

RESOLUTION NO. 13-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2013 CALIFORNIA BUILDING CODE, THE 2013 CALIFORNIA RESIDENTIAL CODE, AND TO THE 2013 CALIFORNIA FIRE CODE RELATIVE TO LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS

Section 1

The City Council of the City of Costa Mesa finds and resolves as follow:

WHEREAS, Health and Safety Code Section 17958 provides that the City of Costa Mesa ("City") shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Fire Code, the California Green Building Standards Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code (hereinafter referred to collectively as "Codes"); and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, the Economic/Development Services Department and Fire Departments have recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, and the California Fire Code, 2013 Edition, are reasonably necessary due to local conditions in the City of Costa Mesa and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Costa Mesa.

Amendments related to life and fire safety contained in Sections 202, 403, 403.1, Table 1505.1, and 1505.1.3 of the 2013 Edition of the California Building Code, and Sections R902.1, R902.1.3, and R902.2 of the 2013 Edition of the California Residential Code, and Sections 907.2.13, and 907.6.3.2 of the 2013 Edition of the California Fire Code as recommended by the Economic/Development Services Department and Fire

Department are hereby found to be reasonably necessary due to the following local conditions:

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Costa Mesa and Orange County in general. These winds, which can cause small fires to spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupants during fire occurrences.
2. Orange County and the City of Costa Mesa are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.

B. Geographic Conditions

1. Orange County and the City of Costa Mesa are located in a high seismically active area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport-Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe";
2. Traffic and circulation congestion presently existing in the City of Costa Mesa

often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.

3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene.

The City of Costa Mesa is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Costa Mesa is located in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

4. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Previous Grand Jury Report findings support this concern.

Additional amendments have been made to the California Building Code, 2013 Edition, the California Residential Code, 2013 Edition, and the California Fire Code, 2013 Edition. On the recommendation of the Economic/Development Services Department and Fire Department, such amendments are hereby found to be either administrative or

procedural in nature or concern themselves with subjects not covered in the California Building Code, the California Residential Code, or California Fire Code. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City.

The aforementioned amendments have been incorporated in detail in Ordinance 13-_____.

Section 2

The Economic/Development Services Department and Fire Department shall file copies of Resolution 13-_____ and Ordinance 13-_____ with the California Building Standards Commission and Department of Housing and Community Development as required by Health and Safety Code Section 17958.7.

PASSED and ADOPTED at a regular meeting of the Costa Mesa City Council, held on the _____ day of November 2013.

JAMES RIGHEIMER
Mayor

BRENDA GREEN
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF COSTA MESA)

CERTIFICATION FOR RESOLUTION NO. 13-_____.

Brenda Green, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, California, does hereby certify that the whole number of the members of the City Council of the City of Costa Mesa is five; that the above and foregoing Resolution No. 13-_____ was passed and adopted at a regular meeting of the City Council held on the _____ day of November 2013 by the following vote:

COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER

Brenda Green
City Clerk