

TO: JAMES L. APP, CITY MANAGER

FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CODE AMENDMENT EXEMPTING SPECIFIC EXISTING BUILDINGS
FROM MUNICIPAL CODE SECTIONS 17.04.020-SECTION P-II, EXISTING
CONSTRUCTION AND 17.04.030 – ARTICLE 10-II, EXISTING
CONSTRUCTION

DATE: SEPTEMBER 21, 2004

Needs: For the City Council to consider whether or not to amend Municipal Code sections 17.04.020 and 17.04.030, (Uniform Building and Fire code) reducing the requirement to install fire sprinkler systems in buildings greater than 5000 square feet.

Facts:

1. In 1988, City Council amended the Uniform Building and Fire codes to require buildings in excess of 5000 square feet to be equipped with fire sprinklers.
2. The purpose of the amendment was to protect the lives and property of the citizens of Paso Robles given the geographical separations and topographical conditions that exist within the City.
3. The code amendment requires all new construction in excess of 5000 square feet to be fire sprinkled. It requires existing buildings in excess of 5000 square feet to incorporate fire sprinklers into their construction in conjunction with a change of occupancy use classification or when an addition to the building would increase the square footage in excess of 5000 square feet.
4. On June 10, 2004, a stop work notice was issued at 1529 North River Road for a 1500 square foot addition to an existing building without benefit of a building permit.
5. The existing structure before the unauthorized addition, was approximately 6500 square feet in area. As it pre-dated the code amendment, the building was not fire sprinkled and would be classed as an existing non-conforming structure.
6. Under the City's codes, a non-conforming structure may have its use continued so long as the building is not be expanded (adding to the non-conformity). Should the building be expanded it must, in conjunction with the expansion, demonstrate compliance with current applicable codes.
7. Under current codes, in order to add on to the non-conforming building at 1529 North River Road, the following conditions would need to be met:
 - a. The building cannot be constructed within the 100 year flood plain
 - b. The building would require a one-hour fire separation at the north property line if closer than ten (10) feet to the property line.

- c. Plans and engineering showing the building structurally meets the building code would be required in order to obtain a building permit.
 - d. The construction would require installation of the a fire sprinkler system.
 - e. Payment of all applicable building and engineering review fees.
 - f. Review by the Development Review Committee.
8. The property owner has requested Council consider amending the Municipal Code with regards to the installation of fire sprinklers in order to avoid having to install fire sprinklers as required by current zoning code.

Analysis
and

Conclusion:

The property owner has requested the City to amend its building and fires codes in order for him to avoid complying with current code requirements. An amendment to the current code requirement is a procedural alternative to complying with the City's code.

Attached as a point of reference is a recent news article that compares fire sprinkler requirements of various local jurisdictions. The predominant trend is toward more stringent requirements.

Amendment of the existing code to eliminate the need to sprinkle existing buildings would have an impact on the level of fire safety within the City of Paso Robles. If an amendment is supported, it is recommended that it be limited to specific low intensity uses and not be applied to all existing non-sprinkled buildings regardless of use.

The attached draft code amendment would limit the exclusion in the following manner:

Buildings existing within the City of Paso Robles or buildings annexed to the City of Paso Robles need not be fire sprinkled in conjunction with an addition or remodel provided:

1. The total building area is less than 7999 square feet measured from the inside wall area.
2. The proposed Occupancy Group is historically consistent with the building's use for a preceding period of ten (10) years.
3. The occupant load shall be calculated at 1000 square feet per person with a maximum load of seven (7) individuals.
4. The building is used for the storage of non-combustible materials, barreled wine storage or storage of equipment with a aggregate on board fuel load of less than 500 gallons for all equipment being stored. Buildings used for equipment shall have a minimum of one (1) of the two longest sides open to the free air.
5. No bulk storage of fuels, oils, grease or solvents shall be permitted.

Policy

Reference: Municipal Code Sections 17.04.020 and 17.04.030

Fiscal Impact: None

- Options:
- a.** Reject the proposed code amendment, maintaining the current requirements for fire sprinklers.
 - b.** Approve a code amendment, based on the attached Exhibit "A", directing staff to modify the amendments to the Uniform Building and Fires Codes and reintroduce the codified amendment at the October 19, 2004, meeting for its first reading.
 - c.** Amend, modify, or reject the above options.

Attachments:

Draft copy of a proposed code amendment to the Municipal, Building and Fire Codes eliminating the need to fire sprinkle certain existing buildings upon a change of use or expansion.

Draft Amendment to Municipal Code Sections 17.04.020 and 17.04.030,

II. Existing Construction:

An automatic fire sprinkler system shall be installed in all rooms or buildings, when the following conditions are determined to exist:

1. In conjunction with any change in the occupancy group assigned the structure under the Uniform Building Code, and the floor area exceeds 5000 square feet.
2. The area of mezzanines shall be included in determining the areas where sprinklers are required. This requirement shall not preclude the installation of any separation walls required by other sections of the Building Code.
3. The square footage of a building shall be computed using inside wall areas. Vent shafts and concealed spaces shall be considered when computing building area. Areas of buildings may not be reduced, subdivided, or compartmentalized into areas less than 5000 square feet by the installation of separation walls. Courts meeting the requirements of Section 404 of the Uniform Building Codes shall not be included in the calculation.

Exception:

Buildings existing within the City of Paso Robles or buildings annexed to the City of Paso Robles need not be fire sprinkled in conjunction with an addition or remodel provided:

- 6. The total building area is less than 7999 square feet measured from the inside wall area.***
- 7. The proposed Occupancy Group is historically consistent with the building's use for a preceding period of ten (10) years.***
- 8. The occupant load shall be calculated at 1000 square feet per person with a maximum load of seven (7) individuals.***
- 9. The building is used for the storage of non-combustible materials, barreled wine storage or storage of equipment with an aggregate on board fuel load of less than 500 gallons for all equipment being stored. Buildings used for equipment shall have a minimum of one (1) of the two longest sides open to the free air.***
- 10. No bulk storage of fuels, oils, grease or solvents shall be permitted.***

LOCAL

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THE TRIBUNE
 SAN LUIS OBISPO COUNTY, CALIF.

SATURDAY, AUGUST 21, 2004

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Grover adopts new sprinkler rules

Once the new year starts, developers will be required to install fire sprinklers in new commercial buildings and homes larger than 1,000 square feet

By CYNTHIA NEFF
 THE TRIBUNE

Starting Jan. 1, Grover Beach will toughen its rules that require property owners to install fire sprinklers in their homes or businesses.

Some city officials say the new requirement — approved this week by the City Council — will make residents safer and decrease losses during a fire, while others oppose the additional expense on homeowners.

Grover Beach council members voted 3-2 to approve the new rules. Mayor Dee Santos and Councilman Dave Ekboom dissented, both stating later that they oppose the new requirements placed on those making

additions or remodels.

The new rules require developers of new commercial and residential buildings larger than 1,000 square feet to install fire sprinklers. Under the old law, only those with buildings larger than 5,000 square feet would have to install a system.

Owners of buildings with additions that are 50 percent or more of the current assessed valuation (at time of application for building permit) or are 25 percent of the existing floor area will also be required to install sprinklers.

The new rules go into effect Jan. 1, so those who get their plans into the city before then won't be subject to the new

Fire sprinkler laws in San Luis Obispo County

- Arroyo Grande: Requirements pending
- Atascadero: Required for commercial and residential buildings 5,000 square feet or more
- Cambria: Required for commercial buildings 2,500 square feet or more and for residential buildings 1,000 square feet or more
- Grover Beach: Required for new buildings 1,000 square feet or more
- Morro Bay: Required for commercial buildings 5,000 square feet or more and for residential buildings 1,000 square feet or more
- Pismo Beach: Required for new buildings 1,000 square feet or more
- San Luis Obispo: Required for commercial buildings 2,500 square feet or more and for residential buildings 1,000 square feet or more

ford to put a whole new sprinkler system here?" asked Mayor Dee Santos, who owns Salon Dee in Grover Beach. "I don't think so. ... I think it (the ordinance) was pushed too fast."

Meanwhile, Ekboom said sprinklers should only be required on new construction. "We're trying to encourage people to rebuild their old homes but then are penalizing them," Ekboom said.

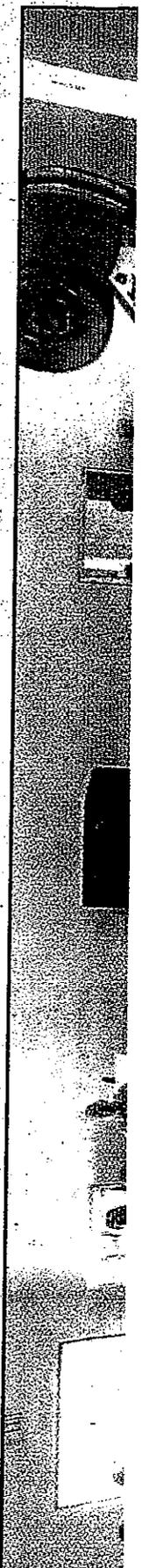
One example is Grover Beach resident Bill Compton, who said the additional cost might deter him from pushing forward with plans to remodel his Park View Avenue home.

He estimated the cost to install sprinklers in new developments at \$1 per square foot, and \$1 to \$1.25 per square foot for remodels.

But some say that additional cost is too high. "At my business, could I af-

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SAN LUIS OBISPO MOZART FESTIVAL: BISCUITS AND GROOVY STRIKE UP A TUNE IN LOS OSOS



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