

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor:
Duly seconded by Supervisor:

The following resolution is adopted:

**RESOLUTION APPROVING FINDINGS FOR LOCAL AMENDMENTS TO THE
2022 CALIFORNIA BUILDING STANDARDS CODE, DIRECTING THE
FINDINGS AND AMENDMENTS BE FILED WITH THE CALIFORNIA
BUILDING STANDARDS COMMISSION, DETERMINING THAT
ENACTMENT OF THE LOCAL AMENDMENTS IS EXEMPT FROM
FURTHER REVIEW UNDER CEQA, AND DIRECTING A NOTICE OF
EXEMPTION TO BE FILED**

WHEREAS, on December 6, 2022, the Board amended Chapter 7.92 of the Santa Cruz County Code (“Fire Code”), to incorporate relevant provisions of the 2022 California Building Standards Code and to make certain modifications to the Fire Code authorized by California Health and Safety Code section 17958.7; and

WHEREAS, California Health and Safety Code Section 17958.7 allows local governments to adopt technical amendments to State Building Standards if more restrictive standards are found reasonably necessary to address local climatic, geological, or topographical conditions, express findings are made for each modification, and a copy of the findings, together with the modification expressly marked and identified to which each finding refers, is filed with the California Building Standards Commission; and

WHEREAS, the Santa Cruz County Board of Supervisors finds that additional technical amendments of the 2022 California Building Standards Code related to the definition of open burn season and the requirement to obtain permits required to kindle fires outdoors (the “2025 Amendments”) are necessary for the health, safety and general welfare of Santa Cruz County residents to address local climatic, geological, or topographical conditions that result in elevated fire hazards; and

WHEREAS, the project to adopt additional amendments to the 2022 California Building Standards Code is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility the enactment of the ordinance will have a significant effect on the environment;

Resolution _____

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors determines that enactment of the 2025 Amendments is exempt from further review under CEQA, and directs staff to file the Notice of Exemption in Exhibit A, and be it further resolved and ordered that the Board of Supervisors hereby adopts express findings for the 2025 Amendments, as contained in Exhibit B, and directs staff to file the technical amendments and these associated findings with the California Building Standards Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

Felipe Hernandez
Chair of the Board of Supervisors

ATTEST: _____

Juliette Rezzato
Clerk of the Board

Approved as to Form:

Signed by:
 5/5/2025

Assistant County Counsel
Office of the County Counsel

Attachment(s): Exhibit A
 Exhibit B

Resolution _____

Exhibit A

NOTICE OF EXEMPTION

To: Clerk of the Board
Attn: Juliette Rezzato
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: Amendment of County Fire Code
Project Location: Countywide
Assessor Parcel No.: Not applicable
Project Applicant: County of Santa Cruz
Project Description: Ordinance Amending Section 7.92.307.2 of the Santa Cruz County Code regarding open burn season and permits required to kindle fires.
Agency Approving Project: County of Santa Cruz
County Contact: Paola Echeverria Telephone No. (831)454-2709
Date Completed: April 11, 2025

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above described project on _____, and found the project to be exempt from CEQA under the following criteria:

Exempt status: *(check one)*

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
☒ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

☐ **Categorical Exemption**

Class 1

Reasons why the project is exempt:

These ordinance amendments are exempt under CEQA Guidelines Section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the adoption of the State codes with local amendments may have a significant effect on the environment. Therefore, the activity is not subject to CEQA. None of the conditions described in Section 15300.2 apply to this project.

Signature: _____

Date: _____

Title: Environmental Coordinator

Resolution _____

Exhibit B

Santa Cruz County Findings for Amendments to the 2022 California Building Standards Code

A. Administrative: This amendment is necessary for administrative clarification and effective local enforcement of outdoor burning regulations, and does not modify a Building Standard pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18909. It clarifies permit requirements for kindling fires outdoors, distinguishes jurisdictional responsibilities between CAL FIRE and local fire chiefs, defines the timing and conditions of the open burn season for Santa Cruz County, and specifies applicant obligations regarding additional permits from the Monterey Bay Air Resources District (MBARD).

C. Climatic: This amendment is justified on the basis of local climatic conditions.

Santa Cruz County is known to experience drought conditions, leading to dry vegetation, particularly in its valleys, canyons, and ravines. These factors, combined with high fire hazard conditions, can result in destructive wildfires, such as the Summit, Trabing and Martin Fires in 2008. Additionally, the lack of sufficient rainfall exacerbates fire dangers, and the wildfire risk is amplified in areas with insufficient water resources for firefighting efforts.

The County's weather patterns contribute to the rapid spread of fires, especially in areas where urban development and wildlands intersect. These factors, including wind conditions during the dry season, create an environment where fires can spread quickly and pose severe threats to both structures and natural resources.

Due to these climatic conditions, the proposed amendments aim to mitigate fire risks and improve fire safety protocols, especially in the context of outdoor burning activities.

G. Geologic: This amendment is justified on the basis of local geologic conditions.

The County is subject to earthquake hazards due to its proximity to several active fault zones, including the San Andreas, Butano, Zayante, Corralitos, and San Gregorio. The epicenter of the 1989 Loma Prieta Earthquake, which was located within Santa Cruz County, caused widespread damage to structures and underscored the vulnerability of the County's infrastructure during seismic events. Additionally, underwater earthquakes on faults off the coast of Monterey Bay, or earthquakes from other regions, can cause devastating damage to property and structures from tsunamis, particularly when exacerbated by flooding in streams and rivers.

Areas of Santa Cruz County are subject to major disasters such as earthquakes, flooding, landslides, and major wildland fires, which greatly limit traditional fire suppression capabilities for individual property protection. As witnessed in the 1989 Loma Prieta Earthquake, a major seismic event can create a substantial demand on fire protection services.

Resolution _____

These seismic and geological hazards, along with the risk of landslides and flooding, highlight the need for clear and enforceable fire safety standards. The outdoor burning regulations are part of a broader strategy to reduce fire hazards that could be exacerbated by these geological factors, thereby enhancing the safety of the County's community.

T. Topographic: This amendment is justified on the basis of local topographic conditions.

The County's topography includes significant hillsides with steep bluffs, slopes and ravines, with a history of landslides, slope failures, runoff, erosion and flooding. Dry vegetation during high fire hazard conditions in this topography can produce destructive wildfires, such as the Summit, Trabing and Martin Fires in 2008. In addition, the County has numerous properties and structures located within known active flood hazard areas and coastal high hazard areas which will continue to experience increased risks from flooding, storm surges, wave attacks, tsunamis and seiches.

Areas of Santa Cruz County are extraordinarily inaccessible for firefighting purposes due to their mountainous topography. Most of the roadways connecting the community are classified as rural arterial and collector roads. These roadways, in many cases, do not allow for 2-way traffic to safely pass. Additionally, during events such as wildfires, earthquakes and flooding, the roadways have proven to be less than adequate for the response of emergency vehicles.

Due to these local topographic conditions, the modifications and changes cited herein are designed to better protect the structures and the safety of the community. Controlling outdoor burning activities and ensuring that safety measures are in place will reduce the risk of large-scale wildfires in the County's challenging environment.

Certificate Of Completion

Envelope Id: 0382B684-2BC0-42FD-A069-16E787B5A789

Status: Completed

Subject: Complete with Docusign: 6. Resolution Adopting Findings re 2025 Fire Code Amendment

Source Envelope:

Document Pages: 5

Signatures: 1

Envelope Originator:

Certificate Pages: 4

Initials: 0

Paola Echeverria

AutoNav: Enabled

701 Ocean Street

Envelopeld Stamping: Enabled

Santa Cruz, CA 95060

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Paola.Echeverria@santacruzcountyca.gov

IP Address: 10.103.81.9

Record Tracking

Status: Original

Holder: Paola Echeverria

Location: DocuSign

5/5/2025 2:29:15 PM

Paola.Echeverria@santacruzcountyca.gov

Security Appliance Status: Connected

Pool: FedRamp

Storage Appliance Status: Connected

Pool: County of Santa Cruz

Location: Docusign

Signer Events

Signature

Timestamp

Arthur Wille

arthur.wille@santacruzcountyca.gov

County of Santa Cruz

Assistant County Counsel

Security Level: Email, Account Authentication (None)

Signed by:

FD318C222C994D0...

Sent: 5/5/2025 4:23:46 PM

Viewed: 5/5/2025 5:00:58 PM

Signed: 5/5/2025 5:01:51 PM

Signature Adoption: Pre-selected Style

Using IP Address: 75.194.160.49

Electronic Record and Signature Disclosure:

Accepted: 5/5/2025 5:00:58 PM

ID: f8716e9a-7af1-40c5-bf9b-f277d0f63e55

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent

Hashed/Encrypted

5/5/2025 4:23:46 PM

Certified Delivered

Security Checked

5/5/2025 5:00:58 PM

Signing Complete

Security Checked

5/5/2025 5:01:51 PM

Completed

Security Checked

5/5/2025 5:01:51 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.