

Memo To: Housing Advisory Commission

From: Jeff Wells and Luke Jones, HAC Commissioners

Date: September 8, 2026

Subject: County Building Code Subcommittee Report

The following memo summarizes the perspectives on the work and progress of the HAC County Building subcommittee from two of the three subcommittee members, Jeff Wells and Luke Jones.

At the April 28, 2026, Board of Supervisors meeting, CDI presented a report to the Board regarding updating the County Building Code, including amendments that were more conservative than the State Building Code. The updated code, including the amendments, was adopted by the Board. Of the 25 County Building Code amendments presented to the Board of Supervisors, staff recommended that 18 be retained and 7 deleted.

At the July 2026 HAC meeting, staff presented directions by the Board of Supervisors to review the local amendments in conjunction with a newly formed Contractor Stakeholder Group. The HAC discussed some of the amendments to simplify permitting and created a subcommittee comprised of Commissioners Jeff Wells and Luke Jones and alternate Commissioner Mando Morlos to further research these proposals.

Subsequently, the subcommittee met twice. Commissioners Jones and Wells felt it was critical for industry experts to be consulted regarding the proposed amendments, particularly because some of the distinctions between the State and County requirements were not readily apparent. Alternate Commissioner Morlos dissented. We learned that staff had created a Construction Stakeholders Group which is facilitated by Leslie Crowell from the Office of the County Executive. As of this writing, the subcommittee has not been provided with information regarding the group's membership, scope, process, or timeline.

Despite their differences regarding the scope and process of the review, the subcommittee members agreed upon six issues that they believed warranted further investigation.

Alternate Commissioner Morlos further proposed that staff should have to defend each of the 18 amendments, however the other subcommittee members did not concur, believing the subcommittee should focus its review on the issues where consensus was achieved as warranting further investigation.

Here are the six issues where there was unanimous agreement:

1. Prohibition of wood retaining walls*
2. Stricter mandatory soils reports
3. In-fill construction flood standards
4. Accessibility Alterations: Slurry sealing or restriping a parking lot doesn't trigger accessibility requirements
5. Minimum clear width doorway accessibility
6. Utilizing the Board of Supervisors as the Building Appeals Board

* We subsequently learned from staff that this amendment pertained to prohibition of wood posts for retaining walls (and not the actual retaining walls themselves), while still permitting public agencies to do so.

The subcommittee had difficulty determining the precise distinctions between the State Building Code requirements and the proposed County amendments, as well as understanding the rationale for the more restrictive County provisions. This concern was not limited to the subcommittee. When several industry experts were consulted, they likewise had difficulty determining the differences between the State and County requirements. This led the subcommittee to request documentation from County staff which clearly identified the differences and rationale for each County amendment. Chief Building Official Dan Chepley indicated that preparing this documentation for all 18 remaining amendments would take considerable time and asked whether the subcommittee could narrow its request to its highest-priority issues. The subcommittee split on this issue, with Commissioners Jones and Wells favoring limiting the request to our six identified issues, while alternate Commissioner Morlos favored receipt on all issues.

Thereafter, at the request of HAC Chair Geisreiter, a meeting was convened between himself, the subcommittee, and County staff members Dan Chepley and Jim Heaney. At this meeting, we discussed the six issues. The HAC members agreed that item #5, minimum clear width doorway accessibility, could be removed from the list. After discussion of item #6, utilizing the Board of Supervisors as the Building Appeals Board, the subcommittee members agreed that this too could be removed from further consideration.

Summary

The subcommittee has identified their top four issues that it believed warranted further review. However, the members were unable to reach consensus on several fundamental aspects of the subcommittee's work. Commissioners Jones and Wells favored consulting industry experts and focusing on the staff documentation request on the priority issues identified by the subcommittee. Alternate Commissioner Morlos opposed the approach of

limiting the review and favored requiring staff to provide its rationale for all 18 amendments.

The split votes demonstrate that the subcommittee has struggled to work effectively as a group. Given these differences, and because the County has established a Construction Stakeholders Group that appears to offer a broader forum for industry input, at this time, we believe it would not be the best use of the Commission's resources to continue the subcommittee. We therefore recommend disbanding the subcommittee and await the Construction Stakeholders Group's comments and recommendations.