



SUMMARY REPORT

Agenda Date: 11/4/2025

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr, Interim Director (707) 565-1754, Nathan Quarles, Deputy Director of Engineering and Construction (707) 565-1146 and Steve Mosiurchak, Fire Marshal (707) 565-1380

Vote Requirement: Majority

Supervisorial District(s): Countywide

Title:

10:45 A.M.: Building and Fire Triennial Code Update

Recommended Action:

Adopt a resolution introducing, reading the title of, and waiving further reading of proposed Ordinances Amending Chapters 7, 7A, 13, 13A, and 24 of the Sonoma County Code, and Direct the Clerk of the Board to set a Public Hearing for December 9, 2025, to consider adoption of the ordinances, accepting by reference the 2025 edition of the California Model Codes with local amendments.

Executive Summary:

This action is to make amendments to Chapters 7 and 13 of the Sonoma County Code (SCC) to address changes to the California Code of Regulations, Title 24, Parts 1-12, commonly referred to as the “model codes”, which govern the design and construction of structures and the maintenance of life safety systems within structures for fire prevention. The State model codes were amended and adopted in January of this year. The State published the model codes on July 1, 2025, and they will become effective on January 1, 2026. The proposed ordinances represent adoption of the model codes with local amendments to Chapters 7 (building) and 13 (fire). This action also is to make amendments to SCC Chapters 7, 7A, 13A, and 24 that are not related to the California model codes.

Local jurisdictions may adopt local amendments that are equal to or more stringent than the model codes if reasonably necessary due to local climatic, geographical, and topographical conditions. Local amendments must be filed with the California Building Standards Commission along with findings upon adoption of the ordinance prior to becoming effective. The proposed local amendments are either more stringent (Class A roofs and the placement of anchor bolts) or equally as stringent (non-flush toilets and permit timelines) to the model codes.

On June 30, 2025, a state law went into effect that prevents local jurisdictions from modifying building code provisions adopted pursuant to Section 17922 of the State Health & Safety Code related to residential units (dwellings). However, this state law provides exceptions that staff recommend applying for several proposed local amendments. The most notable include permit exemptions and for non-flush toilets (waterless toilets). The Building Standards Commission may reject local amendments that do not include findings supporting application of an exception.

Staff are recommending three amendments to existing SCC provisions that do not pertain to model codes. One in SCC Section 7-12 to clarify when a water sharing easement is permissible. The clarification focuses on the location of the well supplying the water being shared, whereas the current language focuses on the location of the parcel. A second proposal is to modify the process to implement septic policies related to the permitting and construction of septic systems. The current process, as detailed in SCC Section 24-55, requires Board approval. The recommendation is for the Director of Permit Sonoma to implement policies. The third amendment is to reinstate SCC Section 24-56 and 24-56 related to vesting certificates.

A core group of Sonoma County fire service agencies, including county fire districts and cities, met and collaborated to create a uniform fire code for Sonoma County. The working group held 12 meetings since in 2025 with the goal of aligning with the model fire code, restoring the code to state minimum standards, and reducing conflicts with other state mandates. By undertaking this collaborative effort, all jurisdictions within the County will have essentially the same fire code language, thus creating uniformity among all fire codes within Sonoma County. The Local Fire Code Officials reviewed the 2025 California Building, Fire, and new California Wildland Urban Interface Code (WUI). The WUI code will allow uniform enforcement of the International Code with state regulation of Title 14 or commonly known as the California Board of Forestry Development Standards in the State Responsibility Area (SRA) with the newly published Local Responsibility Area (LRA) Fire Severity Zones. The Department further recommends amendments to Chapter 13A to clarify the enforcement authority and procedures for maintaining defensible space and abating hazardous vegetation and combustible materials.

One public meeting was held on October 30, 2025. Additional public meetings are scheduled for November and December. Permit Sonoma staff have presented to three local stakeholder organizations (American Civil Engineering Companies, American Institute of Architects, and the Sonoma County Farm Bureau) and more are being scheduled.

Discussion:

Sonoma County Code Chapter 7 - Building Regulations

Model Codes and Local Amendments:

The International Code Council (ICC) revises and publishes model building codes on a three-year cycle. The State of California amends the ICC codes and various state agencies adopt the model codes also in a three-year cycle, but roughly six months behind ICC.

The model codes include main branches of construction such as the building code, fire code, residential, plumbing, mechanical, and electrical codes. Also included are model codes dealing with energy consumption and efficiency, green building and waste reduction, historic buildings, and existing buildings. The formal names include the California Building Code, the California Fire Code, etc.

The model codes were published on July 1, 2025, and local jurisdictions are obligated to implement the model codes, as adopted by the State within 180 days after State publication. Local jurisdictions can make local amendments that are equal to or more stringent than model codes, but local jurisdictions cannot relax the model codes. The model codes go into effect on January 1, 2026, regardless of whether local amendments are adopted and become effective by this date. If local amendments do not become effective on or before January 1, development applications will be subject to model code until local amendments become effective.

The current timeline for local code adoption is as follows: The proposed ordinances with local amendments will be introduced on November 4, 2025 (First Reading). The Board will hold a public hearing to adopt the proposed ordinances on December 9, 2025 (Second Reading). If adopted, local amendments will become effective on January 8, 2026. During this eight-day period, the model code will govern, and staff will ensure all applications, inspections, and enforcement actions comply with state requirements until the local amendments take effect. Details of the proposed changes are presented later in this staff report.

Model Code Changes:

The most significant changes in the 2025 California model codes, which take effect January 1, 2026, include stricter standards for electrification, enhanced fire and seismic safety, and more rigorous green building and accessibility requirements. The updates apply to all newly constructed buildings and affect substantial additions and alterations to existing structures.

Key changes in the 2025 California Building Code (Title 24, Part 2)

- **Enhanced wildfire safety:** Following the creation of the Wildland-Urban Interface (WUI) code, California is adopting stricter fire-resistance standards for buildings in high-risk zones, including requiring fire-rated, ember-resistant vents.
- **Mass timber expansion:** The use of mass timber as a sustainable structural option is expanded, allowing for taller wood buildings (up to 18 stories for certain types) with new detailing and connection requirements.
- **Updated seismic design:** New seismic provisions incorporate the latest USGS data, potentially increasing design forces in high-risk areas and adding stricter requirements for structures near active faults.
- **Updated structural loads:** Adjusted requirements for snow and wind loads reflect updated maps and trends, affecting building design, especially for canopies and solar panels.
- **Accessibility for EV charging:** New provisions clarify that accessible electric vehicle charging spaces are required, with specific standards for signage and space.
- **Balcony and Elevated Exterior Element Safety:** In response to events like the Berkeley balcony collapse, the 2025 code will incorporate stricter requirements for the design, materials, and waterproofing of balconies and other elevated exterior elements. This includes enhanced load-bearing standards and more robust inspection mandates during construction.

Key changes in the 2025 Energy Code (Title 24, Part 6)

- **Heat Pumps for Space and Water Heating:** For newly constructed residential buildings, the prescriptive compliance path now mandates all-electric heat pump systems for space and water heating. While gas furnaces can still be used, they require compliance through the more complex performance method. This effectively phases out the standard installation of gas furnaces and water heaters in new homes.
- **Electric-Ready Infrastructure:** New buildings must be pre-wired for future electric appliances, including commercial kitchens, to encourage later upgrades to cleaner technologies.
- **Stricter Ventilation Standards:** Indoor air quality is improved with stronger ventilation requirements for multifamily buildings.
- **Updated solar and battery rules:** Requirements for solar photovoltaic and battery storage systems are updated for high-rise multifamily and nonresidential buildings.

Key changes in the 2025 Green Building Standards Code (Title 24, Part 11)

- **New energy metric:** The framework for assessing energy performance shifts from Time Dependent Valuation (TDV) to the more comprehensive Long-Term System Cost (LSC), which incorporates life-cycle costs and greenhouse gas emissions.
- **Mandatory EV chargers:** The code replaces the previous "EV-Capable" standard with more stringent mandates for installing actual Level 2 EV chargers and receptacle outlets in residential buildings.
- **Construction waste management:** All projects must now have a formal construction waste management plan that includes a 65% diversion requirement.
- **Embodied Carbon Limits:** For the first time, CALGreen will introduce requirements to measure and reduce the embodied carbon of building materials. This will apply to new nonresidential buildings larger than 100,000 square feet and will focus on key structural materials like concrete and steel. This change will require new documentation (like Environmental Product Declarations) and design strategies.

Assembly Bill 130:

AB 130, signed into state law on June 30, 2025, prevents local jurisdictions from amending model codes applicable to residential units unless the local jurisdiction makes findings demonstrating how a change fits into an allowed exception. These restrictions on the County's ability to make changes to or adopt more restrictions to state building code standards applicable to residential units will be in place from October 1, 2025, through June 1, 2031. The exceptions are:

- (1) Changes or modifications that were in effect as of September 30, 2025.
- (2) Changes or modifications necessary as emergency standards.
- (3) Changes or modifications related to home hardening.
- (4) Changes or modifications related to home hardening and are proposed for adoption by a fire protection district pursuant to Section 13869.7.
- (5) Changes or modifications that align with a general plan and greenhouse gas reduction strategy approved on or before June 10, 2025, and permit mixed-fuel residential construction consistent with federal law.
- (6) Changes or modifications related to administrative practices resulting in reduced processing times, revised fee schedules, modernization of permitting platforms, reduction in costs, and/or changes to programs for enforcement of building code violations.

Staff are proposing several local amendments that were approved in the 2022 code amendment and therefore satisfy the September 30, 2025, criteria.

All Electric Dwelling Amendments Not Being Carried Forward:

In the 2022 triennial code adoption process, staff recommended, in accordance with Board direction, ordinance language requiring 100% electric dwellings for newly constructed single family residential dwellings, with exceptions. Sonoma County adopted the Green Building Standards Code with a local amendment adding section 4.509, which prohibited fuel sources, such as natural gas, other than electricity for single family dwelling. All-Electric Dwellings were defined as a primary or accessory dwelling that uses electricity as the source of energy for its space heating, water heating, pool and spa systems, cooking appliances, clothes drying appliance and decorative appliances, and has no natural gas or propane plumbing installed within the building or within the building's property lines.

However, in *California Restaurant Association v. City of Berkeley*, 89 F.4th 1094 (9th Cir. 2023), the Ninth

Circuit held the Energy Policy and Conservation Act preempted the City of Berkeley's building code provisions prohibiting natural gas in newly constructed residential buildings. The Ninth Circuit denied a request for rehearing and the decision is final.

Due to this Ninth Circuit decision, the Office of County Counsel recommended that Permit Sonoma not enforce SCC section 4.509.

As the State of California has adopted the 2025 version of the Green Building Standards, section 4.509 ceased to exist. While it is possible to re-introduce this section, as it existed prior to the effective date of AB 130 (January 1, 2025), federal preemption would still apply. For these reasons staff recommend not re-introducing similar language.

Prior Local Amendments Being Carried Forward:

Staff are proposing to carry forward prior local amendments to maintain consistency with existing regulations, as state code updates can overwrite local provisions. These are as follows:

- SCC section 7-13(E)(1) is proposed to retain waterless (non-flush) toilets as an option to the requirement that all dwellings have an adequate number of flush toilets.
- SCC section 7-13(H) is proposed to be retained to require electrical contractors to have the specified number of workers hold the Electric Vehicle Infrastructure Training Program (EVITP) certification. The EVITP certification requirement applies to County projects or County funded projects. The provisions require the charging station to be installed by a contractor with the appropriate license classification (electrical contractor) and at least one electrician on each crew, at any given time, who holds an EVITP certification or for projects that install a charging port supplying 25 kilowatts or more have at least 25% of the total electricians working on the crew for the project, at any given time, who hold EVITP certification.
- SCC section 7-13(C)(33) and 7-13(D)(7) are proposed to be retained to omit language in the emergency housing appendices that restricts the use of these appendices to County-owned or County-sponsored projects.

Administrative Local Amendments to the Building Codes:

This item proposes to update SCC section 7-13 to address several administrative and technical amendments. These include:

- SCC section 7-13(A): Currently recognizes the 2022 model building codes, is proposed to be modified to recognize the 2025 versions of the model codes.
- SCC section 7-13(B)(2): Time limit an issued permit, respectively, is proposed to be edited to be consistent with state law and the 2025 model codes. SCC section 7-19 is also proposed to modify the "abandonment" definition to be consistent with and implement the time limit of an issued permit.
- SCC section 7-13(C)(2): Details the types of projects that are exempt from needing a building permit. These exemptions need to be re-adopted each code cycle.
- SCC section 7-13(G): Maintains the requirement for Class A roofs for all structures with exceptions for

greenhouses, patio covers and similar structures. This needs to be re-adopted into local code each code cycle.

- SCC section 7-13(D)(6): Removes language that allows anchor bolts to be placed before the concrete is set. The 2025 model codes do allow for the placement of foundation anchor bolts after the concrete is poured but before it is set. Staff's recommendation is to not follow the 2025 model codes in this respect but to require the traditional method of placing foundation anchor bolts. The traditional method is to affix the anchor bolts to the rebar within the forms prior to pouring the concrete.
- Various amendments throughout SCC section 7-13(C) and 7-13(D) are proposed to ensure consistency between local fire code amendments and the building codes.

Sonoma County Code Chapter 7A - Regulations for Limited Density Owner-Built Rural Dwellings

One administrative change is proposed for SCC Chapter 7A: address a change in paragraph numbering. SCC 7A-34(3), refers to Table 903.6 within SCC section 7-13(B). The subsection within 7-13(B) housing Table 903.6 has changed from subsection 40 to subsection 30. The proposed 7A-34(3) subsection revises the reference to the new location of Table 903.6.

Sonoma County Code Chapter 24 - Sewers and Sewage Disposal

Currently, SCC Chapter 24, section 24-31-5(a) states amendments to standards for on-site wastewater treatment systems are to be effective after the Board of Supervisors approves the amendments via resolution.

In the last two years, staff and the design community have been working together to either amend various sections or create new standards for on-site septic systems. None of these have been approved at this time. Examples include minor corrections/clean up edits, clarification language for site evaluations, new standards for lift stations, and new standards on how to place new systems near existing systems (drip systems over standard systems).

Staff propose to amend SCC Section 24-31-5(a) to facilitate these changes. The amended language delegates the approval authority of on-site septic system policy to the Director of Permit Sonoma.

In 2023, SCC Section 24-56 and 24-57 related to vesting certificates were deleted. The 2023 edits in SCC Chapter 24 were intended to be a cleanup of various chapters within Sonoma County Code. The deletion of these two sections was an error.

The Sonoma County Onsite Wastewater System Manual retained language that allows for vesting certificates and no requests for vesting certificates were denied due to the inadvertent deletion.

Staff recommend reinstating SCC sections 24-56 and 24-57 with minor edits to clarify the differences between vesting certification and vested property rights.

Soil Report versus Minimal Load Bearing

Over the years concerns have been raised regarding the cost and necessity of soil reports for new construction. Soil reports provide information about the type, depth and load bearing ability of the soil at the building site. This information is critical as Engineers and Architects use this report to inform the design of the structure's foundation.

The current and new building codes allow designers to assume the lowest load bearing factors (1500 pounds per square foot) in lieu of a soil report. Permit Sonoma has clarified the department's policy on when soil reports are required to reflect this approach of assuming the lowest load bearing, thereby not requiring a soil report and reducing the cost of development.

A few caveats exist. This option is limited to structures that are conventional wood frame construction and where no known soil-based hazards can exist such as expansive soils, steep slopes, etc.

Sonoma County Code Chapter 13 - Sonoma County Fire Safety Ordinance

The Sonoma County Fire Prevention Division has fire code authority for all residential construction in the unincorporated areas and for most new commercial construction. This authority was delegated to the County Fire Marshal by the fire districts (SCC section 13-15) for both residential and commercial construction within the County Service not served by a fire district. While each fire district in Sonoma County is responsible for enforcing the fire code for existing business occupancies, they have the option of entering into a contract with the County to obtain inspection and enforcement services. Incorporated cities are responsible for adopting and enforcing their own fire and building codes for both residential and commercial buildings. Additionally, Sonoma County, under an agreement with California Department of Forestry and Fire Protection (CalFire), is delegated the responsibility to perform the review and inspection required by Title 14 of the Natural Resources Code, Division 1.5, Chapter 7, Subchapter 2, for all new construction located in the State Responsibility Area (SRA). These regulations are now incorporated into the new version of the California Wildland Urban Interface Code, ensuring consistent application of fire safety requirements across both state and locally managed areas.

Since February 2025, the Sonoma County Fire Marshal and Sonoma County Fire Prevention Division staff have held 12 working group meetings to continue efforts toward a uniform Fire Code between the incorporated cities and unincorporated area of the County protected by fire districts. The group has agreed to keep alignment with the model code as it relates to the maintenance provisions and to reduce the number of fire code operational permits relative to previous code cycles. The purpose is to align the code with the state model code minimums and to minimize conflicts with other state mandates.

The County Fire Marshal worked with a core group of fire service agencies to make local amendments to the California Fire Code. The fire service agencies included representatives from: Sonoma Valley (City of Sonoma), Santa Rosa, Petaluma, Rohnert Park Department of Public Safety, Gold Ridge (City of Sebastopol), Healdsburg, Sonoma County Fire District (Town of Windsor) and Rancho Adobe (City of Cotati). Some of the fire districts serve incorporated service areas, as noted. Several meetings were conducted for all interested persons over a period of eight months. By undertaking this collaborative effort, all jurisdictions within the county will have essentially the same language contained in their fire codes, thus creating uniformity among all fire codes within the county. The proposed fire code ordinance is attached to this summary report.

Sonoma County Code Chapter 13A - Defensible Space and Hazardous Vegetation Abatement

Chapter 13A requires property owners in the unincorporated county to maintain defensible space around structures and roadways and remove hazardous vegetation and combustible material to reduce the risk of wildfire. The department proposes amendments to the chapter in order to clarify the enforcement authority of the fire marshal and fire protection districts and to clarify the enforcement procedure in the event of a violation. Under the amendments, enforcement would more clearly follow those procedures outlined for all other code violations under Chapter 1.

Recommendations

Adopt a resolution introducing, reading the title of, and waiving further reading of proposed Ordinances amending Chapters 7, 7A, 13 and 24 of the Sonoma County Code, and direct the Clerk of the Board to set a Public Hearing for November 4, 2025, to consider adoption of the ordinances, accepting by reference the 2025 edition of the California Model Codes with local amendments.

Prior Board Actions:

12/06/2022: [The Board adopted revisions amending Chapter 7 and 7A <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5948409&GUID=79F08CC3-8548-477D-8390-286E7793F65E&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5948409&GUID=79F08CC3-8548-477D-8390-286E7793F65E&Options=&Search=>)

12/06/2022: [The Board adopted revisions amending Chapter 13 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5948409&GUID=79F08CC3-8548-477D-8390-286E7793F65E&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5948409&GUID=79F08CC3-8548-477D-8390-286E7793F65E&Options=&Search=>)

09/15/2020: The Board adopted revisions amending the Building Code for Emergency Housing

12/02/2019: The Board adopted revisions to Chapters 7 and 13

11/01/2016: The Board adopted revisions amending Chapter 7, 7A, 7A and 7D

11/01/2016: The Board adopted Resolution #16-0417

10/20/2015: The Board adopted revisions amending Chapter 7

11/05/2013: The Board adopted revisions amending Chapter 7 and 7D2

11/05/2013: The Board adopted revisions amending Chapter 13

11/02/2010: The Board adopted revisions amending Chapter 7 and 7A

05/04/2010: The Board adopted revisions amending Chapter 13

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

Not Applicable

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

Attachment 1: Board Resolution

Attachment 2: Draft Ordinance Amending Chapters 7 (Building)-Amendments Associated with 2025 Model Codes

Attachment 3: Draft Ordinance Amending Chapters 7 (Building), 7A (Limited Density Owner-Built Rural Dwellings), and 24 (Sewers and Sewage Disposal)-Amendments Not Associated with 2025 Model Codes

Agenda Date: 11/4/2025

Attachment 4: Draft Ordinance Amending Chapter 13 Fire Safety Ordinance-Amendments Associated with 2025 Model Codes

Attachment 5: Draft Ordinance Amending Chapter 13A - Amendments Not Associated with 2025 Model Codes

Attachment 6: Staff Presentation

Attachment 7: Redline Draft Ordinance Amending Chapters 7 (Building) - Amendments Associated with 2025 Model Codes

Attachment 8: Redline Draft Ordinance Amending Chapters 7 (Building), 7A (Limited Density Owner-Built Rural Dwellings), and 24 (Sewers and Sewage Disposal)-Amendments Not Associated with 2025 Model Codes

Attachment 9: Redline Draft Ordinance Amending Chapter 13 Fire Safety Ordinance - Amendments Associated with 2025 Model Codes

Attachment 10: Redline Draft Ordinance Amending Chapter 13A - Amendments Not Associated with 2025 Model Codes

Related Items “On File” with the Clerk of the Board:

[Click or tap here to enter text.](#)