

RESOLUTION NO. 5256

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING FINDINGS SUPPORTING AMENDMENTS AND CHANGES TO THE 2022 CALIFORNIA FIRE CODE, 1997 UNIFORM ADMINISTRATIVE CODE, 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 17958.5, 17958.7 and 18941.5

WHEREAS, the Arroyo Grande City Council intends to pass an ordinance adopting and making amendments to the 2022 California Fire Code, 1997 Uniform Administrative Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2018 International Property Maintenance Code; and

WHEREAS, California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5 require the governing body of a city, before making any modifications or changes to the California Building Standards Codes, to make express findings that such modifications or changes are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, the Arroyo Grande City Council finds that amendments to the 2022 California Fire Code, 1997 Uniform Administrative Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2018 International Property Maintenance are reasonably necessary because of local climatic, geographic, or topographic conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande as follows:

Section 1. Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, the City of Arroyo Grande ("City") modifies and make amendments to the 2022 California Fire Code, 1997 Uniform Administrative Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2018 International Property Maintenance Code as further set forth in Ordinance No. XXXX (collectively referred to herein as "Amendments"), which Amendments are more restrictive in nature than those found in those sections adopted by the State of California and are based on the local climatic, geological, or topographical conditions and findings (collectively "Findings") referenced herein below.

The Amendments, address the fire problem(s) and building problem(s), concern(s), and future direction(s), by which the City can establish and maintain an environment which

will afford an adequate level of fire and life safety protection to its residents and guests. The Findings contained herein shall address each of the Amendments and shall present the local situation, which either singularly or in combination, create the need for the Amendments to be adopted.

Section 2. The City Council hereby makes the following Findings:

1. CLIMATIC:

Climatically, the City has dry warm summer and early fall conditions (as well as moderate late fall and winter conditions) with dry winds which remove moisture from vegetation. Further, the City frequently experiences Santa Ana wind conditions which exacerbate fire hazards and potential spread of fire within the area, both in rural and urban settings.

Coastal ground fog is a common occurrence. This climatic condition could obscure vision, compromising early detection of fire as well as impedes radio deployment of fire equipment to and at the scene of the emergency.

2. GEOGRAPHIC:

Geographically, the City is located in an area prone to frequent seismic activity which has a high potential for large scale, simultaneous building and infrastructure damage, including fire. A major seismic event would create a community-wide demand on fire protection services, which would be beyond the response capability of the Fire Department. This potential problem can be partially mitigated by requiring initial fire control through the installation of automatic fire protection systems. Further, the City has numerous older and historic buildings and structures which can often fail due to moderate seismic activity. Additions, alterations and repairs of these antiquated structures need to be properly addressed.

Additionally, the many foothills and surrounding mountains are prime sites for residential development. These hillside residential sites, together with isolated rural and semi-rural settings of the City, create difficult conditions in which to provide immediate fire response.

The City is heavily vegetated throughout and encourages native wildlife protection and enhancement. As the community is developing and housing densities increase, the planting of shrubs and trees and other landscape is encouraged to beautify and enhance City living conditions. However, this increased density results in much higher fuel loads and together with increased planting, and when combined with native vegetation, significantly increases fire hazards and fire spreading from one dwelling or structure to another.

3. TOPOGRAPHIC:

The topographic element of these Findings is closely associated with the geographical elements noted above. While the geographic features create the topographic conditions, the Findings in this section are, for the most part, a result of the construction and design of the City.

Highway 101 completely traverses and bisects the City. There are only three over/underpasses allowing access to either side of the City. These physical barriers create significant barriers to emergency response.

With limited parking and as the community grows and commercial activity increases in the City, delivery and other vehicles tend to double park. When added to already narrow streets, cars parked on the sides of streets and traffic congestion (especially around rush hour), emergency response times are significantly affected.

The City encourages and emphasizes affordable housing development. This creates buildings that provide minimum required clearances between structures and maximum allowable height. Although these buildings are built with more stringent standards, the reality is that this type of development creates significant barriers in terms of access and fuel load for firefighting purposes.

Section 3. The Findings that are made for the local amendments to the 2022 California Fire code, 1997 Uniform Administrative Code, 2022 California Building code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2018 International Property Maintenance Code shall be filed with the State of California Building Standards Commission.


On motion by Council Member George, seconded by Council Member Barneich, and on the following roll call vote, to wit:

AYES: Council Members George, Barneich, Guthrie, Secrest, and Mayor Ray Russom

NOES: None

ABSENT: None

The foregoing Resolution was passed and adopted this 10th day of January, 2023.



CAREN RAY RUSSOM, MAYOR

ATTEST:



JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:



WHITNEY MCDONALD, CITY MANAGER

APPROVED AS TO FORM:



TIMOTHY J. CARMEL, CITY ATTORNEY

OFFICIAL CERTIFICATION

I, **JESSICA MATSON**, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that the attached Resolution No. 5256 was passed and adopted at a regular meeting of the City Council of the City of Arroyo Grande on the 10th day of January, 2023.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 13th day of January, 2023.



JESSICA MATSON, CITY CLERK