

TUCC Meeting Minutes June 18, 2026

- City of Milpitas is hiring for 2 Plan Check Engineer positions!
- (Suzanne Park, City of Sunnyvale)–The city is doing numerous PV installations. Some inspectors in the city feel the water heater should be bonded as part of the inspections. Are other cities' inspection staff reviewing water heater bonding as part of the inspections for PV installation? Should the water heater be bonded as part of the electrical work? Some inspectors are saying the bonding would be the scope of work, some are saying it there is a concern of safety.
 - o (Keyvan Irannejad, City of Milpitas) It is outside the scope of work. If there is something related to the scope of work which is not in code compliance, then it can be addressed. If it is not related to the scope of work, we cannot ask.
 - o (Fred Cullum, retired) All water piping used to be metallic, it is now all nonmetallic. Electric wire in contact with piping can cause electrocution. The water heater is the point at which all electric potential is brought back to ground; it is the point of contact for grounding. With new houses it's moot since the piping is nonmetallic. If there are 2 driven ground rods, I would expect to see the water heater bonded.
 - o (Jom Sicat, Menlo Park) There is a similar situation in Menlo Park. Where PV is installed, part of the scope ends up being a main panel upgrade. Depending on the scope, a municipal code section is imposed (panel schedule, load calculation for future electrical installations, etc) to prompt the applicant to provide more information.
- (Paul Armstrong, at large?): AB306 has a lot of momentum, it will authorize the state to hear alternate material proposals and will authorize any person to request a code interpretation from the commission board. CALBO is against it. This is potentially taking authority away from the local building officials. It has a lot of support. Just bringing this to everyone's attention, see what can be done.
 - o (Suzanne Park) do we know the stance from the state agencies?
 - (Paul) The state agencies are not allowed to give their opinions; they will let it go through the process and deal with it once it passes.
 - o (Fred Cullum) The people on the board (BSC) are political appointees, it is unclear how much expertise they have to rule over local building officials. Napa/Solano had a Board of Appeals made up of 7 local building officials. It was seldomly used. There are others counties which would send appeals to the superior court.

- (Keyvan Irannejad) – One of the projects we are reviewing is a detached ADU. We asked for a surveying report because of the location of the ADU, how close it was to the property line. The revised plan shows the ADU within 3ft of the existing residence. That portion of the existing residence does not meet life safety requirements (no fire sprinklers). What can be done? Have other cities dealt with this? What happens if there is a fire at the property or the neighboring property? Is an alternate means and methods required for the portion of existing property within 3ft, for compliance at the time the existing house was built?
 - (Fred Cullum) The old code permitted 3ft separation, so it can be argued as a pre-existing condition that was permissible at the time it was built). So many structures are built under county jurisdiction where requirements are more lax, there are so many existing nonconforming situations in California. The addition of an ADU may not have an impact on the main house.
 - (Suzanne) We would leave it as existing nonconforming and have all the current requirements apply to the new ADU.
 - (Efrain Ruvalcaba, Butte County) Legal nonconforming, not part of the scope of work.
- (Fangbin Mo, Walnut Creek brought forth by Brett Wickham) emailed a question regarding a restaurant's outdoor dining area, a roof supported by columns being proposed with exterior columns. Would the exterior columns be considered an exterior wall opening, or a different element for the purposes of fire separation?
 - (Fred Cullum) Under the code if you have open walls, the columns define the open area as a wall. So it would be considered an exterior wall.
 - (Betty Chan) This issue has come up numerous times. When you have a covered roof area supported by posts, the architects often do not consider the line along the posts as an exterior wall; they will measure FSD to the wall behind the columns. This does not make sense. Let's say you have a conventional wall 2ft from the property line; the code will require a rated wall, no openings. If you were to put 2 posts 2ft from the property line, you're saying it's not a wall it's a column, you do not need to worry about the opening. That is ignoring the fire hazard of the opening close to the property line which can catch smoke and impact adjacent properties. Roof with covered porch supported by posts, the architect will measure FSD to the wall with the door and ignore the porch area. Milpitas requires the FSD be measured to the face of the column. A canopy (cantilevered roof) is a separate issue. With columns, it is a support line, with roof over it, so it is considered an exterior opening that must be reviewed and rated.

- (David Chung)– If you had a wall with an opening, and the opening was very large, the rest of the wall can be reduced to columns.
- (Paul Armstrong) – The code does not give us any guidance outside of projections. We (the code committee) have to come up with something consistent.
- (Bret Wickham) – There are similar situations where outdoor dining is not separated, the property lines are unknown, the adjacent restaurants are very close to one another...
- (Fred Cullum) – This (ignoring column opening protections) projects all fire issues to the neighboring properties. The post constitutes an exterior wall, that is the longstanding assumption from previous organizations.
- (David Chung) In some situations providing guidance of the columns constituting a wall opening, some architects will understand and acquiesce, and some will continue to debate that columns do not constitute a wall.
 - (Betty Chan) That is the problem, it creates inconsistency within the jurisdiction; if you push hard enough, you will get your way. If you allow it then you might as well allow everyone to do it.
 - (David Chung) One way to achieve consistency is to write policy on it. Sometimes other options to protect openings are available, like sprinklers. Ultimately consistency is very important; to get consistency, a policy must be written.
- (Phuong Devries, City of Cupertino) I would consider this a wall because it's structurally supporting the roof above. What if it were treated as a projection and rated as such (similar to ceilings)?
 - (Betty Chan) No, because a projection is everything beyond the support line, which would be the line of the posts. Just because the ceiling is rated, but the posts remain in the same location, it cannot be considered a projection.
 - (Fred Cullom) this would also be considered covered area (in terms of Planning).
- (Paul Armstrong) – Zone 0: Wildland Fire, the Board of Forestry is developing regulations for the 5ft area around properties and decks subject to the WUI code. This creates 2 zones; the 1st zone extends out to the projection of the eaves and directly below it (known as the Noncombustible Zone or Zone 0); no combustible materials permitted in this zone. The 2nd zone allows for some combustible materials (plants, trees etc.) which can be in this area. The original draft did not permit vegetation in this area. It is proposed to be phased where in the first 3 years, in some manner. We have fire hazard severity zones in many jurisdictions in

Northern California. How this will be enforced will be interesting. Fencing will also be impacted, requiring noncombustible fencing in some zones and areas. There may be some code enforcement-style activity to ensure these items are enforced and complied with over time (vegetation may grow over to the Zone Zero areas, and other maintenance issues). This could have large impact over local jurisdictions and how we do business. More information can be found through the Board of Forestry.

- (Brett Wickham) What about emergency generators?
 - (Paul Armstrong) Good question, I don't think anyone's thought of the impact to smaller equipment in such zones, like exterior water heaters, etc.