

## Exhibit A

### **FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, 12, 2022 EDITIONS AND INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITIONS.**

**CHANGES OR MODIFICATIONS:** Pursuant to Section 17958 of the State of California Health and Safety Code, the governing body of the City of South San Francisco in its ordinance adopting and amending the 2022 Editions of the California Administrative Code; California Building Code; California Residential Building Code; California Electrical Code; California Mechanical Code; California Plumbing Code; California Energy Code; California Historical Code; California Fire Code; California Existing Building Code; California Green Building Standards Code; California Reference Standards Code; and the 2021 Edition of the International Property Maintenance Code, adds, changes or modifies certain provisions of the California Building Standards Code as it pertains to the regulation of buildings and fire protection. A copy of the text of such additions, changes or modifications is attached.

#### **FINDINGS:**

The City Council of the City of South San Francisco finds that in order to best protect the health, safety, and welfare of the citizens of the City of South San Francisco, the standards of building within the City must conform with state law except where local climatic, geological, and topographical conditions warrant more restrictive regulations.

Pursuant to Sections 17958.5 and 17958.7 (a) of the State of California Health and Safety Code, the governing body of the City of South San Francisco has determined and finds that all the attached changes or modifications are needed and are reasonably necessary because of local climatic, geological and topographic conditions as discussed below.

The City Council of the City of South San Francisco further finds that administrative amendments to the South San Francisco Municipal Code, relating to enforcement and appointment authorities of the building official and fire chief are reasonably necessary in order to tailor to the local and operational structures of the South San Francisco city government.

**LOCAL CONDITIONS:** Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making the changes or modifications in the California Building Standards Code necessary in order to provide a reasonable degree of property security, and fire and life safety in the City of South San Francisco.

Below are adverse local climatic, geological and topographic conditions that necessitate the modifications to the California Building Standards Code.

## CLIMATIC

Precipitation: Precipitation averages 18.83 inches/ year eighty percent (80%) falls during the months of November through April, and twenty percent (20%) from May through October. Severe flooding occurred during the months of January and March, 1995 and in 1998 and 2006.

Relative Humidity: Humidity generally ranges from sixty two percent (62%) during daytime and eighty-six percent (86%) at night. It occasionally drops lower during the months of September through November.

Temperatures: Temperatures have been recorded as high as 106 degrees Fahrenheit. Average summer highs are in the 70-73 degree range.

Winds: Summer prevailing winds are from the North-West direction. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-10 mph range, gusting to 23 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

Summary: These local climatic conditions affect the acceleration intensity, and size of fires in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. Storage, disposal, and recycling of construction and demolition debris can contribute to hazardous conditions relating to fire. The winds experienced in this area also adversely impact structure fires in buildings in close proximity to one another. Winds can carry sparks and burning branches to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts. South San Francisco's downtown and surrounding areas contain numerous historic and older buildings that are located very close together, which exacerbates the fire danger from dry conditions, wind, and shake/shingle roofs.

The stated climatic, geographical and topographical conditions warrant more stringent requirements for additional listing of operational permits (annually renewed) to those already described in Section 105 of the California Fire Code which provides permission to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in conjunction with such activities.

Child care centers and large family home day care facilities that care for children have special requirements to ensure their safety in the event of a fire. Children in many instances are unable understand the nature of an emergency or take prompt action when necessary. Inspections will ensure that the operators of such facilities comply with these special requirements.

Properly constructed and maintained Christmas tree lots will ensure the safety of patrons as well as decrease the incidence and severity of fire. Combustible storage in the form of empty boxes, barrels, or other similar containers, or rubber, or cork is known to increase the spread and severity of fire. Inspections of businesses that have combustible storage will ensure that such storage is done in such a way to minimize its impact.

A properly functioning fire alarm system gives early warning to building occupants to leave the affected area promptly. When fire occurs in institutions or residential care facilities multiple injuries and/or fatalities can occur because elderly or disabled occupants possess a limited ability to understand the nature of the emergency or take prompt action when necessary. Proper exiting and other related fire safety issues can only be addressed through a fire inspection.

Equipping new and existing buildings and structures with appropriate automatic sprinkler system will ensure the safety of patrons as well as decrease the incidence and severity of fire. When fire occurs in enclosed buildings and structures, automatic sprinklers can disperse water and help with remediating or extinguishing flames and reduce damages prior to fire responder crew arrival. Likewise, when such buildings and structures consisting of large crowd gathering areas, automatic sprinklers will serve as a preventative measure in the event that a fire happens. Automatic fire sprinklers systems have also been verified to be green building standards directly protecting our environment.

NFPA 13 specifically exempts Lithium, Lithium-ion and other batteries containing combustible electrolyte in vehicles from the scope leaving no nationally recognized fire protection allowing electric vehicles (EV) inside of buildings or structures, where fire protection is required. Proposed amendments allow for a design solution to allow efficient design and installation of reasonable fire protection for these hazardous commodities, in support of National, State, and local initiatives to carbon footprint. Otherwise, EV would be prohibited in buildings or improperly protected creating potential fire and life safety hazards.

First responders must be able to maintain communications throughout a property in an emergency situation. Whether they are responding to a fire, medical emergency or domestic threat, they cannot be in a situation where their radios stop working. It is essential that their communication devices continue to transmit in hard-to-reach areas, such as stairwells, elevators, basements, and thick-walled or shielded areas. Newly-built LEED-certified buildings with low-E glass often suffer from poor public-safety signal coverage due to signal attenuation caused by low-E glass. It's essential that first responders be aware of the radio systems being installed in buildings and that the installation of public safety radio coverage be in accordance. Likewise, the requirement for a fire command center in certain high-rise or taller buildings will ensure first responders are able to provide timely, coordinated, and effective emergency responses during a fire given the building's height and concentration of occupants.

Hospitals have potential fire hazards that set them apart from other places when it comes to fire protection. Whenever a fire starts in a hospital, it is important to begin an orderly evacuation process. However, evacuating vulnerable patients can be challenging, since they might not all be able to move on their own. Hospitals need to have fire protection systems that can detect and extinguish fires before they get out of control, which allows for even more time for first responders to conduct an evacuation.

This finding refers to and supports modifications to or the addition of Sections 1907.1.2, 3410.2, and 1510.7 of the California Building Code, Section R907.7 of the California Residential Code,

and Sections 903.2, 508.1, 508.1.1, 510.4.2, 510.5, and 105.6.50-10.6.58 of the California Fire Code.

### **TOPOGRAPHIC**

The City is made up of open terrain with scattered obstructions having heights and widths generally less than 30 feet, including flat open country, grasslands, hillsides and bay exposure. The City is also located within 5 miles of San Francisco International Airport and a portion of the City is located under the airborne easement.

Including a permit and performance bond-related requirements for moving of buildings and temporary structures within South San Francisco would ensure that all proposed moves and removals are reviewed carefully by city officials and conducted in a manner to avoid injuries to persons and properties in the proposed work area.

This finding refers to and supports modifications to or the addition of Sections 1907.1.2, 3410.2, and 1510.7 of the California Building Code, and Sections 1.8.10.3, 1.8.10.4, R907.7 and Appendices AK 102-103 of the California Residential Code.

### **GEOLOGICAL**

The above local topographic conditions enhance the magnitude, exposure, accessibility problems, and fire hazards presented to the City of South San Francisco. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. The San Andreas Fault is located between 0 and 3 miles from any point within the City.

This finding refers to and supports modifications to or the addition of Section 1907.1.2 of the California Building Code, and Section R506.3 of the California Residential Code.3363365.2