



CITY COUNCIL AGENDA REPORT
MEETING DATE: 12/6/2022
DEPARTMENT: Community Development

SUBJECT:

ADOPTION OF 2022 CALIFORNIA BUILDING STANDARDS CODES WITH LOCAL AMENDMENTS.

RECOMMENDED ACTION(S):

1. Introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING CHAPTERS 8.02, 8.04, 8.06, 8.12, 8.14, 8.16, 8.18, 8.20, 8.22, 8.24, AND 8.26 OF TITLE 8 OF THE CITY OF LAKE FOREST MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS, AND DELETIONS; and
 2. Direct staff to schedule a January 3, 2023, public hearing to adopt the Ordinance identified in Recommended Action 1, including provision of the appropriate public hearing notices.
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EXECUTIVE SUMMARY:

This item provides for the triennial adoption of the newest edition (2022) of the *California Building Standards Code* ("CBSC") with local amendments. The 2022 edition of the CBSC will become effective January 1, 2023. This report, together with attachments, outlines the Code adoption process and summarizes staff and Orange County Fire Authority ("OCFA") recommended local amendments. Local amendments are considered "reasonably necessary" due to local climatic, geological, or topographical conditions and to facilitate administration of codes upon adoption/readoption. There is minimal fiscal impact associated with the recommended action.

BACKGROUND:

On November 15, 2022, staff presented a draft ordinance (Attachment 1) providing for adoption of the 2022 edition of the CBSC with local amendments and the 2021 editions of the International Property Maintenance Code ("IPMC")

and International Swimming Pool and Spa Code ("ISPSC") for City Council consideration and first reading (see Attachment 2 – November 15, 2022, Staff Report). Correspondence regarding the draft ordinance and OCFA's plan review process from the Building Industry Association Orange County Chapter ("BIAOC"), and OCFA's written response to this letter, was also provided at the meeting (Attachments 3 and 4, respectively).

At that November 15, 2022, meeting, the City Council directed staff to reschedule the first reading of the draft ordinance for the December 6, 2022, City Council meeting, citing the need for additional time to review the correspondence from BIAOC and OCFA. The City Council also indicated that a meeting(s) with BIAOC and/or OCFA staff to discuss their respective comments and concerns may be requested. The City Council also expressed concerns regarding the adoption of the IPMC and ISPSC, pending further review and evaluation of these codes.

Subsequent to the November 15, 2022, City Council meeting, Councilmember Tettermer and staff met with OCFA Assistant Chief/Fire Marshal Lori Smith to discuss the correspondence from BIAOC and OCFA. Following this meeting, staff had two conversations with BIAOC representatives wherein they acknowledged receipt of OCFA's written response to BIAOC's letter and the desire of both parties to further coordinate with respect to the OCFA plan review process.

DISCUSSION:

In accordance with City Council direction, this item presents the draft ordinance adopting the 2022 edition of CBSC with local amendments for first reading (Attachment 1). The draft ordinance has been revised, however, to delete references to the IPMC and ISPSC. This revision streamlines the process by limiting the ordinance to the essential CBSC adoption and local amendments. As stated by staff at the November 15, 2022, City Council meeting, the IPMC and ISPSC are not part of the CBSC, and no urgency exists with respect to adoption of these codes. A full discussion of the draft ordinance and local amendments is provided in the attached November 15, 2022, staff report (Attachment 2).

The recommended action provides for first reading of the draft ordinance and for scheduling of a public hearing of the draft ordinance for January 3, 2023. The January 3, 2023 date is the earliest regular meeting of the City Council that allows for the required public hearing notices to be published as required by State law. Adoption of the ordinance on January 3, 2023, would provide for local amendments to take effect on February 3, 2023; whereas the 2022 edition of the CBSC will take effect January 1, 2023, with or without any further action by the City Council. All currently adopted local amendments, with the exception of administrative provisions (fees, penalties, enforcement) will be unenforceable

effective January 1, 2023. While the recommended local amendments address unique local climatic, geological, or topographical conditions of the Southern California region and provide more robust protections, the 2022 CBSC provides adequate protections of public health, safety, and welfare during the interim period.

FISCAL IMPACT:

The recommended actions have minimal fiscal impact.

ATTACHMENTS:

1. Draft Ordinance Amending and Adopting the 2022 Editions of the CBSC, with Local Amendments
2. November 15, 2022, City Council Staff Report and Attachment
3. October 19, 2022, Correspondence From BIAOC
4. October 24, 2022, Correspondence From OCFA

Initiated By: Ron Santos, Senior Planner

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Approved By: Debra Rose, City Manager