



Midpeninsula Regional
Open Space District

R-25-135
Meeting 25-29
October 22, 2025

AGENDA ITEM 10

AGENDA ITEM

First Reading of an Ordinance Adopting the California Building Standards Code

GENERAL MANAGER'S RECOMMENDATIONS

1. Waive reading and introduce an ordinance adopting the 2025 California Building Standards Code.
2. Hold a public hearing on the proposed ordinance.
3. Direct the General Manager and General Counsel to prepare the ordinance for second reading/adoption at the November 12, 2025 Board meeting.

SUMMARY

The California Building Standards Code (California Code of Regulations Title 24) is binding on the state and other public agencies, including the District (California Health & Safety Code section 18944.5). Cities and Counties are subject to and typically formally adopt the state building code, but are also empowered to include local amendments that are based on local conditions.

District lands lie within three counties and seventeen cities. Building District projects across multiple jurisdictions, each with its own local code, requires navigating varying local processes and results in a complicated cross-jurisdictional checkerboard problem with serious practical and policy considerations. Therefore, the General Manager recommends that the District adopt the uniform California Building Standards Code ("Building Code") with no local agency amendments to facilitate the design and implementation of its projects.

DISCUSSION

In California, the state Building Standards Code ("Building Code") codified in California Code of Regulations Title 24 is binding on the state and other public agencies, pursuant to California Health & Safety Code section 18944.5. It is updated on a triennial three-year cycle by the California Building Standards Commission. The most recent updates to the state building code were published in July 2025 and will go into effect on January 1, 2026. Most cities and counties adopt the updated code every three years. Local jurisdictions may also enact more stringent local amendments upon express findings that such amendments "are reasonably necessary because of

local climatic, geological or topographical conditions” (*See, e.g.*, Health & Safety Code sections 17958, 17958.5, 17958.7).

The District’s jurisdictional boundaries cross through three counties and seventeen cities. Inconsistencies in the methods by which each of the counties and cities within the District’s boundaries implement their own local version of the Building Code creates a cross-jurisdictional checkerboard problem.

In parallel, the District’s enabling legislation, Public Resources Code section 5500 et seq., broadly empowers the District to plan, develop, and operate parks and open space for the benefit of the public. Fundamentally, in delivering its services to the public, the District is faced with a practical problem of navigating multiple variations of the Building Code in designing and implementing low-intensity public access projects, which are fundamental to the District’s legislative purpose. Additionally, designing and implementing common District projects—which typically involve specialized structures intended to facilitate low-intensity public access in rural settings—often requires expertise that lie outside the usual permitting framework of cities and counties.

While the District has not to date expressly adopted the Building Code, the District, along with other public agencies, are obliged to follow the code. (Health & Safety Code section 18944.5). The timeframe between October and December 2025 is the appropriate time for the District to adopt the Building Code because this timing falls within the statutory period between the publication date of the newest Building Code (July 2025) and the date when the Building Code becomes effective.

For all the reasons described above, the General Manager recommends that the Board approve an ordinance adopting the Building Code for District projects. This will afford the District clarity and predictability in how it designs and implements projects. The District will have the option, but not the obligation, to self-permit certain projects. By way of example, this could include structures common within District preserves, such as trail bridges and retaining walls.

In electing to implement the Building Code for a District project, the District would also be in a position of ensuring compliance with the Code. The District would contract with or hire third-party plan checkers and building inspectors to ensure consistency of its projects with the Building Code.

FISCAL IMPACT

Merely adopting the Building Code has no foreseeable fiscal impact. The District’s method of implementing the Building Code may have future fiscal impacts that will be quantified as projects are implemented.

PRIOR BOARD OR COMMITTEE REVIEW

None

PUBLIC NOTICE

If adopted, the ordinance will be published in a local newspaper in accordance with Public Resources Code section 5536.

Public notice was also provided pursuant to the Brown Act.

CEQA COMPLIANCE

Adopting the State Building Code with no local agency amendments is not a project subject to the California Environmental Quality Act.

NEXT STEPS

If approved by the Board, the Ordinance will undergo a second reading at the November 12, 2025 meeting. If adopted upon second reading, the Ordinance will go into effect 30 days after adoption.

Following adoption, District staff will communicate cooperatively with cities and counties to outline the District's approach to implementing the Building Code for certain projects.

ATTACHMENT:

1. Proposed Ordinance

Responsible Department Head:
Ana Ruiz, General Manager

Prepared by/contact person:
Hilary Stevenson, General Counsel

ORDINANCE NO. 25-XX**ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT ADOPTING THE
CALIFORNIA BUILDING STANDARDS CODE AS THE DISTRICT'S
BUILDING CODE**

WHEREAS, the Midpeninsula Regional Open Space District (“District”) is a special district duly organized and existing under and pursuant to Public Resources Code section 5500 et seq.; and

WHEREAS, Public Resources Code section 5541 empowers the District to “plan, adopt, lay out, plant, develop, and otherwise improve, extend, control, operate, and maintain a system of public parks, playgrounds, golf courses, beaches, trails, natural areas, ecological and open space preserves, parkways, scenic drives, boulevards, and other facilities for public recreation” and the District “may do all other things necessary or convenient to carry out the purposes” of its enabling legislation; and

WHEREAS, the California State Building Standards Code expressly applies to all public agencies including the District (Health & Safety Code section 18944.5); and

WHEREAS, the District hereby adopts the California Building Standards Code as the District’s own Building Code to facilitate the District’s design and implementation of its projects.

NOW THEREFORE, The Board of Directors of the Midpeninsula Regional Open Space District does ordain as follows:

SECTION 1.

The District hereby adopts the 2025 California Building, Residential, Electrical, Mechanical, Plumbing, Fire, Energy, and Green Building Standards as the District’s Building Code.

SECTION 2.

The State of California has adopted the 2025 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2); the 2025 California Residential Code (California Code of Regulations, Title 24, Part 2.5); the 2025 California Electrical Code (California Code of Regulations, Title 24, Part 3); the 2025 California Mechanical Code (California Code of Regulations, Title 24, Part 4); the 2025 California Plumbing Code (California Code of Regulations, Title 24, Part 5); the 2025 California Energy Code (California Code of Regulations, Title 24, Part 6); the 2025 California Historical Building Code (California Code of Regulations, Title 24, Part 8); the 2025 California Fire Code (California Code of Regulations, Title 24, Part 9); the 2025 California Existing Building Code, (California Code of Regulations, Title 24, Part 10); the 2025 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11); and the 2025 California Referenced Standards Code (California Code of Regulations, Title 24, Part 12). These Codes shall hereinafter be referred to collectively as the “District Building Code.”

SECTION 3. This Ordinance shall be published once within thirty (30) days after adoption in a newspaper of general circulation printed, published, and circulated in the Midpeninsula Regional Open Space District.

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Adopted by the Midpeninsula Regional Open Space District Board of Directors on November 12, 2025, at a regular meeting thereof, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN**
- ABSENT:**

ATTEST:

APPROVED:

Zoe Kersteen-Tucker, Secretary
Board of Directors

Jed Cyr, President
Board of Directors

APPROVED AS TO FORM:

Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of an ordinance duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

Maria Soria, District Clerk