

EXHIBIT #2: EXPRESS FINDINGS

Code Amendment for Adoption of the 2019 Edition of the Model California Construction Codes and Express Findings for Local Amendments are set forth below:

Health & Safety Code Section 17958 mandates that the City of Huntington Beach (“City”) shall adopt Ordinances or regulations imposing the requirements of certain uniform industry codes adopted by the State pursuant to Health & Safety Code Section 17922; and

The State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Residential Code, California Electrical Code, and the California Electrical Code (hereinafter referred to collectively as “Codes”); and

Health & Safety Code Section 17958.5(a) permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions; and

Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic or topographic conditions; and

The Building Official and Director of Community Development have recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Code, 2019 Edition; the California Residential Code, 2019 Edition; the California Plumbing Code, 2019 Edition, and the California Electrical Code, 2019 Edition are reasonably necessary due to local conditions in the City of Huntington Beach and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Huntington Beach.

The City Council for the City of Huntington Beach finds that the above recitals are true and correct and pursuant to the requirements of Health and Safety Code Section 17958.7, the Council finds and determines there is a need to adopt the changes or modifications to the uniform codes because of local climatic, topographical, and geological conditions as follows:

| Chapter / Section | Amendment History | Summary | Findings |
|-----------------------------------|----------------------|--|-----------------------|
| HBMC 17.04 – BUILDING CODE | | | |
| [A] 103.1 | New | Creation of Enforcement Agency (amended by changing division name to Department of Community Development Building Division) | Administrative D-1 |
| [A] 105.2 | Existing | Work Exempt from Permit | D-1, B-1 |

| | | | |
|--------------------------------------|----------|--|-------------------------|
| [A] 105.3.2 | Existing | Time Limitation of Application | Administrative D-1 |
| [A] 105.5 | Existing | Expiration | Administrative D-1 |
| [A] 107.2.1.1 | New | Construction Documents - Building Security | Administrative D-2 |
| [A] 107.2.1.2 | New | Construction Documents - Methane Overlay District | D-1, B-2 |
| [A] 107.2.9 | New | Construction Documents - Soils Report | D-1, B-1, B-2, B-3 |
| [A] 109 | Existing | Fees | Administrative D-1 |
| [A] 113.1 | New | Board of Appeals (clarification) | Administrative D-1 |
| 901.1 | Existing | Fire Protection System – Scope (referencing HB Fire Code) | A-2, B-6 |
| 1505.1 | New | Minimum Roof Covering (Clarifying Class “B” minimum roof covering) | A-1, A-2, B-1, B-6, B-7 |
| 1505.1.3 | New | Roof Covering Within all Other Areas (Clarifying Class “B” minimum roof covering) | A-1, A-2, B-1, B-6, B-7 |
| Chapter 36 | Existing | Building Security | Administrative D-2 |
| Chapter 55 | Existing | Methane District Regulations | B-2 |
| HBMC 17.07 – RESIDENTIAL CODE | | | |
| R103.1 | Existing | Creation of Enforcement Agency (amended by changing division name to Department of Community Development Building Division) | Administrative D-1 |
| R105.2 | Existing | Work Exempt from Permit | D-1, B-1 |
| R105.3.1.1 | Existing | Determination of substantially improved or substantially damaged existing buildings in flood hazard areas (Section deleted since this section has to meet with the Floodplain Overlay District requirements of the Zoning Code) | D-1, A-3, B-4, B-5 |
| R105.3.2 | Existing | Time Limitation of Application | Administrative D-1 |
| R105.5 | Existing | Expiration | Administrative D-1 |
| R106.1.6 | New | Construction Documents - Building Security | Administrative D-2 |
| R106.1.7 | New | Construction Documents - Methane Overlay District | D-1, B-2 |
| R106.1.8 | New | Construction Documents - Soils Report | D-1, B-1, B-2, B-3 |
| R108 | Existing | Fees | Administrative |

| | | | |
|---|----------|--|-------------------------|
| | | | D-1 |
| R112.1 | New | Board of Appeals | Administrative D-1 |
| R301.1.3.2 | Existing | Engineered Design | B-1 |
| Table R301.2(1) | Existing | Climatic and Geographic Design Criteria and Manual J Design Criteria completed for Huntington Beach | B-1 |
| Table R301.2(1) Footnote g | Existing | Completed Table for the Flood Hazard areas based on the Floodplain Overlay District | A-3, B-4, B-5 |
| R313.1 | Existing | Townhouse Automatic Fire Sprinkler Systems (amended to reference HB Fire Code) | A-2, B-6 |
| R313.2 | Existing | One- and Two-Family Dwellings Automatic Fire Sprinkler Systems (amended to reference HB Fire Code) | A-2, B-6 |
| R322.1 | New | Flood-Resistant Construction (amended to include the Floodplain Overlay District and Local Coastal Program) | A-3, B-4, B-5 |
| R902 | New | Roof Fire Classification (amended to coordinate with the Building Code for requirements) | A-1, A-2, B-1, B-6, B-7 |
| Chapter 36 | Existing | Building Security (amended to reference to the Building Code for requirements) | Administrative D-2 |
| Chapter 55 | New | Methane District Regulations (amended to clarify that this section is also applicable to residential structures and referencing to the Building & Fire Codes). | B-2 |
| HBMC 17.40 – MECHANICAL CODE | | | |
| Chapter 1 | Existing | Administration (amended to reference the Building Code) | Administrative D-1 |
| HBMC 17.44 – PLUMBING CODE | | | |
| Chapter 1 | Existing | Administration (amended to reference the Building Code) | Administrative D-1 |
| 312.1 | Existing | Protection of Piping, Materials and Structures (amended by requiring underground copper and PEX tubing to be sleeved) | A-3 |
| HBMC 17.46 – SWIMMING POOL, SPA AND HOT TUB CODE | | | |
| Chapter 1 | Existing | Administration (amended to reference the Building Code) | Administrative D-1 |
| 108 | Existing | Authority to Abate (amended by relocating to the appropriate Section) | Administrative D-1 |
| Chapter 2 | Existing | Definitions (amended by adding additional definitions) | Administrative D-1 |

| | | | |
|---|----------|--|-----------------------|
| 301.2.4 | Existing | Fuel Gas Piping (amended to include Mechanical Code) | Administrative D-1 |
| 402.3 | Existing | Structural Design | D-1, B-1 |
| 512.1 | Existing | Wastewater Disposal (added an exception for spas and hot tubs under 750 gallons) | Administrative D-1 |
| 803 | New | Barrier Requirements (amended to reference to the Building Code) | Administrative D-1 |
| HBMC 17.48 – ELECTRICAL CODE | | | |
| Chapter 1 | Existing | Administration (amended to reference the Building Code) | Administrative D-1 |
| 250.52(A)(5) | Existing | Grounding Electrodes | D-1, B-1, B-2, B-3 |
| HBMC 17.51 – EXISTING BUILDING CODE | | | |
| Chapter 1 | New | Administration (amended to reference the Building Code) | Administrative D-1 |
| HBMC 17.60 – SOLAR, ENERGY AND HYDRONICS AND GEOTHERMAL CODE | | | |
| Chapter 1 | Existing | Administration (amended to reference the Building Code) | Administrative D-1 |
| Chapter 10 | Existing | Electrical (amended to reference Huntington Beach Electrical Code) | Administrative D-1 |

SECTION 1: Changes and modifications to the Codes adopted by the City of Huntington Beach as recommended by the Building Official and Director of Community Development are hereby found to be reasonably necessary due to the following general findings to local conditions:

A. Climatic Conditions:

1. Hot, dry, high velocity winds (called Santa Ana winds) are common in the area. These winds reduce the relative humidity causing severe drying of the vegetation and common building materials. These dry conditions predispose the area to large destructive fires (conflagration).
2. Dry climatic conditions can create the potential for the rapid spread of fire in both vegetation and structures. The addition of fire protection systems will supplement the Fire Department response by providing immediate protection for the building occupants and by containing or controlling the spread of fire. Fire sprinkler systems also provide an efficient use of water for the control and containment of fires.
3. The southern boundary of the City is along the Pacific Ocean. Winter storms and tropical storms come into the City from the ocean. These storms can create high winds and large ocean waves, which can cause flooding in large areas of the city. Along part of the eastern boundary of the City is the Santa Ana River. This river originates in the San Bernardino Mountains and flows through many communities

until it terminates in the ocean at the Huntington Beach/Newport Beach border. The river is contained in a manmade channel. Heavy rainfall and urban runoff has potential to cause flooding in the flood plain due to the river and/or its tributaries.

4. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drownings where pools are unprotected.

B. Geological Conditions:

1. The City of Huntington Beach is located in an area of high seismic activity. The Newport-Inglewood Fault runs through the City, which is the largest of several faults. Studies reveal that this fault has the probability of generating a 6.6 magnitude earthquake. Because of the population density and the number of structures in the City, the risk of life loss and property damage due to earthquake activity is considerable. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe".
2. Much of the City is deemed to be in a methane district due to the natural detritus of organic matter in the Huntington Beach Oil Field, which was first discovered in 1920 and from which there was approximately 2.4 million barrels of oil and approximately 1.1 million cubic feet of gas produced in 2015. This hazard presents a unique threat to the City and has the potential to cause fire, or environmental emergencies.
3. Significant areas of Huntington Beach contain corrosive soils that reduce the expected usable life of water services when metallic pipes are exposed to these soils.
4. According to the City Hazard Mitigation Plan (2017), the City has large portions in the tsunami hazard zone subject to tsunami inundation, areas on land that can become quickly flooded when there is a tsunami. These flood conditions would impact the response and activity level of the Fire Department or cause damage to the structures and infrastructures.
5. There are no dams in Huntington Beach. However, the city is on the floodplain on the Santa Ana River. There are two dams, Prado Dam and Seven Oaks Dam, which are located upstream of Huntington Beach on the Santa Ana River. Failure of either dam could cause damage in Huntington Beach. The primary threat to Huntington

Beach is from the failure of Prado Dam. If the dam were to experience a partial or complete failure event, the resulting flood would likely overtop the banks of the Santa Ana River. Depending on the amount of water released, the failure of Prado Dam could result in floodwaters inundating all of Huntington Beach except for the area roughly bordered by Beach Boulevard, Talbert Avenue, Edwards Street, and the shore.

6. Traffic and circulation congestion presently existing in the City of Huntington Beach often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
7. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands, are carried by the wind to other locations, and thereby spread fire quickly. Past Grand Jury Report findings support this concern.

C. Topographical Conditions:

1. None used

D. Administrative:

1. This amendment is necessary for administrative clarification as permitted by Health and Safety Code section 18909, and does not modify a Building Standard pursuant to the California Health and Safety Code Sections 17958, 17958.5 and 17958.7. This amendment establishes administrative standards for the effective enforcement of building standards throughout the City of Huntington Beach.
2. The California Model Building Security Ordinance (CMBSO), published in January 1978, was drafted by the California Crime Prevention Officers Association in conjunction with the California Attorney General's Office and addresses both residential and nonresidential structures. Many cities and counties have adopted the CMBSO, receiving national exposure through manufacturers associations and publications in crime prevention literature. The City of Huntington Beach adopted the Building Security Ordinance and notified all builders concerning the code.