

October 15, 2019

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Public Hearing Regarding Adoption of the 2019 Ventura County Building Code Ordinance (VCBC); Determination That the 2019 VCBC is Categorically Exempt from California Environmental Quality Act Review

RECOMMENDED ACTION:

1. Introduce the attached 2019 Ventura County Building Code Ordinance, read in title only and waive further reading, and schedule adoption of the ordinance, together with the Resolutions adopting express findings regarding modifications of the California and International Codes, for November 5, 2019.
2. Determine that the proposed 2019 Ventura County Building Code Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Section 15061(b)(3).

FISCAL MANDATE/IMPACT

Mandatory:	Yes
Source of Funding:	Fees
Funding Match Required:	No
Impact on Other Departments:	Minimal

The fiscal impact to the Division of Building and Safety is minimal and largely includes purchase costs for referenced codes and printing costs related to publication of the new Ventura County Building Code, as well as training costs for staff to become familiar with the new provisions in order that they can be enforced adequately. These costs are budgeted every three years and are included in the FY 2019-20 adopted budget.

DISCUSSION

The California Building Standards Code (CBSC) forms the primary authority under which local building departments in California regulate the design, construction, use, and occupancy of buildings and structures. The California Health and Safety Code requires

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that every city and county utilize virtually the same building construction standards as those adopted by the State.

State law allows for cities and counties to amend these standards when needed to address local conditions, provided that findings are made by their governing bodies that the amendments are for good cause. The amendments to the CBSC proposed in the 2019 Ventura County Building Code Ordinance (VCBC), and the corresponding findings, are attached as Exhibits 1 and 5, respectively. The Resolution for your Board's adoption of these findings is attached as in Exhibit 4.

The VCBC is a compilation of standards, model codes, and the most current CBSC, together with local amendments used for regulating the design and construction of buildings and structures in Ventura County.

The Building and Safety Division's recommended amendments are part of the normal process prescribed by State law. The VCBC addresses all applicable structural, architectural, plumbing, electrical, and mechanical system installation requirements. It also includes standards for making buildings energy-efficient, and for making certain buildings accessible to persons with disabilities, as required by existing law.

Exhibit 2 is a legislative version of the 2019 VCBC, comparing it to the 2016 VCBC, with an explanation for the new amendments proposed.

The State follows a triennial code adoption process. The building code currently in effect for Ventura County, the 2016 VCBC, was adopted in November 2016. In order to amend the new State standards, which were published on July 1, 2019, local jurisdictions in California must adopt the latest CBSC. Therefore, the proposed ordinance will update the VCBC by adopting the latest CBSC and amending applicable provisions, as permitted by State law.

The new standards and amendments are intended to keep current with the industry, while maintaining uniformity with nearby cities and counties, each of which is also completing the same process. The proposed ordinance will continue to maintain administrative and regulatory provisions needed for administration and enforcement within Ventura County.

In addition to the amendments of the CBSC, the proposed VCBC includes the adoption of two model codes, which are necessary for updating the County's enforcement provisions for unsafe buildings and for enforcing pool safety provisions for private swimming pools. Current provisions used for these two areas of construction and enforcement are dated.

The two new model codes proposed for adoption are the International Property Maintenance Code (IPMC) and the International Swimming Pool and Spa Code. Both of these codes are commonly adopted and used in other cities and counties throughout the State. If adopted, they will make the provisions in Ventura County more current with the industry.

The IPMC will replace the two Uniform Codes currently used in Ventura County: The 1997 Uniform Housing Code and the 1997 Uniform Code for the Abatement of Dangerous Buildings. The IPMC is expected to provide for more complete and up-to-date enforcement standards that will facilitate enforcement of difficult cases associated with unsafe or substandard buildings.

The International Swimming Pool and Spa Code is expected to facilitate the enforcement of safety provisions for private pools. These provisions will supplement the existing pool safety provisions mandated by the State.

Appendix chapters Q and X of the Residential Code are recommended for adoption to allow for permitting of "Tiny Homes" and "Emergency Housing." These structures have been difficult to approve under the 2016 VCBC. The new provisions, if adopted, should facilitate permits for these structures.

The proposed amendments to the State and International Codes fall into one of the following categories:

1. Editorial changes, which update references, section numbers, or chapter and section titles, or which add or amend clarifying language for better alignment between the various codes. There are significant formatting changes in the proposed 2019 VCBC. These are intended to improve presentation for ease of use by architects, engineers, designers, and contractors.
2. Administrative changes that modify permit processes, enforcement provisions, or other administrative requirements in the VCBC. Most of the administrative changes proposed for the 2019 VCBC are the same as those proposed and adopted in the 2016 VCBC. There are several proposed new provisions requiring permits for non-residential small sheds, block walls under five feet tall, and concrete walks on non-residential building sites. The provisions for expiration and extension of building permit applications and building permits have been relaxed to allow more flexibility for extending these permits for customers that need more time to initiate or complete projects. The refund policy for cancelled permits was also relaxed to allow for lower cancellation fees. The new provisions will also require plan review and inspection of agricultural buildings.
3. Technical amendments to the CBSC to address local conditions in Ventura County, such as severe fire hazard areas, construction in steep hillside topographies, and challenging local soils and geologic conditions. The grading provisions in Appendix J of the Building Code and the provisions for installation of private sewage disposal systems in Appendix H of the Plumbing Code have also been updated to address our local geology, topography, and soils conditions in Ventura County. Some of the current technical amendments have also been removed from the VCBC because State standards have been updated and the amendments are no longer needed. The provisions for rural dwellings have been slightly updated and clarified for easier application.

Generally, these amendments will not have a significant impact on construction costs.

Additionally, the 2019 VCBC will continue previously-adopted provisions for construction or installation of Owner-Built Rural Dwellings (Exhibit 6) and the existing procedures for activities associated with Post-Disaster Recovery and Reconstruction.

The Building and Safety Division has collaborated with each of the County departments and agencies that enforce construction-related provisions to ensure the provisions in the 2019 VCBC are aligned with other County codes and ordinances.

Exhibit 7 reflects County staff determinations that the proposed 2019 VCBC is categorically exempt from CEQA environmental impact review pursuant to the terms and conditions stated in Title 14, California Code of Regulations, Section 15061(b)(3).

A copy of the proposed 2019 VCBC and Exhibits are available in the Clerk of the Board's office and at the Building and Safety counters in both the Simi Valley District Office and in the Hall of Administration building in Ventura.

PUBLIC REVIEW PROCESS

On September 4, 2019, a draft of the 2019 VCBC was made available on the Division of Building and Safety website for public review and comment.

Stakeholders and the general public have also been informed of the proposed adoption of the new VCBC. Exhibit 3 is a copy of the letter sent to interested stakeholders such as the Building Industry Association, the American Institute of Architects, the Structural Engineers Association, and the Associated General Contractors. The proposed 2019 VCBC reflects the suggestions and feedback received from the public thus far. The Division of Building and Safety has not received significant opposition from any of these groups.

This item has been reviewed by the County Executive Office, the Auditor Controller's Office and County Counsel. If you have any questions concerning this matter, please call Ruben Barrera, Building Official, at (805) 654-2787.



Ruben M. Barrera, Building Official
Building and Safety Division
Resource Management Agency

Attachments:

Exhibit 1: Proposed 2019 Ventura County Building Code – Clean copy

Exhibit 2: Proposed 2019 Ventura County Building Code – Legislative version with rationale and findings.

Exhibit 3: Letter from Building Official to Interested Parties

Attachments (cont'd):

- Exhibit 4: Resolution Adopting Express Findings Regarding Modification of Codes Subject to the State Housing Law
- Exhibit 5: Express Findings Required for Adoption and Amendment of the 2019 California Building Standards Code
- Exhibit 6: Resolution Adopting Express Findings Regarding Adoption and Amendment of portions of Title 25 of the California Code of Regulations pertaining to building and administrative standards for Limited Density Owner-Built Rural Dwellings
- Exhibit 7: CEQA Notice of Exemption