

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING EXPRESS FINDINGS FOR LOCAL AMENDMENTS TO THE 2022 EDITION OF THE CALIFORNIA BUILDING AND FIRE CODES, FOR LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS, AND REPEALING RESOLUTION NO. 23501.

WHEREAS, California Government Code Section 50022.1 *et seq.* authorizes the City to enact an ordinance which adopts any code for reference, in whole or in part; and

WHEREAS, Section 17958 of the Health and Safety Code of the State of California provides that if a city does not amend, add, or repeal ordinances or regulations to impose the same requirements as are contained in the provisions adopted pursuant to Section 17922 of the Health and Safety Code and published in the California Building Standards Code and the other regulations adopted pursuant to Section 17922 or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Standards Code or other regulations promulgated pursuant to Section 17922 shall be applicable to it and shall become effective 180 days after publication by the California Building Commission; and

WHEREAS, Section 17922(c) of the Health and Safety Code provides that local use zone requirements, local fire zones, building setbacks, side and rear yard requirements, and property line requirements are specifically and entirely reserved to the local jurisdiction except as provided in Section 17959.5 of the Health and Safety Code; and

WHEREAS, Sections 17958.5 and 18941.5 of the Health and Safety Code of the State of California provide that in adopting ordinances or regulations making any changes in the provisions in the California Building Standards Code and other regulations adopted pursuant to Section 17922 of the Health and Safety Code, a city may make such changes or modifications as are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Section 17958.7 of the Health and Safety Code requires the governing body of a city, before making any modifications or changes pursuant to Section 17958.5, to make an express finding that such modifications or changes are reasonably necessary because of local

1 climatic, geological or topographical conditions; and

2 WHEREAS, the Building Official and Fire Marshal have recommended modifications and
3 changes be made to the Codes and advised that certain changes to the 2022 Editions of the
4 California Building, Residential, and Fire Codes are reasonably necessary due to local conditions
5 in the City of Riverside and have further advised that the remainder of said changes and
6 modifications are of an administrative or procedural nature, or concern themselves with subjects
7 not covered by the Codes, or are reasonably necessary to safeguard life and property within the
8 City of Riverside; and

9 WHEREAS, the City Council held a public hearing on November 22, 2022, at which time
10 all interested persons had the opportunity to appear and be heard on the matter of adopting the
11 California Building Standards Code, 2022 Edition, as amended by the concurrently adopted
12 Ordinance Nos. [REDACTED] and [REDACTED]; and

13 WHEREAS, the City published notice of the public hearing pursuant to California
14 Government Code section 6066 on [REDACTED] and [REDACTED].

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
16 California, that it makes the following findings and determinations:

17 Section 1:

18 **I. Climatic Conditions**

19 **A. Hot Drying Conditions.** The City of Riverside is in a semi-arid Mediterranean
20 type of climate. It annually experiences extended periods of high temperatures
21 with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach
22 speeds of 60 M.P.H. or greater, are also common to the area. These climatic
23 conditions cause extreme drying of vegetation and common building materials
24 creating extreme fire hazard conditions. Frequent periods of drought and low
25 humidity add to this fire danger. This predisposes the area to large destructive
26 fires (conflagration). In addition to directly damaging or destroying buildings,
27 these fires are also prone to disrupt utility services throughout the City.
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Obstacles generated by strong wind, such as fallen trees, streetlights and utility poles, and the requirement to climb 55 feet vertically will greatly impact the response time to reach an incident scene. Additionally, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type firefighting apparatus above this height would place rescue personnel at increased risk of injury.

B. Strong Winds. The dry climatic conditions with strong winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

C. Heavy Precipitation. The climate alternates between extended periods of drought and brief flooding conditions. The winter months can experience heavy rainfall of up to several inches per hour. Flood conditions may affect the City Fire Department's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the City. Hillside erosion also may occur during such conditions and limit the response capability of the Fire Department.

D. Water Availability. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities, consumption, and a limited amount of rainfall, future

1 water allocation is not fully dependable. This necessitates the need for
2 additional and on-site fire protection features. It would also leave tall buildings
3 vulnerable to uncontrolled fires due to a lack of available water and an inability
4 to pump enough available water to floors in a fire.

5 **II. Topographical Conditions**

6 **A. Hillside Community.** Natural slopes of 15 percent or greater generally occur
7 throughout the foothills of Riverside County. The City of Riverside has a
8 sizeable hillside community with little to no remaining developable lowlands.
9 Mass grading for development on hillsides has become easier and cost effective.
10 Therefore, mass grading on hillsides has increased the number of structures
11 constructed on and around sloping terrain. Sloped terrain places physical
12 burdens upon fire fighters and their equipment in responding to emergencies
13 and attacking fires. Hillside development mandates construction to comply with
14 setbacks from slopes and typically requires soil reports and fuel modification
15 plans to be prepared.

16 **B. Traffic and Circulation Congestion** is an artificially created, obstructive
17 topographical condition, which is common throughout Riverside County and
18 the City.

19 **C. Response Time.** These topographical conditions combine to create a situation,
20 which places fire department response time to fire occurrences at risk and
21 makes it necessary to provide automatic on-site fire-extinguishing systems and
22 other protection measures to protect occupants and property. It is necessary to
23 adopt more restrictive fire suppression and fire protection requirements because
24 of the land area and size of the City; construction of scattered apartment, high-
25 rise, commercial and industrial developments through this large area; and the
26 lack of adequate manpower and aerial equipment to cope with fire and life
27 safety protection for the structures and adjacent exposure.
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III. Geological Conditions

A. Earthquake Faults. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles like 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 of buildings. Due to the many active earthquake faults in Southern California region including the San Andreas fault approximately 15 miles to the northeast, the San Jacinto fault approximately 6 miles to the northeast, the Elsinore fault 16 miles to the southwest, the Whittier fault 24 miles to the west and the San Gabriel fault approximately 33 miles to the northwest, there are significant seismic hazards within the City of Riverside. In the event of a severe earthquake, these faults present the potential for catastrophic damage including fire, damage to roadways, and other impairments to or disruption in public services including the ability of the Fire Department to respond to fires.

B. Landslide and Flooding. Road circulation features located throughout the County also make amendments reasonably necessary. Located throughout the County are major roadways, highways and flood control channels that create barriers and slow response times. There is also a major riverbed located on the western edge of the corporate limits of the City of Riverside. During flooding conditions, emergency travel in and out of the City may be severely impaired, if not completely cut off.

C. Soil Conditions. Riverside is subject to ground tremors from seismic events as the City is located in a Design Category D, which relates to a high risk of earthquakes. The high-risk seismic zone is defined based on the proximity to known fault lines, soil type, and known mapped spectral accelerations. Various

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areas in Riverside have very poor soil conditions, including liquefiable soil, which is known to cause severe structural damage to buildings and their supporting facilities during severe earthquake events.

Section 2: The City Council hereby finds that the amendments to the Codes as set forth in detail in Ordinances Nos. [redacted] and [redacted] are reasonably necessary based on climatic, geological and topographical conditions cited in Section 1 of this Resolution and apply to the amendments as follows:

CALIFORNIA BUILDING CODE:

CODE SECTION	FINDINGS
16.08.145 - Section 903.2 amended	Climatic/Topographical

CALIFORNIA FIRE CODE:

CODE SECTION	FINDINGS
16.32.220 Section 305.2.1 added	Climatic /Topographical
16.32.225 Section 307.1 added	Climatic /Topographical
16.32.227 Section 305.1 added	Climatic /Topographical
16.32.228 Section 305.4 added	Climatic /Topographical
16.32.230 Section 307.1.1 added	Climatic /Topographical
16.32.235 Section 307.2 added	Climatic /Topographical
16.32.240 Section 307.2.1 added	Climatic /Topographical
16.32.250 Section 307.4 added	Climatic /Topographical
16.32.255 Section 307.4.1 added	Climatic /Topographical
16.32.260 Section 307.4.2 added	Climatic /Topographical
16.32.265 Section 307.4.3 added	Climatic /Topographical
16.32.270 Section 307.5 amended	Climatic /Topographical
16.32.275 Section 308.1.6.3 added	Climatic /Topographical

1	16.32.276 Section 321 added	Climatic /Topographical
2	16.32.279 Section 503.1.2 added	Climatic /Topographical
3	16.32.280 Section 503.3 amended	Climatic /Topographical
4	16.32.285 Section 503.4 amended	Topographical
5	16.32.290 Section 503.4.2 amended	Topographical
6	16.32.293 Section 503.5 amended	Topographical
7	16.32.295 Section 503.6 amended	Topographical
8	16.32.297 Section 503.7 added	Topographical
9	16.32.300 Section 506.1 amended	Topographical
10	16.32.310 Section 507.1 amended	Topographical
11	16.32.315 Section 507.5.1 amended	Topographical
12	16.32.320 Section 507.5.5 amended	Topographical
13	16.32.325 Section 507.5.7 added	Topographical
14	16.32.330 Section 510.1.1 amended	Topographical
15	16.32.331 Section 510.3 added	Topographical
16	16.32.332 Section 805 added	Topographical
17	16.32.333 Section 806 added	Climatic /Topographical
18	16.32.334 Section 807 added	Climatic /Topographical
19	16.32.335 Section 903.2 amended	Topographical
20	16.32.340 Section 907.6.6 added	Topographical
21	16.32.345 Section 912.2.1 amended	Topographical
22	16.32.350 Section 912.5 added	Topographical
23	16.32.355 Section 912.8 added	Topographical
24	16.32.356 Section 1103.2 amended	Topographical
25	16.32.357 Section 1103.2 added	Topographical
26	16.32.360 Chapter 25 amended	Climatic
27	16.32.365 Section 4904.3.1.1 added	Climatic /Topographical
28	16.32.370 Section 5601.1.1 amended	Climatic

1 16.32.375 Section 5601.1.3 amended Climatic /Topographical
2 16.32.377 Appendix B Table B105.2 amended Climatic
3 16.32.380 Finding and declaration. Climatic
4 16.32.385 Severability Climatic /Topographical
5 16.32.390 Hazardous materials clean-up Climatic /Topographical

6 Section 3: The other modifications to the California Building Code, the California
7 Residential Code, the California Existing Building Code, the California Green Building Standards
8 Code, the California Energy and Mechanical Code, the California Plumbing Code, California Fire
9 Code, and the California Electrical Code are administrative in nature or are reenactments of
10 existing provisions of the Riverside Municipal Code.

11 Section 4: As required by Section 17958.7 of the Health and Safety Code, a copy of these
12 findings, together with the modifications or changes expressly marked and identified to which each
13 such finding refers, shall be filed by the City Clerk of the City of Riverside with the California
14 Building Standards Commission.

15 Section 5: Resolution No. 23501 is hereby repealed.

16 //

17 ADOPTED by the City Council this 22nd day of November, 2022.

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19 _____
20 PATRICIA LOCK DAWSON
21 Mayor of the City of Riverside

22 Attest:

23 _____
24 DONESIA GAUSE
25 City Clerk of the City of Riverside

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I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the 22nd day of November, 2022, by the following vote, to wit:

- Ayes:
- Noes:
- Absent:
- Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of November, 2022.

DONESIA GAUSE
City Clerk of the City of Riverside

CA # 22-0350.1 RMS 9/21/2022