

Additions are underlined.  
Deletions are ~~struck through~~.  
Revision markers are noted in left or  
right margins as vertical lines.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE NAPA COUNTY CODE TO PROVIDE ADDITIONAL PROTECTION FOR NEW AND REBUILT STRUCTURES FROM WILDFIRES**

**WHEREAS**, Napa County has experienced unprecedented wildfires in the last several years that have damaged or destroyed thousands of structures, including hundreds of dwellings and hundreds of accessory structures in the rural hillside areas of the County; and

**WHEREAS**, the California Residential Code, adopted by the Board of Supervisors with modifications in 2019, provides optional construction methods that may increase fire resistivity or reduce flammability of structures; and

**WHEREAS**, the Board of Supervisors desires to increase protection from wildfires and mitigate the loss of or damage to property by reducing the capacity of structures to become fuel for such fires through the adoption of construction methods to provide additional flame-resistance.

**NOW, THEREFORE**, the Board of Supervisors of Napa County, State of California, ordains as follows:

**SECTION 1.** A new Section 15.12.240 (Section R337.6.3 – Ventilation openings on the underside of eaves and cornices) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

**15.12.240 Section R337.6.3 – Ventilation openings on the underside of eaves and cornices.**

Section R337.6.3 of the residential code is amended to read in full as follows:

**R337.6.3 Ventilation openings on the underside of eaves and cornices.**

Vents shall not be installed on the underside of eaves and cornices.

**SECTION 2.** A new Section 15.12.250 (Section R337.7.4 – Open roof eaves) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

**15.12.250 Section R337.7.4 – Open roof eaves.**

Section R337.7.4 of the residential code is amended to read in full as follows:

**R337.7.4 Open roof eaves.**

Unenclosed roof eaves shall not extend further than eighteen (18) inches from the exterior wall measured at the ninety (90) degree angle from the exterior wall. The exposed roof deck on the underside of unenclosed roof eaves shall consist of one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside exterior of the roof deck.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the roof deck designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.

**Exceptions:** The following materials do not require protection:

1. Solid wood rafter tails on exposed underside of open roof eaves having a minimum nominal dimension of 2 inch (50.8 mm).
2. Solid wood blocking installed between rafter tails on the exposed underside of open roof eaves having a minimum nominal dimension of 2 inch (50.8 mm).
3. Gable end overhangs and roof assembly projections beyond an exterior wall other than at the lower end of the rafter tails.
4. Fascia and other architectural trim boards.

**SECTION 3.** A new Section 15.12.260 (Section R337.7.5 – Enclosed roof eaves and roof eave soffits.) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

**15.12.260 Section R337.7.5 – Enclosed roof eaves and roof eave soffits.**

Section R337.7.5 of the residential code is amended to read as follows:

**R337.7.5 Enclosed roof eaves and roof eave soffits.**

Enclosed roof eaves and roof eave soffits shall not extend further than eighteen (18) inches from the exterior wall measured at a ninety (90) degree angle from the exterior wall. The exposed underside of enclosed roof eaves having either a boxed-in roof eave soffit with a horizontal underside, or sloping rafter tails with an exterior covering applied to the underside of the rafter tails, shall be protected by one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside exterior of the roof deck.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the roof deck designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. Boxed-in roof eave soffit assemblies with a horizontal underside that meet the performance criteria in Section R337.7.10 when tested in accordance with the test procedures set forth in ASTM E2957.
6. Boxed-in roof eave soffit assemblies with a horizontal underside that meet the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.

**Exceptions:** The following materials do not require protection:

1. Gable end overhangs and roof assembly projections beyond an exterior wall other than at the lower end of the rafter tails.
2. Fascia and other architectural trim boards.

**SECTION 4.** A new Section 15.12.270 (Section 337.7.9 - Underside of appendages) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

**15.12.270 Section R337.7.9 – Underside of appendages.**

Section R337.7.9 of the residential code is amended to read as follows:

**R.337.7.9 Underside of appendages.**

The underside of overhanging appendages, including without limitation, decks and balconies, shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed underfloor shall consist of one of the following:

1. Noncombustible material
2. Ignition-resistant material

3. One layer of 5/8" type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection
4. The exterior portion of a one hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel and sheathing listed in the Gypsum Association Fire Resistance Design Manual
5. The underside of a floor assembly that meets the performance criteria in accordance with the test procedures set forth in either of the following:
  - 5.1. SFM Standard 12-7A-3; or
  - 5.2. ASTM E2957
6. Heavy timber construction, consisting of minimum 6x6 columns, 4x8 floor joists, 4x10 or 6x8 beams, 3x ledgers and 2x decking meeting the requirements of Section R337.9 of the California Residential Code.

**SECTION 5.** A new Section 15.12.280 (Section R337.10.3.1 – Accessory building requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code is to read in full as follows:

**15.12.280 Section R337.10.3.1 – Accessory building requirements.**

Section R337.10.3.1 of the residential code is amended to read as follows:

**R337.10.3.1 Accessory building requirements.**

All accessory structures located less than 50 feet from an applicable building shall be constructed of noncombustible materials or ignition-resistant materials as described in section R337.4.2.

**SECTION 6.** A new Section 15.12.290 (Section R337.10.3.2 – Attached miscellaneous structure requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code is to read in full as follows:

**15.12.290 Section R337.10.3.2 – Attached miscellaneous structure requirements.**

Section R337.10.3.2 of the residential code is amended to read as follows:

**R337.10.3.2 Attached miscellaneous structure requirements.**

Applicable miscellaneous structures, including without limitation, patio covers, trellises, and carports, that are attached to, or installed at a distance of less than 3 feet from, an applicable building shall be constructed of noncombustible materials or of ignition-resistant materials as described in Section R337.4.2.

**SECTION 7.** A new Section 15.12.300 (Section R337.10.3.3 – Detached miscellaneous structure requirements) is added to Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code to read in full as follows:

**15.12.300      Section R337.10.3.3 – Detached miscellaneous structure requirements.**

Section R337.10.3.3 of the residential code is amended to read as follows:

**R.337.10.3.3 Detached miscellaneous structure requirements.**

Applicable detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall be constructed of noncombustible materials or of ignition-resistant materials as described in Section R337.4.3.

**SECTION 8:** The Board finds that the adoption of this Ordinance will not have a significant effect on the environment and is exempt from the California Environmental Quality Act pursuant to Categorical Exemption Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15308; Categorical Exemption Class 3 (“New Construction or Conversion of Small Structures”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303; and the General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines for the Implementation of the CEQA 14 CCR §15061(b)(3).]

**SECTION 9:** It is hereby declared to be the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, section, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**SECTION 10:** This Ordinance shall take effect thirty (30) days from and after the date of its passage.

**SECTION 11:** A summary of this Ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

The foregoing Ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 20th day of April, 2021, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the \_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_

NOES: SUPERVISORS \_\_\_\_\_

ABSTAIN: SUPERVISORS \_\_\_\_\_

ABSENT: SUPERVISORS \_\_\_\_\_

NAPA COUNTY, a political subdivision of the  
State of California

\_\_\_\_\_  
ALFREDO PEDROZA, Chair of the  
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>/s/ Jason M. Dooley</u> Deputy County Counsel</p> <p>By: <u>/s/ Meredith Trueblood</u> County Code Services</p> <p>Date: <u>April 8, 2021</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By: _____</p>
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON \_\_\_\_\_.

\_\_\_\_\_  
JOSE LUIS VALDEZ, CLERK OF THE BOARD