



City of Culver City

Staff Report

File #: 23-305, Version: 1

Item #: PH-3.

CC - PUBLIC HEARING: (1) Reintroduction of an Ordinance Amending Sections 9.02.005-9.02.070 "Fire Code Adoption and Amendments" of Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting By Reference the 2022 California Fire Code with Local Amendments; and (2) Adoption of a Resolution Making Express Findings for the Modification of the Fire Code Based on Local Climatic, Geological, and Topographical Conditions.

Meeting Date: November 14, 2022

Contact Person/Dept.: David Rindels/Fire Dept.

Phone Number: (310) 253-5926

Fiscal Impact: Yes No **General Fund:** Yes No

Attachments: Yes No

Commission Action Required: Yes No **Date:**

Public Notification: Publication in the Culver City News (10/20/2022 and 10/27/2022); (E-Mail) Meetings and Agendas - City Council (11/09/2022)

Department Approval: Kenneth Powell (10/19/2022)

RECOMMENDATION

Staff recommends the City Council (1) conduct a public hearing and reintroduce a proposed ordinance amending Chapter 9.02, Sections 005-070 of Title 9 of the Culver City Municipal Code (CCMC); and (2) adopt a resolution making express findings for modification to the Fire Code based on local climatic, geological, and topographical conditions.

PROCEDURE

1. Mayor seeks a motion from the City Council to receive and file the affidavits of publication and posting of notices, and correspondence received in response to the public hearing notices; and,
2. Mayor calls for a staff report, and the City Council Members may pose questions to staff as

desired; and,

3. Mayor seeks a motion to open the public hearing; and,
4. Mayor seeks motion to close the public hearing after all public testimony has been presented; and,
5. The City Council discusses the item and arrives at its decision.

BACKGROUND

Every three years, in California, the State Fire Marshal amends the International Fire Code (IFC) and adopts it as the California Fire Code (CFC). Accordingly, the State Fire Marshal amended the 2021 IFC and adopted it as the 2022 CFC, which will become state law on January 1, 2023. Local jurisdictions may amend and adopt the CFC to fit local requirements. If no action is taken to amend and adopt the CFC, the local jurisdiction is required to operate solely under the State version of the regulations.

California Health and Safety Code Sections 17921 and 17922, as well as the City's Charter Section 618, permit adoption of the Code by reference. California Health and Safety Code Section 13143.5 allows the City, by ordinance, to make changes or modifications that are more restrictive than the requirements set by the State.

On September 19, 2022, City Council introduced this Ordinance, amending the Culver City Municipal Code (CCMC) to adopt the 2022 California Fire Code with local amendments. Subsequent to the introduction, Fire Department Community Risk Reduction (CRR) staff and Fire Department management determined that a CCMC amendment to the California Fire Code pertaining to fire hydrant placement that has been in the CCMC since approximately 2014 needed to be corrected (see below under Discussion for the specific change). Since the change is substantive, rather than clerical, the Fire Department is bringing the proposed Ordinance back to Council for re-introduction at the November 14, 2022 City Council meeting. The Resolution of Local Findings is also being brought back in conjunction with the revised ordinance.

DISCUSSION

The Fire Department is requesting the current Culver City Fire Code, contained in Culver City Municipal Code (CCMC) Chapter 9.02, Sections 005-070, be amended to adopt the 2022 California Fire Code with local amendments (See Proposed Ordinance, Attachment 1). There are primarily minor changes to the Fire Code being made this cycle that differ from the 2019 changes. Specifically, the previous amendments to Chapters 23 and Chapter 57, which treated Class III-B liquids the same as the more hazardous Class III-A liquids (found currently in CCMC Sections 9.02.050 and 9.02.060 respectively), have been deleted, to bring Culver City in line with other jurisdictions. An addition has been made to Section 9.02.040 pertaining to amendments to Chapter 9 of the Fire Code, which addresses automatic sprinkler systems.

Additionally, as stated above, staff has determined that CCMC Section 9.02.065, which amends Appendix C of the California Fire Code, needed further amendment. The amendment in place since 2014, that the Culver City Fire Department requires a 300 foot fire hydrant spacing in

commercial/industrial areas, and 600 foot spacing in residential areas, is inconsistent with Fire Department Guidelines issued prior to 2014, that residential and commercial/industrial fire hydrant placement should be 300 feet, which is the distance the Fire Department believes provides the most consistent, efficient, and effective water supply coverage to meet most fire suppression needs. Other changes are non-substantive, and are primarily corrections to formatting and numbering.

Pursuant to Health and Safety Code Sections 17958.5 and 17958.7, whenever a jurisdiction adopts regulations that are more restrictive than the State standards, certain findings of fact must be made. These findings are presented in a proposed resolution (Attachment 2) along with the introduction of the new ordinance. This adoption cycle, with only minor new local requirements, will simply reaffirm existing local amendments. Should the City Council adopt the proposed resolution and ordinance, a copy of these findings will be filed with the State of California, Building Standards Commission.

Pursuant to Government Code section 50022.3, the City must hold a public hearing, and notice of the hearing date, time and location must be published in a local newspaper. The public notice was published in the Culver City News on September 1, 2022 and September 8, 2022 in advance of the introduction of the ordinance on September 19, 2022. The Notice was again published October 20, 2022 and October 27, 2022 for the November 14, 2022 meeting.

Per Government Code section 50022.6, a copy of the 2022 California Fire Code was filed with the office of the City Clerk and will be kept there for public inspection. A copy will also be kept in the offices of the Culver City Fire Marshal, in Community Risk Reduction.

FISCAL ANALYSIS

There is no direct fiscal impact related to the proposed actions.

ATTACHMENTS

1. 2022-11-14_ATT_Proposed Ordinance
2. 2022-11-14_ATT_Proposed Resolution of Local Findings
3. 2022-11-14_ATT_Culver City Municipal Code Chapter 9.02 (Current Version)
4. 2022-11-14_ATT_Public Notice

MOTIONS

That the City Council:

1. Reintroduce an Ordinance Amending Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2022 California Fire Code, with Local Amendments; and
2. Adopt a Resolution making express findings for modification to the Fire Code based on local climatic, geological, and topographical conditions.

