

## Law and Legislation Committee Report

915 I Street, 1<sup>st</sup> Floor

Sacramento, CA 95814

[www.cityofsacramento.org](http://www.cityofsacramento.org)

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**File ID:** 2018-01620

December 11, 2018

**Consent Item 02**

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**Title: Ordinance Amending Section 15.04.050 of the Sacramento City Code Relating to Emergency Housing**

**Location:** Citywide

**Recommendation:** 1) Review an ordinance amending Section 15.04.040 of the Sacramento City Code relating to Emergency Housing; and 2) pass a Motion forwarding the ordinance to City Council for approval.

**Contact:** Anna Tekautz, Supervising Engineer, (916) 808-7877; Winfred DeLeon, Chief Building Official, (916) 808-5475; Susanne Cook, Administrative Analyst, (916) 808-5375, Community Development Department

**Presenter:** None

**Attachments:**

- 1-Description/Analysis
- 2-Ordinance (Redline)
- 3-Ordinance (Clean)

## Description/Analysis

**Issue Detail:** In April 2018, the California Building Code (CBC) and California Residential Code (CRC) were amended to add voluntary appendices containing building standards applicable to emergency housing. For the appendices to be applicable in Sacramento, they must be adopted by the City through an ordinance. On November 8, 2018, the Sacramento City Council voted unanimously to declare an emergency shelter crisis from December to March. Staff is requesting that the City Council adopt an ordinance to amend Section 15.040.040 of the Sacramento City Code to add CBC Appendix N and CRC Appendix X relating to emergency housing.

Appendices N and X would only be effective during a declared "State of Emergency, Local Emergency or Shelter Crisis" and for the duration of the declared housing crisis, the City can issue building permits for emergency housing structures (sleeping cabins, transportable housing units, tents, and support facilities) that otherwise would not meet the minimum state and local laws, regulations, and ordinances.

**Policy Considerations:** Amend the City Code to adopt the 2016 CBC Appendix N and the 2016 CRC Appendix X.

**Economic Impacts:** Not applicable.

**Environmental Considerations:** The proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Public Resources Code section 21080 (b)(4) for specific actions necessary to prevent or mitigate an emergency. The proposed ordinance is also exempt under Public Resources Code section 21065 and CEQA Guidelines sections 15060 (c)(2) and 15378(a) because it does not have the potential for resulting in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment since there would be no tangible physical change to the environment that is perceptible to the senses. Finally, the proposed ordinance is exempt under CEQA Guidelines Section 15061(b)(3). because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Sustainability:** Not applicable.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** Adoption of the 2016 CBC Appendix N and the 2016 CRC Appendix X will provide less restrictive requirements for temporary, movable structures to help address the declared emergency shelter crisis. The Appendices provide a small number of

less restrictive requirements such as reduced ceiling heights, reduced net openings for windows, loft size reduction, establishment of minimum floor area, and only electrical hookup for sleeping cabins. Appendix N and Appendix X also allow for existing compliant structures to be used for emergency housing facilities. However, these less restrictive requirements only apply during a shelter crisis, and that occupancy isn't permitted absent such a declaration.

**Financial Considerations:** Not applicable.

**Local Business Enterprise (LBE):** Not applicable.

**ORDINANCE NO.**

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 15.04.050 OF THE SACRAMENTO CITY CODE RELATING TO EMERGENCY HOUSING**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

**SECTION 1.**

Section 15.04.050 of the Sacramento City Code is amended to read as follows:

15.04.050 Adoption of the 2016 California Building Standards Code.

The building standards included in the following parts of the 2016 California Building Standards Code, Title 24 of the California Code of Regulations, are adopted by reference and incorporated in this code, except as expressly amended or superseded by the provisions of this code:

A. The CBC, including Appendix ~~C, and Appendix I, and N~~ which is based on and which amends the provisions of the 2015 International Building Code, as published by the International Code Council.

B. The CRC, including Appendix ~~H, Appendix J, and Appendix K, and X~~ which is based on and which amends the provisions of the 2015 International Residential Code, as published by the International Code Council.

C. The CPC, which is based on and which amends the provisions of the 2015 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials.

D. The CMC, which is based on and which amends the provisions of the 2015 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials.

E. The CEC, which is based on and which amends the provisions of the 2014 National Electrical Code, as published by the National Fire Protection Association.

F. The CGC.

Adopted by the City of Sacramento City Council on \_\_\_\_\_ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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MAYOR

Attest:

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City Clerk

Passed for Publication:

Published:

Effective:

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- B. The CRC, including Appendices H, J, K, and X which is based on and which amends the provisions of the 2015 International Residential Code, as published by the International Code Council.
- C. The CPC, which is based on and which amends the provisions of the 2015 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials.
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