



## Agenda Report

22-1101

Agenda Date: 11/1/2022

### REPORT TO COUNCIL

#### SUBJECT

Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2053 Amending Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" for the Adoption of the 2022 California Building Standards Code, with local amendments

#### BACKGROUND

At the October 18, 2022 Council meeting, proposed Ordinance No. 2053 was passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812 and Government Code Section 50022.3, a summary and notice of a public hearing for proposed Ordinance No. 2053 was published twice to the Santa Clara Weekly on October 19, 2022 and October 26, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

#### DISCUSSION

Title 24 of the California Code of Regulations, also referred to as the California Building Standards Code, governs the design and construction of buildings, facilities and associated equipment throughout California. The California Building Standards Commission updates the Building Standards Code on a triennial basis to improve safety, sustainability, and resiliency, and to incorporate new technology, design, and construction methods. The 2022 California Building Standards Code will become effective statewide on January 1, 2023.

After each triennial update, local jurisdictions must then adopt the California Building Standards Code to act as the governing Building Standards Code within their jurisdiction. The local adoption process provides an opportunity for each jurisdiction to make minor modifications to the Building Standards Code to align with local concerns, by making findings that local climatic, geographical, or topographical conditions justify making the modifications.

The proposed ordinance would adopt the California Building Standards Code as the Building Code for the City, with local modifications related to additional automatic fire sprinkler requirements for Group R3 occupancies, and additional requirements for safe stairway configuration and emergency exit routing to facilitate emergency egress out of multi-story buildings. On October 18, 2022, the City Council adopted Resolution No. 22-9147 making the requisite climatic, geographical, and topographical findings for these local modifications.

The proposed ordinance also adopts the 2022 versions of the California Energy Code and California Green Building Standards Code, without any local modifications. An update to the City of Santa Clara 2022 Reach Code, previously adopted in November of 2021 is also being considered tonight, under a separate ordinance. If the Council adopts the update to the Reach Code, the unmodified versions of the Energy Code and Green Building Standards Code will not go into effect.

**ENVIRONMENTAL REVIEW**

The action being considered is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15305 in that it is a minor alteration in land use limitations that will not result in any changes in land use or density, and section 15308 in that it is an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

**FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense.

**COORDINATION**

This report has been coordinated with the Building Division of the Community Development Department, Silicon Valley Power, and the Fire Department.

**PUBLIC CONTACT**

A summary and notice of public hearing for proposed Ordinance No. 2053 was published to the Santa Clara Weekly on October 19, 2022 and October 26, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk’s Office.

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Waive Second Reading and Adopt Ordinance No. 2053 Amending Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the Adoption of the 2022 California Building Standards Code, with local amendments.

Reviewed by: Steve Ngo, Interim City Attorney

Approved by: Rajeev Batra, City Manager

**ATTACHMENTS**

1. Ordinance No. 2053 (Intro)