

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY OF SANTA ANA THAT JUSTIFY CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA ENERGY CODE, CALIFORNIA FIRE CODE, CALIFORNIA EXISTING BUILDING CODE, CALIFORNIA HISTORICAL BUILDING CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED BY THE STATE OF CALIFORNIA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council hereby finds, determines, and declares as follows:

A. Health and Safety Code Section 17958 provides that the City of Santa Ana shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922.

B. The State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, California Existing Building Code, the California Plumbing Code, the California Mechanical Code, California Energy Code, and the California Electrical Code (hereinafter referred to collectively as "Codes").

C. Health and Safety Code Section 17958.5 permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions.

D. Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic or topographic conditions.

Section 2. The Planning and Building Agency and the Orange County Fire Authority (OCFA) have recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Code, 2022

Edition, the California Existing Building Code, 2022 Edition, the California Plumbing Code, 2022 Edition, the California Mechanical Code, 2022 Edition, the California Electrical Code, 2022 Edition, the California Existing Building Code, 2022 Edition, California Energy Code, 2022 Edition, California Historical Building Code, 2022 Edition, and the California Fire Code, 2022 Edition, are reasonably necessary due to local conditions in the City of Santa Ana.

Section 3. Amendments to the 2022 Edition of the California Building Code, the 2022 Edition of the California Existing Building Code, the 2022 Edition of the California Residential Code, and the 2022 Edition of the California Fire Code, as recommended by the Planning and Building Agency and the Orange County Fire Authority, are hereby found to be reasonably necessary based upon the following findings:

I. Climatic Conditions

- A. The jurisdiction of Santa Ana is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles will greatly impact the response time to reach an incident scene.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County Fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features.
- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire

protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

II. Topographical conditions

- A. Natural; slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change caused by the hills creates the geological foundation on which communities within Orange County are built and will continue to build. With much of the populated flatlands already built upon, future growth will occur on steeper slopes and greater constraints in terrain.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions

The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the northeast and southwest boundaries of Orange County. The Newport-Inglewood Fault, located within Orange County, was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude) which took 120 lives and damaged buildings in an area from Laguna Beach to Marina Del Rey to Whittier. In December 1989, another earthquake occurred in the jurisdiction of Irvine at an unknown fault line. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

- A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks, there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally

and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, page 59): “unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe.”

- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located through the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanied with occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended emergency response times exceeding the 5 minute goal.
- C. Soils throughout the County possess corrosive properties that reduce the expected usable life of water services when metallic pipes in contact with soils are utilized.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County Fire Authority.

Section 4. The following specific amendments to the sections of the 2022 Edition of the California Building Code, as recommended by the Planning and Building Agency and the Orange County Fire Authority, are reasonably necessary based upon the corresponding findings in Section 3 of this Resolution:

BUILDING CODE SECTION	TITLE (Clarification)	FINDINGS I,II,III
105.3.2	Time Limitation of Application	Admin
202	General definitions (Spark Arrester)	Admin
903.2	Where required (Sprinklers)	II & III-B
903.2.8	Group R (Sprinklers)	II-B & III-B
903.3.5.3	Hydraulically calculated systems	I & II
506.5.3 (CEBC)	Seismic Loads (California Existing Building Code)	II & III

Section 5. The following specific amendments to the sections of the 2022 Edition of the California Residential Code, as recommended by the Planning and Building Agency and the Orange County Fire Authority, are reasonably necessary based upon the corresponding findings in Section 3 of this Resolution:

RESIDENTIAL CODE SECTION	TITLE (Clarification)	FINDINGS I,II,III
Table R301.2	Climatic and Geographic Design Criteria	Admin, I, II & III

Section 6. The following specific amendments to the sections of the 2022 Edition of the California Fire Code, as recommended by the Planning and Building Agency and the Orange County Fire Authority, are reasonably necessary based upon the corresponding findings in Section 3 of this Resolution:

FIRE CODE SECTION	TITLE (Clarification)	FINDINGS I,II,III
112.4	Violation penalties	Administrative
112.4.2	Infraction & Misdemeanor	Administrative
202	General definitions	Administrative
304.1.2	OCFA Vegetation Management	I
305.6	Hazardous conditions	I & II
305.7	Disposal of rubbish	I & II
307	Open burning, recreational fires, fire pits, fire rings, and outdoor fireplaces	Administrative
307.6	Fire Pits, Fire Rings, & Outdoor Fireplaces	Administrative
307.6.1	Gas-fueled devices	I & II
307.6.2	Devices using wood or fuels other than natural gas or LPG	I & II
307.6.2.1	Where prohibited	I & II
308.1.6.3	Sky lanterns	I & III
324	Fuel modification requirements for new construction	I
325	Clearance of brush or vegetation growth from roadways	I
326	Unusual circumstances	Administrative
327	Use of equipment	I
327.1	Use of equipment and devices generating heat, sparks or open flames	I
324.2	Spark arresters	I
407.5	Hazardous material inventory statement	I & II
501.1	Scope	Administrative, I, II & III
510.1	Emergency responder radio coverage	Administrative

903.2	Where required (Sprinklers)	I, II & III
903.2.8	Group R (Sprinklers)	I, II & III
903.3.5.3	Hydraulically calculated systems	I & II
2801.2	Permit	Administrative
2808.2	Storage site	Administrative
2808.3	Size of piles	I
2808.4	Pile separation	I
2808.7	Pile fire protection	I
2808.9	Material-handling equipment	I
2808.11	Temperature control	I
2808.11.1	Pile temperature control	I
2808.11.2	New material temperature control	I
2808.12	Water availability for piles	I
2808.13	Tipping area	I
2808.14	Emergency contact information	Administrative
2808.15	Defining maximum separation contact	Administrative
2808.16	Push-out area identification	Administrative
4903.3	OCFA Vegetation Management Guideline	I
4906.3	New definition as stated in Chapter 49	I
5001.5.2	Hazardous materials inventory statement	Administrative
5003.1.1.1	Extremely hazardous substances	I & III
5608.2	Retail fireworks	Administrative
5608.3	Application for permit	Administrative
5801.1	Scope	N/A
Chapter 80	Reference Standards	N/A
	2016 NFPA 13 (Sprinkler Systems)	Administrative, II & III
	2016 NFPA 13-D (Single Family Sprinkler Systems)	I & II
	2013 NFPA 14 (Standpipe Systems)	Administrative

Section 7. The aforementioned amendments have been incorporated in detail in Ordinance NS-_____.

Section 8. Additional amendments have been made to the relevant California Building Code, California Existing Building Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Existing Building Code, Residential Code, Green Building Standards Code, Fire Code, and International Property Maintenance Code. On the recommendation of the Planning and Building Agency and the Orange County Fire Authority, such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in the aforementioned Codes. The changes made include provisions making each of said Codes compatible

with other Codes enforced by the City.

Section 9. The City Council of the City of Santa Ana hereby approves and authorizes the Planning and Building Agency to file copies of Resolution 2022-_____ and Ordinance NS-_____ with the California Building Standards Commission, as required by Health and Safety Code Section 17958.7.

Section 10. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this ____ day of _____, 2022.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Chief Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, _____, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-____ to be the original Resolution adopted by the City Council of the City of Santa Ana on _____, 2022.

Date: _____

Clerk of the Council
City of Santa Ana