



CITY OF

NEWPORT BEACH

City Council Staff Report

September 9, 2025
Agenda Item No. 21

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance Nos. 2025-23, 2025-24, and 2025-25: Adoption of the 2025 California Building Standards Codes with Local Amendments, the 2025 California Fire Code with Local Amendments, and the 2025 California Wildland-Urban Interface with Local Amendments

ABSTRACT:

The City of Newport Beach enforces State of California (State) model building standards and fire codes for the purpose of regulating design and construction of all structures to protect life and property. The State adopts new codes every three years. Local agencies must adopt the same codes and make any local amendments with specific findings at least 30 days prior to the effective date of the new codes on January 1, 2026. For the City Council's consideration are resolutions making specific findings in support of the proposed City amendments along with the draft ordinances introducing the revised codes. If passed, this item will return for final adoption of the ordinances on September 23, 2025.

RECOMMENDATIONS:

- a) Conduct a public hearing;
- b) Find the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) and 15378 of the CEQA Guidelines, because the code adoption and amendment will not result in a physical change to the environment, directly or indirectly;
- c) Adopt Resolution No. 2025-58, *A Resolution of the City Council of the City of Newport Beach, California, Setting Forth Findings Based on Local Conditions Within the City of Newport Beach Which Make Certain Modifications and Changes to the International Property Maintenance Code, the California Building Code, the California Residential Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code and the International Swimming Pool and Spa Code as Reasonably Necessary Because of Local Climatic, Geographic, or Topographic Conditions;*

- d) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-23, *An Ordinance of the City Council of the City Of Newport Beach, California, Amending Title 15 (Building And Construction) of the Newport Beach Municipal Code to Adopt Chapter 1, Division II, of the 2025 Edition of the California Building Code; the 2024 Edition of the International Property Maintenance Code and Swimming Pool and Spa Code; the 2025 Edition of the California Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Green Building Standards Code, Historical Code, Existing Building Code, and Energy Code; and to Amend Portions of Chapter 15.50 (Floodplain Management), with Local Amendments*, and pass to second reading on September 23, 2025;
- e) Adopt Resolution No. 2025-59, *A Resolution of the City Council of the City of Newport Beach, California, Setting Forth Findings Based on Local Conditions within the City of Newport Beach Which Make Certain Modifications and Changes to the 2025 Edition of the California Fire Code and 2025 Edition of the California Wildland Urban Interface Code as Reasonably Necessary Because of Local Climatic, Geographic, or Topographic Conditions*;
- f) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-24, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 9 (Fire Code) of the Newport Beach Municipal Code to Adopt the 2025 Edition of the California Fire Code, with Local Amendments*, and pass to second reading on September 23, 2025; and
- g) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-25, *An Ordinance of the City Council of the City Of Newport Beach, California, Adding Chapter 9.07 (Wildland Urban Interface Code) to Title 9 of the Newport Beach Municipal Code to Adopt the 2025 Edition of the California Wildland Urban Interface Code, with Local Amendments*, and pass to second reading on September 23, 2025.

DISCUSSION:

The California Building Standards Code is published every three years and amends the California Code of Regulations Title 24. These codes are commonly referred to as Building, Residential, Fire, Plumbing, Mechanical, Electrical, Green and Energy Codes.

The California Building Standards Codes are adopted and amended in Newport Beach Municipal Code (NBMC) Titles 9 (Fire Code) and 15 (Building and Construction). The City may adopt more restrictive modifications and amendments if the City Council adopts findings relating to local climatic, topographic and geographic conditions, and files those findings with the California Building Standards Commission. The California Building Standards Commission has established January 1, 2026, as the statewide effective date for all the 2025 California Building Standards Codes. All local municipalities are required to enforce such codes as the minimum design standards and construction codes.

If the item moves forward to September 23, 2025, the City Council's approval of the ordinances would result in the amendment of the Fire and Building and Construction code of the NBMC by repealing references to the prior editions of the building standards codes and replacing them with the most current California Building Standard codes and International Codes listed below:

2025 California Building Code
2025 California Fire Code
2025 California Residential Code
2025 California Electrical Code
2025 California Mechanical Code
2025 California Plumbing Code
2025 California Green Building Standards Code (Cal Green)
2025 California Energy Code
2025 California Wildland Urban Interface Code
2025 California Historical Building Code
2025 California Existing Building Code
2024 International Property Maintenance Code
2024 International Swimming Pool and Spa Code

Key Municipal Code Amendments

For this code adoption cycle, staff recommends less amendments to the California Building Standards Code and Fire Code compared to the previous cycle to reduce regulations and streamline the building permitting process. However, a number of local amendments are recommended to be retained to enhance life safety and property protection. A redline strikeout version of the Building and Construction and Fire Code amendments illustrating changes from previously adopted ordinances are included as Attachments C and G for reference. The following is a summary of some of the key amendments proposed for incorporation into the NBMC:

Title 15 (Building and Construction) Amendments

- a. NBMC Section 15.02.085 would require the permittee to use a City-franchised solid waste enterprise for handling removal and disposal of all construction and demolition waste for a building permit with a construction valuation over \$100,000 or a demolition permit for complete demolition of a structure. This is to ensure compliance with California Department of Resources Recycling and Recovery (CalRecycle) requirements.
- b. NBMC Section 15.04.090 would exempt the fire sprinklers requirement for accessory dwelling units (ADU) when the existing primary residence is not equipped with fire sprinklers. The construction of an ADU shall not trigger the requirement for fire sprinklers to be installed in the existing building. This is to ensure compliance with State ADU laws.
- c. NBMC Section 15.09 would incorporate the requirements of the International Swimming Pool and Spa Code, which is not adopted by the

State as a model code, with local amendments to ensure public safety for private pools.

- d. NBMC Section 15.50 would be revised to clarify the definition of Substantial Improvement as any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure taking place during a 10-year period, where the cumulative cost of the improvement equals or exceeds 50% of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to December 31, 2025. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The revised language is intended to match the model language from California Department of Water Resources for Higher Standards.

Title 9 (Fire Code) Amendments

- e. NBMC Section 9.04.190 would require emergency responder radio coverage in new buildings. Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. The emergency responder radio coverage system shall comply with the requirements of the Orange County Sheriff's Department, Communications and Technology Division. This is to ensure the system is reviewed and approved by the Federal Communications Commission's (FCC's) authorized review authority.
- f. NBMC Section 9.07 adopted and amended the new California Wildland-Urban Interface Code. This code relocates previously existing building standards or amendments applicable to structures in wildland-urban interface areas from the 2022 California Building Code, 2022 California Fire Code, and the 2022 California Residential Code into the 2025 California Wildland-Urban Interface Code. This code is instrumental in ensuring fire safety for properties located in the new fire hazard severity zones shown on the attached Map of Local Responsibility Area Fire Hazard Severity Zone (Attachment H) that was adopted by the City Council on August 26, 2025 per Ordinance 2025-11.

Community Outreach

On August 12, 2025, staff held a community workshop to gain input on the proposed draft ordinance and amendments. Approximately 45 members of the public and design community attended. Copies of the draft building and fire code amendment ordinances were provided, and the workshop was positively received by the attendees. Though no further revisions were requested, several participants requested future City-sponsored seminars to address various code subjects such as exiting and accessibility.

Building and Fire Board of Appeals

On August 19, 2025, the Building and Fire Board of Appeals (Board) convened with four members of the Board in attendance. Staff presented the proposed draft amendments. The Board supported the code amendments as presented.

FISCAL IMPACT:

There is no direct fiscal impact related to the City for this action.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action proposed herein is not a project subject to the California Environmental Quality Act ("CEQA) in accordance with Section 21065 of the California Public Resources Code and Sections 15060 (c)(2), 15060 (c)(3), and 15378 of the California Code of Regulations Title 14, Division 6, Chapter 3 ("State CEQA Guidelines") because the code amendment will not result in a reasonably foreseeable physical change to the environment. Additionally, the code amendment is exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This code amendment itself does not authorize development that would directly result in physical change to the environment.

NOTICING:

Notice of this hearing was published in the Daily Pilot at least 10 days in advance of this hearing. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

ATTACHMENTS:

- Attachment A – Resolution No. 2025-58: Adopting Findings to the Amendments to the California Building Standards Code and Other Related Codes
- Attachment B – Ordinance No. 2025-23: Adopting the California Building Standards Code and Other Related Codes
- Attachment C – Redline of California Building Standards Code Amendments
- Attachment D – Resolution No. 2025-59: Adopting Findings to the Amendments to the California Fire Code
- Attachment E – Ordinance No. 2025-24: Adopting the California Fire Code
- Attachment F – Ordinance No. 2025-25: Adopting the California Wildland-Urban Interface Code
- Attachment G – Redline of California Fire Code Amendments
- Attachment H – Map of Local Responsibility Area Fire Hazard Severity Zones