

ORDINANCE NO. 3008-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2013 CALIFORNIA RESIDENTIAL CODE, WITH CERTAIN DELETIONS AND AMENDMENTS THERETO, AS THE RESIDENTIAL CODE OF THE CITY OF SUNNYVALE

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

SECTION 1. REPEAL. Ordinance No. 2932-10, codified as Chapter 16.17 of the Sunnyvale Municipal Code, and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.17 ADDED. Sunnyvale Municipal Code Chapter 16.17 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for he purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 619-13.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, 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 which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2014.

SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 19, 2013, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 26, 2013, by following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

Date of Attestation: _____
(SEAL)

APPROVED AS TO FORM:

Rebecca Moon, Assistant City Attorney

Chapter 16.17.
RESIDENTIAL CODE

16.17.010. Title.

16.17.020. Adoption by reference.

16.17.030 Administration

16.17.040. Definitions.

16.17.050. Fire-resistant construction.

16.17.060. Townhouses.

16.17.060. Sound transmission.

16.17.070. Fire extinguishing systems.

16.17.080. Concrete construction.

16.17.090. Gypsum board and plaster as wall bracing materials.

16.17.100. Roof material rating.

16.17.010. Title.

16.17.010. Title.

This chapter shall be known and may be cited and referred to as the “Residential Code for the City of Sunnyvale.”

16.17.020. Adoption by reference.

The 2012 International Residential Code in its entirety, along with Appendices G and H as published by the International Code Council, Inc. and amendments to sections of the 2012 International Residential Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 2.5 known as the California Residential Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the residential code of the city of Sunnyvale.

16.17.030. Administration.

2013 California Residential Code chapter 1 division II is hereby amended as follows:

2013 California Residential Code chapter 1 division II is hereby replaced by the provisions of Chapters 16.16.

16.17.040. Definitions.

2013 California Residential Code Chapter 2 is hereby amended as follows:

For the purpose of the California Code, certain terms are defined as follows:

(1) “Board of appeals” means the board created to hear and determine appeals from a decision or order of the building inspection superintendent.

(2) “Building inspection superintendent” means the officer or other person charged with the administration and enforcement of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Energy Code,

(I) Green Building Code

(3) “Building official” or “chief building official” means building inspection superintendent.

(4) “The codes” mean each and all of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Fire Code,
- (I) Energy Code,
- (J) Green Building Code.
- (K) Property Maintenance Code.

(4) “TOWNHOUSE”. A single-family dwelling unit on an individual lot and constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

16.17.050. Fire-resistant construction.

2013 California Residential Code Table R302.1(2) footnote “a” is amended to read follows:

^a For residential subdivisions where all dwellings and accessory buildings are equipped throughout with an automatic sprinkler system installed in accordance with Section R313, the fire separation distance for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard with a recorded no-build easement that is 6 feet or more in width on the opposite side of the property line.

16.17.060. Townhouses.

2013 California Residential Code Section R302.2 is amended as follows:
Delete the exception.

16.17.070. Sound transmission.

The title for 2013 California Residential Code Section R303 is amended to read as follows:

LIGHT, VENTILATION, HEATING, AND SOUND TRANSMISSION

2013 California Residential Code Section R303.10 is added to Chapter 3 of the 2013 California Residential Code to read as follows:

R303.10 Sound Transmission. For sound transmission control between attached dwelling units, see Section 1207 of the California Building Code.

16.17.080. Fire extinguishing systems.

2013 California Residential Code sections R313.1, R313.2, and R313.3 are hereby amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in townhouses.

Existing Townhouses. An automatic residential fire sprinkler system shall be installed in existing townhouses when additions are made that are in excess of 50 percent of the original building area.

Firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

Exception: A one-time addition to existing townhouses that do not exceed 500 square feet of building area.

R313.1.1 Design and Installation.

Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D and local standards.

R313.2 One- and two-family dwellings automatic fire systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Existing one and two-family dwellings. An automatic residential fire sprinkler system shall be installed in existing one and two-family dwellings when additions are made that are in excess of 50 percent of the original building area.

Firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

Exception: One-time additions to one and two-family dwellings that do not exceed 500 square feet of building area.

Group U private garages and carports shall comply with Section 903.2.18 of the California Fire Code.

R313.2.1 Design and Installation.

Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D and local standards.

2013 California Residential Code Section R313.3 is hereby amended by deleting the following provisions:

R313.3 Dwelling unit fire sprinkler systems.

16.17.090. Concrete construction.

2013 California Residential Code Section R403.1.3 is amended to read as follows:

R403.1.3 Seismic Reinforcing. Concrete footings located in Seismic Design Categories D₀, D₁, and D₂, as established in Table R301.2(1), shall have minimum reinforcement 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.

16.17.100. Gypsum board and plaster as wall bracing materials.

Title for the 2013 California Residential Code Table **R602.10.3(3)** is amended to read as follows:

TABLE R602.10.3(3)^{a,b,c,d,e}
BRACING REQUIREMENTS BASED ON
SEISMIC DESIGN CATEGORY
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

2013 California Residential Code Table **R602.10.3(3)** footnote “e” is added to the end of the table to read as follows:

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

2013 California Residential Code Section R602.10.4.4 is added to Chapter 6 of the 2013 California Residential Code to read as follows:

R602.10.4.4 Limits on Methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Methods 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.

16.17.110. Roof material rating.

2013 California Residential Code Section R902.1.3 is amended to read as follows:

R902.1.3 Roof Coverings in All Other Areas. The entire roof covering of every existing structure where more than fifty percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.