

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, ADDING CBC CHAPTER 12 TO SECTION 11-102 OF THE FRESNO MUNICIPAL CODE RELATING TO AMENDMENTS TO THE CALIFORNIA BUILDING CODE REGARDING EFFICIENCY UNITS.

WHEREAS, Section 1208.4 of the California Building Code regarding efficiency units calls for a minimum square footage limitation of 220 square feet for single room occupancy units (efficiency units); and

WHEREAS, pursuant to City Development Code Section 15-2757 the minimum square footage requirements for a single room occupancy unit is 150 square feet, excluding closet and restroom; and

WHEREAS, the City is authorized to make local agency amendments to the California Building Code pursuant to California Health and Safety Code Sections 17958.1, 17958.7, and 18941.5; and

WHEREAS, it is the intent of the City of Fresno to amend the California Building Code to be consistent with the City of Fresno Development Code regarding the minimum square footage for single room occupancy units (efficiency units).

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1: FINDINGS. Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5 the Council of the City of Fresno expressly finds the proposed modification to Section 1208.4 of the California Building Code decreasing the minimum square footage of a living room area from 220 square feet to 150 square feet in a single

1 of 5

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: MRO

Ordinance No.

room occupancy unit (Efficiency Unit) is reasonably necessary because of local climatic, geological, or topographical conditions. The local architectural conditions of existing buildings and recent General Plan, Downtown Community Plan, Fulton Corridor Specific Plan, and Development Code policies and regulations that promote rehabilitation and active reuse of such buildings make it reasonably necessary to adopt this amendment to the California Building Code:

1. There exist numerous older buildings, many of which have been designated as historic, within the city limits, especially within the Downtown Core area. These structures have been the subject of various development proposals including single room occupancy type uses. Appropriate amendments to requisite building code sections that are consistent with adopted plans and regulatory policies together with local zoning ordinances will allow such proposals to move forward.

2. The Fresno General Plan and Downtown Neighborhoods Community Plan and Fulton Corridor Specific Plan contain policies that promote the retention, restoration and reuse of existing buildings to promote economic vitality and neighborhood stabilization.

SECTION 2: Section 1208.4 of the California Building Code regulates Efficiency Dwelling Units. It states:

“Unless modified by local ordinance pursuant to Health and Safety Code Section 17958.1, efficiency dwelling units shall comply with the following:

1. The unit shall have a living room of not less than 220 square feet (20.4 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of such unit in excess of two.

2. The unit shall be provided with a separate closet.

3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.”

SECTION 3: MODIFICATION. Section 1208.4 of the California Building Code regarding Efficiency Dwelling Units shall be amended and CBC Chapter 12 shall be added to Section 11-102 of the Fresno Municipal Code to read as follows:

[CBC Chapter 12

Efficiency dwelling units shall comply with the following:

1. The unit shall have a living room of not less than 220 150 square feet (20.4m² 13.9 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of such unit in excess of two.

2. The unit shall be provided with a separate closet.

3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.]

SECTION 4: This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, CRM MMC
City Clerk

BY: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
Mary Raterman-Doidge Date
Senior Deputy