



Staff Report

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**File #:** 23-0363

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**REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 05/03/2023

**TO:** Honorable Mayor and City Council Members

**FROM:** Planning & Development Department

**SUBJECT:**

ORDINANCE AMENDING SECTIONS [15.12.020](#) AND [15.20.020](#) OF THE CORONA MUNICIPAL CODE TO DELETE CERTAIN APPENDICES ADOPTED BY REFERENCE AS PART OF THE 2022 CALIFORNIA FIRE CODE AND THE 2022 CALIFORNIA PLUMBING CODE

**EXECUTIVE SUMMARY:**

This staff report asks Council to consider the approval of Ordinance No. 3370, which amends Sections [15.12.020](#) and [15.20.020](#) of the Corona Municipal Code to delete references to certain Appendices in the 2022 California Fire Code and the 2022 California Plumbing Code. The appendices to be deleted were not adopted by any state agency and, thus, are not part of the California Building Standards Code unless adopted by a local agency based upon specific local climatic, geological or topographical conditions. Since there are no climatic, geological or topographical conditions in the City that would support the adoption of the appendices, the reference to these appendices in Sections 15.12.020 and 15.20.020 should be deleted.

**RECOMMENDED ACTION:**

**That the City Council** introduce, by title only, and waive full reading of Ordinance No. 3370, first reading of an ordinance amending Sections [15.12.020](#) and [15.20.020](#) to delete certain appendices adopted by reference as part of the 2022 California Fire Code and the 2022 California Plumbing Code.

**BACKGROUND & HISTORY:**

The California Building Standards Code is published in its entirety every three years by order of the California Legislature. The California Building Standards Commission recently adopted new model codes with amendments, and the 2022 California Building Standards Code became effective throughout the State on January 1, 2023.

State law mandates that local governments enforce the regulations of the California Building Standards Code and amend local ordinances for conformity. On December 7, 2022, the City of Corona adopted the 2022 California Building Standards Code by reference pursuant to Ordinance No. 3357, which amended [Title 15 of the Corona Municipal Code](#) (CMC) to incorporate the Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Electrical Code, Historical Building Code, Existing Building Code, Energy Code, and Green Building Standards Code. Ordinance No. 3357 also contained certain local amendments that are considered reasonably necessary because of local climatic, geological, or topographical conditions.

Revisions or additions to the California Building Standards Code may be made by a City or County provided that such revisions or additions are more restrictive than the standards contained in the code and must include findings that the changes are reasonably necessary due to local climatic, geological, or topographical conditions.

**ANALYSIS:**

Title 15 of the CMC includes the adoption by reference of certain appendices of the California Building Standards Code (CBSC). Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code were not adopted by any state agency and are not considered part of the California Building Standards. Appendices not adopted by any state agency may be adopted by a local agency provided that express findings are made that the standards are reasonably necessary due to local climatic, geological, or topographical conditions and that the standards are more restrictive than those adopted by state agencies.

Pursuant to Health & Safety Code Section 17958.7, the Building Standards Commission (BSC) is authorized to review the code filings of jurisdictions throughout the state. The BSC did not accept the City's filing of the 2022 CBSC on the basis that adequate findings were not made with respect to the adoption of Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code. The above appendices, which were adopted by reference within Title 15 of the CMC, were intended either as informational guidelines, administrative in nature, or optional design standards, which generally do not require findings. For this reason, staff did not believe that findings were necessary since the appendices were more administrative, as opposed to substantive, in nature.

Staff has confirmed that the subject matter of the above appendices are addressed in other chapters of the California Building Standards Code and, as such, do not need to be adopted by reference within Title 15 of the CMC. The attached ordinance amending Sections 15.12.020 and 15.20.020 to delete references to Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code has been reviewed and accepted by the BSC.

**FINANCIAL IMPACT:**

The adoption of this ordinance will have no fiscal impact on the budget.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is

covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The recommended action involves a minor amendment to the CMC to delete references to appendices that were not adopted by any state agency and are not part of the California Building Standards Code. Therefore, there is no possibility that this action will have a significant effect on the environment and no environmental analysis is required.

**PREPARED BY:** CHRIS MILOSEVIC, BUILDING OFFICIAL

**REVIEWED BY:** JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - Ordinance No. 3370 Clean version
2. Exhibit 2 - Ordinance No. 3370 Redline version