

## **ORDINANCE NO. 2022-1095**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA AMENDING CHAPTER 15.05 OF THE YORBA LINDA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION, WHICH INCORPORATES AND AMENDS THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, WITH CERTAIN APPENDICES AND AMENDMENTS, AND REPEALING ORDINANCE NO. 2019-1064.**

**WHEREAS** California Government Code Section 50022.1 *et seq.* authorizes the City to adopt by reference the California Building Standards Code (California Code of Regulations, Title 24) adopting certain uniform codes, including the California Residential Code, 2022 Edition (which incorporates and amends the International Residential Code, 2021 Edition), with certain appendices and amendments; and

**WHEREAS**, California Health and Safety Code Sections 17958 *et seq.* and 18941.5 authorizes cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, the City of Yorba Linda desires to adopt the California Residential Code, as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (the "Residential Code"), with certain appendices and amendments to assure the Residential Code is tailored to the particular safety needs of the City of Yorba Linda as required by its unique climatic, geological and topographical conditions; and

**WHEREAS**, the City Council held a public hearing on December 6, 2022 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Residential Code, as amended herein; and

**WHEREAS**, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on November 24, 2022 and December 1, 2022; and

**WHEREAS**, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Findings. To the extent that the following changes and modifications to the California Residential Code, 2022 Edition, are deemed more restrictive than the standards contained therein, thus requiring that findings be made pertaining to local conditions justifying such modifications, the City Council adopted Resolution No. 2022-5828 that found and determined that the following changes and modifications are reasonably necessary due to local conditions.

Section 2. Chapter 15.05 of the Yorba Linda Municipal Code is hereby amended to read as follows:

**“CHAPTER 15.05**

**RESIDENTIAL CODE**

**Sections:**

<b>15.05.010</b>	<b>Residential Code Adopted.</b>
<b>15.05.020</b>	<b>Chapter 1 Division II Administration – amendments.</b>
<b>15.05.030</b>	<b>Chapter 2 Definitions – amendments.</b>
<b>15.05.040</b>	<b>Chapter 3 Building Planning -- amendments.</b>
<b>15.05.050</b>	<b>Chapter 9 Roof Assemblies – amendments.</b>
<b>15.05.060</b>	<b>Chapter 10 Chimneys and Fireplaces – amendments.</b>
<b>15.05.070</b>	<b>Chapter 44 Referenced Standards – amendments.</b>
<b>15.05.080</b>	<b>Appendix AF Radon Control Methods – deleted.</b>
<b>15.05.090</b>	<b>Appendix AG Reserved – deleted.</b>
<b>15.05.100</b>	<b>Appendix AH Patio Covers – adopted.</b>
<b>15.05.110</b>	<b>Appendix AI Private Sewage Disposal – deleted.</b>
<b>15.05.120</b>	<b>Appendix AJ Existing Buildings and Structures – deleted.</b>
<b>15.05.130</b>	<b>Appendix AK Sound Transmission – adopted.</b>
<b>15.05.140</b>	<b>Appendix AL Permit Fees – deleted.</b>
<b>15.05.150</b>	<b>Appendix AM reserved – deleted.</b>
<b>15.05.160</b>	<b>Appendix AN reserved – deleted.</b>
<b>15.05.170</b>	<b>Appendix AO Automatic Vehicular Gates – adopted.</b>
<b>15.05.180</b>	<b>Appendix AP Reserved – deleted.</b>
<b>15.05.190</b>	<b>Appendix AQ Tiny Houses – deleted.</b>
<b>15.05.200</b>	<b>Appendix AR Light Straw – Clay Construction – deleted.</b>
<b>15.05.210</b>	<b>Appendix AS Strawbale Construction – deleted.</b>
<b>15.05.220</b>	<b>Appendix AT [RE] Solar-Ready Provisions – Detached One-and Two-Family Dwellings and Townhouses – Deleted.</b>
<b>15.05.230</b>	<b>Appendix AU Cob Construction (Monolithic Adobe) – deleted.</b>
<b>15.05.240</b>	<b>Appendix AV Board of Appeals – deleted.</b>
<b>15.05.250</b>	<b>Appendix AW 3D Printed Building Construction – deleted.</b>
<b>15.05.260</b>	<b>Appendix AX Swimming Pool Safety Act – deleted.</b>
<b>15.05.270</b>	<b>Appendix AY Areas Protected by the Facilities of the Central Valley Flood Protection Plan – deleted.</b>

**15.05.280 Appendix AZ Emergency Housing — deleted.**

**15.05.010. Residential Code Adopted.**

There is hereby adopted by reference, as the Residential Code of the City, the California Residential Code, 2022 Edition, with certain appendices and amendments, which incorporates and amends the International Residential Code, 2021 Edition with certain appendices and amendments, published by the International Code Council, one certified copy of which is on file in the office of the City Clerk for public inspection and is adopted with the same force and effect as though set out herein in full. The California Residential Code, 2022 Edition, as adopted herein, is amended as set forth in Sections 15.05.020 through 15.05.310.

**15.05.020. Chapter 1 Division II Administration - amendments.**

**Section R105.2 Work exempt from permit** is hereby amended to revise the following subsections under the heading of “Building” to read as follows:

2. Masonry or concrete fences not over 3 feet (1829 mm) high measured from the lowest adjacent finish grade.
3. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge, supporting a sloped backfill with a slope greater than 2:1 or impounding flammable Class I, II, or III-A liquids.
7. Prefabricated swimming pools that are less than 18” deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Decks not exceeding 120 square feet in area and are not more than 30 inches above grade at any point and that are not attached to a dwelling and do not serve the exit door required by Section R311.4 and that follow the requirements found in Chapter R337 Materials and Construction Methods for Exterior Wildfire Exposure, Section R337.9.
11. Wrought Iron, wood, vinyl or chain link fences not over six (6) feet high measured from the lowest adjacent finish grade, unless a wood, vinyl or chain link fence is a full or partial pool enclosure. Such wood, vinyl or chain link fences shall conform to the pool enclosure requirements of Section 3119B of the California Building Code.

**Section R105.3.1 Action on application** is hereby amended by the addition of language to read as follows:

When plans or other data are required to be submitted by section R105.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The amount of the plan review fee shall be as established by resolution adopted by the City Council.

When submittal documents for plan review are incomplete or modified so as to require additional plan review, an additional plan review fee shall be charged as established by resolution adopted by the City Council.

**Section R105.3.2 Time limitation of application** is hereby amended to read as follows:

**R105.3.2 Time limitation of applications.** An application for which no permit is issued within 180 days following the date of application shall automatically expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application may be extended one or more times by the building official for additional periods not exceeding 180 days each. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

An application for a permit may only be extended if a written request for an extension is received prior to the expiration of the permit application and a nonrefundable application fee of \$73.00 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. Payment of the \$73.00 application fee shall not automatically grant an extension. Permit application extensions shall not be granted after the expiration of the original permit application and payment of plan review fees. Full plan review fees as set forth in the fee resolution adopted by the City Council shall be paid should the permit application expire.

**Section R105.5 Expiration** is hereby amended in its entirety to read as follows:

**R105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months any time after the work is commenced. The suspension or abandonment of work shall be defined as failing to obtain a formal approval of any required inspection as specified in Section R109.1 of this code within a 12 month

time period. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A permit may only be extended, with no additional permit fees charged, if a written request for an extension is received prior to the expiration of the permit and a nonrefundable application fee of \$73.00 is paid. The application for an extension shall state the reason for the extension and identify conditions beyond the control of the applicant which justify the extension. The application shall be reviewed by the Building Official and a decision to grant an extension or not shall be based upon the merits of the written request for the extension. No additional permit fees, other than the application fee of \$73.00, shall be charged. Payment of the \$73.00 application fee shall not automatically grant an extension. Permits which have become invalid shall pay a renewal fee of 50% of the original permit fee when the permit has been expired for up to one (1) year. When a permit has been expired for a period in excess of one (1) year, the renewal fee shall be 100% of the original permit fee.

**Section R106.1 Submittal documents** is hereby amended to read as follows:

**R106.1 Submittal documents.** Submittal documents consisting of construction documents, statement of special inspections, structural calculations, geotechnical report and other pertinent data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the Building Official of the jurisdiction in which the project is to be constructed.

Shop drawings for the fire protection system(s) shall be submitted to the Orange County Fire Authority for review to indicate conformance to the adopted codes and the construction documents and shall be approved prior to the framing inspection.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**Section 106.1.6** is hereby amended to read as follows:

**R106.1.6 Exterior balconies and elevated walking surfaces.** Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, or irrigation and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include the manufactures installation instructions, the products listing name, approval number(s) of the product and the approving agency.

**Section R106.2 Site plan or plot plan** is hereby amended to read as follows:

**R106.2 Site plan or plot plan.** The construction documents submitted with the application for permit shall be accompanied by the sites assigned address(s), a site plan showing the location and dimensions of all new construction, the location and dimensions of all existing construction, all property lines shown and labeled, all easement(s) dimensions shown and labeled, dimensions between all new construction and all property lines, dimensions between all existing construction and all property lines, dimensions between all new and existing construction, locations of all slopes with the top of any slope or the bottom of any slope specifically plotted and indicated, the structural setback line from top of slope specifically plotted as required by Chapter 18 of the California Building Code, the overall vertical height of all slope shown, dimensions from the top of any slope to all new proposed construction, show a dimensioned location of any active or abandon oil wells, and indicate if the property is in a methane gas area as designated by the Geologic Energy Management Division (CalGem) online Well Finder, indicate if the property is in a methane gas area as designated OCFA and Geologic Energy Management Division (CalGem), show a dimensioned location of any active or abandon septic tanks and seepage pits and any other site related information. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for an alteration or repair or when otherwise warranted.

**Section R107.1 General** is hereby amended by revising the number of days in the second sentence from “180 days” to “30 days”.

**Section R108.2 Schedule of permit fees** is hereby amended to read as follows:

**R108.2 Schedule of permit fees.** For each permit required by this Article, there shall be charged and paid to the Building Department, a fee as established by resolution adopted by the City Council, and at the rate provided for each classification shown therein.

**Section R108.5 Refunds** is hereby amended to read as follows:

**R108.5 Refunds.** The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 365 days after the date of fee payment.

**Section R108.6 Work commencing before permit issuance** is hereby amended to read as follows:

**R108.6 Work commencing before permit issuance.**

**R108.6.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. A special investigation shall be made either by the building official, or a building inspector. Prior to any special inspection, all concealed structural and non-structural items shall be exposed so either the building official, or the inspector can conduct an accurate assessment of the non-permitted construction. The items to be exposed shall include, but not limited to the foundation, framing, electrical, plumbing and mechanical.

**R108.6.2 Fee.** An investigation fee, in addition to the permit, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

**R108.6.3 Emergency Work.** The investigation fee shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

**Section R109.5 Reinspection's** is hereby added to read as follows:

**R109.5 Reinspection's:** The Authority Having Jurisdiction shall have the authority to assess a reinspection fee for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made. Reinspection fees may also be assessed when the approved plans are not readily available to the inspector, or failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official or requesting a reinspection of the same item three or more times.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee established by resolution adopted by the City Council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**Section R109.6 Extra Inspections** is hereby added to read as follows:

**R109.6 Extra inspections:** When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and the holder of the permit shall be entirely responsible for each and every subsequent extra visit or inspection. A reinspection fee shall be paid for every subsequent extra visit or inspection.

**Section R110.2 Change in use** is hereby amended to read as follows:

**R110.2 Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in Chapter 11 of the California Fire Code and Section 506 of the California Existing Building Code.

#### **15.05.030 Chapter 2 Definitions – amendments.**

**Section R202 Definitions** is hereby revised by adding “OCFA” and “Spark Arrester” as follows

**BEDROOM.** A bedroom shall be defined as any enclosed space that does not have one wall open to the rest of the house such as a bonus room, office, workout room, media room and library, or any other enclosed room which could potentially be used for a bedroom.

**OCFA:** Orange County Fire Authority, fire authority having jurisdiction.

**SPARK ARRESTER.** A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:



1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
2. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

#### 15.05.040 Chapter 3 Building Planning – amendments.

**Table R301.2(1) Climatic And Geographic Design Criteria** is hereby amended to read as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load <sup>a</sup>	Wind Design				Seismic Design Category <sup>f</sup>	Subject to Damage From			Ice Breaker Under- layment Required <sup>b</sup>	Flood Hazards <sup>g</sup>	Air Freezing Index <sup>i</sup>	Mean Annual Temp <sup>j</sup>	
	Speed <sup>d</sup> (mph)	Topographic Effects <sup>k</sup>	Special Wind Region <sup>l</sup>	Windborne Debris Zone <sup>m</sup>		Weathering <sup>a</sup>	Frost line Depth <sup>b</sup>	Termite <sup>c</sup>					
Zero	110 mph Vest Min Exp. C (*)	No	No	No	D <sub>2</sub> or E	Negligible	None	Very heavy	No	See Engineering /Public Works	0	60°	

  

MANUAL J DESIGN CRITERIA <sup>n</sup>							
Elevation	Altitude correction factor <sup>e</sup>	Coincident wet bulb	Indoor winter design dry-bulb temperature	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
350 feet		37	92				
Latitude	Daily Range	Indoor summer relative humidity	ulb	Daily range	Winter humidity	Summer humidity	
33.885°N			70	31			

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(1). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(2). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4. (\*) Approximately equivalent to 85 mph  $V_{est}$  (3-second gust), minimum shall be exposure C. See Table R301.2.1.3 for conversion.
- e. The jurisdiction shall fill in this section of the table to establish the design criteria using Table 10A from ACCA Manual J or established criteria determined by the jurisdiction.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with: the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard

- areas); and the title and date of the currently effective Flood Insurance Study or other flood hazard study and maps adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
  - i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
  - j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
  - k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
  - l. In accordance with Figure R301.2(2), where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
  - m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table,
  - n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction,
  - o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6) and R301.2(4).

**Section R301.9 Fuel Modification Requirements for New Construction** is hereby added as follows:

**R301.9 Fuel Modification Requirements for New Construction.** All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

**Section R309.6 Fire sprinkler attached garages, and carports with habitable space above** is hereby amended by modifying the exception to read as follows:

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed unless a residential sprinkler system is required in accordance with California Fire Code Section 903.2.8.

**Section R313.1 Townhouse automatic fire sprinkler systems** is hereby amended by modifying the exception as follows:

**Exception:** An automatic sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic sprinkler system installed unless an automatic sprinkler system is required in accordance with California Fire Code Section 903.2.8.

**Section R313.2 One- and two-family dwellings automatic sprinkler systems** is hereby amended by modifying the exception as follows:

**Exception:** An automatic residential sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic sprinkler system unless a sprinkler system is required in accordance with California Fire Code, Section 903.2.8.

**Section R313.3.6.2.2 Calculation procedure** is hereby revised to read as follows:

**Section R313.3.6.2.2 Calculation procedure.** Determination of the required size for water distribution piping shall be in accordance with the following procedure and California Fire Code Section 903.3.5

**(The remainder of the section is unchanged)**

**Section R319.1 Site identification** is hereby revised to read as follows:

**R319 Site Address.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

**Section R337.1.3 Application** is hereby revised to read as follows:

**R337.1.3 Application.** New buildings located in any adopted Fire Hazard Severity Zone, or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this section. This shall include all new buildings with residential, commercial, educational, institutional or similar occupancy type and additions and substantial remodels (as determined by the Building Official) to and existing building that include residential use, which were constructed before 2012, which shall be referred to in this section as “applicable building” (see definition Section R337.2) as well as new buildings and structures accessory to those applicable buildings. These provisions shall also apply to all structures located within 100 feet of a Fuel Modification Zone, Vegetation Management Area, or similar area

containing hazardous combustible vegetation, regardless of whether the property is currently located in an adopted Fire Hazard Severity Zone or Wildland-Urban Interface Area, when materials and/or construction methods for exterior wildfire exposure were previously required at the property by the Building or Fire Code Official.

**Exceptions:**

1. Buildings of an accessory character classified as a Group U occupancy of any size located at least 50 feet from an applicable building.
2. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
3. Additions to and remodels 1,000 square feet or less of buildings constructed before 2012 need not comply fully with Section R337. However, all additions and remodels to existing single family homes and accessory structures shall comply with the following:
  - a. A minimum of a Class A roof shall be installed on the addition(s), or any alteration(s), as well as on the existing home or structure, in compliance with Section R337.5
  - b. All existing attic vents, underside eave and cornice vents shall be installed or retrofitted in compliance with Section R337.6, and the existing attic vents, eave and cornice vents in the existing structure shall be replaced, or retrofitted as to be in full compliance with Section R337.6.
  - c. Decking. The walking surface material of decks, porches, balconies and stairs as defined in Section R337.9 shall comply with this section.
  - d. Accessory Structures. Accessory buildings as defined in Section R202 and miscellaneous structures, shall comply with Section R337.10, as amended.

**Section R337.1.7 Fuel Modification Requirements for New Construction** is hereby added to read as follows:

**R337.1.7 Fuel Modification Requirements for New Construction.** All new buildings to be built or installed in a Wildfire Risk Area shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official prior to or concurrently with the approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.

3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."
4. The fuel modification plan shall include provisions for the maintenance of the fuel modification in perpetuity.
5. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.
6. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

**15.05.050 Chapter 9 Roof Assemblies – amendments.**

**Section R902.1 Roof covering materials** is hereby amended to read as follows:

**R902.1 Roof covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing shall be installed in areas designated by this section. Class A roofing required by this section to be listed shall be tested in accordance with ASTM E108 or UL 790.

**Exception:** Metal encapsulated insulated panel roof panels with a minimum of 1/32" (.030) to 5/64" (.080) exterior skin encapsulating insulation material being installed in Non-Fire Hazard Severity Zone, or in a Wildland-Urban Interface Fire Area. The insulating material shall have a minimum ASTM E84 flame spread index of 25 or less, and a smoke-developed index of 450 or less. Encapsulation material shall have no airgaps, or open spaces and a minimum of a Class B rating when tested in accordance with ASTM E108, or ASTM 790. Covers or enclosures shall not be installed over a combustible surface, or combustible material.

**Section R902.1.2 Roof coverings in all other areas** is hereby amended to read as follows:

**R902.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 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 A.

All new roof covering installations located within a Fire Hazard Severity Zone, Wildland-Urban Interface Fire Area, or Fuel Modification Zone, shall install new

gable end vents, underside eave, dormer style vents and cornice vents per Section R337.6. Retrofit vents shall be reviewed and approved prior to installation.

Where the roofing profile has an “air-space” under the roof covering, the underlayment shall comply with Section R337.5.

**Section R902.2 Fire-retardant-treated shingles and shakes** is hereby amended to revise the first paragraph to read as follows:

Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A roofs.

**Section R908.3 Roof replacement** is hereby amended to read only as follows:

**R908.3 Recovering versus replacement.** New roof coverings shall not be installed without first removing all existing layers of roof coverings and assembly materials down to the deck.

All newly installed roof coverings in a Fire Hazard Severity Zone, Wildland-Urban Interface Fire Area, or Fuel Modification Zone shall require new roof vents throughout and if applicable, all underside eave and cornice vents per Section R337.6. Retrofit vents shall be reviewed and approved prior to installation.

Where the roofing profile has an “air-space” under the roof covering, the underlayment shall comply with Section R337.5.

**Section R908.4 Roof recovering** is hereby deleted in its entirety.

#### **15.05.060 Chapter 10 Chimneys and Fireplaces -- amendments**

**Section R1001.14 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices** is hereby added as follows:

**R1001.14 Wood Burning Indoor, or Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices.** Outdoor fireplaces, fire pits, fire rings, or similar exterior wood burning devices are prohibited per SCAQMD Rule 445.

**Exception:** Barbeques, grills, and other portable devices intended solely for cooking.

**Section R1001.14.1 Gas-fueled devices** is hereby added as follows:

**R1001.14.1 Gas-fueled devices.** Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when

approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester in accordance with Section R1003.9.2.

**Section R1001.14.2 Devices using wood, wood alternatives or fuels other than natural gas or liquefied-petroleum gas** is hereby added as follows:

**R1001.14.2 Where prohibited.** The burning of wood and other solid fuels shall not be conducted within a Fuel Modification Zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within an adopted Fire Hazard Severity Zone or a Wildland-Urban Interface Fire Area or in locations where conditions could cause the spread of fire to these locations, or a Fuel Modification Zone unless, determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

**15.05.070 Chapter 44 Referenced Standards – amendments.**

**NFPA 13, 2022 Edition, Standard for the Installation of Sprinkler Systems** is hereby amended as follows:

**Section 6.7.3** is hereby revised to read as follows:

**6.7.3** Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

**Section 8.3.3.1** is hereby revised to read as follows:

**8.3.3.1** When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.8
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Quick response CMSA sprinklers
4. ESFR sprinklers
5. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
6. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

**Section 8.15.1.2.7** is hereby revised as follows:

**8.15.1.2.7** Concealed spaces filled with noncombustible insulation shall not require sprinkler protection when approved by the fire code official.

**NFPA 13D 2022 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes** is hereby amended as follows:

**Section 7.1.2** is hereby revised to read as follows:

**7.1.2** The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service.

**NFPA 24, 2022 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances** is hereby amended as follows:

**Section 6.2.8.1** is hereby added as follows:

**6.2.8.1** All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

Exceptions:

1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

**Section 6.2.9** is hereby revised to read as follows:

All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

- (1) A post indicator valve installed not less than 40 ft (12 m) from the building



(a) For buildings less than 40 ft (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the post indicator valve.

- (2) A wall post indicator valve
- (3) An indicating valve in a pit, installed in accordance with Section 6.4
- (4) A backflow preventer with at least one indicating valve not less than 40 ft (12 m) from the building

(a) For buildings less than 40 ft (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the backflow preventer.

- (5) Control valves installed in a fire-rated room accessible from the exterior
- (6) Control valves in a fire-rated stair enclosure accessible from the exterior

**Section 10.1.5** is hereby added as follows:

**10.1.5** All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings

**Section 10.4.1.1** is hereby revised to read as follows:

**10.4.1.1** All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

**Section 10.4.1.1.1** is hereby added as follows:

**10.4.1.1.1** All bolts used in pipe-joint assembly shall be 316 stainless steel.

**Section 10.4.3.2** is hereby revised to read as follows:

**10.4.3.2** Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.4.3.2.1 through 10.4.3.2.4.

**15.05.080 Appendix AF Radon Control Methods – deleted**

**Appendix AF Radon Control Methods** is hereby deleted in its entirety.

**15.05.090 Appendix AG Reserved – deleted.**

**15.05.100 Appendix AH Patio Covers – adopted.**

**Appendix AH Patio Covers** is hereby adopted.

**15.05.110 Appendix AI Private Sewage Disposal – deleted.**

**Appendix AI Private Sewage Disposal** is hereby deleted in its entirety.

**15.05.120 Appendix AJ Existing Buildings and Structures – deleted.**

**Appendix AJ Existing Buildings and Structures** is hereby deleted in its entirety.

**15.05.130 Appendix AK Sound Transmission – adopted**

**Appendix AK Sound Transmission** is hereby adopted.

**15.05.140 Appendix AL Permit Fees – Deleted**

**Appendix AL Permit Fees** is hereby deleted in its entirety.

**15.05.150 Appendix AM Reserved – deleted.**

**15.05.160 Appendix AN Reserved – deleted.**

**Section 15.05.170 Appendix AO Automatic Vehicular Gates – adopted.**

**Appendix AO Automatic Vehicular Gates** is hereby adopted.

**15.05.180 Appendix AP Reserved – deleted .**

**15.05.190 Appendix AQ Tiny Houses – deleted**

**Appendix AQ Tiny Homes** is hereby deleted in its entirety.

**15.05.200 Appendix AR Light Straw-Clay Construction – deleted.**

**Appendix AR Light Straw-Clay Construction** is hereby deleted in its entirety.

**15.05.210 Appendix AS Strawbale Construction – deleted.**

**Appendix AS Strawbale Construction** is hereby deleted in its entirety.

**15.05.220 Appendix AT [RE] Solar-Ready Provisions – Detached One-and Two-Family-Dwellings and Townhouses – Deleted.**

**Appendix AT Solar-Ready Provisions – Detached One-and Two-Family-Dwellings and Townhouses** is hereby deleted in its entirety.

**15.05.230 Appendix AU Cob Construction (Monolithic Adobe) – deleted.**

**Appendix AU Cob Construction (Monolithic Adobe)** is hereby deleted in its entirety.

**15.05.240 Appendix AV Board of Appeals – deleted.**

**Appendix AV Board of Appeals** is hereby deleted in its entirety.

**15.05.250 Appendix AW 3D-Printed Building Construction – deleted.**

**Appendix 3D-Printed Building Construction** is hereby deleted in its entirety.

**15.05.260 Appendix AX Swimming Pool Safety Act – deleted.**

**Appendix AX Swimming Pool Safety Act** is hereby deleted in its entirety.

**15.05.270 Appendix AY Areas Protected by the Facilities of the Central Valley Flood Protection Plan – deleted.**

**Appendix AY Areas Protected by the Facilities of the Central Valley Flood Protection Plan** is hereby deleted in its entirety.

**15.05.280 Appendix AZ Emergency Housing – deleted.**

**Appendix AZ Emergency Housing** is hereby deleted in its entirety.

Section 3. Ordinance No. 2019-1064 is hereby repealed in its entirety.

Section 4. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California

Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect on January 1 2023. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance or a summary thereof to be published in the manner required by law.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on this 6<sup>th</sup> day of December, 2022.

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MAYOR  
CITY OF YORBA LINDA

ATTEST:

\_\_\_\_\_  
MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

APPROVED AS TO FORM:  
RUTAN & TUCKER LLP

\_\_\_\_\_  
CITY ATTORNEY

**STATE OF CALIFORNIA )**  
**COUNTY OF ORANGE ) ss.**

**I, MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Yorba Linda held on this 6<sup>th</sup> day of December, 2022, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

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MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA