



AGENDA MEMORANDUM

First Reading to Consider an Ordinance for the City Council Meeting of

February 12, 2013

Second Reading/ Action for the City Council Meeting of February 26, 2013

DATE: December 26, 2012

TO: Ronald L. Olson, City Manager

FROM: Mark Van Vleck, P.E., Interim Director, Development Services
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Amendment to the Code of Ordinances, Chapter 14, Article II,
City of Corpus Christi Technical Construction Codes:
Division 8, Residential code, Section 14-291, Residential construction code

CAPTION:

Ordinance amending the Code of Ordinances, Chapter 14, "Development Services," Article II, "City of Corpus Christi Technical Construction Codes," Division 8, "Residential Code," Section 14-291, "Residential construction code," by creating new subsection (6.1) pertaining to Section R302.1 of the International Residential Code for One- and Two-Family Dwellings, which relates to exterior walls and fire-resistant construction, in order to establish new exception language and include modifications to the applicable table; providing for severance, penalties, publication and an effective date.

PURPOSE:

To adopt a local amendment to the 2009 International Residential Code (IRC) that establishes a fire separation distance equal to the one that was required by the 2003 IRC.

BACKGROUND AND FINDINGS:

The 2009 IRC was adopted by the City Council on January 10, 2012, providing an effective date of April 9, 2012.

The 2009 IRC requires construction of one-hour fire rated exterior walls and projections when the distance from the property line is less than 5 feet which has impacted a small percentage of new residential construction projects.

The 2003 IRC required one-hour fire rated construction when the walls were less than 3 feet from the property line and projections were less than 2 feet from the property line.

In order to be one-hour fire rated the soffit cannot have any penetrations. To meet the ventilation requirements, most homes require ventilation in the soffit on all four sides.

On April 12, 2012, after several of the areas home builders raised concern with this change, we delayed enforcement of the 2009 IRC.

Cities such as Victoria, Texas have reverted back to the 2003 IRC for this particular section.

Discussion with the Fire Department has yielded no opposition to reverting back to the 2003 standard. As such, we are recommending the adoption of a local amendment that matches the 2003 IRC fire separation requirements

Once this amendment is in place, the enforcement of the 2009 Residential Code will commence in 45 days.

ALTERNATIVES:

Amend the Code of Ordinances to the 2003 Building Code standard, reducing the fire separation distance from 5 to 3 feet.

Make no change to the 2009 International Residential Code as adopted, leaving the more stringent requirement in place.

OTHER CONSIDERATIONS:

The Unified Development Code (UDC) requires a side-yard setback of 5 foot. Most subdivisions and floor plans were designed to meet the set back requirements with a 1 foot to 18-inch soffit. This construction technique met the UDC and technical codes until the 2009 IRC was adopted.

Through executive action, under powers granted to the City Manager under the Charter provisions of the City of Corpus Christi, enforcement of the 2009 International Residential Code was delayed until the issue could be addressed and a resolution was provided.

CONFORMITY TO CITY POLICY:

The administrative provision of the 2009 International Residential Code allows for local amendments to be developed and incorporated that meet the needs of the community.

EMERGENCY / NON-EMERGENCY:

This is a non-emergency item.

DEPARTMENTAL CLEARANCES:

Building Code Board of Appeals
Legal

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

RECOMMENDATION:

Staff recommends approval of the proposed amendment through ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance