



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
Department No.: 013
For Agenda Of: April 7, 2020
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel on behalf of
the Carpinteria-Summerland
Fire Protection District

Contact Info: Greg Fish, Carpinteria-Summerland Fire Protection
District Fire Chief
(805) 566-2450

Jennifer Richardson, Deputy County Counsel
(805) 568-2950

SUBJECT: Ratification of Carpinteria-Summerland Fire Protection District's ("CSFPD")
adoption of Ordinance No. 2020-01 (adopting and amending the 2019 California
Fire Code and Appendices and amending Section R313 of the 2019 California
Residential Code)

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- (a) Adopt attached resolution ratifying Carpinteria-Summerland Fire Protection District's Ordinance 2020-01 (adopting and amending the 2019 California Fire Code and Appendices and amending Section R313 of the 2019 California Residential Code) (Attachment A);
- (b) Upon ratification of the Ordinance, instruct the Clerk of the Board to forward a copy of the Board's ratifying Resolution, and the Carpinteria-Summerland Fire Protection District's Ordinance (including CSFPD's findings which are set forth in Section 8 of the Ordinance), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7; and

- (c) Determine that the adoption of the Resolution is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) (no possibility of impact on the environment).

Summary Text:

CSFPD has adopted by ordinance, building standards relating to fire and panic safety that are more stringent than those adopted by the State Fire Marshal and contained in the 2019 California Fire Code. CSFPD has also amended Section R313 of the 2019 California Residential Code. No ordinance adopted by a fire protection district shall be effective unless ratified by the County where the ordinance will apply. The Board may ratify, modify or deny any such ordinance.

Background:

On March 4, 2020, CSFPD adopted Ordinance No. 2020-01 which adopted and amended the 2019 California Fire Code and amended Section R313 of the 2019 California Residential Code. The amendments made related to: prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; adopting by reference the Carpinteria-Summerland Fire Protection District development standards; providing for the issuance of permits for hazardous uses or operations; establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties within the district; and amending Section R313 of the 2019 California Residential Code. These amendments are more restrictive than the requirements contained in the State Codes.

Health and Safety Code Section 13869.7 provides that a fire protection district may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal. More stringent building standards are contained in CSFPD's Ordinance No. 2020-01. CSFPD's findings are in section 8 of the Ordinance.

Pursuant to Health and Safety Code Section 13869.7, CSFPD has forwarded Ordinance 2020-01 to the County and has requested ratification by the Board of Supervisors. (March 10, 2020 Letter and Ordinance No. 2020-01 are attached). The Board may ratify, modify or deny the adopted ordinance and transmit its determination to CSFPD within 15 days of its determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. CSFPD's Ordinance is not effective unless ratified by the Board of Supervisors.

Copies of the Ordinance were provided to the County on or about January 30, 2020. No written comments were returned to CSFPD.

Fiscal and Facilities Impacts:

Not applicable.

Staffing Impacts:

Not applicable.

Special Instructions:

- (a) Transmit a copy of the resolution to Carpinteria-Summerland Fire Protection District within 15 days of its adoption.

- (b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution and the District's Ordinance (which includes the findings set forth in section 8), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

Attachments:

Attachment A - Board of Supervisors Resolution

Attachment B - March 10, 2020 Letter from Price Postel and Parma

Attachment C - Carpinteria-Summerland Fire Protection District Ordinance No 2020-01

Authored by: Jenna Richardson, Deputy County Counsel

cc:

Greg Fish, Fire Chief
Summerland-Carpinteria Fire Protection District

Cameron Goodman
Price Postel and Parma

Massoud Abolhoda
County Building Official

Rob Hazard
County Fire Marshal