

**ORDINANCE NO. 3481**

**AN ORDINANCE AMENDING CHAPTERS 16.04 and 16.10 OF THE SAN LUIS OBISPO COUNTY CODE BY ADOPTING AND AMENDING THE 2022 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING ANNUAL SUPPLEMENTS AND STATE AMENDMENTS AND ERRATA**

WHEREAS, it is the desire and intent of the Board of Supervisors of San Luis Obispo County to provide citizens with the greatest degree of protection from fire; and

WHEREAS, the California Building Standards Code, Title 24, which incorporates the California Fire Code, is adopted every three years by order of the California Legislature with supplements published in intervening years; and

WHEREAS, the latest edition of the California Building Standards Code was published this year and has the force of law beginning January 1, 2023, and the Board of Supervisors desires to make local additions, amendments and deletions thereto as authorized by California Health and Safety Code Sections 18941.5 and 17958.5; and

WHEREAS, this Ordinance will amend the San Luis Obispo County Code so that it adopts and amends Part 9 of the California Building and Standards Code, which is known as the 2022 California Fire Code, including, Chapter 4, Section 103, Section 503 and Appendices, B, BB, C, CC , H and P as modified and amended. All other Appendices to the 2022 Fire Code are expressly not adopted by this Ordinance. All annual supplements and state amendments and errata are adopted by this Ordinance; and

WHEREAS, the Board of Supervisors of San Luis Obispo County adopted findings on December 6, 2022 as required by California Health and Safety Code Section 17958.7, that because of climatic, geological, and topographical conditions that exist in the county that the amendments to the adopted codes are reasonably necessary to protect the citizens life, health and property.

NOW THEREFORE, The Board of Supervisors of the County of San Luis Obispo, State of California, ordains as follows:

**Section 1:**

Chapter 16.04 of the San Luis Obispo County Code is hereby amended to read as follows:

Chapter 16.04  
CALIFORNIA FIRE CODE

Sections:

- 16.04.010 - Burning permits
- 16.04.020 - Campfire permits
- 16.04.030 - Blasting permits
- 16.04.040 - Burning limitations
- 16.04.050 - Campgrounds
- 16.04.060 - Hazard reduction
- 16.04.070 - Rubbish dumps
- 16.04.080 - Camping, picnicking, smoking
- 16.04.090 - Placement of possible fire causing substances
- 16.04.100 - Operation of boiler, firebox or stationary engine
- 16.04.110 - Enforcement—Permits
- 16.04.120 - County Fire Warden

**Amendment No. 1 Amended to read as follows:**

16.04.010 - Burning permits.

In the county outside of incorporated cities and towns, it is unlawful for any person to use fire for clearing land, or to burn ~~bush~~ brush, slash, grass, stubble or other inflammable material upon land the exterior boundaries of which are within five hundred feet of any forest, brush, or grass covered land, or lands containing any inflammable growth or material, without first obtaining a written permit as provided for in Section 16.04.110. (Prior code § 4-001.1)

16.04.020 - Camp fire permits.

In the county outside of incorporated cities and towns, it is unlawful for any person to ignite or use a campfire within thirty feet of any brush, grass or forest covered land without first having obtained a written permit as provided for in Section 16.04.110, and

provided further that upon privately owned lands it shall be necessary to have a written permit from the owner, lessee or agent thereof; provided, however, that it shall not be necessary for the owner, lessee or agent of any privately owned land to secure a permit for a campfire on any lands under his, her or its control.

(Prior code § 4-001.2)

16.04.030 - Blasting permits.

In the county outside of incorporated cities and towns, it is unlawful for any person to burn any charcoal pit, or to blast with dynamite, powder or other explosive within one hundred feet of any forest, brush or grass covered land, or land containing any inflammable growth or material, or to use any blow torch, acetylene torch, electric welder or forge within thirty feet of any forest, brush or grass covered land or lands containing any inflammable growth or material, without first obtaining a written permit as provided for in Section 16.04.110.

(Prior code § 4-001.3)

## Amendment No. 2

Amended to read as follows:

16.04.040 - Burning limitations.

In the county outside of incorporated cities and towns, it is unlawful for any person to build any fire out of doors for the purpose of burning papers, leaves ~~trash~~ or other inflammable material whether in an incinerator or in small piles between the hours of nine a.m. of any one day and five a.m. of the following day, or within thirty feet of any building or structure or land covered with grass, brush, stubble, grain, hay or other inflammable material, or to leave such fire burning or unextinguished without some person in attendance, or to allow such fire to spread so as to damage persons or property. (Prior code § 4-001.4)

16.04.050 - Campgrounds.

In the county outside of incorporated cities and towns, it is unlawful for any person to operate or maintain for public or private use any campground, picnic ground or recreational area, the exterior boundaries of which are within five hundred feet of any lands covered with grass, grain, stubble, brush or other inflammable material without first having obtained a written permit as provided for in Section 16.04.110, permitting the operation or use of the campground, picnic ground or recreational area, and said permit to contain such stipulations and restrictions as the locality may require to protect the adjoining or abutting lands from fire. (Prior code § 4-001.5)

#### 16.04.060 - Hazard reduction.

In the county outside of incorporated cities and towns, it is unlawful for any person to permit or allow to remain after June 1 of any year upon any forest, brush or grass covered land or lands covered with inflammable vegetation closer than thirty feet to any apiary, cabin, house, barn or other building or structure, provided however that this section shall not apply to trees except where dead or where the foliage of the trees is within ten feet of a chimney, nor shall it apply to evergreen vegetation where growing and preserved for decorative effect, provided such shrubbery is trimmed or thinned to prevent spread of fire, and further provided that each chimney upon any cabin, house, hotel, apiary, building or structure upon any mountainous or forest or brush covered land shall be equipped with, and the entire outlet thereof shall be covered by an adequate metal arrester.

(Prior code § 4-001.6)

#### 16.04.070 - Rubbish dumps.

In the county outside of incorporated cities and towns, it is unlawful for any person to permit or allow any rubbish dump to exist, or to permit or allow the dumping of any rubbish upon lands under his, her or its control the exterior boundaries of which are less than five hundred feet from land covered with grass, grain, hay, stubble, brush, timber or other inflammable material without first having secured a written permit as provided for in Section 16.04.110, and it is unlawful for any person to dump, discard or dispose of any rubbish, paper, shavings, products of petroleum or other combustible or

inflammable materials which constitutes a fire menace, except upon or within an authorized and permitted rubbish dump, such rubbish or combustible or inflammable materials to be buried with earth or destroyed by fire by such persons, forester, county forester or their agents or U. S. Forest Officers with Los Padres National Forest. (Prior code § 4-001.7)

16.04.080 - Camping, picnicking, smoking.

In the county outside of incorporated cities and towns, it is unlawful for any person to light, ignite or otherwise set fire to, or smoke any tobacco, cigarette, pipe, or cigar or camp or picnic upon any federal or county road, right-of-way, trail, or upon any area that is covered with inflammable growth, or upon any wharf, except at places of habitation, improved campgrounds, county parks and/or places designated for smoking and so posted, provided the entrance or entrances to such federal or county roads, rights-of-way, trails, wharves or area if posted with signs prohibiting any or all of the said acts. (Ord. 885 § 1, 1966: Prior code § 4-001.8)

16.04.090 - Placement of possible fire causing substances.

In the county outside of incorporated cities and towns, it is unlawful for any person to throw or place a cigarette, cigar, match, ashes, rodent or predatory animal bait containing phosphorus as an ingredient, or other flaming or glowing substance or thing that may cause a fire in any place where such cigarette, cigar, match, ashes, rodent or predatory animal bait containing phosphorus as an ingredient, or other flaming or glowing substance or other substances or things, may cause a fire, or may directly or through the intervention of other causes start fire. (Prior code § 4-001.9)

16.04.100 - Operation of boiler, firebox or stationary engine.

In the county outside of incorporated cities and towns, it is unlawful for any person to operate any boiler, firebox, or stationary engine within a radius of one hundred feet of any forest, brush or grass covered land or land containing any inflammable growth or material. (Prior code § 4-001.10)

16.04.110 - Enforcement—Permits.

For the purpose of carrying out the provisions contained in this chapter the State Forester and the county forester or their agents, and/or the U. S. Forest Officers within Los Padres National Forest, are empowered to enforce the provisions hereof and to issue permits in writing, and to inspect and abate any conditions that might constitute a fire menace or a menace to the public peace, health, or safety as hereinbefore mentioned, and shall include in any permits issued such safeguarding restrictions and precautions as are reasonably necessary to prevent such fires or the use of fire from endangering life or property. No permit issued shall exonerate any person from civil or criminal liability in case injury results from such fire to persons or property, and any State Forester or county forester or their agents, and/or U. S. Forest Officers within Los Padres National Forest, are empowered to refuse, revoke, or postpone permits when necessary for the protection of life or property. (Prior code § 4-001.11)

16.04.120 - County Fire Warden.

Whenever the county contracts with the state, through the Department of Forestry, for the performance of functions for the prevention or suppression of fires within the county, the State Forest Ranger-in-Charge, San Luis Obispo Ranger Unit shall be deemed to be the county fire warden and may exercise the same powers and duties within the county for the prevention and suppression of fires which by state law is conferred upon the county fire warden. (Ord. 1952 § 1, 1979)

## **Section 2:**

Chapter 16.08 of the San Luis Obispo County Code is hereby amended to read as follows:

### Chapter 16.08

#### CALIFORNIA FIRE CODE

Sections:

- 16.08.010 - Trespassing—Permit required
- 16.08.020 – Exemptions

16.08.010 - Trespassing—Permit required.

It is unlawful in the county for any person to go upon or be upon those portions of any national forest within the county which are, or may be designated by the regional forester of the United States Forest Service as areas of fire hazard and public use thereof restricted by reason of such condition during the period of such restriction of entry, except with or by written permit issued by a property officer or representative of the United States Forest Service. Provided, however, that no permit will be required by any actual settler in traveling to and from his home by regular and customary routes of travel. (Prior code § 4-002)

16.08.020 - Exemptions.

For the purpose of carrying out the provisions contained in this chapter, all state, federal and county forest officers or fire and game wardens are authorized to make arrests for violations thereof and are not liable to civil action for trespass committed in the discharge of those duties. (Prior code § 4-002.1)

**Section 3:**

Chapter 16.10 of the San Luis Obispo County Code is hereby amended to read as follows:

Chapter 16.10

CALIFORNIA FIRE CODE

Sections:

- 16.10.010 Adoption of the California Fire Code.
- 16.10.020 Definitions.
- 16.10.030 Establishment of limits for the storage of flammable or combustible liquids.
- 16.10.040 Establishment of limits for the storage of liquefied petroleum gases.
- 16.10.050 Establishment of limits for the storage of explosives and blasting agents.
- 16.10.060 Amendments made to the California Fire Code.
- 16.10.070 Appeals.

16.10.010 - Adoption of California Fire Code.

Except as amended in Section 16.10.60, Part 9 of the California Building and Standards Code, which is known as the ~~2019~~ 2022 California Fire Code, including Appendix, Chapter 4, Section 103, Section 503 and Appendices B, BB C, CC, F, H, and P section 503 are adopted by reference into this Chapter. All other Appendices to the 2019 Fire Code are expressly not adopted. All annual supplements and state amendments and errata are adopted by reference into this Chapter.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

16.10.020 - Definitions.

(a) Wherever the word "jurisdiction" is used in the California Fire Code, it shall mean the unincorporated territory of the County of San Luis Obispo protected by the California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department.

(b) Wherever the phrase "Building Department" is used in the California Fire Code, it shall mean the San Luis Obispo County Department of Planning and Building.

(c) Wherever the phrase "Chief of Police" is used in the California Fire Code, it shall mean the Sheriff of San Luis Obispo County.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

16.10.030 - Establishment of limits for the storage of flammable or combustible liquids.

The limits referred to in Sections 5704.2.9.6.1 of the California Fire Code, "Locations where above-ground tanks are prohibited" by which the storage of flammable or combustible liquids is restricted are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22 and 23.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)



16.10.040 - Establishment of limits for the storage of liquid petroleum gases.

The limits referred to in Section 6104.2 "Maximum capacity within established limits" of the California Fire Code, by which storage of liquefied petroleum gas is restricted are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22 and 23.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

16.10.050 - Establishment of limits for the storage of explosives and blasting agents.

The limits referred to in Chapter 56 of the California Fire Code regarding the storage of explosive materials are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22 and 23.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

16.10.060 - Amendments made to the California Fire Code.

The California Fire Code is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the Fire Code of the County of San Luis Obispo, hereinafter referred to as "this code."

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**103.5 Fire prevention Bureau Personnel and Police.** "The chief of the fire department and certain other members of the California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department have the authority of peace officers or public officers pursuant to California Penal Code sections 830.2(g), 830.7(d) and 836.5(a) in performing their duties under the California Fire Code."

**105.3.3 Occupancy and use prohibited before approval.** The building or structure shall not be occupied prior to the fire code official issuing a permit that indicates that applicable provisions of this code have been met. No appliance, device, equipment, or system shall be operated or used until the installation has been approved and permitted by the fire code official and all applicable provisions of this code have been

met. It shall be the duty of the permit applicant or contractor or both to cause the work to remain accessible and exposed for inspection purposes.

**108.1 Board of Appeals Established.** Appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, shall be heard and decided by the Fire Code Board of Appeals established by the Board of Supervisors on 10-9-1990 (Consent Agenda Item A-15 which is on file in the Office of the County Clerk-Recorder).

**Alteration.** Any construction change or renovation to an existing structure. Alterations include, but are not limited to, the addition or elimination of walls within the existing building envelope.

#### Amendment No. 3

Floor area is amended to read as follows

**Floor Area.** For the purpose of calculating square footage for the application of fire sprinkler requirements and fire flow requirements, the floor area shall include all combustible areas attached to the structure, including garages, patio covers, ~~overhangs, covered walkways~~ workshops and alterations, additions and remodel square footage will be considered a combined and cumulative sum of floor area.

**SKY LANTERN.** An airborne lantern typically made of paper with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the lantern to cause it to lift into the air. Sky candles, fire balloons and airborne paper lanterns mean the same as sky lanterns.

#### Amendment No 4.

Fuel modification definition is added to read as follows.

Fuel Modification: A method of modifying fuel load by reducing the amount of non-fire resistive vegetation or altering the type of vegetation to reduce the fuel load

**308.1.6.3 Sky lanterns.** The ignition and launching of sky lanterns is prohibited.

**Exceptions:**

Upon approval of the fire code official, sky lanterns may be used under the following conditions:

- (a) When necessary for religious or cultural ceremonies and adequate safeguards have been taken in the discretion of the fire code official.
- (b) Sky Lanterns shall be tethered in a safe manner to prevent them from leaving the area and must be constantly attended until extinguished.

#### **403.2.2 Procedures.**

Prior to Fire Department Review, proposed event area must first complete all requirements pursuant to Title 22, the San Luis Obispo County Land Use Ordinance. This includes receiving any necessary land use permit approval and issuance of construction and Conditional Use Permit requirements.

A fire safety review is required to ensure public safety in a place of assembly, or any other place where people congregate, including but not limited to; amusement buildings, carnivals and fairs, exhibits and trade shows, open burning, flames and torches, candles, places of assembly, temporary membranes structures and tents, pyrotechnics and special effects, live audiences and any event.

A written plan must be submitted to the fire code official 30 days prior to the event. Written submittal requirements will be in accordance with Section 404 Fire Safety and evacuation plans. A field inspection verifying compliance of fire and life safety conditions must be conducted prior to public occupancy of the event. If modifications or additions to the event areas are made, an updated permit & inspection must be completed.

All other provisions of section 403 remain unchanged without amendment.

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**405.7 Initiation.** Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system. Prior to initiating an alarm, the person initiating the alarm shall contact the fire alarm monitoring company and advise the company's dispatcher of the fire drill. In cases where the fire alarm system is not monitored by a central station, notification shall be provided to the fire department dispatch center.

**503.1.2.1 Maximum Dead-end Road Lengths.** The maximum length of dead-end roads, including all dead-end roads accessed from a dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

| Parcel size            | Length    |
|------------------------|-----------|
| less than one (1) acre | 800 feet  |
| 1 acre to 4.99 acres   | 1320 feet |
| 5 acres to 19.99 acres | 2640 feet |
| 20 acres or larger     | 5280 feet |

All lengths shall be measured from the edge of the roadway surface at the intersection that begins from the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply. Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 feet or 1/4 mile intervals.

Lengths exceeding maximum dead-end road distances require secondary access as determined by the fire code official. Placement of roads shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property to be served, measured in a straight line between accesses.

**Amendment No. 5**

Section 503.1.2.1.1 is added to read as follows:

**Section 503.1.2.1.1 Dwelling Units** Developments of dwellings units, where the number of dwelling units exceeds 30, shall be provided with two separate and approved fire apparatus access roads when located in a state responsibility area or a very high fire hazard severity zone.

**503.2.7 Grade.** The grade for all roads, streets, private lands and driveways shall not exceed 20 percent. Design criteria shall be in accordance with San Luis Obispo County Public Works public improvement standards. Roads having a grade between 12% and 20% shall be a nonskid asphalt or concrete surface as specified in San Luis Obispo County public improvement standards, specifications and drawings. Any driveway with a proposed grade of between 16% and 20% must be approved by the San Luis Obispo County Fire Marshal.

**Amendment No. 6**

**503.2.9 Driveway is amended to read as follows:**

**503.2.9 Driveway.** Driveway specifications shall be provided and maintained when serving no more than ~~one legal parcels or lot with no more than~~ 4 dwelling units, and any number of accessory buildings.

**Amendment No. 7**

**503.2.9.1 Driveway width is amended to read as follows.**

**503.2.9.1 Driveway width for high and very high fire severity zones:**

| Length            | Required Width |
|-------------------|----------------|
| 0 -199'           | 12'            |
| Greater than 200' | 14'            |

**Amendment No. 8**

**503.2.9.2 Turnarounds is amended to read as follows:**

**503.2.9.2 Turnarounds.** Turnarounds must be provided if driveway exceeds 300 feet, and shall be within 50 feet of the building. For driveways exceeding 300 feet, a turn-around shall be at the building site and must be within 50 feet of the dwelling. ~~For driveways exceeding 800 feet, turnouts shall be provided no more than 400 feet apart. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway.~~

Amendment No 9.

503.2.9.3 Turnouts is amended to read as follows:

**503.2.9.3 Turnouts.** For driveways exceeding 800 feet, turnouts shall be provided no more than 400 feet apart. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway.

A turnout shall be provided near the midpoint and shall be a minimum of 10 feet wide and 30 feet long with a minimum 25-foot taper on each end.

**503.2.9.4 Surfaces.** Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide aggregate base. Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

**503.2.9.5 Special Purpose Roads.** Roads designated to service non-habitable infrastructure to include specific group U occupancies including communication towers and water tanks. Road shall be designed to have a minimum 12-foot travel lane and 13 foot 6-inch vertical clearance. Special purpose roads exceeding 150 feet in length but less than 800 feet shall have a standard turnout near the midpoint of the driveway. Turnouts shall be provided at the terminus of the roadway within 50 feet of infrastructure.

**503.4 Obstruction of Fire Apparatus Access Roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Minimum required widths and clearances established under Section 503.2.1 shall be maintained at all times.

**503.4.2 Authority to Remove Obstruction.** The Fire Code Official and his authorized representatives shall have the power and authority to remove or cause to be removed, without notice, any vehicle or object parked or placed in violation of the California Fire Code and California Vehicle Code 22651. The owner of any item so removed shall be responsible for all towing, storage and other charges incurred.

**504.3 Stairway access to roof.** New buildings two or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a stairway to the roof or other access to the roof for emergency personnel approved by the fire code official. Stairway access to the roof shall be in accordance with Section 1011. Such stairway or other approved access shall be marked at street and floor levels with a sign indicating that the stairway or access continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification.

**Amendment No 10**

**505.1 is amended to read as follows**

**505.1 Address Identification.** New and existing buildings shall have 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 back grounds and be reflective material. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of: 6" inches for residential, 8" inches for commercial, and 10" inches in height for industrial high with a minimum stroke width of ½ 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 approved sign or means shall be used to identify the structure.

**507.2.2.1 Water Tanks.** Fire water tanks and exposed supply lines constructed of combustible materials to include polyethylene/plastic are required to have 30 feet of vegetation clearance. Readily flammable vegetation shall be cleared 30 feet in all directions.

**603.1.4 Fuel Oil.** The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the burner manufacturer. Oil containing gasoline shall not be used.

**606.8 Refrigerant Detector.** Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the California Mechanical Code for the refrigerant classification. Detectors and alarms shall be placed in approved locations. In addition, emergency shutoff shall also be automatically activated when the concentration of refrigerant vapor exceeds 25 percent of LFL (Lethal Flammable Limits).

**Amendment No. 11**

Section 903.1 Where required is amended to read as follows:

**TABLE 903.1 - AUTOMATIC FIRE SPRINKLER SYSTEM REQUIREMENTS FOR NEW CONSTRUCTION**

| STRUCTURE TYPE                         | SPRINKLES REQUIRED <sup>2</sup> | DESCRIPTION  | SQUARE FOOTAGE <sup>1</sup> |       | MIN. DISTANCES BETWEEN STRUCTURES AND PROPERTY LINES (PL) | REQUIREMENTS                   | USE EXAMPLES                       | EXCEPTIONS         |
|--|---------------------------------|--|-----------------------------|-------|---|--------------------------------|------------------------------------|--------------------|
|  |                                 |  | MIN                         | MAX   |   |                                |                                    |                    |
| <b>New Construction</b>                | Yes                             | New buildings including mobile homes and commercial coaches <sup>1</sup> | 0                           |       | Per CBC, CRC  | Throughout new buildings       | All new construction and dwellings | Exceptions 2, 3, 4 |
| <b>Residential Accessory Structure</b> | Yes                             | Accessory structures as defined in CRC                                   | 1,000                       | 3,000 | 50 feet from PL   | No heating, cooling, living or | One story garage, works            | Exception 1        |



|   |     |   |   |       |   |  |  |              |
|---|-----|---|---|-------|---|--|--|--------------|
|   |     |   |   |       | 30' between any structures on site              | sleeping spaces                              | hop, studio, residential storage bldg. |              |
| <b>Agricultural Structure</b>                   | Yes | Accessory to agricultural operation, livestock, crops. Agricultural operations in accordance with AG LUO & CBC definition | 3,000                                     | 5,000 | 100 feet from PL, 50 feet from other structures | Primary usage must be 75% livestock or crops | One story barn or stables              | Exception 1  |
| <b>Pole barn, Covered arena, Greenhouse</b>     | No  | One story hay storage, covered riding arena, greenhouses  | Unlimited if 60 feet on all sides per CBC |       | 100 feet from PL, 50 feet from other structures | No public use or access                      | See description                        | None         |
| <b>Agricultural Exempt (no permit required)</b> | No  | LUO Ag Exempt & signed affidavit  | 0   | 3,000 | 100 feet from PL, 50 feet from other structures | Per Ag Exempt agreement                      | Ag-Barn on Ag zoned land over          | See Title 19 |

|  |  |  |  |  |  |  |             |  |
|--|--|--|--|--|--|--|-------------|--|
|  |  |  |  |  |  |  | 20<br>acres |  |
|--|--|--|--|--|--|--|-------------|--|

**References:**

|   |                                  |                                      |   |
|---|----------------------------------|--------------------------------------|---|
| <b>CRC:</b> California Residential Code | <b>CFC:</b> California Fire Code | <b>CBC:</b> California Building Code | <b>LUO:</b> Land Use Ordinance (San Luis Obispo County) |
|---|----------------------------------|--------------------------------------|---|

**Footnotes:**

1. For the purpose of calculating square footage for the application of fire sprinkler requirements and fire flow requirements, the floor area shall include all combustible areas attached to the structure, including garages, patio covers, ~~overhangs over 2 feet, covered walkways and decks and workshops.~~
2. Automatic Fire Sprinklers installed at exterior locations shall be approved corrosion resistant devices when environmental or operational conditions warrant.

**Exceptions:**

1. Structures between the minimum and the maximum square footage must meet all the above table criteria and all the following are required in lieu of fire sprinklers: ▪ no conditioned or habitable space, ▪ no second stories (lofts 1/3 the floor area and open to below are allowed), ▪ minimum two exits including one pedestrian door (side hinge swinging door), ▪ workshops or offices limited to 10% of floor area, ▪ dedicated fire water storage minimum of 5,000 gallons steel tank in full compliance with NFPA 1142 (see fire safety plan) if there is no community provided fire hydrant within 500 ft., ▪ structure complies with the California Wildland Urban-Interface Ignition Resistant Construction Requirements, ▪ ~~heat detectors installed in accordance with CBC linked to an audible bell mounted in the exterior of the structure.~~ ▪ Cannot be used as a place of employment or for public assemblage/events. ▪ Cannot be used as a commercial building.
2. A single-story building or commercial coach where floor area does not exceed 1000 square feet and the occupancy is not a Group A, E Daycare, F1 Woodworking, group R, Group H, Group I occupancy or any occupancy where cellulose nitrate film, pyroxylin plastics or any hazardous materials manufactured, stored or handled in quantities in excess of Tables in CBC, CFC or within Los Osos CSD and the fire flow from a hydrant is less than 750gpm at 20psi.
3. Mobile/manufactured or factory-built homes or commercial coaches constructed or altered on or before March 12, 2011 which were not manufactured with automatic fire sprinklers.
4. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

**Amendment No. 12**

Section 903.2 Where required is amended to read as follows:

| OCCUPANCY OR STRUCTURAL MODIFICATION TYPE            | SPRINKLERS REQUIRED <sup>3</sup> | DESCRIPTION  | SQUARE FOOTAGE <sup>1</sup>                      | REQUIREMENTS   | USE EXAMPLES  | EXCEPTIONS            |
|--|----------------------------------|--|--|--|---|-----------------------|
| Alterations <sup>1</sup>                             | Yes, if...                       | Alteration includes modifications to the structure   | 50% of existing floor area <sup>2</sup>          | Alterations additions and remodel square footage will be considered a combined and cumulative sum of floor area  | Interior remodels<br>Rehabilitation                     | Exceptions 1, 2, 3, 4 |
| Additions <sup>1</sup>                               | Yes, if...                       | Additions cumulative from January 01, 2008 regardless of any change of ownership                       | 1,000 sf<br>or<br>50% of floor area <sup>2</sup> | Alterations additions and remodel square footage will be considered a combined and cumulative sum of floor area  | Any addition  | Exception 4           |
| Hazard Category and Occupancy Classification Changes | Yes                              | Change results in higher hazard or as deemed necessary by fire code official and the building official | Any  | Hazard classification rating as determined by the fire code official, and occupancy classification as determined | Any change of occupancy defined in Chapter 3 of the CBC | None                  |

|                                      |     |   |     |   |               |      |
|--------------------------------------|-----|---|-----|---|---------------|------|
|                                      |     |   |     | by the building official.   |               |      |
| Hazardous Materials Inside buildings | Yes | Cellulose nitrate film or pyroxylin plastics or any hazardous materials manufactured, stored or handled in quantities in excess of Tables in CBC, CFC | Any | Building and any portion of a building must also include requirements as listed in CFC Chapter 5005.4 | Any occupancy | None |

**References:**

**CRC:** California Residential Code | **CFC:** California Fire Code | **CBC:** California Building Code

**Footnotes:**

1. For the purpose of calculating square footage for the application of fire sprinkler requirements and fire flow requirements, the floor area shall include all combustible areas attached to the structure, including garages, patio covers, ~~overhangs over 2 feet, covered walkways and decks and workshops~~
2. Fire sprinklers are required when all ceiling coverings are removed, or a project reaches the threshold of 50% of addition or alteration; determination of fire sprinklers shall be made by one of the following methods: 1) By net floor area: Any room(s) or area(s) that are added, altered, rehabilitated or repaired shall have their net floor area calculated and compared to the total net floor area of the existing structure to find the calculated percentage. 2) By surface area: Surface area shall be defined as surfaces of walls and ceilings. Any room(s) or area(s) that are added, altered, rehabilitated or repaired shall have their surface area calculated compared to the total wall and ceiling surface area of the existing structure to find the calculated percentage.

Note: Change(s) in project scope after the plan review process shall require that the fire sprinkler calculation be revised and submitted for review and approval.

3. Automatic Fire Sprinklers installed at exterior locations shall be approved corrosion resistant devices when environmental conditions warrant.
4. Mobile/manufactured or factory-built homes or commercial coaches constructed or altered on or before March 12, 2011 which were not manufactured with automatic fire sprinklers are not subject to fire sprinkler requirements.

**Exceptions:**

1. Alterations limited to only one of the following: replacement of exterior coverings and windows, roofing, electrical services, sewer laterals, retaining walls, or routine plumbing, electrical and mechanical repairs.
2. A loft open to the floor below and no more than one third of the floor area of the room below may be added without requiring sprinklers.
3. REPAIR is the reconstruction or renewal for the purpose of maintenance.
4. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. Footnote 2 determination is required.

**Section 903.3.8.6 Exterior notification.** All fire sprinkler systems including NFPA 13, 13D, 13R shall provide a local water flow alarm.

**904.12.1 Manual System Operation Training.** It shall be the responsibility of the business owner to ensure that all employees are knowledgeable in the use of manually operated or activated fire-extinguishing systems within the occupancy.

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**905.3.1 Building height and area.** Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access and in any parking structure.

A building that is greater than 20,000 square feet (1.858 m<sup>2</sup>) of floor area and greater than 18 feet (5.49 m) in height shall have a dry or wet standpipe system with a 2 ½ inch (64 mm) outlet at the roof near the roof access. Location of the outlet and the fire department connection to the standpipe shall be labeled and approved by the fire code official.

**907.6.6 Monitoring.** Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72. The supervising station shall contact and notify the Fire Chief or their call receiving location immediately on notification of an alarm and prior to making contact with the protected premises.

Exception: Supervisory service is not required for:

1. Single- and multi-station smoke alarms required by Section 907.2.10
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.4.
3. Automatic sprinkler systems in one- and two-family dwellings.

**Section 907.10.1.** False alarms exceeding 3 per calendar year are subject to citation and cost recovery.

### Amendment No.13

Section 4907.1.1 "Fuel modification on driveways" is added to read as follows:

Fuel modification on driveways :10 feet of fuel modification is required on both sides of driveway on private parcels.

#### Exception:

Single specimens of trees, ornamental shrubbery, or cumulative groundcover such as green grass, ivy, succulents or similar plants used as groundcover provided they do not form a means of readily transmitting fire.

### Chapter 50, "Hazardous Materials-General Provisions"

If any provision of Chapter 50 as it pertains to Explosive Material is in conflict with San Luis Obispo County Code Chapter 6.32, the provisions of Chapter 6.32 shall control.

If any provision of Chapter 56 conflicts with San Luis Obispo County Code Chapter 6.32. The most restrictive provision shall control.

**5609.1 Fireworks Prohibited.** The manufacturing, possession, storage, sale, use and handling of fireworks, including without limitation, "Safe and Sane" fireworks, is prohibited.

Exceptions:

1. Storage of fireworks in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.

2. Storage of fireworks, 1.4G in accordance with the Building Code.
3. Use and handling of fireworks for professional display in accordance with Title 19, California Code of Regulations, Chapter 6.

**5609.2 Seizure of Fireworks.** The fire code official shall have the authority to seize, take and remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19, California Code of Regulations, Chapter 6 and California Health and Safety Code, Chapter 9.

**B103.3 Areas without water supply systems.** In areas without service water companies, National Fire Protection Association (NFPA) Standard 1142, current edition, is used to establish on-site storage capacities, except that in all cases a minimum storage capacity of 2,500 gallons of dedicated fire water is required if so authorized by the fire code official.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3240, §§ 1, 2, 5-7-13; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

16.10.070 - Appeals.

Any appeals to the requirements of this section shall be heard in accordance with Section 108 of the California Fire Code.

(Ord. 3134 § 2 (part), 2007)

(Ord. No. 3205, § 1, 12-7-10; Ord. No. 3249, § 1, 12-3-13; Ord. No. 3342, § 1, 12-6-16)

## **SECTION 2:**

The Board of Supervisors has considered the changes that are proposed with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, the evidence presented at the hearings on said matter, and all comments that were received during the public hearing process, determined that this activity is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment." The Board of Supervisors finds that it can be seen with certainty that there is no possibility that the adoption and amendment of the 2019 California Fire Code may have a significant effect on the environment because there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment. The Board of Supervisors hereby approves this

adoption and amendment of the 2022 California Fire Code in accordance with the California Environmental Quality Act and the County's regulations implementing said Act.

**SECTION 4:**

If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION 5:**

The fire chief is hereby authorized and directed to transmit a copy of this ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

**SECTION 6:**

This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, but not before January 1, 2023. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.



INTRODUCED at the regular meeting of the Board of Supervisors held on the 1<sup>st</sup> day of November, 20 22, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 8<sup>th</sup> day of November, 20 22, by the following roll call vote, to wit:

AYES: Chairperson Bruce S. Gibson, Supervisors Dawn Ortiz-Legg, John Peschong, Lynn Compton and Debbie Arnold

NOES: None

ABSENT: None

ABSTAINING: None

The foregoing ordinance is hereby adopted.



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Bruce S. Gibson  
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON  
Ex-Officio Clerk of the Board of Supervisors

By: Niki Martin  
Deputy Clerk