



# City of Costa Mesa

## Agenda Report

77 Fair Drive  
Costa Mesa, CA 92626

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**File #:** 22-873

**Meeting Date:** 10/18/2022

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**TITLE:**

**ORDINANCE AMENDING TITLE 5, BUILDINGS AND CONSTRUCTION AND TITLE 7, FIRE PROTECTION AND PREVENTION, OF THE COSTA MESA MUNICIPAL CODE TO ADOPT THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, AS LOCALLY AMENDED, AND THE ORANGE COUNTY GRADING AND EXCAVATION CODE**

**DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES**  
**DEPARTMENT/BUILDING DIVISION**

**PRESENTED BY: ZIAD DOUDAR, BUILDING OFFICIAL AND JON NEAL, FIRE MARSHAL**

**CONTACT INFORMATION: ZIAD DOUDAR, BUILDING OFFICIAL, (714) 754-5604**

**RECOMMENDATION:**

Staff recommends the City Council:

1. Hold a public hearing and adopt Resolution 2022-XX of the City Council of the City of Costa Mesa, California, setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain local amendments to the California Building Code, California Residential Code, and California Fire Code.
2. Introduce for first reading Ordinance No. 2022-XX, which amends Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code.

**BACKGROUND:**

The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three years. The California Code of Regulations, Title 24, with the 2022 Editions of the California Building Standards Code incorporating the below-listed model codes, becomes effective on January 1, 2023. The City regularly adopts these State codes, as amended, every three years.

Table 1 below identifies the model codes upon which the 2022 California Building Standards Code is based:

| <b>Table 1</b>                                |                                             |
|-----------------------------------------------|---------------------------------------------|
| <b>California Building Standards Code</b>     | <b>Reference Model Code</b>                 |
| 2022 California Building Code                 | 2021 International Building Code (ICC)      |
| 2022 California Residential Code              | 2021 International Residential Code (ICC)   |
| 2022 California Green Building Standards Code |                                             |
| 2022 California Fire Code                     | 2021 International Fire Code (ICC)          |
| 2022 California Existing Building Code        | 2021 International Existing Building Code   |
| 2022 California Plumbing Code                 | 2021 International Plumbing Code            |
| 2022 California Mechanical Code               | 2021 International Mechanical Code          |
| 2022 California Energy Code                   | 2021 International Energy Conservation Code |
| 2022 Electrical Code                          | 2020 National Electrical Code               |
| 2021 International Swimming Pool & Spa Code   |                                             |

**ANALYSIS:**

Staff has prepared an Ordinance adopting the 2022 Edition of the California Building Standards Code, with various amendments as described in this staff report and the Resolution, and repealing references to the prior editions of the model codes. The Ordinance also approves the current edition of the Orange County Grading and Excavation Code including any associated supplements.

Staff is recommending adoption of the 2022 Edition of the California Building Standards Code, with local amendments to the following three components:

- 2022 California Building Code
- 2022 California Residential Code
- 2022 California Fire Code

Such amendments are necessary to ensure that the City's adopted Building Code standards respond to local climatic and geographic conditions in Costa Mesa. The attached Resolution sets forth the necessary findings to enable the City to amend the 2022 California Building Standards Code to reflect our local conditions. The Ordinance incorporates the necessary amendments to reflect these local conditions. The proposed amendments are consistent with the recommendations of the California Local Building Officials (CALBO) Association - Orange County Chapter, which is a professional group of local Building Officials who coordinate Code consistency matters for Orange County jurisdictions.

Other modifications are of an administrative or procedural nature and address subjects that are not covered by the codes or are reasonably necessary to safeguard life and property within Costa Mesa.

The proposed adoption of the 2022 Edition of the California Building Codes, including the applicable amendments would, in general, address the City Council goal of keeping our community safe and to strengthen our commitment to safety by utilizing the most up to date building codes and construction practices.

**ALTERNATIVES:**

The City Council may adopt the 2022 Edition of the California Building Standards Code with the amendments and the current edition of the Orange County Grading and Excavation Code as recommended by Staff, with or without modifications. If the City Council does not adopt the 2022 Codes, then by default the new Building Codes as shown in the California Code of Regulations will take effect on January 1, 2023, without local amendments.

**FISCAL REVIEW:**

The adoption of the proposed Resolution and Ordinance will not have any fiscal impact on the City's budget.

**LEGAL REVIEW:**

The City Attorney has reviewed and approved the Resolution and Ordinance as to form.

**CITY COUNCIL GOALS AND PRIORITIES:**

This item supports the following City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life

**CONCLUSION:**

Staff recommends the City Council adopt the Resolution and approve the first reading of Ordinance No. 2022-XX, which modifies the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code for implementation in the City of Costa Mesa. If the first reading is approved, staff will agendize a second reading and adoption of the Ordinance at the next available City Council meeting.

If the City Council approves the Ordinance, it will become effective on January 1, 2023.