

ORDINANCE NO. 1201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), INCLUDING THE 2022 CALIFORNIA BUILDING CODE; THE 2022 CALIFORNIA ELECTRICAL CODE; THE 2022 CALIFORNIA MECHANICAL CODE; THE 2022 CALIFORNIA PLUMBING CODE; THE 2022 CALIFORNIA FIRE CODE; MAKING CERTAIN LOCAL AMENDMENTS THERETO; ADOPTING THE 2022 CALIFORNIA EXISTING BUILDING CODE; AMENDING CHAPTER 15.54 OF THE COACHELLA MUNICIPAL CODE RELATED TO RECYCLING AND DIVERSION OF WASTE FROM CONSTRUCTION AND DEMOLITION; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. (*First Reading*)

WHEREAS, the City Coachella, California (“City”) is a general law city and municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, in July 2022, the California Building Standards Commission adopted the 2022 Edition of the California Building Standards Code (“CBSC”), effective January 1, 2023 and codified in Title 24 of the California Code of Regulations (“CCR”); and

WHEREAS, the CBSC consists of building standards that regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, electrical systems, plumbing, mechanical systems, and maintenance of all buildings in the state and includes the California Building Code (CCR, Title 24, Part 2); the California Residential Code (CCR, Title 24, Part 2.5); the California Electrical Code (CCR, Title 24, Part 3); the California Mechanical Code (CCR, Title 24, Part 4); the California Plumbing Code (CCR, Title 24, Part 5); the California Energy Code (CCR, Title 24, Part 6); the California Existing Building Code (CCR, Title 24, Part 10); and the California Green Building Standards Code (CCR, Title 24, Part 11); and

WHEREAS, pursuant to California Government Code Section 50022.2, the City may adopt the 2022 Edition of the CBSC by reference; and

WHEREAS, pursuant to sections 17958.7 and 18941.5 of the California Health & Safety Code, the City may adopt local amendments to the CBSC determined by the City Council to be reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, the City desires to adopt the 2022 edition of the CBSC with local amendments to provide for the issuance of permits and the collection of fees, to provide adequate

remedies for code violations, to establish administrative procedures consistent with City protocols, and to ensure that the state standards are reasonably tailored to local conditions.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Findings. Based on the foregoing, the City Council of the City of Coachella does hereby find that the proposed amendments to the 2022 Edition of the CBSC are reasonably necessary for reasons of local climatic, geologic, and topographic conditions as set forth in Exhibit “A” of this Ordinance.

SECTION 3. Code Amendment.

Chapter 15.08 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.08 Building Code

- 15.08.010 Adoption of specific sections of the California Building Code.
- 15.08.020 Enforcement.
- 15.08.025 Express Findings.
- 15.08.030 Amendments to the California Building Code.

15.08.010 Adoption of specific sections of the California Building Code.

Except as amended in this chapter, those certain building codes known and designated as the 2022 California Building Code (CBC), including Chapters 2 through 35, and Appendix C, G, H, I, J, N, and O as adopted by the State of California, based on the 2021 International Building Code as published by the International Code Council, except as amended herein, shall become the building code of the City of Coachella for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the City. The 2022 California Building Code and its adopted appendices and amendments are on file for public examination in the offices of the Building Official.

15.08.020 Enforcement.

Pursuant to California Building Code, (California) Chapter 1, Section 1.11.2.1, the delegated enforcement official responsible for the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R, Division 3 Dwellings shall be the Building Official.

15.08.025 Express Findings.

The City of Coachella finds that the proposed amendments to the California Building Code are reasonable and necessary because of local climactic, geologic, and topographical conditions within the City of Coachella. This finding is supported and based upon the following express findings which address each of these conditions and present the local situation which make the proposed amendments necessary.

I. Climatic Conditions:

- A. The City of Coachella located in Riverside County is located in Southern California and covers a vast and varied geographic area. The base climate in western Riverside County consists of semi-arid Mediterranean weather patterns. Eastern Riverside County is a desert area with Mohave Desert temperatures and weather patterns. Those two primary areas are divided by the San Bernardino Mountain Range. Both areas outside of the mountain terrain annually experience extended periods of high temperatures with little or no precipitation. Hot, dry winds, which may reach speeds of seventy (70) miles per hour or greater, are common to the area. Examples are: Santa Ana/Foehn winds, afternoon surface-heating generated winds, and prevailing desert winds.

These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration) which necessitates rapid identification, locating and extinguishment of all fires in the smallest stage possible. In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the county. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, will greatly impact the response time to reach an incident scene. During these winds, the inability to use aerial type firefighting apparatus would further decrease our ability to stop fires in large buildings and place rescue personnel at increased risk of injury.

- B. Although Riverside County and the City of Coachella occasionally experiences periods of significant drought, the county can also experience periods of substantial rainfall. Annual rainfall varying from three inches in Blythe to over thirty-three (33) inches in Pine Cove. When Riverside County does experience heavy rain, or rain over a period of days or weeks, many areas of the county are subject to flooding. Runoff from rain drains either naturally into rivers, washes, and creeks or into flood control facilities. Flash flooding is also a common problem, especially in the Coachella Valley and the easterly portions of the county. Flash flooding is typically associated with short duration, high intensity precipitation events often associated with summer thunderstorms. Such events can occur even during a drought.

- C. Water demand in densely populated Southern California far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly ten million over the next quarter of a century with fifty (50) percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features such as identification and notification will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as fifty (50) to seventy-five (75) percent.

II. Topographical Conditions

- A. Natural: The topographical conditions of Riverside County varies from three hundred (300) feet below sea-level, flat desert communities, to mountains over ten thousand (10,000) feet in Alpine-like areas of the San Bernardino Mountain Range. In between these areas, developable slopes of twenty-five (25) percent and greater generally occur throughout the foothills. Riverside County extends from Orange County to the state of Arizona and is mixed with congested urban areas, rural lands and wild lands. A large number of sensitive habitats for various animal species and vegetation consist within large open space areas between major urban centers that impact building and structure location, which impedes emergency access and response. This variety in regions contributes to an increased emergency response time, which necessitates cooperation between local agencies.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Riverside County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions: Located within Riverside County are several known active and potentially active earthquake faults, including the San Andreas, San Jacinto, and Elsinore Fault. In the event of an earthquake, the location of the epicenter as well as the time of day and season of the year would have a profound effect on the number of deaths and casualties, as well as property damage.

The major form of direct damage from most earthquakes is damage to construction. Bridges are particularly vulnerable to collapse, and dam failure may generate major downstream flooding. Buildings vary in susceptibility, dependent upon construction and the types of soils on which they are built. Earthquakes destroy power and telephone lines; gas, sewer, or water mains; which, in turn, may set off fires and/or hinder firefighting or rescue efforts. The hazard of earthquakes varies from place to place, dependent upon the regional and local geology. Ground shaking may occur in areas sixty-five (65) miles or more from the epicenter (the point on the ground surface above the focus). Ground shaking can change the mechanical properties of some fine grained, saturated soils, where upon they liquefy and act as a fluid (liquefaction).

- A. Previous earthquakes in southern California have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings.
- B. Road circulation features located throughout the county also make amendments reasonably necessary. Located through the county are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanies with occasional heavy rainfall, causes roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Riverside County that naturally have extended emergency response times that exceed the five-minute goal.

IV. Administrative Conditions. Alternatively, the City of Coachella finds that the proposed amendments to the California Building Code are administrative in nature.

California Health and Safety Code Sections 17958.7 and 18941.5 require that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table sets forth the 2022 California Existing Building Code sections that have been modified and the associated local climatic, geological, topographical, and/or administrative conditions described above supporting the modification.

2022 BUILDING CODE SECTION	TITLE/SUBJECT	FINDINGS I, II, III
1904.3	Type of cement	I, II, III
1907.1	Base course required	I, II, III
G101.6	Administration and enforcement	Administrative

J101.3	Administration and Enforcement	Administrative
J104.3	Exception	Administrative
J107.4	Using alkaline fill soil	I, II, III
J109.5	Drainage Devices	I, II, III

15.08.030 Amendments to the California Building Code.

- A. Automatic Sprinkler Systems. Where determined by the Fire Chief that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structures or property, automatic fire sprinklers may be exempted.

One- and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be installed in mobile homes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

The following exceptions in the California Fire Code shall not be allowed:

- a. Exception in Section 903.2.3
 - b. Exceptions 2 in Section 903.2.11.3
- B. Section 1904 is hereby amended by adding thereto Section 1904.3 to read as follows:

1904.3 Type of cement. All concrete used in floor slabs where floor slab is supported by earth or fill of any kind and all concrete used in footings, foundations, curbs, gutters, sidewalks, driveways and walls supporting or retaining earth or fill shall contain only sulfate resistant Type V. Portland cement. Portland cement concrete shall be composed of not less than four hundred seventy (470) pound (five sacks) of Portland cement per cubic yard of concrete, except that any concrete containing an approved water reducing admixture, used in accordance with the manufacturer's recommendations shall contain not less than four hundred eighteen (418) pound (4.5 sacks) of Portland cement per cubic yard of concrete.

- C. Section 1907.1 is hereby amended by adding thereto Sections 1907.1.2 and 1907.1.3 to read as follows:

1907.1.2 Base course required. A base course shall be provided beneath the concrete floor slab of any structure consisting of at least a four inch thickness of a limited capillarity material. Base course shall be either clean graded gravel or crushed rock. Material shall pass a two inch sieve and be retained in a one-fourth inch sieve. Capillary break in conformance with the California Green Building Standards Code Chapter 4, Division 4.5 is required.

1907.1.3 Expansion protection for slab. A two-inch layer of dry washed sand shall be placed on top of the base course under of a ten (10) mil thick water-proof membrane. This waterproof membrane shall be placed on top of the base course under all slabs to provide for expansion protection for concrete.

- D. Section G101.6 is hereby added to Appendix G, FLOOD-RESISTANT CONSTRUCTION, to read as follows:

G101.6 Administration and Enforcement. For the purpose of the administration and enforcement of this Appendix G, Flood-Resistant Construction, the Building Official shall mean the City Director of Public Works or their designated representative.

- E. Appendix J, GRADING, is hereby amended as follows:

1. Section J101.3 is hereby added to read as follows:

J101.3 Administration and Enforcement. For the purpose of the administration and enforcement of this Appendix Chapter, Grading, the Building Official shall mean the City Director of Public Works or their designated representative.

2. The "Exception" in Section J104.3 is hereby amended to read as follows:

Exception: A soils report is not required where the building official determines that the nature of the work applied for is such that a report is not necessary.

3. Section J107.4 is hereby amended by adding thereto Section J107.4.1 to read as follows:

J107.4.1 Using alkaline fill soil. Soils or materials which may have an alkali or sulfate content shall not be relocated, placed or used as fill at any location within the city unless a test sample of the soil is first obtained under the direction of the department of building and tests conducted by an approved testing agency indicates that the alkali or sulfate content of the soil sample does not exceed the amount in the natural soil at the location where the fill is to be placed. The director of building may waive the test sample requirements for good cause.

4. Section J109.5 is hereby added to read as follows:

J109.5 Drainage Devices.

J109.5.1 Minimum gradients. Except on slopes, drainage devices shall be constructed with minimum gradients as follows: Poured in place cement concrete construction - 0.5%; Shotcrete concrete construction - 0.5%; Asphaltic concrete pavement - 1.0%; Soils swales - 0.5%; Pipes - 0.4%.

J109.5.2 Slopes. Drainage devices constructed on slopes shall have a minimum gradient of five percent (5.0%). Such drainage devices shall be constructed of shotcrete or poured in place concrete with suitable reinforcement. Closed piping, unpaved swales and Asphaltic concrete drainage structures shall not be used for slope drainage.

J109.5.3 Erosion prevention. Drainage devices shall be constructed to convey drainage to an established private or public watercourse, channel, storm drain or public street, and shall be designed to prevent erosion.

J109.5.4 Device design. Drainage devices conveying water to the public streets shall drain over driveway approaches, through curb drains, through sidewalk culverts, or through non-concentrated sheet flow over the curb as designated by the City Engineer.”

SECTION 4. Code Amendment.

Chapter 15.12 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.12 Electrical Code

15.12.010 Adoption of the Electrical Code.

15.12.020 Amendments to the California Building Code.

15.12.010 Adoption of the Electrical Code.

Except as provided in this chapter, the 2022 California Electrical Code, including informative Annexes A, B, C, D, E, F, G, H, I, and J, as adopted by the state of California, based on the 2020 National Electrical Code as published by the National Fire Protection Association (NFPA), shall become the electrical code of the City of Coachella, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the City. The California Electrical Code is on file for public examination in the office of the Building Official.

15.12.020 Amendments to the California Building Code.

The 2022 Edition of the California Electrical Code is hereby adopted with no amendments.”

SECTION 5. Code Amendment.

Chapter 15.16 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.16 Mechanical Code

15.16.010 Adoption of the Mechanical Code.

15.16.020 Amendments to the California Mechanical Code.

15.16.010 Adoption of the Mechanical Code.

Except as provided in this chapter, the 2022 California Electrical Code, including Appendix Chapters A, B, C, D, E, F, G, H, I, and J, as adopted by the state of California, based on the 2020 National Electrical Code as published by the National Fire Protection Association (NFPA), shall become the electrical code of the City of Coachella, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city. The California Electrical Code is on file for public examination in the office of the Building Official.

15.16.020 Amendments to the California Mechanical Code.

The 2022 Edition of the California Mechanical Code is hereby adopted with no amendments.”

SECTION 6. Code Amendment.

Chapter 15.20 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.20 Plumbing Code

15.20.010 Adoption of the Plumbing Code.

15.20.015 Express Findings.

15.20.020 Amendments to Chapter 1, Division II of the California Plumbing Code.

15.20.010 Adoption of the Plumbing Code.

Except as provided in this chapter, the 2022 California Plumbing Code, including Appendix Chapters A, B, D, G, H, I, J, K, L, M, and N, as adopted by the state of California, based on the 2021 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), shall be and become the plumbing code of the City of Coachella, regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the City. The California Plumbing Code will be on file for public examination in the office of the Building Official.

15.20.015 Express Findings.

The City of Coachella finds that the proposed amendments to the California Plumbing Code are administrative in nature, and therefore do not require express topographic, geologic, or climatic findings pursuant to California Health and Safety Code Sections 17958.7 and 18941.5.

Therefore, the City Council finds that the following table sets forth the 2022 California Existing Building Code sections that have been modified and the associated local climatic, geological, topographical, and/or administrative conditions described above supporting the modification.

2022 PLUMBING CODE SECTION	TITLE/SUBJECT	FINDINGS I, II, III
104.1	Permits Required	Administrative

15.20.020 Amendments to Chapter 1, Division II of the California Plumbing Code.

The 2022 Edition of the California Plumbing Code is hereby adopted with the following amendment to section 104.1.

A. "104.1 Permits Required." is amended to read as follows:

It shall be unlawful for a person, firm, or corporation to make an installation, alteration, repair, replacement, or remodel a plumbing system regulated by this code except as permitted in Section 104.2, or to cause the same to be done without first obtaining a separate plumbing permit for each separate building or structure. The City of Coachella requires a plumbing permit to abandon an existing private disposal system, and connect to a public sewer system for the following projects:

1. Additions to existing buildings or structures that result in the need for enlarged capacity of septic tank pursuant to Table H 201.1(1), whenever there is an existing public sewer main line or lateral line within 30 feet of the property boundaries.
2. Remodels to existing buildings or structures that increase the number of plumbing fixtures to a structure served by an existing septic tank that is out of compliance with Table H 201.1(1), whenever there is an existing public sewer main line or lateral line within 30 feet of the property boundaries.”

SECTION 7. Code Amendment.

Chapter 15.24 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.24 Fire Code

- 15.24.010 Adoption of the Fire Code.
- 15.24.015 Fire Authority Adoption of the Fire Code.
- 15.24.020 Express Findings.
- 15.24.030 Amendments to the Fire Code.

15.24.010 Adoption of the Fire Code.

Except as stated in this section or as amended below in Section 5 [sic] of this chapter, all of the provisions and appendices of the 2022 California Fire Code, inclusive of all of the inclusions and exclusions set for in each chapter's matrix, are hereby adopted and shall apply to the city of Coachella. In addition, the following provisions that are excluded in the 2022 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Section 103.2 and 109.3 are not adopted, and Chapters 3, 25, and Sections 403.12, 503, 510.2, and 1103.2 are adopted. The California Fire Code and its adopted appendices and amendments are on file for public examination in the office of the Building Official.

15.24.015 Fire Authority Adoption of the Fire Code.

Except as stated in this section or as amended below in Section 15.24.030 of this chapter, all of the provisions and appendices of the 2022 California Fire Code, inclusive of all of the inclusions and exclusions set for in each chapter's matrix, are hereby adopted and shall apply to the City of Coachella Fire Authority. In addition, the following provisions that are excluded in the 2022 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Section 103.2 and 109.3 are not adopted, and Chapters 3, 25, and Sections 403.12, 503, 510.2, and 1103.2 are adopted.

15.24.020 Express Findings.

The City of Coachella finds the following:

The fire department hereby finds that the proposed amendments to the Fire Code are reasonable and necessary because of local climactic, geologic, and topographical conditions within the City of Coachella. This finding is supported and based upon the following express findings which address each of these conditions and present the local situation which make the proposed amendments necessary.

I. Climatic Conditions:

- A. The City of Coachella located in Riverside County is located in Southern California and covers a vast and varied geographic area. The base climate in western Riverside County consists of semi-arid Mediterranean weather patterns. Eastern Riverside County is a desert area with Mohave Desert temperatures and weather patterns. Those two primary areas are divided by the San Bernardino Mountain Range. Both areas outside of the mountain terrain annually experience extended periods of high temperatures with little or no precipitation. Hot, dry winds, which may reach speeds of seventy (70) miles per hour or greater, are common to the area. Examples are: Santa Ana/Foehn winds, afternoon surface-heating generated winds, and prevailing desert winds.

These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration) which necessitates rapid identification, locating and

extinguishment of all fires in the smallest stage possible. In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the county. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, will greatly impact the response time to reach an incident scene. During these winds, the inability to use aerial type firefighting apparatus would further decrease our ability to stop fires in large buildings and place rescue personnel at increased risk of injury.

- B. Although Riverside County and the City of Coachella occasionally experiences periods of significant drought, the county can also experience periods of substantial rainfall. Annual rainfall varying from three inches in Blythe to over thirty-three (33) inches in Pine Cove. When Riverside County does experience heavy rain, or rain over a period of days or weeks, many areas of the county are subject to flooding. Runoff from rain drains either naturally into rivers, washes, and creeks or into flood control facilities. Flash flooding is also a common problem, especially in the Coachella Valley and the easterly portions of the county. Flash flooding is typically associated with short duration, high intensity precipitation events often associated with summer thunderstorms. Such events can occur even during a drought.
- C. Water demand in densely populated Southern California far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly ten million over the next quarter of a century with fifty (50) percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features such as identification and notification will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as fifty (50) to seventy-five (75) percent.

II. Topographical Conditions

- A. Natural: The topographical conditions of Riverside County varies from three hundred (300) feet below sea-level, flat desert communities, to mountains over ten thousand (10,000) feet in Alpine-like areas of the San Bernardino Mountain Range. In between these areas, developable slopes of twenty-five (25) percent and greater generally occur throughout the foothills. Riverside County extends from Orange County to the state of Arizona and is mixed with congested urban areas, rural lands and wild lands. A large number of sensitive habitats for various animal species and vegetation consist within large open space areas between major urban centers that impact building and structure location, which impedes emergency access and response. This variety in regions contributes to an increased emergency response time, which necessitates cooperation between local agencies.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Riverside County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions: Located within Riverside County are several known active and potentially active earthquake faults, including the San Andreas, San Jacinto, and Elsinore Fault. In the event of an earthquake, the location of the epicenter as well as the time of day and season of the year would have a profound effect on the number of deaths and casualties, as well as property damage.

The major form of direct damage from most earthquakes is damage to construction. Bridges are particularly vulnerable to collapse, and dam failure may generate major downstream flooding. Buildings vary in susceptibility, dependent upon construction and the types of soils on which they are built. Earthquakes destroy power and telephone lines; gas, sewer, or water mains; which, in turn, may set off fires and/or hinder firefighting or rescue efforts. The hazard of earthquakes varies from place to place, dependent upon the regional and local geology. Ground shaking may occur in areas sixty-five (65) miles or more from the epicenter (the point on the ground surface above the focus). Ground shaking can change the mechanical properties of some fine grained, saturated soils, where upon they liquefy and act as a fluid (liquefaction).

- A. Previous earthquakes in southern California have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings.

B. Road circulation features located throughout the county also make amendments reasonably necessary. Located through the county are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanies with occasional heavy rainfall, causes roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Riverside County that naturally have extended emergency response times that exceed the five-minute goal.

California Health and Safety Code Sections 17958.7 and 18941.5 require that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table sets forth the 2022 California Fire Code sections that have been modified and the associated local climatic, geological, and/or topographical conditions described above supporting the modification.

2022 FIRE CODE SECTION	TITLE/SUBJECT	FINDINGS I, II, III
101.4	Severability	Administrative
102.5	Application of the residential code	I, II & III
104.7 and 104.7.1	Liability	Administrative
104.1.1	Authority of the Fire Chief and Fire Department	Administrative
104.13	Authority of the Fire Chief to close hazardous fire areas	Administrative
107.1	Fees	Administrative
107.7	Cost Recovery	Administrative
111.1	Board of Appeals established	Administrative
112.4	Violation and Penalties	Administrative
202	Fire Chief	Administrative
308.1.6.3	Sky Lanterns	I, II & III
503.2.1	Dimensions	Administrative
503.2.2	Authority	Administrative
503.6.1	Automatic opener	Administrative
503.7	Loading areas and passenger drop-offs	Administrative
507.5.7	Fire hydrant size and outlets	I & III
507.5.8	Fire hydrant street marker	I, II & III
508.1, 508.1.1, 508.1.3, 508.1.6, 508.1.9	Fire command center	I, II & III
509.2.1	Minimum clearances	I & III
608.11.1.2	Manual operation	II & III
903.2	Where required (automatic sprinkler systems)	I, II & III
903.3.5.3	Hydraulically calculated systems	I & II
3204.2.1	Minimum requirements for client leased or occupant	Administrative
4904.4	High Fire Hazard Severity Zone Maps	Administrative
App Ch B, Table B105.2	Buildings other than one- or two-family dwellings	I, II & III
App Ch C, C103.1	Fire hydrant location	I, II & III

15.24.030 Amendments to the Fire Code.

- A. **DEFINITIONS.** Section 202, definition of "Fire Chief" in the California Fire Code is deleted in its entirety and replaced with the following:

FIRE CHIEF. The Fire Chief of Riverside County or the Fire Chief's designee.

B. **SCOPE AND GENERAL REQUIREMENTS.**

1. Section 101.4 of the California Fire Code is deleted in its entirety and replaced with the following:

101.4 Severability. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

C. **APPLICABILITY.**

1. Section 102.5 of the California Fire Code is amended as follows:

102.5 Application of residential code. Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.
2. Administrative, operational and maintenance provisions of this code shall apply.
3. Automatic fire sprinkler system requirements of this code shall apply to detached accessory buildings 3,600 square feet or greater in accordance with Section 903.2. The provisions contained in Section 903.2.18 of the California Fire Code or Section R309.6 of the California Residential Code may be used for the design of the automatic fire sprinkler system for detached private garages.

D. **DEPARTMENT OF FIRE PREVENTION**

1. Sections 104.7 and 104.7.1 of the California Fire Code are deleted in their entirety and replaced with the following:

104.7 Liability. Any liability against Riverside County or the City of Coachella or any officer or employee for damages resulting from the discharge of their duties shall be as provided by law.

E. GENERAL AUTHORITY AND RESPONSIBILITIES.

1. A new Section 104.1.1 is added to Section 104.1 of the California Fire Code to read as follows:

104.1.1 Authority of the Fire Chief and Fire Department.

1. The Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the City Council.
2. The Fire Chief is authorized to administer, interpret and enforce this ordinance. Under the Fire Chief's direction, the Riverside County Fire Department is authorized to enforce ordinances of the City of Coachella pertaining to the following:
 - 2.1. The prevention of fires.
 - 2.2. The suppression or extinguishment of dangerous or hazardous fires.
 - 2.3. The storage, use and handling of hazardous materials.
 - 2.4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
 - 2.5. The maintenance and regulation of fire escapes.
 - 2.6. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.
 - 2.7. The maintenance of means of egress.
 - 2.8. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.
3. The following persons are hereby authorized to interpret and enforce the provisions of this ordinance and to make arrests and issue citations as authorized by law:
 - 3.1. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
 - 3.2. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
 - 3.3. The Riverside County Sheriff and any deputy sheriff.

- 3.4. The Police Chief and any police officer of any city served by the Riverside County Fire Department.
 - 3.5. Officers of the California Highway Patrol.
 - 3.6. Code Officers of the City of Coachella Code Enforcement Department.
 - 3.7. Peace Officers of the California Department of Parks and Recreation.
 - 3.8. The law enforcement officer of the Federal Bureau of Land Management.
2. Section 104.13 is added to Section 104 of the California Fire Code to read as follows:

104.13 Authority of the Fire Chief to close hazardous fire areas. Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period of more than fifteen (15) calendar days must be approved by the Riverside County Board of Supervisors and/or the City Council within fifteen (15) calendar days of the Fire Chief's original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel. For the purpose of this section, "hazardous fire area" shall mean public or private land that is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazardous Fire Area maps filed with the office of the Fire Chief.

F. FEES.

1. Section 107.1 of the California Fire Code is deleted in its entirety and replaced with the following:

107.1 Schedule of permit fees. Fees for services and permits shall be as set forth in the City of Coachella fee schedule.

2. A new Section 107.7 is added to Section 107 of the California Fire Code to read as follows:

107.7 Cost recovery. Fire suppression, investigation, rescue or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable fluids or chemicals is liable for the costs of securing such emergency, including those costs

pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the Riverside County Fire Department for securing such emergency shall constitute a debt of such person and shall be collectable by Riverside County in the same manner as in the case of an obligation under contract, express or implied.

G. BOARD OF APPEALS.

1. Section 111.1 of the California Fire Code is deleted in its entirety and replaced with the following:

111.1 Board of appeals established. The Board of Appeals shall be the City Manager. If he or she determines an outside board is needed, he or she shall designate an outside hearing officer to hear the appeal. The Fire Chief shall be notified of any appeal and the Fire Chief or designee shall be in attendance at the appeal hearing. Depending on the subject of the appeal, specialized expertise may be solicited, at the expense of the applicant, for the purpose of providing input to the Appeals Board.

H. VIOLATIONS.

1. Section 112.4 of the California Fire Code is deleted in its entirety and replaced with the following:

112.4 Violation and penalties. It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this code or Ordinance. Punishments and penalties for violations shall be in accordance with the City of Coachella ordinances, fee schedule and Health and Safety Code Sections 17995 through 17995.5.

I. OPEN FLAMES.

1. Section 308.1.6.3 of the California Fire Code is deleted in its entirety and replaced with the following:

308.1.6.3 Sky lanterns or similar devices. A person shall not release or cause to be released a sky lantern or similar device.

J. FIRE APPARATUS ACCESS ROADS.

1. Section 503.2.1 of the California Fire Code is deleted in its entirety and replaced with the following:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). For additional requirements or alternatives see Riverside County Fire Department Standards and Policies, as may be amended from time to time.

2. Section 503.2.2 of the California Fire Code is deleted in its entirety and replaced with the following:

503.2.2 Authority. The fire code official shall be the only authority authorized to designate fire apparatus access roads and fire lanes and to modify the minimum fire lane access widths for fire or rescue operations.

3. A new Section 503.6.1 is added to Section 503.6 of the California Fire Code to read as follows:

503.6.1 Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department standards and Policies, as may be amended from time to time.

Exception: Gates serving individual one- and two-family dwelling parcels.

4. A new Section 503.7 is added to Section 503 of the California Fire Code to read as follows:

503.7 Loading areas and passenger drop-off areas. On private properties, where fire apparatus access roads are utilized for loading or unloading or utilized for passenger drop-off or pick-up, an additional eight (8) feet of width shall be added to the minimum required width for the fire apparatus access road.

K. FIRE PROTECTION WATER SUPPLIES.

1. A new Section 507.5.7 is added to Section 507 of the California Fire Code to read as follows:

507.5.7 Fire hydrant size and outlets. As determined by the fire code official, fire hydrant sizes and outlets shall be based on the following:

1. Residential Standard - one (1) four (4) inch outlet and one (1) two and half (2 ½) inch outlet.
2. Super Hydrant Standard - one (1) four (4) inch outlet and two (2) two and one half (2 ½) inch outlet.
3. Super Hydrant Enhanced - two (2) four (4) inch outlet and one (1) two and one half (2 ½) inch outlet.

2. A new Section 507.5.8 is added to Section 507 of the California Fire Code to read as follows:

507.5.8 Fire hydrant street marker. Fire hydrant locations shall be visually indicated in accordance with Riverside County Fire Department Technical Policy 06-11, as may be amended from time to time. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer or person responsible for removal or damage.

L. FIRE COMMAND CENTER.

1. Section 508.1 of the California Fire Code is deleted in its entirety and replaced with the following:

508.1 General. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, in buildings greater than 300,000 square feet in area and in Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access, a fire command center for fire department operations shall be provided and comply with Sections 508.1.1 through 508.1.8.

2. Section 508.1.1 of the California Fire Code is deleted in its entirety and replaced with the following:

508.1.1 Location and access. The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the fire code official. The room shall have direct access from the building exterior at the lowest level of fire department access.

3. Section 508.1.3 of the California Fire Code is amended to add the following:

Exception: A fire command center solely required because a building is greater than 300,000 square feet in area shall be a minimum of 96 square feet (9 m²) with a minimum dimension of 8 feet (2438 mm).

4. Section 508.1.6 of the California Fire Code is amended to add the following:

Exception: A fire command center solely required because a building is greater than 300,000 square feet in area shall comply with NFPA 72 and contain the features set forth in Section 508.1.6 subsections 5, 8, 10, 12, 13 and 14. The features set forth in Section 508.1.6 subsections 1, 2, 3, 4, 6, 7, 9, 11, 15, 16, 17, 18 and 19 shall be required when such building contains systems or functions related to these features.

5. A new Section 508.1.9 is added to Section 508 of the California Fire Code to read as follows:

508.1.9 Fire command center identification. The fire command center shall be identified by a permanent easily visible sign stating "Fire Dept. Command Center," located on the door to the fire command center.

M. FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND LOCATION.

1. Section 509.2.1 of the California Fire Code is amended to add the following:

509.2.1 Minimum clearances. A 3-foot (914 mm) clear space shall be maintained around the circumference of exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access, except as otherwise required or approved.

N. MECHANICAL REFRIGERATION.

1. Section 608.11.1.2 of the California Fire Code is deleted in its entirety and replaced with the following:

608.11.1.2 Manual operation. When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room in a secure metal box or equivalent and marked as Emergency Controls.

O. AUTOMATIC SPRINKLER SYSTEMS.

1. Section 903.2 of the California Fire Code is deleted in its entirety and replaced with the following:

903.2 Where required. In all new buildings and structures which are 3,600 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the Sections 903.2.1 - 903.2.20 of the California Fire Code require more restrictive requirements than those listed below, the more restrictive requirement shall take precedence.

Exception: Unless required elsewhere in this code or the California Building Code, automatic fire sprinkler systems shall not be required for the following:

1. Detached Group U occupancies used for agricultural purposes constructed in accordance with the California Building Code.
2. Detached non-combustible equestrian arena shade canopies that are open on all sides and used for riding only - no commercial, assembly or storage uses.
3. Detached fabric or non-combustible shade structures that are open on all sides and used to shade playground equipment, temporary storage of vehicles and dining areas with no cooking.
4. Where determined by the Fire Chief that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structures or property, automatic fire sprinklers may be exempted.

One- and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be installed in mobilehomes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

The following exceptions in the California Fire Code shall not be allowed:

- a. Exception in Section 903.2.3
- b. Exception 2 in Section 903.2.11.3

2. A new Section 903.3.5.3 is added to Section 903 of the California Fire Code to read as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

P. DESIGNATION OF HIGH-PILED STORAGE AREAS.

1. A new Section is added to Section 3204.2 of the California Fire Code to read as follows:

3204.2.1 Minimum requirements for client leased or occupant owned warehouses. Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include references to the design document(s). If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

Q. FIRE HAZARD SEVERITY ZONES.

1. A new Section 4904.4 is added to Section 4904 of the California Fire Code to read as follows:

4904.4 High Fire Hazard Severity Zone Maps. In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones are designated as shown on a map titled Very High Fire Hazard Severity Zones, dated December 24, 2009, and retained on file at the office of the Fire Chief, which supersedes other maps previously adopted by Riverside County designating high fire hazard areas.

R. APPENDIX B.

1. Table B105.2 of the California Fire Code is amended as follows:

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER
THAN ONE- AND TWO-FAMILY
DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^b	Duration in Table B105.1(2) at the reduced flow rate
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For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

S. APPENDIX C.

1. Section C103.1 of the California Fire Code is deleted in its entirety and replaced with the following:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire hydrants shall be provided at street intersections.”

SECTION 7. Code Amendment.

Chapter 15.32 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.32 Existing Building Code

- 15.32.010 Adoption of the Existing Building Code.
- 15.32.015 Express Findings.
- 15.32.020 Amendments to the Existing Building Code.

15.32.010 Adoption of the Existing Building Code.

Except as provided in this chapter, the 2022 California Existing Building Code, including Appendices A-1, based on the 2021 International Existing Building Code, as adopted by the state of California, as published by the International Code Council (ICC), shall become the Existing Building Code of the City of Coachella for the purpose of regulating the repair, alteration, change of occupancy, addition to and relocation of the Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings, in existing buildings in the City. The California Existing Building Code is on file for public examination in the office of the Building Official.

15.32.015 Express Findings.

The City of Coachella finds that the proposed amendments to the Existing Building Code are reasonable and necessary because of local climactic, geologic, and topographical conditions within the City of Coachella. This finding is supported and based upon the following express findings which address each of these conditions and present the local situation which make the proposed amendments necessary.

V. Climatic Conditions:

- E. The City of Coachella located in Riverside County is located in Southern California and covers a vast and varied geographic area. The base climate in western Riverside County consists of semi-arid Mediterranean weather patterns. Eastern Riverside County is a desert area with Mohave Desert temperatures and weather patterns. Those two primary areas are divided by the San Bernardino Mountain Range. Both areas outside of the mountain terrain annually experience extended periods of high temperatures with little or no precipitation. Hot, dry winds, which may reach speeds of seventy (70) miles per hour or greater, are common to the area. Examples are: Santa Ana/Foehn winds, afternoon surface-heating generated winds, and prevailing desert winds.

These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration) which necessitates rapid identification, locating and extinguishment of all fires in the smallest stage possible. In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the county. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, will greatly impact the response time to reach an incident scene. During these winds, the inability to use aerial type firefighting apparatus would further decrease our ability to stop fires in large buildings and place rescue personnel at increased risk of injury.

- F. Although Riverside County and the City of Coachella occasionally experiences periods of significant drought, the county can also experience periods of substantial rainfall. Annual rainfall varying from three inches in Blythe to over thirty-three (33) inches in Pine Cove. When Riverside County does experience heavy rain, or rain over a period of days or weeks, many areas of the county are subject to flooding. Runoff from rain drains either naturally into rivers, washes, and creeks or into flood control facilities. Flash flooding is also a common problem, especially in the Coachella Valley and the easterly portions of the county. Flash flooding is typically associated with short duration, high intensity precipitation events often associated with summer thunderstorms. Such events can occur even during a drought.
- G. Water demand in densely populated Southern California far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly ten million over the next quarter of a century with fifty (50) percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features.

It would also leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.

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

VI. Topographical Conditions

- D. Natural: The topographical conditions of Riverside County varies from three hundred (300) feet below sea-level, flat desert communities, to mountains over ten thousand (10,000) feet in Alpine-like areas of the San Bernardino Mountain Range. In between these areas, developable slopes of twenty-five (25) percent and greater generally occur throughout the foothills. Riverside County extends from Orange County to the state of Arizona and is mixed with congested urban areas, rural lands and wild lands. A large number of sensitive habitats for various animal species and vegetation consist within large open space areas between major urban centers that impact building and structure location, which impedes emergency access and response. This variety in regions contributes to an increased emergency response time, which necessitates cooperation between local agencies.
- E. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Riverside County.
- F. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

- VII. Geological Conditions: Located within Riverside County are several known active and potentially active earthquake faults, including the San Andreas, San Jacinto, and Elsinore Fault. In the event of an earthquake, the location of the epicenter as well as the time of day and season of the year would have a profound effect on the number of deaths and casualties, as well as property damage.

The major form of direct damage from most earthquakes is damage to construction. Bridges are particularly vulnerable to collapse, and dam failure may generate major downstream flooding. Buildings vary in susceptibility, dependent

upon construction and the types of soils on which they are built. Earthquakes destroy power and telephone lines; gas, sewer, or water mains; which, in turn, may set off fires and/or hinder firefighting or rescue efforts. The hazard of earthquakes varies from place to place, dependent upon the regional and local geology. Ground shaking may occur in areas sixty-five (65) miles or more from the epicenter (the point on the ground surface above the focus). Ground shaking can change the mechanical properties of some fine grained, saturated soils, where upon they liquefy and act as a fluid (liquefaction).

- C. Previous earthquakes in southern California have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings.
- D. Road circulation features located throughout the county also make amendments reasonably necessary. Located through the county are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanies with occasional heavy rainfall, causes roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Riverside County that naturally have extended emergency response times that exceed the five-minute goal.

VIII. Administrative Conditions. Alternatively, the City of Coachella finds that the proposed amendments to the Existing Building Code are administrative in nature.

California Health and Safety Code Sections 17958.7 and 18941.5 require that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table sets forth the 2022 California Existing Building Code sections that have been modified and the associated local climatic, geological, topographical, and/or administrative conditions described above supporting the modification.

2022 EXISTING BUILDING CODE SECTION	TITLE/SUBJECT	FINDINGS I, II, III
202	Definitions	Administrative, III

15.32.020 Amendments to the Existing Building Code.

- A. Section 202, Definitions, is hereby amended by adding thereto the following definition to read as follows:

Substantial Structural Damage. A condition where:

1. In any story, the vertical elements of the lateral-force-resisting system, have suffered damage such that the lateral load-carrying capacity of the structure in any direction has been reduced by more than 20 percent from its pre-damaged condition, or
2. The capacity of any vertical gravity load-carrying component, or any group of such components, that supports more than 30 percent of the total area of the structure's floor(s) and roof(s) has been reduced more than 20 percent from its pre-damaged condition, and the remaining capacity of such affected elements with respect to all dead and live loads is less than 75 percent of that required by the building code for new buildings of similar structure, purpose, and location.”

SECTION 8. Code Amendment.

Chapter 15.54 of Title 15 of the Coachella Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 15.54 Recycling and Diversion of Waste from Construction and Demolition

- 15.54.010 Findings and Purpose.
- 15.54.020 [Deleted].
- 15.54.030 [Deleted].
- 15.54.040 [Deleted].
- 15.54.050 [Deleted].
- 15.54.060 [Deleted].
- 15.54.070 [Deleted].
- 15.54.080 Performance Security.
- 15.54.090 Refund of Performance Security.
- 15.54.100 Use of Performance Security.
- 15.54.110 [Deleted].
- 15.54.120 Forfeiture of Performance Security.
- 15.54.130 Compliance and Release of Performance Security.

15.54.010 Findings and Purpose.

The City Council of the City of Coachella hereby finds and determines that the City is committed to protecting the public health, safety, welfare, and environment; that in order to meet these goals, it is necessary that the City promote the reduction of solid waste and reduce the stream of solid waste going to landfills; that under California law, as embodied in the California Waste Management Act (California Public Resources Code Section 40000 et seq.), Coachella is required to prepare, adopt, and implement source reduction and recycling elements to reach reduction goals, and is required to make substantial reductions in the volume of waste materials going to landfill, under the threat of penalties of ten thousand dollars (\$10,000.00) per day; that waste from demolition and construction of commercial and residential buildings represents a large portion of the volume presently coming from Coachella, and that a percentage of that waste is particularly suitable for recycling; that Coachella's commitment to the reduction of waste and to compliance with state law requires the establishment of programs for recycling and salvaging construction and demolition materials; that the City Council recognizes that requiring demolition and construction waste to be recycled and reused may in some respects add modestly to the cost of demolition and construction and in other respects may make possible some cost recovery and cost reduction; and that it is necessary in order to protect the public health, safety, and welfare that the following regulations be adopted.

15.54.020 [Deleted].

15.54.020 [Deleted].

15.54.030 [Deleted].

15.54.040 [Deleted].

15.54.050 [Deleted].

15.54.060 [Deleted].

15.54.070 [Deleted].

15.54.080 **Performance Security.**

A. The applicant for a building or demolition permit shall submit a performance security along with the C&D waste plan. This performance security shall be in the amount of one percent of the building permit valuation, but not greater than one hundred thousand dollars (\$100,000.00).

B. For large projects, a one hundred thousand dollars (\$100,000.00) performance security will be deposited. The security may be carried forward to the following phase provided the contractor has met the required diversion requirements. If diversion requirements are not met and a portion or all of the performance security is forfeited, the security must be replenished to meet one hundred thousand dollars (\$100,000.00). The dollar amount to be replenished will be based on the diversion schedule in Section 15.54.130 of this chapter.

C. The applicant shall post performance security in the form of cash, money order, letter of credit, performance or surety bond.

15.54.090 Refund of Performance Security.

A. The compliance official may authorize the refund of any performance security which was erroneously paid or collected.

B. The compliance official may authorize the refund of any performance security when the building permit application is withdrawn or cancelled before any work has begun.

C. The performance security shall be returned, without interest, in total or prorated, upon proof of satisfaction by the compliance official that no less than the required percentage of construction and demolition waste tonnage generated by the covered project has been diverted from disposal and has been recycled or reused. If a lesser percentage of construction and demolition waste tonnage than is required is diverted, a proportionate share of the deposit shall be returned. The deposit shall be forfeited entirely or to the prorated extent that there is a failure to comply with the requirements of this chapter. The city may, by formal resolution, modify the amount of the required security.

15.54.100 Use of Performance Security.

A. Monies received by the city as performance security shall be used only for:

1. Payment of performance security refunds;
2. Programs to divert construction, demolition, and alteration projects from the landfill;
3. Programs whose purpose is to develop or improve the infrastructure needed to divert wastes from construction, demolition, and alteration projects from landfill disposal;
4. Allocated staff costs.

15.54.110 [Deleted].

15.54.120 Forfeiture of Performance Security.

A. If the compliance official determines that the applicant has not made a good faith effort to comply with this chapter, or if the applicant fails to submit the documentation required within the sixty (60)-day time period, then the deposit shall be forfeited to the city.

B. If the compliance official determines that the applicant has diverted a lesser percentage of construction and demolition waste tonnage than required, the deposit shall be forfeited entirely or to the prorated extent that there is failure of compliance.

15.54.130 Compliance and Release of Performance Security.

The compliance official shall review the information submitted under Section 15.54.110 of this chapter and determine whether the applicant has complied with the diversion requirement as follows:

A. Full Compliance. If the compliance official determines that the applicant has fully complied with the diversion requirement applicable to the project, the compliance official shall cause the performance security to be returned in full, without interest, within fifteen (15) days.

B. Partial Compliance. If the contractor is not found in compliance but has submitted required forms and documentation, the city may refund a percentage of the deposit for partial compliance. See schedule in this subsection to determine the amount of the security to be refunded based on the level of diversion obtained and supported.

% Diverted	% Deposit Returned
65%	100%
55–64%	80%
45–54%	60%
35–44%	40%
25–34%	20%
Under 25%	0%

C. Noncompliance. If the compliance official determines that the applicant has not fully or partially complied with the diversion requirement, or if the applicant fails to submit the documentation required by Section 15.54.110 of this chapter within the sixty (60)-day time period, then the performance security shall be forfeited to the city.”

SECTION 9. Certification. The City Clerk of the City of Coachella shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted under section 36933 of the Government Code of the State of California.

SECTION 10. CEQA Analysis. The City Council finds that the adoption of the California Buildings Standards Code and local amendments thereof is exempt from the California Environmental Quality Act (“CEQA”) under CEQA Guideline section 15061(b)(3) (the common sense exemption). The action is largely administrative in nature and designed to improve and not degrade environmental quality such that there is no possibility that adopting this Ordinance would adversely affect the environment in any manner that could be significant.

SECTION 11. Existing Contracts. Operators of Shared Micromobility Devices that have entered into agreements for operation with the City prior to the effective date of this Ordinance, must comply by any and all agreement provisions for the term of the agreement and thereafter

must cease conducting business in the City or enter into a new operating agreement with the City and comply with Chapter 15.08 of the Coachella Municipal Code.

SECTION 12. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity 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 section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 13. Publication and Effective Date. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law, which shall take full force and effect thirty (30) days from its adoption.

PASSED, APPROVED, AND ADOPTED this _____ of _____, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven Hernandez, Mayor
City of Coachella

ATTEST:

Angela M. Zepeda, City Clerk
City of Coachella

APPROVED AS TO FORM:

Carlos Campos, Best Best & Krieger LLP
City Attorney