



MEMORANDUM

DATE: OCTOBER 6, 2020

TO: HONORABLE BOARD OF SUPERVISORS

FROM: MIKE OLIPHANT, MENDOCINO COUNTY BUILDING OFFICIAL
MATTHEW KIEDROWSKI, DEPUTY COUNTY COUNSEL

SUBJECT: PROPOSED AMENDMENTS TO THE 2019 CALIFORNIA FIRE CODES (CFC) AS
DISCUSSED IN THE 8/18/2020 BOARD MEETING, AGENDA ITEMS: 4O (RVFD), 4P
(UVFD) & 4R (HFD)

This memorandum has been prepared to clarify some of the discussed agenda items in regards to the 2019 CFC amendments and how those amendments may affect the Mendocino County Planning and Building Department's Ag Exempt Policy.

Current County Policy and Routing Procedures

Under the County's existing Ag Exempt Policy, structures that are limited to one-story above grade, are designed and constructed primarily for use in housing livestock, poultry, hay or grain, are located on a parcel of land that is currently zoned or primarily used for agriculture and/or growing and drying of plants, and do not have employees or customers present, can be considered Ag Exempt and classified as a Utility "U" Occupancy (2019 CBC section 312.1). These structures can vary in shape and form, but can include green houses, hoop houses, and barns.

When a building permit is applied for, the Building Division makes a determination regarding the occupancy classification. If the application is for a building within a fire district that has adopted its own fire code, the Building Division refers the application to that district to determine if the building conforms to the district's fire code. Generally speaking, where the district has adopted more restrictive provisions than those adopted by the County, the more restrictive standards are applied.

Discussions with Fire Districts

After speaking with RVFD Chief Don Dale, Officer Kerry Robinson and retired State Fire Marshall Hans Hennebreck, who is consulting with the RVFD, and Ron Royce from the HFD, it is the Building Official's understanding that the districts intend for there to be minimal changes for buildings subject to the current Ag Exempt Policy. The districts indicated that structures that conform to the County's Ag Exempt Policy would remain a Utility "U" Occupancy in the districts. In both districts, any structure used for manufacturing, packaging or processing operations will be classified as an F-1 Occupancy. 2019 CBC section 306.2.

The wording of the ordinances is more restrictive than the stated intent. Any building related to agricultural crop production, including those conforming to the County's Ag Exempt policy, would presumably be treated by the districts as an F-1 occupancy building.

In practice, an application for an agricultural building that the County initially designates as Ag Exempt would be re-designated by the district with the more restrictive code language, and the district could refuse to sign-off on the building permit without changes being made to the building.

Additional Changes Proposed – Fire Sprinklers

The Building Official would like to add that both RVFD and HFD are making several changes regarding automatic fire sprinklers. Many of these changes would make sprinklers required in more buildings than what would be required by the Fire Code by the State. The Building Official specifically notes the following changes related to agricultural and Group F occupancies:

- HFD is amending the CFC section 903.2 to state some exceptions to including required fire sprinklers in a few occupancy classifications including exception #1, "Agricultural buildings as approved by the fire code official."
- HFD is also amending the CFC section 903.2.4 Group F occupancies to be equipped with fire sprinklers in structures greater than 1,000 square feet gross floor area.
- RVFD is amending the CFC section 903.2.4 Group F occupancies to be equipped with fire sprinklers in structures greater than 2,500 square feet gross floor area.

Next Steps in Fire Code Adoption Process

Health and Safety Code section 13869.7 requires a fire district to send its ordinance adopting more restrictive fire codes to the Board, which may ratify, modify or deny the adopted ordinance. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for the modification or denial.

Staff seeks direction regarding the proposed RVFD and HFD fire code adoptions. The intent of the RVFD and the HFD as stated to the Building Official is more restrained than the actual wording of the ordinances. Should the Board desire to deny or modify the ordinances, staff seeks direction on the reasons for the modification or denial, and would return to the Board at a future date with a final document for approval.

Note that the UVFD fire code adoption does not include the changes adopted by RVFD and HFD, and could be approved separately.