ORDINANCE NO. 1468

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE NAPA COUNTY CODE TO PROVIDE ADDITIONAL PROTECTION FOR NEW AND REBUILT STRUCTURES FROM WILDFIRES

WHEREAS, Napa County has experienced unprecedented wildfires in the last several years that have damaged or destroyed thousands of structures, including hundreds of dwellings and hundreds of accessory structures in the rural hillside areas of the County; and

WHEREAS, the California Residential Code, adopted by the Board of Supervisors with modifications in 2019, provides optional construction methods that may increase fire resistivity or reduce flammability of structures; and

WHEREAS, the Board of Supervisors desires to increase protection from wildfires and mitigate the loss of or damage to property by reducing the capacity of structures to become fuel for such fires through the adoption of construction methods to provide additional flame-resistance.

NOW, THEREFORE, the Board of Supervisors of Napa County, State of California, ordains as follows:

SECTION 1. A new Section 15.12.240 (Section R337.6.3 - Ventilation openings on the underside of eaves and cornices) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

15.12.240 Section R337.6.3 - Ventilation openings on the underside of eaves and cornices.

Section R337.6.3 of the residential code is amended to read in full as follows:

R337.6.3 Ventilation openings on the underside of eaves and cornices.
Vents shall not be installed on the underside of eaves and cornices.
SECTION 2. A new Section 15.12.250 (Section R337.7.4 – Open roof eaves) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

15.12.250 Section R337.7.4 – Open roof eaves.

Section R337.7.4 of the residential code is amended to read in full as follows:

R337.7.4 Open roof eaves.

Unenclosed roof eaves shall not extend further than eighteen (18) inches from the exterior wall measured at the ninety (90) degree angle from the exterior wall. The exposed roof deck on the underside of unenclosed roof eaves shall consist of one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside exterior of the roof deck.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the roof deck designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.

Exceptions: The following materials do not require protection:

1. Solid wood rafter tails on exposed underside of open roof eaves having a minimum nominal dimension of 2 inch (50.8 mm).
2. Solid wood blocking installed between rafter tails on the exposed underside of open roof eaves having a minimum nominal dimension of 2 inch (50.8 mm).
3. Gable end overhangs and roof assembly projections beyond an exterior wall other than at the lower end of the rafter tails.
4. Fascia and other architectural trim boards.

SECTION 3. A new Section 15.12.260 (Section R337.7.5 – Enclosed roof eaves and roof eave soffits.) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

15.12.260 Section R337.7.5 – Enclosed roof eaves and roof eave soffits.

Section R337.7.5 of the residential code is amended to read as follows:

R337.7.5 Enclosed roof eaves and roof eave soffits.

Enclosed roof eaves and roof eave soffits shall not extend further than eighteen (18) inches from the exterior wall measured at a ninety (90) degree angle from the exterior wall. The exposed underside of enclosed roof eaves having either a boxed-in roof eave soffit with
a horizontal underside, or sloping rafter tails with an exterior covering applied to the underside of the rafter tails, shall be protected by one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside exterior of the roof deck.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the roof deck designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. Boxed-in roof eave soffit assemblies with a horizontal underside that meet the performance criteria in Section R337.7.10 when tested in accordance with the test procedures set forth in ASTM E2957.
6. Boxed-in roof eave soffit assemblies with a horizontal underside that meet the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.

Exceptions: The following materials do not require protection:

1. Gable end overhangs and roof assembly projections beyond an exterior wall other than at the lower end of the rafter tails.
2. Fascia and other architectural trim boards.

SECTION 4. A new Section 15.12.270 (Section 337.7.9 - Underside of appendages) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

15.12.270 Section R337.7.9 – Underside of appendages.

Section R337.7.9 of the residential code is amended to read as follows:

R.337.7.9 Underside of appendages.

The underside of overhanging appendages, including without limitation, decks and balconies, shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed underfloor shall consist of one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8” type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection
4. The exterior portion of a one hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel and sheathing listed in the Gypsum Association Fire Resistance Design Manual
5. The underside of a floor assembly that meets the performance criteria in accordance with the test procedures set forth in either of the following:

5.1. SFM Standard 12-7A-3; or
5.2. ASTM E2957

6. Heavy timber construction, consisting of minimum 6x6 columns, 4x8 floor joists, 4x10 or 6x8 beams, 3x ledgers and 2x decking meeting the requirements of Section R337.9 of the California Residential Code.

SECTION 5. A new Section 15.12.280 (Section R337.10.3.1 – Accessory building requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code is to read in full as follows:

15.12.280 Section R337.10.3.1 – Accessory building requirements.

Section R337.10.3.1 of the residential code is amended to read as follows:

R337.10.3.1 Accessory building requirements.
All accessory structures located less than 50 feet from an applicable building shall be constructed of noncombustible materials or ignition-resistant materials as described in section R337.4.2.

SECTION 6. A new Section 15.12.290 (Section R337.10.3.2 – Attached miscellaneous structure requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code is to read in full as follows:

15.12.290 Section R337.10.3.2 – Attached miscellaneous structure requirements.

Section R337.10.3.2 of the residential code is amended to read as follows:

R337.10.3.2 Attached miscellaneous structure requirements.
Applicable miscellaneous structures, including without limitation, patio covers, trellises, and carports, that are attached to, or installed at a distance of less than 3 feet from, an applicable building shall be constructed of noncombustible materials or of ignition-resistant materials as described in Section R337.4.2.

SECTION 7. A new Section 15.12.300 (Section R337.10.3.3 – Detached miscellaneous structure requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

15.12.300 Section R337.10.3.3 – Detached miscellaneous structure requirements.

Section R337.10.3.3 of the residential code is amended to read as follows:
R.337.10.3.3 Detached miscellaneous structure requirements.
Applicable detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall be constructed of noncombustible materials or of ignition-resistant materials as described in Section R337.4.3.

SECTION 8: The Board finds that the adoption of this Ordinance will not have a significant effect on the environment and is exempt from the California Environmental Quality Act pursuant to Categorical Exemption Class 8 ("Actions by Regulatory Agencies for Protection of the Environment") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15308; Categorical Exemption Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303; and the General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines for the Implementation of the CEQA 14 CCR §15061(b)(3).]

SECTION 9: It is hereby declared to be the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, section, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 10: This Ordinance shall take effect thirty (30) days from and after the date of its passage.

SECTION 11: A summary of this Ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.
The foregoing Ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 5th day of May, 2021, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 18 day of May, 2021, by the following vote:

AYES: SUPERVISORS RAMOS, WAGENKNECHT, GREGORY DILLON and PEDROZA

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of the State of California

By: ALFREDO PEDROZA, Chair of the Board of Supervisors

APPROVED AS TO FORM
Office of County Counsel
By: /s/ Jason M. Dooley
Deputy County Counsel
By: /s/ Meredith Trueblood
County Code Services
Date: April 8, 2021

APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS
Date: May 18, 2021
Processed By:
Deputy Clerk of the Board

ATTEST: JOSE LUIS VALDEZ
Clerk of the Board of Supervisors

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON______________________________

JOSE LUIS VALDEZ, CLERK OF THE BOARD
RESOLUTION NO. 2021-50

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, ADOPTING FINDINGS OF FACT PERTAINING TO LOCAL MODIFICATIONS OF SELECT SECTIONS OF THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE AND CALIFORNIA RESIDENTIAL CODE TO PROVIDE FOR NEW AND REBUILT STRUCTURES FROM WILDFIRES

WHEREAS, on December 15, 2019, the Napa County Board of Supervisors adopted the State Building Standards Codes pursuant to California Health and Safety Code Section 17922, with modifications that were reasonably necessary because of local climatic, geological or topographical condition; and

WHEREAS, since the adoption of the Building Standards Codes, Napa County experienced several significant wildfire events, which resulted in the destruction of nearly 2,000 structures in the unincorporated areas; and

WHEREAS, the Napa County Board of Supervisors now wishes to adopt additional local modifications, which are more restrictive than the California Building Standards Code and provide greater protection from wildfires by requiring the use of non-combustible or fire-resistant building materials in more situations than are currently required; and

WHEREAS, California Health and Safety Code Section 17958.7 requires that before making any modifications or changes to the requirements contained in the above-described state-approved codes this governing body must not only make express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions, but must also direct that such findings shall be made available as a public record and a copy of such findings, together with the modifications or changes expressly marked and identified to which each such finding refers, shall be filed with the State Building Standards Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Napa County as follows:

1. In connection with the enactment by this Board of amendments to the 2019 California Building Code and 2019 California Residential Code, the Board hereby finds that the local modifications or augmentations of such codes set forth in the adopting ordinance are hereby expressly found by this Board to relate to substantive modifications of state code standards which this Board hereby expressly finds, as required by California Health and Safety Code Section 17958.7, to be reasonably necessary because of the local climatic, geologic or topographic conditions noted below:

A. Substantive Local Modifications of State Code Standards

1. Minor amendments and additions to the 2019 California Building Code
and the 2019 California Residential Code pertaining to the use of noncombustible construction materials, including for appendages such as decks and balconies and accessory buildings within fifty feet of the applicable building. Amendments also limit the lengths of open and closed roof eaves, and require attic spaces to be enclosed and incorporated into the building envelope. These local amendments are necessary to increase the resilience of structures against wildfires to maintain a reasonable level of community fire protection. The dry climate, limited natural water sources with long distances between water sources, and long fire department response distances over the mountainous terrain found in Napa County severely reduce the response time for fire departments in the event of wildfires. These measures will increase the resiliency of man-made structures to reduce the risk of destruction in a wildfire.

The sections below are modified as noted, from the existing County Code Sections.

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<tr>
<th>County Code Section</th>
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<tr>
<td>15.12.240</td>
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<td>Code Section R337.10.3.3</td>
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2. The original of this Resolution is a public record which shall be maintained on file with the Clerk of the Board of Supervisors and available for public inspection during reasonable business hours.

[REST OF PAGE INTENTIONALLY LEFT BLANK]
3. A copy of this Resolution shall be filed along with the adopted ordinance with the State Building Standards Commission.

THE FOREGOING RESOLUTION was read, considered, and approved at a regular meeting of the Napa County Board of Supervisors on the 20th day of April, 2021, by the following vote:

AYES: SUPERVISORS GREGORY, DILLON, WAGENKNECHT, RAMOS and PEDROZA

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of the State of California

By: ALFREDO PEDROZA, Chair of the Board of Supervisors

APPROVED AS TO FORM
Office of County Counsel
By: /s/ Jason M. Dooley
Deputy County Counsel
Date: April 8, 2021

APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS
Date: May 4, 2021
Processed By:

Deputy Clerk of the Board

ATTEST: JOSE L. VALDEZ
Clerk of the Board of Supervisors