



# City of Santa Clara

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## Agenda Report

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19-964

Agenda Date: 11/5/2019

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### REPORT TO COUNCIL

#### SUBJECT

Action on Adoption of a Resolution Establishing the Necessary Findings of Fact for Amendments to the California Building Standards; Action on Introduction of an Ordinance Adopting the 2019 California Fire Code, as Amended, as the 2019 Santa Clara Municipal Fire and Environmental Code and Setting November 19, 2019 for a Public Hearing on Adoption of said Ordinance

#### BACKGROUND

The International Fire Code (IFC) is a model fire code that regulates minimum fire and life safety requirements for new and existing buildings, facilities, storage and processes. In California, the California Building Standards Commission adopts the IFC with new statewide amendments every three years. This adopted code is known as the California Fire Code (CFC) and is found in Part 9 of Title 24 of the California Code of Regulations. Title 24 is commonly referred to as the California Building Standards Code. The State of California published the CFC on July 1, 2019, with an effective date of January 1st, 2020. If a City wishes to adopt the CFC with amendments, then action must be taken to make certain findings, and adopt the code amendments, prior to the effective date of the CFC. The proposed Resolution and Ordinance state the required factual findings for the proposed amendments to the CFC.

#### DISCUSSION

The amendments and revisions set forth here establish the requirements of the 2019 Santa Clara Municipal Fire and Environmental Code. All Santa Clara County Fire Departments, through the Santa Clara County Fire Marshal's Fire Code Work Group, (a subcommittee of the Santa Clara County Fire Chiefs' Association), have worked towards making the Code more uniform throughout the County. Many of the proposed amendments to the Santa Clara Municipal Fire and Environmental Code were developed in cooperation with other cities and fire districts within Santa Clara County to provide regulatory consistency. Except for the administrative sections of the Code, many of the amendments presented are proposed for adoption by most fire agencies in Santa Clara County.

Because the code is developed by such a diverse group of interests and regions, the CFC is utilized as a code of minimum standards. Different climates, topography, geology, firefighting tactics, firefighting capabilities, and resources warrant different levels of protection. For these reasons and others, cities and fire districts amend and adopt codes, which are more restrictive than the California Building Standards Code (Title 24, Part 9) or the underlying model codes of the International Code Council. The proposed Resolution sets forth the climactic, topographical, geological and/or geographical reasons for each specific amendment to the CFC.

#### 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

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governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

There are no economic or fiscal impacts anticipated. Council has previously approved a cost recovery mechanism for the development and inspection mandates in the form of inspection fees as allowed by the Health and Safety Code.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office and the City Manager's Office.

### **PUBLIC CONTACT**

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) or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Approve introduction of an ordinance amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2019 California Fire Code, as amended;
2. Adopt a Resolution establishing the findings of fact necessary for the specified amendments to the 2019 California Fire Code reflected in the proposed Ordinance, as a subset of the California Building Standards; and
3. Set a public hearing on November 19, 2019, for final adoption of the ordinance amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2019 California Fire Code, as amended.

Reviewed by: Ruben Torres, Fire Chief, Fire Department

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. A Resolution of the City of Santa Clara, California, finding and determining the need for modifications to the California Fire Code, 2019 edition.
2. An ordinance of the City of Santa Clara, California, amending Chapter 15.60 ("Santa Clara Municipal Fire and Environmental Code") of the Code of the City of Santa Clara to adopt the 2019 California Fire Code, as amended.