

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



January 27, 2014

Michael Harrison, Building Official  
Department of Planning and Development  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

RE: Ordinance #NS-1100-117

Dear Mr. Harrison:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 31, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**Day, Kevin@DGS**

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**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Tuesday, December 31, 2013 9:02 AM  
**To:** OrdinanceFilings@DGS  
**Subject:** County of Santa Clara filing for adoption of the 2013 California Buildings Standards Code  
**Attachments:** 2013 filing letter to BSC.pdf; 2013 Code adoption.pdf

Dear Commissioners:

At the Board of Supervisors' regular meeting on December 10, 2013 ( Item No. 83) Ordinance NS-1100.117 was adopted.

The ordinance relates to revised Fire, Building Residential Building, Green Building; Electrical, Mechanical and Plumbing Codes and amending Divisions B7, C1, C3, C4, C9 and C11 to reflect adoption by the County of the 2013 California Building Standards Code with certain amendments to address local conditions.

Attached you will find a conformed/adopted copy of this Ordinance for your records with a signed cover letter.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
County of Santa Clara

**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

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December 30, 2013

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject: Amendment to Santa Clara County Ordinance Code  
2013 Adoption of Uniform Model Codes**

Dear Commissioners:

At the Board of Supervisors' regular meeting on December 10, 2013 (Item No. 83) Ordinance No. NS-1100.117 was adopted.

The ordinance relates to Revised Fire, Building, Residential Building, Green Building, Electrical, Mechanical and Plumbing Codes and Amending Divisions B7, C1, C3, C4, C9, and C11 to reflect adoption by the County of the 2013 California Building Standards Code with certain amendments to address local conditions.

Enclosed you will find a conformed/adopted copy of this Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian  
County Executive: Jeffrey V. Smith

**ORDINANCE NO. NS-1100-117**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA ADOPTING FIRE, BUILDING, RESIDENTIAL  
BUILDING, GREEN BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING  
CODES AND AMENDING DIVISIONS B7, C1, C3, C9 AND C11 OF THE COUNTY OF  
SANTA CLARA ORDINANCE CODE**

**Summary**

This ordinance reflects the County's adoption of the various 2013 California building codes with certain amendments to address local conditions.

**WHEREAS**, Health and Safety Code section 18938 provides that the California Building Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards Code;

**WHEREAS**, the California Building Standards Code is typically revised on a triennial basis. The Commission adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards becomes effective in all cities and counties throughout the state on January 1, 2014 unless the standards are modified by local jurisdictions; and

**WHEREAS**, pursuant to Health and Safety Code sections 17958.7 and 18941.5, counties and cities may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions.

**THE BOARD OF SUPERVISORS HEREBY FINDS** that each of the amendments to the California Building Standards Codes adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Exhibit A and B, attached hereto.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

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Ordinance No. NS-1100-117  
Adopting Fire, Building, Residential Building,  
Green Building, Electrical, Mechanical  
and Plumbing Codes

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DEC 10 2013

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**SECTION 1.** Division B7 of Title B of the County of Santa Clara Ordinance Code is hereby repealed and reenacted to read as follows:

Division B7

**FIRE PROTECTION**

**CHAPTER I. INCORPORATION BY REFERENCE**

**Sec. B7-1. 2013 California Fire Code adopted.**

The fire code of the County is the 2013 California Fire Code ("CFC"), which is based on the International Fire Code ("IFC") (2012 Edition) published by the International Code Council, as modified by the California Building Standards Commission, and as further modified by the additions, deletions and amendments set forth in this chapter.

**CHAPTER II. ADDITIONS, DELETIONS AND AMENDMENTS  
TO CALIFORNIA FIRE CODE**

**Sec. B7-2. Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Fire Code are as set forth in this chapter.

**Sec. B7-3. IFC Appendices.**

*Appendix Chapter B, Fire-flow requirements for buildings, Appendix Chapter C, Fire Hydrant Location and Distribution, and Appendix Chapter K, Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses* are added in their entirety.

**Sec. B7-4. Chapter 1 Amendments.**

Chapter 1 is of the 2012 International Fire Code, also known as Chapter 1 Division II of the 2013 California Fire Code, is added and amended as follows:

(a) Section 101.1 is amended to read as follows:

*101.1 Title.* These regulations shall be known as the "Santa Clara County Fire Code."

(b) Chapter 1 is amended to delete the following sections:

- 101.2 Scope
- 101.2.1 Appendices
- 101.3 Intent
- 101.4 Severability
- 101.5 Validity
- 102.6 Historic buildings

102.7 Referenced codes and standards  
102.7.1 Conflicts  
102.7.2 Provisions in referenced codes and standards  
103.1 General  
103.2 Appointment  
103.3 Deputies  
103.4 Liability  
103.4.1 Legal Defense  
104.3 Right of entry  
104.3.1 Warrant  
104.6.3 Fire records  
105.6.9 Covered and open mall buildings  
105.6.12 Dry cleaning  
105.6.16 Flammable and combustible liquids  
105.6.17 Floor finishing  
105.6.18 Fruit and crop ripening  
105.6.19 Fumigation and insecticidal fogging  
Table 105.6.20 Permit amounts for Hazardous Materials  
105.6.27 LP-gas  
105.6.28 Magnesium  
105.6.29 Miscellaneous combustible storage  
105.6.30 Open burning  
105.6.31 Open flames and torches  
105.6.32 Open flames and candles  
105.6.33 Organic coatings  
105.6.34 Places of assembly  
105.6.35 Private fire hydrants  
105.6.37 Pyroclastic plastics  
105.6.38 Refrigeration equipment  
105.6.39 Repair garages and motor fuel-dispensing facilities  
105.6.40 Rooftop heliports  
105.6.41 Spraying or dipping  
105.6.42 Storage of scrap tires and tire byproducts  
105.6.44 Tire-rebuilding plants  
105.6.45 Waste handling  
106.1 Inspection authority  
108.2 Limitations on authority  
108.3 Qualifications  
113.2 Schedule of permit fees  
113.4 Related fees

(c) Section 104.6 is amended to read as follows:

*104.6 Official records.* The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.3. Such official records shall be retained for not less than three years unless otherwise provided by other regulations.

- (d) Section 106.5 is added to read as follows:

*106.5 Final Inspection.* No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Marshal issues notice of final clearance of such fire protection facilities and access ways to the Building Inspection Office.

- (e) Section 107.2 is amended to read as follows:

*107.2 Testing and operation.* Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified by this code, NFPA 25 as modified by the State of California, and any other regulation or manufacturer specification.

Section 108.1 is deleted and replaced with the following:

*108.1 Appeals.* Any decision of the Fire Marshal with respect to the suitability of alternative materials, methods and types of construction, or any interpretation or decision related to an order, rule or regulation adopted by the County Fire Marshal that has been denied, may be appealed to the County Code Enforcement Appeals Board in accordance with Division C1, Chapter 1, Article 3 of the County Ordinance Code.

- (g) Section 109.4 is amended to read as follows:

*109.4 Violation penalties.* Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (h) Section 111.4 is amended to read as follows:

*111.4 Failure to comply.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

## **Sec. B7-5. Chapter 2 Amendments.**

Chapter 2 of the California Fire Code is amended as follows:

- (a) Section 202 (Definitions) is amended to add the following definitions:

*URBAN SERVICE AREA* has the same definition as provided in California Government Code section 56080.

*WORKSTATION* is a defined space or independent piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. *Approved or listed* hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a work station are included as part of the work station. A work station is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.

#### **Sec. B7-6. Chapter 3 Amendments.**

Chapter 3 of the International Fire Code is added with the following amendments:

- (a) Section 311 (Vacant Premises) is amended to read as follows:

*311.1 General.* Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1 through 311.4.

- (b) Section 316.7 is added to read as follows:

*316.7 Roof Guardrails At Interior Courts.* Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.

*Exception:* Where the roof opening is greater than 600 square feet in area.

#### **Sec. B7-7. Chapter 5 Amendments.**

Chapter 5 of the California Fire Code is amended as follows:

- (a) Section 503 of the International Fire Code is added and amended to read as follows.

*503.1 Where required.* Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.2 and as per Fire Marshal standards.

- (b) Section 503.2.1 is amended to read as follows:

*503.2.1 Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of 13 feet 6 inches

(4115 mm).

*Exceptions:*

1. When roads serve residential lots subject to single-site development, a minimum width of 18-ft. (5486 mm) exclusive of shoulders is allowed. This exception does not apply to occupancies regulated by Title 19 of the California Code of Regulations as defined in DIV 1, Section 1.1.3.2(14).
2. When there is not more than two residential parcels (single-site development), the access road width may be modified by the fire code official.

(c) Section 504.5 is added to read as follows:

*504.5 Access control devices.* When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to within and throughout the building are installed, such devices shall be approved by the fire code official.

Access control devices shall also comply with Chapter 10 Egress.

(d) Section 510.1.1 of the International Fire Code is added and amended to read as follows:

*510.1.1 Obstruction by new buildings.* When it is determined that a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

(e) Section 510.3 of the International Fire Code is added in its entirety.

**Sec. B7-8. Chapter 6 Amendments.**

Chapter 6 California Fire Code is amended as follows:

(a) Section 605.12 is added to read as follows:

*605.12 Immersion Heaters.* All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

(b) Section 608.6.1.1 is added to read as follows:

*608.6.1.1 Failure of Ventilation System.* Failure of the ventilation system shall automatically disengage the charging system.

**Sec. B7-9. Chapter 8 Amendments.**

Chapter 8 of the California Fire Code is amended as follows:

(a) Section 806.1.1 of the International Fire Code is added and amended to read as follows:

*806.1.1 Display inside buildings.* The display of Christmas trees and other decorative vegetation shall be in accordance with the California Code of Regulations, Title 19, Division 1, Section 3.08 and Sections 806.1 through 806.5.

*Exceptions:*

1. Trees located in areas protected by an *approved automatic sprinkler system* in accordance Section 903.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.
2. Trees shall be allowed within dwelling units in Group R-2 occupancies.

**Sec. B7-10. Chapter 9 Amendments.**

Chapter 9 of the California Fire Code is amended as follows:

(a) Section 903.2 is amended to read as follows:

*903.2 Where required.* Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18, whichever is the more restrictive.

For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. In other than residential buildings, which require the installation of fire sprinklers for all new dwellings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures. NOTE: exceptions do not apply when driveways or access roads providing fire department access are in excess of 15% slope.

*Exceptions:*

- A. Structures that do not exceed 1,000 square feet of building area that are not located in the Wildland Urban Interface.
- B. Structures that are located in the Wildland Urban Interface and that do not exceed 500 square feet of building area.

- C. Group S-2 or U occupancies that are not located in the Wildland-Urban Interface used exclusively as support for Photovoltaic systems and for vehicle parking underneath and meeting all of the following conditions:
- (1) Noncombustible construction
  - (2) Maximum building area not to exceed 5,000 square feet of floor area
  - (3) Structure is open on 3 or more sides
  - (4) Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706
- D. Private non-dwelling residential accessory structures not used for commercial purposes and not exceeding 3,000 square feet, or 1,500 square feet in the Wildland Urban Interface, of total floor area shall not require sprinklers where they are detached and separate from other structures by a minimum of 50 feet. Sprinklers or other mitigations may be required at the discretion of the fire code official if the use of the building presents an unusually high fire risk (*see Section 903.2.5, footnote 2, below*).
- E. Agricultural buildings as defined in Appendix Chapter C of the California Building Code where they meet the following conditions:
- (1) Structures not exceeding 5,000 square feet and 25 feet in height, where detached and separate from other structures or property lines by a minimum of 50 feet and where the use of the building does not present an unusually high fire risk (*see Section 903.2.5, footnote 2, below*).
  - (2) Structures not exceeding 3,000 square feet and 25 feet in height where detached and separate from other structures or property lines by a minimum of 50 feet and where the use of the building presents an unusually high fire risk (*see Section 903.2.5, footnote 2, below*).
  - (3) Agricultural greenhouses and shade structures that are not structurally substantial enough to support the weight of a fire sprinkler system and which meet the following conditions:
    - (a) Detached and separate from other structures or property lines by a minimum of 100 feet
    - (b) Not used for storage purposes of any kind
  - (4) Noncombustible canopy structures with dirt floors and no sides, used only for the purpose of providing shelter for horseback riding and are not used in any way for combustible or noncombustible storage. Such structures shall be located at least 100-ft. from any other structure or property lines.

F. Group B and Group M Occupancies not more than 500 square feet of building area shall not require sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection in accordance with the County Building Code.

2. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, I, L, M, S and U buildings and structures, when additions are made that increase the total building area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.

*Exception:* Additions not exceeding 1,000 square feet.

3. An automatic sprinkler system shall be provided throughout existing Group R occupancies when additions are made and the total building area is greater than 3,600 square feet.

*Exception:* One or more additions made to a building after January 1, 2011 that do not total more than 1,000 square feet of building area.

4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.

5. Any change in the character of occupancy or in use of any building with a building area greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different occupancy group and constitutes a greater degree of life safety<sup>1</sup> or increased fire risk<sup>2</sup>, shall require the installation of an approved fire automatic fire sprinkler system.

<sup>1</sup> **Life Safety:** Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities with non-ambulatory clients.

<sup>2</sup> **Fire Risks:** High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames) or similar uses.

(b) Section 903.3.1.1 is amended to read as follows:

*903.3.1.1 NFPA 13 sprinkler systems.* Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

**Sec. B7-11. Chapter 28 Amendments.**

Chapter 28 of the California Fire Code is amended as follows:

(a) Section 2803.8 is added to read as follows:

*2803.8 Fire Protection Water Supply System.* An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with NFPA 24.

**Sec. B7-12. Chapter 33 Amendments.**

Chapter 33 of the California Fire Code is amended as follows:

(a) Section 3304.8 is added to read as follows:

*3304.8 Fire Walls.* When firewalls are required in combustible construction, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).

(b) Section 3311.1 is amended to read as follows:

*[B] 3311.1 Stairways Required.* Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

*Exception:* For multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

(c) Section 3311.1.1 is added to read:

*Section 3311.1.1 Required Means Of Egress.* All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the prefire plan see Section 3308.2.

**Sec. B7-13. Chapter 49 Amendments.**

Chapter 49 of the California Fire Code is amended as follows:

(a) Section 4902 (Definitions) is amended to modify the definition of "Wildland-Urban Interface Fire Area" to read as follows:

*Wildland-Urban Interface Fire Area* is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, and areas designated by the County to be at a significant risk from wildfires. The Wildland-Urban Interface Fire Area shall be defined as all unincorporated areas within the County of Santa Clara as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" adopted by the Board of Supervisors, which map and all notations, references, data and other information shown thereon is hereby adopted and made part of this chapter. The map shall be on file in the Office of the Fire Marshal.

(b) Section 4906.2 is amended to read as follows:

*4906.2 Application.* Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Areas (SRA) including:
  - 1.1. Moderate Fire Hazard Severity Zones
  - 1.2. High Fire Hazard Severity Zones
  - 1.3. Very-High Fire Hazard Severity Zones
2. Land designated as a Very-High Fire Hazard Severity Zone or as a Wildland-Urban Interface Fire Area by the County.

(c) Section 4907.1 is amended to read as follows:

*4907.1 General.* Defensible space shall be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270 and this section.

Buildings and structures within the Very-High Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government Code sections 51175 to 51189 and this section.

Defensible space shall be provided around water tank structures, water supply pumps and pump houses.

Persons owning, leasing, controlling, operating or maintaining buildings or structures in the Wildland-Urban Interface Fire Area Zone and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:

1. Maintain an effective defensible space by removing and clearing away flammable vegetation and combustible growth from areas within distances of such buildings or structures as outlined below:

FIRE HAZARD SEVERITY ZONE	DISTANCE
Very-High	50 feet (15240 mm)
All Others	30 feet (9144 mm)

*Exception:* Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional effective defensible space by removing brush, flammable vegetation and combustible growth located 30 feet to 100 feet (9144 mm to 30480 mm) when required by the fire code official due to steepness of terrain or other conditions that would cause a defensible space of only 30 feet (9144 mm) to be insufficient.

*Exception:* Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney.
4. Maintain trees adjacent to or overhanging a building free of deadwood; and
5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
6. Remove flammable vegetation a minimum of 10 feet around liquefied petroleum gas tanks/containers.
7. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of 30 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

*Exception:* Firewood and combustible materials not for consumption on the premises shall be stored as approved by the fire code official.

8. Clear areas within 10 feet (3048 mm) of fire apparatus access roads and driveways to of non-fire-resistive vegetation growth.

*Exception:* Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

(d) Section 4908 is added to read as follows:

*4908.1 General.* When required by the code official, a fire protection plan shall be prepared.

*4908.2 Content.* The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

*4908.3 Cost.* The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

*4908.4 Plan Retention.* The fire protection plan shall be retained by the fire code official.

(e) Section 4909 added to read as follows:

*4909.1 Fireworks.* Fireworks shall not be used or possessed in the Wildland-Urban Interface Fire Area.

#### **Sec. B7-15. Chapter 56 Amendments.**

Chapter 56 of the California Fire Code is amended as follows:

(a) Section 5601.1 is amended to read as follows:

*5601.1 Scope.* For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10 and section 5601.2 of this chapter. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6 and section 5601.3 of this chapter. For small arms ammunition, see Section 5601.5 of this chapter.

*Exceptions:*

1. The armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
4. Items preempted by federal regulations.

(b) Section 5601.2 is added to read as follows:

*5601.2 Explosives.* The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

(c) Section 5601.3 is added to read:

*5601.3 Fireworks.* The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

*Exceptions:*

1. Storage, handling, and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions and when in accordance with Title 19 of the California Code of Regulations.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions when in accordance with Title 19 of the California Code of Regulations and when in buildings equipped throughout with an approved fire sprinkler system.

(d) Section 5601.4 is added to read:

*5601.4 Rocketry.* The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the fire code official.

(e) Sections 5601.5 through 5601.5.3.2.3 are added to read:

*5601.5 Small Arms Ammunition-General.* Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 5601.5.1 through 5601.5.4.2.3.

*5601.5.1 Packages.* Smokeless propellants shall be stored in approved shipping containers conforming to DOTn 49 CFR, Part 173.

*5601.5.1.1 Repackaging.* The bulk repackaging of smokeless propellants, black powder and small arms primers shall not be performed in retail establishments.

*5601.5.1.2 Damaged packages.* Damaged containers shall not be repackaged.

*Exception:* Approved repackaging of damaged containers of smokeless propellant into containers of the same type and size as the original container.

**5601.5.2 Storage in Group R occupancies.** The storage of small arms ammunition in Group R occupancies shall comply with Sections 5601.5.2.1 through 5601.5.2.3.

**5601.5.2.1 Smokeless propellants.** Smokeless propellants intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers. Smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) are permitted to be stored in Group R-3 occupancies where kept in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

**5601.5.2.2 Black powder.** Black powder intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers and stored in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

**5601.5.2.3 Small arms primers.** No more than 10,000 small arms primers shall be stored in Group R-3 occupancies.

**5601.5.3 Display and storage in Group M occupancies.** The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1 through 5601.5.3.2.3.

**5601.5.3.1 Display.** The display of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1.1 through 5601.5.3.1.3.

**5601.5.3.1.1 Smokeless propellant.** No more than 20 pounds (9 kg) of smokeless propellants, each in containers of 1 pound (0.454 kg) or less capacity, shall be displayed in Group M occupancies.

**5601.5.3.1.2 Black powder.** No more than 1 pound (0.454 kg) of black powder shall be displayed in Group M occupancies.

**5601.5.3.1.3 Small arms primers.** No more than 10,000 small arms primers shall be displayed in Group M occupancies.

**5601.5.3.2 Storage.** The storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.2.1 through 5601.5.3.2.3.

**5601.5.3.2.1 Storage of Smokeless propellant.** Commercial stocks of smokeless propellants not on display shall not exceed 100 pounds (45 kg). Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg) shall be stored in portable wooden boxes having walls of at least 1 inch (25 mm) nominal thickness.

**5601.5.3.2.2 Black powder.** Commercial stocks of black powder not on display shall not exceed 50 pounds (23 kg) and shall be stored in a type 4 indoor magazine. When black powder and smokeless propellants are stored together in the same magazine, the total

quantity shall not exceed that permitted for black powder.

*5601.5.3.2.3 Small arms primers.* Commercial stocks of small arms primers not on display shall not exceed 750,000. Storage shall be arranged such that not more than 100,000 small arms primers are stored in any one pile and piles are at least 15 feet (4572 mm) apart.

**Sec. B7-16. Chapter 57 Amendments.**

Chapter 57 of the California Fire Code is amended as follows:

(a) Section 5704.2.7.5.8 is amended to read as follows:

*5704.2.7.5.8 Overfill Prevention.* An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

(b) Section 5704.2.7.5.9 is added to read:

*5704.2.7.5.9 Automatic Filling of Tanks.* Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

**SECTION 2.** Section C1-74 of Article 5, Chapter 1 of Division C1 of Title C of the County of Santa Clara Ordinance Code is hereby amended to read as follows:

(a) *Expiration.* Every permit issued by the Building Official shall expire and become null and void if the building or work authorized by the permit is not commenced within 180 days from the date of the permit, or if the building or work authorized by the permit is suspended or abandoned for, a period of 180 days at any time after the work is commenced. Before such work can be recommenced, a new permit shall be obtained first, and the fee therefor shall be in the amount required for a new permit for the remaining uninspected work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the suspension or abandonment has not exceeded one year.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from taking place.

(b) *Fee refunds*

- (1) The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.
- (2) The Building Official may authorize the refunding of any fee paid herein which was erroneously paid or collected.
- (3) The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- (4) The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

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SECTION 3. Division C3 of Title C of the County of Santa Clara Ordinance Code is hereby repealed and reenacted to read as follows:

## CHAPTER I. COUNTY BUILDING CODE

### ARTICLE 1. INCORPORATION BY REFERENCE

#### Sec. C3-1. 2013 California Building Code adopted.

The building code of the County is the 2013 California Building Code, which is based on the 2012 International Building Code ("2012 IBC"), as compiled and published by the International Code Council, as modified by the California Building Standards Commission, and as further modified by the additions, deletions and amendments set forth in this chapter.

### ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS TO THE 2013 CALIFORNIA BUILDING CODE

#### Sec. C3-2. Additions, deletions and amendments.

Additions, deletions and amendments to the 2013 California Building Code are as set forth in this article.

#### Sec. C3-3. Chapter 1 Additions, deletions and amendments.

Chapter 1 of the 2012 International Building Code, also known as Chapter 1 Division II of the 2013 California Building Code, is added and amended as follows:

(a) Section 101.1 is amended to read as follows:

*101.1 Title.* The regulations shall be known as the County of Santa Clara Building Code, hereinafter referred to as "this code".

(b) Section 101.4.4 *Property maintenance* is deleted.

(c) Section 103.3 is amended to read as follows:

*103.3 Deputies.* In accordance with the required procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, and related technical officers, inspectors, plans examiners and other employees. Such employees shall have the power as delegated by the building official.

(d) Section 105.5 is amended to read as follows:

*105.5 Expiration.* Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work

authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The work authorized by such permit is considered suspended or abandoned if no required inspections are requested and approved for any period of 180 days after the issuance of the permit. The building official is authorized to grant, in writing, one or more extensions in time, for periods of not more than 180 days each. When an extension in time is approved by the Building Official, no subsequent extension in time shall be approved unless work has continued and inspections have been approved during the time period of the previous extension. Extensions shall be requested in writing and justifiable cause demonstrated.

(e) Section 109.1 is amended to read as follows:

*109.1 Payment of Fees.* A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

*Plan Review Fee* – A plan review fee, in an amount established by resolution of the Board of Supervisors, shall be paid when plans or documents are required to be submitted for review prior to issuing a building permit.

*Investigation Fee* – An investigation fee, in an amount established by resolution of the Board of Supervisors, shall be paid for any building or structure that is constructed, altered, demolished or has a change of occupancy without obtaining the required building permits. This fee shall be in addition to any other fees required to review plans or issue any building permits for the building or structure.

(f) Section 111.2 is modified to add the following text after item 12:

The final approval of the Building Inspection Office on the building permit inspection card shall serve as the certificate of occupancy.

(g) Section 111.2 is amended to delete item 6 and modify item 5 to read as follows:

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. Final inspection approval on the building inspection permit card shall be evidence of compliance with this requirement.

(h) Section 114.1.1 is added as follows:

*Section 114.1.1 Buildings, structures or equipment built, modified, or altered.* It shall be unlawful for any person, firm or corporation to use, occupy or keep any building, structure or equipment, or portions thereof, regulated by this code that was erected, constructed, altered, extended, repaired or moved in conflict with or in violation of any of

the provisions of this code.

(i) Section 114.1.2 is added as follows:

*Section 114.1.2 Expired or Suspended permits.* It shall be unlawful for any person, firm or corporation to keep any building, structure or equipment, or portion thereof, regulated by this code if permits required by this code are expired or suspended without completion of the work therein and no application by the permittee has been made to obtain new permits to complete the work authorized under the expired permit or to reinstate the suspended permit within 180 days of the expiration or suspension.

**Sec. C3-4. IBC Appendices Added.**

Appendix C (Group U – Agricultural Buildings) of the 2013 IBC is added with the following modifications:

(a) Section C102.2 is modified to read as follows:

*Section C102.2 One-story Unlimited Area.* The area of a one-story Group U agricultural building shall not be limited if the building is entirely surrounded and adjoined by public ways or yards not less than 20 feet in width.

(b) Section C105 is added to read as follows:

**SECTION C105 - BUILDING PERMIT EXEMPTION**

*C105.1 Scope:* Any agricultural building less than 10,000 square feet in total area and located on a lot of 10 acres or more and not located in an area designated by the Federal Emergency Management Agency as a Special Flood Hazard Area, which is designed, constructed or used to house or store farm implements, hay, grain, poultry, livestock or other horticultural products, shall be exempt from obtaining a building permit but shall be required to obtain a Certificate of Agricultural Exemption in accordance with sections C105.2 through C105.6. This exemption from obtaining a building permit shall not be construed as authorization to perform any work in any manner that violates the provisions of the County Building Code, County Plumbing Code, County Electrical Code or County Mechanical Code or any other County ordinances, codes or standards.

*Exception:* If such agricultural use ceases, this exemption automatically expires by operation of law.

Every agricultural building exempt from obtaining a building permit under this section shall be subject to periodic onsite inspections, to ensure continued compliance with the limited agricultural uses set forth herein. Failure to comply with the limited agricultural uses of the building shall be deemed a violation of the building code.

Any agricultural building requiring plumbing, heating or electrical services shall obtain the necessary plumbing, heating and electrical permits in compliance with the County Building Code, the County Plumbing Code, the County Mechanical Code, the County Electrical Code and any other applicable County ordinances.

Agricultural buildings shall be subject to all other applicable provisions of this Code, including but limited to the County Fire Code, grading ordinance, zoning ordinance, drainage ordinance and flood ordinance, regardless of the size of the lot upon which the building is located. An agricultural building exempt from obtaining a building permit and located within 100 feet of either a county- or city-designated scenic road shall be subject to design review procedures, as provided in the Santa Clara County Zoning Ordinance.

*C105.2 Application and Fee:* An Agricultural Exemption application and supporting documents shall be submitted for review to the Planning Office. A review fee, in an amount established by resolution of the Board of Supervisors, shall be paid when the application is submitted for review.

*C105.3 Application Referrals:* The application and supporting documents shall be reviewed by the Planning Office, Fire Marshal, Department of Environmental Health, Land Development Engineering, Roads and Airports Department and Building Inspection Office for compliance with all applicable County ordinances and policies. At the discretion of the Planning Office, referrals may be made to other agencies on the basis of health and safety issues. The Planning Office shall make the final decision on the request for Agricultural Exemption.

*C105.4 Appeal to the Board of Supervisors:* Any person dissatisfied with the determination of the Planning Office may file an appeal with the Clerk of the Board of Supervisors within 15 calendar days after the final decision of the Planning Office. Appeals shall be filed at the County Planning Office and shall include a non-refundable fee in an amount established by resolution of the Board of Supervisors. The Planning Office shall transmit to the Board of Supervisors all maps, records, papers and files which constitute the record in the action in which the appeal was taken. The Board shall hear the matter de novo and approve, disapprove or modify the decision of the Planning Office. The decision of the Board of Supervisors shall be final. If the final determination is to not grant an Agricultural Exemption, the applicant may apply for a building permit.

*C105.6 Issuance of Exemption:* If the final determination to grant an Agricultural Exemption is made, the Planning Office shall prepare a deed restriction which will provide notice to future property owners of the limited uses and restrictions of the building or structure. The property owner(s) shall sign the deed restriction and record it with the County Clerk-Recorder and pay any recording fees. After confirming that the deed restriction has been recorded, the Planning Office shall issue a Certificate of Agricultural Exemption to the applicant. If construction of the agricultural exempt structure is not completed within twelve (12) months from the date of approval the

Certificate of Agricultural Exemption shall expire. After completion of the agricultural exempt building the owner shall notify the planning office.

If the building or structure is not completed within twelve months of the issuance of the Certificate of Agricultural Exemption, or is demolished or converted to another use pursuant to a building permit, a Notice of Rescission of the deed restriction shall be prepared by the Planning Office and provided to the property owner, to record with the County Clerk-Recorder.

**Sec. C3-5 Chapter 7A Amendments.**

Chapter 7A is amended to read as follows:

(a) 701A.3 *Application* is amended to read as follows:

*701A.3 Application* New buildings and additions to buildings constructed in compliance with these provisions located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

*Exceptions:*

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size ~~located at least 50 feet from an applicable building.~~
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
4. Additions to and remodels of buildings originally construction prior to the applicable application date.

(b) Section 707A.8 *Underside of appendages* is amended to read as follows:

*707A.8 Underside of appendagees.* The underfloor area of elevated or overhanging buildings shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed underfloor shall consist of one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel

and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.

5. The underside of a floor assembly that meets the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.

*Exception:* Heavy timber structural columns and beams do not require protection.

#### Sec. C3-6. Chapter 9 Amendments.

Chapter 9 of the California Building Code is amended as follows:

- (a) Section 903.2 is amended to read as follows:

*903.2 Where required.* Approved automatic sprinkler systems in new and existing buildings where square footage is being added to the existing building shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18, whichever is the more restrictive.

For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. In other than residential buildings, which require the installation of fire sprinklers for all new dwellings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures.

*Exceptions:*

- A. Structures that do not exceed 1,000 square feet of building area that are not located in the Wildland-Urban Interface.
- B. Structures that are located in the Wildland-Urban Interface and that do not exceed 500 square feet of building area.
- C. Group S-2 or U occupancies that are not located in the Wildland-Urban Interface used exclusively as support for Photovoltaic systems and for vehicle parking underneath and meeting all of the following conditions:
  - (1) Noncombustible construction.
  - (2) Maximum building area not to exceed 5,000 square feet of floor area.
  - (3) Structure is open on 3 or more sides.
  - (4) Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706.
- D. Private non-dwelling residential accessory structures not used for commercial purposes and not exceeding 3,000 square feet, or 1,500 square feet in the

Wildland Urban Interface, of total floor area shall not require sprinklers where they are detached and separate from other structures by a minimum of 50 feet. Sprinklers or other mitigations may be required at the discretion of the fire code official if the use of the building presents an unusually high fire risk (*see Section 903.2(5), footnote 2, below*).

E. Agricultural buildings as defined in Appendix Chapter C of the California Building Code where they meet the following conditions:

(1) Structures not exceeding 5,000 square feet, not exceeding 25 feet in height, where they are detached and separate from other structures or property lines by a minimum of 50 feet where the use of the building does not present an unusually high fire risk (*see Section 903.2(5), footnote 2, below*).

(2) Structures not exceeding 3,000 square feet, not exceeding 25 feet in height where they are detached and separate from other structures or property lines by a minimum of 50 feet where the use of the building presents an unusually high fire risk (*see Section 903.2(5), footnote 2, below*).

(3) Agricultural greenhouses and shade structures that are not structurally substantial enough to support the weight of a fire sprinkler system which meet the following conditions:

- a. Detached and separate from other structures or property lines by a minimum of 100 feet.
- b. Not used for storage purposes of any kind.

(4) Noncombustible canopy structures with dirt floors and no sides, used only for the purpose of providing shelter for horseback riding and are not used in any way for combustible or noncombustible storage. Such structures shall be located at least 100-ft. from any other structure or property lines.

F. Group B and Group M Occupancies not more than 500 square feet of building area shall not require sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection in accordance with the County Building Code.

2. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, I, L, M, S and U buildings and structures, when additions are made that increase the total building area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.

*Exception:* Additions not exceeding 1,000 square feet.

3. An automatic sprinkler system shall be provided throughout existing Group R

occupancies when additions are made and the total building area is greater than 3,600 square feet.

*Exception:* One or more additions made to a building after January 1, 2011 that do not total more than 1,000 square feet of building area.

4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
5. Any change in the character of occupancy or in use of any building with a building area greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different occupancy group and constitutes a greater degree of life safety<sup>1</sup> or increased fire risk<sup>2</sup>, shall require the installation of an approved fire automatic fire sprinkler system.

<sup>1</sup> **Life Safety:** Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities with non-ambulatory clients.

<sup>2</sup> **Fire Risks:** High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames) or similar uses.

(b) Section 903.3.1.1 is amended to read as follows:

*903.3.1.1 NFPA 13 sprinkler systems.* Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

#### Sec. C3-7. Chapter 10 Amendments.

Chapter 10 is amended to read as follows:

(a) Section 1013.9 is added to Chapter 10 to read as follows:

*1013.9 Roof Guardrails At Interior Courts.* Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top

of the guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.

**Sec. C3-8 Chapter 15 Amendments.**

Chapter 15 is amended to read as follows:

(a) Section 1505.1.4.1 is added to read as follows:

*1505.1.4.1. Roofing coverings within the Wildland-Urban Interface Fire Area.* The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A regardless of severity zone.

**Sec. C3-9. Chapter 19 Amendments.**

Chapter 19 is amended as follows:

(a) 1905.1.8 ACI 318 Section 22.10 is amended to read as follows:

22.10 Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1 Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

*Exceptions:*

1. Detached one- and two-family dwellings three stories or less in

height and constructed with stud bearing walls, are permitted to have plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

**Sec. C3-10. Chapter 33 Amendments.**

Chapter 33 is amended as follows:

(a) Section 3310.1 is amended to read as follows:

*[B] 3310.1 Stairways Required.* Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

*Exception:* For multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

(b) Section 3310.3 is added to read as follows:

~~3310.3-Required means of egress.~~ All new buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the Construction Site Safety Plan.

**CHAPTER II. COUNTY RESIDENTIAL BUILDING CODE**

**ARTICLE 1. INCORPORATION BY REFERENCE**

**Sec. C3-20. 2013 California Residential Building Code adopted.**

The residential building code of the County is the 2013 California Residential Code, which is based on the 2012 International Residential Code, as compiled and published by the International Code Council ("2012 IRC"), as modified by the California Building Standards Commission, and as further modified by the additions, deletions and amendments set forth in this chapter.

**ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS  
TO THE 2013 CALIFORNIA RESIDENTIAL BUILDING CODE**

**Sec. C3-21. Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Residential Code are as set forth in this article.

**Sec. C3-22. Chapter 1, Division II, Scope and Application, Amendments.**

Chapter 1, Division II, Scope and Application of the 2013 California Residential Code, is amended as follows:

(a) Section R105.5 is amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The work authorized by such permit may be considered suspended or abandoned if no required inspections are requested and approved for any period of 180 days after the issuance of the permit. The building official is authorized to grant, in writing, one or more extensions in time, for periods of not more than 180 days each. When an extension in time is approved by the Building Official no subsequent extension in time shall be approved unless work has continued and inspections have been approved during the time period of the previous extension. Extensions shall be requested in writing and justifiable cause demonstrated.

(b) Section R106.1 is amended to read as follows:

*R106.1 General.* Submittal documents consisting of construction documents and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. Such other information as may reasonably be required by the building official shall be provided, such a geologic reports which shall be necessary where the county determines that such report is needed on the basis of the county hazard maps.

*Exception:* The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

(c) Section R108.1 is amended to read as follows:

*R108.1 Payment of Fees.* A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

*Plan Review Fee* – A plan review fee, in an amount established by resolution of the Board of Supervisors, shall be paid when plans or documents are required to be submitted for review prior to issuing a building permit.

*Investigation Fee* – An investigation fee, in an amount established by resolution of the Board of Supervisors, shall be paid for any building or structure that is constructed, altered, demolished or has a change of occupancy without obtaining the required building permits. This fee shall be in addition to any other fees required to review plans or issue any building permits for the building or structure.

(d) Section R110.3 is modified to add the following text after item 9:

The final approval of the Building Inspection Office on the building permit inspection card shall serve as the certificate of occupancy.

(e) Section R110.3 is amended to delete items 6 and modify item 5 to read as follows:

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code. Final inspection approval on the building inspection permit card shall be evidence of compliance with this requirement.

(f) Section 113.1.1 is added as follows:

*Section 113.1.1. Buildings, structures or equipment built, modified, or altered.* It shall be unlawful for any person, firm or corporation to use, occupy or keep any building, structure or equipment, or portions thereof, regulated by this code that was erected, constructed, altered, extended, repaired or moved in conflict with or in violation of any of the provisions of this code.

(g) Section 113.1.2 is added as follows:

*Section 113.1.2. Expired or Suspended permits.* It shall be unlawful for any person, firm or corporation to keep any building, structure or equipment, or portion thereof, regulated by this code if permits required by this code are expired or suspended without completion of the work therein and no application by the permittee has been made to obtain new permits to complete the work authorized under the expired permit or to reinstate the suspended permit within 180 days of the expiration or suspension.

## **Sec. C3-23. Chapter 3 Amendments.**

Chapter 3 is amended as follows:

(a) Section R313.1 is amended to read as follows:

*R313.1 Townhouse automatic fire sprinkler systems.* An automatic residential fire sprinkler system shall be installed in all new townhouses and in existing townhouses when additions are made that increase the building area to more than 3,600 square feet.

*Exception:* A one-time addition to an existing building that does not total more than 1000 square feet of building area.

(b) Section R313.2 is amended to read as follows:

*R313.2 One- and two-family dwellings automatic fire sprinkler systems.* An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows:

1. In all new one- and two-family dwellings.
2. In existing one- and two-family dwellings that are provided with a residential sprinkler system.
3. In existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 square feet.

*Exception:* A one-time addition to an existing building that does not total more than 1000 square feet of building area.

4. In all new basements and in existing basements that are expanded.

*Exception:* Existing basements that are expanded by not more than 50%.

(c) Section R327.7.8 is amended to read as follows:

*R327.7.8 Underside of appendages.* The underside of overhanging appendages shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed under-floor shall consist of one of the following:

1. Noncombustible material.
2. Ignition-resistant material.
3. One layer of 5/8-inch Type X gypsum sheathing applied.
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. The underside of a floor assembly that meets the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.

*Exception:* Heavy-timber structural columns and beams do not require protection.

#### **Sec. C3-24. Chapter 4 Amendments.**

Chapter 4 is amended as follows:

(a) Section R403.1.3 is amended to read as follows:

*R403.1.3 Seismic reinforcing.* Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

*Exception:* In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

#### **Sec. C3-25 Chapter 6 Amendments.**

Chapter 6 is amended as follows:

(a) CRC Table R602.10.3(3) is amended to add a footnote "e", to read:

e. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

(b) Notation to Table 602.10.3(e) is amended to add reference to a footnote "e".

#### **Sec. C3-26. Chapter 9 Amendments.**

Chapter 9 is amended to read as follows:

(a) Section R902.1.4.1 is added to read as follows:

*R902.1.4.1 Roofing coverings within the Wildland-Urban Interface Fire Area.* The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure,

and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

### CHAPTER III. COUNTY GREEN BUILDING STANDARDS CODE

#### ARTICLE 1. INCORPORATION BY REFERENCE

##### Sec. C3-30. 2013 California Green Building Standards Code adopted.

The Green Building Standards Code of the County is the 2013 California Green Building Standards Code, as modified by the additions, deletions and amendments set forth in this chapter.

#### ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS TO 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE

##### Sec. C3-31. Additions, deletions and amendments.

Additions, deletions and amendments to the 2013 California Green Building Standards Code are as set forth in this article.

##### Sec. C3-32. Amendments to Chapter 3.

Chapter 3 is amended as follows:

(a) Section 301.1 is amended to read as follows:

~~301.1 Scope.~~ Buildings shall be designed to include the green building measures specified as mandatory in the application checklists contained in this code. Voluntary green building measures are also included in the application checklists and may be included in the design and construction of structures covered by this code, but are not required unless adopted by a city, county, or city and county as specified in Section 101.7.

In addition to meeting the requirements of the 2013 California Green Building Standards Code as adopted by the State of California all covered projects shall also comply with Santa Clara County amendments contained in Section 307.

(b) Section 307 is added to read as follows:

*307 Santa Clara County Amendments.* The following local amendments are adopted and added to this code as specified in section 101.7. The numbering system of this subsections contained in this section shall begin with section C3-33. Covered projects shall comply with the 2013 California Green Building Standards Code as adopted by the State of California and subsections C3-33 through C3-39.

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**Sec. C3-33 Purpose.**

The purpose of the amendments in this article is to enhance public health and welfare and assure that green building principles and practices are incorporated into new development to limit impacts to the natural and human environment within unincorporated Santa Clara County. The green building provisions referenced in this chapter are designed to achieve the following goals:

- (a) Increase energy efficiency in buildings;
- (b) Reduce potable water demand;
- (c) Encourage natural resource conservation;
- (d) Reduce waste generated by construction projects;
- (e) Provide durable buildings that are efficient, cost effective, and economical to own and operate; and
- (f) Promote the health and productivity of residents and workers who occupy and live in buildings within the County.

**Sec. C3-34. Definitions.**

The following definitions shall apply to this chapter:

- (a) "Addition" means new construction square footage added to an existing structure.
- (b) "Applicant" means any person or entity applying to the County for a building permit to undertake any Covered Project within the County.
- (c) "Alternative Means" means achieving the green building performance standards equivalent to the LEED or GreenPoint Rated systems without using the checklists and verification methods of those programs. Alternative means must achieve a green building standard that is equal or better than the LEED or Green Point Rated programs and is independently verified to the satisfaction of the Compliance Official.
- (d) "Compliance Official" means the Building Official as defined in Section C1-4 of the Santa Clara County Ordinance Code or his or her designee.
- (e) "Compliance threshold" means the minimum number of points or rating level of a green building rating system that must be attained for a particular Covered Project, as set forth in the Standards for Compliance in Section C3-36.
- (f) "Covered Project" means any building permit application for new construction or renovations subject to Standards for Compliance as set forth in Section C3-36.
- (g) "County Verification" means verification by qualified employees of the County of Santa Clara or consultants under contract with the County.

- (h) "Dual Plumbing" means buildings shall install dual plumbing for both potable and recycled water.
- (i) "Green Building" means a whole systems approach to the design, construction, and operation of buildings that substantially mitigates the environmental impacts of buildings. Green building practices recognize the relationship between the natural and built environments and seek to minimize the use of energy, water and other natural resources and provide a healthy, productive indoor environment.
- (j) "Green Building Certification" means verification to meet the certification requirements of Build it Green or LEED.
- (k) "Green Building Compliance" means written documentation by a Qualified Green Building Professional demonstrating that a Covered Project will meet the Green Building Standards for Compliance listed under Section C3-36.
- (l) "Green Building Project Checklist" means a checklist or score developed for the purpose of calculating a green building rating.
- (m) "Green Point Rater Verification" means verification of project compliance with the Green Building Project Checklist by a certified Green Point Rater who has successfully completed at least one project that has achieved green building certification by Build it Green.
- (n) "Green Building Rating System" means the rating system associated with specific green building criteria and used to determine compliance thresholds, as set forth in Green Building Standards for Compliance under Section C3-36. Examples of rating systems include, but are not limited to, the LEED and Green Point Rated systems.
- (o) "GreenPoint Rated" means a residential green building rating system developed by the Build it Green organization.
- (p) "GreenPoint Verification" means verification of compliance with the Green Building Project Checklist by a certified GreenPoint Rater.
- (q) "Indoor Potable Water Reduction" means reduction of potable water usage within a building included as a Covered Project in comparison with the water use baseline as established under Part 11 (California Green Building Standards Code) of the 2010 California Building Code. Indoor Potable Water Reduction can be accomplished using the plumbing fixtures identified in Part 11 of the Building Code or through a reduction in the overall potable water usage within a building.
- (r) "Indoor Potable Water Reduction Calculation" means a calculation showing the Indoor Potable Water usage within a building included as a Covered Project, in comparison with the water use baseline as established under Part 11 (California Green Building Standards Code) of the 2010 Building Code.

- (s) "LEED" means the "Leadership in Energy and Environmental Design" green building rating system developed by the U.S. Green Building Council.
- (t) "LEED AP Verification" means verification of compliance by a LEED Accredited Professional who is a registered architect or engineer and has successfully completed at least one LEED Certified project.
- (u) "LEED Certification" means verification to meet the standard of Certified or better by the U.S. Green Building Council (USGBC), and resulting in LEED certification of the project by the USGBC.
- (v) "Major Remodel" means any remodel that exceeds the permit valuation thresholds established within the Standards for Compliance in Section C3-36.
- (w) "Minor Remodel" means any remodel for which the permit valuation of the construction is less than the value established for a "Major Remodel" per the Standards for Compliance in Section C3-36.
- (x) "Multi-family Residential" means buildings containing three or more dwelling units within the same structure, each having its own kitchen and bathroom facilities.
- (y) "New Residences" means the construction of a new single family dwelling.
- (z) "Non-residential" means buildings not used for a residential use that are defined under Occupancy Classifications A, B, E, F, H, I, L and M in the California Building Code.
- (aa) "Qualified Green Building Professional" means a person trained through the USGBC as a LEED Accredited Professional or through Build it Green as a Certified Green Point Rater, or a person with similar qualifications if acceptable to the Compliance Official.
- (bb) "Rainwater Harvesting" means the onsite collection, storage, and reuse of rain water to meet water demand.
- (cc) "Rebuild" means any alteration or modification to an existing building that is not a "Remodel" as defined under Ordinance Code Section C1-22 and thus is considered a new building.
- (dd) "Remodel" means any alteration or modification to an existing building that is a "Remodel" as defined under Ordinance Code Section C1-22.
- (ee) "Self Verify" means verification submitted by an Applicant that a Covered Project will meet the Standards for Compliance under Section C3-36.

- (ff) "Square footage" for the purposes of calculating additional or new construction square footage means the sum of the gross horizontal areas of the several floors of a building, as measured from the rough exterior walls, or (if applicable) from the centerline of the common wall between two attached buildings. Square footage also includes the total area of any attached garage, carport, porch or similar attached structure or feature that is both (a) covered, and (b) greater than 50% enclosed by perimeter walls. It includes the horizontal area of an interior stairway at each of the two or more stories to which the stairway provides access. An attic space that has a minimum clearance of seven (7) feet in each of the three (3) dimensions for at least 70 contiguous square feet shall be included. Where the vertical distance between any floor and the ceiling above exceeds 15 feet, floor area shall be counted twice.
- (gg) "Two-Family Residential" means two dwelling units within the same structure, each having its own kitchen and bathroom facilities.
- (hh) "Water Efficiency Landscape Ordinance" means either the State Model Water Efficiency Ordinance or the replacement County Water Efficiency Landscape Ordinance, in compliance with the California Water Conservation in Landscaping Act.
- (ii) "Water Reduction Credits" means the amount of water savings achieved through retrofits accomplished after January 1, 2000 to reduce potable water demand. Water Reduction Credits can be achieved through retrofits to reduce both indoor and outdoor potable water use, however any retrofits enacted to comply with the State or County Water Efficiency Landscape Ordinance shall not apply. Acceptance of Water Reduction Credits can only be accomplished through the Alternative Means process and must include independent verification.

### **Sec. C3-35. Applicability.**

#### **(a) Single-Family Residential Construction**

All Covered Projects described in Table I of Section C3-36 shall meet the requirements set forth in Table I.

#### **(b) Multi-Family Residential and Non-Residential Construction.**

All Covered Projects described in Table II of Section C3-36 shall submit to the Compliance Official a completed Green Building Project Checklist and an Indoor Potable Water Demand Calculation.

All Covered Projects described under Table II of Section C3-36 shall meet the requirements set forth in Table II.

All Covered Projects shall also meet or exceed the energy requirements contained in the California Building Energy Efficiency Standards (Title 24, Part 6) of the California Building

Standards Code and the 2013 California Green Building Standards Code (Title 24, Part 11).

Sec. C3-36. Standards for Compliance.

Table I

**Green Building Standards for Compliance for Private Development  
Single-Family Residential Construction**

Type of Project	Checklist Required	Minimum Requirements or Standard	Verification
<b>Remodels &amp; Additions</b>			
Minor Remodel and Addition < 500 square feet <sup>8</sup>	No Requirement ( <i>Handouts and Checklists Provided</i> )		
Major Remodel <sup>1</sup> and Addition > 500 square feet <sup>7</sup>	Green Point Rated Existing Home Checklist <sup>2</sup>	Submit Checklist	Self-Verify
<b>New Residences &amp; Rebuilds</b>			
New Residence and Rebuild < 1,200 square feet	No Requirements ( <i>Handouts and Checklists Provided</i> )		
New Residence and Rebuild 1,201 < 3,000 square feet	Single-Family Green Point Checklist <sup>3,9</sup> or LEED for Homes Checklist	50 points <sup>6,9</sup> or LEED Certification	Green Point Rater Verification or LEED Certification
New Residence and Rebuild > 3,000 square feet	Single-Family Green Point Checklist <sup>3,9</sup> or LEED for Homes Checklist <sup>4</sup>	50 points <sup>6,9</sup> + 1 point per additional 100 square feet beyond 3,000 square feet <sup>5,9</sup> or LEED Certification	Green Point Rater Verification or LEED Certification

<sup>1</sup> Major Remodel entails renovations of >\$100,000 permit valuation.

<sup>2</sup> Green Point Rated Existing Home Checklist v1.2, (see footnote 9 below).

<sup>3</sup> Single Family Green Point Checklist v4.2 (see footnote 9 below).

<sup>4</sup> LEED® for Homes Project Checklist (January 2008).

<sup>5</sup> For purposes of determining points required, square footage shall be rounded to the nearest whole number (in 100's), for example 149 shall be rounded down to 100 and 150 shall be rounded up to 200.

<sup>6</sup> Points shall include Green Point Rated minimum points across all resource categories. (see

footnote 9 below).

<sup>7</sup> Requirements do not apply to Residences where the resulting square footage is 1,200 square feet or less in size.

<sup>8</sup> Additions that result in the cumulative addition of over 500 square feet within a twenty four (24) month period (application date to application date) shall not be included within this classification.

<sup>9</sup> Any mandatory requirement in the Green Point Checklist that exceeds the energy requirements contained in the California Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code is deleted from the checklist. The point value of the deleted requirement shall be automatically awarded.

**Table II**

**Green Building Standards for Compliance for Private Development  
Multi-family Residential and Non-Residential Construction**

Type of Project	Minimum Standard	Verification
<b>Two-Family Residential</b>		
All Two Family Residential (Minor and Major Remodel, Rebuild, New Residence)	Applicable Standards listed under Table I	Applicable Verification Method Listed under Table I
<b>Multi-Family Residential</b>		
New buildings and rebuilds < 5,000 square feet with each unit < 1,200 square feet	Submit GreenPoint Rated (GPR) <sup>1,6</sup> or LEED Checklist <sup>2</sup>	Self Verify
New buildings and rebuilds > 2 units and < 9 units	GPR <sup>1,6</sup> (50 points) LEED <sup>2</sup> Certification or Alternative means approved by Building Official ----- Indoor Water Demand Reduction of 25% <sup>4</sup> Dual Plumbing	GreenPoint Rater Verification or LEED verification by any of the following: LEED AP Verification, LEED Certification or Alternate means approved by Building Official ----- County Verification

New buildings and rebuilds >10 units	GPR <sup>1,6</sup> (70 points) or LEED <sup>23</sup> Certification or Alternative means approved by Building Official ----- Indoor Water Demand Reduction of 25% <sup>4</sup> Dual Plumbing	GreenPoint Rater Verification or LEED verification by any of the following: LEED AP Verification, LEED Certification or Alternate means approved by Building Official ----- County Verification
<b>Non-Residential</b>		
New buildings, rebuilds & additions < 5,000 square feet	Submit LEED Checklist <sup>3</sup>	Self Verify
New buildings, rebuilds & additions > 5,000 and < 25,000 square feet	LEED <sup>3</sup> Certification or Alternative means approved by Building Official ----- Indoor Water Demand Reduction of 25% <sup>4</sup> Dual Plumbing <sup>5</sup>	LEED AP Verification or LEED Certification or Alternate means approved by Building Official ----- County Verification
New building, rebuilds & additions > 25,000 square feet	LEED <sup>3</sup> Silver Certification or Alternative means approved by Building Official ----- Indoor Water Demand Reduction of 25% <sup>4</sup> Dual Plumbing <sup>5</sup>	LEED Certification or Alternate means approved by Building Official ----- County Verification

<sup>1</sup> Multifamily GreenPoint Rated Checklist v2.2 (see footnote 6 below).

<sup>2</sup> LEED® for Homes Project Checklist (January 2008).

<sup>3</sup> LEED 2009 for New Construction and Major Renovations Checklist.

<sup>4</sup> Water Reduction Credits may be used through the Alternative Means process to apply towards the 5% difference between the State Green Building Code Standard of 20% and the County Green Building Standard of 25%.

<sup>5</sup> Dual Plumbing shall apply if recycled water is available within 0.5 mile of the parcel or is scheduled for installation within 0.5 mile of a parcel under a Capital Improvement Plan within ten years. Dual Plumbing shall not be required for any building additions unless the entire plumbing system for the structure is replaced.

<sup>6</sup> Any mandatory requirement in the Green Point Checklist that exceeds the energy requirements contained in the California Building Energy Efficiency Standards (Title 24, Part 6) of the

California Building Code is deleted from the checklist. The point value of the deleted requirement shall be automatically awarded.

**Sec. C3-37. Administrative Procedures.**

(a) The procedures for compliance may include, but not be limited to, the following:

(1) **Building Plan Check Review.** Any submittal of an application for a building permit for any Covered Project shall include a Green Building Project Checklist. This checklist shall be incorporated onto a separate plan sheet included with the building plans. A Qualified Green Building Professional shall provide evidence of adequate Green Building Compliance to the Compliance Official to satisfy the requirements of the Standards of Compliance set forth in Section C3-35, prior to issuance of a building permit.

(2) **Final Building Inspection, Verification, and Occupancy.** Prior to final building inspection and occupancy for any Covered Project, a Qualified Green Building Professional shall provide evidence of that the project is in compliance with the Green Building Project Checklist, to the Compliance Official to satisfy the requirements of the Standards of Compliance set forth in Section C3-36.

(3) **Final Determination of Compliance.** Prior to final building inspection for a Covered Project, the Compliance Official shall review the documentation submitted by the Applicant and determine whether the Applicant has achieved the required compliance as set forth in the Standards for Compliance under Section C3-36. If the Compliance Official determines that the Applicant has met the requirements of Section C3-36, the final building inspection may proceed, provided the Covered Project has received all other required applicable approvals. If the Compliance Official determines that the Covered Project has not met the requirements of Section C3-36, the Compliance Official shall find one of the following:

- i. **Substantial Compliance.** An Applicant may submit evidence showing that the Applicant is unable to immediately meet all of the requirements of Section C3-35 but will meet all necessary requirements within a six-month period. Upon this submission (and provided all other applicable requirements have been met) the Compliance Official may issue a Temporary Certificate of Occupancy for a six-month period within which the Applicant must meet all of the requirements of Section C3-36. Circumstances under which a Temporary Certificate of Occupancy may be issued include, but are not limited to: installation of, or compliance with all Green Building measures as required under Section C3-36 but final checklist verification has not occurred or been processed, and the unavailability of Green Building materials. An additional six month extension may be granted at the discretion of the Compliance Official. The total extension term shall not exceed one year. If the Applicant meets the requirements of Section C3-36 within this extension period (as determined by the Compliance Official), final building inspection may

proceed. If the Applicant does not meet the requirements of Section C3-35 after the total one-year extension period has run out, the Compliance Official may revoke the Temporary Certificate of Occupancy and the project shall be classified as a Non-Compliance Project.

- ii. **Non-Compliance Project.** If the Compliance Official determines that the Covered Project does not meet the requirements of Section C3-36 and is not in Substantial Compliance (as specified above), the Covered Project shall be determined to be a Non-Compliance project, and the final inspection for this project shall not occur until the project is brought into full compliance with Section C3-36 (provided all other applicable requirements have been met).

(4) **Lack of Inspectors.** If the Compliance Official determines that there is a lack of Qualified Green Building Professionals available to perform green building inspections and/or checklist verifications within a timely manner, the Compliance Official may, at his or her discretion, allow inspections and/or certifications by qualified employees of the County of Santa Clara, or Self Verification by the Applicant that the project is in Compliance with Section C3-36.

(b) The Director of Planning and Development shall promulgate any rules and regulations necessary or appropriate to achieve compliance with the requirements of this Chapter. The rules and regulations shall provide, at minimum, for the incorporation of green building requirements of this Chapter into checklist submittals with building permit applications, and supporting documents demonstrate compliance with this Chapter.

(c) In addition to the procedures in this section, a Covered Project shall also meet or exceed the energy requirements contained in the California Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code.

#### **Sec. C3-38. Appeal.**

(a) Any Applicant or other interested person may appeal the determination of the Compliance Officer regarding compliance with any provision of this ordinance to the Director of Planning and Development. Any such appeal must be filed within 15 days of the decision by the Compliance Officer and shall be accompanied by a payment of a fee in an amount established by resolution by the Board of Supervisors.

(b) An Applicant or other interested person may appeal the determination made pursuant to subsection (a) to the Board of Supervisors. Any such appeal must be filed within 15 days of the decision and be accompanied by a payment of a fee in an amount established by resolution by the Board of Supervisors.

(c) Any appeal related to any provision required to comply with the California Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code shall be limited to whether the provision applies to the project, but the appeal process shall not be used to

exempt any project from compliance with applicable California Building Energy Efficiency Standards.

**Sec. C3-39. Interaction with other regulations.**

This ordinance is not intended to apply where its application shall result in its preemption by federal or state laws or rules, including but not limited to conservation standards applicable to appliances and equipment, including heating, ventilating, and air conditioning ("HVAC") products and water heaters.

There are many other laws, regulations, and ordinances that apply to building design construction and maintenance and to development. The provisions of this Ordinance are intended to be in addition to and not in conflict with these other laws, regulations, and ordinances. If any provision of this chapter conflicts with any duly adopted and valid statutes or regulations of the federal government or the State of California, the federal or state statutes or regulations shall take precedence.

SECTION 4. Chapter I of Division C4 of Title C of the County of Santa Clara Ordinance Code is hereby repealed and reenacted to read as follows:

**CHAPTER I. COUNTY ELECTRICAL CODE**

**ARTICLE 1. INCORPORATION BY REFERENCE**

**Sec. C4-1. 2013 California Electrical Code and 2006 ICC Electrical Code Administrative Provisions Adopted.**

The electrical code of the County consists of the 2013 California Electrical Code, which is based on the National Electrical Code ("NEC") (2011 Edition) published by the National Fire Protection Association, as modified by the California Building Standards Commission, and the 2006 ICC Electrical Code - Administrative Provisions, as published by the International Code Council, and as further modified by the additions, deletions and amendments set forth in this chapter.

**ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS  
TO 2013 CALIFORNIA ELECTRICAL CODE AND  
2006 ICC ELECTRICAL CODE - ADMINISTRATIVE PROVISIONS**

**Sec. C4-2. Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Electrical Code and the 2006 ICC Electrical Code - Administrative Provisions are as set forth in this article.

**Sec. C4-3. 2006 ICC Electrical Code - Administrative Provisions Amendments.**

Amendments to the 2006 ICC Electrical Code - Administrative Provisions are as follows:

Ordinance No. NS-1100-117  
Adopting Fire, Building, Residential Building,  
Green Building, Electrical, Mechanical  
and Plumbing Codes

(a) Section 404.2 is amended to read as follows:

*Section 404.2. Plan Review and Permit Fees* A plan review fee shall be paid when plans or documents are required to be submitted for review prior to issuing an electrical permit. An electrical permit fee shall be paid when the plans or documents have been approved for permit issuance. The fees shall be in an amount established by resolution of the Board of Supervisors.

**SECTION 5.** Chapter I of Division C9 of Title C of the County of Santa Clara County Ordinance Code is hereby repealed and reenacted to read as follows:

**CHAPTER I. COUNTY MECHANICAL CODE**

**ARTICLE 1. INCORPORATION BY REFERENCE**

**Sec. C9-1. 2013 California Mechanical Code adopted.**

The mechanical code of the County is the 2013 California Mechanical Code, which is based on the Uniform Mechanical Code (2012 Edition) published by the International Association of Plumbing and Mechanical Officials ("2012 UMC"), as modified by the California Building Standards Commission, and as further modified by the additions, deletions and amendments set forth in this chapter.

**ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS TO  
2013 CALIFORNIA MECHANICAL CODE**

**Sec. C9-2. Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Mechanical Code are as set forth in this article.

**Sec. C9-3. Chapter 1 Amendments.**

Chapter 1 Division II of the 2013 California Mechanical Code is amended as follows:

(a) Table 114-1 (Mechanical Permit Fees) and all references thereto are deleted.

(b) Section 114.2 (Permit Fees) is modified to read as follows:

*114.2 Plan Review and Permit Fees.* A plan review fee shall be paid when plans or documents are required to be submitted for review prior to issuing a mechanical permit. A mechanical permit fee shall be paid when the plans or documents have been approved for permit issuance. The fees shall be in the amount established by resolution of the Board of Supervisors.

(c) Section 114.3 (Plan Review Fees) is deleted.

(d) Table 114.1 (Mechanical Permit Fees) and all references thereto is deleted.

**SECTION 6.** Chapter I of Division C11 of Title C of the Ordinance Code of the County of Santa Clara is hereby repealed and reenacted to read as follows:

## **CHAPTER I. COUNTY PLUMBING CODE**

### **ARTICLE 1. INCORPORATION BY REFERENCE**

#### **Sec. C11-1. 2013 California Plumbing Code adopted.**

The plumbing code of the County is the 2013 California Plumbing Code, which is based on the Uniform Plumbing Code (2012 Edition) ("2012 UPC") published by the International Association of Plumbing and Mechanical Officials, as modified by the California Building Standards Commission, and as further modified by the additions, deletions and amendments set forth in this chapter.

### **ARTICLE 2. ADDITIONS, DELETIONS AND AMENDMENTS TO 2013 CALIFORNIA PLUMBING CODE**

#### **Sec. C11-2. Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Plumbing Code are as set forth in this article.

#### **Sec. C11-3. Chapter 1 Amendments.**

Chapter 1 Division II of the 2013 California Plumbing Code is added and amended to read as follows:

(a) Section 102.5 (Penalties) is amended to read as follows:

*102.5 Penalties.* Any person, firm, or corporation violating any provision of this code shall be subject to penalties as provided in section C1-72 of the County of Santa Clara Ordinance Code. Each separate day or any portion thereof during which a any violation of this code occurs or continues shall be deemed to constitute a separate offense.

(b) Section 103.4 (Fees) is amended to read as follows:

*103.4 Fees.* A plan review fee shall be paid when plans or documents are required to be submitted for review prior to issuing a plumbing permit. A plumbing permit fee shall be collected when the plans or documents have been approved for permit issuance. The fees shall be in an amount established by resolution of the Board of Supervisors.

(c) Section 103.4.1(Plan Review Fees) is deleted.

(d) Table 103.4 (Plumbing Permit Fees) and all references thereto is deleted.

**SECTION 7. Severability.** This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

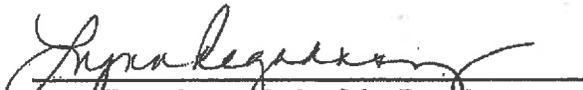
**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on **DEC 10 2013** by the following vote:

AYES: **CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**  
NOES: **NONE**  
ABSENT: **NONE**  
ABSTAIN: **NONE**

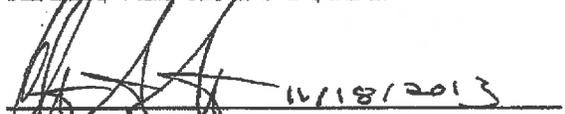
  
Ken Yeager, President  
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President of the Board of Supervisors

**ATTEST:**

  
Lynn Regadanz, Clerk of the Board

**APPROVED AS TO FORM:**

  
Elizabeth G. Pianca, Deputy County Counsel

Attachments:

Exhibit A - Bases for Local Changes to California Fire Code

Exhibit B - Bases for Local Changes to California Building, Residential Building, Green Building Standards, Electrical, Mechanical and Plumbing Codes

Ordinance No. NS-1100-117  
Adopting Fire, Building, Residential Building,  
Green Building, Electrical, Mechanical  
and Plumbing Codes

Page 45 of 45

## EXHIBIT A

### BASIS FOR LOCAL AMENDMENTS TO CALIFORNIA FIRE CODE

A) B7-6, B7-7, B7-8. The California Fire Code expressly allows local jurisdictions to establish their own regulations for fire protection water supply and fire department access to address local conditions. This provision is necessary to conform to the definition of access roads in the County Ordinance Code, provide water supply and address firefighter safety.

B) B7-10. Many unincorporated areas of Santa Clara County are located in remote hillside and ranchland areas, characterized by dry grasslands, steady winds and steep terrain, which can rapidly spread fires, and result in delays for emergency responders. These modifications are necessary to minimize the risks associated with structure fires in remote areas.

C) B7-12. Due to the size of Santa Clara County, and to the remoteness and steepness of hillside and ranchland areas, which are also characterized by dry grasslands, steady winds and high temperatures in the summer months, special precautions are necessary to provide a reasonable level of fire and life safety for structures under construction.

**EXHIBIT B**

**BASIS FOR LOCAL AMENDMENTS TO 2013 CALIFORNIA BUILDING STANDARDS CODE**

A) C3-1 and C3-2. 2013 California Building Code Adopted, Amended.  
The amendment is administrative only.

B) C3-3. Chapter 1 Amendments and additions.  
The amendments relate to modifications for local administrative procedures for fees, deletion of property maintenance code, permit expiration, Certificates of Occupancy, and violations.

C) C3-4. IBC Appendices Addition.  
The amendment is administrative only.

D) C3-5: Chapter 7A Amendments.  
This chapter is applicable to the Wildland Urban Interface areas of the County which are remote hillside and ranchland areas, characterized by dry grassland, steady winds and steep terrain, which can rapidly spread fires and result in delays for emergency responders. The amendments ensure that additions to existing structures built to fire-resistive standards under the 2007 Building Code are not built to a lesser standard.

E) C3-6. Chapter 9 Amendments.  
This amendment addresses the fact that many unincorporated areas of Santa Clara County are located in remote hillside and ranchland areas, characterized by dry grassland, steady winds and steep terrain, which can rapidly spread fires and result in delays for emergency responders. The amendments to the automatic sprinkler system section are necessary to reduce the risks associated with fires in remote areas.

F) C3-7. Chapter 10 Amendments.  
The California Fire Code expressly allows local jurisdictions to establish their own regulations for fire fighter safety. This amendment provides additional safety for fire fighters on the roofs of buildings with interior courts, and is consistent with the Fire Marshal's amendments to County Ordinance Code Section B7-6.

G) C3-8. Chapter 15 Amendments.  
Many unincorporated areas of Santa Clara County are located in remote hillside and ranchland areas, characterized by dry grassland, steady winds and steep terrain, which can rapidly spread fires and result in delays for emergency responders. This amendment is necessary to reduce the risk of wildfire to structures in Wildland Urban Interface areas.

H) C3-9 Chapter 9 Amendments  
Santa Clara County is in a high seismic zone and has multiple seismic faults located in the county. The amendment is necessary to address the poor performance of unreinforced or under reinforced or plain concrete foundations in seismic events.

I) C3-10 Chapter 33 Amendments.

The California Fire Code expressly allows local jurisdictions to establish their own regulations for fire fighter safety. This amendment is necessary to provide a reasonable level of fire and life safety for structures under construction.

J) C3-20 and C3-21. California Residential Code Adopted, Amended.  
The amendments are administrative only.

J) C3-22 Chapter 1 Amendments.  
The amendments are modifications are local administrative procedures for permit expiration and extensions, submittal documentation, fees and Certificates of Occupancy.

K) C3-23. Chapter 3 Amendments.  
Many unincorporated areas of Santa Clara County are located in remote hillside and ranchland areas, characterized by dry grasslands, steady winds and steep terrain, which can rapidly spread fires, and result in delays for emergency responders. The amendments to the automatic sprinkler system section are necessary to reduce the risks associated with residential fires in remote areas.

L) C3-24 Chapter 4 Amendments.  
Santa Clara County is in a high seismic zone and has multiple seismic faults located in the county. The amendment is necessary to address the poor performance of unreinforced or under reinforced or plain concrete foundations in seismic events.

M) C-25 Chapter 6 Amendments.  
Santa Clara County is in a high seismic zone and has multiple seismic faults located in the county. The amendment is necessary to address the poor performance of sheetrock and stucco as wall bracing material during seismic events.

N) C3-26 Chapter 9 Amendments.  
Many unincorporated areas of Santa Clara County are located in remote hillside and ranchland areas, characterized by dry grassland, steady winds and steep terrain, which can rapidly spread fires and result in delays for emergency responders. This amendment is necessary to reduce the risk of wildfire to structures in Wildland Urban Interface areas.

o) C3-30 through C38. California Green Building Standards Code Amendments.

The proposed modifications the 2010 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

(1) In the United States, buildings account for 40 percent of total energy use, 14 percent of the total water consumption 72 percent of total electricity consumption, and 39 percent of the carbon dioxide emissions, according to statistics provided by the federal Environmental agencies.

(2) Energy consumption from the non-residential sector in Santa Clara County was the highest among all Bay Area counties, according to 2007 data from the California Energy Commission's Energy Consumption Data Management System.

(3) Green building is a practice of building construction, operation and design that intends to minimize the environmental impacts of the buildings upon the natural and human environment by preserving natural resources, reducing energy and water usage, and improving indoor environmental quality.

(4) Reduction of energy usage as a result of efficiencies and conservation required by this ordinance is likely to have local benefits such as cost reduction, additional available system energy capacity, reduction in electricity demand, and a reduction in greenhouse gas emissions. These benefits are likely to become increasingly important as the effects of global warming and climate change are felt locally.

(5) According to studies published by the California Department of Water Resources and the Santa Clara Valley Water District, continued availability of sufficient potable water supply to meet demand in Santa Clara County is at risk. Expected increased air temperature associated with climate change is expected to reduce annual snowmelt and increase the potential for drought, reducing both imported and local water sources.

(6) Environmental benefits of green building include: enhanced and protected biodiversity and ecosystems, improvements in air and water quality, reduced waste streams, and conservation of natural resources. Other benefits of green building according to the EPA include improved occupant productivity, enhanced occupant comfort and health and minimized strain on local infrastructure. Therefore, the design, construction, and maintenance of buildings and structures within the Santa Clara County is likely to have a beneficial impact on the County's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of occupants.

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(7) The adoption of California Assembly Bill 32 (the "Global Warming Solutions Act") recognizes that greenhouse gas ("GHG") emissions from California are contributing to global warming and the legislation mandates that statewide GHG emissions be lowered to 1990 levels by 2020. The use of green building practices furthers, at the local level, the environmental protection goals of the County General Plan and the greenhouse reduction goals set forth under the Global Warming Solutions Act by reducing energy and water usage while conserving resources and creating healthier environments.

(8) The local amendments will further the goals and policies of the County General Plan regarding environmental protection and will reduce future greenhouse gas emissions in accordance with the goals established under the Global Warming Solutions Act. The proposed modifications the 2013 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

P) C4-1 and 4-2. 2013 California Electrical Code and 2006 ICC Electrical Code - Administrative Provisions Adopted, Amended.

The amendments are administrative only.

Q) C4-3. Permit Fees Amendments.

The amendments are modifications for local administrative procedures for fees.

R) C9-1 and 9-2. 2013 California Mechanical Code Adopted, Amended.

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The amendment is administrative only.

**S) C9-3. Chapter 1 Amendments.**

The amendment is modifications for local administrative procedures for fees.

**T) C11-1. and C11-2. 2013 California Plumbing Code Adopted, Amended.**

The amendment is administrative only.

**U) C11-3. Chapter 1 Amendments.**

The amendments are modifications for local administrative procedures for penalties and fees.

**- END -**

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**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



December 24, 2014

Michael Harrison  
Building Official  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

RE: Ordinance # NS-1100.121 & NS-1100.118

Dear Mr. Harrison:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 22, 2014.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

---

**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Monday, December 22, 2014 12:33 PM  
**To:** OrdinanceFilings@DGS  
**Subject:** Filing for amendment to California Green Building Code  
**Attachments:** NS-1100.118.pdf

Dear Commissioners:

At the Board of Supervisors' regular meeting on January 14, 2014 ( Item No. 86) Ordinance NS-1100.118 was adopted.

The ordinance relates to revisions to the Green Building Code and amending Division C3 to reflect certain amendments to the California Green Building Standards Code to address local conditions.

Attached you will find a conformed/adopted copy of this Ordinance for your records with a signed cover letter.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

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2014 DEC 22 P 3:51  
SANTA CLARA COUNTY  
STANDARDS COMMISSION

**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

December 22, 2014

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendment to 2013 California Green Building Standards Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on January 14, 2014 (Item No. 86) Ordinance No. NS-1100.118 was adopted.

The ordinance relates to revisions to the Green Building Code and amending divisions C3-40, C3-41 and C3-42 to reflect certain amendments to the 2013 California Green Building Standards Code to address local conditions.

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

RECEIVED  
2014 DEC 22 PM 3:57  
CLERK OF SUPERVISORS  
SANTA CLARA COUNTY

**ORDINANCE NO. NS-1100.118**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AMENDING CHAPTER III OF DIVISION C3 OF THE COUNTY OF SANTA CLARA ORDINANCE CODE TO ADOPT LOCAL AMENDMENTS TO THE CALIFORNIA GREEN BUILDING STANDARDS CODE AND RELATED FINDINGS FOR PLUG-IN ELECTRIC VEHICLE CHARGING STATIONS**

**Summary**

This ordinance amends Chapter 3 of Division C3 of the County of Santa Clara Ordinance Code to require pre-wiring of the installation of plug-in electric vehicle charging systems for new buildings and rebuilds in unincorporated Santa Clara County

**WHEREAS**, Health and Safety Code section 18938 provides that the California Building Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards code;

**WHEREAS**, pursuant to Health and Safety Code section 17958.7 and 18941.5, counties and cities may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions;

**WHEREAS**, on May 21, 2013, the Board of Supervisors made a referral to the Planning and Development Department requesting that the County update building codes to require that all new construction and rebuilds of existing construction be installed with pre-wiring necessary to install plug-in electric vehicle (PEV) chargers;

**WHEREAS**, California's Green Building Standards Code provides guidance on voluntary measures the County can adopt to promote PEV chargers and these voluntary measures can become mandatory if adopted by the County, and the County may also amend these measures to address local climatic, geological, or topographical conditions;

**WHEREAS**, on December 10, 2013, the Board of Supervisors approved Ordinance No. NS-1100-117 adopting and amending fire, building, residential building, green building standards, electrical, mechanical and plumbing codes to reflect the new building standards that become effective in all cities and counties throughout the state on January 1, 2014; and

Ordinance No. NS-1100-118  
Adopting Local Amendments  
To the California Green Building  
Standards Code for Electric Vehicle  
Charging

Adopted: 01/14/2014

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COUNTY CLERK  
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WHEREAS, because of the public outreach conducted by the County on PEV installation requirements and the time needed to develop a PEV ordinance that accommodates the local climatic, geological and topographical conditions of unincorporated Santa Clara County, the PEV measures were not included in Ordinance No. NS-1100-117.

**THE BOARD OF SUPERVISORS HEREBY FINDS** that the amendments to the California Green Building Standards Code adopted below are reasonably necessary to address local, climatic, geological, and topographical conditions. The basis for these findings is set forth in Exhibit A, attached hereto and incorporated herein.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA ORDAINS AS FOLLOWS:**

SECTION 1. Title C, Division C3, Chapter III, Article 2 is hereby amended to add a new Section C3-40 to read as follows:

**Sec. C3-40. Electric Vehicle (EV) Charging for Residential Structures.**

Section A4.106.8 of the California Green Building Standards Code is added and amended to read:

**A4.106.8 Electric vehicle (EV) charging.** Dwellings shall comply with the following requirements for the future installation of electric vehicle supply equipment (EVSE). All installations shall comply with the 2013 California Electrical Code as adopted and amended by the County of Santa Clara.

**A4.106.8.1 One-and two-family dwellings.** For new dwellings and the rebuild of existing dwellings that include a panel upgrade or construction between the panel and parking area, install one 208/240V, 40 amp grounded AC outlet, for each dwelling unit, or provide panel capacity and conduit for the future installation of a 208/240V 40 amp, grounded AC outlet, for each dwelling unit. The conduit shall not be less than trade size 1 (nominal 1-inch inside diameter), securely fastened at the main service or subpanel and shall terminate in the parking area into a listed cabinet, box or enclosure. The conduit is required to be continuous at enclosed or concealed areas and spaces.

**Exception:** Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 EVSE.

**Note:** Utilities and local enforcing agencies may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

**A4.106.8.1.1 Labeling requirement.** A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

**A4.106.8.2 Multifamily dwellings.** For new dwellings, at least 3 percent of the total parking spaces, but not less than one parking space, shall be capable of supporting future electric vehicle supply equipment (EVSE). The percentage calculated shall be rounded up to the next whole number.

**A4.106.8.2.1 Single charging space required.** When only a single charging space is required, install one 208/240 V, 40 amp grounded AC outlet, or provide panel capacity and conduit for the future installation of a 208/240 V, 40 amp grounded AC outlet. The conduit shall not be less than trade size 1 (nominal 1-inch inside diameter), be securely fastened at the main service or subpanel and shall terminate in the parking area into a listed cabinet, box or enclosure.

**Exception:** Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 EVSE.

**A4.106.8.2.2 Multiple charging spaces required.** When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE electrical current demands of not less than 125% of the maximum load of the electric vehicle supply equipment. Only underground conduits or raceways and related underground equipment are required to be installed at the time of construction.

**Note:** Utilities and local enforcing agencies may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

**A4.106.8.2.3 Labeling requirement.** A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

**A4.106.8.3 Panel Capacity.** Panel Capacity is the amount of available current in amperes provided from the utility or verified power supply for off-grid applications. Where an automatic load management system is used, the maximum electric vehicle supply equipment load on panel capacity shall be the maximum load permitted by the automatic load management system. Where a manual or automatic load shift system is used only non-essential loads shall be permitted to be removed from the utility supply and the minimum utility supply shall comply with the minimum size and rating requirements of the California Electrical Code.

**A4.106.8.4 Multifamily dwellings with more than 100 new parking spaces.** In addition to requirements in 4.106.8.2.2, install Level 2 (or higher) EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

**A4.106.8.5 Shared Parking.** When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**SECTION 2.** Title C, Division C3, Chapter III, Article 2 is hereby amended to add a new Section C3-41 to read as follows:

**Sec. C3-41. Electric Vehicle (EV) Charging for Nonresidential Structures.**

Section A5.106.5.3 of the California Green Building Standards Code is added and amended to read:

**A5.106.5.3 Electric vehicle charging.** At least 5 percent of the total parking spaces, but not less than one parking space, shall be capable of supporting future electric vehicle supply equipment (EVSE). The percentage calculated shall be rounded up to the next whole number. All installations shall comply with the 2013 California Electrical Code as adopted and amended by the County of Santa Clara.

**A5.106.5.3.1 Single charging space required.** When only a single charging space is required, install one 208/240 V, 40 amp grounded AC outlet, or provide panel capacity and conduit for the future installation of a 208/240 V, 40 amp grounded AC outlet. The conduit shall not be less than trade size 1 (nominal 1-inch inside diameter), securely fastened at the main service or subpanel and shall terminate in the parking area into a listed cabinet, box or enclosure.

**Exception:** Other pre-installation methods approved by the local enforcing agency that provide sufficient conductor sizing and service capacity to install Level 2 EVSE.

**A5.106.5.3.2 Multiple charging spaces required.** When multiple charging spaces are required, plans shall include the location(s) and type of the EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. Plan design shall be based upon Level 2 EVSE electrical current demands of not less than 125% of the maximum load of the electric vehicle supply equipment. Only underground conduits or raceways and related underground equipment are required to be installed at the time of construction.

**Note:** Utilities and local enforcing agencies may have additional requirements for metering and EVSE installation, and should be consulted during the project design and installation.

**A5.106.5.3.3 Labeling requirement.** A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.

**A5.106.5.3.4 Buildings with more than 100 new parking spaces.** Install Level 2 (or higher) EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

**A5.106.5.3.5 Shared Parking.** When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through

the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**SECTION 3.** Title C, Division C3, Chapter III, Article 2 is hereby amended to add a new Section C3-42 to read as follows:

**Sec. C3-42. Alternative Means for Electric Vehicle (EV) Charging for Residential and Nonresidential Structures.**

The provisions of Sections C3-40 and C3-41 are not intended to prevent the use of any alternative means of achieving the standards for electric vehicle charging, provided that any such alternative is approved by the Building Official based on a finding that the proposed alternative is satisfactory and complies with the intent of the provisions and is at least as equivalent as the prescribed requirements.

**SECTION 4.** This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

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**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on JAN 14 2014 by the following vote:

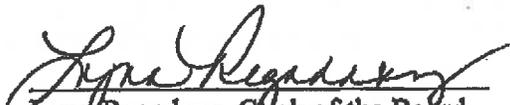
**AYES: CHAVEZ, CORTESE, SHMITIAN, WASSERMAN, YEAGER**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**



Mike Wasserman, President  
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President of the Board of Supervisors

**ATTEST:**

  
Lynn Regadanz, Clerk of the Board

**APPROVED AS TO FORM:**

  
12/13/2013  
Elizabeth G. Pianca, Deputy County Counsel

**Attachment:**

**Exhibit A—Local Amendments to 2013 California Green Building Standards Code**

Ordinance No. NS-1100-118  
Adopting Local Amendments  
To the California Green Building  
Standards Code for Electric Vehicle  
Charging

## EXHIBIT A

### **LOCAL AMENDMENTS TO 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE**

The proposed amendments to Division C3, Chapter III, Article 2 of the County of Santa Clara Ordinance Code establish minimum equipment installation or pre-wiring requirements for plug-in electric vehicle supply equipment in new development. The application of these requirements will further the goals and policies of the County of Santa Clara General Plan regarding environmental protection and will reduce future greenhouse gas emissions in accordance with the goals established under the Global Warming Solutions Act.

To the extent the requirements of this ordinance are deemed to constitute changes or modifications to the requirements of the California Green Building Standards Code and the other regulations adopted pursuant to Health and Safety Code Section 17922, this Board of Supervisors expressly finds that the provisions of this ordinance are reasonably necessary because of local climatic, geological, or topographical conditions for the following reasons:

1. Plug-in electric vehicles provide an alternative to vehicles with gasoline powered engines that use petroleum as an energy source. Petroleum is a non-renewable resource, and its availability is expected to decline in the future, leading to increased gasoline and transportation costs. The United States currently imports 60 percent of the petroleum used domestically.
2. Plug in electric vehicles derive some or all of their energy from the electrical grid. Per Executive Order S-14-08 and SB X1-2, California's electrical grid is mandated to obtain 33% of all energy from renewable resources by 2020. This shift towards the use of renewable energy resources will create a more reliable and sustainable source of energy over the long term.
3. Currently, emissions from on-road vehicles are the largest source of greenhouse gases in California. According to the California Air Resources Board, in 2011, emissions from passenger vehicles accounted for 27% of California's overall greenhouse gas emissions. According to the Bay Area Air Quality Management District, on-road vehicles account for over 32% of the total greenhouse gas emissions in the San Francisco Bay Area. Per the Global Warming Solutions Act, California is targeted to reduce its greenhouse gas emissions to 1990 levels by 2020.
4. Emissions from on-road vehicles are a primary source of pollutants that contribute to the creation of ozone. Currently, air quality levels within the County of Santa Clara exceed standards established under the Clean Air Act for ozone.

5. **Plug-in electric vehicles create pollutants and greenhouse gas emissions that are substantially lower in comparison with a conventional gasoline powered vehicle. Plug in electric vehicle emissions are estimated by the California Air Resources Board to be 75% lower than the average conventional gasoline-powered vehicle and 55% lower than the average conventional hybrid vehicle.**
6. **The availability of plug-in electric vehicles is growing and will continue to expand over the next several years. The International Energy Agency projects that Plug-in Electric Vehicles will account for up to 15% of the vehicle fleet globally by 2020. California Executive Order B-16-2012 targets over 1.5 million plug-in electric vehicles to be on the roadways by 2025.**
7. **The requirement to install pre-wiring for electric vehicle supply equipment in new buildings will increase the availability and visibility of these charging systems, complimenting increased electric vehicle ownership by reducing "range anxiety". Increased use of plug in electric vehicles will reduce the amount of emissions and pollutants emitted from passenger vehicles, improving local air quality and benefitting the citizens of the County of Santa Clara.**

**O'Brien, Laurie@DGS**

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**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Monday, December 22, 2014 12:37 PM  
**To:** OrdinanceFilings@DGS  
**Subject:** Santa Clara County filing for amendments to 2013 California Plumbing Code  
**Attachments:** NS-1100.121.pdf

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 5, 2014 ( Item No. 103) Ordinance NS-1100.121 was adopted.

The ordinance relates to revisions to the Plumbing Code and amending Division C11 to reflect certain amendments to the California Plumbing Code to address local conditions.

Attached you will find a conformed/adopted copy of this Ordinance for your records with a signed cover letter.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
County of Santa Clara

2014 DEC 22 P 3:56  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

December 22, 2014

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendment to 2013 California Plumbing Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 5, 2014 (Item No. 103) Ordinance No. NS-1100.121 was adopted.

The ordinance relates to revisions to the Plumbing Code and amending divisions C11-4 to reflect certain amendments to the 2013 California Plumbing Code to address local conditions.

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

2014 DEC 22 P 3:54  
COUNTY OF SANTA CLARA  
PLANNING AND DEVELOPMENT

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian  
County Executive: Jeffrey V. Smith

ORDINANCE NO. NS-1100.121

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AMENDING ARTICLE II OF CHAPTER I OF DIVISION C11 OF THE COUNTY OF SANTA CLARA ORDINANCE CODE TO ADOPT LOCAL AMENDMENTS TO THE CALIFORNIA PLUMBING CODE AND RELATED FINDINGS FOR WATER BOTTLE FILLING STATIONS**

**Summary**

This ordinance amends Chapter 1 of Division C11 of the County of Santa Clara Ordinance Code to require the installation of water bottle filling stations where drinking fountains are required in construction projects in unincorporated Santa Clara County.

**WHEREAS**, Health and Safety Code section 18938 provides that the California Building Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards code;

**WHEREAS**, pursuant to Health and Safety Code section 17958.7 and 18941.5, counties and cities may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions;

**WHEREAS**, on December 17, 2013, the Board of Supervisors made a referral requesting the preparation of an Ordinance requiring the installation of water bottle filling stations in both County facilities and private commercial buildings; and

**THE BOARD OF SUPERVISORS HEREBY FINDS** that the amendments to the California Plumbing Code adopted below are reasonably necessary to address local, climatic, geological, and topographical conditions. The basis for these findings is set forth in Exhibit A, attached hereto and incorporated herein.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA ORDAINS AS FOLLOWS:**

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Ordinance No. NS-1100.121  
Adopting Local Amendments  
to the California Plumbing  
Code for Water Bottle  
Filling Stations

Adopted: 08/05/2014

2014 DEC 22 P 3:57  
SANTA CLARA COUNTY  
PLUMBING CODE COMMISSION

SECTION 1. Title C, Division C11, Chapter I, Article 2 is hereby amended to add Section C11-4 as follows:

**Sec. C11-4. Chapter 4 Amendments.**

Chapter 4 of the 2013 California Plumbing Code is amended to read as follows:

- (a) Section 415.0 (Drinking Fountains) is amended to read as follows:

*415.0 Drinking Fountains and Water Bottle Filling Stations.*

- (b) Section 415.0.1 is added to read as follows:

*415.0.1 Water Bottle Filling Station Definition.* A water bottle filling station means a unit that (1) supplies potable water to a water bottle from a downward facing water orifice; (2) delivers a minimum of 8.0 gallons per hour (gph) of 50° F water; (3) is wall or floor mounted and is a separate unit or a combination unit including a drinking fountain; and, (4) complies with the California Title 24 accessibility standards, and is listed by an approved listing agency, and is certified to be lead-free compliant, including NSF/ANSI 61-Annex G, AB 1953.

- (c) Section 415.1 (Application) is amended to read as follows:

*415.1 Application.* Drinking fountains and water bottle filling stations shall be self-closing and comply with NSF 61 and to the applicable standards referenced in Table 1401.1 [HCD 1] *Drinking fountains shall be installed and so regulated that a jet of water extending at least 2 inches (51 mm) in height from the water orifice shall be constantly available. The orifice shall not be accessible to the mouth of the drinker nor subject to immersion.*

- (d) Section 415.2 (Where Required) is amended to read as follows:

*415.2 Where Required.*

*415.2.1.* Where food is consumed indoors, water stations shall be permitted to be substituted for drinking fountains and water bottle filling stations. Drinking fountains and water bottle filling stations shall not be required for an occupant load of 30 or less.

415.2.2. Water bottle filling stations shall be installed where drinking fountains are required per Table 422.1 at a ratio of one unit per each floor of the building but shall not be required on floors which have an occupant load of 30 or less. If floors have multiple wings that are not integrated and accessible to all occupants, one additional water bottle filling station shall be required in each separate wing not providing access to all occupants.

(e) Section 415.3 (Drainage Connection) is amended to read as follows:

*415.3 Drainage Connection.* Drinking fountains and water bottle filling stations shall be permitted to discharge directly into the drainage system or indirectly through an air break in accordance with Section 809.1.

(f) Section 415.4 (Location) is amended to read as follows:

*415.4 Location.* Drinking fountains and water bottle filling stations shall not be installed in toilet rooms.

SECTION 2. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

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Ordinance No. NS-1100.121  
Adopting Local Amendments  
to the California Plumbing  
Code for Water Bottle  
Filling Stations



## **EXHIBIT A**

### **LOCAL AMENDMENTS TO 2013 CALIFORNIA PLUMBING CODE**

The proposed amendments to Division C11, Chapter I, Article 2 of the County of Santa Clara Ordinance Code establishes requirements for the installation of water bottle filling stations in buildings where drinking fountains are also required to be installed. The application of these requirements will further the goals and policies of the County of Santa Clara General Plan regarding environmental protection and healthy communities by encouraging the consumption of potable water using reusable water bottles as an alternative to single use disposable water bottles and sugar sweetened beverages.

To the extent the requirements of this ordinance are deemed to constitute changes or modifications to the requirements of the California Building Standards Code and other regulations adopted pursuant to Health and Safety Code Section 17922, this Board of Supervisors expressly finds that the provisions of this ordinance are reasonable necessary because of local climatic, geological, or topographical conditions for the following reasons:

1. The installation of water bottle filling stations is intended to provide people with a convenient means to fill reusable water bottles with clean, potable water. By providing these stations to the public in visible, convenient areas, they present an attractive alternative to the purchase of bottled water or sugar sweetened beverages.
2. The production, transport, use, and disposal of bottled water has a large environmental impact in comparison with municipal tap water. Bottled water requires the use of petroleum for the creation of plastic bottles. The Pacific Institute has estimated that 17 million barrels of petroleum (oil) are used each year to produce all of the single use water bottles consumed in the United States.
3. In contrast with tap water, bottled water requires more energy and materials for production and delivery. This is associated with the treatment and purification of the water, construction of the plastic bottles and filling with water, packaging, transport, and waste disposal, including recycling, landfill accumulation, or litter clean up. It is estimated that the consumption of bottled water requires 2,000 times more energy than tap water.
4. While most water bottles are recyclable, the Container Recycling Institute estimates that over 85% of plastic water bottles instead become garbage or litter. In contrast with bottled water, tap water has a much smaller environmental footprint and provides a substantial cost savings to consumers.

5. The installation of water bottle filling stations will encourage the increased use of reusable water bottles and municipal tap water, decreasing the consumption of water bottles and thus reducing related energy consumption, materials usage, litter, and garbage accumulation. Reductions in energy consumption associated with the production and transport of water bottles will reduce associated air emissions, improving local air quality and benefitting the citizens of Santa Clara County.

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



June 17, 2015

Michael Harrison  
Building Official  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

RE: Ordinance #NS-1100.122

Dear Mr. Harrison:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on June 17, 2015.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings

**O'Brien, Laurie@DGS**

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**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Wednesday, June 17, 2015 10:03 AM  
**To:** OrdinanceFilings@DGS  
**Subject:** Santa Clara County ordinance number NS-1100-122  
**Attachments:** 6-17-15 Filing letter.pdf; Ordinance No NS-1100 122.pdf

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendments to 2013 California Mechanical Code and California Plumbing Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on June 9, 2015 (Item No. 139) Ordinance No. NS-1100.122 was adopted please see the attached fully executed conformed copy of the ordinance and Exhibit A (findings).

The ordinance relates to revisions to the California Mechanical Code and the California Plumbing Code and amending division C9 and division C11 of the County Ordinance Code to reflect certain amendments to the 2013 California Mechanical Code and California Plumbing Code to address local conditions.

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
County of Santa Clara

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2015 JUN 17 A 11:30  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

*Please Note:*

*We are undergoing a Floor Remodel Project with upgrades to the 7<sup>th</sup> Floor Front Counter and customer service areas. Please bear with us during the ongoing construction between April 27 to June 30, 2015. There will be limited counter access between June 15 and June 20, 2015.*

**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Pl: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

June 17, 2015

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendments to 2013 California Mechanical Code and California Plumbing Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on June 9, 2015 (Item No. 139) Ordinance No. NS-1100.122 was adopted.

The ordinance relates to revisions to the California Mechanical Code and the California Plumbing Code and amending division C9 and division C11 of the County Ordinance Code to reflect certain amendments to the 2013 California Mechanical Code and California Plumbing Code to address local conditions.

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

A handwritten signature in black ink that reads "Michael Harrison".

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian  
County Executive: Jeffrey V. Smith

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STANDARDS COMMISSION

**ORDINANCE NO. NS-1100.122**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AMENDING DIVISIONS C9 AND C11 OF THE COUNTY OF SANTA CLARA ORDINANCE CODE**

**Summary**

This Ordinance reflects amendments to the 2013 California Building Standards Code to address certain local conditions.

**WHEREAS**, Health and Safety Code section 18938 provides that the California Building Standards Commission (“Commission”) shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards Code;

**WHEREAS**, the California Building Standards Code is typically revised on a triennial basis. The Commission adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards became effective in all cities and counties throughout the state on January 1, 2014 unless the standards are modified by local jurisdictions; and

**WHEREAS**, pursuant to Health and Safety Code sections 17958.7 and 18941.5, counties and cities may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions. The Board of Supervisors adopted the 2013 California building codes on December 10, 2013 (Agenda Item #83) with certain amendments to address local conditions. However, since the Board adopted the 2013 California building codes and amendments in 2013, the area encompassing the County has experienced a severe drought necessitating further amendments to the adopted building codes to preserve and to reduce waste of water resources.

**THE BOARD OF SUPERVISORS HEREBY FINDS** that each of the amendments to the California Building Standards Codes adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Exhibit A, attached hereto.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

SECTION 1. Division C9 of Title C of the County of Santa Clara Ordinance Code is amended to add section C9-4 as follows:

**Sec C9-4. - Chapter 9 Amendments.**

Chapter 9 of 2013 California Mechanical Code is amended as follows

(a) Section 936.0 is added to read as follows:

936.0 Single Pass Cooling Systems. The installation or use of any new single pass cooling system that circulates water only once to cool equipment before disposing the water is prohibited.

SECTION 2. Section C11-4 of Division C11 of Title C of the County of Santa Clara Ordinance Code is amended to read as follows:

**Sec. C11-4. - Chapter 4 Amendments.**

Chapter 4 of 2013 California Plumbing Code is amended as follows:

(a) Section 403.9 is added to read as follows:

403.9 Commercial Laundry Systems The installation or use of any new commercial laundry system that does not incorporate a recirculating water system is prohibited.

(b) Section 403.10 is added to read as follows:

403.10 Commercial Conveyor Car Wash Systems. The installation or use of any new non-recirculating water systems in commercial conveyor car wash systems is prohibited.

(c) Section 415.0 (Drinking Fountains) is amended to read as follows:

415.0 Drinking Fountains and Water Bottle Filling Stations.

(d) Section 415.0.1 is added to read as follows:

415.0.1 Water Bottle Filling Station Definition. A water bottle filling station means a unit that (1) supplies potable water to a water bottle from a downward facing water orifice; (2) delivers a minimum of 8.0 gallons per hour (gph) of 50° F water; (3) is wall- or floor-mounted and is a separate unit or a combination unit including a drinking fountain, and (4) complies with the California Title 24 accessibility standards, and is listed by an approved listing agency, and is certified to be lead-free compliant, including NSF/ANSI.61-Annex G, AB 1953.

(e) Section 415.1 (Application) is amended to read as follows:

415.1 Application. Drinking fountains and water bottle filling stations shall be self-closing and comply with NSF 61 and to the applicable standards referenced in Table 14.01.1 [HCD 1] Drinking fountains shall be installed and so regulated that a jet of water extending at least 2 inches (51 mm) in height from the water orifice shall be constantly available. The orifice shall not be accessible to the mouth of the drinker not subject to immersion.

(f) Section 415.2 (Where Required) is amended to read as follows:

415.2 Where Required.

415.2.1. Where food is consumed indoors, water stations shall be permitted to be substituted for drinking fountains and water bottle filling stations. Drinking fountains and water bottle filling stations shall be required for an occupant load of 30 or less.

415.2.2. Water bottle filling stations shall be installed where drinking fountains are required per Table 422.1 at a ratio of one unit per each floor of the building but shall not be required on floors which have an occupant load of 30 or less. If floors have multiple wings that are not integrated and accessible to all occupants, one additional water bottle filling station shall be required in each separate wing not providing access to all occupants.

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(g) Section 415.3 (Drainage Connection) is amended to read as follows:

415.3 Drainage Connection. Drinking fountains and water bottle filling stations shall be permitted to discharge directly into the drainage system or indirectly through an air break in accordance with Section 809.1.

(h) Section 415.4 (Location) is amended to read as follows:

415.4 Location. Drinking fountains and water bottle filling stations shall not be installed in toilet rooms.

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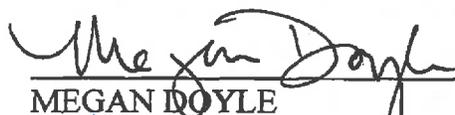
SECTION 3. Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on JUN 09 2015 by the following vote:

**AYES: CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

  
\_\_\_\_\_  
DAVE CORTESE, President  
Board of Supervisors

**ATTEST:**

  
\_\_\_\_\_  
MEGAN DOYLE  
Clerk of the Board of Supervisors

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
ELIZABETH G. PIANCA  
Deputy County Counsel

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STANDARDS COMMISSION

**Attachments:**

Exhibit A – Bases of Local Changes to California Mechanical and Plumbing Codes

Ordinance No. NS-1100.122  
Amending Mechanical  
and Plumbing Codes

**Exhibit A to Ordinance No. NS-1100.122—Bases of Local Changes to California Mechanical and Plumbing Codes (Local Amendments to 2013 California Building Standards Code)**

The proposed modifications to the 2013 California Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

- 1. Amendment to Section C9-4 of the County of Santa Clara County Ordinance Code to add Section 9.360 of the 2013 California Mechanical Code to read as follows:**

**936.0 Single Pass Cooling Systems. The installation or use of any new single pass cooling system that circulates water only once to cool equipment before disposing the water is prohibited.**

**Finding:** This amendment is necessitated by local climatic conditions rendering water as a scarce and valuable resource, and ensures that water is conserved by reclaiming water used in new systems that remove heat from products, processes, or equipment. A reliable supply of water is essential to the public health, safety and welfare of the people and economy of Santa Clara County, and careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable supply of water to meet current and future needs.

- 2. Amendment to Section C11-4 of the County of Santa Clara Ordinance Code Adding Section 403.9 and 403.10 to the 2013 California Plumbing Code to read as follows:**

**Section 403.9 is added to read as follows:**

403.9 Commercial Laundry Systems. The installation or use of any new commercial laundry system that does not incorporate a recirculating water system is prohibited.

Section 403.10 is added to read as follows:

403.10 Commercial Conveyor Car Wash Systems. The installation or use of any new non-recirculating water systems in commercial conveyor car wash systems is prohibited.

**Finding:** The amendments are necessitated by local climatic conditions rendering water as a scarce and valuable resource, and ensures that water is conserved by reclaiming water used in all new commercial laundry systems and conveyor car wash systems. A reliable supply of water is essential to the public health, safety and welfare of the people and economy of Santa Clara County, and careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable supply of water to meet current and future needs.

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



May 6, 2016

Michael Harrison  
Building Official  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

RE: Ordinance #N.S. 1100-123

Dear Mr. Harrison:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 8, 2016.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings

**O'Brien, Laurie@DGS**

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**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Friday, April 08, 2016 2:19 PM  
**To:** OrdinanceFilings@DGS  
**Subject:** Santa Clara County 2013 California Green Building Amendments  
**Attachments:** Ordinance NS100-123.pdf; Cover letter 8-11-15 Ordinance.pdf

Subject: Amendment to the Santa Clara County Ordinance code  
Amendments to 2013 California Green Building Standards Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 8 2015 Ordinance No. NS-1100.123 (Item number 104) was adopted. The ordinance relates to revisions to the California Green Building Standards Code to address local conditions. Please see the attached fully executed conformed copy of the ordinance and Exhibit A (findings).

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
County of Santa Clara

Michael Harrison  
Building Official / Development Services Manager  
County of Santa Clara

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2016 MAY -3 P 4:55  
SANTA CLARA COUNTY  
COMMISSIONERS COMMISSION



**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



<b>Administration</b>	<b>Affordable Housing</b>	<b>Building Inspection</b>	<b>Fire Marshal</b>	<b>Land Development Engineering</b>	<b>Planning</b>
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Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

April 8, 2016

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendment to 2013 California Green Building Standards Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 11, 2015 Ordinance No. NS-1100.123 was adopted. The ordinance relates to revisions to the 2013 California Green Building Standards Code to address local conditions. (Previous amendments to Calgreen were repealed and new amendments were enacted.)

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

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2016 MAY - 3 P 4: 55  
CALIFORNIA BUILDING STANDARDS COMMISSION



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2016 MAY -3 P 4:55

CALIFORNIA BUILDING STANDARDS COMMISSION

**ORDINANCE NO. NS-1100.123**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AMENDING ARTICLE II, CHAPTER 3 OF DIVISION C3 OF THE COUNTY OF SANTA CLARA COUNTY ORDINANCE CODE RELATING TO AMENDMENTS TO THE GREEN BUILDING CODE**

**Summary**

This ordinance reflects certain amendments to the County's Green Building Ordinance and adoption of the 2013 California Green Building Code to address local conditions.

**WHEREAS**, Health and Safety Code section 18938 provides that the California Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards Code;

**WHEREAS**, the California Building Standards Code is typically revised on a triennial basis. The Commission adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards became effective on January 1, 2014 unless the standards are modified by local jurisdictions; and

**WHEREAS**, the Board of Supervisors adopted the 2013 triennial edition of the California Building Standards Code and the Board now wishes to modify certain sections of the Green Building Code because of local climatic, geological or topographical conditions consistent with Health and Safety Code sections 17958.7 and 18941.5, which authorizes counties and cities to modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions.

Ordinance No. NS-1100.123  
Amending the Green Building  
Standards Code

Page 1 of 8

**ORIGINAL**

Item # 104  
AUG 11 2015

~~JUN 23 2015~~

70739

**THE BOARD OF SUPERVISORS HEREBY FINDS** that each of the amendments to the Green Building Code adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Exhibit A, attached hereto.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

SECTION 1. Article 2, Chapter III, Division C3 of Title C of the County of Santa Clara Ordinance Code is hereby repealed in its entirety and reenacted to read as follows:

**ARTICLE 2. - ADDITIONS, DELETIONS AND AMENDMENTS TO 2013 CALIFORNIA  
GREEN BUILDING STANDARDS CODE**

**Sec. C3-31. - Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Green Building Standards Code are as set forth in this article.

**Sec. C3-32. - Amendments to Chapter 4:**

Chapter 4 is amended as follows:

(a) Section 4.106.4.1 is amended to read as follows:

*4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages.* For new dwellings and the rebuild of existing dwellings that include a panel upgrade or construction between the panel and parking area, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.

(b) Section 4.106.4.2 is amended to read as follows:

*4.106.4.2 New multifamily dwellings.* For new dwellings, at least 3 percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging stations (EVCS) capable of supporting future EVSE and shall be identified on construction documents. Calculations for the number of EVCS shall be rounded up to the nearest whole number.

*Note:* Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging. There is no requirement for EVCS to be constructed or available until EV chargers are installed for use.

(c) Section 4.106.4.3 is added to read as follows:

*4.106.4.3 Multifamily dwellings with more than 100 new parking spaces.* In addition to requirements in 4.106.8.2, install Level 2 EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

(d) Section 4.106.4.4 Shared Parking is added to read as follows:

*4.106.4.4 Shared Parking.* When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**Sec. C3-33. --Amendments to Chapter 5:**

Chapter 5 is amended as follows:

(a) Section 5.106.5.3 is amended to read as follows:

*Section 5.106.5.3 Electric vehicle (EV) charging.* At least 5 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE). The percentage calculated shall be rounded up

to the next whole number. When EVSE(s) is/are installed, it shall be in accordance with the *California Building Code*, the *California Electrical Code* and as follows:

(b) Section 5.106.5.3.1. [N] is amended to read as follows:

*Section 5.106.5.3.1. Single charging space requirements.* When only a single charging space is required, a raceway is required to be installed at the time of construction and shall be installed in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. A listed raceway capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway shall not be less than trade size 1".
4. The raceway shall originate at a service panel or a subpanel serving the area, and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.
5. The service panel or subpanel shall have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the future installation of the EVSE.

(c) Section 5.106.5.3.2 is amended to read as follows:

*Section 5.106.5.3.2 Multiple charging space requirements.* When multiple charging spaces are required, raceway(s) are required to be installed at the time of construction and shall be installed in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location

of the charging equipment and into listed suitable cabinet(s), box(es), enclosure(s) or equivalent.

3. Plan design shall be based upon 40-ampere minimum branch circuits.
4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage

(d) Section 5.106.5.3.3 is amended to read as follows:

*5.106.5.3.3 Buildings with more than 100 new parking spaces.* Install Level 2 EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

*Exceptions:* On a case-by-case basis where the local enforcing agency has determined EV charging and infrastructure is not feasible based upon one or more of the following conditions:

1. Where there is insufficient electrical supply.
2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.

(e) Section 5.106.5.3.6 is added to read as follows:

*5.106.5.3.6 Shared Parking.* When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**Section C3-34. Chapter 4, Appendix A4 Added.**

Appendix A4 of Chapter 4 is added with the following modifications and amendments:

- (a) Section A4.106.8, Electrical vehicle (EV) charging for new construction, is deleted.
- (b) Division A4.2 of Appendix A4 Residential Voluntary Measures is deleted.
- (c) Division A4.6 Tier 1 and Tier 2 is amended to read as follows:

- (1) Section A4.601.1 is amended to read as follows:

*A4.601.1 Scope.* The measures contained in this appendix are mandatory for new single family dwellings equal to or greater than 3000 square feet in area and new multi-family residential buildings equal to or greater than 25,000 square feet in area. The provisions of this section outline means of achieving enhanced construction or reach levels by incorporating additional green building measures. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.

- (2) Section 4.601.4.2, Prerequisite and elective measures for Tier 1 subsection 2, from Division A4.2, Energy Efficiency, is deleted.
- (3) Section A4.601.5, Tier 2 is deleted.

**Sec. C3-35. -Chapter 5, Appendix A5 Added.**

Appendix A5 of Chapter 5 is added with the following modifications and amendments:

- (a) Appendix A5 Non-Residential Voluntary Measures, Division A5.1-Planning and Design is amended to delete Section A5.106.5.3, Electric vehicle (EV) charging.
- (b) Appendix A5 Non-Residential Voluntary Measures, Division A5.2-Energy Efficiency is deleted.

(c) Appendix A5 Non-Residential Voluntary Measures, Division A5.6 Tier 1 and Tier 2 is amended as follows:

- (1) *Section A5.601.1 Scope.* The measures contained in this appendix are ~~not~~ mandatory\_new commercial equal to or greater than 25,000 square feet in area. The provisions of this section outline means of achieving enhanced construction or reach levels by incorporating additional green building measures for newly constructed nonresidential buildings as well as additions. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.
- (2) Section A5.601.2.3, Tier 1 is deleted.
- (3) Section A5.601.3 *CALGreen*, Tier 2 is deleted.

SECTION 2. Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

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SANTA CLARA BUILDING STANDARDS COMMISSION

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on AUG 11 2016 by the following vote:

**AYES: CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**



Dave Cortese, President  
Board of Supervisors

**ATTEST:**



Megan Doyle, Clerk of the Board

**APPROVED AS TO FORM:**

  
6/10/2013

Elizabeth G. Pianca, Deputy County Counsel

**Attachment:**

Exhibit A – Bases for Local Changes to the California Green Building Standards Code

Ordinance No. NS-1100.123  
Amending the Green Building  
Standards Code

## EXHIBIT A

### BASIS FOR LOCAL AMENDMENTS TO 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

The proposed modifications the 2013 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

(1) Green building is a practice of building construction, operation and design that intends to minimize the environmental impacts of the buildings upon the natural and human environment by preserving natural resources, reducing energy and water usage, and improving indoor environmental quality.

(2) Reduction of energy usage as a result of efficiencies and conservation required by this ordinance is likely to have local benefits such as cost reduction, additional available system energy capacity, reduction in electricity demand, and a reduction in greenhouse gas emissions. These benefits are likely to become increasingly important as the effects of global warming and climate change are felt locally.

(3) The availability of sufficient potable water supply to meet demand in Santa Clara County is at risk. Extremely dry conditions have persisted in California since 2012. Snow pack levels in the Sierras were at 20% of normal during the winter of 2014-2015. Expected increased air temperature associated with climate change is expected continue to decrease available potable water from annual snowmelt and to increase the potential for continued drought, reducing both imported and local water sources.

(4) Environmental benefits of green building include: enhanced and protected biodiversity and ecosystems, improvements in air and water quality, reduced waste streams, and conservation of natural resources. Other benefits of green building according to the EPA include improved occupant productivity, enhanced occupant comfort and health and minimized strain on local infrastructure. Therefore, the design, construction, and maintenance of buildings and structures within the Santa Clara County is likely to have a beneficial impact on the County's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of occupants.

(5) The adoption of California Assembly Bill 32 (the "Global Warming Solutions Act") recognizes that greenhouse gas ("GHG") emissions from California are contributing to global warming and the legislation mandates that statewide GHG emissions be lowered to 1990 levels by 2020. The use of green building practices furthers, at the local level, the environmental protection goals of the County General Plan and the greenhouse reduction goals set forth under the Global Warming Solutions Act by reducing energy and water usage while conserving resources and creating healthier environments.

(6) The availability of plug-in electric vehicles is growing and will continue to expand over the next several years. According to the International Energy Agency the largest share of the worldwide plug-in hybrid electric vehicle (PHEV) market is in the United States. California Executive Order B-16-2012 targets over 1.5 million plug-in electric vehicles to be on the roadways by 2025.

(7) The amendments increasing the requirements to install pre-wiring for electric vehicle supply equipment in new buildings will increase the availability and visibility of these charging systems, complimenting increased electric vehicle ownership by reducing "range anxiety". Increased use of plug in electric vehicles will reduce the amount of emissions and pollutants emitted from passenger vehicles, improving local air quality and benefitting the citizens of the County of Santa Clara.

(8) The local amendments will further the goals and policies of the County General Plan regarding environmental protection and will reduce future greenhouse gas emissions in accordance with the goals established under the Global Warming Solutions Act. The proposed modifications the 2013 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



May 6, 2016

Michael Harrison  
Building Official  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

RE: Ordinance #N.S. 1100-123

Dear Mr. Harrison:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 8, 2016.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings

**O'Brien, Laurie@DGS**

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**From:** Harrison, Michael <Michael.Harrison@PLN.SCCGOV.ORG>  
**Sent:** Friday, April 08, 2016 2:19 PM  
**To:** OrdinanceFilings@DGS  
**Subject:** Santa Clara County 2013 California Green Building Amendments  
**Attachments:** Ordinance NS100-123.pdf; Cover letter 8-11-15 Ordinance.pdf

Subject: Amendment to the Santa Clara County Ordinance code  
Amendments to 2013 California Green Building Standards Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 8 2015 Ordinance No. NS-1100.123 (Item number 104) was adopted. The ordinance relates to revisions to the California Green Building Standards Code to address local conditions. Please see the attached fully executed conformed copy of the ordinance and Exhibit A (findings).

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
County of Santa Clara

Michael Harrison  
Building Official / Development Services Manager  
County of Santa Clara

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SANTA CLARA COUNTY  
COMMISSIONERS COMMISSION



**County of Santa Clara**  
**Department of Planning and Development**  
County Government Center, East Wing  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, California 95110



<b>Administration</b>	<b>Affordable Housing</b>	<b>Building Inspection</b>	<b>Fire Marshal</b>	<b>Land Development Engineering</b>	<b>Planning</b>
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

April 8, 2016

California Building Standards Commission  
2525 Natomas Park Drive, Suite # 130  
Sacramento, CA 95833-2936

**Subject:** Amendment to the Santa Clara County Ordinance code  
Amendment to 2013 California Green Building Standards Code

Dear Commissioners:

At the Board of Supervisors' regular meeting on August 11, 2015 Ordinance No. NS-1100.123 was adopted. The ordinance relates to revisions to the 2013 California Green Building Standards Code to address local conditions. (Previous amendments to Calgreen were repealed and new amendments were enacted.)

Enclosed you will find a conformed/adopted copy of the Ordinance for your records.

Should you have any questions, please feel free to contact me at (408) 299-5718.

Sincerely,

Michael Harrison  
Building Official  
Department of Planning and Development  
County of Santa Clara

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CALIFORNIA BUILDING STANDARDS COMMISSION



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CALIFORNIA BUILDING STANDARDS COMMISSION

**ORDINANCE NO. NS-1100.123**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AMENDING ARTICLE II, CHAPTER 3 OF DIVISION C3 OF THE COUNTY OF SANTA CLARA COUNTY ORDINANCE CODE RELATING TO AMENDMENTS TO THE GREEN BUILDING CODE**

Summary

This ordinance reflects certain amendments to the County's Green Building Ordinance and adoption of the 2013 California Green Building Code to address local conditions.

**WHEREAS**, Health and Safety Code section 18938 provides that the California Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards Code;

**WHEREAS**, the California Building Standards Code is typically revised on a triennial basis. The Commission adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards became effective on January 1, 2014 unless the standards are modified by local jurisdictions; and

**WHEREAS**, the Board of Supervisors adopted the 2013 triennial edition of the California Building Standards Code and the Board now wishes to modify certain sections of the Green Building Code because of local climatic, geological or topographical conditions consistent with Health and Safety Code sections 17958.7 and 18941.5, which authorizes counties and cities to modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions.

Ordinance No. NS-1100.123  
Amending the Green Building  
Standards Code

Page 1 of 8

**ORIGINAL**

Item # 104  
AUG 11 2015

~~JUN 23 2015~~

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**THE BOARD OF SUPERVISORS HEREBY FINDS** that each of the amendments to the Green Building Code adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Exhibit A, attached hereto.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

SECTION 1. Article 2, Chapter III, Division C3 of Title C of the County of Santa Clara Ordinance Code is hereby repealed in its entirety and reenacted to read as follows:

**ARTICLE 2. - ADDITIONS, DELETIONS AND AMENDMENTS TO 2013 CALIFORNIA  
GREEN BUILDING STANDARDS CODE**

**Sec. C3-31. - Additions, deletions and amendments.**

Additions, deletions and amendments to the 2013 California Green Building Standards Code are as set forth in this article.

**Sec. C3-32. - Amendments to Chapter 4:**

Chapter 4 is amended as follows:

(a) Section 4.106.4.1 is amended to read as follows:

*4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages.* For new dwellings and the rebuild of existing dwellings that include a panel upgrade or construction between the panel and parking area, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.

(b) Section 4.106.4.2 is amended to read as follows:

*4.106.4.2 New multifamily dwellings.* For new dwellings, at least 3 percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging stations (EVCS) capable of supporting future EVSE and shall be identified on construction documents. Calculations for the number of EVCS shall be rounded up to the nearest whole number.

*Note:* Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging. There is no requirement for EVCS to be constructed or available until EV chargers are installed for use.

(c) Section 4.106.4.3 is added to read as follows:

*4.106.4.3 Multifamily dwellings with more than 100 new parking spaces.* In addition to requirements in 4.106.8.2, install Level 2 EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

(d) Section 4.106.4.4 Shared Parking is added to read as follows:

*4.106.4.4 Shared Parking.* When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**Sec. C3-33. --Amendments to Chapter 5:**

Chapter 5 is amended as follows:

(a) Section 5.106.5.3 is amended to read as follows:

*Section 5.106.5.3 Electric vehicle (EV) charging.* At least 5 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (EVSE). The percentage calculated shall be rounded up

to the next whole number. When EVSE(s) is/are installed, it shall be in accordance with the *California Building Code*, the *California Electrical Code* and as follows:

(b) Section 5.106.5.3.1. [N] is amended to read as follows:

*Section 5.106.5.3.1. Single charging space requirements.* When only a single charging space is required, a raceway is required to be installed at the time of construction and shall be installed in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. A listed raceway capable of accommodating a 208/240-volt dedicated branch circuit.
3. The raceway shall not be less than trade size 1".
4. The raceway shall originate at a service panel or a subpanel serving the area, and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.
5. The service panel or subpanel shall have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the future installation of the EVSE.

(c) Section 5.106.5.3.2 is amended to read as follows:

*Section 5.106.5.3.2 Multiple charging space requirements.* When multiple charging spaces are required, raceway(s) are required to be installed at the time of construction and shall be installed in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location

of the charging equipment and into listed suitable cabinet(s), box(es), enclosure(s) or equivalent.

3. Plan design shall be based upon 40-ampere minimum branch circuits.
4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage

(d) Section 5.106.5.3.3 is amended to read as follows:

*5.106.5.3.3 Buildings with more than 100 new parking spaces.* Install Level 2 EVSE to service one (1) percent of the total number of parking spaces. The percentage calculated shall be rounded up to the next whole number. The EVSE shall be located within the parking area.

*Exceptions:* On a case-by-case basis where the local enforcing agency has determined EV charging and infrastructure is not feasible based upon one or more of the following conditions:

1. Where there is insufficient electrical supply.
2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.

(e) Section 5.106.5.3.6 is added to read as follows:

*5.106.5.3.6 Shared Parking.* When parking is provided to new buildings from shared parking lots, including existing and new parking lots, the requirements of this section may be met through the installation of pre-wiring and / or EVSE among both the existing and new parking lots. Pre-wiring or EVSE previously installed in shared parking lots servicing new buildings may also meet the requirements of this section. If a new building does not require the installation of new parking spaces, as approved by the County, the requirements to install pre-wiring or EVSE in parking areas does not apply.

**Section C3-34. Chapter 4, Appendix A4 Added.**

Appendix A4 of Chapter 4 is added with the following modifications and amendments:

- (a) Section A4.106.8, Electrical vehicle (EV) charging for new construction, is deleted.
- (b) Division A4.2 of Appendix A4 Residential Voluntary Measures is deleted.
- (c) Division A4.6 Tier 1 and Tier 2 is amended to read as follows:

- (1) Section A4.601.1 is amended to read as follows:

*A4.601.1 Scope.* The measures contained in this appendix are mandatory for new single family dwellings equal to or greater than 3000 square feet in area and new multi-family residential buildings equal to or greater than 25,000 square feet in area. The provisions of this section outline means of achieving enhanced construction or reach levels by incorporating additional green building measures. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.

- (2) Section 4.601.4.2, Prerequisite and elective measures for Tier 1 subsection 2, from Division A4.2, Energy Efficiency, is deleted.
- (3) Section A4.601.5, Tier 2 is deleted.

**Sec. C3-35. -Chapter 5, Appendix A5 Added.**

Appendix A5 of Chapter 5 is added with the following modifications and amendments:

- (a) Appendix A5 Non-Residential Voluntary Measures, Division A5.1-Planning and Design is amended to delete Section A5.106.5.3, Electric vehicle (EV) charging.
- (b) Appendix A5 Non-Residential Voluntary Measures, Division A5.2-Energy Efficiency is deleted.

(c) Appendix A5 Non-Residential Voluntary Measures, Division A5.6 Tier 1 and Tier 2 is amended as follows:

- (1) *Section A5.601.1 Scope.* The measures contained in this appendix are ~~not~~ mandatory\_new commercial equal to or greater than 25,000 square feet in area. The provisions of this section outline means of achieving enhanced construction or reach levels by incorporating additional green building measures for newly constructed nonresidential buildings as well as additions. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.
- (2) Section A5.601.2.3, Tier 1 is deleted.
- (3) Section A5.601.3 *CALGreen*, Tier 2 is deleted.

SECTION 2. Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

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SANTA CLARA BUILDING STANDARDS COMMISSION

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on AUG 11 2016 by the following vote:

**AYES: CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**



Dave Cortese, President  
Board of Supervisors

**ATTEST:**



Megan Doyle, Clerk of the Board

**APPROVED AS TO FORM:**

  
6/10/2013

Elizabeth G. Pianca, Deputy County Counsel

**Attachment:**

Exhibit A – Bases for Local Changes to the California Green Building Standards Code

## EXHIBIT A

### BASIS FOR LOCAL AMENDMENTS TO 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

The proposed modifications the 2013 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

(1) Green building is a practice of building construction, operation and design that intends to minimize the environmental impacts of the buildings upon the natural and human environment by preserving natural resources, reducing energy and water usage, and improving indoor environmental quality.

(2) Reduction of energy usage as a result of efficiencies and conservation required by this ordinance is likely to have local benefits such as cost reduction, additional available system energy capacity, reduction in electricity demand, and a reduction in greenhouse gas emissions. These benefits are likely to become increasingly important as the effects of global warming and climate change are felt locally.

(3) The availability of sufficient potable water supply to meet demand in Santa Clara County is at risk. Extremely dry conditions have persisted in California since 2012. Snow pack levels in the Sierras were at 20% of normal during the winter of 2014-2015. Expected increased air temperature associated with climate change is expected continue to decrease available potable water from annual snowmelt and to increase the potential for continued drought, reducing both imported and local water sources.

(4) Environmental benefits of green building include: enhanced and protected biodiversity and ecosystems, improvements in air and water quality, reduced waste streams, and conservation of natural resources. Other benefits of green building according to the EPA include improved occupant productivity, enhanced occupant comfort and health and minimized strain on local infrastructure. Therefore, the design, construction, and maintenance of buildings and structures within the Santa Clara County is likely to have a beneficial impact on the County's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of occupants.

(5) The adoption of California Assembly Bill 32 (the "Global Warming Solutions Act") recognizes that greenhouse gas ("GHG") emissions from California are contributing to global warming and the legislation mandates that statewide GHG emissions be lowered to 1990 levels by 2020. The use of green building practices furthers, at the local level, the environmental protection goals of the County General Plan and the greenhouse reduction goals set forth under the Global Warming Solutions Act by reducing energy and water usage while conserving resources and creating healthier environments.

(6) The availability of plug-in electric vehicles is growing and will continue to expand over the next several years. According to the International Energy Agency the largest share of the worldwide plug-in hybrid electric vehicle (PHEV) market is in the United States. California Executive Order B-16-2012 targets over 1.5 million plug-in electric vehicles to be on the roadways by 2025.

(7) The amendments increasing the requirements to install pre-wiring for electric vehicle supply equipment in new buildings will increase the availability and visibility of these charging systems, complimenting increased electric vehicle ownership by reducing "range anxiety". Increased use of plug in electric vehicles will reduce the amount of emissions and pollutants emitted from passenger vehicles, improving local air quality and benefitting the citizens of the County of Santa Clara.

(8) The local amendments will further the goals and policies of the County General Plan regarding environmental protection and will reduce future greenhouse gas emissions in accordance with the goals established under the Global Warming Solutions Act. The proposed modifications the 2013 California Green Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons: