

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 15, 2011

Ron La France, Building Official
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025-3483

Dear Mr. La France:

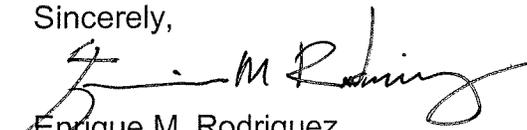
This letter is to acknowledge receipt on January 12, 2011 of the City of Menlo Park submittal pertaining to Ordinance No. 973 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

RICHARD CLINE
MAYOR

KIRSTEN KEITH
MAYOR PRO TEM

ANDREW COHEN
COUNCIL MEMBER

KELLY FERGUSSON
COUNCIL MEMBER

PETER OHTAKI
COUNCIL MEMBER



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January 5, 2011

Building
TEL 650.330.6704
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City Clerk
TEL 650.330.6620
FAX 650.328.7935

City Council
TEL 650.330.6630
FAX 650.328.7935

City Manager's Office
TEL 650.330.6610
FAX 650.328.7935

Community Services
TEL 650.330.2200
FAX 650.324.1721

Engineering
TEL 650.330.6740
FAX 650.327.5497

Environmental
TEL 650.330.6763
FAX 650.327.5497

Finance
TEL 650.330.6640
FAX 650.327.5391

Housing & Redevelopment
TEL 650.330.6706
FAX 650.327.1759

Library
TEL 650.330.2500
FAX 650.327.7030

Maintenance
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FAX 650.327.1953

Personnel
TEL 650.330.6670
FAX 650.327.5382

Planning
TEL 650.330.6702
FAX 650.327.1653

Police
TEL 650.330.6300
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Transportation
TEL 650.330.6770
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David Walls
Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento CA 95833-2936

RE: Amendments to the 2010 California Building Standards Code

Mr. Walls;

Attached is the City of Menlo Park's Ordinance 973 amending the 2010 California Building Standards Code.

If you have any questions please don't hesitate to contact me at (650) 330-6723.

Sincerely,

Ron La France
Building Official

2011 JUN 12 P 3:33
CALIFORNIA BUILDING
STANDARDS COMMISSION

ORDINANCE NO. 973

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING TITLE 12 [BUILDINGS AND CONSTRUCTION] OF THE MENLO PARK MUNICIPAL CODE TO ADOPT THE 2010 CALIFORNIA BUILDING STANDARDS CODE PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12 AND AMENDMENTS THERETO

WHEREAS, the City of Menlo Park ("City") wishes to adopt a building code in accordance with law and to use the most updated regulations in the processing of development in the City; and

WHEREAS, because of the City's unique local climatic, geologic and topographic conditions, the City desires to make amendments and additions to the Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENLO PARK DOES ORDAIN AS FOLLOWS:

SECTION 1: FINDINGS AND DETERMINATIONS. The following local geologic conditions justify modifications to California Building Standards Code.

a. **Geological:** The City is located in Seismic Risk Zones D, E, and F, which are the most severe earthquake zones in the United States. The area includes various soils and areas with significant movement potential. Buildings and other structures in Zones D, E and F can experience major seismic damage. Lack of adequate building designs and detailing as well as the lack of flexible materials and/or building systems have been contributing factors to damage that reduces the life-safety of building occupants and increases the cost of the rehabilitation of structures.

b. **Climatic:** The City is located in a climatic zone with precipitation ranging from 13 to 20 inches per year with an average of approximately 15 inches per year. Ninety-five percent of precipitation falls during the months of November through April, leaving a dry period of approximately six months each year. Relative humidity remains moderate most of the time. Temperatures in the summer average around 80 degrees Fahrenheit and in the winter in the mid 50 degrees Fahrenheit. Prevailing winds in the area come from the west with velocities generally in the 12 miles per hour range, gusting form 25 to 35 miles per hour. These climatic conditions require compliance with energy efficiency standards for building construction.

c. **Topographic:** Areas of highly combustible dry grasses, weeds, brush and trees adjacent to structures are common throughout the City. Above ground electrical power transmission lines are suspended through trees and above large areas of dry vegetation. The arrangement of man-made features around many buildings greatly limit any approach to all but one side of a building.

SECTION 2: DELETION OF EXISTING MUNICIPAL CODE SECTIONS: Existing Chapter 12.05 [California Building Code Amendments], Chapter 12.06 [California Mechanical Code Amendments], Chapter 12.08 [California Plumbing Code Amendments], and Chapter 12.09 [California Electrical Code Amendments] are deleted.

SECTION 3: AMENDMENT OF CODE. Section 12.04.010 [Municipal Building Code] of Chapter 12.04 [Adoption of Codes] of Title 12 [Buildings and Construction] of the Menlo Park Municipal Code is amended to read as follows:

“12.04.010. Municipal building code. The following codes are hereby adopted and by reference are incorporated herein as if set forth in full:

- A. The 2010 California Administrative Code, published by the International Code Council, as amended in Part 1 of the California Building Standards Code, California Code of Regulations Title 24;
- B. The International Building Code 2009 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 2 of the California Building Standards Code, California Code of Regulations Title 24, (“California Building Code”);
- C. The International Residential Code 2009 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 2.5 of the California Building Standards Code, California Code of Regulations Title 24, (“California Residential Code”);
- D. The Uniform Mechanical Code 2009 Edition, published by the International Association of Plumbing and Mechanical Officials together with those omissions, amendments, exceptions and additions thereto as amended in Part 3 of the California Building Standards Code, California Code of Regulations Title 24, (“California Mechanical Code”);
- E. The Uniform Plumbing Code 2009 Edition, including the Installation Standards thereto, published by the International Association of Plumbing and Mechanical Officials together with those omissions, amendments, exceptions and additions thereto as amended in Part 4 of the California Building Standards Code, California Code of Regulations Title 24, (“California Plumbing Code”);
- F. The National Electrical Code 2008 Edition published by the National Fire Protection Association together with those omissions, amendments, exceptions and additions thereto as amended in Part 2.5 of the California Building Standards Code, California Code of Regulations Title 24, (“California Electrical Code”);
- G. The 2010 California Energy Code, published by the International Code Council, as amended in Part 6 of the California Building Standards Code, California Code of Regulations Title 24;
- H. The 2010 California Historical Building Code, published by the International Code Council, as amended in Part 8 of the California Building Standards Code, California Code of Regulations Title 24;

- I. The International Existing Building Code 2009 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 10 of the California Building Standards Code, California Code of Regulations Title 24, ("California Existing Building Code");
- J. The 2010 California Green Building Standards Code, published by the International Code Council, as amended in Part 11 of the California Building Standards Code, California Code of Regulations Title 24; and
- K. The 2010 California Referenced Standards Code, published by the International Code Council, as amended in Part 12 of the California Building Standards Code, California Code of Regulations Title 24.

A copy of each code is on file in the office of the City Clerk. The provisions of this title, including said codes and amendments thereto, shall be known as the building code of the City."

SECTION 4: ADDITION OF CODE. Chapter 12.06 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**"Chapter 12.06
CALIFORNIA BUILDING CODE AMENDMENTS**

Sections:

- 12.06.010 Section 105.2 of Chapter 1 amended.
- 12.06.020 Section 705.8.2 of Chapter 7 amended.
- 12.06.030 Section 1613.8 of Chapter 16 added.
- 12.06.040 Section 1704.4 of Chapter 17 amended.
- 12.06.050 Section 1908.1.8 of Chapter 19 amended.

12.06.010 Section 105.2 of Chapter 1 amended.

Section 105.2 of Chapter 1 of the California Building Code is amended as follows:

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other law or ordinance of the City of Menlo Park. Permits will not be required for the following:

- 1. Detached accessory buildings used as tool and storage or garden sheds or similar uses, provided the height does not exceed eight feet, the projected roof area does not exceed 64 square feet, and the structure complies with Section 16.68.030 Accessory buildings and/or structures of the City of Menlo Park Municipal Code
- 2. Wood fences not over seven feet high.
- 3. Oil Derricks.

4. Retaining walls which are not over two feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III liquids.
5. Detached free-standing water tanks supported directly on a concrete foundation at grade if the capacity does not exceed five 500 gallons and the height above grade does not exceed six feet and the height to width ratio does not exceed two to one.
6. Platforms, walks, and driveways not more than 12 inches above grade and not over any basement or story below.
7. Painting, papering, carpeting, and similar finish work.
8. Temporary television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R Division 3 occupancy that are less than 24 inches deep, do not exceed 5,000 Gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems
11. Swings and other playground equipment accessory to detached one- and two-family dwellings not exceeding 120 square feet as measured at the supports or nine feet in height as measured from existing natural grade to the top of the highest structural member, guard rail, or appendage.
12. Windows awnings supported by an exterior wall of Group R Division 3 occupancy when projecting not more than 36 inches.
13. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over five feet nine inches in height.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work done in a manner in violation of the provisions of these codes or any laws or ordinances of the City of Menlo Park.

12.06.020 Section 705.8.2 of Chapter 7 amended.

The exception to Section 705.8.2 of Chapter 7 of the California Building Code is deleted.

12.06.030 Section 16.13.8 of Chapter 16 added.

Section 1613.8 of Chapter 16 of the California Building Code is added as follows:

ASCE 7, Section 12.8.7. Modify ASCE 7, Section 12.8.7 by amending Equation 12.8-16 as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d} \quad (12.8-16)$$

12.06.040 Section 1704.4 of Chapter 17 amended.

Exception 1 to Section 1704.4 of Chapter 17 of the California Building Code is amended as follows:

1. 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 pound per square inch (psi) (17.2 Mpa).

12.06.050 Section 1908.1.8 of Chapter 19 amended.

Section 1908.1.8 of Chapter 19 of the California Building Code is amended as follows:

ACI318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to seismic design category C, D, E or F.

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

- (a) 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.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

- (b) Plain concrete footing 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.

Exception: In detached one and two-family dwellings three stories or less in height and constructed with stud bearing walls, 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."

SECTION 5: ADDITION OF CODE. Chapter 12.08 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**"Chapter 12.08
CALIFORNIA RESIDENTIAL CODE AMENDMENTS**

Sections:

- 12.08.010 Section R105.2 of Chapter 1 amended.
- 12.08.020 Section R311.7.4.1 of Chapter 3 amended.
- 12.08.030 Section R403.1.3 of Chapter 4 amended.
- 12.08.040 Section R602.10.2.1.1 of Chapter 6 added.
- 12.08.050 TABLE R602.10.1.2(2) of Chapter 6 amended.

12.08.010 Section R105.2 of Chapter 1 amended.

Section 105.2 of Appendix Chapter 1 of the California Residential Code is amended as follows:

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other law or ordinance of the City of Menlo Park. Permits will not be required for the following:

1. Detached accessory buildings used as tool and storage or garden sheds or similar uses, provided the height does not exceed 64 square feet, and the structure complies with Section 16.68.030 Accessory buildings and/or structures of the City of Menlo Park Municipal Code
2. Wood fences not over seven feet high.
3. Oil Derricks.
4. Retaining walls which are not over two feet high measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III liquids.
5. Detached free-standing water tanks supported directly on a concrete foundation at grade if the capacity does not exceed five 500 gallons and the height above grade does not exceed six feet and the height to width ratio does not exceed two to one.
6. Platforms, walks, and driveways not more than 12 inches above grade and not over any basement or story below.
7. Painting, papering, carpeting, and similar finish work.
8. Temporary television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R Division 3 occupancy that are less than 24 inches deep, do not exceed 5,000 Gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems

11. Swings and other playground equipment accessory to detached one- and two-family dwellings not exceeding 120 square feet as measured at the supports or nine feet in height as measured from existing natural grade to the top of the highest structural member, guard rail, or appendage.
12. Windows awnings supported by an exterior wall of Group R Division 3 occupancy when projecting not more than 36 inches.
13. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over five feet nine inches in height.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work done in a manner in violation of the provisions of these codes or any laws or ordinances of the City of Menlo Park.

12.08.020 Section R311.7.4.1 of Chapter 3 amended.

Section R311.7.4.1 of Chapter 3 of the California Residential Code is amended as follows:

Riser Height. The maximum riser height shall be 7 ¾ inches (196 mm) and 4 inches (102 mm) minimum. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest rise height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

12.08.030 Section R403.1.3 of Chapter 4 amended.

Section R403.1.3 of Chapter 4 of the California Residential Code is amended as follows:

Seismic reinforcing. Concrete footings located in Seismic Design Categories D₀, D₁, and D₂, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. 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 a 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 which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

12.08.040 Section R602.10.2.1.1 of Chapter 6 added.

Section R602.10.2.1.1 of Chapter 6 of the California Residential Code is added as follows:

Limits on Methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

12.08.50 Table R602.10.1.2(2) of chapter 6 amended.

Table R602.10.1 of the California Residential Code is amended to add footnote "d".

TABLE R602.10.1.2(2)^{a,b,c,d}

d. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures."

SECTION 6: ADDITION OF CODE. Chapter 12.10 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**"Chapter 12.10
CALIFORNIA ELECTRICAL CODE AMENDMENTS**

(Reserved)"

SECTION 7: ADDITION OF CODE. Chapter 12.12 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**“Chapter 12.12
CALIFORNIA MECAHNICAL CODE AMENDMENTS**

(Reserved)”

SECTION 8: ADDITION OF CODE. Chapter 12.14 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**“Chapter 12.14
CALIFORNIA PLUMBING CODE AMENDMENTS**

(Reserved)”

SECTION 9: ADDITION OF CODE. Chapter 12.16 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**“Chapter 12.16
CALIFORNIA ENERGY CODE AMENDMENTS**

(Reserved)”

SECTION 10: ADDITION OF CODE. Chapter 12.18 of Title 12 [Buildings and Construction] is hereby added to read as follows:

**“Chapter 12.18
CALIFORNIA GREEN BUILDING STANDARDS CODE AMENDMENTS**

(Reserved)”

SECTION 11: EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Administrative Code, Section 15061(b)(3) that this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) in that it is not a project that has the potential for causing a significant effect on the environment.

SECTION 12: SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 13: EFFECTIVE DATE. This Ordinance shall become effective January 1, 2011.

SECTION 14: POSTING. Within fifteen (15) days of its adoption, the Ordinance shall be posted in three (3) public places within the City of Menlo Park, and the Ordinance, or a summary of the Ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the sixteenth day of November, 2010.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the fourteenth day of December, 2010, by the following votes:

AYES: Cohen, Fergusson, Keith, Ohtaki, Cline

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Mayor

ATTEST:



Margret S. Roberts, MMC
City Clerk