The City of San Marino appreciates your attendance. Citizens’ interest provides the Council with valuable information regarding issues of the community.

Regular Meetings are held on the 2nd Wednesday of every month at 6:00 p.m. Typically, Adjourned Meetings are held on the last Friday of every month at 8:30 a.m.

In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (626) 300-0705 prior to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Jakubowski, Council Member Talt, Council Member Ude, Vice Mayor Shepherd Romey, and Mayor Huang.

POSTING OF AGENDA

The agenda is posted 72 hours prior to each meeting at the following locations: City Hall, 2200 Huntington Drive, the Crowell Public Library, 1890 Huntington Drive, and the Recreation Department, 1560 Pasqualito Drive. The agenda is also posted on the City’s website: http://www.cityofsanmarino.org.
PUBLIC COMMENTS

The City welcomes public input. Members of the public may address the City Council by completing a public comment card and giving it to the City Clerk prior to the meeting. At this time, the public may address the City Council on items that are not on the agenda. Pursuant to state law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). The Mayor reserves the right to place limits on duration of comments. Staff may be asked to follow up on such items.

NEW BUSINESS

1. CONCURRENCE ON THE CITY MANAGER’S HIRING OF MR. PAUL CHUNG AS SAN MARINO FINANCE DIRECTOR

Recommendation: Staff recommends that the City Council give concurrence to the City Manager on the hiring of Mr. Paul Chung as the Finance Director for the City of San Marino.


Recommendation: Staff recommends that the City Council read by title only and introduce Ordinance No. O-19-1357, adopt Resolution No. R-19-28 and set the public hearing for November 13, 2019 for second reading.

CONTINUED BUSINESS

3. AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING CHAPTER 23 OF THE SAN MARINO CITY CODE PERTAINING TO SCHOOLS IN THE RESIDENTIAL ZONE (1ST READING)

Recommendation: Staff recommends that the City Council waive full reading and introduce for first reading by title only, Ordinance No. O-19-1356, an Ordinance of the City of San Marino amending the regulations to allow school uses in the R-1 Zone.

WRITTEN COMMUNICATIONS OR PUBLIC WRITINGS DISTRIBUTED

This is an opportunity to announce any written communications pertaining to the City received by members of the City Council. All public writings distributed by the City of San Marino to at least a majority of the City Council regarding any item on this agenda
will be made available at the Public Counter at City Hall located at 2200 Huntington Drive, San Marino, California 91108.

PUBLIC COMMENTS

CLOSED SESSION

The City Council will recess to closed session to discuss:

4. CONFERENCE WITH LABOR NEGOTIATOR(S) (Government Code § 54957.6):

   City negotiator(s):    City Manager Marcella Marlowe
                         Labor Attorney Steve Filarsky
                         Human Resources Manager Scott Pilch
                         Interim Human Resources Manager Richard Dukellis

   Employee organization(s):  San Marino City Employees’ Association
                                San Marino Firefighters Association
                                San Marino Police Officers' Association
                                San Marino Supervisory/Confidential
                                Employees Association
                                San Marino Unrepresented Employees

ADJOURNMENT

Dated:   October 16, 2019            EVA HETER
Posted:  October 18, 2019            CITY CLERK
THIS PAGE LEFT BLANK INTENTIONALLY
TO: Mayor and City Council
FROM: Marcella Marlowe, Ph.D., City Manager
DATE: October 25, 2019

SUBJECT: CONCURRENCE ON THE CITY MANAGER'S HIRING OF MR. PAUL CHUNG AS SAN MARINO FINANCE DIRECTOR

STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Efficient, Responsive, and Effective City Services
- Fiscally Responsible and Transparent City Government

BACKGROUND

Sections 02.03.04, 02.03.07, and 02.04.02 of the San Marino Municipal Code (SMMC) authorize the City Manager to appoint and remove department heads from office, but only with the concurrence of the City Council. Specifically, SMMC §02.04.02(B) states, “All department heads shall be ‘at will employees,’ serving at the pleasure of the City Manager. The hiring or discharge of department heads shall be subject to concurrence by the Council...” On November 8, 2017, the City Council confirmed its desire to continue this practice.

DISCUSSION

In early 2019, City staff conducted a recruitment for the Finance Director position, formally vacant since the beginning of the calendar year. The recruitment was thorough, with significant outreach to potential applicants and an extensive interview process. Unfortunately, the City failed to identify an appropriate candidate. As a result, and after discussion, the City Council directed me to secure the services of an Executive Recruiter to locate our next Finance Director. The well-respected firm of Peckham & McKenney was selected, and conducted an executive search. Ultimately, 32 applications were received, 11 qualified for further screening, and 6 final candidates were selected. After final interviews, an extensive background check, and
additional discussions, I am pleased to announce my selection of Mr. Paul Chung for Finance Director.

Mr. Chung has been in the municipal finance world for approximately 15 years, currently serving the City of Santa Monica. Over the course of his career, he has had in-depth experience in budget preparation, treasury analysis, revenue forecasting, cost allocation and fee studies and plans, weekly cash flow preparation, investment management, debt management, grants and contracts administration, and payroll. He has a Bachelor's Degree in Business Administration and an MPA (Master's in Public Administration), with an emphasis on public sector management and leadership. He has excellent communication skills, a great demeanor, and rave reviews from all who have worked with him throughout his career. He is excited about coming to San Marino and, if concurrence is received by the City Council, will begin employment on November 25, 2019.

FISCAL IMPACT & PROCUREMENT REVIEW

There is no fiscal impact to this recommendation, since the position of Finance Director is already budgeted for.

LEGAL REVIEW

There are no legal issues related to this action.

RECOMMENDATION

If the City Council concurs with staff's recommendation, an appropriate motion would be:

“I move to give City Council concurrence to the City Manager on the hiring of Mr. Paul Chung as the Finance Director for the City of San Marino.”

ATTACHMENTS

None
TO: Mayor and City Council
FROM: Marcella Marlowe, Ph.D., City Manager
BY: Aldo Cervantes, Planning and Building Director
DATE: October 25, 2019


STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Efficient, Responsive, and Effective City Services
- Well-Maintained Infrastructure
- Safe Community
- Beautiful, Preserved, Single-Family Residential Neighborhoods

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 (3) years. The State’s Health and Safety Code also requires local governments to adopt the most recent editions of these codes. If the City Council approves Ordinance No. 19-1357, the most recent editions of the construction Codes, with applicable amendments, will be in effect within the City, as required by State law. The 2019 Editions of the California Code of Regulations Title 24, which incorporates the below-listed model codes, become effective on January 1, 2020. Local amendments are allowed, provided they are more restrictive and reasonably necessary due to the local climatic, geological, and topographical characteristics.

The list below identifies the California Codes which will be adopted, along with any applicable amendments, and the model codes upon which the 2019 Title 24 is based:
The 2019 Los Angeles County Appendix J Grading Standards Code has been added and is intended to enhance the design and construction of both residential and commercial properties in order to control erosion and water run-off. In addition, the Code will better define the rule and regulations pertaining to applications and permits.

The City will also be adopting the 2019 California Administrative Code and 2019 Referenced Standards Code. The Administrative Code is used by the Planning and Building Director to administer the other adopted Codes and includes items such as the process for filing an appeal with the California Building Standards Commission. The Referenced Standards Code contains minimum test and referenced standards required by the California Building Standards Code. For example, if someone wanted to use a product that is not specifically addressed in the Building Codes, it can be checked against these standards.

**LOCAL AMENDMENTS**

During this triannual Code Adoption process, the City is not looking to include additional technical amendments to the Building Code and Residential Code. Administrative and procedural modifications make up a majority of the amendments found in the Ordinance. These relate to the expiration dates for building permits. The administrative provisions are consistent throughout each code. The findings for supporting all of the above referenced amendments are contained in the accompanying Resolution.

There are also City specific amendments which were retained, with no change, from the last Code adoption process. These include amendments relating to pool enclosures, roofing, and fire protection.
The most significant amendment to the Building Codes are the limitations to the installation of natural wood roofing materials. Page 6, Sections 25.02.14 and 25.02.15 prohibit the installation of wood shingle and wood shake roofing materials when more than 10% of the entire roof is replaced. If the Council recalls, a year ago, the Planning and Building Director and the Fire Chief took the first step of prohibiting natural wood roofs by approaching the Planning Commission to remove the products from the Pre-Approved Roof Materials List. This final step will ensure that natural wood roofing materials are phased out of the City.

The Planning and Building Department will continue to work with the Design Review Committee and the Planning Commission to add more products to the Pre-Approved Roof Materials List. A few months ago, the Planning Commission approved the addition of two new products: a simulated wood shake and simulated slate product by DaVinci Roofing.

The Fire Code includes an amendment to the triggers for fire sprinklers and fire alarms. The amendments are as follows:

- An automatic fire sprinkler system shall be installed in every new building in the city, hereinafter constructed or moved into the city, regardless of an area separation or type of construction. New buildings less than 720 square feet may be exempt with the concurrence of the Fire Chief and Building Official.

- For building additions, an automatic fire sprinkler system is required for the entire building when the addition, renovation and/or remodeling of any existing building exceeds more than fifty percent (50%) of the market value of the existing building. All such additions, renovations, or remodeling performed fewer than five (5) years prior to the effective date of this section shall be considered in determining the cumulative value under this section. The value of the proposed construction and of the existing building shall be determined by the building official based upon the latest edition of the "building valuation data" as published by the International Code Council (ICC).

**IMPACT ON PROPERTY OWNERS**

As with each Code adoption, there are stricter regulations that are being proposed this time around. However, a homeowner who is constructing a small addition or updating a bathroom or kitchen will likely not be significantly affected. Homeowners who seek to replace their natural wood roofs will face added cost as they will have to consider alternative materials.
PROCESS

The process for the adoption of this Ordinance is different than a typical ordinance. The Council will conduct the first reading of the ordinance and then set a public hearing which is typically at the same meeting as, and right before, second reading. Once the hearing and second reading occur, the Ordinance is adopted. The Council may set the public hearing and second reading for the November 13, 2019 Council meeting. If it is adopted at that meeting, it will have an effective date of December 13, 2019, which is prior to the January 1, 2020 deadline.

FISCAL IMPACT & PROCUREMENT REVIEW

None.

LEGAL REVIEW

The City Attorney has reviewed and approved the staff report, the ordinance, and the resolution as to legal form.

RECOMMENDATION

Staff recommends the Council introduce the ordinance and adopt the Resolution of Findings for the local amendments and set a public hearing for November 13, 2019 for second reading. If the City Council concurs, the appropriate action would be:

“A motion to read by title only and introduce Ordinance No. O-19-1357, adopt Resolution R-19-57 and set the public hearing for November 13, 2019 for second reading.”

ATTACHMENTS

1. Draft Ordinance No. O-19-1357
2. Resolution R-19-28
ORDINANCE NO. O-19-1357

AN ORDINANCE OF THE CITY OF SAN MARINO ADOPTING BY REFERENCE THE 2019 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, MECHANICAL, PLUMBING, ELECTRICAL, RESIDENTIAL, FIRE, ENERGY, GREEN BUILDING STANDARDS, HISTORICAL BUILDING, EXISTING BUILDING, APPENDIX J LOS ANGELES COUNTY GRADING STANDARDS AND REFERENCED STANDARDS CODES, WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS, AND AMENDING CHAPTER 25 OF THE SAN MARINO CITY CODE

THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Articles 02 through 06, 09, 10, 12, 13, and 14 of Chapter 25, the “Uniform Codes” of the San Marino City Code, adopting by reference the 2016 Editions of the California Building, Mechanical, Plumbing, Electrical, Energy, Green Building Standards, Appendix J Los Angeles County Grading Standards, Referenced Standards, and Fire Codes, and amendments thereto, are hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of any of said codes occurring prior to the effective date of this ordinance.

SECTION 2. New Article 02 Building Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“Article 02

BUILDING CODE

SECTION:

25.02.01 Building Code Adopted
25.02.02 Amendment of Section 114.1
25.02.03 Amendment of Section 113.1
25.02.04 Amendment of Sections 109.2 and 109.6
25.02.05 Additions of Sections 110.3.3.1, 110.3.9.1, 110.7
25.02.06 Amendment of Section 111.1
25.02.07 Amendment of Section 302.1
25.02.08 Addition of Section 312.2
25.02.09 Addition of Section 312.3
25.02.10 Amendment of Section 1505.1.1
25.02.11 Amendment of Section 1505.1.3
25.02.12 Addition of Section 1507.2.5.1
25.02.13 Amendment of Section 1507.3.1
25.02.14 Amendment of Section 1507.8.8
25.02.15 Amendment of Section 1507.9.6
25.02.16 Addition of Section 1613.5
25.02.17 Addition of Section 1613.6
25.02.18 Addition of Section 1613.7
25.02.19 Addition of Section 1613.8
25.02.01: BUILDING CODE ADOPTED:

A. CODE ADOPTED: The California Building Code, 2019 Edition, based on the 2018 International Building Code as published by the International Code Council, including all appendices, is hereby adopted by reference, and together with certain amendments and deletions, shall constitute the Building Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public.

B. BUILDING OFFICIAL DEFINED: For the purpose of this Code, the Planning and Building Director shall be the Building Official or his or her designee.

25.02.02: AMENDMENT OF SECTION 114.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 114.1 of the Building Code is amended to read as follows:

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Building Code.
It is hereby declared that any violation of the Building Code constitutes a public
nuisance, and in addition to any other remedies provided by the Building Code for its
enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of
this Building Code.

Any person, firm or corporation violating any of the provisions of the Building Code
shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as
provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during
which violation of the Building Code occurs or continues shall be deemed to constitute a
separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.02.03: AMENDMENT OF SECTION 113.1:** Notwithstanding the provisions of
Section 25.02.01 of this Article, Section 113.1 of the Building Code is amended to read as
follows:

**113.1 General.** In order to hear and decide appeals of orders, decisions or
determinations made by the Building Official relative to the application and interpretation of this
Code, there shall be and is hereby created a Board of Appeals consisting of the members of the
City Council. The Building Official shall be an ex officio member and shall act as Secretary to
said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of
procedure for conducting its business, and shall render all decisions and findings, in writing, to
the appellant with a duplicate copy to the Building Official. The Board may request the services
of members of the community who are qualified by experience and training to interpret matters
pertaining to the Building Code to act as technical assistants to the Board. Technical assistants
shall have no vote on any matter before the Board.

**25.02.04: AMENDMENT OF SECTIONS 109.2 AND 109.6:** Notwithstanding the
provisions of Section 25.02.01 of this Article, Sections 109.2 and 109.6 of the Building Code are
amended to read as follows:

**109.2 Schedule of permit fees.** The fee for each permit shall be as periodically
established by City Council resolution.

**109.2.1 Plan review fees.** When plans or other data are required pursuant Section 107.1,
a plan review fee shall be paid at the time of submitting plans and specifications for review.
Said plan review fee shall be 100 percent of the building permit fee established by resolution of
the City Council.

**109.2.2 Expiration of plan review.** Applications for which no permit is issued within
180 days following the date the application or the date of final approval, if one exists, shall
expire by limitation, and plans and other data submitted for review may thereafter be returned to
the applicant or destroyed by the Building Official. The Building Official may extend the time
for action by the applicant for a period not exceeding 180 days on written request by the
applicant showing that circumstances beyond the control of the applicant have prevented action
from being taken. No application shall be extended more than once. In order to renew action on
an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
109.2.3 Expiration of building permits. Building permits will remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

109.6 Fee refunds. The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Building code.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

25.02.05: ADDITION OF SECTIONS 110.3.3.1, 110.3.9.1 AND 110.7: Notwithstanding the provisions of Section 25.02.01 of this Article, new Sections 110.3.3.1, 110.3.9.1, and 110.7 are added to the Building Code to read as follows:

110.3.3.1 Prior to frame approval, an rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

110.3.9.1 Prior to final approval, a final zoning inspection is required in order to ensure final compliance with approved Development Plans.

110.7 Connections prohibited. Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final zoning, building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.

25.02.06: AMENDMENT OF SECTION 111.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 111.1 of the Building Code is amended to read as follows:

111.1 Use or Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification, tenancy, or change in proprietorship of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided herein.

   Exception: Group R, Division 3 and Group U occupancies.
Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of the Building Code or of other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the Building Code or other ordinances of the City shall not be valid.

**25.02.07: AMENDMENT OF SECTION 302.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 302.1 of the Building Code is amended by adding a new paragraph to read as follows:

Any buildings or structures hereafter erected or constructed on C-1 zoned property shall be constructed of one-hour fire resistive construction throughout.

This Section shall apply to:


2. Addition, renovation or remodeling of any existing building when the value thereof is more than twenty percent (20%) of the estimated value of the existing building. The value of the proposed addition, renovation or remodeling shall be cumulative of all such renovation or remodeling over five (5) years.

The value of the proposed construction and of the existing building shall be determined by the Planning and Building Department based upon the latest edition of the Building Valuation Data as published by the International Code Council.

**25.02.08: ADDITION OF SECTION 312.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.2 is added to the Building Code to read as follows:

**312.2 Garage access.** To provide a secondary means of egress from a private garage, a door, minimum 2'6" x 6'8" dimensions, shall be provided in addition to the automobile access door or doors.

**25.02.09: ADDITION OF SECTION 312.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 312.3 is added to the Building Code to read as follows:

**312.3 Garage floor surfaces.** In areas where motor vehicles are stored or operated, floor surface shall be concrete, and shall be a minimum 3-1/2 inches thick. No other floor coverings are permitted.

**25.02.10: AMENDMENT OF SECTION 1505.1.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1505.1.1 of the Building Code is amended by adding a new paragraph following the first sentence to read as follows:

In the areas classified as Very High Fire Hazard Severity Zones, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within one year period, the entire roof covering of every new structure and any roof covering applied in the alteration, repair or replacement of the roof of the existing structure, shall be a fire-retardant roof covering that is at least Class A.

In all other areas, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within one year period, the entire roof covering of every
new structure and any roof covering applied in the alteration, repair or replacement of the roof of the existing structure, shall be a fire-retardant roof covering that is at least Class B.

Reroofing over an existing roof is not permitted unless the roofing is specifically approved in the classification required over existing substrate. Evidence of such approval must be submitted at the time of permit issuance. Fire severity zones are established by the Fire Department and the California Department of Forestry and Fire Protection.

25.02.11: AMENDMENT OF SECTION 1505.1.3: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1505.1.3 of the Building Code is amended by requiring minimum Class “B” roofing for all types of construction for Group A-3, B, M and R-3 Occupancies.

25.02.12: ADDITION OF SECTION 1507.2.5.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.2.5.1 is added to the Building Code to read as follows:

1507.2.5.1 Not more than one overlay of asphalt shingles shall be applied over an existing asphalt or wood shingle roof. Asphalt shingles applied over wood shingles shall not have less than Type 30 nonperforated felt underlayment installed prior to reroofing.

25.02.13: AMENDMENT OF SECTION 1507.3.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.3.1 of the Building Code is amended to read as follows:

1507.3.1 Deck requirements. Concrete and clay tile shall be installed only over solid structural sheathing boards.

25.02.14: AMENDMENT OF SECTION 1507.8.5: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.8.5 of the Building Code is amended as follows:

Wood shingles shall be of naturally durable wood and comply with the requirements of Table 1507.8.5. The installation of wood shingles shall be prohibited when the entire roof covering of every existing structure is more than 10 percent of the total roof area is replaced.

25.02.15: AMENDMENT OF SECTION 1507.9.6: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1507.9.6 of the Building Code is amended as follows:

Wood shake shall comply with the requirements of Table 1507.9.6. The installation of wood shake shall be prohibited when the entire roof covering of every existing structure is more than 10 percent of the total roof area is replaced.

25.02.16: ADDITION OF SECTION 1613.5: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.5 is added to Chapter 16 of the 2019 Edition of the California Building Code to read as follows:

1613.5 ASCE 7, 12.12.3 Modify ASCE 7 Equation 12.12-1 of Section 12.12.3 to read as follows:
\[ \delta_M = \frac{C_d \delta_{\text{max}}}{4c} \]  

(12.12-1)

**25.02.17: ADDITION OF SECTION 1613.6:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.6 is added to Chapter 16 of the 2019 Edition of the California Building Code to read as follows:

**1613.6 ASCE 7, 12.2.3.1, Exception 3.** Modify ASCE 7 Section 12.2.3.1 Exception 3 to read as follows:

3. Detached one- and two-family dwellings up to two stories in height of light frame construction.

**25.02.18: ADDITION OF SECTION 1613.7:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.7 is added to the Building Code to read as follows:

**1613.7 ASCE 7, Section 12.11.2.2.3.** Modify ASCE 7, Section 12.11.2.2.3 to read as follows:

**12.11.2.2.3 Wood Diaphragms.** In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.

2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.

**25.02.19: ADDITION OF SECTION 1613.8:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1613.8 is added to the Building Code to read as follows:

**1613.8 Suspended Ceilings.** Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and this section.

**1613.8.1 Scope.** This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7-10 shall apply except as modified herein.
**1613.8.2 General.** The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

**1613.8.3 Sprinkler Heads.** All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile. Sprinkler heads and other penetrations shall have a 2 in. (50mm) oversize ring, sleeve, or adapter through the ceiling tile to allow for free movement of at least 1 in. (25mm) in all horizontal directions. Alternatively, a swing joint that can accommodate 1 in. (25 mm) of ceiling movement in all horizontal directions is permitted to be provided at the top of the sprinkler head extension.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 714 of this Code.

**1613.8.4 Special Requirements for Means of Egress.** Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the following provisions.

**1613.8.4.1 General.** Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

**1613.8.4.2 Assembly Device.** All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.

**1613.8.4.3 Emergency Systems.** Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1006.3 of this Code.

**1613.8.4.4 Supports for Appendage.** Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

**25.02.20: AMENDMENT OF SECTION 1704.6.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1704.6.2 of the Building Code is amended to read as follows:

**1704.6.2 Structural observations for seismic resistance.** Structural observations shall be provided for those structures assigned to Seismic Design Category D, E or F, where one or more of the following conditions exist:

1. The structure is classified as Risk Category III or IV in accordance with Table 1604.5.
2. The height of the structure is greater than 75 feet (22860 mm) above the base.

3. The structure is classified as Risk Category I or II in accordance with Table 1604.5, and a lateral design is required for the structure or portion thereof.

**Exception:** One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

4. When so designated by the registered design professional responsible for the structural design.

5. When such observation is specifically required by the building official.

**25.02.21: AMENDMENT OF SECTIONS 1705.3 AND TABLE 1705.3:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1705.3 and Table 1705.3 of the Building Code are amended to read as follows:

**1705.3 Concrete Construction.** The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

**Exceptions:** Special inspection shall not be required for:

Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, $f'_c$, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

2. Continuous concrete footings supporting walls of buildings three stories or less in height that are fully supported on earth or rock where:

2.1. The footings support walls of light-frame construction;

2.2. The footings are designed in accordance with Table 1805.4.2; or

2.3. The structural design of the footing is based on a specified compressive strength, $f'_c$, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.

3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).

4. Concrete patios, driveways and sidewalks, on grade.
<table>
<thead>
<tr>
<th>VERIFICATION AND INSPECTION</th>
<th>CONTINUOUS</th>
<th>PERIODIC</th>
<th>REFERENCE STANDARD</th>
<th>IBC REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Inspection of anchors cast in concrete where allowable loads have been increased or where strength design is used.</td>
<td>_</td>
<td>X</td>
<td>ACI 318: D.9.2, 8.1.3, 21.1.8</td>
<td>1908.5, 1909.1</td>
</tr>
<tr>
<td>4. Inspection of anchors postinstalled in hardened concrete members. Adhesive anchors installed in horizontally or upwardly inclined orientations to resist sustained tension loads. Mechanical anchors and adhesive anchors not defined in 4.a.</td>
<td>X</td>
<td>X</td>
<td>ACI 318: 3.8.6, 8.1.3, 21.1.8</td>
<td>1909.1</td>
</tr>
</tbody>
</table>

b. Specific requirements for special inspection shall be included in the research report for the anchor issued by an approved source in accordance with ACI 355.2 D.9.2 in ACI 318, or other qualification procedures. Where specific requirements are not provided, special inspection requirements shall be specified by the registered design professional and shall be approved by the building official prior to the commencement of the work.

(Portions of table not shown remain unchanged.)

**25.02.22: AMENDMENT OF SECTION 1705.12:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1705.12 of the Building Code is amended to read as follows:

**1705.12 Special inspections for seismic resistance.** Special inspections itemized in Sections 1705.12.1 through 1705.12.9, unless exempted by the exceptions of Section 1704.2, are required for the following:

1. The seismic force-resisting systems in structures assigned to Seismic Design Category C, D, E or F in accordance with Sections 1705.12.1.1 through 1705.12.1.2, as applicable.

2. Designated seismic systems in structures assigned to Seismic Design Category C, D, E or F in accordance with Section 1705.12.4.

3. Architectural, mechanical and electrical components in accordance with Sections 1705.12.5.

4. Storage racks in structures assigned to Seismic Design Category D, E or F in
accordance with Section 1705.12.7.

5. Seismic isolation systems in accordance with Section 1705.12.8.

**Exception:** Special inspections itemized in Sections 1705.12.1 through 1705.12.9 are not required for structures designed and constructed in accordance with one of the following:

1. The structure consists of light-frame construction; the design spectral response acceleration at short periods, SDS, as determined in Section 1613.2.4, does not exceed 0.5; and the building height of the structure does not exceed 35 feet (10 668 mm)

2. The seismic force-resisting system of the structure consists of reinforced masonry or reinforced concrete; the design spectral response acceleration at short periods, SDS, as determined in Section 1613.2.4, does not exceed 0.5; and the building height of the structure does not exceed 25 feet (7620 mm)

3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, is not assigned to Seismic Design Category D, E or F and does not have any of the following horizontal or vertical irregularities in accordance with Section 12.3 of ASCE 7:

   3.1 Torsional or extreme torsional irregularity.
   3.2 Nonparallel systems irregularity.
   3.3 Stiffness-soft story or stiffness-extreme soft story irregularity.
   3.4 Discontinuity in lateral strength-weak story irregularity.

**25.02.23: ADDITION OF SECTIONS 1710 AND 1710.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 1710 and 1710.1 are added to, and Chapter 35 of the Building Code is amended, to read as follows:

**1710 General.** The vertical load-bearing capacity, torsional moment capacity and deflection characteristics of joist hangers shall be determined in accordance with ASTM D 1761 and ASTM D 7147 as specified below using lumber having a specific gravity of 0.49 or greater, but not greater than 0.55, as determined in accordance with AF&PA NDS for the joist and headers.

**Exception:** The joist length shall not be required to exceed 24 inches (610 mm).

**1710.1 Vertical load capacity for joist hangers.** The vertical load-bearing capacity for the joist hanger shall be determined by testing a minimum of three joist hanger assemblies as specified in ASTM D 1761 or ASTM D 7147. If the ultimate vertical load for any one of the tests varies more than 20 percent from the average ultimate vertical load, at least three additional tests shall be conducted. The allowable vertical load-bearing of the joist hanger shall be the lowest value determined from the following:
1. The lowest ultimate vertical load for a single hanger from any test divided by three (where three tests are conducted and each ultimate vertical load does not vary more than 20 percent from the average ultimate vertical load).

2. The average ultimate vertical load for a single hanger from all tests divided by three (where six or more tests are conducted).

3. The average from all tests of the vertical loads that produce a vertical movement of the joist with respect to the header of 1/8 inch (3.2 mm).

4. The sum of the allowable design loads for nails or other fasteners utilized to secure the joist hanger to the wood members and allowable bearing loads that contribute to the capacity of the hanger.

5. The allowable design load for the wood members forming the connection.

Amend the Reference Standards in Chapter 35 for ASTM as follows:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Description</th>
<th>Amendment Version</th>
</tr>
</thead>
</table>

25.02.24: AMENDMENT OF SECTION 1807.1.4: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1807.1.4 of the Building Code is amended to read as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems shall be designed and installed in accordance with AF&PA PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and shall be identified in accordance with Section 2303.1.8.1. Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.

25.02.25: AMENDMENT OF SECTION 1807.1.6: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1807.1.6 of the Building Code is amended to read as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.

25.02.26: AMENDMENT OF SECTION 1809.3: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1809.3 of the Building Code is amended to read as
follows:

**1809.3 Stepped footings.** The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of grade beams supporting walls. Footings shall be reinforced with four No. 4 rebar. Two bars shall be place at the top and bottom of the footings as shown in Figure 1809.3.

![Diagram of Stepped Foundations](image)

FIGURE 1809.3
STEPPED FOOTING

**25.02.27: AMENDMENT OF SECTION 1809.7 AND TABLE 1809.7:**
Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1809.7 and Table 1809.7 of the Building Code are amended to read as follows:

**1809.7 Prescriptive footings for light-frame construction.** Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7. Prescriptive footings in Table 1809.7 shall not exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

<table>
<thead>
<tr>
<th>TABLE 1809.7</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION a, b, c, d, e</td>
</tr>
<tr>
<td>NUMBER OF FLOORS SUPPORTED BY THE FOOTING f</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>
For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm
a. Depth of footings shall be in accordance with Section 1809.4.
b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
c. Not Adopted.
d. See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
e. For thickness of foundation walls, see Section 1807.1.6.
f. Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.

25.02.28: AMENDMENT OF SECTION 1809.12: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1809.12 of the Building Code is amended to read as follows:

1809.12 Timber footings. Timber footings shall be permitted for buildings of Type V construction and as otherwise approved by the building official. Such footings shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles shall not exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the AF&PA NDS. Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F.

25.02.29: AMENDMENT OF SECTION 1810.3.2.4: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1810.3.2.4 of the Building Code is amended to read as follows:

1810.3.2.4 Timber. Timber deep foundation elements shall be designed as piles or poles in accordance with AF&PA NDS. Round timber elements shall conform to ASTM D 25. Sawn timber elements shall conform to DOC PS-20. Timber shall not be used in structures assigned to Seismic Design Category D, E or F.

25.02.30: AMENDMENT OF SECTION 1905.1.3: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1905.1.3 of the Building Code is amended to read as follows:

1905.1.3 ACI 318, Section 18.5. Modify ACI 318, Section 18.5, by renumbering Section 18.5.2.2 to become new Sections 18.5.2.2, 18.5.2.3, 18.5.2.4 and 18.5.2.5 to read as follows:

18.5.2.2 – Connections that are designed to yield shall be capable of maintaining 80 percent of their design strength at the deformation induced by the design displacement or shall use Type 2 mechanical splices.

18.5.2.3 – Elements of the connection that are not designed to yield shall develop at least 1.5 Sy.
18.5.2.4 – In structures assigned to Seismic Design Category D, E or F, intermediate precast wall panels and wall piers shall be designed in accordance with Section 21.9 or 21.13.

18.5.2.5 – Wall piers not designed as part of a moment frame in buildings assigned to Seismic Design Category C shall have transverse reinforcement designed to resist the shear forces determined from 21.3.3. Spacing of transverse reinforcement shall not exceed 8 inches (203 mm). Transverse reinforcement shall be extended beyond the pier clear height for at least 12 inches (305 mm).

Exceptions:

1. Wall piers that satisfy 18.10.8 or 18.14.

2. Wall piers along a wall line within a story where other shear wall segments provide lateral support to the wall piers and such segments have a total stiffness of at least six times the sum of the stiffnesses of all the wall piers.

18.5.2.6 – Wall segments with a horizontal length-to-thickness ratio less than 2.5 shall be designed as columns.

25.02.31: AMENDMENT OF SECTION 1905.1.8: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1905.1.7 of the Building Code is amended to read as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.1 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 – Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementitious material per cubic yard.

(b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(c) Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.
In detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, are permitted to have plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

25.02.32: AMENDMENT OF SECTION 1905.1 AND ADDITION OF SECTIONS 1905.1.9 AND 1905.1.10: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 1905.1 is amended and Sections 1905.1.9 and 1905.1.10 are added to the Building Code to read as follows:

1905.1 General. The text of ACI 318 shall be modified as indicated in Sections 1905.1 through 1905.1.8

1905.1.9 ACI 318, Section 21.6.4. Modify ACI 318, Section 21.6.4, by adding Section 21.6.4.8 and 12.6.4.9 as follows:

21.6.4.8 Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 21.6.4.1, Items (a) through (c), over the full height of the member.

21.6.4.9 – At any section where the design strength, $\varphi P_n$, of the column is less than the sum of the shears $V_e$ computed in accordance with ACI 318 Sections 21.5.4.1 and 21.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 21.6.4.1 through 21.6.4.3 shall be provided. For beams framing into opposite sides of the column, the moment components are permitted to be assumed to be of opposite sign. For the determination of the design strength, $\varphi P_n$, of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.

1905.1.10 ACI 318, Section 21.9.4. Modify ACI 318, Section 21.9.4, by adding Section 21.9.4.6 as follows:

21.9.4.6 – Walls and portions of walls with $P_u > 0.35P_o$ shall not be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 21.13.

25.02.33: AMENDMENT OF SECTION 2304.10.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2304.10.1 of the Building Code is amended to read as follows:

2304.10.1 Fastener requirements. Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2302.1. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.10.1. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E, or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable
shear values are substantiated by cyclic testing and approved by the building official.

25.02.34: AMENDMENT OF SECTION 2304.12.5: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2304.12.5 of the Building Code is amended to read as follows:

2304.12.5 Wood used in retaining walls and cribs. Wood installed in retaining or crib walls shall be preservative treated in accordance with AWPA U1 (Commodity Specifications A or F) for soil and fresh water use. Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.

25.02.35: ADDITION OF SECTION 2305.4: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2305.4 is added to the Building Code to read as follows:

2305.4 Quality of Nails. In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

25.02.36: ADDITION OF SECTION 2305.5: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2305.5 is added to the Building Code to read as follows:

2305.5 Hold-down connectors. In Seismic Design Category D, E or F, hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing shall require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-down connectors shall be tightened to finger tight plus one half (1/2) wrench turn just prior to covering the wall framing.

25.02.37: AMENDMENT OF SECTION 2306.2: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2306.2 of the Building Code is amended to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms shall be designed and constructed in accordance with AF&PA SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AF&PA SDPWS shall be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.
The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

**Exception:** [DSA-SS, DSA-SS/CC and OSHPD 1, 2 &4] Wood structural panel diaphragms using staples as fasteners are not permitted by DSA and OSHPD.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

**Exception:** Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

**25.02.38: AMENDMENT OF SECTION 2306.3 AND ADDITION OF SECTION 2307.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2306.3 is amended and Section 2307.2 is added to the Building Code to read as follows:

**2306.3 Wood-frame shear walls.** Wood-frame shear walls shall be designed and constructed in accordance with AF&PA SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AF&PA SDPWS shall include the following:

1. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

**Exception:** Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the building official.

3. Where shear design values using allow stress design (ASD) exceed 350 plf or load and resistance factor design (LRFD) exceed 500 plf, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered at all panel edges. See Section 4.3.6.1 and 4.3.6.4.3 of AF&PA SDPWS for sill plate size and anchorage requirements.

4. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.

5. Table 4.3B application is not allowed for structures assigned to Seismic Design
Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AF&PA SDPWS shall not be used below the top level in a multi-level building for structures.

Where panels are fastened to framing members with staples, requirements and limitations of AF&PA SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

**Exception:** Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in the AF&PA SDPWS.

**Exception:** [DSA-SS 7DSA-SS/CC and OSHPD 1, 2 &4] Wood structural panel shear walls using staples as fasteners are not permitted by DSA and OSHPD.

**2307.2 Wood-frame shear walls.** Wood-frame shear walls shall be designed and constructed in accordance with Section 2306.3 as applicable.

**25.02.39: ADDITION OF SECTION 2308.3.2:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2308.3.2 is added to the Building Code to read as follows:

**2308.3.2 Braced wall line support.** Braced wall lines shall be supported by continuous foundations.

**Exception:** For structures with a maximum plan dimension not over 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures assigned to Seismic Design Category A, B, or C.

**25.02.40: AMENDMENT OF SECTIONS 2308.6.5 AND 2308.6.5.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Sections 2308.6.5 and 2308.6.5.1, of the Building Code are amended to read as follows:

**2308.6.5 Alternative bracing.** Any bracing required by Section 2308.6.5 is permitted to be replaced by the following:

1. In one-story buildings, each panel shall have a length of not less than 2 feet 8 inches (813 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with 3/8-inch-minimum-thickness (9.5 mm) wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table 2304.10.1 and blocked at wood structural panel edges. For structures assigned to Seismic Design
Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports. Two anchor bolts installed in accordance with Section 2308.3.1 shall be provided in each panel. Anchor bolts shall be placed at each panel outside quarter points. Each panel end stud shall have a tie-down device fastened to the foundation, capable of providing an approved uplift capacity of not less than 1,800 pounds (8006 N). The tie-down device shall be installed in accordance with the manufacturer’s recommendations. The panels shall be supported directly on a foundation or on floor framing supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom.

Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing or turned down slab edge is permitted at door openings in the braced wall line. This continuous footing or turned down slab edge shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 15 inches (381 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

2. In the first story of two-story buildings, each wall panel shall be braced in accordance with Section 2308.6.5.1, Item 1, except that the wood structural panel sheathing shall be provided on both faces, three anchor bolts shall be placed at one-quarter points, and tie-down device uplift capacity shall not be less than 3,000 pounds (13 344 N).

2308.6.5.1 Alternate bracing wall panel adjacent to a door or window opening. Any bracing required by Section 2308.6.5 is permitted to be replaced by the following when used adjacent to a door or window opening with a full-length header:

1. In one-story buildings, each panel shall have a length of not less than 16 inches (406 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with a single layer of 3/8 inch (9.5 mm) minimum thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure 2308.6.1. For structures assigned to Seismic Design Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports and in accordance with Figure 2308.9.3.2. The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure 2308.8.3.1. A built-up header consisting of at least two 2 × 12s and fastened in accordance with Item 24 of Table 2304.9.1 shall be permitted to be used. A spacer, if used, shall be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header shall extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel shall be not less than 6 feet (1829 mm) and not more than 18 feet (5486 mm) in length. A strap with an uplift capacity of not less than 1,000 pounds (4,400 N) shall fasten the header to the inner studs opposite the sheathing. One anchor bolt not less than 5/8 inch (15.9 mm) diameter and installed in accordance
with Section 2308.6 shall be provided in the center of each sill plate. The studs at each end of the panel shall have a tie-down device fastened to the foundation with an uplift capacity of not less than 4,200 pounds (18 480 N).

Where a panel is located on one side of the opening, the header shall extend between the inside face of the first full-length stud of the panel and the bearing studs at the other end of the opening. A strap with an uplift capacity of not less than 1,000 pounds (4400 N) shall fasten the header to the bearing studs. The bearing studs shall also have a tie-down device fastened to the foundation with an uplift capacity of not less than 1,000 pounds (4400 N).

The tie-down devices shall be an embedded strap type, installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom.

Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing or turned down slab edge is permitted at door openings in the braced wall line. This continuous footing or turned down slab edge shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped not less than 15 inches (381 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

2. In the first story of two-story buildings, each wall panel shall be braced in accordance with Item 1 above, except that each panel shall have a length of not less than 24 inches (610 mm).
25.02.41: AMENDMENT OF TABLE 2308.6.1: Notwithstanding the provisions of Section 25.02.01 of this Article, Table 2308.6.1 of the Building Code is amended to read as follows:

**TABLE 2308.6.1**
WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E
(Minimum Percentage of Wall Bracing per each Braced Wall Line*)

<table>
<thead>
<tr>
<th>CONDITION</th>
<th>SHEATHING TYPEb</th>
<th>SDS &lt; 0.50</th>
<th>0.50 ≤ SDS &lt; 0.75</th>
<th>0.75 ≤ SD S ≤ 1.00</th>
<th>S DS &gt; 1.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Story</td>
<td>G-Pc</td>
<td>43</td>
<td>59</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>S-Wd</td>
<td>21</td>
<td>32</td>
<td>37</td>
<td>48</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Minimum length of panel bracing of one face of the wall for S-W sheathing shall be at least 4’-0” long or both faces of the wall for G-P sheathing shall be at least 8’-0” long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required. The 2:1 h/w ratio limitation does not apply to alternate braced wall panels constructed in accordance with Section 2308.9.3.1 or 2308.9.3.2. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 11/2 inch (38 mm)] or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.

b. G-P = gypsum board, portland cement plaster or gypsum sheathing boards; S-W = wood structural panels;

c. Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates and, where occurring, at blocking:
   For 1/2-inch gypsum board, 5d (0.113 inch diameter) cooler nails at 7 inches on center;
   For 5/8-inch gypsum board, No 11 gage (0.120 inch diameter) cooler nails at 7 inches on center;
   For gypsum sheathing board, 1-3/4 inches long by 7/16-inch head, diamond point galvanized nails at 4 inches on center;
   For gypsum lath, No. 13 gage (0.092 inch) by 1-1/8 inches long, 19/64-inch head, plasterboard at 5 inches on center;
   For Portland cement plaster, No. 11 gage (0.120 inch) by 11/2 inches long, 7/16-inch head at 6 inches on center;

d. S-W sheathing shall be a minimum of 15/32” thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

25.02.42: AMENDMENT OF SECTION 2308.6.9: Notwithstanding the provisions of Section 25.02.01 of this Article, Section 2308.6.9 of the Building Code is amended to read as follows:

**2308.6.9 Attachment of sheathing.** Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.6.1 and 2304.10.1. Wall sheathing shall not be attached to framing members by adhesives. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

**Exception:** Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.
All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing.

**25.02.43: ADDITION OF SECTION 3109.2.1:** Notwithstanding the provisions of Section 25.02.01 of this Article, Section 3109.2.1 is added to the Building Code to read as follows:

**3109.2.1 Driveway Gates.** Driveway gates serving as part of the required pool barrier shall comply with the following:

1. Driveway gates, if operated manually, shall have a spring-loaded, self-closing, self-latching mechanism installed in accordance with the same procedure required in the City Building Code for pedestrian gates.

2. Driveway gates may be equipped with an electric gate-operating device provided that it is approved by a recognized Electrical Testing Agency.

3. Electric gate-operating devices shall be provided with a safety mechanism to interrupt and recycle the device, should the gate become blocked.

4. Electric gate-operating devices shall be provided with a time delay closing device, which is set and maintained to activate a maximum of 30 seconds after the gate has been opened.”

**SECTION 3.** New Article 03 Residential Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“**Article 03**

**RESIDENTIAL CODE**

**SECTION:**

25.03.01 Residential Code Adopted
25.03.02 Amendment of Section R112.1
25.03.03 Addition of Section R113.1
25.03.04 Amendment of Sections R108.2 and R108.5
25.03.05 Addition of Sections R109.1.5.4, R109.1.5.5, and R109.1.6.3
25.03.06 Amendment of Table R301.2.2.1.1 and Section R301.2.2.1.2
25.03.07 Amendment of Section R301.2.2.6
25.03.08 Addition of Section R301.2.2.11
25.03.09 Amendment of Section R401.1
25.03.10 Amendment of Sections R403.1.2, R403.1.3 and R403.1.5
25.03.11 Amendment of Section R404.2
25.03.12 Amendment of Section R501.1
25.03.13 Amendment of Section R503.2.4
25.03.14 Amendment of Table R602.3(1)
25.03.15 Amendment of Table R602.3(2)
25.03.16 Amendment of Table R602.10.3(3)
25.03.17 Amendment of Table R602.10.4
25.03.18 Amendment of Figure R602.10.6.1
25.03.19 Amendment of Figure R602.10.6.2
25.03.20 Amendment of Table R602.10.5
25.03.21 Amendment of Section R602.10.2.3
25.03.22 Amendment of Section R606.2.4
25.03.23 Amendment of Section R606.12.2.2.3
25.03.24 Amendment of Section R602.3.2
25.03.25 Addition of Section R803.2.4
25.03.26 Amendment of Section R1001.3.1

25.03.01: RESIDENTIAL CODE ADOPTED: Except as hereinafter provided, the California Residential Code, 2019 Edition, based on the 2018 International Residential Code as published by the International Code Council, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Residential Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

25.03.02: AMENDMENT OF SECTION R112.1: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R112 of the Residential Code is hereby amended to read as follows:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Residential Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Residential Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

25.03.03: AMENDMENT OF SECTION R113.1. Notwithstanding the provisions of Section 25.03.01 of this Article, Section R113.1 of the Residential Code is amended to read as follows:

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or equipment or cause or permit the same to be done in violation of the Residential Code.

It is hereby declared that any violation of the Residential Code constitutes a public nuisance, and in addition to any other remedies provided by the Residential Code for its
enforcement, the City Council may bring civil suit to enjoin the violation of any provisions of this Residential Code.

Any person, firm or corporation violating any of the provisions of the Residential Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during which violation of the Residential Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**25.03.04: AMENDMENT OF SECTIONS R108.2 AND R108.5**: Notwithstanding the provisions of Section 25.03.01 of this Article, Sections R108.2 and R108.5 of the Residential Code are amended to read as follows:

**R108.2 Schedule of permit fees.** The fee for each permit shall be as periodically established by City Council resolution.

**R108.2.1 Plan review fees.** When plans or other data are required pursuant to Section R106, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be one-hundred percent (100%) of the building permit fee established by resolution of the City Council.

**R108.2.2 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date the application or the date of final approval, if one exists, shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**R108.2.3 Expiration of building permits.** Building permits will remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

If an applicant wishes to renew a permit that has been expired for less than 6 months, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 6 months, 100% of the original fees paid shall be required to renew the permit.

**R108.5 Fee refunds.** The Building Official may authorize refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit in accordance with the Residential Code.
The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee within 60 days of the date of fee payment.

**25.03.05: ADDITION OF SECTIONS R109.1.5.4, R109.1.5.5, and R109.1.6.3:** Notwithstanding the provisions of Section 25.03.01 of this Article, new Sections R109.1.5.3, R109.1.5.3, and R109.1.6.3 are added to the Residential Code to read as follows:

**R109.1.5.4** Prior to frame approval, a rough zoning inspection is required in order to ensure compliance with the approved Development Plans.

**R109.1.5.5** Prior to final approval, a final zoning inspection by Planning Department staff is required in order to ensure final compliance with approved Development Plans.

**R109.1.6.3 Connections prohibited.** Unless approval has been first obtained from the Building Official, the connection of gas or electrical utilities shall be prohibited until the final building, heating, air conditioning, electrical, plumbing and grading inspections, as required, are completed and approval has been granted on any building.
25.03.06: AMENDMENT OF TABLE R301.2.2.1.1 AND SECTION R301.2.2.1.2: Notwithstanding the provisions of Section 25.03.01 of this Article, Table R301.2.2.1.1 and Section R301.2.2.1.2 of the Residential Code are amended to read as follows:

<table>
<thead>
<tr>
<th>CALCULATED SDS</th>
<th>SEISMIC DESIGN CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDS ≤ 0.17g</td>
<td>A</td>
</tr>
<tr>
<td>0.17g &lt; SDS ≤ 0.33g</td>
<td>B</td>
</tr>
<tr>
<td>0.33g &lt; SDS ≤ 0.50g</td>
<td>C</td>
</tr>
<tr>
<td>0.50g &lt; SDS ≤ 0.67g</td>
<td>D₀</td>
</tr>
<tr>
<td>0.67g &lt; SDS ≤ 0.83g</td>
<td>D₁</td>
</tr>
<tr>
<td>0.83g &lt; SDS ≤ 1.00g</td>
<td>D₂</td>
</tr>
<tr>
<td>1.00g &lt; SDS</td>
<td>E</td>
</tr>
</tbody>
</table>

R301.2.2.1.2 Alternative determination of Seismic Design Category E. Buildings located in Seismic Design Category E in accordance with Figure R301.2(2) are permitted to be reclassified as being in Seismic Design Category D2 provided one of the following is done:

1. A more detailed evaluation of the seismic design category is made in accordance with the provisions and maps of the California Building Code. Buildings located in Seismic Design Category E per Table R301.2.2.1.1, but located in Seismic Design Category D per the California Building Code, may be designed using the Seismic Design Category D2 requirements of this code.

2. Buildings located in Seismic Design Category E that conform to the following additional restrictions are permitted to be constructed in accordance with the provisions for Seismic Design Category D2 of this code:

   2.1. All exterior shear wall lines or braced wall panels are in one plane vertically from the foundation to the uppermost story.

   2.2. Floors shall not cantilever past the exterior walls.

   2.3. The building is within all of the requirements of Section R301.2.2.5 for being considered as regular.

   2.4. For buildings over one story in height, the calculated Sds shall not exceed 1.25g.

25.03.07: AMENDMENT OF SECTION R301.2.2.6: Notwithstanding the provisions of Section 25.03.01 of this Article, Items 1, 3 and 5 of Section R301.2.2.6 of the Residential Code are amended to read as follows:

1. When exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.
3. When the end of a braced wall panel occurs over an opening in the wall

5. When portions of a floor level are vertically offset.

25.03.08: ADDITION OF SECTION R301.2.2.11: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R301.2.2.11 is added to the Residential Code to read as follows:

R301.2.2.11 Anchorage of Mechanical, Electrical, or Plumbing Components and Equipment. Mechanical, electrical, or plumbing components and equipment shall be anchored to the structure. Anchorage of the components and equipment shall be designed to resist loads in accordance with the International Building Code and ASCE 7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. The component weighs 400 lb (1,780 N) or less and has a center of mass located 4 ft (1.22 m) or less above the supporting structure; or

2. The component weighs 20 lb (89N) or less or, in the case of a distributed system, 5 lb/ft (73 N/m) or less.

25.03.09: AMENDMENT OF SECTION R401.1: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R401.1 of the Residential Code is amended to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.

2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).

Wood foundations in Seismic Design Category D0, D1 or D2 shall not be permitted.

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

25.03.10: AMENDMENT OF SECTIONS R403.1.2, R403.1.3 AND R403.1.5: Notwithstanding the provisions of Section 25.03.01 of this Article, Sections R403.1.2, R403.1.3
and R403.1.5 of the Residential Code are amended to read as follows:

**R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁ and D₂.** The braced wall panels at exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ shall be supported by continuous footings. All required interior braced wall panels in buildings shall be supported by continuous footings.

**R403.1.3 Seismic reinforcing.** Concrete footings located in Seismic Design Categories D₀, D₁ and D₂, as established in Table R301.2(1), shall have minimum reinforcement. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D₀, D₁ and D₂ where construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D₀, D₁ and D₂ where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D₀, D₁ and D₂ masonry stem walls without solid grout and vertical reinforcing are not permitted.

**Exception:** In detached one- and two-family dwellings located in Seismic Design Category A, B or C which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings, supporting columns or pedestals are permitted.

**R403.1.5 Slope.** The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁ or D₂, stepped footings shall be reinforced with four No. 4 rebar. Two bars shall be place at the top and bottom of the footings as shown in Figure R403.1.5.
25.03.11: AMENDMENT OF SECTION R404.2: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R404.2 of the Residential Code is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D0, D1 or D2.

25.03.12: AMENDMENT OF SECTION R501.1: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R501.1 of the Residential Code is amended to read as follows:

R501.1 Application. The provisions of this chapter shall control the design and construction of the floors for all buildings including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment. Mechanical or plumbing fixtures and equipment shall be attached (or anchored) to the structure in accordance with Section R301.2.2.11

25.03.13: ADDITION OF SECTION R503.2.4: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R503.2.4 is added to the Residential Code to read as follows:

R503.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet (1.2 m) shall be constructed in accordance with Figure R503.2.4.
Blockings shall be provided beyond headers.  
Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
Openings in diaphragms shall be further limited in accordance with Section R301.2.2.2.5.

FIGURE R503.2.4  
OPENINGS IN HORIZONTAL DIAPHRAGMS

25.03.14: AMENDMENT OF TABLE R602.3(1): Notwithstanding the provisions of Section 25.03.01 of this Article, Lines 37 and 38 of Table R602.3(1) of the Residential Code are amended to read as follows:
TABLE R602.3(1)—continued
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION OF BUILDING MATERIALS</th>
<th>DESCRIPTION OF FASTENERS a, b</th>
<th>SPACING OF FASTENERS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Edges (inches)</td>
<td>Intermediate supports (inches)</td>
</tr>
<tr>
<td>32</td>
<td>3/4&quot; - 1/2&quot;</td>
<td>6d common (2&quot; x 0.113&quot;) nail</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8d common (2 1/4&quot; x 0.131&quot;) nail</td>
<td>6</td>
</tr>
<tr>
<td>33</td>
<td>1 1/2&quot; - 1&quot;</td>
<td>8d common nail (2&quot; x 0.131&quot;)</td>
<td>6</td>
</tr>
<tr>
<td>34</td>
<td>1/4&quot; - 1/4&quot;</td>
<td>10d common (3&quot; x 0.148&quot;) nail or 8d (2 1/4&quot; x 0.131&quot;) deformed nail</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 1/2&quot; galvanized roofing nail, 1 1/4&quot; crown or 1&quot; crown staple</td>
<td>3</td>
</tr>
<tr>
<td>35</td>
<td>1/2&quot; structural cellulosic fiberboard sheathing</td>
<td>1 1/2&quot; galvanized roofing nail, 1 1/4&quot; crown or 1&quot; crown staple</td>
<td>3</td>
</tr>
<tr>
<td>36</td>
<td>3/4&quot; structural cellulosic fiberboard sheathing</td>
<td>1 1/2&quot; galvanized roofing nail, 1 1/4&quot; crown or 1&quot; crown staple</td>
<td>3</td>
</tr>
<tr>
<td>37</td>
<td>1/2&quot; gypsum sheathing a</td>
<td>1 1/2&quot; galvanized roofing nail; staple galvanized, 1 1/2&quot; long; 1 1/4&quot; screws, Type W or S</td>
<td>7</td>
</tr>
<tr>
<td>38</td>
<td>3/4&quot; gypsum sheathing a</td>
<td>1 1/2&quot; galvanized roofing nail; staple galvanized, 1 1/2&quot; long; 1 1/4&quot; screws, Type W or S</td>
<td>7</td>
</tr>
</tbody>
</table>

Wood structural panels, combination subfloor underlayment to framing

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION OF BUILDING MATERIALS</th>
<th>DESCRIPTION OF FASTENERS a, b</th>
<th>SPACING OF FASTENERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>3/4&quot; and less</td>
<td>6d deformed (2&quot; x 0.120&quot;) nail or 8d common (2 1/4&quot; x 0.131&quot;) nail</td>
<td>6</td>
</tr>
<tr>
<td>40</td>
<td>1 1/4&quot; - 1&quot;</td>
<td>8d common (2 1/4&quot; x 0.131&quot;) nail or 8d deformed (2 1/4&quot; x 0.120&quot;) nail</td>
<td>6</td>
</tr>
<tr>
<td>41</td>
<td>1/4&quot; - 1/4&quot;</td>
<td>10d common (3&quot; x 0.148&quot;) nail or 8d deformed (2 1/4&quot; x 0.120&quot;) nail</td>
<td>6</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.
a. All nails are smooth common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 50 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameter of 0.142 inch or less.
b. Staples are 16 gauge wire and have a minimum 7/16-inch on diameter crown width.
c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
d. Four-foot by 8-foot or 4-foot by 9-foot panels shall be applied vertically.
e. Spacing of fasteners not included in this table shall be based on Table R602.3(c).
f. For regions having basic wind speed of 110 mph or greater, 8d deformed (2" x 0.120") nails shall be used for attaching plywood and wood structural panel roof sheathing to framing within minimum 48-inch distance from gable end walls, if mean roof height is more than 25 feet, up to 35 feet maximum.
g. For regions having basic wind speed of 100 mph or less, nails for attaching wood structural panel roof sheathing to gable end wall framing shall be spaced 6 inches on center. When basic wind speed is greater than 100 mph, nails for attaching panel roof sheathing to intermediate supports shall be spaced 6 inches on center for minimum 48-inch distance from gables, eaves and gable end walls; and 4 inches on center to gable end wall framing.
h. Gypsum sheathing shall conform to ASTM C1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C208.
i. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at all floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.
j. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.

25.03.15: AMENDMENT OF TABLE R602.3(2): Notwithstanding the provisions of Section 25.03.01 of this Article, Footnote “b” of Table R602.3(2) of the Residential Code is amended to read as follows:

b. Staples shall have a minimum crown width of 7/16-inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels shall be prohibited in Seismic Design Category D0, D1, or D2.

25.03.16: AMENDMENT OF SECTION R602.10.3(3): Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.3(3) of the Residential Code is amended to read as follows:
<table>
<thead>
<tr>
<th>Seismic Design Category</th>
<th>Story Location</th>
<th>Braced Wall Line Length (feet)</th>
<th>Method LIB</th>
<th>Method GB</th>
<th>Methods DWB, SFB, PBS, PCP, HPS, CS-SFB&lt;sup&gt;2&lt;/sup&gt;</th>
<th>Method WSP</th>
<th>Methods CS-WSP, CS-G</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>10</td>
<td>2.5</td>
<td>2.5</td>
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(continued)
TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

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<tr>
<th>Seismic Design Category</th>
<th>Story Location</th>
<th>Braced Wall Line Length (feet)</th>
<th>Method LIB</th>
<th>Method GB 3</th>
<th>Method DWB, SFB, PBS, PCP, HPS, GSB-SFB</th>
<th>Method WSP</th>
<th>Methods CS-WSP, GS-G</th>
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<td>18.0 - 28.0</td>
<td>18.0 - 28.0</td>
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</tbody>
</table>

Cripple wall below one- or two-story dwelling

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 pound per square foot = 0.0479 kPa.

a. Linear interpolation shall be permitted.

b. Wall bracing lengths are based on a soil site class “D.” Interpolation of bracing length between the $S_w$ values associated with the Seismic Design Categories shall be permitted when a site-specific $S_w$ value is determined in accordance with Section 1613.3 of the International Building Code.

c. Method LIB shall have gypsum board fastened to at least one side with nails or screws per Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.

d. Method CS-SFB applies to SDC C only.

e. Methods GB and PCP braced wall panel/over ratio shall not exceed 1:1 in SDC D0, D1 or D2. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D0, D1, or D2.

25.03.17: AMENDMENT OF TABLE R602.10.4: Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.4 of the Residential Code is amended to read as follows:
# TABLE R602.10.4
## BRACING METHODS

<table>
<thead>
<tr>
<th>METHODS, MATERIAL</th>
<th>MINIMUM THICKNESS</th>
<th>FIGURE</th>
<th>CONNECTION CRITERIA</th>
</tr>
</thead>
</table>
| **LIB**  
Let-in-bracing | 1 × 4 wood or approved metal straps at 45° to 60° angles for maximum 16" stud spacing | ![Diagram](P1) | Wood: 2-8d common nails or 3-8d (2\(\frac{1}{4}\)" long × 0.113" dia.) nails  
Metal: strap per manufacturer  
Wood: per stud and top and bottom plates |
| **DWB**  
Diagonal wood boards | \(\frac{3}{4}\)" (1" nominal) for maximum 24" stud spacing | ![Diagram](P2) | 2-8d (2\(\frac{1}{4}\)" long × 0.113" dia.) nails or 2 - 1\(\frac{1}{2}\)" long staples  
Per stud |
| **WSP**  
Wood structural panel (See Section R602) | \(\frac{1}{8}\)" | ![Diagram](P3) | Exterior sheathing per Table R602.3.1  
Variates by fastener  
6" edges 12" field |
| **BS-VSP**  
Wood Structural Panels with Stone or Masonry Veneer (See Section R602.10.6.5) | \(\frac{1}{4}\)" | ![Diagram](P4) | 8d common (2\(\frac{1}{4}\)" × 0.131") nails  
4" at panel edges  
12" at intermediate supports 4" at braced wall panel end posts |
| **SFB**  
Structural fiberboard sheathing | \(\frac{1}{8}\)" or \(\frac{3}{16}\)" for maximum 16" stud spacing | ![Diagram](P5) | 1\(\frac{1}{8}\)" long × 0.12" dia. (for \(\frac{1}{4}\)" thick sheathing)  
1\(\frac{1}{8}\)" long × 0.12" dia. (for \(\frac{3}{16}\)" thick sheathing)  
galvanized roofing nails or 8d common (2\(\frac{1}{4}\)" long × 0.131" dia.) nails  
3" edges 6" field |
| **GB**  
Gypsum board | \(\frac{1}{2}\)" | ![Diagram](P6) | Nails or screws per Table R602.3(1) for exterior locations  
Nails or screws per Table R702.3.5 for interior locations  
For all braced wall panel locations: 7" edges (including top and bottom plates)  
7" field |
| **PBS**  
Particleboard sheathing (See Section R605) | \(\frac{1}{8}\)" or \(\frac{3}{16}\)" for maximum 16" stud spacing | ![Diagram](P7) | For \(\frac{1}{8}\)" 6d common (2" long × 0.113" dia.) nails  
For \(\frac{3}{16}\" 8d common (2\(\frac{1}{4}\)" long × 0.131" dia.) nails  
3" edges 6" field |
| **PCP**  
Portland cement plaster | See Section R702.6 for maximum 16" stud spacing | ![Diagram](P8) | 1\(\frac{1}{2}\)" long, 11 gage, \(\frac{1}{4}\)" dia. head nails or  
\(\frac{3}{16}\) long, 16 gage staples  
6" o.c. on all framing members |
| **HPS**  
Hardboard panel siding | \(\frac{1}{16}\)" for maximum 16" stud spacing | ![Diagram](P9) | 0.092" dia., 0.225" dia. head nails with length to accommodate 1\(\frac{1}{2}\)" penetration into studs  
4" edges 8" field |
| **ABW**  
Alternate braced wall | \(\frac{1}{6}\)" | ![Diagram](P10) | See Section R602.10.6.1  
See Section R602.10.6.1 |

(continued)
# TABLE R602.10.4—continued

<table>
<thead>
<tr>
<th>METHODS, MATERIAL</th>
<th>MINIMUM THICKNESS</th>
<th>FIGURE</th>
<th>CONNECTION CRITERIA</th>
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<td>Fasteners</td>
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<td>PFH Portal frame with hold-downs</td>
<td>$\frac{7}{8}''$</td>
<td>[Diagram]</td>
<td>See Section R602.10.6.2</td>
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<tr>
<td>PFH Portal frame at garage</td>
<td>$\frac{7}{16}''$</td>
<td>[Diagram]</td>
<td>See Section R602.10.6.3</td>
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<tr>
<td>CS-WSP</td>
<td>$\frac{7}{8}''$</td>
<td>[Diagram]</td>
<td>6&quot; edges 12&quot; field</td>
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<tr>
<td>CS-QP</td>
<td>$\frac{7}{8}''$</td>
<td>[Diagram]</td>
<td>Variation by fastener</td>
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<tr>
<td>CS-PF</td>
<td>$\frac{3}{16}''$</td>
<td>[Diagram]</td>
<td>See Section R602.10.6.4</td>
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<td>$\frac{3}{16}''$</td>
<td>[Diagram]</td>
<td>3&quot; edges 6&quot; field</td>
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For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m², 1 mile per hour = 0.447 m/s.

- a. Adhesive attachment of wall sheathing, including Method GH, shall not be permitted in Seismic Design Categories C, D, E, and F.
- b. Applies to panels next to garage door opening when supporting gable end wall or roof load only. May only be used on one wall of the garage. In Seismic Design Categories D, E, and F, roof covering dead load may not exceed 3 psf.
- c. Garage openings adjacent to a Method CS-G panel shall be provided with a header in accordance with Table R502.5(1). A full height opening shall not be permitted adjacent to a Method CS-G panel.
- d. Method CS-SFB does not apply in Seismic Design Categories D, E, and F, and in areas where the wind speed exceeds 100 mph.
- e. Method applies to detached one- and two-family dwellings in Seismic Design Categories D, E, and F, through D, only.
- f. Methods 6B and 6C braced wall panel h2-to h3 ratio shall not exceed 1:1 in SDC D, E, or F. Methods 6B, 6D, 6F, 6B, 6C, 6F, and 6C are not permitted in SDC D, E, or F.
- g. Use of steps in braced wall panels prohibited in SDC D, E, or F.

## 25.03.18: AMENDMENT OF FIGURE R602.10.6.1:
Notwithstanding the provisions of Section 25.03.01 of this Article, Figure R602.10.6.1 of the Residential Code is amended to read as follows:
Figure R602.10.6.1
Method ABW—Alternate Braced Wall Panel
**25.03.19: AMENDMENT OF FIGURE R602.10.6.2:** Notwithstanding the provisions of Section 25.03.01 of this Article, Figure R602.10.6.2 of the Residential Code is amended to read as follows:

![Diagram of portal frame with hold-downs](image)

**FIGURE R602.10.6.2**
**METHOD PFH—PORTAL FRAME WITH HOLD-DOWNS**
**AT DETACHED GARAGE DOOR OPENINGS**

**25.03.20: AMENDMENT OF TABLE R602.10.5:** Notwithstanding the provisions of Section 25.03.01 of this Article, Table R602.10.5 of the Residential Code is amended to read as follows:
### TABLE R602.10.5
MINIMUM LENGTH OF BRACED WALL PANELS

<table>
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<td>SDC A, B and C, wind speed &lt; 110 mph</td>
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<tr>
<td>SDC D, D&lt;sub&gt;1&lt;/sub&gt; and D&lt;sub&gt;2&lt;/sub&gt;, wind speed &lt; 110 mph</td>
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<td>Supporting one story and roof</td>
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#### CS-WSP, CS-SFB

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*For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.
NP = Not Permitted.

a. Linear interpolation shall be permitted.
b. Use the actual length when it is greater than or equal to the minimum length.
c. Maximum header height for PPG is 10 feet in accordance with Figure R602.10.6.2, but wall height may be increased to 12 feet with pony wall.
d. Maximum opening height for PPG is 10 feet in accordance with Figure R602.10.6.3, but wall height may be increased to 12 feet with pony wall.
e. Maximum opening height for CS-PF is 10 feet in accordance with Figure R602.10.6.4, but wall height may be increased to 12 feet with pony wall.

### 25.03.21: AMENDMENT OF SECTION R602.10.2.3:
Notwithstanding the provisions of Section 25.03.01 of this Article, Section R602.10.2.3 of the Residential Code is amended to read as follows:

**R602.10.2.3 Minimum number of braced wall panels.** Braced wall lines with a length of 16 feet (4877 mm) or less shall have a minimum of two braced wall panels of any length or
one braced wall panel equal to 48 inches (1219 mm) or more. Braced wall lines greater than 16 feet (4877 mm) shall have a minimum of two braced wall panels. No braced wall panel shall be less than 48 inches in length in Seismic Design Category D0, D1, or D2.

25.03.22: AMENDMENT OF SECTION R606.2.4: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R606.2.4 of the Residential Code is amended to read as follows:

R606.2.4 Parapet walls. Unreinforced solid masonry parapet walls shall not be less than 8 inches (203 mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall be not less than 8 inches (203 mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D0, D1 or D2, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

25.03.23: AMENDMENT OF SECTION R606.12.2.2.3: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R606.12.2.2.3 of the Residential Code is amended to read as follows:

R606.12.2.2.3 Reinforcement requirements for masonry elements. Masonry elements listed in Section R606.12.2.2.2 shall be reinforced in either the horizontal or vertical direction as shown in Figure R606.11(3) and in accordance with the following:

1. Horizontal reinforcement. Horizontal joint reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Horizontal reinforcement shall be provided within 16 inches (406 mm) of the top and bottom of these masonry elements.

2. Vertical reinforcement. Vertical reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Vertical reinforcement shall be within 8 inches (406mm) of the ends of masonry walls.

25.03.24: AMENDMENT OF SECTION R602.3.2: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R602.3.2, Exception, of the Residential Code is amended to read as follows:

Exception: In other than Seismic Design Category D0, D1 or D2, a single top plate may be installed in stud walls, provided the plate is adequately tied at joints, corners and interesting walls by a minimum 3-inch-by-6-inch by a 0.036-inch-thick (76 mm by 152 mm by 0.914 mm) galvanized steel plate that is nailed to each wall or segment of wall by six 8d nails on each side, provided the rafters or joists are centered over the studs with a tolerance of no more than 1 inch (25 mm). The top plate may be omitted over lintels that are adequately tied to adjacent wall sections with steel plates or equivalent as previously described.
25.03.25: ADDITION OF SECTION R803.2.4: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R803.2.4 is added to the Residential Code to read as follows:

R803.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms shall conform with Section R503.2.4.

25.03.26: AMENDMENT OF SECTION R1001.3.1: Notwithstanding the provisions of Section 25.03.01 of this Article, Section R1001.3.1 of the Residential Code is amended to read as follows:

R1001.3.1 Vertical reinforcing. For chimneys up to 40 inches (1016 mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016 mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016 mm) in width or fraction thereof.”

SECTION 4. New Article 04 Plumbing Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 04
PLUMBING CODE

SECTION:

25.04.01 Plumbing Code Adopted
25.04.02 Amendment of Section 103.3
25.04.03 Amendment of Sections 104.3.2 and 104.3.3
25.04.04 Amendment of Section 104.4.3
25.04.05 Amendment of Section 104.4.5
25.04.06 Amendment of Section 104.5
25.04.07 Amendment of Section 105.2.6
25.04.08 Amendment of Sections 106.1 and 106.3
25.04.09 Amendment of Section 203.0
25.04.10 Addition of Section 312.13
25.04.11 Addition of Section 511.0
25.04.12 Addition of Section 713.8
25.04.13: Addition of Section 906.8:

25.04.01: PLUMBING CODE ADOPTED: Except as hereinafter provided, the California Plumbing Code, 2019 Edition, based on the 2018 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Plumbing Code of the City. A copy of said Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk.
for use and examination by the public.

25.04.02: AMENDMENT OF SECTION 103.3: Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 103.3 of the Plumbing Code is amended to read as follows:

Issuance. The Building Official or his/her designee shall review the application, plans and specifications and other data filed by an applicant for a permit. Other departments of this jurisdiction may also review plans. If the Building Official or his/her designee finds that the work described in an application for permit and the plans, specifications and other data filed therewith conform to the requirements of the Plumbing Code and other pertinent laws and ordinances, and that the fees established by resolution of the City Council have been paid, he/she shall issue a permit therefore to the applicant.

25.04.03: AMENDMENT OF SECTIONS 104.3.2 AND 104.3.3: Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 104.3.2, and Section 104.3.3, of the Plumbing Code are amended to read as follows:

104.3.2 Plan Review Fees. When a plan or other data are required to be submitted by Section 104.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

104.3.3 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

25.04.04: AMENDMENT OF SECTION 104.4.3: Notwithstanding the provisions of Section 25.04.01 of this Article, the first paragraph of Section 104.4.3 of the Plumbing Code is amended to read as follows:

Expiration. Plumbing permits will remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.
25.04.05: AMENDMENT OF SECTION 104.4.5: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 104.4.5 of the Plumbing Code is amended to read as follows:

Suspension or Revocation. The Building Official or his/her designee may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

25.04.06: AMENDMENT OF SECTION 104.5: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 104.5 of the Plumbing Code is amended to read as follows:

104.5 Permit Fees. All fees pursuant to the Plumbing Code as set forth in Table No. 104.5 shall be established by resolution of the City Council.

104.5.1 Whenever any work for which a permit is required by the Plumbing Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

104.5.2 An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the Plumbing Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Plumbing Code nor from any penalty prescribed by law.

104.5.3 Fee Refunds.

104.5.3(1) The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

104.5.3(2) The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Plumbing Code.

104.5.3(3) The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

25.04.07: AMENDMENT OF SECTION 105.2.6: Notwithstanding the provisions of Section 25.04.01 of this Article, the fourth paragraph of Section 105.2.6 of the Plumbing Code is amended to read as follows:

To obtain reinspec tion, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution of the City Council.

25.04.08: AMENDMENT OF SECTIONS 106.1 AND 106.3: Notwithstanding the provisions of Section 25.04.01 of this Article, Sections 106.1 and 160.3 of the Plumbing Code are amended to read as follows:
106.1 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of the Plumbing Code.

106.3 Penalties. Any person, firm or corporation violating any provision of the Plumbing Code shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offence.

25.04.09: AMENDMENT OF SECTION 203.0: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 203.0 of the Plumbing Code is amended by revising the following definitions to read as follows:

Accessible. “Accessible,” when applied to a fixture, connection, appliance, or equipment, shall mean having access thereto, but which first may require the removal of an access panel, door, or similar obstruction; “readily accessible” shall mean direct access without the necessity of removing any panel, door, or similar obstruction. Attic and underfloor areas are to be considered “accessible.”

Authority Having Jurisdiction. Whenever the term “Authority Having Jurisdiction” is used in the Plumbing Code, it shall mean the Building Official or his/her authorized representative.

25.04.10: ADDITION OF SECTION 312.13: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 312.13 is added to the Plumbing Code read as follows:

312.13 Soil, waste, water or other pipe or conduit, except downspouts, shall not be installed or permitted on the outside of a building.

25.04.11: ADDITION OF SECTION 511.0: Notwithstanding the provisions of Section 25.04.01 of this Article, section 511 is added to the Plumbing Code read as follows:

511.0 No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.

25.04.12: ADDITION OF SECTION 713.8: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 713.8 is added to the Plumbing Code read as follows:

713.8 The City Engineer shall determine the availability of the sewer lines. No person shall construct, or enlarge a new or existing cesspool if a sewer line has been declared available.

25.04.13: ADDITION OF SECTION 906.8: Notwithstanding the provisions of Section 25.04.01 of this Article, Section 906.8 is added to the Plumbing Code to read as follows:

906.8 No vent shall terminate in a location that is visible from the parkway across the street from the subject property, or to the side elevation facing a side street on a corner lot.”
SECTION 5. New Article 05 Mechanical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“Article 05
MECHANICAL CODE

SECTION:

25.05.01 Mechanical Code Adopted
25.05.02 Amendment of Section 103.3
25.05.03 Amendment of Sections 104.3.2 and 104.3.3
25.05.04 Amendment of Sections 104.4.3 and 104.4.5
25.05.05 Amendment of Section 104.5
25.05.06 Amendment of Section 107.1
25.05.07 Amendment of Section 106.0

25.05.01: MECHANICAL CODE ADOPTED: Except as hereinafter provided, the California Mechanical Code, 2019 Edition, based on the 2018 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Mechanical Code of the City. A copy of such Code shall be located in the office of the City Clerk and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public. For the purposes of this Code, the Building Official shall be the Building Official.

25.05.02: AMENDMENT OF SECTION 103.3: Notwithstanding the provisions of Section 25.05.01 of this Article, Section 103.3 of the Mechanical Code is amended to include an additional paragraph to read as follows:

The Building Official shall review applications, plans, specifications, computations and other data filed by an applicant for a permit. Such plans may be reviewed by other departments of this City to verify compliance with applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of the Mechanical Code and other pertinent laws and ordinances and that the fees established by Resolution of the City Council have been paid, the Building Official shall issue a permit therefor to the applicant.

25.05.03: AMENDMENT OF SECTIONS 104.3.2 AND 104.3.3: Notwithstanding the provisions of Section 25.05.01 of this Article, Sections 104.3.2 and 104.3.3 of the Mechanical Code are amended to read as follows:

104.3.2 Plan Review Fees. When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be equal to 100 percent of the total permit fee as established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 104.5 and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.
104.3.3 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration the applicant shall resubmit plans and pay a new plan review fee.

25.05.04: AMENDMENT OF SECTIONS 104.4.3 AND 104.4.5: Notwithstanding the provisions of Section 25.05.01 of this Article, Sections 104.4.3 and 104.4.5 of the Mechanical Code are amended to read as follows:

104.4.3 Expiration. Mechanical permits will remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

104.4.5 Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of the City Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the City.

25.05.05: AMENDMENT OF SECTION 104.5: Notwithstanding the provisions of Section 25.05.01 of this Article, Section 104.5 of the Mechanical Code is amended to read as follows:

104.5 FEES.

All fees pursuant to the Mechanical Code shall be as established by and set forth in a resolution of the City Council.

104.5.1 Permit Fees. All fees pursuant to the Mechanical Code shall be as amended and established by resolution of the City Council.

104.5.2 Investigation. Whenever any work which requires a permit pursuant to the Mechanical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

104.5.2.1 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be
issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Mechanical Code nor from any penalty prescribed by law.

104.5.3 Fee Refunds.

104.5.3(1) The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

104.5.3(2) The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Mechanical Code.

104.5.3(3) The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

25.05.06: AMENDMENT OF SECTION 107.1: Notwithstanding the provisions of Section 25.05.01 of this Article, Section 107.1 of the Mechanical Code is hereby amended to read as follows:

107.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Mechanical Code, there shall be and is hereby created a Board of Appeals consisting of the members of the City Council. The Building Official shall be an ex officio member of and shall act as Secretary to said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Board may request the services of members of the community who are qualified by experience and training to interpret matters pertaining to the Mechanical Code to act as technical assistants to the Board. Technical assistants shall have no vote on any matter before the Board.

25.05.07: AMENDMENT OF SECTION 106.0. Notwithstanding the provisions of Section 25.05.01 of this Article, Section 106.0 of the Mechanical Code is amended to read as follows:

106.0 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, impound, remove, convert or demolish, equip, use or maintain mechanical systems or equipment or cause or permit the same to be done in violation of the Mechanical Code.

It is hereby declared that any violation of the Mechanical Code constitutes a public nuisance, and in addition to any other remedies provided by the Mechanical Code for its enforcement, the administrative authority may bring civil suit to enjoin the violation of any provisions of the Mechanical Code.

Any person, firm or corporation violating any of the provisions of the Mechanical Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 01.04.03A of this Code. Each separate day or any portion thereof during
which violation of the Mechanical Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.”

SECTION 6. New Article 06 Electrical Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“Article 06
ELECTRICAL CODE

SECTION:

25.06.01 Electrical Code Adopted
25.06.02 Amendment of Article 100
25.06.03 Fees and Expiration
25.06.04 Additions to Electrical Code
25.06.05 Service Entrance Panels
25.06.06 Grounding and Bonding Connections
25.06.07 Use of Factory Assembled Conduits
25.06.08 Use of Aluminum
25.06.09 Service Entrance - Services
25.06.10 Amendment to Section 250.50
25.06.11 Addition of Section 690.19
25.06.12 Violations

25.06.01: ELECTRICAL CODE ADOPTED: Except as hereinafter provided, the California Electrical Code, 2019 Edition, based on the 2017 National Electrical Code as published by the National Fire Protection Association, including all annexes, is hereby adopted by reference and incorporated herein as though set forth herein in full and shall constitute the Electrical Code of the City. A copy of such Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

25.06.02: AMENDMENT OF ARTICLE 100: Notwithstanding the provisions of Section 25.06.01 of this Article, Article 100 of the Electrical Code is amended by amending the definition of “Accessible, Readily” to read as follows:

Accessible, Readily: (Readily Accessible.) Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See “Accessible.”) Attic and crawl spaces are not considered readily accessible.

25.06.03: FEES AND EXPIRATION: Notwithstanding the provisions of Section 25.06.01 of this Article, all fees pursuant to the Electrical Code shall be those amounts established by resolution of the City Council.

Plan Review Fees. When a plan or other data are required to be submitted by this code a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for electrical work shall be equal to 100 percent of the total permit fee as
established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to the permit fees. When plans are incomplete or changed so as to require additional plan review, a fee shall be charged in the amount established by resolution of the City Council.

**Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration the applicant shall resubmit plans and pay a new plan review fee.

**Investigation.** Whenever any work which requires a permit pursuant to the Electrical Code has been commenced without first obtaining said permit, a special Investigation shall be made before a permit may be issued for such work.

**Investigation Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit fee is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by the City Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Electrical Code nor from any penalty prescribed by law.

**Fee Refunds.** The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected. The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Electrical Code. The Planning and Building Department shall not authorize refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**Expiration.** Electrical permits will remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit. Before such work can be recommenced, the permit shall first be renewed, provided no changes have been made or will be made in the original plans and specifications for such work. If an applicant wishes to renew a permit that has been expired for less than 180 days, 50% of the original fees paid shall be required to renew the permit. If an applicant wishes to renew a permit that has been expired for more than 180 days, 100% of the original fees paid shall be required to renew the permit. The Building Official may extend the permit expiration date for a period not exceeding 180 days on written request (submitted prior to the expiration date) by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

**25.06.04: ADDITIONS TO ELECTRICAL CODE:** Notwithstanding the provisions of Section 25.06.01 of this Article, the Electrical Code is amended by adding the sections as set forth in Sections 25.06.05 through 25.06.11 of this Article.

**25.06.05: SERVICE ENTRANCE PANELS:**
A. All new residences shall be provided with a minimum service capacity of not less than two hundred (200) amperes main. Service conduit shall be two-inch (2") conduit.

B. On existing dwellings if the service is replaced, the minimum service shall be one hundred (100) amperes main. Service conduit shall be one and one-half inches (1 ½").

C. Branch circuit panel shall contain space for a minimum of twenty (20) single pole overcurrent devices.

25.06.06: GROUNDING AND BONDING CONNECTIONS:
A. The connection of grounding conductor to grounding electrode shall be readily accessible.

B. The connection of the bond from the grounding conductor to the cold water and gas systems shall be readily accessible.

C. All conduit shall contain a green ground wire.

25.06.07: USE OF FACTORY ASSEMBLED CONDUITS: Notwithstanding any provision of the Electrical Code to the contrary, the following is prohibited in new installations:
A. Factory assembled conduits, such as:
   1. Mineral insulated sheathed cable.
   2. Armored cable unless:
      a. Factory assembled in an Underwriters Laboratory approved fixture;
      b. Green insulated copper grounding conductor; and
      c. Is used for applications not to exceed nine feet (9’) from a power source to a single fixture.

25.06.08: USE OF ALUMINUM: Notwithstanding any provision of the Electrical Code to the contrary, the following are prohibited in new installations:
A. Aluminum wire is not permitted.

B. Aluminum conduit is not approved as a self-grounding conduit.

25.06.09: SERVICE ENTRANCE - SERVICES:
A. New service entrance conductors on all commercial buildings shall be installed underground.

B. A contractor licensed C-10 or B-1 must apply for the permit for any new service or service change out.
25.06.10: AMENDMENT TO SECTION 250.50: Notwithstanding the provisions of Section 25.06.01, an additional exception is added to Section 250.50 to read as follows:

Exception: Grounding of electrical services replaced in existing residential buildings.

When an electrical service in an existing R1 or R3 occupancy is replaced or upgraded, and the material of the water pipe in direct contact with the earth is unknown, the connection of the grounding conductor to the interior metal water pipe may be made at any accessible point, provided that at least one grounding electrode of a type specified in Sections 250.50 or 250.52 is installed as close as possible to the service and connected directly to the service equipment with an independent grounding electrode conductor.

25.06.11: ADDITION OF SECTION 690.19: Notwithstanding the provisions of Section 25.06.01, Section 690.19 is added to the Electrical Code to read as follows:

690.19 Disconnecting Means for Multiple Arrays. Where more than one array is combined to form a single output rated more than 50 volts and/or 10 amperes, a disconnecting means rated for the output shall be installed immediately adjacent to the combiner box on the output side.

Exception: If the combiner box is located adjacent to the inverter(s), the disconnecting means as stated above shall not be required.

25.06.12: VIOLATIONS: Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Electrical Code shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Electrical Code is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.”

SECTION 7. New Article 09 Energy Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 09
ENERGY CODE

SECTION:

25.09.01 Energy Code Adopted
25.09.02 Violations

25.09.01: ENERGY CODE ADOPTED: Except as hereinafter provided, the California Energy Code, 2019 Edition, as published by the California Building Standards Commission, including all appendices, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Energy Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.
25.09.02: VIOLATIONS: Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in subsection 01.04.03A of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.”

SECTION 8. New Article 10 Administrative Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“Article 10
ADMINISTRATIVE CODE

25.10.01 Administrative Code Adopted

25.10.01: ADMINISTRATIVE CODE ADOPTED: Except as hereinafter provided, the California Administrative Code, 2019 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Administrative Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.”

SECTION 9. New Article 12 Fire Code is hereby added to Chapter 25 of the San Marino City Code to read as follows:

“Article 12
FIRE CODE

SECTION:

25.12.01 Fire Code Adopted
25.12.02 Amendment of Section 106.2
25.12.03 Addition of Section 107.2.3
25.12.04 Deletion of Section 109.1 and Addition of Section 109.4
25.12.05 Amendment of Section 110.4
25.12.06 Addition of Section 307.6
25.12.07 Addition of Section 308.1.4.1
25.12.08 Addition of Section 506.1.3
25.12.09 Amendment of Section 903.2
25.12.10 Amendment of Section 903.2.8.1
25.12.11 Amendment of Section 903.2.18
25.12.12 Addition of Section 903.3.1.3.1
25.12.13 Amendment of Section 903.4.1
25.12.14 Addition of Section 906.1.1
25.12.15 Addition of Section 907.2.A
25.12.16 Deletion of Section 907.6.6, Exception 3
25.12.17 Amendment of Section 912.2
25.12.18: Amendment of Section 3103.2
25.12.19: Addition of Section 5608.2
25.12.20: Addition of Section 4908

25.12.01: FIRE CODE ADOPTED: Except as hereinafter provided, the 2019 California Fire Code, including all appendices with errata, based on the 2018 International Fire Code, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Fire Code of the City. A copy of such code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public. For the purpose of this Code, the Planning and Building Director shall be the building official.

25.12.02: AMENDMENT OF SECTION 106.2: Notwithstanding the provisions of Section 25.12.01 of this article, Section 106.2 of the Fire Code is hereby amended to read as follows:

106.2 Establishment of Fees. All fees pursuant to the fire code shall be established by resolution of the city council.

25.12.03: ADDITION OF SECTION 107.2.3: Notwithstanding the provisions of Section 25.12.01 of this article, Section 107.2.3 is added to the Fire Code to read as follows:

107.2.3 Annual Inspection Required. All properties located in the high fire hazard severity zone as identified by the San Marino Fire Department shall be inspected as deemed necessary for compliance with state and local brush clearance requirements in Section 12.12.19 by the fire official.

25.12.04: DELETION OF SECTION 109.1 AND ADDITION OF SECTION 109.4: Notwithstanding the provisions of section 25.12.01 of this article, Section 109.1 of the Fire Code is deleted and Section 109.4 is added to the Fire Code to read as follows:

109.4 Appeals. Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the fire code do not apply or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal the fire chief's decision to the city manager within thirty (30) days from the date of the decision. If the city manager upholds the decision of the fire chief, the applicant may appeal the decision to the city council by filing a notice of appeal with the city clerk within ten (10) days from the date of the city manager's decision.

25.12.05: AMENDMENT OF SECTION 110.4: Notwithstanding the provisions of Section 25.12.01 of this article, Section 110.4 of the Fire Code is amended to read as follows:

110.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction document or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine as established by the city council or by imprisonment, or both such fine and imprisonment. Each day that a violation continues
after due notice has been served shall be deemed a separate offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects in a timely manner as specified by the chief or authorized representative. The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

25.12.06: ADDITION OF SECTION 307.6: Notwithstanding the provisions of Section 25.12.01 of this article, Section 307.6 is added to the Fire Code to read as follows:

307.6 Outdoor Fireplaces, Fire Pits, And Decorative Fire Features. Outdoor fireplaces, fire pits, and decorative fire features shall be installed and used in accordance with the manufacturer's instructions. Outdoor fireplaces, fire pits, and decorative fire features, as identified under this code section, shall be listed electric and/or gas fuel-fired.

25.12.07: ADDITION OF SECTION 308.1.4.1: Notwithstanding the provisions of Section 25.12.01 of this article, Section 308.1.4.1 is added to the Fire Code to read as follows:

308.1.4.1 Open-Flame Cooking Devices. Solid fuel, gas fuel-fired barbecues and other open-flame cooking devices shall be installed and used in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the fire chief or designee has the ability to determine proper installation location clearances and area of operation.

25.12.08: ADDITION OF SECTION 506.1.3: Notwithstanding the provisions of Section 25.12.01 of this article, Section 506.1.3 is added to the Fire Code to read as follows:

506.1.3 Key Boxes and Switches. An approved key box or switch shall be installed on all commercial properties and all residential properties where the street access to the site is gated.

25.12.09: AMENDMENT OF SECTION 903.2: Notwithstanding the provisions of Section 25.12.01 of this article, Section 903.2 of the Fire Code is amended to read as follows:

903.2 Where Required – All Buildings Except R-3 and U Occupancies.

   a. An automatic fire sprinkler system shall be installed in every new building in the city, hereinafter constructed or moved into the city, regardless of an area separation or type of construction.

   Exceptions:

   1. New buildings less than 720 square feet may be exempt with the concurrence of the fire chief and building official.

   b. Building Additions - An automatic fire sprinkler system shall be installed in the
entire building when the addition, renovation and/or remodeling of any existing building, when the value thereof exceeds more than fifty percent (50%) of the market value of the existing building. All such additions, renovations, or remodeling performed fewer than five (5) years prior to the effective date of this section shall be considered in determining the cumulative value under this section. The value of the proposed construction and of the existing building shall be determined by the building official based upon the latest edition of the "building valuation data" as published by the International Code Council (ICC).

c. Installation, approval and maintenance of automatic fire-extinguishing sprinkler systems shall be in compliance with the most current National Fire Protection Association Standards 13, 13R, 13D, 24, 25 and the California Fire Code, as adopted and amended by the City. (Reference the California Fire Code chapter 80 for other adopted standards and California amendments).

d. Automatic fire-extinguishing and fire sprinkler systems shall be installed and maintained at the owner's expense.

e. If the fire chief and the building official determine access for fire apparatus and equipment to any building or structure, not otherwise required hereunder to install and maintain an automatic fire sprinkler system is unduly difficult, installation of an automatic fire-extinguishing system acceptable to the chief shall be required.

25.12.10: AMENDMENT OF SECTION 903.2.8.1: Notwithstanding the provisions of Section 25.12.01 of this article, Section 903.2.8.1 of the Fire Code is amended to read as follows:

903.2.8.1 Group R-3.

a. A fire sprinkler system shall be installed in all new buildings in the City hereinafter constructed or moved into the City.

Exceptions:

1. R-3 Occupancy Accessory Dwelling Units (ADU’s) as defined by the Government Code Section 65852.2 shall not be required to install fire sprinklers, (pursuant to AB229 and/or SB 1069) when the existing main residence is not equipped with fire sprinklers and is not required to be equipped with automatic fire sprinklers. ADU’s greater than 1,200 square feet will require fire sprinklers.

2. New buildings less than 720 square feet may be exempted with the concurrence of the fire chief and building official.

b. Existing one and two family dwellings shall be required to install a full automatic fire sprinkler system in the existing and new portions of the building when greater than 720 square feet is added above or when additions, alterations, remodels or
the combination thereof exceeds 40% of the existing square footage used for human occupancy.

c. Installation, approval and maintenance of automatic fire-extinguishing sprinkler systems shall be in compliance with the most current National Fire Protection Association Standards 13, 13R, 13D, 24, 25 and the California Fire Code, as adopted and amended by the City. (Reference the California Fire Code chapter 80 for other adopted standards and California amendments).

d. Automatic fire-extinguishing and fire sprinkler systems shall be installed and maintained at the owner's expense.

e. If the fire chief and the building official determine access for fire apparatus and equipment to any building or structure, not otherwise required hereunder to install and maintain an automatic fire sprinkler system is unduly difficult, installation of an automatic fire-extinguishing system acceptable to the chief shall be required.

25.12.11: AMENDMENT OF SECTION 903.2.18: Notwithstanding the provisions of Section 25.12.01 of this article, Section 903.2.18 of the Fire Code is amended to read as follows:

903.2.18 Group U – Private Garages, Carports, Enclosed Patios and Storage Rooms. An automatic fire sprinkler system shall be installed in "U" occupancy whenever:

a. Any portion of said "U" occupancy is located beneath any portion of a building used for human occupancy.

b. The ceiling of said "U" occupancy is located fewer than seven (7) feet above the adjacent grade.

c. The "U" occupancy is located closer than 15' to an adjacent building on the same property used for human occupancy that is required to be equipped with fire sprinklers.

25.12.12: ADDITION OF SECTION 903.3.1.3.1: Notwithstanding the provisions of Section 25.12.01 of this article, Section 903.3.1.3.1 is added to the Fire Code to read as follows:

903.3.1.3.1 NFPA 13D Fire Sprinkler System Design and Installation Specifications. The following additional features and/or devices shall be incorporated into the design and installation of fire sprinkler systems in R-3/U occupancies designed per NFPA 13D and the California Fire Code Amendments.

1. A listed water flow switch with a delay feature

2. A 6’ exterior bell

3. Spare sprinklers, one of each type as installed in the systems must be placed in
the spare head box. The spare head box must be attached to the interior of the building.

4. A wrench or socket or special tool as required to remove any head in the system

5. A single check valve. The water district may require additional backflow preventors.

6. The design must include 5 gpm allowance for the domestic demand.

7. The design of a hydraulically calculated fire sprinkler system shall not exceed 90% of the available water supply capacity.

8. Attics used for storage and attics equipped with fuel-burning appliances must be equipped with a “pilot” sprinkler head above the equipment and/or storage.

9. A water gauge above the check valve

10. An inspectors test valve

11. Sprinklers shall be installed in any closet that contains heating and/or air conditioning equipment, a washer, a dryer and/or a water heater regardless if the equipment is electric or gas fired.

12. An “in the bucket” acceptance test must be performed flowing (2) heads in the most hydraulically demanding areas for one minute (1) into a factory graduated container with a capacity to contain the anticipated flow as designed through the orifice of (2) heads as installed in the system. The test may be performed during rough or final inspections.

13. A 200 psi hydrostatic test must be performed for 2 hours during the rough piping inspection. The system must be pressurized at least one (1) hour before the scheduled time of the inspection.

25.12.13: AMENDMENT OF SECTION 903.4.1: Notwithstanding the provisions of Section 25.12.01 of this article, Section 903.4.1 of the Fire Code is amended to read as follows:

903.4.1 All automatic sprinkler systems including those protecting single-family dwellings shall have the flow switch electrically supervised by a listed central station. Alarm, supervisory and trouble signals shall be distinctly different.

25.12.14: ADDITION OF SECTION 906.1.1: Notwithstanding the provisions of Section 25.12.01 of this article, Section 906.1.1 is added to the Fire Code to read as follows:

906.1.1 Minimum Requirement. Portable fire extinguishers of a 2A10BC type shall be installed in all occupancies and locations as set forth in the fire code and as required by
the fire chief.

Exceptions:

1. Other portable fire extinguishers may be installed, if approved by the fire chief or designee.

3. Group R, division 3 and group U occupancies are exempt.

25.12.15: ADDITION OF SECTION 907.2.A Notwithstanding the provisions of Section 25.12.01 of this article, Section 907.2.A is added to the Fire Code to read as follows:

907.2.A Household Fire Alarm Required. A monitored household fire alarm system is required in all new single family residences and accessory dwelling units that are required to be equipped with a sprinkler system.

The required household fire alarm system is in addition of the single station smoke and carbon monoxide alarms required by the California Residential Code unless otherwise permitted. The household fire alarm system shall be designed and installed in accordance with the National Fire Protection Association Standard 72. The devices installed as components of the household fire alarm system shall be installed in the following prescriptive manner:

1. A minimum of one photoelectric smoke detector on each level of living space.

2. Photoelectric smoke detectors in the hallways outside all sleeping areas.

3. A rate of rise heat detector in each accessible attic, kitchen, wok room, basements and in all “U” occupancies that are located closer than 15’ to an adjacent building on the same property used for human occupancy.

4. A combination fire/security panel is not permitted.

Exception: If both of the following conditions are met for R-3 and/or U Occupancies:

1. The homeowner must request in writing that a combination system be permitted.

2. The fire alarm plans submitted for permit issuance must depict all burglary system devices and account for all devices in the battery calculations.

5. The household fire alarm system shall be designed to provide a local and remote signal with the following specific information for each fire alarm detection device:

1. Room and floor location.
2. Type of signal.
3. Type of device.
4. Zone identification number.
6. A minimum of one horn to sound an interior distinct fire alarm. Additional horns may be required to meet the audible requirement of NFPA 72.
7. The owner of the premises is required to maintain and have the fire alarm system supervised for the perpetuity of the building regardless if occupied.

**25.12.16: DELETION OF SECTION 907.6.6, EXCEPTION 3:** Notwithstanding the provisions of Section 25.12.01 of this article, Section 907.6.6, Exception 3, of the Fire Code is deleted.

**25.12.17: AMENDMENT OF SECTION 912.2:** Notwithstanding the provisions of Section 25.12.01 of this article, Section 912.2 is amended to read as follows:

**912.2** Fire Department connections shall be located within 150 feet of a public fire hydrant; the Fire Department connection and the fire hydrant must be located on the same side of the street of a divided road.

**25.12.18: AMENDMENT OF SECTION 3103.2:** Notwithstanding the provisions of Section 25.12.01 of this article, Section 3103.2 of the Fire Code is amended to read as follows:

**3103.2 Approval Required.** Tents and membrane structures having an area in excess of 250 square feet, shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire chief.

Exceptions:
1. Tents used exclusively for recreational camping purposes.

**25.12.19: ADDITION OF SECTION 5608.2:** Notwithstanding the provisions of Section 25.12.01 of this article, Section 5608.2 is added to the Fire Code to read as follows:

**5608.2** The manufacturing, possession, storage, sale, use and handling of fireworks, other than "safe and sane" fireworks, is prohibited. The display, use or sale of fireworks described as "safe and sane" by the state fire marshal, is prohibited.

Exceptions:
1. Storage of fireworks is allowed in accordance with the requirements for low order explosives in title 19, California code of regulations, chapter 10.
2. Use and handling of fireworks for professional display by a state licensed pyrotechnician in accordance with title 19, California code of regulations, chapter 6, if permitted by the fire chief.

25.12.20: ADDITION OF SECTION 4908: Notwithstanding the provisions of Section 25.12.01 of this article, Section 4908 is added to the Fire Code to read as follows:

Section 4908 Clearance of Hazardous Vegetation from Structures and Roads within the City of San Marino.

4908.1 Statement of Legislative Intent and Purpose. It is the objective of this section to promote and protect the public health, safety and welfare by recognizing that there exists within the city of San Marino a potentially hazardous fire situation created by grass, weeds, shrubs, and trees which are in such condition and location as to provide a ready fuel supply to augment the spread or intensity of fire. It is the intent of this section to provide minimum standards to safeguard life, safety, property and the public welfare by insuring that hazardous vegetation or refuse is removed and that all grass, weeds, shrubs, and trees are properly maintained so as to not create a fire hazard within the community, while maintaining sufficient vegetation for aesthetic and soil erosion control purposes.

It is the further intent that this section apply on a year-round basis to insure the removal and/or proper maintenance of grass, weeds, shrubs, trees and refuse in order to prevent the spread or intensity of fire within the community. Of particular concern is the need to provide adequate defensible space in the urban/wildland interface area of the city, referred to as the high fire hazard severity zone. For purposes of this section, defensible space is that space within 100 feet (30.480 m) of a building or structure that is required for access by fire and other emergency personnel to defend the building or structure from the threat of fire.

4908.2 Prohibition. No person who has any ownership or possessory interest in, or control of a parcel of land shall allow to exist thereon any hazardous refuse or hazardous grass, weeds, shrubs, trees, or other vegetation, which, by reason of proximity to a building or structure, constitutes a fire hazard. For purposes of this section, hazardous grass, weeds, shrubs, trees, or other vegetation are defined as grass, weeds, shrubs, trees, or other vegetation which are in such condition and location, or by the unique characteristics of a species, as to provide a ready fuel supply to augment the spread or intensity of a fire.

4908.3 Specific Requirements. In order to provide sufficient defensible space, each person who has any ownership or possessory interest in, or control of, a parcel of land shall:

4908.3.1 General. Remove from the property all hazardous vegetation, except as otherwise provided herein, if such vegetation is within 100 feet (30.480 m) of a building, within ten (10) feet (3.048 m) of a combustible fence, or within ten (10) feet (3.048 m) of any portion of any highway, street, alley, or driveway improved or
used for vehicular travel or other vehicular purposes. Distances up to 200 feet (60.960 m) or greater from a building or structure may be necessary as determined by the chief. This requirement does not apply to the maintenance of trees, ornamental shrubbery or plants which are used as ground cover, provided such are landscape materials that are properly irrigated and maintained and do not provide a ready fuel supply to augment the spread or intensity of a fire.

4908.3.2 Adjacent To Building. Keep all trees, shrubs, and other vegetation or portions thereof, adjacent to or overhanging any building or structure free of dead limbs, branches, and other combustible matter.

4908.3.3 Roof Clearance. Maintain 5 feet (1.524 m) of vertical clearance between roof surfaces and portions of trees or shrubs overhanging any building or structure.

4908.3.4 Chimney Clearance. Remove any portion of a tree or shrub which extends within 15 feet (4.572 m) of the outlet of a chimney or stovepipe.

4908.3.5 Roof Surface. Maintain the roofs of all buildings or structures free of leaves, needles, twigs, and other combustible matter.

4908.3.6 Building Clearance--30 Feet. Maintain all hazardous grass, weeds, and small shrubs within 30 feet (9.144 m) of any building or structure. Hazardous vegetation must be maintained less than 3 inches (76 mm) high; cut grass may be left on the slope to protect the soil if it lays down within 3 inches (76 mm) of the ground. Large native shrubs may be retained no closer than an average of 18 feet (5.486 m) apart, provided the lower branches have been trimmed a minimum of 3 feet (914 mm) above the ground, or at least thinned to reduce the available fuel volume.

4908.3.7 Roads. Maintain trees and shrubs within 10 feet of that portion of any highway, street, alley, or driveway which is improved or used for vehicle travel or other vehicular purposes (except for designated fire roads), so that no leafy foliage, twigs, or branches are within six (6) feet (1.828 m) of the ground (but no more than $1/3$ of the crown).

4908.3.8 Combustible Fences. Maintain all hazardous grass, weeds and other vegetation located within 10 feet (3.048 m) of any combustible fence at a height of not more than 3 inches (76 mm). This shall not require the removal of trees, ornamental shrubbery or plants which are used as ground cover, provided such do not provide a ready fuel supply to augment the spread or intensity of a fire.

4908.3.9 Building Clearance--100 Feet. Maintain all hazardous grass, weeds, shrubs and trees within 100 feet (30.480 m) of any building or structure. Grass and small shrubs may be retained on steep slopes to stabilize the soil and prevent erosion, but may not exceed a height of 18 inches (457 mm). Large native specimen shrubs should be retained where possible, but no closer than an average of 18 feet (5.486 m) apart. Remove all dead foliage, twigs or branches, or live branches within
3 feet (914 mm) of the ground, from mature trees and shrubs (but no more than \(\frac{1}{3}\) of the crown).

4908.3.10 Cut Vegetation and Refuse. Remove and/or safely dispose of all cut vegetation and hazardous refuse.

4908.3.11 Soil Erosion Control. If the abatement of hazardous vegetation results in the exposure of bare mineral soil, or the soil is exposed to such an extent that increased soil erosion would be likely, or the chief or his designee determines that the abatement has been excessive and poses a threat to the public health, safety or welfare, irrigation and landscaping or a suitable erosion control structure must be provided to establish effective soil erosion control.

4908.3.12 Minimum Requirements. Nothing contained in this section shall be deemed to preclude the chief from requiring more than the minimum specific requirements set forth above when the chief determines that conditions exist which necessitate greater fire protection measures.

4908.4 Notice. The council finds that grass, weeds, shrubs, trees, or other vegetation prohibited under sec. 4908.3 increase the danger of fire and thus constitute a public nuisance. If such condition exists, the San Marino fire department shall give notice to the owner of record to abate the nuisance within 30 days. The notice shall state that the owner is required to abate the nuisance and that if the nuisance is not abated the city may take further action which can include, (1) the city, or its contractor, may enter upon the parcel of land and remove or otherwise eliminate or abate the nuisance, (2) that upon completion of such work the cost thereof, including administrative costs, shall become a special assessment against that parcel, and (3) that upon council confirmation of the assessment and recordation of that order, a lien shall attach to the parcel to be collected on the next regular property tax bill levied against the parcel.”

SECTION 10. New Article 13 Green Building Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 13

GREEN BUILDING STANDARDS CODE

SECTION:

25.13.01: Green Building Standards Code Adopted
25.13.02 Addition of Section 101.12
25.13.03 Amendment of Section 202
25.13.04 Amendment of Section 301.1
25.13.05 Amendment of Section 301.1.1
25.13.06 Amendment of Section 5.408.3
25.13.07 Amendment of Section 601.1
25.13.08: Violations

25.13.01: GREEN BUILDING STANDARDS CODE ADOPTED: Except as
hereinafter provided, the mandatory measures of the California Green Building Standards Code, 2019 Edition, as published by the California Building Standards Commission, are hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Green Building Standards Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.

25.13.02: ADDITION OF SECTION 101.12: Notwithstanding the provisions of Section 25.13.01 of this Article, Section 101.12 is added to the Green Building Standards Code to read as follows:

101.12 Fee for Mandatory Measures. The fee for each plan check/permit shall be as periodically established by City Council resolution.

25.13.03: AMENDMENT OF SECTION 202: Notwithstanding the provisions of Section 25.13.01 of this Article, Section 202 of the Green Building Standards Code is amended by adding a definition to read as follows:

SUSTAINABILITY. Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

25.13.04: AMENDMENT OF SECTION 301.1: Notwithstanding the provisions of Section 25.13.01 of this Article, Section 301.1 of the Green Building Standards Code is amended to read as follows:

301.1 Scope. Buildings shall be designed to include the green building measures specified as mandatory this code. Voluntary green building measures are also included in this code the application checklists and may be included in the design and construction of structures covered by this code, but are not required unless they are adopted by a city or county as specified in Section 101.7.

25.13.05: AMENDMENT OF SECTION 301.1.1: Notwithstanding the provisions of Section 25.13.01 of this Article, Section 301.1.1 of the Green Building Standards Code is amended to read as follows:

Section 301.1.1 Additions and alterations. [HCD] The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings. Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

25.13.06: AMENDMENT OF SECTION 5.408.3: Notwithstanding the provisions of Section 25.13.01 of this Article Section 5.408.3 of the Green Building Standards Code is amended to read as follows:

5.408.3 Excavated soil and land clearing debris [BSC] 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is
developed.

**Exception:** Reuse, either on-or off-site, of vegetation or soil contaminated by disease or pest infestation.

**Notes:**

1. If contamination by disease or pest infestation is suspected, contact the County Agricultural Commissioner and follow its direction for recycling or disposal of the material. (www.cdfa.ca.gov/exec/ county/county_contacts.html)

2. For a map of known pest and/or disease quarantine zones, consult with the California Department of Food and Agriculture. (www.cdfa.ca.gov)

3. Contaminated soil shall not be reused and shall be disposed of or remediated in accordance with relevant regulations.

**25.13.07: AMENDMENT OF SECTION 601.1:** Notwithstanding the provisions of Section 25.12.01 of this Article, Section 601.1 is added to the Green Building Standards Code to read as follows:

601.1. This section lists the organization and standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard.

**25.13.08: VIOLATIONS:** Any person, firm or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Subsection 01.04.03A of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Article is committed, continued or permitted by any such person, and he/she shall be punishable as herein provided.”

**SECTION 11.** New Article 14 Referenced Standards Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“**Article 14**

**REFERENCED STANDARDS CODE**

**SECTION:**

25.14.01 Referenced Standards Code Adopted

**25.14.01: REFERENCED STANDARDS CODE ADOPTED:** Except as hereinafter provided, the California Referenced Standards Code, 2019 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Referenced Standards Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall
be, at all times, maintained by the Planning and Building Department for use and examination by the public.”

SECTION 12. New Article 16 Appendix J Los Angeles County Grading Standards Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 16

APPENDIX J LOS ANGELES COUNTY GRADING STANDARDS

SECTION:

25.16.01 Appendix J Los Angeles County Grading Standards Code Adopted

25.16.01: APPENDIX J LOS ANGELES COUNTY GRADING STANDARDS CODE ADOPTED: Except as hereinafter provided, the Los Angeles County Appendix J Standards Code, 2019 Edition, as published by the Los Angeles County Department of Public Works, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Los Angeles County Appendix J Grading Standards Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.”

SECTION 13. New Article 17 Existing Building Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 17

EXISTING BUILDING CODE

SECTION:

25.17.01 Existing Building Code Adoption

25.17.01: EXISTING BUILDING CODE ADOPTED: Except as hereinafter provided, the California Existing Building Code, 2019 edition, as published by the California building standards commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the historic building code of the city. A copy of said code shall be located in the planning and building department and shall be, at all times, maintained by the planning and building department for use and examination by the public.”

SECTION 14. New Article 18 Historical Building Code is added to Chapter 25 of the San Marino City Code, to read as follows:

“Article 18

HISTORICAL BUILDING CODE

SECTION:
25.18.01 Historical Building Code Adoption

25.18.01: HISTORICAL BUILDING CODE ADOPTED: Except as hereinafter provided, the California Historical Building Code, 2019 Edition, as published by the California Building Standards Commission, is hereby adopted by reference and incorporated herein as though fully set forth herein and shall constitute the Historical Building Code of the City. A copy of said Code shall be located in the Planning and Building Department and shall be, at all times, maintained by the Planning and Building Department for use and examination by the public.”

SECTION 15. The City Clerk shall certify to the passage and adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; and shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF NOVEMBER.

__________________________
STEVEN HUANG,
MAYOR

ATTEST:

__________________________
EVA HETER,
CITY CLERK
I HEREBY CERTIFY that the foregoing Ordinance No. O-19-1357 was duly adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on November 13, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
EVA HETER
CITY CLERK
RESOLUTION NO. R-19-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO CODES COMPRISING THE 2019 CALIFORNIA BUILDING STANDARDS CODE AND THE 2019 LOS ANGELES COUNTY GRADING STANDARDS ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

WHEREAS, Sections 17958 and 18941.5 of the California Health and Safety Code provide that the City may make such changes or modifications to building standards set forth in codes comprising the 2019 California Building Standards Codes and the 2019 Los Angeles County Code, Appendix J - Grading Standards as it determines are reasonably necessary because of local climatic, geological or topographical conditions.

WHEREAS, Ordinance No. O-19-1357 adopts the 2019 editions of the California Building, Residential, Plumbing, Mechanical, Electrical, Fire, Energy, Historical, Existing, Administrative, Green Building Standards, and Referenced Standards Codes and the 2019 Los Angeles County Appendix J - Grading Standards, including various modifications to building standards and other provisions contained in said codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO HEREBY FINDS, DETERMINES, ORDERS AND RESOLVES AS FollowS:

SECTION 1. Findings supporting local amendments. The modifications to Codes comprising the 2019 California Building Standards Code and the 2019 Los Angeles County Grading Standards that have been enacted are a continuation of the San Marino Building Code. The City Council expressly finds that all of the changes and modifications to such Codes, whether previously enacted or enacted in this ordinance, are reasonably necessary because of local climate characterized by hot, dry summers, followed by strong Santa Ana winds and heavy winter rains, the location in Southern California, the relatively flat topography of the City and the location of the Raymond fault within the City.

A. Specifically, the City Council hereby finds that the modifications to the California Building Code regarding roof coverings (Sections 1505.1.1), new provisions for Driveway gates (Section 3109.2.1), the amendment to the California Fire Code regarding appeals (Section 109.4), open flame cooking devices (Section 308.1.4.1), fire sprinkler system (Section 903.2), fire alarm system (Section 907.2), Tents and membrane structures (Section 3103.2) fireworks (Section 5608.2) are reasonably necessary to the health, safety and general welfare of the residents of the City due to the following local climatic, topographic and geological condition:

1. The City is located in an area climatically classified as arid and prone to hot, dry Santa Ana winds of high velocity. Santa Ana winds are unique to this region of Southern California. Moreover, due to the arid nature of the area, the weather during Santa Ana conditions tends to be hot, dry and windy. The hot, dry and windy weather conditions are very hazardous to populated areas insofar as flame spread is concerned.
2. Because of the above-described climatic conditions, the City and the surrounding cities have historically suffered from occasional structural fires. These have often been difficult to control due to the relatively flat topography of the City and the dry winds carrying sparks and cinders to surrounding structures.

3. The City is located in a seismically active area, bisected by the Raymond Fault, and it is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.

4. Because of the above-described geological conditions, the City, in the event of an earthquake, may be unable to dispatch an adequate number of fire personnel with apparatus to suppress fires and conduct rescue operations. Moreover, the conditions within the City likewise occur in surrounding communities, thereby rendering mutual aid assistance problematic.

B. The City Council hereby further finds that the modifications to the California Building Code regarding natural wood roofs (Section 1507.8.5 and 1507.9.6) are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following climatic and topographical conditions:

The City is subject to heavy winter rains, which in combination with the City’s high water table, requires steps to prevent the rotting of wood. In addition, the combination of the high winds and the dense landscaping throughout the City increases the chances of fire danger.

C. The City Council hereby further finds that the selected recommended technical amendments and additions to the 2019 California Building and Residential Codes from the Los Angeles Regional Uniform Code Program (Building Code Sections 1505.1.3, 1507.2.5.1, 1507.3.1, 3109.2.1, Fire Code 903.2, Green Code Sections 101.12 and the 2019 Appendix J Grading Standards are reasonably necessary for the health, safety, and general welfare of the residents of the City resulting from the following geological condition:

The City is located in a seismically active area, bisected by the Raymond Fault, and among a vast array of other fault systems capable of producing major earthquakes. It is reasonably foreseeable that an earthquake would render the City particularly vulnerable to devastation.

D. The City Council hereby further finds that the other modifications to the 2019 California Codes and the addition of the 2019 Los Angeles County Code Appendix J Grading Standards are administrative or procedural in nature and necessary to allow the application of such codes by procedures suited to the size and nature of the City and its staff. The changes made also include provisions to make each of said Codes consistent with other Codes enforced by the City.

**SECTION 2.** The City Clerk shall certify to the adoption of this resolution and shall cause a certified copy of the same and Ordinance No. O-19-1357 to be forthwith transmitted to the California Building Standards Commission.
PASSED, APPROVED, AND ADOPTED this 13\textsuperscript{th} day of November, 2019.

\begin{flushright}
STEVEN HUANG\hfill  \\
MAYOR
\end{flushright}

ATTEST: 

\begin{flushright}
EVA HETER\hfill  \\
CITY CLERK
\end{flushright}

\begin{flushright}
STEPHANIE CAO\hfill  \\
CITY ATTORNEY
\end{flushright}

I HEREBY CERTIFY that foregoing Resolution No. R19-28 was duly adopted by the City of San Marino at a Regular Meeting of the City Council held on the 13\textsuperscript{th} day of November, 2019, by the following vote:

AYES: COUNCIL MEMBERS: STEVE TALT, KEN UDE, SUSAN JAKUBOWSKI, VICE-MAYOR SHEPHERD-ROMEY, AND MAYOR HUANG

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

\begin{flushright}
EVA HETER, \hfill  \\
CITY CLERK
\end{flushright}
STRAATEGIC PLAN CRITICAL SUCCESS FACTORS

- Beautiful, Preserved, Single-Family Residential Neighborhoods

BACKGROUND

Stoneman School is located on the north east corner of Huntington Drive and Granada Avenue. The site is bordered to the north and west by existing single family homes located within Area District VII, R-1 Zone. To the east are commercial buildings on lots zoned C-1 General Commercial. South of Stoneman School is the City of Alhambra.

Stoneman School was an elementary school constructed in 1929 as a one-story Spanish style building consisting of 11,800 square feet. With the additions and renovation throughout the years, the building is a total of 20,005 square feet, excluding the portable classrooms. The building and the property were originally built for the San Marino Unified School District. Due to decreasing enrollment, the school was closed in 1983. In 2003, the property was leased to the City of San Marino for their recreational programs and services. In 2012, the City officially acquired Stoneman from the school district. During the ownership by the school district, the property and the building were upgraded and remodeled. Even after this acquisition, the City continued to use the property as the Recreation Department and conducted various educational types of activities.

In 2015, the City of San Marino commissioned a Historic Assessment of Stoneman School. The assessment provided by the Historic Resources Group finds that Stoneman School is listed in the California Register of Historical Resources and appears eligible for listing in the National
Register of Historic Places. As a result, Stoneman School should be considered a historic resource under the California Environmental Quality Act (CEQA).

DISCUSSION

The intent of this code amendment is to not only codify the use of the Stoneman property as a school in a residential zone but to further justify the long standing school use and activities of the property for the City of San Marino and its Recreation Department. In addition, the language in the code would allow for a third-party vendor to use the property in a similar or related fashion.

Content of the Draft Ordinance

The amendment to the residential code (R-1) to allow schools uses and other related or ancillary uses would permit such uses with only the issuance of a conditional use permit. Although the amendment would codify the City’s long standing use of the property, the code would allow additional school uses such as a private school or a recreation/child care provider so long as a conditional use permit is granted by the Planning Commission.

The intent of the conditional use permit is to provide a certain level of oversight and protection for the public when such a request is before the Planning Commission. Section 2 of the ordinance provides a higher standard to further ensure the protection of the public and to reduce the potential for any single family property to request a similar school use. As stated above, the intent of the draft ordinance and the standards is to codify the existing school use of the Stoneman Facility and property and not to “open the door” for other uses in the R-1 Zone that could negatively impact surrounding residential properties.

At the August 28, 2019 Planning Commission meeting, the Planning Commission reviewed the draft ordinance and provided comments and feedback to staff. As a result of this review process, the Planning Commission suggested amendments to the draft ordinance (See attached). In summary, the Planning Commission agreed that the specific criteria established through Section 2 of the draft ordinance should be removed and that the provision to require the conditional use permit for a school in the R-1 Zone should suffice.

October 9, 2019 City Council Meeting

At the October Council meeting, staff summarized the various components of the ordinance as drafted by staff, and as recommend by the Planning Commission, and also provided an additional hybrid option. Subsequent to Council’s deliberation, the Council directed staff to return to the October 25, 2019 City Council with a list of properties that fall under the
100,000 square-foot lot size threshold. Below is a table that displays the properties in the City that provide a lot size of 100,000 square feet or greater. This list also shares the current occupant of each property.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>Zone</th>
<th>LOT SIZE</th>
<th>CURRENT OCCUPANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1435 CIRCLE DR</td>
<td>I</td>
<td>103,479</td>
<td>Private Residence</td>
</tr>
<tr>
<td>930 ORLANDO RD</td>
<td>IE</td>
<td>116,105</td>
<td>Private Residence</td>
</tr>
<tr>
<td>SMUSD</td>
<td>VI</td>
<td>121,986</td>
<td>Del Mar Baseball Field</td>
</tr>
<tr>
<td>1405 CIRCLE DR</td>
<td>I</td>
<td>126,231</td>
<td>Private Residence</td>
</tr>
<tr>
<td>1750 VIRGINIA RD</td>
<td>V</td>
<td>139,178</td>
<td>San Marino Community Church</td>
</tr>
<tr>
<td>50 CHANDLER PL</td>
<td>IE</td>
<td>171,408</td>
<td>Private Residence</td>
</tr>
<tr>
<td>1050 ROSALIND RD</td>
<td>IE</td>
<td>228,642</td>
<td>USC Property</td>
</tr>
<tr>
<td>1100 OAK GROVE AVE</td>
<td>IE</td>
<td>236,854</td>
<td>Private Residence</td>
</tr>
<tr>
<td>2800 MONTEREY RD</td>
<td>VII</td>
<td>238,310</td>
<td>Southwestern Academy</td>
</tr>
<tr>
<td>1650 HUNTINGTON DR</td>
<td>V</td>
<td>283,827</td>
<td>Valentine School</td>
</tr>
<tr>
<td>1155 OAK GROVE AVE</td>
<td>IE</td>
<td>438,512</td>
<td>Private Residence</td>
</tr>
<tr>
<td>1800 HUNTINGTON DR</td>
<td>V</td>
<td>712,440</td>
<td>Huntington School</td>
</tr>
<tr>
<td>2701 HUNTINGTON DR</td>
<td>V</td>
<td>1,164,005</td>
<td>San Marino High School</td>
</tr>
<tr>
<td>1300 SAN GABRIEL BLVD.</td>
<td>VI</td>
<td>415,623</td>
<td>Carver School</td>
</tr>
<tr>
<td>1560 PASQUALITO DR</td>
<td>VII</td>
<td>214,521</td>
<td>Stoneman</td>
</tr>
</tbody>
</table>

Upon hearing the additional concerns of the Council, staff has further amended the draft ordinance to exclude properties that are located in all R-1 Zones with the exception of R-1 District VII. This direction will ensure that the intent of the ordinance is narrowed to only apply to the Southwestern Academy and Stoneman properties. Staff has also included an amendment to the definition of the term “schools” to allow a school to also conduct research in addition to more traditional school-related activities. Lastly, the ordinance will allow the Stoneman and Southwestern Academy properties to be used for research purposes by higher educational institutions with the issuance of a conditional use permit.

ENVIRONMENTAL REVIEW

This Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for
causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, because this Ordinance does not permit any new or expanded land uses that are not currently allowed in the City. In addition, any individual school project that is developed pursuant to this ordinance will be reviewed under CEQA to determine whether that particular project may have significant adverse environmental impact.

**FISCAL IMPACT & PROCUREMENT REVIEW**

None.

**LEGAL REVIEW**

The City Attorney has reviewed and approved the staff report as to legal form.

**RECOMMENDATION**

It is the recommendation that the City Council waive full reading and introduce for first reading by title only Ordinance No. O-19-1356. If the City Council concurs with staff's recommendation, an appropriate motion would be:

“I move to waive full reading and introduce for first reading by title only, Ordinance No. O-19-1356, an Ordinance of the City of San Marino amending the regulations to allow school uses in the R-1 Zone.”

**ATTACHMENTS**

1. Staff Proposed Ordinance No. O-19-1356
2. Draft Ordinance with Planning Commission comments
3. Draft Ordinance as presented on October 9, 2019
ORDINANCE NO. O-19-1356

AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING CHAPTER 23 OF THE SAN MARINO CITY CODE TO ALLOW SCHOOLS ON CERTAIN PROPERTIES IN THE R-1 DISTRICT VII RESIDENTIAL ZONE

THE SAN MARINO CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 23.01.01 of Article 1 of Chapter 23 of the San Marino Municipal Code, is hereby amended by amending the definition of the term “schools” as follows:

SCHOOLS: An educational institution organized for the teaching, research and study of a curriculum at least equivalent to that required in corresponding grades of a public school and associated sports and recreational activities; an institution empowered to confer degrees equivalent to those conferred by public schools in special departments, such as engineering, theology, law, medicine and the arts; or an accredited institution of higher learning, including related research.

SECTION 2. Section 23.02.01 of Article 2 of Chapter 23 of the San Marino Municipal Code is hereby amended by the addition of the following use:

Recreational and child care activities may be conducted by the City of San Marino on properties in Residential Zones that are owned by the City.

SECTION 3. Article 2 of Chapter 23 of the San Marino Municipal Code, is hereby amended by adding new Section 23.02.32 thereto to read as follows:

23.02.32: SCHOOL USES IN THE R-1 DISTRICT VII RESIDENTIAL ZONE

Schools are authorized in residential zone R-1 District VII, provided that a conditional use permit has first been issued and further provided that the size of the property where the school is located is at least 100,000 square feet.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.
SECTION 5. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, because this Ordinance does not permit any new or expanded land uses that are not currently allowed in the City. In addition, any individual school project that is developed pursuant to this ordinance will be reviewed under CEQA to determine whether that particular project may have significant adverse environmental impact.

SECTION 6. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner prescribed by law.

        PASSED, APPROVED, AND ADOPTED this ___ day of ________________, 2019.

_________________________________
STEVE HUANG, DDS
MAYOR

ATTEST:

_________________________________
CITY CLERK
STATE OF CALIFORNIA  ss.
COUNTY OF LOS ANGELES  ss.
CITY OF SAN MARINO  ss.

I HERBY CERTIFY that the foregoing Ordinance No. O-19-1356, was introduced at a Regular Meeting of the City Council held on the ___ day of ____, 2019, and was approved and adopted at a Regular Meeting of the City Council held on the ___th day of __________, 2019, by the following vote:

AYES: COUNCIL MEMBERS:

NOES:

ABSTAIN:

ABSENT:

_________________________________
CITY CLERK
ORDINANCE NO. O-19-1356

AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING CHAPTER 23 OF THE SAN MARINO CITY CODE PERTAINING TO SCHOOLS IN THE RESIDENTIAL ZONE

THE SAN MARINO CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section .01 of Article 2 of Chapter 23 of the San Marino Municipal Code, is hereby amended by the addition of the following use:

Schools are authorized pursuant to the issuance of a conditional use permit as provided in subsection 23.02.32 of this article.

SECTION 2. Article 2 of Chapter 23 of the San Marino Municipal Code, is hereby amended by adding new Section 32 thereto to read as follows:

23.02.32: SCHOOL USES IN THE RESIDENTIAL ZONE

A. Schools may be conducted in any residential zone subject to the issuance of a conditional use permit and that the school complies with the following requirements:

1. The school shall provide and maintain accreditation by the California Department of Education.

2. The curriculum shall include, but not limited to, language arts, math, science, social studies, technology, and the arts.

3. The minimum size of the property shall be 100,000 square feet.

4. The school programs shall be limited to Transitional Kindergarten up to 8th Grade.

5. The school facility shall comply with the off-street parking requirements set forth in Section 23.10.03.

SECTION 3. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.
SECTION 4. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, because this Ordinance does not permit any new or expanded land uses that are not currently allowed in the City. In addition, any individual school project that is developed pursuant to this ordinance will be reviewed under CEQA to determine whether that particular project may have significant adverse environmental impact.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner prescribed by law.

PASSED, APPROVED, AND ADOPTED this ___th day of _________________, 2019.

________________________
STEVE HUANG, DDS
MAYOR

ATTEST:

________________________
CITY CLERK
I HERBY CERTIFY that the foregoing Ordinance No. O-19-1356, was introduced at a Regular Meeting of the City Council held on the ___ day of ____, 2019, and was approved and adopted at a Regular Meeting of the City Council held on the ___th day of __________, 2019, by the following vote:

AYES:      COUNCIL MEMBERS:

NOES:

ABSTAIN:

ABSENT:

___________________________  CITY CLERK
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ORDINANCE NO. O-19-XXXX

AN ORDINANCE OF THE CITY OF SAN MARINO AMENDING
CHAPTER 23 OF THE SAN MARINO CITY CODE PERTAINING
TO SCHOOLS IN THE RESIDENTIAL ZONE

THE SAN MARINO CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 01 of Article of Chapter 23 of the San Marino Municipal Code, is hereby amended by the amending the definition for schools as follows:

SCHOOLS: An educational institution organized for the teaching, study and research of a curriculum at least equivalent to that required in corresponding grades of a public school, or an institution empowered to confer degrees equivalent to those conferred by public schools in special departments, such as engineering, theology, law, medicine, the arts and innovation.

SECTION 2. Section 01 of Article 2 of Chapter 23 of the San Marino Municipal Code, is hereby amended by the addition of the following use:

Schools are authorized pursuant to the issuance of a conditional use permit as provided in subsection 23.02.32 of this article.

SECTION 3. Article 2 of Chapter 23 of the San Marino Municipal Code, is hereby amended by adding new Section 32 thereto to read as follows:

23.02.32: SCHOOL USES IN THE RESIDENTIAL ZONE

Schools may be conducted only in residential zone R-1 District VII subject to the issuance of a conditional use permit provided that the size of the property where the school is located is at least 100,000 square feet.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 5. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty
that there is no possibility that the activity may have a significant effect on the environment, because this Ordinance does not permit any new or expanded land uses that are not currently allowed in the City. In addition, any individual school project that is developed pursuant to this ordinance will be reviewed under CEQA to determine whether that particular project may have significant adverse environmental impact.

**SECTION 6.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner prescribed by law.

PASSED, APPROVED, AND ADOPTED this ___th day of ________________, 2019.

__________________________
STEVE HUANG, DDS
MAYOR

ATTEST:

__________________________
CITY CLERK
STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES  ) ss.
CITY OF SAN MARINO    )

I HERBY CERTIFY that the foregoing Ordinance No. O-19-XXXX, was introduced at a Regular Meeting of the City Council held on the ___ day of ____, 2019, and was approved and adopted at a Regular Meeting of the City Council held on the ___th day of __________, 2019, by the following vote:

AYES:       COUNCIL MEMBERS:

NOES:       

ABSTAIN:    

ABSENT:     

___________________________________
CITY CLERK