicular Gates), Appendix AQ (Tiny Houses), Appendix AR (light Straw-Clay construction), Appendix AX (Swimming Pool Safety Act), and Appendix AZ (Emergency Housing) in their entirety except as amended in 17.04.020;
- D. Part 3—2022 California Electrical Code based on the 2020 National Electrical Code;
- E. Part 4—2022 California Mechanical Code based on the 2021 Uniform Mechanical Code
- F. Part 5—2022 California Plumbing Code based on the 2021 Uniform Plumbing Code ;

- G. Part 6—2022 California Energy Code;
- H. Part 8—2022 California Historical Building Code;
- I. Part 10—2022 California Existing Building Code based on the 2021 International Existing Building Code;
- J. Part 11—2022 California Green Building Standards Code including Appendix A4 at Tier 1 level requirements (Residential Voluntary Measures) and Appendix A5 at Tier 1 level requirements (Nonresidential Voluntary Measures);
- K. Part 12—2022 California Referenced Standards Code;
- L. 2021 International Property Maintenance Code;

All references to permit fees in the codes adopted by reference are deleted pursuant to this ordinance. Instead, the permit fees applicable in Petaluma will be fixed by the fee schedules adopted by the city council by resolution.

17.04.020 Amendments Made in California Building Codes Parts 2, 2.5, 8, and 11.

Part 2 of the 2022 California Building Standards Code, California Building Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments and deletions:

California Building Code

Section 105.2 Item Building: 1. is hereby amended to read as follows:

105.2 Item Building: 1.: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than one hundred twenty square feet (120 sq.) (11 m²), there are no wall finishes such as, but not limited to, gypsum wallboard, plaster, stucco, or paneling placed on any interior surface of any wall and/or partition, and no electrical, mechanical or plumbing systems are contained within the structure. These structures are still regulated by Section 710A, despite exemption from permit.

Section 115.1 and 115.2 are hereby amended to read as follows, and a new section 115.5 is created:

115.1 Authority. Where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, without a permit, beyond the scope of the issued permit, in violation of the Petaluma Municipal Code or Zoning Ordinance, the building official is authorized to issue a stop work order.

115.2 Issuance. The stop work order shall be in writing, be posted in a visible location near the location where the work is being conducted, and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

115.5—Fee. An additional investigation fee of at least the permit fee and up to five times the permit fee shall be added to each permit subject to a stop work order according to the building official's determination. Licensed contractors and repeat offenders are to be assessed investigation fee at five times the permit fee.

Chapter 2 – Definitions

Section 202 is amended to amend and add the following definitions:

Dwelling Unit, Junior Accessory, or JADU is a dwelling unit that is no more than 500 square feet in size and contained entirely within an existing single-family building. A JADU includes an efficiency kitchen, a separate entrance from the main entrance to the building, and an interior entry to the main living area. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family building. A JADU does not contain complete independent living facilities without the attached primary dwelling.

Kitchen. Kitchen shall mean an area used, or designated to be used, for the preparation of food. The area shall include a sink, counter with storage space, and permanent or built-in provisions for food preparation and cooking. Permanent cooking appliance provisions shall be supplied with at least one electrical circuit greater than 120-Volt, or fuel gas outlet. Kitchens shall be provided with exhaust per the California Mechanical Code, plumbed per the California Plumbing Code, and wired per the California Electrical Code.

Kitchen, Efficiency. An efficiency kitchen shall mean an area used or designed to be used for the preparation of food. The area shall include a sink, a food preparation counter, storage cabinets, and a cooking facility with appliance having no electric utilization greater than 120-Volt and no fuel gas. Efficiency kitchens shall be vented per the mechanical code. Efficiency kitchens shall not be sufficient to constitute kitchen cooking facilities in a dwelling unit.

Substantial Improvement. Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure that is any of the following:

- (1) An existing building or structure not classified as Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 10 percent of the existing gross floor area of the building or structure.
- (2) An existing building or structure classified as a Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.
- (3) An existing building or structure that undergoes any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement to floor area of the building or structure that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.
- (4) If in the determination of the Building Official a building or structure has sustained substantial damage, as defined by Section 202 of the California Building Code as amended hereby, any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement are considered substantial improvement regardless of the actual work performed.

The Code Official shall aggregate any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvements to a building or structure within a three (3) year period, and if the combined affected gross floor area of the building or structure is equal to or exceeds 50% of gross floor area of the building or structure, the aggregated work shall constitute substantial improvement and the building shall be subject to the fire sprinkler requirement.

Nuisance Alarm. An unwarranted alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, system servicing testing, construction activities, ordinary household activities, false alarm, other cause when no such danger exists, or an alarm activated by a cause that cannot be determined.

Wildland-Urban Interface Fire Area (WUI). [SFM] (See California Building Code Chapter 7A, Section 702A and Chapter 49, Section 4902 of this code.)

Section 505.1 is amended to read as follows:

505.1 Address Identification. New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 505.1.1 is added to read as follows:

505.1.1 One- and Two-Family Dwellings. Numbers for one- and two-family dwellings shall be not less than four inches (4") (101.6 mm) high with a minimum stroke width of 0.5 inches (12.7 mm).

Section 505.1.2 is added to read as follows:

505.1.2 Numbers for Other Than One- and Two-Family Dwellings. Each address identification character shall not be less than twelve inches (12") high with a minimum stroke width of one inch (1"). Suite and unit directional numbers shall be not less than six inches (6") in height with a minimum stroke width of three-quarter inch (0.75"). Individual unit numbers shall not be less than four inches (4") in height with a minimum stroke width of one-half inch (½").

Section 505.1.3 is added to read as follows:

505.1.3 Complex Directory. Where two (2) or more buildings cannot be viewed from the public way or when determined by the Fire Code Official, an approved illuminated complex directory, monument pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

Chapter 7—Fire Resistance-Rated Construction

Section 709 is added to read as follows:

709 Repair of Breaches of Non-Rated Walls/Ceilings in Fire Zone 1. Breaches, openings, holes or other broken wall and ceiling areas in buildings in "Fire Zone 1" (generally defined as the Downtown Business District) as defined in Section 17.22 of the Petaluma Municipal Code shall be repaired, restored or replaced when damaged, altered, breached, penetrated, removed or improperly installed. Openings/breaches can be repaired with like material such as lath and plaster, sheetrock, plywood or other reasonable barrier. The intent of this Section is to close openings/breaches to limit the spread of fire and products of combustion in the downtown business district buildings.

Chapter 9—Fire Protection Systems

901.7.6.1 is added to read as follows:

901.7.6.1 Problematic and Unreliable Fire Alarms. The Fire Code Official may determine a fire alarm to be unreliable upon receipt of three (3) nuisance alarms within a twelve-month period. Upon making such a finding, the Fire Code Official may order the following:

- (a) For any nuisance alarm where the system is not restored, the system owner must provide Fire Watch Personnel in accordance with 403.12 or take such other measures as the Fire Code Official deems

appropriate. Such measures shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the Fire Code Official that the alarm system has been restored to a reliable condition. The Fire Code Official may require such tests as he/she deems necessary to demonstrate the adequacy of the system.

(b) Require the owner to pay mitigation fees pursuant to the City of Petaluma fee schedule.

902.1 Definitions.

Section 902.1 is amended to add the following:

Substantial Improvement

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.12 through 903.2.21. Approved automatic sprinkler systems in existing buildings and structures shall be provided in locations described in Section 903.6.

Exceptions:

1. Agricultural buildings as approved by the fire code official.
2. Detached accessory structures to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet in gross floor area located at least 50 feet from applicable building.
3. Detached noncombustible motor vehicle fuel dispensing canopies.
4. Detached Group U Occupancies not greater than 1,000 square feet.
5. Special occupancy aircraft hangar shade structures as approved by the fire code official, unless required in NFPA 409.

903.2.1 Group A.

Section 903.2.1 is amended to read as follows:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings containing a Group A occupancy.

903.2.1.1 through 903.2.1.5.

Sections 903.2.1.1 through 903.2.1.5 are deleted.

903.2.1.6 Assembly occupancies on roofs.

Section 903.2.1.6 is amended to read as follows, with deletion of the exception:

903.2.1.6 Assembly occupancies on roofs. Where an occupied roof has an assembly occupancy an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

903.2.1.7 Multiple fire areas.

Section 903.2.1.7 is deleted.

903.2.2 Ambulatory care facilities.

Section 903.2.2 is amended to read as follows:

903.2.2 Ambulatory care facilities. An automatic sprinkler system shall be provided throughout buildings containing an ambulatory care facility.

903.2.3 Group E.

Section 903.2.3 is amended to read as follows:

903.2.3 Group E. An automatic sprinkler system shall be provided throughout buildings containing Group E occupancies. For public school state-funded construction projects or for public school campuses, Kindergarten through 12th grade, see Section 903.2.19 through 903.2.20.

903.2.4 Group F.

Section 903.2.4 is amended to read as follows:

903.2.4 Group F. An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.

903.2.4.1 Woodworking operations.

Section 903.2.4.1 is deleted.

903.2.5.1 Group H.

Section 903.2.5.1 is amended to read as follows:

903.2.5.1 Group H. An automatic sprinkler system shall be installed throughout buildings containing Group H occupancies.

903.2.6.1 Group I-2

Section 903.2.6.1 is deleted.

903.2.6.2 Group I-3

Section 903.2.6.2 is amended to read as follows:

903.2.6.2 Group I-3. Every building where inmates or persons are in custody or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electronically supervised so that at least an audible and visible alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

903.2.7 Group M.

Section 903.2.7 is amended to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where the gross floor area exceeds 500 square feet.

903.2.8.1 Group R-3.

Section 903.2.8.1 is amended to read as follows:

903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

903.2.9 Group S.

Section 903.2.9 is amended to read as follows:

903.2.9 Group S. An automatic sprinkler system shall be provided throughout buildings containing a Group S occupancy.

903.2.9.1 through 903.2.9.2.

Sections 903.2.9.1 through 903.2.9.2 are deleted.

903.2.10 Group B.

Section 903.2.10 is amended to read as follows:

903.2.10 Group B. An automatic sprinkler system shall be provided throughout buildings containing a Group B occupancy where the gross floor area exceeds 500 square feet.

903.2.10.1 Commercial parking garage.

Section 903.2.10.1 is deleted.

903.2.11 Specific buildings areas and hazards.

Section 903.2.11 is amended to read as follows:

903.2.11 Specific buildings areas and hazards. In all occupancies other than detached Group U occupancies not greater than 1,000 square feet, an automatic sprinkler system shall be installed for building design or hazard in the locations set forth in Sections 903.2.11.1 through 903.2.11.8.

903.2.11.3 exceptions #1 & #2 deleted.

Section 903.2.11.3 exceptions #1 & #2 are deleted.

903.2.11.7 High-piled storage.

Section 903.2.11.7 is added to read as follows:

903.2.11.7 High-piled storage. An automatic sprinkler system shall be provided throughout buildings containing high-pile combustible storage.

903.2.11.8 Undetermined use design

Section 903.2.11.8 is added to read as follows:

903.2.11.8 Undetermined use design. Automatic sprinkler systems installed in buildings or structures of undetermined use shall be designed and installed to have a minimum density of .33 gallons per minute per square foot over a minimum design area of 3,000 square feet.

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.

Section 903.2.18 is amended to read with the exception being deleted:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with R313 of The California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² over the most hydraulically demanding area of the structure, but not to exceed two sprinklers for hydraulic calculations purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Section 903.3 is amended as follows:

903.3 Installation Requirements. Sprinkler systems shall be designed and installed in accordance with NFPA-13, NFPA-13R (if approved by the Fire Code Official) and NFPA-13D. Pursuant to Section 102.7.1 and Section 105.1.4, the Fire Code Official may require additional sprinkler coverage to mitigate certain conditions such as access or water supply issues.

Section 903.3.1 is amended to read:

903.3.1 Design Criteria. Fire sprinkler systems installed in buildings of undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of three thousand square feet (3,000' sq.). Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owners' responsibility to upgrade the system to the required density and meet any additional requirements of the Fire Code at the time of such change.

Section 903.3.7 is amended to read as follows:

903.3.7 Fire Department Connections. The location of fire department connections (FDCs) shall be within fifty feet (50') of a fire hydrant or as approved by the Fire Code Official. Approved locking caps shall be provided on any existing FDCs found to be vandalized and on new FDCs when determined by the Fire Code Official to be necessary because of site specific conditions or hazards.

Section 903.3.9 is amended to read as follows:

903.3.9 Floor control valve

903.3.9 Floor control valve. Floor control valve and waterflow detection assemblies shall be installed at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department access.
2. Buildings that are three or more stories in height.
3. Buildings that are two or more stories below the highest level of fire department access.

Exception: Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.

903.4 is amended to read as follows:

903.4 Sprinkler System Monitoring and Alarms. Except for Group R, Division 3 Occupancies, all valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, temperatures, critical air pressure and water flow switches shall be electronically supervised. Valves when used for standpipes are excluded from this provision unless required by the Fire Code Official.

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One (1) exterior approved audible device shall be connected to every automatic fire sprinkler system in an approved location. The Fire Code Official may require one (1) exterior audible and visual device connected to an automatic fire sprinkler system in an approved location based on site specific conditions. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

903.6 Where required in existing buildings and structures.

Section 903.6 is amended to read as follows:

903.6 Where required in existing buildings and structures. An automatic sprinkler system shall be provided throughout existing buildings and structures where required in Chapter 11 and as required in this section.

Exception: Alterations made solely for the purpose of providing barrier removal pursuant to the requirements of the Americans with Disabilities Act (ADA) as contained in exception #4 of Section CBC 11B-204.2.

903.6.1 Buildings that undergo a substantial improvement.

903.6.2 Changes of Occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous based on fire and life safety risks as determined by the Fire Code Official including, but not limited to, the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

903.6.3 Residential Conversions. Fire sprinkler systems shall be installed in all single-family dwellings that are converted to duplexes and/or multi-family dwellings, bed and breakfasts, inns, lodging houses or similar uses. Fire sprinkler systems shall be installed in all conversions of a detached garage into living space or sleeping space.

903.6.4 Elevation of Existing Buildings. An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to three (3) or more stories or more than thirty-five feet (35') in height, from grade to the exposed roof.

Exceptions: An automatic fire-extinguishing system need not be provided when the area above thirty-five feet (35') is provided for aesthetic purposes only and is a non-habitable space.

903.6.5 Installation of Automatic Fire Sprinklers in Pre-Existing Buildings (Historic Downtown Business District).

1. Geographic Boundary—Historic Downtown Business District: For the purposes of this section, the Historic Downtown Business District shall include all buildings located inside the geographic area generally formed by Kentucky Street to the west, Washington Street to the north, the Petaluma River to the east and B Street to the south. Also included in this section is 201 Washington Street (Phoenix Theater) and 132 Keller Street, as more particularly described in Figure 1003.2.12.

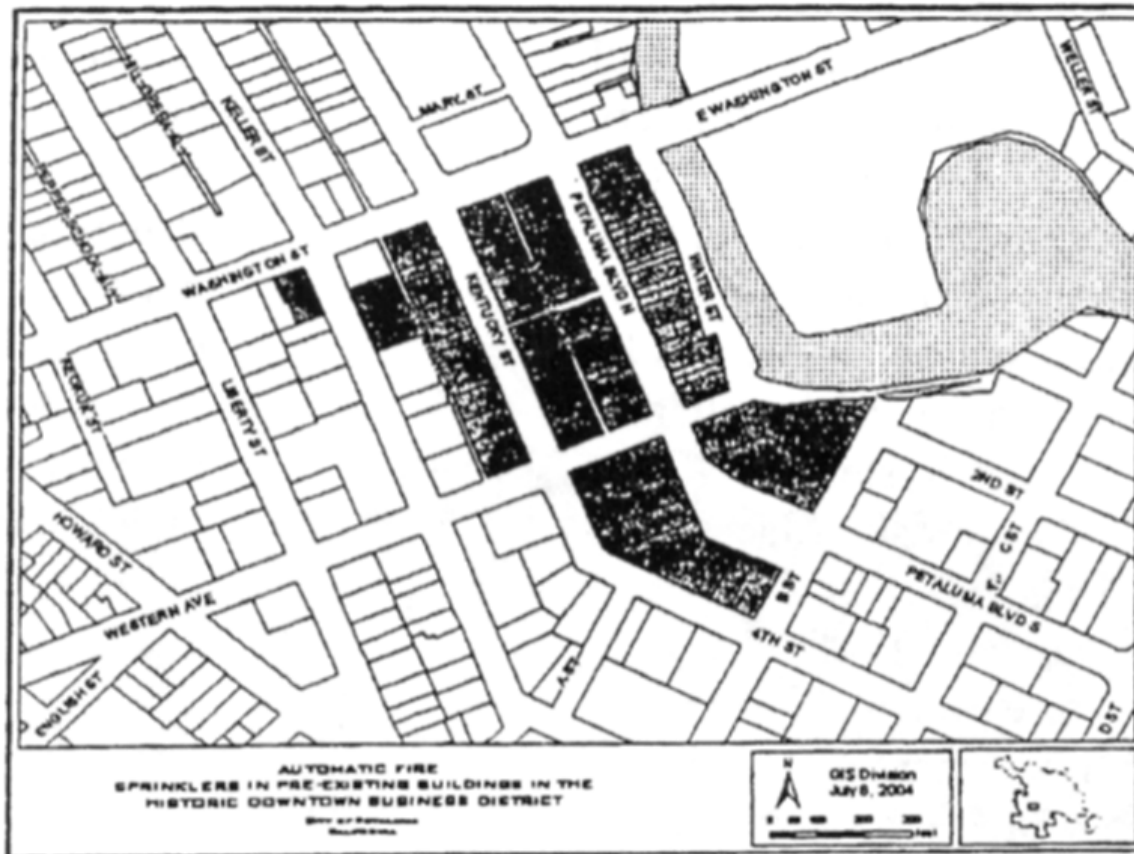


Figure 1003.2.12

2. Installation Requirements: An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed in all existing buildings in the Historic Downtown Business District in accordance with the following criteria:

2.1. Kentucky Street and Western Avenue:

2.1.1. In any building wherein a change of occupancy occurs.

2.1.2. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.6 of this Ordinance.

2.1.3. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas no later than December 31, 2010.

2.1.4. All buildings not meeting the criteria of 2.1.1 or 2.1.2 above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinkler Systems (NFPA-13) by no later than December 31, 2016.

2.2. Petaluma Boulevard North: An appropriately sized water main and laterals were installed by the City of Petaluma on August 9, 2017. Automatic fire sprinkler requirements became effective and are required to be installed by the dates listed in the sections below. Notice has been sent by the City of such installation requirement. An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed according to the following criteria:

2.2.1. In any building wherein a change of occupancy occurs.

2.2.2. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.6 of this Ordinance.

2.2.3. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas, no later than December 31, 2023.

2.2.4. All buildings not meeting the criteria of 2.2.1 or 2.2.2 above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinklers (NFPA-13), no later than December 31, 2029.

2.3. Property Owner's Responsibility for System Installation:

2.3.1. The Property Owner shall be responsible for installation of the lateral service from the curb line into the building. This also includes isolation, check or other valves or devices, as applicable.

2.3.2. The Property Owner shall be responsible for the installation of the automatic fire sprinkler system according to the Standard for the Installation of Sprinkler Systems (NFPA-13).

2.4. Plans and Specifications: Plans and Calculations (NFPA-13, Chapter 8) for the service lateral and fire sprinkler system shall be submitted to and approved by the Fire Prevention Bureau prior to installation of equipment and materials.

2.4.1. For the Kentucky Street installations that are required on or before December 31, 2010, or December 31, 2016, all Plans and Calculations for service lateral and sprinkler systems shall be submitted no later than June 30, 2010, or June 30, 2016, respectively, with installation and approval of work to occur prior to December 31, 2010, or December 31, 2016, respectively.

2.4.2. For Petaluma Boulevard North installations that are required on or before December 31, 2023, or December 31, 2029, all Plans and Calculations for service lateral and sprinkler systems shall be submitted no later than June 30, 2023, or June 30, 2029, respectively, with installation and approval of work to occur prior to December 31, 2023, or December 31, 2029, respectively.

Section 905.3.1 is amended to read as follows:

905.3.1 Building Height. Class I standpipes shall be installed in buildings three stories or over in height and/or if, in the opinion of the Fire Chief, a hazard or condition exists in which the installation of standpipes would improve firefighting operations. Standpipes will be provided with approved outlets provided on each floor level, including the roof when roof access is provided.

Section 905.9: exception 2 is deleted.

Section 907.8.5.1 is added to read as follows:

907.8.5.1 Fire Alarm Service Stickers/Tags. Upon completion of each annual fire alarm service, the fire alarm contractor providing the service shall affix a sticker or tag to the main fire alarm panel which indicates the name of the fire alarm company and the date of the service.

Chapter 12 Interior Environment

Section 1208.4 is amended to read as follows:

1208.4 Efficiency dwelling units. [HCD 1] As hereby modified by local ordinance pursuant to Health and Safety Code Section 17958.1, efficiency dwelling units shall comply with the following:

1. The unit shall have a living room of not less than 150 square feet (17.7 m²) of floor area. An additional 100 square feet of floor area shall be provided for each occupant in excess of two.
2. The unit shall be provided with a separate closet.
3. For other than Accessible, adaptable dwelling units, the unit shall be provided with a kitchen sink, cooking appliance and refrigerator, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Chapter 15 Roof Assemblies And Rooftop Structures

Section 1505.1 is amended to read as follows:

1505.1 General. Roof assemblies shall be minimum Class A roof assemblies. Class A roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D2898.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

Table 1505.1 is deleted.

Section 1505.1.1 is amended to read as follows, with the exception deleted:

1505.1.1 Roof coverings within very-high fire hazard severity zones, state responsibility areas and all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant covering that is at least Class A.

Sections 1505.1.2 and 1505.1.3 are deleted.

Sections 1505.3, 1505.4, and 1505.5 are deleted.

Section 1505.6 is amended to add the following exception:

Exception: Fire-retardant-treated wood shingles and shakes are prohibited in wildland-urban interface areas.

Table 1505.7 is amended to add the following exception:

Exception: Fire-retardant-treated wood shingles and shakes are prohibited in wildland-urban interface areas.

Chapter 18 Soils and Foundations

Section 1803.1.1 is amended as follows:

A preliminary soil report, prepared by a civil engineer who is registered by the state shall be provided for each subdivision. The report shall be based upon adequate test borings or excavations, of every subdivision, where a tentative and final map is required pursuant to Section 66426 of the Government Code.

The preliminary soil report may be waived if the building department of the city, county, or city and county, or other enforcement agency charged with the administration and enforcement of the provisions of Section 1803.1.1, shall determine that, due to the knowledge such department has as to the soil qualities of the soil of the subdivision or lot, no preliminary analysis is necessary.

Section 1803.1.1.2 is amended as follows:

1803.1.1.2. Soil investigation by lot, necessity, preparation and recommendations. If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision is required.

The soil investigation shall be prepared by a civil engineer who is registered in this state. It shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the site where hazardous soil conditions are present. For each specific construction site or lot, the geotechnical engineer shall provide such investigation and recommendations, or letter of exemption from this section.

1803.1.1.3. Approval, building permit conditions, appeal.

The building department or other enforcement agency charged with the administration and enforcement of the provisions of Section 1803.1.1, shall approve the soil investigation if it determines that the recommended action is likely to prevent structural damage to each dwelling to be constructed. A condition to the building permit, shall require that the approved recommended action be incorporated in the construction of each dwelling. Appeal from such determination shall be to the local appeals board.

Part 2.5 of the 2022 California Building Standards Code, California Residential Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments, and deletions:

California Residential Code

Section R105.2 1. is hereby amended to read as follows:

R105.2. Building 1.: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than one hundred twenty square feet (120 sq.) (11 m²), there

are no wall finishes such as, but not limited to, gypsum wallboard, plaster, stucco, or paneling placed on any interior surface of any wall and/or partition, and no electrical, mechanical or plumbing systems are contained within the structure. These structures are still regulated by Section 710A, despite exemption from permit.

Section R114.1 and R114.2 are hereby amended to read as follows. A new section R11R.5 is created:

R114.1 Authority. Where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, without a permit, beyond the scope of the issued permit, in violation of the Petaluma Municipal Code or Zoning Ordinance, the building official is authorized to issue a stop work order.

R114.2 Issuance. The stop work order shall be in writing, be posted in a visible location near the location where the work is being conducted, and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

R114.5—Fee. An additional investigation fee of at least the permit fee and up to five times the permit fee shall be added to each permit subject to a stop work order according to the building official's determination. Licensed contractors and repeat offenders are to be assessed investigation fee at five times the permit fee.

Chapter 2 – Definitions

Section R202, General Definitions is amended to amend and add the following:

Dwelling Unit, Junior Accessory, or JADU is a dwelling unit that is no more than 500 square feet in size and contained entirely within an existing single-family building. A JADU includes an efficiency kitchen, a separate entrance from the main entrance to the building, and an interior entry to the main living area. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family building. A JADU does not contain complete independent living facilities without the attached primary dwelling.

Kitchen. Kitchen shall mean an area used, or designated to be used, for the preparation of food. The area shall include a sink, counter with storage space, and permanent or built-in provisions for food preparation and cooking. Permanent cooking appliance provisions shall be supplied with at least one electrical circuit greater than 120-Volt, or fuel gas outlet. Kitchens shall be provided with exhaust per the California Mechanical Code, plumbed per the California Plumbing Code, and wired per the California Electrical Code.

Kitchen, Efficiency. An efficiency kitchen shall mean an area used or designed to be used for the preparation of food. The area shall include a sink, a food preparation counter, storage cabinets, and a cooking facility with appliance having no electric utilization greater than 120-Volt and no fuel gas. Efficiency kitchens shall be vented per the mechanical code. Efficiency kitchens shall not be sufficient to constitute kitchen cooking facilities in a dwelling unit.

Substantial Improvement. Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure that is any of the following:

- (1) An existing building or structure not classified as Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 10 percent of the existing gross floor area of the building or structure.
- (2) An existing building or structure classified as a Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.

- (3) An existing building or structure that undergoes any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement to floor area of the building or structure that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.
- (4) If in the determination of the Building Official a building or structure has sustained substantial damage, as defined by Section 202 of the California Building Code as amended hereby, any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement are considered substantial improvement regardless of the actual work performed.

The Code Official shall aggregate any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvements to a building or structure within a three (3) year period, and if the combined affected gross floor area of the building or structure is equal to or exceeds 50% of gross floor area of the building or structure, the aggregated work shall constitute substantial improvement and the building shall be subject to the fire sprinkler requirement.

Nuisance Alarm. An unwarranted alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, system servicing testing, construction activities, ordinary household activities, false alarm, other cause when no such danger exists, or an alarm activated by a cause that cannot be determined.

Wildland-Urban Interface Fire Area (WUI). [SFM] (See California Building Code Chapter 7A, Section 702A and Chapter 49, Section 4902 of this code for defined term.)

Chapter 3 – Building Planning

Section R301.2 is amended by inserting the following Table R301.2(1).

TABLE R301.2(1). CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

<u>GROUN D SNOW LOAD</u> <u>Do</u>	<u>WIND DESIGN</u>				<u>SEISMIC DESIGN CATEGORY</u> <u>f</u>	<u>SUBJECT TO DAMAGE FROM</u>			<u>WINTER DESIGN TEMP</u> <u>e</u>	<u>ICE BARRIER UNDERLAYME NT REQUIRED</u> <u>h</u>	<u>FLOOD HAZARDS</u> <u>g</u>	<u>AIR FREEZIN G INDEX</u> <u>i</u>	<u>MEAN ANNUA L TEMP</u> <u>j</u>
	<u>d</u> <u>(mph)</u>	<u>Topographic</u> <u>k</u>	<u>Special</u> <u>wind</u> <u>l</u>	<u>Windborne</u> <u>m</u>		<u>Weathering</u>	<u>Frost line</u> <u>depth</u> <u>b</u>	<u>Termite</u> <u>c</u>					
0	110	NO	NO	N/A	D2 or E	Negligible	12 inches	Yes	32 degrees F	NO	Initial NFIP Map Date: March 8, 1974. Initial FIRM date: February 15, 1980. Current Flood Insurance Study dated: February 19, 2014. Panels 982, 1001, 1002, 1003, and 1004 are dated October 2, 2015. Panels 891, 893, 894, and 913 are dated February 19, 2014.	1 degree F	58 degrees F

MANUAL J DESIGN CRITERIA

<u>Elevation</u>	<u>Latitude</u>	<u>Winter heating</u>	<u>Summer cooling</u>	<u>Altitude correction</u> <u>factor</u>	<u>Indoor design</u> <u>temperature</u>	<u>Design temperature</u> <u>cooling</u>	<u>Heating temperature</u> <u>difference</u>
87 FT	38 degrees North.	29 degrees F.	90 degrees F.	N/A	68 degrees F.	75 degrees F.	39 degrees F.
<u>Cooling temperature difference</u>	<u>Wind velocity</u> <u>heating</u>	<u>Wind velocity</u> <u>cooling</u>	<u>Coincident wet</u> <u>bulb</u>	<u>Daily range</u>	<u>Winter humidity</u>	<u>Summer humidity</u>	
15 degrees F.	N/A	N/A	67 degrees F.	High. 31 degrees F.	N/A	N/A	

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern.

- The weathering column shall be filled in with the weathering index, “negligible,” “moderate” or “severe” for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
 - c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
 - d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
 - e. The outdoor design dry-bulb temperature shall be selected from the columns of 97-1/2 -percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
 - f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
 - g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction’s entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
 - h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall fill in this part of the table with “NO.”
 - i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32°F).”
 - j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32°F).”
 - k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall indicate “NO” in this part of the table.
 - l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with “YES” and identify any specific requirements. Otherwise, the jurisdiction shall indicate “NO” in this part of the table.
 - m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate “NO” in this part of the table.
 - n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
 - o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

Section R309.6 exception is deleted:

Section R313.1 is amended, with the exceptions replaced as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

1. Accessory Dwelling Unit, provided that all of the following are met:
 - 1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in Government Code Section 65852.2.
 - 1.2. The existing primary residence does not have automatic fire sprinklers.
 - 1.3. The accessory detached dwelling unit does not exceed 1,200 square feet in size.
 - 1.4. The unit is on the same lot as the primary residence.
 - 1.5. The accessory dwelling unit is not attached to garages or has habitable space above carports.
 - 1.6. The accessory dwelling unit meets the requirements of California Fire Code, Sections 503.1.1 and 507.5.1.
2. Detached accessory structures to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet in gross floor area located at least 50 feet from applicable building.
3. Detached Group U Occupancies not greater than 1,000 square feet.

Section R313.1.2 is added as follows:

R313.1.2 Substantial improvement. An automatic fire sprinkler system shall be provided throughout all Townhouses that undergo a substantial improvement.

Section R313.2 is amended to read as follows, with the exception deleted:

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses. Group R-3 occupancies permitted under this code shall be provided throughout regardless of square footage with an automatic sprinkler system inclusive of all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

1. Accessory Dwelling Unit, provided that all of the following are met:
 - 1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in Government Code Section 65852.2.
 - 1.2. The existing primary residence does not have automatic fire sprinklers.
 - 1.3. The accessory detached dwelling unit does not exceed 1,200 square feet in size.

- 1.4. The unit is on the same lot as the primary residence.
- 1.5. The accessory dwelling unit is not attached to garages or has habitable space above carports.
- 1.6. The accessory dwelling unit meets the requirements of California Fire Code, Sections 503.1.1 and 507.5.1.
2. Detached accessory structures to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet in gross floor area located at least 50 feet from applicable building.
3. Detached Group U Occupancies not greater than 1,000 square feet.

Section R313.2.2 is added as follows:

R313.2.2 Substantial improvement. An automatic fire sprinkler system shall be provided throughout all one- and two-family dwellings that undergo a substantial improvement.

Section R337.2 amends the following definition:

Wildland-Urban Interface Fire Area. A geographical area identified by the City of Petaluma as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009.

Chapter 4 Foundations

Section R401.1 is amended as follows:

R401.4.1.1 General and where required for applications listed in **Section 1.8.2.1.1** regulated by the Department of Housing and Community Development. Foundations and soils investigations shall be conducted in conformance with Health and Safety Code Sections 17953 through 17957 as summarized below.

A preliminary soil report, prepared by a civil engineer who is registered by the state shall be provided for each subdivision. The report shall be based upon adequate test borings or excavations, of every subdivision, where a tentative and final map is required pursuant to Section 66426 of the Government Code.

The preliminary soil report may be waived if the building department of the city, county, or city and county, or other enforcement agency charged with the administration and enforcement of the provisions of Section R401.4.1.1, shall determine that, due to the knowledge such department has as to the soil qualities of the soil of the subdivision or lot, no preliminary analysis is necessary.

Section R401.4.1.1.2 is amended as follow:

R401.4.1.1.2 Soil investigation by lot, necessity, preparation and recommendations.

If the preliminary soil report indicates the presence of critically expansive soils or other soil problems, which if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision is required.

The soil investigation shall be prepared by a civil engineer who is registered in this state. It shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the site where hazardous soil conditions are present. For each specific construction site or lot, the geotechnical

engineer shall provide such investigation and recommendations, or letter of exemption from this section based on site and lot specific soil conditions supporting such letter of exemption.

Section R401.4.1.1.3 is amended as follow:

R401.4.1.1.3. Approval, building permit conditions, appeal.

The building department or other enforcement agency charged with the administration and enforcement of Section 401.4.1.1, shall approve the soil investigation if it determines that the recommended action is likely to prevent structural damage to each dwelling to be constructed. A condition to the building permit, shall require that the approved recommended action be incorporated in the construction of each dwelling. Appeal from such determination shall be to the local appeals board.

Chapter 9 Roof Assemblies

Section R902.1 is amended to read as follows:

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Section R904 and R905. A minimum Class A roofing shall be installed in all areas. Class A roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E108.

Section R902.1.1 is amended to read as follows:

R902.1.1 Roof coverings within very-high fire hazard severity zones, state responsibility areas and all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant covering that is at least Class A.

Section R902.2 is amended to add the following exception:

Exception: Fire-retardant-treated wood shingles and shakes are prohibited in wildland-urban interface areas.

Table R902.4 is amended to add the following exception:

R902.4 Rooftop-mounted photovoltaic panel systems. Rooftop-mounted photovoltaic panel systems installed on or above the roof covering shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703. Class A photovoltaic panel systems and modules shall be installed in all areas, in jurisdictions designated by law as requiring their use.

Part 8 of the 2022 California Building Standards Code, California Historical Building Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments and deletions:

Historical Building Code

Section 8-410.1 is amended to read as follows: (exception added)

Exception: Historical Buildings within the Historic Downtown Business District shall comply with Petaluma Municipal code Section 903.6.5

Part 11 of the 2022 California Building Standards Code, California Green Building Standards Code, as adopted in section 17.04.010, is hereby amended to include the following additions, amendments, and deletions:

Green Building Standards Code

Appendix A4, Division A4.2 Energy Efficiency is deleted.

Appendix A5, Division A5.2 Energy Efficiency is deleted.

EXHIBIT A

FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE CALIFORNIA BUILDING, RESIDENTIAL, HISTORICAL, AND ELECTRIC CODES, 2022 EDITION WITH CALIFORNIA AMENDMENTS, DUE TO LOCAL CONDITIONS

CLIMATIC

Precipitation: Precipitation ranges from twenty inches (20”) to approximately twenty-five inches (25”) per year. Approximately ninety percent (90%) falls during the months of November through April, and ten percent (10%) from May through October. Severe flooding occurred during the months of January and March, 1995 and in 1998 and 2006.

Relative Humidity: Humidity generally ranges from fifty percent (50%) during daytime and eighty-six percent (86%) at night. It drops to twenty-percent (20%) during the summer months and occasionally drops lower during the months of September through November.

Temperatures: Temperatures have been recorded as high as 104 degrees Fahrenheit. Average summer highs are in the 78-85 degree range.

Winds: Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-15 mph range, gusting to 30 mph, particularly during the summer months. High wind gusts with speeds, up to 50 mph, have been known to occur. The City is not in a special wind region as defined in the building code.

Soils: Much of Petaluma has "Adobe" type soil. This soil generally has high clay content, high plasticity, and is high to very high expansion potential to exert significant pressures on concrete foundations, slabs and flatwork. With Petaluma's dry summers and wet winters, the moisture content of the soil varies greatly during the course of the year. This moisture content change causes expansion/contraction of the clay soil. This expansion/contraction can place significant loads on concrete slabs and foundation systems making some "standard" foundation methods/materials inappropriate for the local conditions encountered. Geotechnical investigations are essential for finding cost effective solutions for mitigating effects of these soils in designing new foundations.

CBC Appendix P – Emergency Housing is adopted to supplement efforts for assisting local populations of unhoused individuals and is applicable to emergency housing and emergency housing facilities, as defined.

CRC Appendix AZ – Emergency Housing is adopted to supplement efforts to assist local populations of unhoused individuals and is applicable to emergency housing and emergency housing facilities, as defined in AZ102.

CRC Appendix AK – Sound Transmission is adopted to provide multi-family housing to have environmental standards for noise reduction.

CRC Appendix AR - Light Straw-Clay Construction is adopted to support alternatives to traditional wood light-frame construction. The advantages of light straw-clay construction include thermal performance, sustainable materials choices, and low environmental impact.

CalGreen Tier 1 requirements are adopted in Appendix A4 and A5 to achieve a greater level of sustainability for the local environment. Appendices sections A4.2 and A5.2 are deleted to maintain mandatory energy compliance. Mandatory energy efficiency requirements in new buildings in this climate zone are sufficient to serve our community's climatic and environmental conditions.

TOPOGRAPHIC

The topographic environment of a community is primarily a combination of two (2) factors: the area's physical geographic characteristics and the historic pattern of urban-suburban development. These two (2) factors, alone and combined, create a mixture of environments which ultimately determine the needs of the City of Petaluma's Building regulations.

The basic geographical boundaries of the city include hills to the south and west, and valley floor in the central area and to the north and east. The Petaluma River bisects the city through the central area. The City of Petaluma covers 13 square miles, including an urban population estimated at 58,000. The city's service area is a conglomeration of bay, plains, hills, valleys, and ridges.

CBC Appendix N - Replicable Buildings is adopted to allow Petaluma to recover from a natural disaster faster and allow for consistent application of the codes for replicable building projects. It will result in faster turnaround for the end user, and a quicker turnaround through the plan review process.

CRC Appendix AO – Automatic Vehicular Gates is adopted for safety of residential gates common in our area and provides requirements for automatic vehicular gates, including a definition of and references to standards that regulate such gates.

CRC Appendix AQ – Tiny Houses is adopted to afford increased safety in small residential structures that are becoming common in our community. These provisions apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

GEOLOGICAL

The relatively young geological processes that have created the San Francisco Bay Area are still active today. Two (2) active earthquake faults (San Andreas and the Hayward-Rodgers Creek) affect the Petaluma area. Approximately fifty percent (50%) of the city's land surface is in the high-to-moderate seismic hazard zones.

Many of the soils found throughout the City of Petaluma are highly expansive adobe type soils. The combination the highly expansive nature of these soils along with the long dry summers followed by a compressed rainy season create high stresses on building foundation systems, as such some simpler types of foundation systems are not adequate for these soils conditions.

CBC Section 1803.1.1 is adopted to clarify requirements for subdivision soil investigations in accordance with Health and Safety Code Sections 17953 through 17957. The Petaluma conditions include the presence of expansive soils and geologically active conditions.

CBC Appendix J - Grading is adopted and requires specific grading projects to be designed and permitted safely. This appendix supplements the Municipal Code, Chapter 17.31 Grading and Erosion Control. As there are no

"isolated, self-contained" areas within City limits, the Grading Permit exception J103.2 (1) was removed for clarity.

PROCEDURAL CLARIFICATION

Changes to CBC Section 115 and CRC R114 regarding Stop Work Order are made to clarify the authority, issuance, and fees applicable to violations.

DEFINITION CLARIFICATION

Due to code enforcement problems in the past, CBC Section 105.2 Exemptions from permits is amended to include description of buildings not requiring permits and expanded to help clarify when permits are/are not required.

Definitions for Junior ADU, Kitchen, and Efficiency Kitchens are added to the CBC and CRC to clarify the characteristics of a JADU as distinct from the defined ADU and to clarify the required Efficiency Kitchen as distinct from a Kitchen required for a Dwelling.

CONTINUITY

All the amendments to Chapters 7, 9, and 15 of Part 2 (Building Code) of the California Building Standards Codes contained in this Ordinance are made so that they reflect amendments to chapters 7 and 9 of Part 9 (Fire Code) of the California Building Standards Code made through a separate Ordinance sponsored by the Fire Marshal's Office.

Amendments to the California Residential Code Part 2.5 of the California Building Standards Codes in Chapters 2, 3, and 9 are likewise intended to provide continuity with the Fire Code. Amendment to the California Historical Code Part 8 is made to ensure continuity with Fire Code adoption in the Historic Downtown Business District area.

SUMMARY

These local climatic conditions require local code amendment for the safety of the city communities.

CONCLUSION

That each of the changes or modifications to measures referred to herein are reasonably necessary because of local climatic, geographical, or topographical conditions in the area encompassed by the boundaries of the City of Petaluma and the findings set forth in Exhibit A are hereby adopted and support the local necessity for the changes or modifications.

Section 4. SEVERABILITY If any part of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

Section 5. CEQA The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) of the CEQA Guidelines because the activity has no potential for resulting in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) of the CEQA Guidelines because the activity is not a project as defined in Section 15378) of the CEQA Guidelines.

If the ordinance were a “project” pursuant to CEQA it would be exempt pursuant to CEQA Section 15061(b)(3) (common sense exemption) since this action involves updates and revisions to existing regulations consistent with State law and will not result in any direct or indirect physical changes to the environment. The proposed amendments are also exempt from CEQA in accordance with Section 15307 of the CEQA Guidelines as an action taken by the City as authorized by state law to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment, in accordance with the findings in the attached ordinance. The proposed amendments are also exempt from CEQA in accordance with Section 15308 of the CEQA Guidelines as an action taken by the City as authorized by state law to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment in accordance with the findings in the attached ordinance.

Additionally, most of the regulatory standards imposed by this ordinance apply to interior modifications. Proposed modifications to the interior of a home do not constitute a project subject to CEQA because such changes are not visible or perceptible outside the home. (*Martin v. City and County of San Francisco* (2005) 135 Cal. App. 4th 392.)

Section 6. OTHER SECTIONS REMAIN IN EFFECT Other sections and chapters of Title 17 of the Petaluma Municipal Code not amended by this Ordinance remain in full force and effect, including Chapter 17.09 “All-Electric Construction in Newly Constructed Buildings” and Chapter 17.14 “Residential Visitability and Universal Design.”

Section 7. EFFECTIVE DATE/REFERENDUM PERIOD/URGENCY FINDINGS This ordinance is hereby declared to be necessary for the immediate preservation of the public peace, health and safety of the City of Petaluma and its citizens, and shall take effect and be in force from and after its final passage by unanimous vote of the members of the City council present at the time of its adoption in accordance with Section 76A of the Petaluma City Charter; however, the provisions of this ordinance will not become operative until January 1, 2023, at the same time that the 2022 Edition of the California Building Standards Code takes effect.. The facts constituting the urgency of this ordinance are described in the following. In accordance with state law, the 2022 California Building Standards Code will take effect on January 1, 2023, in all local jurisdictions throughout the state, regardless of whether or not a local jurisdiction has adopted the Building Standards Code and local amendments to the code as permitted by the Health and Safety Code. The local amendments included in this ordinance are necessary for the preservation of the public peace, health and safety of Petaluma citizens due to the topographical, climatic, and geographical conditions of the City, including the soil, seismic and fire safety conditions addressed in Exhibit A of this ordinance. If the California Building Standards Code were to take effect in Petaluma without the local amendments in this ordinance also taking effect at the same time, the public peace, health and safety in the city would be at risk during the time no local amendments apply. By this ordinance taking immediate effect as an urgency ordinance, the public peace, health and safety in the City will be preserved as a result of the local amendments addressing safety considerations specific to Petaluma becoming effective and enforceable at the same time as the California Building Standards Code.

Section 8. POSTING/PUBLISHING OF NOTICE The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines. In accordance with California Health and Safety Code Section 17958.7, the City Clerk is hereby authorized and directed to file this Ordinance and the attached findings of fact with the California Building Standards Commission, the Department of Housing and Community Development, the State Fire Marshal, and the State Historical Building Safety Board prior to the effective date of this Ordinance specified above.

Section 9. EXPIRATION AND REPEAL Unless amended to extend its term or to otherwise remain in effect, this ordinance shall expire, cease to be in effect and be automatically repealed without further action of the City Council upon Ordinance ____ N.C.S. taking effect.

INTRODUCED, ordered posted/published, and **ADOPTED** this 19th day of December 2022, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Teresa Barrett, Mayor

ATTEST:

APPROVED AS TO FORM:

Kendall Sawyer, CMC, City Clerk

Eric Danly, City Attorney