

RESOLUTION NO. 22821

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDING THAT CERTAIN LOCAL CONDITIONS REQUIRE AMENDMENTS, ADDITIONS AND DELETIONS TO THE CALIFORNIA BUILDING CODE, 2010 EDITION, THE CALIFORNIA RESIDENTIAL CODE, 2010 EDITION, THE CALIFORNIA PLUMBING CODE, 2010 EDITION THE CALIFORNIA ELECTRICAL CODE, 2010 EDITION AND THE 2010 CALIFORNIA MECHANICAL CODE AND THE 2010 CALIFORNIA FIRE CODE.

WHEREAS, the City Council is considering adoption of the 2010 edition of the California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code.

WHEREAS, modifications and changes of certain provisions in said Codes are considered reasonably necessary due to local conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5 and 17958.7 govern the adoption by local governments of the various codes and certain provisions of other ordinances pertaining to methods of housing construction and said provisions require, among other things, that the adopting local government make express findings that such modifications and changes are needed before enacting said modifications and changes; and

WHEREAS, express findings of need due to local conditions have been determined by the City Council in the case of each modification and change of the Codes herein referred to.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE:

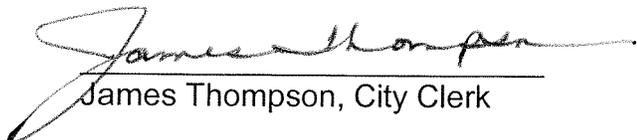
SECTION 1. That the set of express findings entitled "Express findings in connection with City of Palm Springs' amendments, deletions and additions to the California Building Standards Code (2010 editions of the California Building, Residential, Mechanical, Plumbing and Electrical Codes). Attached to this Resolution as Exhibit "A" and the set of express findings entitled "Express findings in connection with the City of Palm Springs amendments deletions and additions to the 2010 edition of the California Fire Code attached to this Resolution as Exhibit "B", shall constitute the official set of express findings of need for changes as required by California Health and Safety Code Sections 17958, 17958.5 and 17958.7.

SECTION 2. The City Clerk shall forward directly to the California Building Standards Commission for filing therewith, a certified copy of this Resolution.

ADOPTED THIS 3RD DAY OF NOVEMBER, 2010


David H. Ready, City Manager

ATTEST:

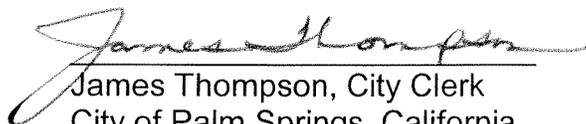

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No.22821 is a full, true and correct copy, and was duly adopted at an adjourned meeting of the City Council of the City of Palm Springs on the 3rd day of November, 2010 by the following vote:

AYES: Councilmember Foat, Councilmember Mills, Councilmember Weigel,
Mayor Pro Tem Hutcheson and Mayor Pougnet.
NOES: None.
ABSENT: None.
ABSTAIN: None.


James Thompson, City Clerk
City of Palm Springs, California
11/16/2010

CERTIFIED COPY	
I certify that this is a true and correct copy of the document on file in the official records of the City of Palm Springs.	
	12.15.10
Chief Deputy City Clerk	
This certification must appear in blue with an original signature.	

EXHIBIT "A"

A SUMMARY OF THE EXPRESS FINDINGS FOR LOCAL AMENDMENTS MADE TO THE CALIFORNIA BUILDING STANDARDS CODE 2010 EDITION, AS APPLICABLE TO CLIMATIC, TOPOGRAPHICAL, AND GEOLOGICAL CONDITIONS ONLY, ARE SET FORTH HEREIN.

Section 1. Findings.

- A. Climatic Conditions: Palm Springs has an arid desert climate with annual rainfall of is less than 6 inches. There are more than one hundred days a year when temperatures are 100 degrees or more. Hot, dry winds during the summer months along with seasonal Santa Ana winds are common to Palm Springs. These winds constitute a contributing factor which causes small fires originating in high density developments presently being constructed in Palm Springs, which spread quickly and create the need for an increased level of fire protection. This added protection, including, but not limited to, on-site fire protection systems, will supplement normal fire department response available in new development and provide immediate fire protection for life and safety of occupied single and multiple-occupancy buildings during fire occurrence;
- B. Geologic and Topographic:
1. Palm Springs is located in the desert that contains mountains, brush, and covered wild lands. Elevation ranges from 479 feet in the central business district 4,000 feet in the mountains in the most Southern boundaries of the city limits. Topography extends from flat to 15% slope for habitable land. Traffic and circulation congestion in the urban areas to buildings located in the commercial areas in the most Northern and Eastern boundaries of the city limits often place fire department response time to emergencies at risk. This condition makes the need for enhanced on-site fire protection systems for property occupants necessary; and
 2. The San Andreas Fault is a major earthquake fault located only a few miles north of Palm Springs. In addition, there are numerous minor faults located throughout Riverside County which are subject to earthquakes. In addition, Palm Springs is subjected to high wind conditions, blowing sand, flooding, landslides and wildfires. The placement of existing and new development buildings along with fire department staffing constraints have made it difficult for the fire department to locate additional fire stations. These constraints challenge current staffing to concentrate fire companies and personnel to control fires in single and multi-story retail buildings, commercial, and industrial buildings, making enhanced, built-in fire protection systems necessary.

Section 2. Code Amendments

HEADINGS ARE SHOWN IDENTIFYING EACH SPECIFIC CODE AFFECTED.

EACH MODIFICATION OR CHANGE OF A CODE PROVISION IS SUMMARIZED,
FOLLOWED BY AN EXPRESS FINDING SO DESIGNATED.

THE CALIFORNIA BUILDING CODE, 2010 EDITION

Express Finding for Subsections 903 and 903.2: These modifications require sprinkler systems in buildings at occupancy levels lower than those stipulated in the California Building Code. The active earthquake fault system that is located near this community possesses the capability of initiating a disaster that would quickly overrun the Fire Department's current resources. Providing additional built-in fire protection for the buildings allows more fires to be automatically extinguished without Fire Department assistance if a major earthquake were to occur.

Express Finding for Section 1207.1: This modification provides a minimum noise insulation performance standard to protect persons within detached single family dwellings from the effects of excessive noise which are located within the airport 'N' zone overlay.

Express Finding for Section 1505: This provision prohibits the use of untreated wood shingle or shakes roofs. Local fire conditions of high winds, high temperatures, and low humidity contribute to a local fire conflagration or problem. Lateral extension of fire between structures, which results from fire ignition of combustible roofs or surrounding areas, is a serious local concern.

Express Finding for Section 1509: This provision requires that, at the time of reroofing, rooftop equipment be provided with a six inch high platform with sheet metal cap, when not already present. Due to the extreme heat experienced in desert areas, reroofing is required more frequently than under normal conditions. Equipment platforms allow reroofing to take place without removing and reinstalling rooftop equipment, thereby reducing damage to that equipment and associated ductwork and electrical wiring.

Express Finding for Appendix J. Grading, Sections J 104.1 and 104.2: All modifications listed here apply to excavation and grading and consist of eliminating exemptions from permit controls, requiring a showing of method of dust control, and reducing the scope of "required" grading from 5,000 to 2,000 cubic yards (unless excepted). All of the above are deemed reasonable and necessary due to the fragile nature of the typical desert area topography and ultra-dry climate. The desert "crust" is thin and surface disturbances remain as potential "sand blow" problems for a considerable period of time if abandoned without proper continuing attention. The problem may become completely out of control should a windstorm take place in an area where there has been insufficient watering.

THE CALIFORNIA RESIDENTIAL CODE, 2010 EDITION

Express Finding for subsection R313.1.2 and R313.2.2: These modifications require sprinkler systems. The active earthquake fault system that is located near this community possesses the capability of initiating a disaster that would quickly overrun the Fire Department's current resources. Providing additional built-in fire protection for the buildings allows more fires to be automatically extinguished without Fire Department assistance if a major earthquake were to occur.

Express Finding for subsection 801.2: This provision requires that, at the time of reroofing, rooftop equipment be provided with a six inch high platform with sheet metal cap, when not already present. Due to the extreme heat experienced in desert areas, reroofing is required more frequently than under normal conditions. Equipment platforms allow reroofing to take place without removing and reinstalling rooftop equipment, thereby reducing damage to that equipment and associated ductwork and electrical wiring.

Express Finding for subsections 905.7 and 905.8: This provision prohibits the use of untreated wood shingle or shakes roofs. Local fire conditions of high winds, high temperatures, and low humidity contribute to a local fire conflagration or problem. Lateral extension of fire between structures, which results from fire ignition of combustible roofs or surrounding areas, is a serious local concern.

THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION

Express Finding for Subsection 90-8(A) - Service Load: This provision establishes standards which provide additional service capacity and distribution center spaces to allow for future additions requiring increased use of electricity. Reserve capacity and distribution center spaces are considered necessary due to increased electrical demand associated with special air conditioning and other requirements due to the extremes of temperature prevalent in desert areas.

Express Finding for Subsection 310-2(B) - Aluminum Conductor Limitations: This provision establishes limitation concerning the use of aluminum conductors. These more stringent requirements are established to minimize the fire hazard caused by the inherent characteristics of aluminum wiring under the extremes of temperature prevalent in desert areas.

EXHIBIT "B"

EXPRESS FINDINGS IN CONNECTION WITH CITY OF PALM SPRINGS' AMENDMENTS, DELETIONS AND ADDITIONS TO THE 2010 EDITION OF THE CALIFORNIA FIRE CODE.

A SUMMARY OF THE EXPRESS FINDINGS FOR LOCAL AMENDMENTS MADE TO THE CALIFORNIA FIRE CODE, AS APPLICABLE TO CLIMATIC, TOPOGRAPHICAL, AND GEOLOGICAL CONDITIONS ONLY, ARE SET FORTH HEREIN.

Section 1. Findings.

C. Climatic Conditions: Palm Springs has an arid desert climate with annual rainfall of is less than 6 inches. There are more than one hundred days a year when temperatures are 100 degrees or more. Hot, dry winds during the summer months along with seasonal Santa Ana winds are common to Palm Springs. These winds constitute a contributing factor which causes small fires originating in high density developments presently being constructed in Palm Springs, which spread quickly and create the need for an increased level of fire protection. This added protection, including, but not limited to, on-site fire protection systems, will supplement normal fire department response available in new development and provide immediate fire protection for life and safety of occupied single and multiple-occupancy buildings during fire occurrence;

D. Geologic and Topographic:

1. Palm Springs is located in the desert that contains mountains, brush, and covered wild lands. Elevation ranges from 479 feet in the central business district 4,000 feet in the mountains in the most Southern boundaries of the city limits. Topography extends from flat to 15% slope for habitable land. Traffic and circulation congestion in the urban areas to buildings located in the commercial areas in the most Northern and Eastern boundaries of the city limits often place fire department response time to emergencies at risk. This condition makes the need for enhanced on-site fire protection systems for property occupants necessary; and
2. The San Andreas Fault is a major earthquake fault located only a few miles north of Palm Springs. In addition, there are numerous minor faults located throughout Riverside County which are subject to earthquakes. In addition, Palm Springs is subjected to high wind conditions, blowing sand, flooding, landslides and wildfires. The placement of existing and new development buildings along with fire department staffing constraints have made it difficult for the fire department to locate additional fire stations. These constraints challenge current staffing to concentrate fire companies and personnel to control fires in single and multi-story

retail buildings, commercial, and industrial buildings, making enhanced, built-in fire protection systems necessary.

Section 2. Code Amendments.

Amendments to the 2010 Editions of the California Fire Code are found reasonably necessary based on the climatic and/or geographic conditions cited in Section 1 of this Resolution and are listed as follows:

<u>Code Section</u>	<u>Findings in Section 1</u>
101	Climatic, Topographic
103	Climatic, Topographic
109	Climatic, Topographic
111	Climatic, Topographic
202	Climatic, Geologic #2
318	Climatic, Geologic #2
503	Climatic
506	Climatic, Geologic #2
508	Topographic #2
510	Geologic #1 & #2
901	Geologic #2
903	Climatic, Geologic #2
907	Climatic, Geologic #2
912	Climatic, Geologic #2
914	Climatic, Geologic #2
3310	Geologic #2
3311	Geologic #2
3312	Climatic
3404	Climatic
3808	Climatic
4603	Climatic, Geologic #2
Appendix B	Climatic, Geologic #2
Appendix K	Climatic, Geologic #2
Appendix L	Climatic, Geologic #2
Appendix M	Climatic

The aforementioned amendments have been incorporated in detail in Ordinance No. 1780 and Ordinance No. 1781 adopted by the City Council of the City of Palm Springs on the 17th day of November, 2010 by the following vote:

AYES: Councilmember Foat, Councilmember Mills, Councilmember Weigel,
Mayor Pro Tem Hutcheson, and Mayor Pougnet.

NOES: None.

ABSENT: None.

ATTEST: None.

By 

James Thompson, City Clerk
Palm Springs, California