

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # \*D-1

Urgent  Routine

AGENDA DATE November 6, 2007

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Set a Public Hearing on December 4, 2007 at 9:20 a.m., to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition, of the California Building Standards Code

STAFF RECOMMENDATIONS:

Set a public hearing on December 4, 2007 at 9:20 a.m., to introduce and waive the first reading of an ordinance amending Title 16 of the Stanislaus County Code, and adopting by reference the California Code of Regulations Title 24, 2007 Edition, of the California Building Standards Code.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2007-881

On motion of Supervisor Mayfield, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: Mayfield, Grover, Monteith, DeMartini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-D-13

Approval to Set a Public Hearing on December 4, 2007 at 9:20 a.m., to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition, of the California Building Standards Code

## **DISCUSSION:**

The California Building Standards Commission (BSC) is an independent commission within the State and Consumer Services Agency. The BSC is charged with codifying and approving building standards into one state building standards code. The BSC approved the 2007 Edition of the Building Standards, California Code of Regulations, Title 24, Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, & 12, in January 2004, published them on July 1, 2007, and they will become effective January 1, 2008.

Unless exempted by law, all buildings in California are required to comply with the standards contained in California Code of Regulations, Title 24. State law requires the County's Building Codes to contain the same standards as published by the BSC. However, the County may establish more restrictive building standards than those contained in the California Building Standards Code, if the change is reasonably necessary because of local climatic, geological, or topographical conditions. (Health and Safety Code Section 18941.5(b).)

The proposed ordinance repeals those sections of Title 16 that incorporate superseded standards and replaces them with provisions incorporating by reference the 2007 Building Standards Code, as published by the BSC. Various provisions of this ordinance contain changes, modifications and additions to the California Building Standards Code. The vast majority of such changes are administrative in nature and do not constitute substantive changes to the California Building Standards Code.

However, some substantive changes are required by Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" approved by the voters of Stanislaus County in June 1990. Measure X requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment and is more restrictive than the building standards contained in the California Building Standards Code. To comply with State law, the Board must make the findings contained in the proposed ordinance that such changes are reasonable necessary due to local climatic, geological, or topographical conditions.

Every three years, the BSC is required to review and select the model codes that will form the basis of the State's building standards. The BSC develops amendments to the model codes and the amendments are added to the model code to become Title 24 of the California Code of Regulations. This time, the BSC organized the California Building Standards differently than in the past. As a result, the proposed ordinance must also make extensive changes to, and expansion of, Title 16. Also, the State purposefully did not adopt certain parts of the model codes in order to allow local jurisdictions to make changes appropriate to each jurisdiction's need.

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For example, the proposed ordinance amends Appendix Chapter 1 - Administration in order to bring it in line with the County's business practices and to include one additional board of appeals -- the Accessibility Board of Appeal. Likewise, the proposed ordinance makes changes to Appendix C - Agricultural Buildings to make administrative practices consistent with the County's prior practices of these types of occupancies.

A copy of the proposed ordinance is attached.

**POLICY ISSUE:**

The Board should determine if approval of this ordinance supports the Board's priorities of striving for a safety community and a healthy community.

**STAFFING:**

There is no staffing impact associated with this request.