



Agenda Report

19-875

Agenda Date: 11/5/2019

REPORT TO COUNCIL

SUBJECT

Action on Adoption of a Resolution Establishing the Necessary Findings of Fact for Modifications to the California Building Standards; Action on Introduction of an Ordinance Amending and Adding Chapters to Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" for the Adoption of the 2019 California Building Standards Code; and Setting November 19, 2019 for a Public Hearing on Adoption of such Ordinance

BACKGROUND

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. Throughout each code adoption cycle, amendments to the building codes are developed through a lengthy public participation process. State Code Advisory Committees, one of which is chaired by the City of Santa Clara's Building Official, provide recommendations to the California Building Standards Commission on proposed building standards. Following this process, the California Building Standards Commission adopted the 2019 California Building Standards Code and published it in July 2019. The 2019 California Building Standards Code will become effective statewide on January 1, 2020.

The California Building Standards Code is developed through a process that includes representation of local jurisdictions throughout the State and accordingly establishes a level of standards that is universally applicable and acceptable to all of those jurisdictions. Local jurisdictions then adopt the California Building Standards Code to act as the governing Building Standards Code within their jurisdiction. The City of Santa Clara adopted the current 2016 Building Standards Code in 2016 so that it has been in effect since 2017. 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. Local modifications are commonly made to address local context and concerns that may not be applicable statewide.

Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" provides for regulations pertaining to design and construction of buildings in the City. For Santa Clara to adopt the 2019 California Building Standards Code, Chapters in Title 15 will need to be amended or added accordingly in the proposed Ordinance. Local modifications are also incorporated into the proposed Ordinance, accompanied by a Resolution of Findings detailing the local climatic, geological, and topographical conditions justifying those modifications. Following adoption by the City, the Building Official will file a copy of the Ordinance and Resolution with the California Building Standards Commission.

DISCUSSION

As part of the triennial code adoption cycle, and pursuant to California Health and Safety Code Sections 17958 and 18941.5, staff recommends that the City Council adopt the 2019 California Building Standards Code. The parts of the 2019 California Building Standards Code that are included in the proposed adoption are the 2019 California Administrative Code, Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Existing Building Code, Energy Code, Historical Building Code and Green Building Standards Code.

For the City of Santa Clara, staff is recommending local amendments affecting two of the 2019 California Codes. These local amendments were included in the stakeholder outreach conducted by the City of Santa Clara Building Division. These local amendments are intended to address building safety concerns of relevance to Santa Clara and include the following elements:

- 1) 2019 California Building Code Chapter 9: Additional Automatic Fire Sprinkler Requirements for Group R3 Occupancies.
- 2) 2019 California Building Code, Chapter 10: Additional requirements for safe stairway configuration and the routing of emergency exit paths to facilitate emergency egress out of multi-story buildings.
- 3) 2019 California Residential Code Chapter 3: Additional Automatic Fire Sprinkler System Requirements for Group R3 Occupancies.

These proposed amendments are intended to promote building safety for future residents in the context of Santa Clara's urban environment, particularly as the City is increasingly granting land use entitlements for higher density Type III and in some cases Type I construction, including the use of towers located above podiums. Ongoing evaluation at the State level is considering the requirement of similar measures to facilitate egress from such high-rise construction, particularly of concern in a serious seismic event that would be expected to result in fires as well as earthquake related structural damage.

Adoption of the 2019 California Building Standards Code, incorporating the proposed local amendments, would further the following General Plan policies related to the adoption of building codes and use of the Building Permit process to minimize safety risks for new development:

5.9.3 G1 A safe and secure environment for people and property in the community.

5.9.3-P1 Encourage design techniques that promote public and property safety in new development and public spaces.

5.10.5 P6 Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.

In addition to the proposed adoption of and modifications to the 2019 California Codes, staff is recommending adding a new Chapter 15.39 to the City Code to establish an expedited permitting process for electric vehicle charging stations, in order to bring the City into compliance with State mandates. The proposed ordinance would also adopt a new code, the 2018 International Property Maintenance Code, which would replace the 1997 Uniform Housing Code and support the City's

code enforcement efforts related to building maintenance and blight reduction.

Through a separate effort, the City is also exploring the potential adoption of "Reach Code" standards as part of the City Code. The Reach Code elements are local standards greater than the State's requirements that are intended to encourage the incorporation of features in new building construction that reduce potential greenhouse gas emissions through building electrification and energy efficiency, solar-readiness on non-residential buildings, electric vehicle readiness and EV equipment installation. Staff anticipates proposing adoption of Reach Code elements to the City Council in early 2020.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in 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 Silicon Valley Power, the Fire Department and the City Attorney's Office.

PUBLIC CONTACT

The Building Division hosted two public outreach community meetings in the Council Chambers; one on August 8, 2019 and the second on August 22, 2019. Attendees at the outreach meetings asked questions about the proposed local amendments but did not express any specific objections. In addition, a public notice of the public hearing to be held on November 19, 2019 is scheduled to be advertised in the Santa Clara Weekly publication on November 6 and November 13, 2019.

Public contact was also 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 or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Introduce an Ordinance adding a new Chapter 15.18 ("International Property Maintenance Code") and a new Chapter 15.39 ("Expedited Permitting Process for Electric Vehicle Charging Stations"), and amending Chapter 15.05 ("Administrative Code"), Chapter 15.15 ("Building Code"), Chapter 15.17 ("Residential Code"), Chapter 15.20 ("Electric Code"), Chapter 15.30 ("Mechanical Code"), Chapter 15.35 ("Plumbing Code"), Chapter 15.36 ("Energy Code"), Chapter 15.37 ("Historical Building Code"), Chapter 15.38 ("Green Building Standards Code"), and Chapter 15.75 ("Existing Building Code") of Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" for the adoption of the 2019 California Building

Standards Code;

2. Adopt a Resolution Making Findings of Fact Necessary for the Specified Modifications to the 2019 California Building Code and 2019 California Residential Code Reflected in the Proposed Ordinance; and
3. Set a public hearing on November 19th, 2019 pursuant to California Government Code Section 50022.3 for adoption of the Ordinance.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Building Division Code Adoption Resolution 2019
2. Building Division Code Adoption Ordinance 2019