

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director 

DATE: September 20, 2016 (CC Meeting of 11/2/2016)

SUBJECT: Consider Resolution Ratifying Chapter 9 of Ventura County Fire Protection District Ordinance No. 30, Pertaining to Building Standards for Application within the Jurisdictional Boundaries of the City of Moorpark, and Rescinding Resolution No. 2013-3251

BACKGROUND

On October 25, 2016, the Ventura County Fire Protection District adopted Ordinance No. 30, containing building standards more restrictive than those adopted by the State Fire Marshal and contained within the California Building Code. The California Health and Safety Code Section 13869.7 authorizes the Fire District to adopt such standards, but requires ratification by the legislative body where the standards apply; in this case the cities that are served by the Ventura County Fire Protection District.

DISCUSSION

The attached draft resolution ratifies Chapter 9 of the Ventura County Fire Protection District Ordinance No. 30. Chapter 9 adopts building standards, relating to fire and life safety, which are more restrictive than those adopted by the State Fire Marshal and contained within the California Building Standards Code. California law requires building standards adopted by local jurisdictions that are more restrictive than those adopted by the state to be enacted by ordinance within 180 days after the state adopts and publishes the California Building and Fire Code.

Building standards contained in Chapter 9 have been in effect since June 3, 1982 and are an integral part of the Fire District's fire protection plan. Modifications were adopted in May of 2007, and are contained in the Chapter 9. These modifications include

provisions to require the installation of an automatic sprinkler system in all occupancies except Group U (e.g. storage sheds, detached garages).

California Health and Safety Code Section 13869.7 requires the Fire District to file findings that support the need for more restrictive building standards based on local climatic, geological, or topographical conditions. Those findings are as follows:

Chapter 9 Findings

1. **Climatic.** Ventura County experiences periods of high temperatures, accompanied by low humidity and high winds each year. These conditions create an environment in which the Fire District commits large numbers of firefighting resources to the control and extinguishment of wildland fires. During such periods, the limited available firefighting resources may have great difficulty in controlling fires in structures not having built-in fire protection.
2. **Geological.** Ventura County is in a potential high activity seismic zone. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in structures, which will increase the availability of firefighting resources after seismic activity.
3. **Topographical.** Ventura County has rural areas that are in hazardous fire areas. Due to topography, access to structures in rural areas increases response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Structure fires in the hillside areas will have a greater likelihood of starting a wildland fire, which may expose additional structures to fire.

Ordinance No. 30 of the Ventura County Fire Protection District amended the 2016 Edition of the California Fire Code and the 2015 Edition of the International Fire Code. It also repealed Fire Protection District Ordinance No. 28, which had amended the 2013 Edition of the California Fire Code and 2012 Edition of the International Fire Code. Since Appendix L of Fire Protection District Ordinance No. 28 was ratified by City Council Resolution No. 2013-3251, that resolution should now be rescinded as it has been replaced by Chapter 9 of Ordinance No. 30.

STAFF RECOMMENDATION

1. Adopt Resolution No. 2016-____, ratifying Chapter 9 of Ventura County Fire Protection District Ordinance No. 30, pertaining to building standards for application with the jurisdictional boundaries of the City of Moorpark and rescinding Resolution No. 2013-3251.

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2. Direct the Building Official to file a copy of the findings of the Ventura County Fire Protection District together with a copy of Chapter 9 of Ordinance No. 30 with the California Department of Housing and Community Development and California Building Standards Commission.

Attachment: Resolution No. 2016-_____

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, RATIFYING CHAPTER 9 OF VENTURA COUNTY FIRE PROTECTION DISTRICT ORDINANCE NO. 30, PERTAINING TO BUILDING STANDARDS FOR APPLICATION WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF MOORPARK, AND RESCINDING RESOLUTION NO. 2013-3251

WHEREAS, the City of Moorpark lies within the jurisdictional boundaries of the Ventura County Fire Protection District and the Ventura County Fire Protection District has responsibility for fire protection within said jurisdictional boundaries; and

WHEREAS, on October 25, 2016, the Ventura County Fire Protection District adopted Fire Protection District Ordinance No. 30, adopting the 2016 California Fire Code and the 2015 edition of the International Fire Code by reference, together with portions of the Appendix Chapters thereof, and amendments thereto; and

WHEREAS, Chapter 9 of said amendments constitutes amendments to building standards relating to fire and panic safety adopted by the State Fire Marshal and contained in the California Building Standards Code; and

WHEREAS, pursuant to Section 13869.7(c) of the California Health and Safety Code, amendments containing such building standards are not effective within the jurisdictional boundaries of the City until ratified by the City Council; and

WHEREAS, said Chapter 9 contains similar building standards that have been in effect and enforced within the current City boundaries since June 3, 1982, prior to incorporation; and

WHEREAS, the building standards contained within Chapter 9 are an integral part of the Ventura County Fire Protection District fire protection response plan; and

WHEREAS, City Council Resolution No. 2013-3251 previously ratified Appendix L of Fire Protection District Ordinance No. 28, which was superseded by Fire Protection District Ordinance No. 30, and as such will no longer be valid and should be rescinded upon the effective date of Fire Protection District Ordinance No. 30.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CITY COUNCIL RATIFICATION: The City of Moorpark ratifies, without modification, Chapter 9 of Ventura County Fire Protection District Ordinance No.

30 to be effective within the jurisdictional boundaries of the City of Moorpark on and after January 1, 2017.

SECTION 2. Resolution No. 2013-3251 is hereby rescinded in its entirety, effective January 1, 2017.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 2nd day of November, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Chapter 9 of Fire Protection District Ordinance No. 30

EXHIBIT A
VENTURA COUNTY FIRE PROTECTION DISTRICT ORDINANCE NUMBER 30
CHAPTER 9
FIRE PROTECTION SYSTEMS

Section 901.11 is added to read as follows:

901.11 Working space and clearance. A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1,981 mm) in height shall be provided in front of fire protection equipment including, but not limited to: fire sprinkler control valves, fire department connections, hose connections, risers, hood system manual pull stations, fire alarm control panels, fire pumps, and specialized fire protection storage tanks (dry chemical, foam, CO₂, clean agent). Where the fire protection equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space. Direct access to the working space shall be provided from aisles or access roadways. Modifications to working space dimensions shall be approved by the Fire Code Official.

Section 903.1.2 is added to read as follows:

903.1.2 Concurrent permits. Additions or modifications where the application for a building permit is submitted prior to the final inspection of any previously issued building permit(s) shall require the installation of an automatic fire sprinkler system throughout the entire Structure when the area of the addition or modification of all open permits combined with the new application exceed the exceptions listed under Section 903.2.

Section 903.1.3 is added to read as follows:

903.1.3 Fire walls. For the purposes of this Chapter, fire walls shall not be considered as creating separate Buildings.

Section 903.1.4 is added to read as follows:

903.1.4 Modifications prohibited: When an automatic fire sprinkler system is installed in accordance with NFPA 13R in Group R Occupancies, allowable increases, reductions in or exceptions to code requirements shall not be permitted.

Section 903.1.5 is added to read as follows:

903.1.5 Maintenance of area separation walls. Area separation walls used to create fire areas less than 5,000 square feet of floor area (5,000 Gross Square Feet for Group R-3 Occupancies) in Buildings constructed under the original accepted building permit application dated prior to November 1, 2002 shall be maintained with

no openings as approved. If the approved walls are not maintained, the Building shall be retro-fitted with an approved automatic fire sprinkler system. Additions to any Building shall not exceed 25% of the legally existing floor area and shall not cause any fire area to equal or exceed 5,000 square feet, unless an approved automatic fire sprinkler system is provided in the entire Building.

Section 903.1.6 is added to read as follows:

903.1.6 Previously exempted. Any Existing Building with less than 701 square feet or floor area (701 Gross Square Feet for Group R-3 Occupancies) previously exempt from fire sprinklers that would have been required to mitigate fire flow, access requirements, or distance to a fire station at the time the building permit was issued, shall provide fire sprinklers within the entire Building when any addition to the Building brings the total square footage over the previous exempt amount of 700 square feet, regardless of the percent of the addition. Allowances in Section 903.2 item number 2 shall not apply.

Section 903.1.7 is added to read as follows:

903.1.7 Change of use. Any change of use of a Group U Occupancy, that reclassifies to a new occupancy classification that would not have been exempt from fire sprinklers due to existing size, use, fire flow, access requirements, or distance to a fire station under a previous Fire District Ordinance in effect at the time the building permit was issued, shall provide fire sprinklers within the Existing Building. Allowance in Section 903.2 item number 2 shall not apply. This section does not limit the requirements for fire sprinklers for the new occupancy classification under the current California Building and Fire Codes.

Section 903.2 is amended to read as follows:

903.2 Where required. Notwithstanding the provisions of 903.1.2 through 903.1.7 and 903.2.1 through 903.2.12 an approved automatic fire sprinkler system shall be installed in Buildings and Structures as follows:

1. An automatic fire sprinkler system shall be installed in all New Buildings.

Exceptions:

- A. Group U Occupancies when approved by the Fire Code Official.
- B. Small agricultural produce stands as defined and constructed in accordance with the current edition of the Ventura County Building Code (VCBC) which comply with all of the following:
 1. Floor area of the Structure does not exceed 400 square feet
 2. Separated from other Buildings a minimum of 30 feet

C. Picnic and lunch shelter Structures which comply with all of the following:

1. Use is defined as a Group A, Division 2 or 3 Occupancy by the Building Department
2. Shall not exceed 1,500 square feet of floor area for an A-2 Occupancy or 4,500 square feet for an A-3 Occupancy
3. Separated from other Buildings a minimum of 30 feet
4. Only picnic tables and chairs are located underneath the shelter
5. Shall not have any enclosed space underneath the shelter covering
6. Shall be located at grade level around the entire shelter
7. Open on all sides from finished grade to a height of 10 feet above finished grade
8. Structural columns and other architectural features may not obstruct more than 10% of the opening length around the Structure
9. Shall have no obstructions that will hinder egress within 10 feet of the exterior perimeter of the shelter for a distance of 75% of the opening length around the shelter
10. A food preparation surface area may be located along one opening, but shall not obstruct more than 20 feet or 10% of the opening length, whichever is less
11. May be constructed of any materials allowed by the California Building Code (CBC)
12. Any roof covering shall be non-combustible if not an open trellis style shelter.

D. S-2 Carport Structures which comply with all of the following:

1. Buildings or Structures shall be freestanding and legally separated from all other Buildings or uses
2. Building shall be constructed of non-Combustible Materials
3. Fire apparatus access shall extend to within 25 feet of all portions of the interior of the Carport as measured by an approved route around the exterior of the Building or Structure

2. An approved automatic fire sprinkler system shall be installed in Buildings or Structures with additions as determined by the following:
 - A. Additions to legally existing Group R-3 Occupancies, inclusive of attached Group U Occupancies where the addition is both greater than 1,000 square feet and greater than 50% of the existing legal Gross Square Feet of the Structure
 - B. All occupancies other than Group R-3, where an addition is greater than 25% of the legally existing floor area of the Structure

Exception: Group U Occupancies when approved by the Fire Code Official
 - C. Where additions to Existing Buildings or Structures increase the allowable area beyond that permissible in Section 903.2.1 through 903.2.12 for non-sprinklered Buildings
3. Change of use shall require fire sprinklers in accordance with Sections 903.2.1 through 903.2.12.

Section 903.2.8.1.1 is added to read as follows:

903.2.8.1.1 Coverage. Automatic fire sprinkler systems installed in accordance with NFPA 13D in Group R-3 Occupancies shall provide sprinkler protection of attached Group U Occupancies.

- End -