

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Randy Rowse
Mayor Pro Tempore
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Frank Hotchkiss
Cathy Murillo
Bendy White



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**OCTOBER 22, 2013
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
2:00 p.m. - City Council Meeting

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: Fiscal Year 2013 Year-End Results For The General Fund (120.03)

Recommendation: That the Finance Committee recommend that Council:

- A. Hear a report from staff regarding the final results of operations, including final reserve balances, for the General Fund for Fiscal Year Ended June 30, 2013; and
- B. Approve the proposed adjustments to Fiscal Year 2013 estimated revenues and appropriations as detailed in the schedule of Proposed Budget Adjustments.

(See Council Agenda Item No. 14)

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring October 20-25, As National Friends Of Libraries Week (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of October 8, 2013.

3. Subject: Junior High Afterschool Sports Program (570.06)

Recommendation: That Council authorize the Parks and Recreation Director to enter into an agreement with the Santa Barbara Unified School District (SBUSD) to conduct the Junior High Afterschool Sport League.

4. Subject: Contract For Drafting Services For The Fiscal Year 2014 Water Main Replacement Project (540.06)

Recommendation: That Council authorize the Public Works Director to execute a standard City Professional Services contract with O'Brien & Wall in the amount of \$47,970 for drafting services for the Fiscal Year 2014 Water Main Replacement Project, in a form of agreement acceptable to the City Attorney, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of O'Brien & Wall that may result from necessary changes in the scope of work.

5. Subject: Approval Of Map And Execution Of Agreements For 1712 Anacapa Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,788 for a subdivision at 1712 Anacapa Street (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision; and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

6. Subject: Introduction Of Ordinance For 2013 Fire Code Adoption (520.03)

Recommendation: That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Santa Barbara Municipal Code Chapter 8.04 and Adopting a New Chapter 8.04 Adopting by Reference the 2013 Edition of the California Fire Code, as Published by the California Building Standards Commission, Including Appendix Chapter 4 and Appendices B, BB, C, CC and H of that Code, with Local Amendments.

CONSENT CALENDAR (CONT'D)

7. Subject: Local Amendments To California Building Codes (640.04)

Recommendation: That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California State Building Codes and Other Related Codes; Adopting Local Revisions to Those Codes; and Repealing Ordinance Number 5536.

NOTICES

8. The City Clerk has on Thursday, October 17, 2013, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
9. A City Council site visit is scheduled for Monday, October 28, 2013, at 1:30 p.m. to the property located at 1330 Chapala Street, which is the subject of an appeal hearing set for October 29, 2013, at 2:00 p.m.
10. Receipt of communication advising of vacancy created on the Creeks Advisory Committee with the resignation of Stephen Macintosh; the vacancy will be part of the next City Advisory Group recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

11. Subject: State Water Project Contract Extension (540.08)

Recommendation: That Council receive a presentation on the role of State Water in Santa Barbara's water supply, on the State Water Project contract extension, and on the Bay Delta Conservation Plan.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Casa Esperanza Programmatic Changes (230.06)

Recommendation: That Council:

- A. Amend the City's Program Year 2013-14 Annual Action Plan;
- B. Approve a Revision to Casa Esperanza's Community Development Block Grant Agreement for Day Center Services #24,420; and
- C. Authorize the Assistant City Administrator to execute an Agreement with Casa Esperanza for the operation of the Winter Shelter from December 1, 2013 through March 31, 2014, subject to City Attorney approval as to form.

13. Subject: Review Of Fiscal Year 2015 Human Services And Community Development Block Grant Funding Priorities, Application Release And Funding Process (610.05)

Recommendation: That Council:

- A. Review and provide input and direction to the Community Development and Human Services Committee (CDHSC) on proposed funding priorities and preferences for the Fiscal Year 2015 Human Services and Community Development Block Grant allocation process;
- B. Authorize staff to release the Fiscal Year 2015 funding application along with the committee application review process, criteria and schedule; and
- C. Establish a funding commitment from the Fiscal Year 2015 General Fund in the amount of \$640,821 for the Human Services Program.

FINANCE DEPARTMENT

14. Subject: Fiscal Year 2013 Year-End Results For The General Fund (230.05)

Recommendation: That Council:

- A. Hear a report from staff regarding the final results of operations, including final reserve balances, for the General Fund for Fiscal Year Ended June 30, 2013; and
- B. Approve the proposed adjustments to Fiscal Year 2013 estimated revenues and appropriations as detailed in the schedule of Proposed Budget Adjustments.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

15. Subject: Conference With Labor Negotiator (440.05)

Recommendation: Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General Bargaining Unit, Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

16. Subject: Conference with Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider possible litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed. (one potential case)

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: October 22, 2013

Dale Francisco, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Cathy Murillo

James L. Armstrong
City Administrator

Robert Samario
Finance Director

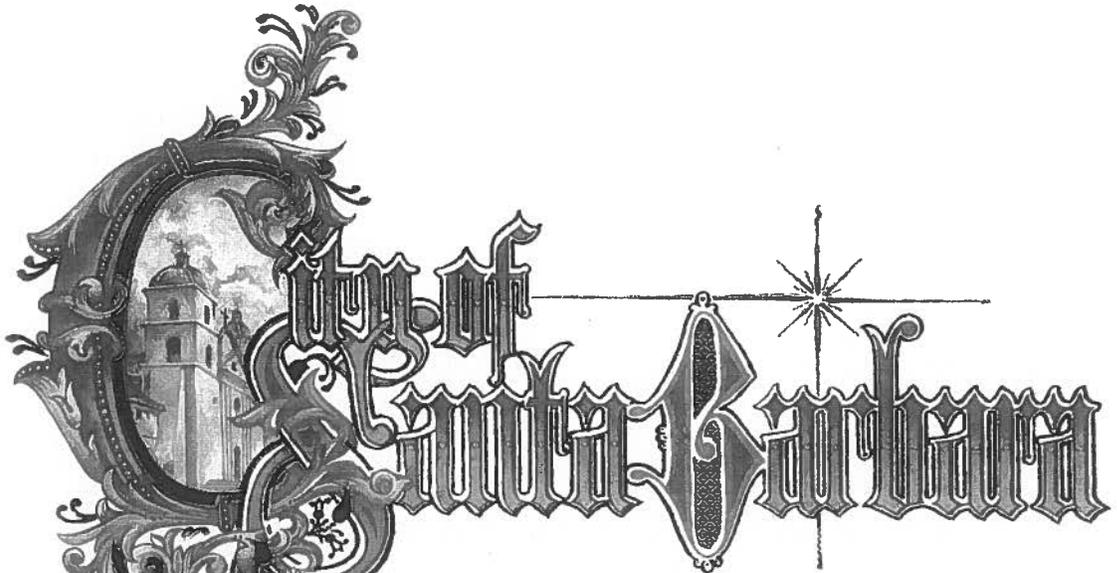
ITEM TO BE CONSIDERED:

Subject: Fiscal Year 2013 General Fund Year-End Results

Recommendation: That the Finance Committee recommend that Council:

- A. Hear a report from staff regarding the final results of operations, including final reserve balances, for the General Fund for Fiscal Year Ended June 30, 2013; and
- B. Approve the proposed adjustments to Fiscal Year 2013 estimated revenues and appropriations as detailed in the schedule of Proposed Budget Adjustments.

(See Council Agenda Item No. 14)



PROCLAMATION

**NATIONAL FRIENDS
OF
LIBRARIES WEEK
October 20-26, 2013**

WHEREAS, the work of the Friends of the Santa Barbara Public Library highlights on an ongoing basis the fact that our library is a cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to present; and

WHEREAS, the Friends raise money that helps to take our library from very good to great—providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year; and

WHEREAS, the Friends of the Santa Barbara Public Library understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to people of all ages, including access to print and electronic materials, expert assistance in research, readers’ advisory, and children’s services; and

WHEREAS, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community

NOW THEREFORE, I, HELENE SCHNEIDER, by the power vested in me as Mayor for the City of Santa Barbara in the State of California, do hereby proclaim October 20 - 26, 2013, as NATIONAL FRIENDS OF LIBRARIES WEEK in Santa Barbara and urges everyone to join the Friends of the Santa Barbara Public Library and thank them for all they do to make our library and community so much better.

IN WITNESS WHEREOF, I HELENE SCHNEIDER have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 22th day of October, 2013.

HELENE SCHNEIDER
Mayor



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 8, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: Acting City Administrator Paul A. Casey, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring October 11, 2013, As International Day Of The Girl (120.04)**

Action: Proclamation presented to Monica Spear, Executive Director of Girls Inc. of Greater Santa Barbara.

PUBLIC COMMENT

Speakers: David Daniel Diaz, Dr. James Chappell, Flora West, Je Goolsby, Cruzito Herrera Cruz, Steve Reynalds.

CONSENT CALENDAR (Item Nos. 2 – 11)

The titles of the resolutions and ordinances related to Consent Calendar items were read.

Motion:

Councilmembers Murillo/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 24, 2013.

Action: Approved the recommendation.

3. Subject: Local Coastal Program Amendment For 415 Alan Road (650.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Local Coastal Program Amendment for the Property at 415 Alan Road - Parcel B.

Action: Approved the recommendation; Resolution No. 13-084 (October 8, 2013, report from the Assistant City Administrator/Community Development Director; proposed resolution).

4. Subject: Recommendation By The Fire And Police Commission To Modify The City's Tow Service Rules And Regulations (520.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Changes Made to the Tow Rules and Regulations by the Fire and Police Commission Pursuant to Santa Barbara Municipal Code Chapter 5.30.

Speakers:

Staff: Police Captain David Whitham.

Action: Approved the recommendation; Resolution No. 13-085 (October 8, 2013, report from the Chief of Police; proposed resolution).

5. Subject: Introduction Of Ordinance For Consent To Sublease Amendment Between Signature Flight Support Corporation And Fidelity National Financial, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Consent to Amendment of Sublease No. 200855 Between Signature Flight Support Corporation, a Delaware Corporation, and Fidelity National Financial, Inc., a Delaware Corporation, Dated as of October 15, 2013, Amending the "Term" of the Sublease to Make it Coterminous With That of the Master Lease, July 31, 2016.

Action: Approved the recommendation (October 8, 2013, report from the Airport Director; proposed ordinance).

6. Subject: Adoption Of Ordinance For Gas Franchise (380.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Granting Southern California Gas Company a Franchise to Install, Use, Maintain, Repair and Replace Pipes and Appurtenances for the Purpose of Transmitting and Distributing Natural Gas for Any and All Purposes Within the City of Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5634.

7. Subject: Fiscal Year 2014 Interim Financial Statements For The Two Months Ended August 31, 2013 (250.02)

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Two Months Ended August 31, 2013.

Action: Approved the recommendation (October 8, 2013, report from the Finance Director).

8. Subject: Professional Services Agreement To Conduct Recruitment And Selection Process For A New City Attorney (450.01)

Recommendation: That Council:

- A. Approve, and authorize the City Administrator to execute, an agreement with Ralph Andersen and Associates to conduct a City Attorney recruitment and selection process for a total cost not to exceed \$29,500; and
- B. Allocate \$29,500 from the Appropriated Reserve of the General Fund to the Mayor & Council's Fiscal Year 2014 budget to cover recruitment costs for a new City Attorney.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendations; Agreement No. 24,635 (October 8, 2013, report from the Assistant City Administrator).

9. Subject: Contract For Development Of Wastewater Collection System Hydraulic Computer Model (540.13)

Recommendation: That Council approve and authorize the Public Works Director to execute a contract with Water Systems Consulting, Incorporated, in the amount of \$183,845 for Wastewater Collection System hydraulic modeling services, and approve expenditures of up to \$18,385 for extra services of Water Systems Consulting, Incorporated, that may result from necessary changes in the scope of work, for a total of \$202,230.

Action: Approved the recommendation; Contract No. 24,636 (October 8, 2013, report from the Public Works Director).

NOTICES

10. The City Clerk has on Thursday, October 3, 2013, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
11. A City Council site visit scheduled for Monday, October 14, 2013, at 1:30 p.m. to the property located at 2946 De La Vina Street, has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Rancho Arroyo Specific Plan Amendment And Zone Change Initiation (640.09)

Recommendation: That Council:

- A. Initiate an Amendment to the Rancho Arroyo Specific Plan to allow the following additional uses on Area A-2 (251 S. Hope Avenue/Assessor's Parcel No. 051-240-008): State-Licensed Senior Residential Care Facility with a Conditional Use Permit, Community Benefit Housing, and Recreation/Open Space; and

(Cont'd)

12. (Cont'd)

- B. Initiate a Zone Change to Rancho Arroyo Specific Plan Area A-2 (251 S. Hope Avenue/Assessor's Parcel No. 051-240-008) from E-3 (One Family Residence Zone) to R-3 (Limited Multiple Family Residence Zone).

Councilmember White stated he would abstain from participating in this matter due to a potential conflict of interest related to his investment in a dementia care facility. He left the meeting at 2:29 p.m.

Documents:

- October 8, 2013, report from the Assistant City Administrator/Community Development Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- September 30, 2013, letter from Richard Graham, President of Graham Chevrolet • Cadillac.
- October 1, 2013, letter from Edward Steinfeldt.

Public Comment Opened:
2:30 p.m.

Speakers:

- Staff: Associate Planner Daniel Gullett, City Attorney Stephen Wiley, Senior Planner Daniel Kato, Acting City Administrator Paul Casey.
- Applicant: Don Pitarre, Pacific Summit Development; Property Owner Don Hughes.
- Members of the Public: Matt and Jessica Graham, Graham Chevrolet; Jean Parks.

Public Comment Closed:
3:12 p.m.

Motion:

Councilmembers House/Murillo to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember White).

Councilmember White returned to the meeting at 3:32 p.m.

PARKS AND RECREATION DEPARTMENT

13. Subject: Resolution And Appropriation Of \$1,050,000 For Purchase Of Property At 3780 Foothill Road And Initial Planning Costs For A Creek Restoration And Water Quality Improvement Project (540.14)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Real Property Located at 3780 Foothill Road, and Authorizing the Parks and Recreation Director to Execute an Agreement for Acquisition of Real Property with Escrow Instructions and All Related Documents That May Be Required, All Subject to Review and Approval as to Form by the City Attorney, Relating to a Future Creek Restoration and Water Quality Improvement Project, and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara; and
- B. Increase appropriations by \$1,050,000 in the Creeks Restoration and Water Quality Improvement Fund from available reserves to cover the purchase of real property located at 3780 Foothill Road and associated conservation and access easements, and related escrow, testing, inspection, and preliminary planning costs.

Documents:

- October 8, 2013, report from the Parks and Recreation Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

Staff: Creeks Restoration/Clean Water Manager Cameron Benson.

Motion:

Councilmembers White/Francisco to approve the recommendations; Resolution No. 13-086; Agreement No. 24,637.

Vote:

Unanimous roll call vote.

Councilmember Francisco left the meeting at 3:41 p.m.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White commented on the event held to celebrate the 90th anniversary of the City's Planning Commission and the Commission's role in the City's orderly development.

(Cont'd)

Information (Cont'd)

- Councilmember Rowse mentioned his attendance at the ribbon cutting for the new downtown PathPoint facility.
- Councilmember House remarked upon the Community Action Commission's annual fiscal audit and the impact of the federal sequester on funding for local social services.
- Councilmember Murillo reported on her attendance at the following events/meetings: 1) the swearing-in of new City police officers; 2) a meeting of the Rental Housing Mediation Task Force, where the process to resolve landlord/tenant disputes was discussed; and 3) the 50th anniversary of the Alano Club of Santa Barbara.
- Councilmember Hotchkiss commented on his attendance at the reception held for California Arts Day and the 2013 AIDS Walk on Cabrillo Boulevard.
- Mayor Schneider reported on Santa Barbara's 2013 Alzheimer's Walk held last Saturday, and on the ribbon cutting for the new "Pickle Room" at the site of the former Jimmy's Restaurant on Canon Perdido Street.

RECESS

Mayor Schneider recessed the meeting at 3:47 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 14. She stated no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara, SBSC Case No. 1383959*.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 8, 2013, report from the City Attorney.

Time:

3:50 p.m. – 3:55 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Junior High Afterschool Sports Program

RECOMMENDATION:

That Council authorize the Parks and Recreation Director to enter into an agreement with the Santa Barbara Unified School District (SBUSD) to conduct the Junior High Afterschool Sport League.

DISCUSSION:

Each year, the City and SBUSD enter into agreements to define terms and budgets for the administration of afterschool recreation programs. The programs are an important City service that provides essential support to families during the crucial afterschool hours. National statistics show that the afterschool hours, between 3:00 to 6:00 p.m., have the highest incidents of juvenile crime and youth engaging in inappropriate behaviors.

The Junior High Afterschool Sports Program has been offered for over 20 years on all four junior high campuses through collaboration with the SBUSD, and during the last two years with the Santa Barbara Police Activities League (PAL) as the lead organizing agency. This last spring, SBUSD approached the City with a proposal to take over as lead organizer and implement the program utilizing certificated teachers and coaches with the hope of increasing student numbers. Since teachers have the best chance of engaging student participation, the City accepted the proposal and PAL redirected their energy and resources to other activities.

The program will continue to offer flag football, basketball, and soccer leagues, free to all junior high age participants, seasonally through the year. The City also coordinates two programs on the campuses with non-profits: Club West cross country running, and BiCi Centro bike safety and repair class.

BUDGET/FINANCIAL INFORMATION:

This City's program support remains unchanged at \$20,000 and is included in the Fiscal Year 2014 Parks and Recreation Department General Fund budget.

SUMMARY:

The Parks and Recreation Department recommends that the City continue support of the junior high afterschool programs. The Junior High Afterschool Sports Program agreement was approved on the September 24, 2013, SBUSD Board of Education agenda. The agreement is for one year ending June 30, 2014.

PREPARED BY: Sarah Hanna, Recreation Programs Manager

SUBMITTED BY: Nancy L. Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Drafting Services For The Fiscal Year 2014 Water Main Replacement Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a standard City Professional Services contract with O'Brien & Wall in the amount of \$47,970 for drafting services for the Fiscal Year 2014 Water Main Replacement Project, in a form of agreement acceptable to the City Attorney, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of O'Brien & Wall that may result from necessary changes in the scope of work.

DISCUSSION:

The City's engineering staff is currently working on the design of the Fiscal Year 2014 Water Main Replacement Project (Project). The Project will replace approximately 11,900 linear feet of water main throughout the City. The water mains slated for replacement were selected by considering numerous criteria including age, break history, pipe material, water demands, and fire flows. Staff is requesting approval to contract for drafting services to support in-house design and ensure that this important annual project is designed and constructed in a timely manner.

CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with O'Brien & Wall (Wall) in the amount of \$47,970 for drafting services.

Wall was selected through a Request For Proposal (RFP) process. Three RFP's were issued, and two proposals were received. Wall was selected because they had the best understanding of the project and level of effort needed to successfully complete the Project, based on the requirements set forth in the RFP. Wall has successfully completed many similar projects for the City.

Staff also recommends that Council authorize the Public Works Director to approve change orders up to \$5,000 for extra services that may result from necessary changes in the scope of work, for a total amount of \$52,970.

COMMUNITY OUTREACH

It is anticipated that there will be two methods used for Community Outreach during the design and construction phases. Mailers will be sent out two to three months ahead of construction to alert residents of the pending work. During construction, door hangers will be used to communicate with those directly impacted by the work.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

| | |
|--|--------------------|
| Design (by City) | \$157,000 |
| Drafting Services w/Extra Services Allowance (by consultant) | \$52,970 |
| Other Design Costs (Public Outreach, printing, environmental review) | \$15,000 |
| Subtotal | \$224,970 |
| Construction Contract w/Change Order Allowance | \$2,640,000 |
| Construction Management/Inspection (by City) | \$210,000 |
| Other Construction Costs (material testing) | \$5,000 |
| Subtotal | \$2,855,000 |
| TOTAL PROJECT COST | \$3,079,970 |

There are sufficient appropriated funds in the Water Capital Fund to cover the Project costs.

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/CW/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Map And Execution Of Agreements For 1712 Anacapa Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,788 for a subdivision at 1712 Anacapa Street (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision; and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

DISCUSSION:

A Tentative Map for a subdivision located at 1712 Anacapa Street (Attachment 1) was conditionally approved on October 8, 2009, by adoption of the Planning Commission (PC) Conditions of Approval, Resolution Number 040-09 (Attachment 2). The project involves the subdivision of a 23,160 square foot parcel into 3 new residential parcels.

In accordance with the Planning Commission approval, the Owner(s) (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit Number PBW2010-00002. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, and the *Agreement for Land Development Improvements*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

- ATTACHMENT(S):**
1. Vicinity Map
 2. Conditions that are required to be recorded concurrent with Parcel Map Number 20,788 by the Planning Commission Conditions of Approval, Resolution Number 040-09
 3. List of Owners/Trustees

PREPARED BY: Mark Wilde, Supervising Civil Engineer/DAS/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
1712 Anacapa



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH
PARCEL MAP NUMBER 20,788 BY PLANNING COMMISSION CONDITIONS OF
APPROVAL, RESOLUTION NO. 040-09

1712 ANACAPA STREET

Said approval is subject to the following conditions:

Recorded Conditions Agreement. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director, and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on **October 8, 2009**, is limited to 3 lots (Lot 1 will be 8,140 square feet with a maximum of 2 dwelling units, Lot 2 will be 7,000 square feet with a maximum of 1 dwelling unit, and Lot 3 will be 7,850 square feet with a maximum of 2 dwelling units) for a total maximum of 5 dwelling units and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. Any second units developed on Lots 1 and 3 will be restricted to 600 square feet.
2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Design Review Board.
4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Design Review Board. Such plan shall not be modified unless prior written approval is obtained from the Design Review Board. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the Design Review Board, the owner is responsible for its immediate replacement. The following tree protection measures shall be incorporated:
5. **Oak Tree Protection.** The existing oak tree(s) shown on the Tentative Subdivision Map, Tree Protection Plan and Landscape Plan shall be preserved, protected, and maintained (in accordance with the recommendations contained in the Arborist's Report prepared by Peter Win, Westree, dated December 8, 2008. A copy of this report shall be attached to the recorded conditions as an exhibit. During construction, protection measures shall be provided, including but not limited to fencing of the area surrounding the tree(s).) The following provisions shall apply to any oak trees to remain on the property:

- a. No irrigation systems shall be installed within three feet of the drip line of any oak tree.
 - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
- 6. Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
- 7. Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants (CC&R's), a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the parcels.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.

- e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

ATTACHMENT 3

LIST OF OWNERS

1712 Anacapa Street

1712 Anacapa Street, LLC

Janice Izzi, Manager

Lyman Orton, Manager



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Fire Prevention Bureau, Fire Department

SUBJECT: Introduction Of Ordinance For 2013 Fire Code Adoption

RECOMMENDATION:

That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Santa Barbara Municipal Code Chapter 8.04 and Adopting a new Chapter 8.04 Adopting by Reference the 2013 Edition of the California Fire Code, as Published by the California Building Standards Commission, Including Appendix Chapter 4 and Appendices B, BB, C, CC and H of that Code, with Local Amendments.

DISCUSSION:

In 2007 the State of California and local jurisdictions within the State adopted the International Fire Code, with State and local amendments. The International Fire Code is part of a greater series of model codes that includes the International Building Code, also published by the International Code Council (ICC). Both were adopted by the State under Title 24 of the California Code of Regulations, Part 9 and Part 2 respectively. The codes are on a three year revision cycle and in 2010 we revised the California versions of the international codes and readopted them under Ordinances 5535 and 5536. The codes are once again at the end of a three year cycle and the new California Codes will go into effect January 1, 2014. The State of California has completed amendments to the codes as of July 1, 2013 and local jurisdictions have 180 days to further amend them before they become law. In 2007 and again in 2010, Council adopted the California Fire Code, which was further amended based on local conditions as the Santa Barbara Fire Code. We are currently at the start of another three year cycle.

As we have in the past, local amendments to the code are kept to a minimum and are designed to address situations based on local conditions. We adopt this code together with companion codes adopted by Building and Safety Division such as the California Building Code and California Residential Code. Our coordinated approach and joint adopted sections make the city codes consistent and easily understood by stakeholders. Areas of common interest such as the Board of Appeals protocols and High Fire Hazard Area construction requirements are finalized between the affected city

divisions before incorporation into the respective ordinances. In this way we attempt to eliminate ambiguous or contradictory language and other potential conflicts. The attachment with this report summarizes our edits to adopted sections.

On October 15, 2013 staff presented a draft of the ordinance to the Ordinance Committee. The summary of local amendments was explained and the Ordinance Committee voted unanimously to send the ordinance to the full City Council for introduction.

Staff recommends that Council introduce and adopt the ordinance by reading of title only. If the Council does so, the ordinance will be presented for formal adoption on October 29, 2013. The City's ordinance would be effective as of January 1, 2014, when the state codes go into effect.

ATTACHMENT: Summary of Local Amendments, California Fire Code

PREPARED BY: Joseph Poiré, Fire Marshal

SUBMITTED BY: Patrick McElroy, Fire Chief

APPROVED BY: City Administrator's Office

Attachment

Santa Barbara City Fire Department

2012 International Fire Code / 2013 California Fire Code Adoption Summary of Amendments

October 22, 2013

MC = Municipal Code, CFC = International or California Fire Codes

| # | Chapter/Section | Title | Concept | Type(new, existing CFC / MC deleted or revised) | Findings |
|----|--|---|--|---|----------|
| 1. | Chapter 1 Division II / Sec 103 & 103.1 | Fire Prevention Bureau | Updates International Code language referring to "Prevention Department"; replaces with "Fire Prevention Bureau" | Existing, updated CFC / MC | NA |
| 2 | Chapter 1, Division II / Sec. 103.3.1 | Fire Prevention Bureau Personnel and Police | Part of the organization of the Fire prevention Bureau, carried over from the existing code, citing authority of fire code officials. | Existing, CFC / MC | NA |
| 3 | Chapter 1 Div II Sec. 104.10 | Fire Investigations | Existing language from the 2010 California Fire Code, with minor word changes for clarity, citing authority to investigate. | Existing, CFC / MC | NA |
| 4 | Chapter 1/ Division II Sec.108 | Board of Appeals | Base code appeal sections, deleted to allow for local appeals sections below. | Deleted | NA |
| 5 | Chapter 1/ Division II. Sec 109.4 | Violation Penalties | Completes the IFC section 109 by describing violations of the code as a misdemeanor, consistent with current language. Minor section number change | Existing, CFC / MC | NA |
| 6 | Chapter 1/ Division II Sec. 114.1.1 through 114.1.8 | Building and Fire Code Board of Appeals | Readopts existing local provisions for a joint Building and Fire Code Board of appeals. Companion section to California Building Code Section 113. | Existing, CFC / MC, | NA |
| 7 | Chapter 3 / Section 308.1.4 | Open Flame cooking devices | Deleted and new sections added below as in the 2010 adoption, | Existing, MC | NA |
| 8 | Chapter 3 / Section 308.1.4.1 | Open Flame cooking Devices | Existing section in the local code, again amending the CFC. IFC 308.1.4, which prohibited charcoal barbeques on most apartment patio's and decks within 10 feet of any combustible element, a section that is unenforceable. Not adopted by the state. | MC / Existing | NA |
| 9 | Chapter 3 / Section 308.1.4.1 | Liquefied- petroleum gas fueled cooking devices. | Amends the section to allow standard sized (5 gallon) propane barbeques on apartment decks / balconies. | MC / Existing | NA |
| 10 | Chapter 3/ Section 317.1.1 | Rooftop Gardens and Landscaped Roofs | Moves the Fire Department standard prohibiting vegetated roofs in the High Fire Hazard areas to Chapter 3, | New | Y |

| | | | | | |
|----|---|---|--|---|------|
| 11 | Chapter 4 | Emergency Planning and Preparedness | As in 2010, this chapter not adopted either locally or at the state level. Chapter 4 conflicts with or duplicates state regulations (Title 19) in several sections; has additional requirements in conflict with or not desirable under local conditions. | Deleted | NA |
| 12 | Chapter 5 / Section 503.1 through 503.5.2 | Fire Apparatus Access Roads | Amends the access sections to meet existing local requirements of 20 feet in width for commercial and 16 feet in width for residential to within 150 feet of exterior walls. Minor changes to the exceptions allowed for the 150 foot requirement, adding language to #1 that maintains current local standards for grade, cross slope turning radius and dead ends. | Existing, CFC / MC, minor revisions | Yes |
| 13 | Chapter 5 / 503.5.1.1 and 503.5.1.2 | Secured Gates and barricades | One section amended, one added to the access roadways, dealing with the closure of certain roadways due to fire danger. Minor revisions to the "tampering" with locked gates section and the new section prohibits parking vehicles in a manner that blocks closed gates. | Existing MC | Yes? |
| 14 | Chapter 5 / Section 505.1.1 | Premise Identification, Mixed use occupancy | Refers to local municipal code section 8.04.030 regarding mixed use occupancy signs to clarify that they are required in both existing and new construction. | Existing MC | Yes |
| 15 | Chapter 5 / Section 505.3 | Directory | Maintains the existing requirement for a project directory when required by the fire code official. Minor wording changes. | Existing MC | Yes |
| 16 | Chapter 5 / Section 507.through 507.5.6 | Required Water Supply | The basic fire flow requirements of Chapter 5 were adopted by the state, along with Appendix B of the International; Code. The state then leaves local jurisdictions to either use Appendix B or any "approved method" without further definition. These sections outline the locally approved method and are a readoption of our existing fire-flow requirements for new construction. | Existing MC | Yes |
| 17 | Chapter 9 / Section 903.2.20 | Automatic Fire Sprinkler Systems | The California Fire Code provisions in Chapter 9 are less stringent than our existing requirements, in some cases allowing for assembly occupancies up to 12,000 square feet without sprinklers. Changes in Chapter 9 are similar to changes we made in 2007 when we amended to code with local sprinkler requirements, both commercial and later, residential. Once again this year the state divided sprinkler requirements and assigned residential sprinklers to the 2013 California Residential Code. We therefore moved our own residential sprinkler requirements to that code, under Section R313. Our commercial requirements remain in this chapter of both the Fire and Building Codes. | Existing MC, CFC, CBC & Cal. Residential Code | Yes |
| 18 | Chapter 9 / Section 907.2.30 | Fire Alarm Detection Systems | This section is a minor revision of our existing requirement for an automatic detection fire alarm in mixed use occupancies. We first | Existing, MC, CFC | Yes |

| | | | | | |
|----|--|---|--|-------------|-----|
| | | | authored this section in response to the proliferation of residential units above commercial occupancies throughout the city. The concept is to alert the residents in the event of a fire condition in the business occupancies below, especially at night when the business is closed. | | |
| 19 | Chapter 49 / Sections 4901 through 4909.13 | Requirements for Wildland Interface Areas | These sections were adopted in 2007 as Chapter 47,, which was later changed to Chapter 49. Local sections have been renumbered to match and supplement the state's adopted version of the code. Two new sections added (below) concerning landscape plants. Also added is a reference to the adoption of the 2004 Wildland Fire Plan as the City of Santa Barbara Community Wildfire Protection Plan (CWPP) in 2011. | Existing MC | Yes |
| 20 | Chapter 49/ Section 4906.1.2 | Flammable Vegetation | Clarifies language about landscape plants installed without a permit and cause for removal in the HFH areas | New | NA |
| 21 | Chapter 49 Section 4907.5 | Vines and Climbing ornamentals | Addresses the maintenance of existing vines and climbing plants attached to structures in the HFH areas. | New | NA |
| 22 | Chapter 56 / 5601.2 | Explosives and Blasting Agents | Formerly Chapter 33, renumbered by the publisher. Limits storage by Zone, excludes most of the city. Storage is limited to the industrial zone near the airport, by permit only | Existing MC | NA |
| 23 | 5601.3 and 5601.4 | Fireworks, Prohibition | State law allows for "safe and sane" fireworks. Maintains the current prohibition on all fireworks within the city limits, including safe and sane. Provides for confiscation. | Existing MC | Yes |
| 24 | Municipal Code Section 8.04.030 A and B | Fire Prevention Development Standards | A) Fire Zone 2 allows for on site water and other requirements in areas where there is no municipal water supply. B) Requires the mixed use occupancy sign, which identifies the presence of dwelling units for first responders when a new building combines residential and commercial occupancies. No proposed changes. | Existing MC | Yes |

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA REPEALING SANTA BARBARA MUNICIPAL CODE CHAPTER 8.04 AND ADOPTING A NEW CHAPTER 8.04 ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, AS PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, INCLUDING APPENDIX CHAPTER 4 AND APPENDICES B, BB C, CC AND H OF THAT CODE, WITH LOCAL AMENDMENTS

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings

Climatic Conditions

A. The City of Santa Barbara is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry winds, (“Sundowners”) which may reach speeds of 60 m.p.h. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. In addition, the high winds generated often cause road obstructions such as fallen trees. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires. In addition to directly damaging or destroying buildings, these fires also disrupt utility services throughout the area. The City of Santa Barbara and adjacent front country have a history of such fires, including the 1990 Painted Cave Fire and the 1977 Sycamore Canyon Fire. In 2007, the City was impacted by the back country Zaca Fire and by the Gap fire in 2008. The Tea Fire destroyed over 150 homes within the City in November of 2008 and the Jesusita Fire destroyed homes and property in much of the Santa Barbara front country in May of 2009.

B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Fire Department’s ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the City.

C. Water demand in this area challenges the quantity supplied by natural precipitation and, although the population continues to grow, the already-taxed water supply does not. The estimated population of California in 2006 was more than 36 million people. The state is projected to increase in population by nearly 10 million by the year 2030, with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water

allocation may not be fully dependable in many areas of the state. The city's core area continues to become more concentrated, with new multi-storied mixed-use structures whose occupants, along with the structures themselves, could be vulnerable to uncontrolled fires due to lack of available water. This necessitates the need for additional and on-site fire protection features.

D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems also reduce the use of water for firefighting by extinguishing fires at an early stage.

Topographical conditions:

A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Santa Barbara, especially in the High Fire Hazard areas such as the Foothill and Extreme Foothill zones. With much of the populated lower elevation areas already built upon, future residential growth is and will continue to occur on steeper slopes and in areas with greater constraints in terrain such as the Foothill and Extreme Foothill zones. Geographic and land-use constraints throughout the city have resulted in greater density along with a large number of mixed use projects, combining residential with commercial occupancies.

B. Traffic and circulation congestion is an ongoing problem throughout the region. Traffic flow in and through Santa Barbara is limited by the transverse Santa Ynez Mountains, which provide limited passage to the north, and the Pacific Ocean to the south. The narrow corridor that Highway 101 occupies is subject to traffic delays under normal conditions and emergency events can render the highway impassable. This has the double effect of preventing traffic from leaving the city and potentially preventing emergency workers, who often live out of town, from entering. This condition existed for several days during the La Conchita slide in 2005 and it disrupted the return of city workers who live in the Ventura area. At various times in the city's history, Highway 101 has also been closed north of the city due to mudslides, fires and flooding, most recently near Gaviota Pass, where a fire also temporarily closed the Rail access.

In addition, roads in the foothills are narrow, often steep and vulnerable to emergency conditions. Some of the older roadways are below current access standards and pose challenges to responding emergency vehicles, especially fire engines. These challenges are exacerbated in the event of an evacuation, particularly in the Foothill and Extreme Foothill zones.

C. These topographical conditions combine to create a situation which places fire department response time to fire occurrences at risk, and makes it necessary to

provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

Geological conditions:

The City of Santa Barbara region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Known faults in the city include the Lavigia, North Channel Slope, Mesa and Mission Ridge-More Ranch faults. Additional faults near the city would also be capable of disruption of services, including fire protection. The Southern California Earthquake Center predicts that there is an 80-90% probability of a magnitude 7.0 earthquake somewhere in Southern California before the year 2024. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Loma Prieta earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. In addition to gas mains, individual gas and electric service connections to residences may provide both fuel and ignition sources during a seismic event. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants.

B. Road circulation features located throughout Santa Barbara also make amendments reasonably necessary. There are major roadways, highways and flood control channels that create barriers and slow response times. Hills, particularly in the Foothill and Extreme Foothill zones, slopes, street and storm drain design accompanied by occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. Much of Sycamore Canyon lies in an area subject to geologic activity, as witnessed by the recent closure of the road due to the slide potential.

The climatic, topographical, and geological conditions described above make it prudent to rely upon automatic fire sprinkler systems and other fire protection measures to mitigate extended fire department response times. Automatic sprinklers, mixed use notification signs, fire alarms and other measures specified in this ordinance are intended to lessen life safety hazards and keep fires manageable with potentially reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Santa Barbara City Fire Department.

SECTION 2. Section 8.04.010 of the Santa Barbara Municipal Code is adopted to read as follows:

8.04.010 Adoption of California Fire Code by Reference

Subject to the amendments specified in Section 8.04.020 of this Code, the California Fire Code, as published by the California Building Standards Commission (2013 Edition), including Appendix Chapter 4 and Appendices B, BB, C, CC and H; and all standards and secondary codes referenced in said code are adopted by reference. This publication by the California Building Standards Commission shall be referred to as the California Fire Code.

With the amendments specified in Section 8.04.020 , the California Fire Code, as published by the California Building Standards Commission, shall be known as the City of Santa Barbara Fire Code. Said codes and any standards and secondary codes adopted by reference and the amendments therein, are on file and available for public inspection in the office of the City Clerk.

SECTION 3. Section 8.04.020 of the Santa Barbara Municipal Code is adopted to read as follows:

8.04.020 Amendments to California Fire Code

In response to local climatic, geological and topographical conditions, the 2013 California Fire Code, as adopted by reference in Section 8.04.010, is amended as follows:

A. Section 103”Department of Fire Prevention” is hereby retitled “Fire Prevention Bureau”.

B. [A] 103.1 “General” is deleted in its entirety and readopted to read as follows:

[A] 103.1 General. The Fire Prevention Bureau is established in the jurisdiction under the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.

C. [A] 103.3.1 “Fire prevention bureau personnel and police” is added to read as follows:

[A]103.3.1 Fire prevention bureau personnel and police. The fire code official and members of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

D. Section 104.10 “Fire investigations” is amended to read as follows:

[A] 104.10 Fire investigations. The fire code official is authorized to investigate promptly the cause, origin and circumstances of every fire, explosion or other hazardous condition occurring in the jurisdiction. In addition, the fire code official is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials in the jurisdiction. If it appears to fire code official that such incidents are of suspicious origin, the fire code official is authorized to take immediate charge of all physical evidence relating to the cause of the fire, explosion, hazardous condition, or release and is authorized to pursue the investigation to its conclusion.

[A]104.10.1 Assistance from other agencies. Police and other enforcement agencies are authorized to assist in the investigation of fires when requested to do so by the fire code official.

E. Section 108 “Board of Appeals” is deleted in its entirety without replacement.

F. Section [A]109.4 “Violation penalties” is amended to read as follows:

[A] Section 109.4 Violation penalties. Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall 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 used under provisions of this code, shall be guilty of a misdemeanor. Penalties shall be as prescribed by state law and local ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

G. Chapter 1, Division II of the California Fire Code is amended by adding Section 114 “Building and Fire Code Board of Appeals” to read as follows:

Section 114. Building and Fire Code Board of Appeals

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Code Official or Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official or Building Official.

114.1.1 Alternatives. The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at

least the equivalent of that prescribed in the technical codes in accessibility, suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

114.1.2 Appointments. The City Council shall appoint individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Code Official as may be appropriate based on the subject matter.

114.1.3 Quorum. It shall take a quorum of three members to hear an appeal and majority vote of the Board convened to sustain an appeal.

114.1.4 Chairperson. The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section 114.1.7 and 114.1.8.

114.1.5 Meetings. The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Code Official or their designee shall act as Secretary of the Board.

114.1.6 Board Decisions. The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or Fire Code Official as may be appropriate.

114.1.7 Procedures. The Chief Building Official or Fire Code Official may use the procedure for Conduct of Hearing Appeals in accordance with Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings for appeals. The Board may elect alternate procedures by a unanimous vote of the convened Board as they may deem appropriate.

114.1.8 Procedural Rules. Appeal hearings shall be conducted substantially in accordance with the following format:

1. The Chairperson shall call the meeting to order.
2. The Chairperson shall note the Board members present for the minutes.
3. The Chairperson shall recognize the Chief Building Official or Fire Code Official for presentation of the appeal. The Chief Building Official or the Fire Code Official shall read his/her recommendation to the Board. This recommendation shall be the standing motion before the Board.
4. The Chairperson shall recognize the Appellant for presentation of rebuttals.
5. All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Code Official and may be questioned.

6. After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public.

7. The Board shall vote on the standing or amended motion.

8. The Chairperson shall adjourn the meeting at the end of business.

9. The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.

H. **Chapter 3** of the California Fire Code is amended as follows:

1. Section 308.1.4 is deleted in its entirety and readopted to read as follows:

Section 308.1.4 Liquefied-petroleum gas fueled cooking devices. LP gas burners having an LP gas container with a water capacity greater than 25 pounds (5 Gallon) shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exception: One and two-family dwellings.

2. Section 317.1.1 Rooftop Gardens and Landscaped Roofs is added to read as follows:

317.1.1 Rooftop Gardens and Landscaped Roofs. Rooftop gardens and landscaped roofs, also known as vegetated roofs, are prohibited in the High Fire Hazard areas.

I. Chapter 4 of the California Fire Code is deleted in its entirety without replacement.

J. Section 503 "Fire Apparatus Access Roads" is deleted in its entirety and readopted to read as follows:

503.1 Where Required. Fire Department access roads shall be provided and maintained in accordance with Sections 503.1.1 and 503.1.3

503.1.1 Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus roads shall comply with the requirements of this section and shall extend to within 150 feet of (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Fire apparatus Roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternate means of fire protection is provided.

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access.

503.1.3 High Piled Storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches. If a fire apparatus access road serves three or fewer single-family residential units, the required width may be reduced to not less than 16 feet (4879 mm) upon the approval of the fire code official.

503.2.2 Authority. The fire code official is authorized to require and increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Such fire apparatus access roads shall be capable of supporting 60,000 pounds and shall be constructed of approved materials.

503.2.4 Turning radius. The turning radius of roadways shall be no less than 70 feet in diameter measured from outer edge to outer edge.

503.2.5 Dead ends Dead-end fire apparatus access roads in excess of 300 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The gradient for a fire apparatus access road shall not exceed a 16 % grade.

503.2..7.1 Cross-slope. The cross-slope gradient shall not exceed 6%.

503.2.8. Angle of Approach and Departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum required widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.5 Required gates or barricades.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

503.5.1.1 Vehicle obstruction. Entrances to roads, trails, or other access ways that have been closed with gates and barriers in accordance with Section 503.5 shall not be obstructed by parked vehicles, except for public officers acting within their scope of duty.

503.5.1.2 Closure of access ways. Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner except when authorized by the fire code official or by public officers acting within their scope of duty.

503.5.2 Fences and Gates. School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28m²) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15240 mm) from school buildings. Every public and private school shall conform to Section 32020 of the Education Code.

K. Section 505 "Premises Identification" is amended to add Sections 505.1.1 and 505.3 to read as follows:

505.1.1 Mixed Use Occupancy Identification. Mixed use occupancy notifications signs shall be provided according to Municipal Code 8.04.030 (B).

505.3 Directory. For complexes and large buildings, an approved directory or premise map may be required at a location determined by the fire code official.

L. Section 507 "Fire Protection Water Supplies" is deleted in its entirety and readopted to read as follows:

507.1 Required Water Supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Prior to development of a project, the fire code official may require the flow testing of fire hydrants adjacent to the proposed development in order to determine adequacy of fire flow.

507.2 Type of Water Supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenance shall be installed in accordance with NFPA 24.

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.3 Fire Flow. Fire Flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method *or Appendix B*. For the purposes of this section, an "approved water supply" shall mean the following:

1. Residential Requirement. All residential buildings containing ten (10) or less dwelling units shall be served by a fire flow of 750 gpm at a residual pressure of 20 psi when flowing. Fire-flow requirements may be modified downward by the fire code official for isolated buildings or the installation of approved fire protection devices, but in no case shall the fire flow be less than 500 gpm at a residual pressure of 20 psi. Residential buildings containing eleven (11) or more dwelling units shall be served by fire flows in compliance with the commercial requirements below.

2. Commercial Requirement. A fire flow of 1,250 gpm at a residual pressure of 20 psi when flowing will be required.

507.4 Water Supply Test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.1 through 507.5.6 or Appendix C of the International Fire Code.

507.5.1 Where Required, Commercial. A commercial hydrant to Santa Barbara City standards must be located within 300 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

507.5.1.1 Where Required, Residential. For Group R-3, Group U and Group R-2 occupancies containing ten (10) or less dwelling units, a residential hydrant to Santa Barbara City standards must be located within 500 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 500 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

507.5.2 Inspection, Testing and maintenance. Fire hydrant systems shall be subject to such periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall be in accordance with approved standards.

507.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with *Title 19 California Code of Regulations Chapter 5*.

507.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

507.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

507.5.6 Physical protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

M. Section 903.2 "Where required" is amended to add Section 903.2.20 to read as follows:

903.2.20 Local Requirements. Approved automatic sprinkler systems shall be installed throughout buildings and structures as specified elsewhere in this Section 903.2 or as specified in this Section 903.2.20, whichever is more protective.

903.2.20.1 New Buildings, Generally. The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

Exceptions: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area. A new building containing a U occupancy that is constructed outside the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 5000 square feet of floor area.

903.2.20.2 New Buildings in the High Fire Hazard Area. The construction of any new building within the City's designated High Fire Hazard Area.

Exception: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area.

903.2.20.3 Additions to Buildings Other than Single Family Residences. The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

903.2.20.4 Remodels of Buildings Other than Single Family Residences. The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

903.2.20.5 Change of Occupancy to a Higher Hazard Classification. Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification

903.2.20.6 Computation of Square Footage. For the purposes of this Section 903.2.19, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

903.2.20.7 Existing use. Any existing building not classified as Group R, Division 3, in existence at the time of the effective date of this code may have their use continued if such use was legal at the time. Additions to existing buildings shall require an automatic fire sprinkler system installed throughout, including areas not previously protected.

N. Section 907 “Fire Alarm and Detection Systems” is amended to add Section 907.2.27 to read as follows:

907.2.30 Mixed Use Occupancies. Where residential occupancies are combined with commercial occupancies, a fire alarm system shall be installed which notifies all occupants in the event of a fire. The system shall include automatic smoke detection throughout the commercial and common areas. In addition, a notification system shall be installed in a manner and location approved by the fire code official that indicates the presence of residential dwelling units in accordance with Municipal Code Section 8.04.030 B.

O. Section 4901 “General” is amended to read as follows:

Section 4901.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter. In addition, this section is intended to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas as defined by the City of Santa Barbara Wildland Fire Plan.

Section 4901.2 Purpose. The purpose of this code is to provide minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in conflagration losses through the use of performance and prescriptive requirements. In addition, the purpose of this code is to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas.

Section 4901.3 Policy. The policy direction for the City of Santa Barbara Wildland Urban Interface Area is established by the City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004.

P. Section 4902 “Definitions” is amended to add the definitions of “Spark Arrester”, “Tracer”, and “Tracer Charge” and to amend the definition of “Wildland-Urban Interface Fire Area” to read as follows:

Spark Arrester is defined as a device constructed of non-flammable materials specifically for removing and retaining carbon and other flammable particles over 0.0232 inches in size from the exhaust flow of an internal combustion engine operated by hydrocarbons.

Tracer is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which result in fire or heat.

Tracer Charge is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

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, or other areas designated by the enforcing agency to be at a significant risk from wildfires. See Article 86B for the applicable referenced Sections of the Government Code and the Public Resources Code. The City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004 outlines the Wildland Urban Interface Areas within the City of Santa Barbara’s local jurisdiction. For purposes of this code, Wildland Urban Interface Areas and High Fire Hazard Areas are interchangeable.

Q. Section 4903 “Plans” is amended to read as follows:

4903.1 General. When required by the fire code official, a fire protection plan shall be prepared for parcels within Urban Wildland Interface Areas.

4903.2 Content. The plan shall be based on site specific wildfire hazard and risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building construction and fire-resistance factors, fire protection systems and equipment, evacuation, defensible space and vegetation management. The plan shall also address any off site factors listed above that affect the project area.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan retention. The fire protection plan shall be retained by the fire code official.

R. Section 4904 “Fire Hazard Severity Zones” is amended to add Section 4904.1.1 to read as follows:

4904.1.1 Local Land Classification. Lands in the local jurisdiction are classified by the Fire Code Official in accordance with the City of Santa Barbara Wildland Fire Plan (May 2004).

S. Section 4906 “Hazardous Vegetation and Fuel Management” is amended to add Sections 4906.1.1 and 4906.1.2 to read as follows:

4906.1.1 General. The City of Santa Barbara Wildland Fire Plan identifies vegetation management areas that pose an increased threat to the community during a wildland fire. Within these areas the fire code official has the authority to work with property owners to reduce the amount of flammable vegetation outside the defensible space areas. These

areas include both City and Private lands. Standards for vegetation management are specified in the City of Santa Barbara Wildland Fire Plan.

4906.1.2 Flammable Vegetation. Vegetation installed without an approved landscape plan shall be removed if in the opinion of the fire code official, it is capable of being ignited and endangering property

T. Section 4907 “Defensible Space” is amended by adding the following:

4907.1.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall follow defensible space requirements outlined in 4907.1 through 4907.9. For purposes of this section, defensible space requirements shall apply to persons owning, leasing or controlling land with hazardous vegetation that is within the defensible space of structures on adjacent properties.

4907.2 Distance Requirements: Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 to 150 feet of such buildings or structures as outlined in the following zones;

1. Coastal Interior 30 to 50 feet brush clearance from structures
2. Coastal 50 to 70 feet brush clearance from structures
3. Foothill 100 feet brush clearance from structures
4. Extreme Foothill 150 feet brush clearance from structures

Exceptions:

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

2. 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.

4907.3 Chimney Clearance. Remove portions of trees which extend within 10 feet (3048 mm) of the outlet of a chimney,

4907.4 Overhanging Trees. Maintain trees adjacent to or overhanging a building free of deadwood,

4907.5 Vines and Climbing Ornamental Plants: Existing vines and climbing plants attached to structures must be maintained in a well watered condition, free of excessive dead material and trimmed to minimize fire propagation.

4907.6 Roof Debris. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth

4907.7 Additional Clearance Requirements. Within any high fire hazard zone additional brush clearance may be required on slopes greater than 30%. Slopes ranging between 30 and 40 % slope may require 200 feet clearance. Slopes ranging from 41 to 60% may require 250 to 300 foot clearance.

4907.8 High Fire Hazard Area Fire Safe Landscaping. All parcels in the Wildland Urban Interface Areas must meet defensible space requirements as outline in 4707.1. Defensible Space requirements can be met though fire safe landscaping in accordance with Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines). Fire safe landscaping requirements shall be utilized on all parcels within the Wildland Urban Interface Areas.

4907.8.1 New Development. New developments in the wildland urban interface area must submit Landscape Plans for review by the Fire Code Official. Landscaping shall meet the Defensible Space distances as outlined in the Wildland Fire Plan, Appendix E (High Fire Hazard Defensible Space Requirements). All landscape plant species must be fire resistant as described in the Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines).

4907.8 Vegetation Road Clearance. The owner, occupant or other person in control of any real property (vacant or developed) in, upon, or adjoining hazardous fire areas, and the owner, occupant or other person in control of real property adjacent to such property shall:

1. Maintain an area cleared of flammable vegetation and other combustible growth for a distance of 10 feet on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided they do not form a means of readily transmitting fire.

2. Maintain an area cleared of all overhanging vegetation for a vertical clearance of not less than 13 feet 6 inches within the full portion of highways and private streets which are improved, roadway and one foot (1 foot) on each side from the edge of the drivable roadway.

4907.9 Unusual Circumstances. If the fire code official determines that difficult terrain, danger or erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 4907 undesirable or impractical, enforcement thereof may be suspended and approved alternative measures shall be provided.

U. Section 4908 “Trespassing On Posted Property” is added to Chapter 49 to read as follows:

4908.1 General. When the fire code official determines that a specific area within a wildland urban interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provides.

4908.2. Signs. Approved signs prohibiting entry by unauthorized persons and referring to Section 4908.1 shall be placed on every closed area pursuant to this section.

4908.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

4908.4 Tampering With Fire Department Locks, Barricades And Signs Locks, barricades, seals, cables, signs and markers installed within wildland urban interface areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed. Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

V. Section 4909 “Ignition Sources” is added to Chapter 49 to read as follows:

4909.1 General. Control of ignition sources in wildland urban interface areas shall be in accordance with 4909.1 through 4909.12.

4909.2 Smoking. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildland urban interface areas is prohibited.

Exception: Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

4909.3 Spark Arresters. Chimney’s used in conjunction with fire places, barbeques or heating appliances in which solid or liquid fuels is used, upon buildings, structures or premises located within 200 feet of wildland urban interface areas, shall be provided with a spark arrestor constructed with heavy wire mesh or other non-combustible material with openings not to exceed 1/2 inch.

4909.4 Suppression Equipment for Gasoline-Fueled Internal Combustion Engines- Off Road Vehicles. No person shall use or operate any internal combustion engine which operates on hydrocarbon fuels on any forest, brush, or grass covered land without providing, and maintaining in good working order, a spark arrester attached to the exhaust system, except for motorcycles, vehicles equipped with a muffler as defined by

the California Vehicle Code, such as motor trucks, truck tractors, buses, and passenger vehicles are not subject to the provisions of this section. Spark arresters affixed to the exhaust of engines shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

4909.5 Suppression Equipment For Gasoline-Fueled Internal Combustion Engines- Tools. No person shall use or operate any portable saw, auger, drill, tamper or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest, brush, grass covered land, within 25 feet from any flammable material without providing at the immediate location a round point shovel or a 2A 10 BC fire extinguisher. The above tools shall at no time be farther than 25 feet, with unrestricted access, from the operator to the point of operation.

4909.6 Tracer Bullets, Tracer Charges, Rockets And Model Aircraft. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildland urban interface areas. Rockets, model airplanes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildland urban interface areas.

4909.7 Apiaries. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildland urban interface areas except by permit from the fire code official.

4909.8 Open Flame Devices. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildland urban interface areas, except by permit from the fire code official.

Exception: Use within habited premises or designated campsites which are a minimum of 30 feet from grass, grain, brush or forested areas.

4909.9 Outdoor Fires. Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas, except by permit from the fire code official. Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas under the following conditions:

1. When high winds are blowing
2. When a person age 17 or over is not present at all times to watch and tend fire, or
3. When the fire code official declares a Red Flag Fire Warning

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbeque, portable barbeque, outdoor fireplace or grill and are a minimum of 30 feet from grass, grain, brush or forested areas.

4909.10 Outdoor Fireplaces and Barbeques. Permanent barbeques, portable barbeques, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash,

or combustible waste material. Permanent barbeques outdoor fireplaces, portable barbeques and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen, or door.

Exception: When approved, unprotected openings in barbeques and grills necessary for proper functioning.

4909.11 Dumping. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildland urban interface areas or in, upon or along trails, roadways or highways in wildland urban interface areas.

Exception: Approved public and private dumping areas.

4909.12 Disposal Of Ashes. Ashes and coals shall not be placed, deposited or dumped in or upon wildland urban interface areas.

Exception: (1) In the hearth of an established fire pit, camp stove or fireplace, (2) In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet from combustible vegetation or structures, (3) Where such ashes or coals are buried and covered with 1 foot of mineral earth not less than 25 feet from combustible vegetation or structures.

4909.13 Use Of Fire Roads And Firebreaks. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

Exception: Public officers acting within their scope of duty.

W. Section 5601 "General" is amended to add Sections 5601.2, 5601.3, and 5601.4 to read as follows:

Section 5601.2 Explosives and Blasting Agents. Storage of explosives and blasting agents is restricted to the A-I (Airport Industrial) zone.

Section 5601.3 Prohibition. The manufacturing, possession, storage, sale, use and handling of fireworks are prohibited in the City of Santa Barbara.

Exception: Commercial, theatrical and group entertainment productions as permitted by the fire code official and in accordance with Title 19, California Code of Regulations, Chapter 6. Fireworks.

Section 5601.4 Seizure: The fire code official is authorized to seize, take, remove or caused to be removed at the expense of the owner all stock of fireworks offered or

exposed for sale, stored or held in violation of this ordinance and Title 19, Chapter 6 of the California Code of Regulations.

SECTION 4. Section 8.04.030 of the Santa Barbara Municipal Code is adopted to read as follows:

8.04.030 Fire Prevention Development Standards

A. **Fire Zone 2.** Buildings or portions of buildings constructed within the boundaries of Fire Zone 2, as designated by the fire code official and shown on a map on file with the City Clerk and the Community Development Department, shall provide a ten thousand (10,000) gallon water tank to be used for fire protection purposes only, designed, installed and maintained in a manner approved by the fire code official, incorporating each of the following additional features in its construction:

1. All fire department access complies with the requirements of Section 503 of the International Fire Code (2009 Edition) as amended by this Chapter; and
2. All plantings used for landscaping within one hundred–fifty feet (150') of any structure must be fire resistant; and
3. All native brush, shrubs and grasses are kept cleared to within one hundred–fifty feet (150') of any structure; and
4. Residential fire sprinklers are installed in any building used for sleeping or cooking according to National Fire Protection Association Residential Standards.

B. **Mixed Use Occupancy Notification System.** Signs shall be installed in a manner and in locations approved by the fire code official indicating the presence of residential dwelling units in buildings of mixed-use occupancy. Required signs shall be clearly visible from the front of the building and conform to the following criteria:

1. All signs shall begin with the letter **R** followed by a hyphen.
2. **R** - shall be followed by cardinal numbers denoting the floors containing dwelling units. Example: **R-2** denotes dwelling units on the 2nd floor; **R-2-3** denotes dwelling units on the 2nd and 3rd floors.
3. Letters shall have a minimum of 4" high with a 1/2" wide stroke.
4. Letters shall contrast to their background.
5. Letters on glass shall be in reflective tape.

6. In the event that dwelling units are added or removed from floors, the required sign shall be updated prior to the occupancy of the altered floor space.

Example:

R-2

SECTION 5. Ordinance Number 5535 is repealed upon the effective date of this ordinance.

SECTION 6. The provisions of this ordinance shall go into effect on January 1, 2014 at 12:01 a.m.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Building and Safety Division, Community Development Department

SUBJECT: Local Amendments To California Building Codes

RECOMMENDATION:

That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California State Building Codes and Other Related Codes; Adopting Local Revisions to Those Codes; and Repealing Ordinance Number 5536.

DISCUSSION:

The purpose of building codes are to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings.

Model codes are published on a triennial basis by the International Code Council (ICC), National Fire Protection Agency (NFPA) and the International Association of Plumbing & Mechanical Officials (IAPMO). The California Building Standards Commission is the State agency responsible for reviewing, amending and subsequent publication of the State building codes, referred to as Title 24 or the California Building Standards Code. This group of codes will become effective on Jan 1, 2014. State law provides local jurisdictions six months to review these codes and make necessary local amendments. Amendments, if warranted, can only be more stringent to what the State has approved, and must be based on one of three findings; topography, geology or climate. If local jurisdictions do not make amendments prior to the effective date, then these codes are deemed effective "as-is."

All codes contained in the current code-adoption cycle are recently published versions with the exception of the 1997 Uniform Code For The Abatement Of Dangerous Buildings. This code is still an effective tool used in the abatement of dangerous structures and equipment.

The following is a brief summary of proposed changes to the local amendments to the California Codes for the current code adoption cycle:

2013 California Administrative Code

No changes proposed.

2013 California Building Code Volumes 1 & 2

Reordering of several sections to more closely match the code as published. Renumber several sections due to changes in the current version of the code as published. Clean-up of language in the section related to demolition permit procedures. Update to the Special Inspection chapter due to a change in a referenced standard. "Green" or "vegetated" roofs have been specifically banned from the City's High-Fire Hazard areas.

2013 California Residential Code (one- and two-family dwellings or townhomes)

This code now contains its own "permit required" and "permit exempt" sections. Deletion of the section for preservative treated wood connections as the language is now in code as published. Several changes to Chapter 327 regarding Fire Resistive Construction: clarify sections, match similar sections in CBC (ban "Green" roofs), correct out-of-date references, renumber sections required by code changes to code as published and eliminate redundancies (spark arrestors). Appendix Chapter "G" will regulate one- and two-family residential pools and spas. Appendix Chapter "H" will provide a simplified, prescriptive approach to patio cover construction. Appendix Chapter "I" will provide regulation of private sewage disposal systems until local county-wide regulations are adopted. Appendix Chapter "K" provides regulations related to sound transmission control. New section added to refer all grading to Appendix Chapter "J" of the CBC.

2013 California Electrical Code

Board of Appeals section changed to provide same administrative procedures as CBC.

2013 California Mechanical Code

Board of Appeals section changed to provide same administrative procedures as CBC. Fee section changed to refer to current adopted fee resolution. Renumber several sections due to changes in the current version of the code as published.

2013 California Plumbing Code

Board of Appeals section changed to provide same administrative procedures as CBC. Fee section changed to refer to current adopted fee resolution. Renumber several sections due to changes in the current version of the code as published. New language to clarify water meter requirements to assist the Public Works Department, Water Resources Division in promoting water conservation. Change in language of "Plumbing Fixture Count" section to allow more flexibility, with the approval of the Building Official, in design to commercial spaces with constraints due to the built-out nature of the commercial corridors of the city.

2013 California Energy Code

No changes proposed.

2013 California Historical Building Code

No changes proposed.

2013 California Existing Building Code

No changes proposed.

2013 California Green Building Standards Code

New sections added to limit surface area of direct plumbed fountains, on a single parcel of land, to 25 square feet to reduce water consumption due to evaporation. New section added to provide for use of a separate City-issued irrigation meter for projects with significant landscaped areas.

2013 California Referenced Standards Code

No changes proposed.

2012 International Property Maintenance Code

Means of Appeals section changed to provide same administrative procedures as CBC. The "Failure to Comply" section now references the administrative procedures in SBMC Section 1.25. Other minor changes also incorporated into sections for weeds, window screens, heating, notices & orders and appeals.

1997 Uniform Code for the Abatement of Dangerous Buildings

No changes proposed.

The Attachment provides a matrix explaining the proposed local amendments to the State codes. The fourth column of the matrix explains whether the proposed amendment is new to the Municipal Code or is continuing a local amendment from the prior round of the State code adoption process. This column also identifies whether the proposed amendment adds text to, deletes text from, or amends the text of the State code.

On October 15, 2013, staff presented a draft of the ordinance to the Ordinance Committee. The summary of local amendments was explained and the Ordinance Committee voted unanimously to send the ordinance to the full City Council for introduction, with the exception of the adoption of Appendix F to the California Residential Code concerning standards for radon resistant construction. The Ordinance Committee recommended that the adoption of Appendix F be considered after additional outreach is conducted with interested stakeholders.

ATTACHMENT(S): Draft Building Code Amendments Matrix

PREPARED BY: Larry Cassidy, Building Inspector/Code Enforcement Supervisor

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

Attachment

City of Santa Barbara Building & Safety Division

2013 Code-Adoption Cycle Summary of Amendments

October 22, 2013

2013 California Administrative Code

| # | Chapter/ Section | Title | Concept | New or Existing / Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|---|---------------------|-------|------------|---|---|
| | | | No Changes | | |

2013 California Building Code (volumes 1 & 2)

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|----------------------|---|--|--|---|
| 1. | Chapter 1 105.1.3 | Permits/ Paving & striping | Adds section 105.1.3 "Permits" requiring permits for re-paving and re-striping of commercial parking areas. | Existing Added | Admin |
| 2 | Chapter 1 105.1.4 | Permits/ Demolition permits | Adds section 105.1.4 to clarify procedures and requirements needed prior to permit issuance for demo permits. | Existing Added | Admin |
| 3 | Chapter 1 105.2 | Permits/ Work exempt from permits | Adds section 105.2 to specify local requirements. Revised this cycle. | Existing Revised | Admin |
| 4 | Chapter 1 105.4.1 | Permits/ Issuance | Adds subsection 105.4.1 requiring licensed California contractor to pull permit for all but 1- and 2-family dwelling and accessory structures. Revised this cycle to reflect minor code change to "U" occupancy sub categories in CBC. | Existing Revised | Admin |
| 5 | Chapter 1 113 | Permits/ Board of Appeals | Delete and replace section 113 outlining local Board of Appeals process and procedures | Existing Revised | Admin |
| 6 | Chapter 7A 701A.1 | Materials and construction methods for exterior wildfire exposure/Scope | Clarify local high-fire-hazard zones and scoping of requirements | Existing Revised | Climatic Topo |

| | | | | | |
|----|----------------------------|--|--|---------------------|------------------|
| 7 | Chapter 7A 701A.3 | Materials and construction methods for exterior wildfire exposure/ Application | Eliminates 3 exceptions to this code section and section regarding Application Date | Existing Revised | Climatic Topo |
| 8 | Chapter 7A 705A.2 | Materials and construction methods for exterior wildfire exposure/ Roof coverings | Specifies class "A" roofing, disallows wood shake and shingles, disallows "Green" or "Vegetated" roofs, in high fire hazard zone | Existing Revised | Climatic Topo |
| 9 | Chapter 7A 705A.4 | Materials and construction methods for exterior wildfire exposure/ Roof gutters | Revised to require non-combustible materials for roof gutters. | Existing Revised | Climatic Topo |
| 10 | Chapter 7A 705A.5 | Materials and construction methods for exterior wildfire exposure/ Drip edge flashing | Revised to require non-combustible materials for drip edge flashing | Existing Revised | Climatic Topo |
| 11 | Chapter 7A 706A.2 | Materials and construction methods for exterior wildfire exposure/ Requirements | Specific requirements for roof turbine vents and allowance of State Fire Marshall approved vents. | Existing Revised | Climatic Topo |
| 12 | Chapter 7A 708A.2 | Materials and construction methods for exterior wildfire exposure/ Exterior glazing | Adds language to ensure skylights are covered by High Fire Hazard area requirements | Existing Amended | Climatic Topo |
| 13 | Chapter 9 903.2.20 | Fire Protection Systems/ Local Requirements | Section 903.20 and all sub-sections are new sections for local fire sprinkler requirements. | Existing Added | Climatic Topo |
| 14 | Chapter 9 907.2.30 | Fire Protection Systems/ Mixed-use occupancies | Section specifies fire alarm system required for mixed-use occupancies | Existing Added | Climatic Topo |
| 15 | Chapter 12 1208.4 | Interior Environment/ Efficiency dwelling units | Provides local jurisdiction ability to approve units with reduced floor area in certain circumstances | Existing Amended | Admin |
| 16 | Chapter 15 Table 1505.1 | Roof Assemblies/ Roofing Classes | Eliminates class "C" roofs from all types of construction | Existing Amended | Climatic Topo |
| 17 | Chapter 15 1505.1.3 | Roof Assemblies/ Roof coverings in all other areas | Specifies Class "B" minimum and refers high fire hazard requirements to Chapter 7A | Existing Amended | Climatic Topo |

| | | | | | |
|----|-------------------------|--|--|------------------|------------------|
| 18 | Chapter 17 1705.11.2 | Structural Tests and Special Inspections/ Structural wood | This section has been revised due to changes in referenced design standards in structural provisions of CBC | Existing Amended | Geologic |
| 19 | Appendix Chapter "B" | Board Of Appeals | Provide uniform administrative procedures for all adopted codes. This appendix works in conjunction with Section 113 | Existing Amended | Admin |
| 20 | Appendix Chapter "J" | Grading | This is a locally adopted version of the grading chapter with minor amendments to clarify reference to recently adopted SWMP Ordinance | Existing Amended | Topo Geologic |

2013 California Residential Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|-----|-----------------------|---|---|---|---|
| 1. | Chapter 1 R105.1.1 | Permits/ Paving & striping | Adds section R105.1.1 requiring permits for driveways and parking areas. | New | Admin |
| 2. | Chapter 1 R105.2 | Permits/ Work exempt from permits | Revise and update "work exempt" list for 1 and 2 family residential occupancies. | Existing Revised | Admin |
| 3. | Chapter 1 R112.1 | Board of Appeals | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | New | Admin |
| 4. | Chapter 3 R313.1 | Building Planning/ Townhouse automatic fire sprinklers | Local sprinkler requirements. | Existing Revised | Climatic Topo |
| 5. | Chapter 3 R313.2 | Building Planning/ One- and two family dwellings | Local sprinkler requirements. | Existing Revised | Climatic Topo |
| 6. | Chapter 3 R313.2.1 | Building Planning/ Design & installation | Local sprinkler requirements. | Existing Added | Climatic Topo |
| 7. | Chapter 3 R313.2.2 | Building Planning/ Local requirements | Local sprinkler requirements. | Existing Added | Climatic Topo |
| 8. | Chapter 3 R313.2.3 | Building Planning/ Additions to or Remodels of SFR or duplexes | Local sprinkler requirements. | Existing Added | Climatic Topo |
| 9. | Chapter 3 R313.2.4 | Building Planning/ Computation of Square Footage | Local sprinkler requirements. | Existing Added | Climatic Topo |
| 10. | Chapter 3 R313.2.5 | Building Planning/ Existing use. | Local sprinkler requirements. | Existing Added | Climatic Topo |
| 11 | Chapter 3 R327.1.1 | Building Planning/ Scope | Clarify local high-fire hazard zones and scoping requirements. | Existing Revised | Climatic Topo |

| | | | | | |
|-----|------------------------|--|---|---------------------|------------------|
| 12. | Chapter 3 R327.1.3 | Building Planning/ Application | Local High Fire Hazard area requirements. | Existing Revised | Climatic Topo |
| 13. | Chapter 3 R327.5.2 | Building Planning/ Roof Coverings | Requires class "A" roofing and disallows use of wood shake or wood shingle roofs. | Existing Revised | Climatic Topo |
| 14. | Chapter 3 R327.5.4 | Building Planning/ Roof Gutters | Specifies non-combustible materials for roof gutters. | Existing Revised | Climatic Topo |
| 15. | Chapter 3 R327.5.5 | Building Planning/ Drip Edge Flashing | Specifies non-combustible materials for drip edge flashing. | Existing Revised | Climatic Topo |
| 16. | Chapter 3 R327.6.2 | Building Planning/ Requirements | Specific requirements for roof turbine vents and allowance of State Fire Marshall approved vents. | Existing Revised | Climatic Topo |
| 17. | Chapter 3 R327.8.2 | Building Planning/ Exterior glazing | Adds language to ensure skylights are covered by High Fire Hazard area requirements | Existing Revised | Climatic Topo |
| 18. | Chapter 3 R332 | Building Planning/ Special Inspections and Testing | Refers to CBC requirements. | Existing Added | Admin |
| 19. | Chapter 3 R333 | Building Planning/ Encroachments into the Public ROW | Refers to CBC requirements. | Existing Added | Admin |
| 20. | Chapter 3 R334 | Building Planning/ Safeguards During Construction | Refers to CBC requirements. | Existing Added | Admin |
| 21. | Chapter 4 R401.5 | Foundations/ Grading | Refers to CBC requirements. | Existing Revised | Geologic |
| 22. | Chapter 4 R401.4 | Foundations/ Soils Reports/Geotech Investigations | Refers to CBC requirements. | Existing Revised | Geologic |
| 23. | Chapter 4 R401.4.1 | Foundations/ Geotechnical Evaluation | Refers to CBC requirements for soils reports or geotechnical evaluations. Provides several exceptions to requirements for minor projects. | New Amended | Geologic |
| 24. | Chapter 4 403.1.2 | Foundations/ Continuous Footings | Requires continuous footings. | Existing Revised | Geologic |
| 25. | Chapter 4 R403.1.5 | Foundations/ Slope | Requires reinforcement for stepped footings. | Existing Revised | Geologic |
| 26. | Chapter 4 R404.2 | Wood foundation walls. | Virtually eliminates wood foundations walls from use in this jurisdiction. | Existing Revised | Geologic |
| 27. | Chapter 8 R802.10.2 | Design | Wood truss design requirements. | Existing Revised | Geologic |
| 28. | Chapter 9 R902.1 | Roofing covering materials | Eliminates class "C" roofs in jurisdiction. | Existing Revised | Climatic Topo |
| 29. | Chapter 9 R902.1.1 | Roofing covering materials within Wildland Fire Areas | Requires class "A" roofs in High Fire Hazard areas. | Existing Revised | Climatic Topo |
| 30. | Chapter 9 R902.1.3 | Roofing coverings in all other areas. | Eliminates class "C" roofs in jurisdiction. | Existing Revised | Climatic Topo |

| | | | | | |
|---------------------------------|-----------------------|--------------------------------------|---|-----------------|----------|
| 31. | Appendix F AF101.1 | Radon Control Methods/ General | Adds requirements for Radon Control Methods in portions of the jurisdiction. | New Revised | Geologic |
| 32. | Appendix F AF101.2 | Application | Adds requirements for application of Radon Control Methods. | New Revised | Geologic |
| 31 33. | Appendix G AG105.2 | Outdoor swimming pool. | Adds requirements for pool barriers. | New Revised | Admin |
| 32 34. | Appendix I AI101 | General | Adds requirement for private sewage disposal system compliance. | New Revised1 | Admin |

2013 California Electrical Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|------------------------|---------------|---|--|---|
| 1. | Article 89 89.108.8 | Appeals Board | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | New | Admin |

2013 California Mechanical Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|------------------|---|--|---|
| 1. | Chapter 1 110 | Board of Appeals | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | Existing, updated CFC / MC | Admin |

2013 California Plumbing Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|---|---|--|---|
| 1. | Chapter 1 102.3 | Administration/ Board of Appeals | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | New | Admin |
| 2. | Chapter 1 103.4 | Administration/ Fees | Provide uniform fee assessment for all adopted codes. | New Revised | Admin |
| 3. | Chapter 4 402.13 | Plumbing Fixtures & Fixture Fittings/ Fountains | Updated to reflect numbering change for code section. | Existing Revised | Climatic |

| | | | | | |
|-----|---------------------|---|---|---------------------|----------|
| 4. | Chapter 4 402.14 | Plumbing Fixtures & Fixture Fittings/ Vehicle Wash Facilities | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 5. | Chapter 4 422.1 | Plumbing Fixtures & Fixture Fittings/ Fixture Count | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 6. | Chapter 4 423 | Plumbing Fixtures & Fixture Fittings/ Water Meters Required. | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 7. | Chapter 4 423.1 | Plumbing Fixtures & Fixture Fittings/ Group R Occupancies | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 8. | Chapter 4 423.2 | Plumbing Fixtures & Fixture Fittings/ Occupancies other than Group R | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 9. | Chapter 6 603.1 | Water Supply & Distribution/ General | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 10. | Chapter 6 608.2 | Water Supply & Distribution/ Excessive Water Pressure | Updated to reflect numbering change for code section. | Existing Revised | Climatic |
| 11. | Chapter 7 710.14 | Sanitary Drainage/ Sewage Pump Signaling Device | Updated to reflect numbering change for code section. | Existing Revised | Topo |
| 12. | Chapter 7 710.15 | Sanitary Drainage/ Approved Type Backwater Device | Updated to reflect numbering change for code section. | Existing Revised | Topo |
| 13. | Chapter 7 713.2 | Sanitary Drainage/ Private Sewage Disposal System | Allows private system until public sewer becomes available. | Existing | Admin |

2013 California Energy Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|-------|-------------|---|---|
| 1. | | | No changes. | | |

2013 California Historical Building Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|-------|-------------|---|---|
| 1. | | | No Changes. | | |

2013 California Existing Building Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|-------|-------------|---|---|
| 1. | | | No changes. | | |

2013 California Green Building Standards Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|---|---|---|---|
| 1. | 4.304.2 | Outdoor Water Use (Res)/ Fountains | Area of fountains connected to potable water supply shall not exceed 25 sf in area for each parcel. | New Added | Climatic |
| 2 | 5.304.2 | Outdoor Water Use/ Outdoor Potable Water Use | Clarify requiring separate city-issued meters for commercial condos | New Amended | Climatic |
| 3. | 5.304.4 | Outdoor Water Use (Comm)/ Fountains | Area of fountains connected to potable water supply shall not exceed 25 sf in area for each parcel. | New Added | Climatic |

2013 California Referenced Standards Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|-------|-------------|---|---|
| 1. | | | No changes. | | |

2012 International Property Maintenance Code

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|-------------------------------------|---|--|---|
| 1. | Chapter 1 101.1 | Title | Revised to reflect language specific to the City of Santa Barbara. | New Revised | Admin |
| 2. | Chapter 1 103 | Dept. of Property Maintenance Insp. | Separate Dept. of Property Maintenance Inspection not required. | Existing Deleted | Admin |
| 3. | Chapter 1 111 | Means of Appeal | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | Existing | Admin |
| 4. | Chapter 1 112.1 | Failure to Comply | Modifies section to refer to SBMC Section 1.25 Administrative Citation | New Revised | Admin |
| 5. | Chapter 3 302.4 | Weeds | Revised to reflect language specific to the City of Santa Barbara requiring weeds to be kept to a maximum of 12" | New Revised | Admin |
| 6. | Chapter 3 304.14 | Insect Screens | Requires year-round insect screens on all habitable rooms, food-prep areas and food service areas. | New Revised | Admin |
| 7. | Chapter 6 602.2 | Residential Occupancies | Requires heating facilities in all residential habitable spaces. | New Revised | Climatic |
| 8. | Chapter 6 602.3 | Heat Supply | Residential heating facilities are covered in 602.3. Climatic conditions do not warrant heating facilities in other than residential facilities | New Deleted | Climatic |
| 9. | Chapter 6 602.4 | Occupiable Work Space | Residential heating facilities are covered in 602.3. Climatic conditions do not warrant heating facilities in other than residential facilities | New Deleted | Climatic |

2007 Uniform Code For The Abatement Of Dangerous Buildings

| # | Chapter/ Section | Title | Concept | New or Existing/ Added, Deleted or Amended | Findings: Climatic, Topo., Geologic or Admin. |
|----|---------------------|----------------------------------|---|--|---|
| 1. | Chapter 2 205 | Enforcement/ Board Of Appeals | Provide uniform administrative procedures for all adopted codes by referring to CBC Section 113 and Appendix Chapter B. | New Revised | Admin |

COUNCIL INTRODUCTION DRAFT 10/22/13

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 22.04, ADOPTING BY REFERENCE THE CALIFORNIA STATE BUILDING CODES AND OTHER RELATED CODES; ADOPTING LOCAL REVISIONS TO THOSE CODES; AND REPEALING ORDINANCE NUMBER 5536.

WHEREAS, uniform construction codes are developed and published every three years by the professional organization of building official experts; and

WHEREAS, these codes are adopted by the State of California and by local communities with amendments pertinent to local conditions; and

WHEREAS, the City of Santa Barbara relies on local ground and surface water for its local water supplies; and

WHEREAS, drought conditions are common occurrences within Santa Barbara and the surrounding areas; and

WHEREAS, local topography and climate present unique fire hazard and fire abatement conditions; and

WHEREAS, local geological conditions present unique geophysical hazards; and

WHEREAS, the City Council of the City of Santa Barbara finds that such local geological, topographic and climatic conditions warrant certain amendments to the model uniform codes related to construction;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 22.04.010 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.010 Adoption of California Codes by Reference.

Subject to the amendments specified in Sections 22.04.020 through 22.04.070, the following Codes, certain appendix chapters, and the standards and secondary codes referenced therein are adopted and shall be known as the City of Santa Barbara Building Code.

A. The "California Administrative Code" (2013 Edition), as published by the California Building Standards Commission (also known as Part 1 of Title 24 of the California Code of Regulations).

B. The "California Building Code Volumes 1 and 2" (2013 Edition), as published by the California Building Standards Commission, based on the 2012 International Building Code (also known as Part 2 of Title 24 of the California Code of Regulations), including Appendix Chapters B & J.

C. The “California Residential Code” (2013 Edition), as published by the California Building Standards Commission, based on the 2012 International Residential Code (also known as Part 2.5 of Title 24 of the California Code of Regulations) including Appendix Chapters F, G, H, I and K.

D. The “California Electrical Code” (2013 Edition), as published by the California Building Standards Commission, based on the 2011 National Electrical Code (also known as Part 3 of Title 24 of the California Code of Regulations).

E. The “California Mechanical Code” (2013 Edition), as published by the California Building Standards Commission, based on the 2012 Uniform Mechanical Code (also known as Part 4 of Title 24 of the California Code of Regulations).

F. The “California Plumbing Code” (2013 Edition), as published by the California Building Standards Commission, based on the 2012 Uniform Plumbing Code (also known as Part 5 of Title 24 of the California Code of Regulations), including Appendix Chapters H, I (Installation Standards) & K.

G. The “California Energy Code” (2013 Edition), as published by the California Building Standards Commission (also known as Part 6 of Title 24 of the California Code of Regulations).

H. The “California Historical Building Code” (2013 Edition), as published by the California Building Standards Commission (also known as Part 8 of Title 24 of the California Code of Regulations).

I. The “California Existing Building Code” (2013 Edition), as published by the California Building Standards Commission, based on the 2012 International Existing Building Code (also known as Part 10 of Title 24 of the California Code of Regulations).

J. The “California Green Building Standards Code” (2013 Edition), as published by the California Building Standards Commission (also known as Part 11 of Title 24 of the California Code of Regulations).

K. “The California Referenced Standards Code” (2013 Edition), as published by the California Building Standards Commission. (also known as Part 12 of Title 24 of the California Code of Regulations).

L. The “International Property Maintenance Code” (2012 Edition), as published by the International Code Council.

M. The “Uniform Code for the Abatement of Dangerous Buildings” (1997 Edition), as published by the International Code Council.

SECTION 2. Section 22.04.020 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.020 Amendments to the California Building Code.

The California Building Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.020.

A. Section 105 “Permits” is amended by adding Sections 105.1.3 and 105.1.4 to read as follows:

105.1.3 Paving and Striping. Building permits shall be required for all paving, re-paving (including slurry coating), striping, re-striping, signage, and re-signage of parking spaces in parking lots and structures. Accessible parking spaces, access aisles, and signage shall be provided that meets currently adopted codes.

105.1.4 Demolition Permits. Building permits shall be required to demolish any building, portion of a building, or structure within the City of Santa Barbara and shall be subject to the following conditions:

1. The applicant shall ensure all utility connections have been removed by the appropriate utility providers, except such utility services that are approved for use in connection with the work of the demolition. The applicant shall provide verification from the utility providers that utility service has been disconnected.

2. The applicant shall obtain clearance from the Santa Barbara Air Pollution Control District for all commercial demolition, renovations and alterations.

3. All resulting building debris, trash, junk, vegetation, dead organic matter, rodent harborage, or combustible material that constitutes a threat to life, health, or property, or is detrimental to the public welfare or which may reduce adjacent property value shall be removed from the site within thirty (30) days after the demolition of the structure.

B. Section 105.2 "Work Exempt From Permit" is amended to read as follows:

Section 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following (Note - For work involving detached one- and two-family dwellings or townhouses or buildings accessory to detached one- and two-family dwellings or townhouses, see Section 105 of the California Residential Code as amended):

Building:

1. One-story detached residential accessory structures used as tool and storage sheds, playhouses, portable and fixed playground equipment, bicycle or skateboard ramps and similar uses, provided the floor area does not exceed 120 square feet (11 m²) and the height does not exceed ten (10) feet at the highest point; and further provided the structure does not encroach into required setbacks or required open yards, does not obstruct required parking, and is not served by any utilities. The combined square footage of exempt accessory structures may not exceed 200 square feet on any single parcel.

2. Residential fences and walls not over 3 ½ feet high, as measured from the lowest adjacent grade within 5 feet of the fence or wall, that do not adversely affect drainage or cause erosion.

3. Oil derricks.

4. Residential retaining walls which are not over 4 feet in height as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids, is installed on a slope 20% or greater, or the wall will tend to adversely affect drainage or cause increased erosion.

5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.

6. Uncovered residential platforms, decks, porches, walks, and similar structures not more than 10 inches above adjacent grade, and not over any basement or story below.

7. Interior painting, papering, and similar finish work.

8. Temporary motion picture, television, and theater stage sets and scenery.

9. Ground mounted radio, television and other masts or antenna or dish shaped communication reception or transmitting structures less than 3 feet in diameter, which do not extend more than 15 feet above grade and are not served by electrical circuits regulated under the National Electrical Code NEC). Light- weight roof-mounted radio, television, and other masts or

antenna or dish shaped communication reception or transmitting structures less than 2 feet in diameter, which do not extend more than 15 feet above the roof, are not served by electrical circuits regulated under the NEC, and which are not subject to design review by the Architectural Board of Review, Historic Landmarks Commission, or Single Family Design Board.

10. Freestanding or movable cases, counters, and interior partitions not over 5 feet 9 inches in height, and not containing or requiring connections to electrical power or plumbing systems.

11. Permit applications shall be submitted for other miscellaneous and minor work; however, work which does not exceed \$500 in valuation may be exempted by the Chief Building Official from permits and inspections.

Electrical:

Repairs and maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations. The provisions of this code shall not apply to electrical equipment used for radio and televisions transmissions, but do apply to equipment and wiring for power supply and installations of towers and antennas.

Temporary testing systems. A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

C. Section 105.4 "Validity of Permit" is amended by adding Section 105.4.1 to read as follows:

105.4.1 Issuance. All work authorized by building permit for other than R-3 or U occupancies shall be issued to an appropriate contractor licensed in accordance with the provisions of California State Law.

D. Section 113 “Board of appeals” is deleted in its entirety and readopted to read as follows:

113. Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Code Official or the Building Official shall be ex officio members and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall abide by the rules and procedures in Appendix B of this code and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official or Building Official. This Board shall serve as the appeals boards defined in Section 1.8.8 and 1.9.1.5.

E. Section 701A.1 “Scope” is amended to read as follows:

701A.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, remodels or additions to existing buildings located within a Wildland-Urban Interface Fire Area as defined in Section 702A and 701A.3.1 Item #3.

F. Section 701A.3 “Application” is amended to read as follows:

701A.3 Application. New buildings, remodeled buildings or additions to existing buildings in any Fire Hazard Severity Zone or Wildland-Urban Interface Area designated by the enforcing agency constructed after the application date shall comply with this chapter.

Exception: Accessory and/or Group U occupancy buildings may be exempted from all or portions of this chapter upon approval of the Fire Marshall and/or Chief Building Official.

G. Section 705A.2 “Roof Coverings” is deleted in its entirety and readopted to read as follows:

705A.2 Roof Coverings. Roof coverings on new buildings shall be class A noncombustible in accordance with adopted CBC Standards or otherwise as may be approved by the Chief Building Official. Roof coverings shall be class A or noncombustible fire retardant materials on existing buildings and additions or repairs to existing buildings. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two (2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles. “Green” or “Vegetated” roofs shall not be used in the Wildland-Urban Interface Fire Area.

H. Section 705A.4 “Roof Gutters” is amended to read as follows:

705A.4 Roof Gutters. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.

I. Section 705A "Roofing" is amended by adding Section 705A.5 "Drip Edge Flashing" to read as follows:

705A.5 Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

J. Section 706A.2 "Requirements" is amended to read as follows:

706A.2 Requirements. Ventilation openings for enclosed attics, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, and under-floor ventilation openings shall be fully covered with metal wire mesh, vents, other materials, or other devices that meet the following requirements:

1. The dimensions of the openings therein shall be a minimum of 1/16th inch (1.6 mm) and shall not exceed 1/8th inch (3.2mm).

2. The materials used shall be noncombustible.

Exception to item #2: Vents located under the roof covering, along the ridge of roofs, with the exposed surface of the vent covered by noncombustible wire mesh, may be of combustible materials.

3. The materials used shall be corrosion resistant.

4. Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.

5. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with this subsection.

K. Section 708A.2 "Exterior Glazing" is amended to read as follows:

708A.2 Exterior Glazing. The following exterior glazing materials and/or assemblies shall comply with this section:

1. Exterior windows and/or skylights.

2. Exterior glazed doors.

3. Glazed openings within exterior doors.

4. Glazed openings within exterior garage doors.

5. Exterior structural glass veneer.

6. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWWDA 101/I.S.2 structural requirements.

L. Section 903.2 "Where Required" is amended by adding Section 903.2.20 "Local Requirements" to read as follows:

903.2.20 Local Requirements. Approved automatic sprinkler systems shall be installed throughout buildings and structures as specified elsewhere in this Section 903.2 or as specified in this Section 903.2.18, whichever is more protective:

903.2.20 .1 New Buildings, Generally. The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

Exceptions: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area. A new building containing a U occupancy that is constructed outside the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 5000 square feet of floor area.

903.2.20.2 New Buildings in the High Fire Hazard Area. The construction of any new building within the City's designated High Fire Hazard Area.

Exception: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area.

903.2.20.3 Additions to Buildings Other Than Single Family Residences. The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

903.2.20.4 Remodels of Buildings Other than Single Family Residences. The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

903.2.20.5 Change of Occupancy to a Higher Hazard Classification. Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification.

903.2.20.6 Computation of Square Footage. For the purposes of this Section 903.2.18, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

903.2.20.7 Existing Use. Any existing building not classified as Group R, Division 3, in existence at the time of the effective date of this code may have their use continued if such use was legal at the time. Additions to existing buildings shall require an automatic fire sprinkler system installed throughout, including areas not previously protected.

M. Section 907 "Where Required – New Buildings and Structures" is amended by adding Section 907.2.30 "Mixed-Use Occupancies" to read as follows:

907.2.30 Mixed Use Occupancies. Where residential occupancies are combined with commercial occupancies, a fire alarm system shall be installed which notifies all occupants in the event of a fire. The system shall include automatic smoke detection throughout the commercial and common areas. In addition, a notification system shall be installed in a manner and location approved by the fire code official that indicates the presence of residential dwelling units in accordance with Municipal Code Section 8.04.030 B.

N. Section 1208.4 "Efficiency Dwelling Units" is amended to read as follows:

1208.4 Efficiency Dwelling Units. Unless modified by local ordinance pursuant to Health and Safety Code Section 17958.1, efficiency dwelling units shall comply with the following:

1. The unit shall have a living room of not less than 220 square feet (20.4 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of such unit in excess of two.
2. The unit shall be provided with a separate closet.
3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
5. Notwithstanding the provisions of subsection 1 above, for projects constructed or operated by a nonprofit or governmental agency offering housing at an Affordable Housing Cost to Lower Income Households (as those terms are defined in sections 50052.5 and 50079.5 of the California Health and Safety Code), the City may permit efficiency dwelling units for occupancy by no more than two persons who qualify as either very low or low income households where the units have a minimum useable floor area, (excluding floor area in the kitchen, bathroom and closet), of not less than 150 square feet. In all other respects, such efficiency dwelling units shall conform to the minimum standards specified in this code.

O. Table 1505.1 is amended to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATION
FOR TYPES OF CONSTRUCTION**

| | | | | | | | | |
|----|----|-----|-----|------|------|----|----|----|
| IA | IB | IIA | IIB | IIIA | IIIB | IV | VA | VB |
| B | B | B | B | B | B | B | B | B |

P. Section 1505.1.3 “Roof coverings within all other areas” is deleted in its entirety and readopted to read as follows:

1505.1.3 Roof coverings within in all other areas. The roof covering or roofing assembly of any new building or the re-roofing of any existing building, regardless of type or occupancy classification, shall be no less than Class B, except that Group H, Division 1 and Group I occupancies shall be Class A. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20 % of the existing roof is being replaced within a two 2 year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

Exception: In the High Fire Hazard District, roof coverings shall be in accordance with Chapter 7A as amended.

Q. Section 1705.11.2 “Structural wood” is amended to read as follows:

1705.11.2 Structural wood. Continuous special inspection is required during field gluing operations of elements of the seismic force-resisting system. Periodic special inspection is required for nailing, bolting, anchoring and other fastening of components within the seismic force-

resisting system, including wood shear walls, wood diaphragms, drag struts, braces, shear panels and hold-downs.

Exceptions:

1. Special Inspection is not required for wood shear walls, shear panels and diaphragms, including nailing, bolting, anchoring and other fastening to other components of the seismic force-resisting system, where the fastener spacing of the sheathing is more than 4 inches (102 mm) on center (o.c.).

2. *Special Inspection is not required if the building is designed in accordance with AWC SDPWS-2008 (NDS) Table 4.3A (Note: PLF values must be divided in half per 4.3.3) assuming that the allowable shear values reflected are reduced by 25%.*

R. Appendix B “Board of appeals” is deleted in its entirety and readopted to read as follows:

B101.1 Application. The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

B101.2 Membership of the Board. The City Council shall appoint individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Chief as may be appropriate based on the subject matter.

B101.2.1 Quorum. It shall take a quorum of three members to hear an appeal and a majority vote of the Board convened to sustain an appeal.

B101.2.2 Chairperson. The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section B102 and B102.1.

B102 Rules and Procedures. The Chief Building Official or Fire Chief may use the procedure for “Conduct of Hearing Appeals” in accordance with Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings for appeals. The Board may elect alternate procedures by a unanimous vote of the convened Board as they may deem appropriate.

B102.1 Procedures. Appeal hearings shall be conducted substantially in accordance with the following format:

1. The Chairperson shall call the meeting to order.
2. The Chairperson shall note the Board members present for the minutes.
3. The Chairperson shall recognize the Chief Building Official or Fire Chief for presentation of the appeal. The Chief Building Official or the Fire Chief shall read his/her recommendation to the Board. This recommendation shall be the standing motion before the Board.
4. The Chairperson shall recognize the Appellant for presentation of rebuttals.

5. All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Chief and may be questioned.
6. After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public.
7. The Board shall vote on the standing or amended motion.
8. The Chairperson shall adjourn the meeting at the end of business.
9. The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.

B102.2 Meetings. The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Chief or their designee shall act as Secretary of the Board.

B103 Alternatives. The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in accessibility, suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

B104 Board Decisions. The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or Fire Chief as may be appropriate.

S. Appendix J "Grading" is deleted in its entirety and readopted to read as follows:

J101. GRADING GENERAL

J101.1 Scope. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments, and the control of grading site runoff, including erosion sediments and construction-related pollutants. The purpose of this appendix is to safeguard life, limb, property and the public welfare by regulating grading on private property.

J101.2 General Hazards. Whenever the Building Official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

J101.3 Safety Precautions. If at any stage of the work the Building Official determines by inspection that further grading as authorized is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with any existing drainage course, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such person shall forthwith stop such work. The Building Official may authorize the work to proceed if the Building Official finds adequate safety precautions can be taken or corrective measures incorporated in the work to avoid likelihood

of such danger, deposition or interference.

If the grading work as done has created or resulted in a hazardous condition, the Building Official shall give written notice requiring correction thereof as specified in California Building Code - Section 114 "Violations" or California Residential Code - Section 113 "Violations".

J101.4 Protection of Utilities. The owner of any property on which grading has been performed, and which requires a grading permit under Section J103, shall be responsible for the prevention of damage to any public utilities or services.

J101.5 Protection of Adjacent Property. The owner of any property on which grading, has been performed and which requires a grading permit under Section J103 is responsible for the prevention of damage to adjacent property and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without supporting and protecting such property from settling, cracking or other damage which might result. Special precautions approved by the Building Official shall be made to prevent imported or exported materials from being deposited on the adjacent public way and/or drainage courses.

J101.6 Storm Water Control Measures. The owner of any property on which grading, has been performed and which requires a grading permit under Section J103 shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud, debris, and construction-related pollutants originating from the site during grading and related construction activities as required in Chapter 22.85 and/or any special conditions imposed on a project as a result of the issuance of a discretionary permit by the City.

J101.7 Maintenance of Protective Devices. The owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this code, or any other person or agent in control of such property, shall maintain in good condition and repair all drainage structures and other protective devices when they are shown on the grading plans filed with the application for grading permit and approved as a condition precedent to the issuance of such permit.

J101.8 Conditions of Approval. In granting any permit under this code, the Building Official may include such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:

1. Improvement of any existing grading to comply with the standards of this code.
2. Requirements for fencing of excavations or fills which may otherwise be hazardous.
3. Storm water control measures beyond those required by Section J101.6 of this Appendix J.

SECTION J102 DEFINITIONS

J102.1 Definitions. For the purposes of this appendix chapter, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

APPROVAL. shall mean that the proposed work or completed work conforms to this chapter to the satisfaction of the Building Official.

AS-GRADED. is the extent of surface conditions on completion of the approved grading project.

BEDROCK. is in-place solid rock. is the relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

BEST MANAGEMENT PRACTICE (BMP). is a stormwater pollution mitigation measure which is required to be employed in order to comply with the requirements of the NPDES permit issued to the City of Santa Barbara by the California Regional Water Quality Control Board.

BORROW is earth material acquired from an off-site location for use in grading on a site.

CIVIL ENGINEER is a professional engineer registered in the state to practice in the field of civil works.

CIVIL ENGINEERING is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.

COMPACTION. The densification of a fill by mechanical means.

CUT. See Excavation.

DESILTING BASINS are physical structures, constructed to allow the removal of sediments from surface water runoff.

DESIGN ENGINEER. Shall mean the civil engineer responsible for the preparation of the grading plans for the site grading work.

DOWN DRAIN. a device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility

EARTH MATERIAL. is any rock, natural soil or fill or any combination thereof.

ENGINEERING GEOLOGIST. is a geologist experienced and knowledgeable in engineering geology. Shall mean a person holding a valid certificate of registration as a geologist in the specialty of engineering geology issued by the State of California under the applicable provisions of the Geologist and Geophysicist Act of the Business and Professions Code.

ENGINEERING GEOLOGY. is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EROSION/SEDIMENTATION CONTROL PLAN (ESC). is a site drawing with details, notes, and related documents that identify the measures taken by the permittee to (1) control construction-related erosion and prevent construction-related sediment and pollutants from being carried offsite by stormwater, and (2) prevent construction-related non-stormwater discharges from entering the storm drain system that complies with the latest version of the Building & Safety Division's ESC Policy.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FIELD ENGINEER. shall mean the civil engineer responsible for performing the functions as set forth in Section J105.4.

FILL. deposition of earth materials by artificial means.

GEOTECHNICAL ENGINEER. See “soils engineer.”

GEOTECHNICAL HAZARD. is an adverse condition due to landslide, settlement, and/or slippage. These hazards include loose debris, slopewash, and the potential for mud flows from natural or graded slopes.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The final grade of the site that conforms to the approved plan.

GRADE, ROUGH. A stage at which the grade approximately conforms to the approved plan.

GRADING. An excavation or fill or combination thereof.

KEY. a compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

LANDSCAPE ARCHITECT. shall mean a person who holds a certificate to practice landscape architecture in the State of California under the applicable landscape architecture provisions of Division 3, Chapter 3.5 of the Business and Professions Code.

LINE. shall refer to horizontal location of the ground surface.

NATURAL GRADE. is the vertical location of the ground surface prior to any excavation or fill.

PRIVATE SEWAGE DISPOSAL SYSTEM. is a septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits or into a combination of subsurface disposal field and seepage pit or of such other facilities as may be permitted.

PROJECT CONSULTANTS. shall mean professional consultants required by this code which may consist of the design engineer, field engineer, soils engineer, engineering geologist, and architect as applicable to this chapter.

PROFESSIONAL INSPECTION. is the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

SITE. is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE. is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL. is naturally occurring superficial deposits overlying bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER). is an engineer experienced and knowledgeable in the practice of soils (geotechnical) engineering.

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). is the application of the principals of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of construction thereof.

STORM DRAIN SYSTEM. is a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, pipes, ditches and man-made channels, designed or used for collecting, dissipating, or conveying stormwater.

SURFACE DRAINAGE. shall refer to flows over the ground surface.

SOIL TESTING AGENCY. is an agency regularly engaged in the testing of soils and rock under the direction of a civil engineer experienced in soil testing.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION J103 PERMITS REQUIRED

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the Building Official. A grading permit does not include the construction of retaining walls or other structures. A separate permit shall be obtained for each site and may cover both excavations and fills. Any Engineered Grading as described in Section J104 shall be performed by a contractor licensed by the State of California to perform the work described herein. Regular Grading less than 5,000 cubic yards may require a licensed contractor if the Building Official determines that special conditions or hazards exist.

J103.2 Exemptions. A grading permit shall not be required for the following:

1. When approved by the Building Official, grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for the construction of a structure permitted under this code.
3. Cemetery graves.
4. Excavations for wells, or trenches for utilities.
5. Exploratory excavations performed under the direction of a Soils Engineer or Engineering Geologist. This shall not exempt grading of access roads or pads created for exploratory excavations. Exploratory excavations must be restored to existing conditions, unless approved by the Building Official.
6. An excavation that is less than 50 cubic yards (38.3 m³) and complies with one of the following conditions:
 - a) is less than 2 feet (610 mm) in depth, or

b) does not create a cut slope greater than 5 feet (1524 mm) measured vertically upward from the cut surface to the surface of the natural grade and is steeper than 2 units horizontal to 1 unit vertical (50% slope).

7. A fill not intended to support a structure which does not obstruct a drainage course and complies with one of the following conditions:

a) is less than 1 foot (305 mm) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical in (20% slope),

b) is less than 3 feet (914 mm) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, and does not exceed 50 cubic yards and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50% slope), or

c) is less than 5 feet (1524 mm) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, and does not exceed 20 cubic yards and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50% slope).

| EXCAVATIONS | | FILLS | |
|--|--|---|--|
| | | - NOT INTENDED TO SUPPORT STRUCTURES - DO NOT OBSTRUCT A DRAINAGE COURSE | |
| AN EXCAVATION WHICH IS LESS THAN 2 FT IN DEPTH AND DOES NOT EXCEED 50CY | | FILL PLACED ON NATURAL GRADE NOT STEEPER THAN 5:1 AND LESS THAN 1FT DEEP | |
| AN EXCAVATION WHICH CREATES A CUT SLOPE NOT GREATER THAN 5FT IN HEIGHT, NOT STEEPER THAN 2:1, AND DOES NOT EXCEED 50CY | | FILL LESS THAN 3FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 50CY | |
| | | FILL LESS THAN 5FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 20CY | |

8. Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

J103.3 Unpermitted Grading. A person shall not own, use, occupy or maintain any site containing unpermitted grading. For the purposes of this Code, unpermitted grading shall be defined as any grading that was performed, at any point in time, without the required permit(s) having first been obtained from the Building Official, pursuant to Section 103.1.

J103.4 Availability of Permit at Site. No person shall perform any grading for which a permit is required under this chapter unless a copy of the grading permit and approved grading plans is in the possession of a responsible person and available at the site.

J103.5 Grading Plan Review, Inspection and Permit Fees. Fees shall be assessed in accordance with the provisions set forth in the City of Santa Barbara's most currently adopted fee schedule.

J103.6 Grading Security. The Building Official may require a security in such form and amounts

as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. If required, a permit shall not be issued for grading unless the owner posts with the Building Official a security in one of the following forms:

1. A bond furnished by a corporate surety authorized to do business in this state.
2. A cash bond.
3. Savings and loan certificates or shares deposited and assigned to the City of Santa Barbara.
4. An instrument of credit from a financial institution subject to regulation by the State or Federal government and pledging that the funds necessary to carry out the grading are on deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.
5. Where unusual conditions or special hazards exist, the Building Official may require security for grading involving less than 1,000 cubic yards (764.6 m³). Security required by this Section may include incidental off-site grading on property contiguous with the site to be developed, provided written consent of the owner of such contiguous property is filed with the Building Official.
6. The Building Official may waive the requirements for a security for:
 - a) Grading being done by or for a governmental agency.
 - b) Grading necessary to remove a geotechnical hazard, where such work is covered by an agreement and security posted pursuant to the provisions of the City's "Subdivision Ordinance".
 - c) Minor grading on a site, not exceeding a slope of three horizontal to one vertical, provided such grading as determined by the Building Official will not affect drainage from or to adjacent properties.
 - d) Filling of holes or depressions, provided such grading will not affect the drainage from or to adjacent properties, or affect a rare, threatened or endangered species or its habitat, or other sensitive habitat.

J103.6.1 Amount of Security. The amount of security shall be based on the number of cubic yards of material in either excavation or fill, whichever is greater, plus the cost of all drainage or other protective devices or work necessary to eliminate geotechnical hazards. That portion of the security valuation based on the volume of material in either excavation or fill shall be computed as follows:

1. 100,000 cubic yards or less - 50 percent of the estimated cost of grading work.
2. Over 100,000 cubic yards - 50 percent of the cost of the first 100,000 cubic yards plus 25 percent of the estimated cost of that portion in excess of 100,000 cubic yards.
3. When the rough grading has been completed in conformance with the requirements of this code, the Building Official may at his or her discretion consent to a proportionate reduction of the security to an amount estimated to be adequate to ensure completion of the grading work, site development or planting remaining to be performed. The costs referred to in this section shall be as estimated by the Building Official.

J103.6.2 Conditions. All security shall include the conditions that the principal shall:

1. Comply with all of the provisions of this code, applicable laws, and ordinances;
2. Comply with all of the terms and conditions of the grading permit; and
3. Complete all of the work authorized by the permit.

J103.6.3 Term of Security. The term of each security shall begin upon the filing thereof with the Building Official and the security shall remain in effect until the work authorized by the grading permit is completed and approved by the Building Official.

J103.6.4 Default Procedures. In the event the owner or the owner's agent shall fail to complete the work or fail to comply with all terms and conditions of the grading permit, it shall be deemed a default has occurred. The Building Official shall give notice thereof to the principal and security or financial institution on the grading permit security, or to the owner in the case of a cash deposit or assignment, and may order the work required to complete the grading in conformance with the requirements of this code be performed. The surety or financial institution executing the security shall continue to be firmly bound under an obligation up to the full amount of the security, for the payment of all necessary costs and expenses that may be incurred by the Building Official in causing any and all such required work to be done. In the case of a cash deposit or assignment, the unused portion of such deposit or funds assigned shall be returned or reassigned to the person making said deposit or assignment.

J103.6.5 Right of Entry. The Building Official or the authorized representative of the surety company or financial institution shall have access to the premises described in the permit for the purpose of inspecting the work.

In the event of default in the performance of any term or condition of the permit, the surety or financial institution or the Building Official, or any person employed or engaged in the behalf of any of these parties, shall have the right to go upon the premises to perform the required work.

The owner or any other person who interferes with or obstructs the ingress to or egress from any such premises, of any authorized representative of the surety or financial institution or of the City of Santa Barbara engaged in the correction or completion of the work for which a grading permit has been issued, after a default has occurred in the performance of the terms or conditions thereof, is guilty of a misdemeanor.

SECTION J104 PERMIT APPLICATION AND SUBMITTALS

J104.1 Submittal requirements. In addition to the provisions of Sections J106 and J107, the applicant shall state the estimated quantities of excavation and fill.

J104.2 Site plan requirements. In addition to the provisions of Section J106, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

J104.2.1 Grading Designation. Grading in excess of 5,000 cubic yards or for the support of a structure shall be performed in accordance with the approved grading plan prepared by a civil engineer,

and shall be designated as “engineered grading.” Grading involving less than 5,000 cubic yards (3825 m³) shall be designated “regular grading” unless the permittee chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

J104.2.2 Regular Grading Requirements. In addition to the provisions of Section J106 and Section J104.2, an application for a regular grading permit shall be accompanied by three sets of plans in sufficient clarity to indicate the nature and extent of the work. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications.

Plans shall be drawn to scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Each sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include, but shall not be limited to, the following information:

1. General vicinity of the proposed site.
2. Limiting dimensions and depth of cut and fill.
3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.
4. Contours, flow areas, elevations, or slopes which define existing and proposed drainage patterns.
5. Erosion/Sedimentation, Storm water, and dust control provisions are required to be shown on the grading plan in accordance with the requirements of Sections J110, J111 & 112 of this appendix.

J104.2.3 Engineered Grading Requirements. In addition to the provisions of Sections J104.2 and J106, an application for an engineered grading permit shall be accompanied by specifications and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the Building Official.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Each sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include, but shall not be limited to, the following information:

1. A vicinity map showing the proposed site.

2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.
5. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet of the property or that may be affected by the proposed grading operations.
6. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.
7. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.
8. A statement of the quantities of material to be excavated and/or filled and the amount of such material to be imported to, or exported from the site.
9. A statement of the estimated starting and completion dates for work covered by the permit.
10. A statement signed by the owner acknowledging that a field engineer, soils engineer and engineering geologist, when appropriate, will be employed to perform the services required by this code, whenever approval of the plans and issuance of the permit are to be based on the condition that such professional persons be so employed.
11. Erosion/Sedimentation, Storm water, and dust control provisions are required to be shown on the grading plan in accordance with the requirement of sections J110, J111 & J112 of this appendix.
12. A drainage plan for that portion of a lot or parcel to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage.
13. Location and type of any proposed private sewage disposal system.
14. Location of existing utilities and drainage facilities and recorded easements. (public and private).
15. Location of all flood zones as designated and defined in Title 44, Code of Federal Regulations.

J104.3 Soils Engineering Report. The soils engineering report required by Section J104.2.2 shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. All reports shall conform with the requirements of this Code and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

J104.4 Engineering Geology Report. The engineering geology report required by Section J104.2.2 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. The engineering geology report shall include a geologic map and cross sections utilizing the most recent grading plan as a base. All reports shall conform with the requirements of this Code and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

Exception: A soils engineering or engineering geology report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.

J104.5 Liquefaction study. A geotechnical investigation may be required when the proposed work is a "Project" as defined in California Public Resources Code section 2693, and is located in an area designated as a "Seismic Hazard Zone" as defined in Title 14, Section 3722 of California Code of Regulations on Seismic Hazard Zone Maps issued by the State Geologist under Public Resources Code section 2696.

Exception: A liquefaction study is not required where the Building Official determines from established local data that the liquefaction potential is low.

SECTION J105 INSPECTION

J105.1 General. Grading inspections shall be governed by Section J109 of this Appendix J and as indicated herein. Grading operations for which a permit is required shall be subject to inspection by the Building Official. Professional inspection of grading operations shall be provided by the Civil Engineer, Soils Engineer and the Engineering Geologist retained to provide such services in accordance with this Section for engineered grading and as required by the Building Official for regular grading.

J105.2 Special and Supplemental inspections. The special inspection requirements of Section 1704.7 shall apply to work performed under a grading permit where required by the Building Official. In addition to the called inspections specified in Section J109, the Building Official may make such other inspections as may be deemed necessary to determine that the work is being performed in conformance with the requirements of this code. Investigations and reports by an approved soil testing agency, Soils Engineer and/or Engineering Geologist, and Field Engineer may be required. Inspection reports shall be provided when requested by the Building Official.

Inspection of drainage devices by the Field Engineer in accordance with this section may be required when the Building Official determines the drainage devices are necessary for the protection of the structures in accordance with this code.

J105.3 Field Engineer Inspections. When required, the field engineer shall provide professional inspection within such engineer's area of technical specialty, oversee and coordinate all field surveys, set grade stakes, and provide site inspections during grading operations to ensure the site is graded in accordance with the approved grading plan and the appropriate requirements of this code. During site grading, and at the completion of both rough grading and final grading, the field engineer shall submit statements and reports required by Sections J105.11 and J105.12. If revised grading plans are required during the course of the work, they shall be prepared by a Civil Engineer and approved by the Building Official.

J105.4 Soils Engineer Inspections. When required, the Soils Engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The Soils Engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the Building Official and the Field Engineer.

J105.5 Engineering Geologist Inspection. When required, the Engineering Geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

J105.6 Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage project consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

J105.7 Building Official Inspections. The Building Official may inspect the project site at the following various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants:

1. **Pregrade.** Before any construction or grading activities occur at the site; the permittee shall schedule a pregrade inspection with the Building Official. The permittee is responsible for coordinating that all project consultants are present at the pregrade inspection.

2. **Initial.** When the site has been cleared of vegetation and unapproved fill and it has been scarified, benched or otherwise prepared for fill. No fill shall have been placed prior to this inspection. All measures as shown on the Erosion/Sedimentation Control Plan shall be installed and/or materials stockpiled for use as needed.

3. **Rough.** When approximate final elevations have been established; drainage

terraces, swales and other drainage devices necessary for the protection of the building sites from flooding are installed; berms installed at the top of the slopes; and the statements required by Section J105.12 have been received.

4. **Final.** When grading has been completed; all drainage devices necessary to drain the building pad and project site are installed; slope planting established, irrigation systems installed; and the as-graded plans and required statements and reports have been submitted.

J105.8 Notification of Noncompliance. If, in the course of fulfilling their respective duties under this chapter, the Field Engineer, the Soils Engineer or the Engineering Geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies and corrective measures which should be taken shall be reported immediately in writing to the permittee and to the Building Official.

J105.9 Transfer of Responsibility. If the Field Engineer, the Soils Engineer, or the Engineering Geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

J105.10 Non-inspected grading. No person shall own, use, occupy or maintain any non-inspected grading. For the purposes of this code, non-inspected grading shall be defined as any grading for which a grading permit was first obtained, pursuant to Section J103, supra, but which has progressed beyond any point requiring inspection and approval by the Building Official without such inspection and approval having been obtained.

J105.11 Routine Field Inspections and Reports. Unless waived by the Building Official, routine inspection reports shall be provided by the Field Engineer for all engineered grading projects. The Field Engineer shall file these reports, with the Building Official as follows :

1. bi-weekly during all times when grading of 400 cubic yards or more per week is active on the site;
2. monthly, at all other times; and
3. at any time when requested in writing by the Building Official.

Such reports shall certify to the Building Official that the Field Engineer has inspected the grading site and related activities and has found them in compliance with the approved grading plans, the building code, grading permit conditions, and other applicable ordinances and requirements.

J105.12 Completion of work. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is required by the Building Official:

1. An as-built grading plan prepared by the Field Engineer retained to provide such services in accordance with Section J105.3 showing all plan revisions as approved by the Building Official. This shall include original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and the outlets

of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

2. The Field Engineer shall state in a report to the Building Official, that to the best of their knowledge, the work within their area of responsibility was done in accordance with the final approved grading plan.

3. A report prepared by the Soils Engineer retained to provide such services in accordance with Section J105.4, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils Engineer shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against hazard from landslide, settlement, or slippage.

4. A report prepared by the Engineering Geologist retained to provide such services in accordance with Section J105.5, including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. The Engineering Geologist shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.

5. The grading contractor shall submit a statement of conformance to said as-built plan and the specifications.

J105.13 Notification of completion. The permittee shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted and approved.

SECTION J106 EXCAVATIONS

J106.1 General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.

In the absence of an approved soils engineering or engineering geology report, these provisions may be waived, as approved by the Building Official, for minor cuts not intended to support structures nor subject to a surcharge.

J106.2 Maximum slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 2 units horizontal in 1 unit vertical (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property in conformance with the requirements of Section J111. The Building Official may require the excavation to be made with a cut face flatter in slope than two horizontal to one vertical if the Building Official finds it necessary for stability and safety.

J106.3 Slope Surface Protection. All slopes must be stabilized against surface erosion.

Stabilization may be accomplished through the application of erosion control blankets, soil stabilizers or other means as approved by the Building Official.

J106.4 Drainage. Drainage, including drainage terraces and overflow protection, shall be provided as required by Section J109.

SECTION J107 FILLS

J107.1 General. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this section. In the absence of an approved soils engineering report and if approved by the Building Official, these provisions may be waived for minor fills not intended to support structures.

J107.2 Preparation of Ground. Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal in 1 unit vertical (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 5 units horizontal in 1 unit vertical (20% slope) and the height is greater than 5 feet, benching into sound bedrock or other competent material shall be provided as a minimum in accordance with Figure J107.2 or as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 5 units horizontal in 1 unit vertical (20% slope) shall be at least 10 feet wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet wide but the cut shall be made before placing the fill and acceptance by the Soils Engineer or Engineering Geologist or both as a suitable foundation for fill.

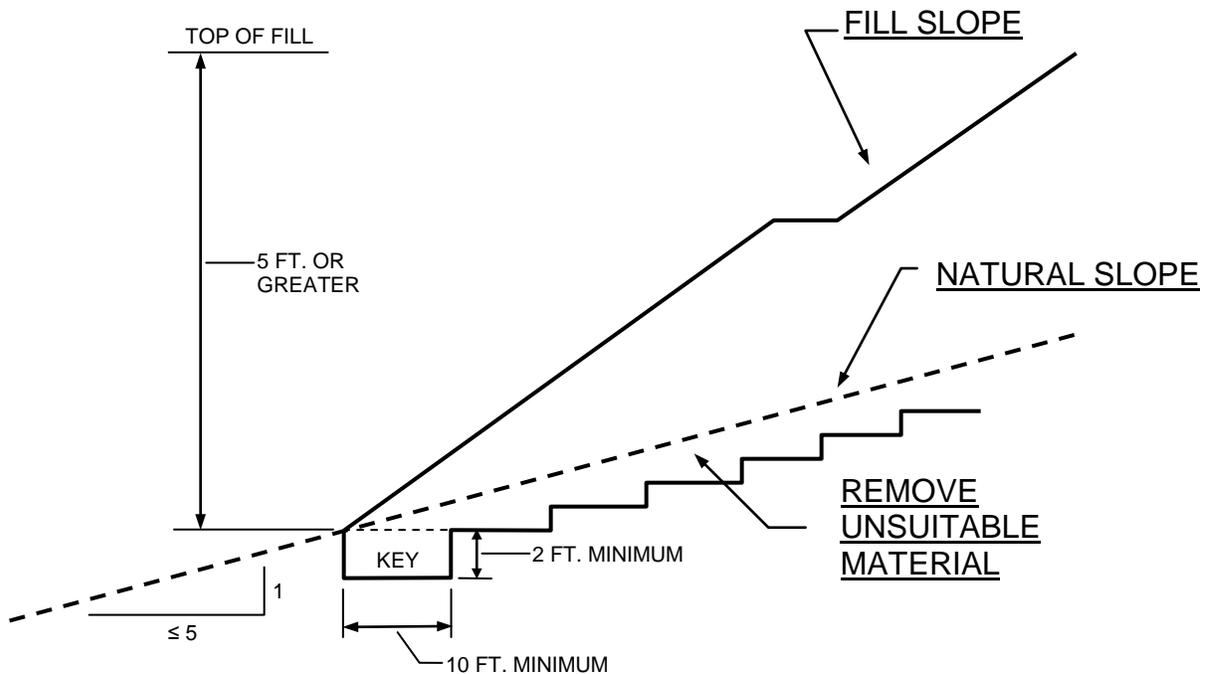


FIGURE J107.2 BENCHING DETAILS

J107.3 Subdrains. Except where recommended by the Soils Engineer or Engineering Geologist as not being necessary, subdrains shall be provided under all fills placed in natural drainage courses and in other locations where seepage is evident. Such sub-drainage systems shall be of a material and design approved by the Soils Engineer and acceptable to the Building Official. The permittee shall provide continuous inspection during the process of subdrain installation to conform with approved plans and Engineering Geologist's and Soils Engineer's recommendation. Such inspection shall be done by the soil testing agency. The location of the subdrains shall be shown on a plan by the Soils Engineer. Excavations for the subdrains shall be inspected by the Engineering Geologist when such subdrains are included in the recommendations of the Engineering Geologist

J107.4 Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Unless approved by the Building Official, no rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills.

EXCEPTION: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
4. The reports submitted by the soils engineer shall acknowledge the placement of the oversized material and whether the work was performed in accordance with the engineer's recommendations and the approved plans.
5. The location of oversized rock dispersal areas shall be shown on the as-built plan.

J107.5 Compaction. All fills shall be compacted to a minimum of 90 percent of maximum density. Fills shall be compacted throughout their full extent to a minimum relative compaction of 90 percent of maximum dry density within 40 feet below finished grade and 93 percent of maximum dry density deeper than 40 feet below finished grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the soils engineer. The relative compaction shall be determined by A.S.T.M. soil compaction test D1557 where applicable. Where not applicable, a test acceptable to the Building Official shall be used, unless the owner furnishes a soils engineering report conforming with the requirements of Section J104.3, stating that the site has been investigated and giving an opinion that a fill at a steeper slope will be stable and not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope be constructed with a face flatter in slope than two horizontal to one vertical if the Building Official finds it necessary for stability and safety.

Field density shall be determined by a method acceptable to the Building Official. However, not less than ten percent of the required density tests, uniformly distributed, shall be obtained by the Sand Cone Method.

Fill slopes steeper than two horizontal to one vertical shall be constructed by the placement of soil a sufficient distance beyond the proposed finish slope to allow compaction equipment to operate at the outer surface limits of the final slope surface. The excess fill shall be removed prior to completion or rough grading. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method and other factors will accomplish the intent of this Section.

J107.4 Maximum Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 2 units horizontal in 1 unit vertical (50% slope).

J107.5 Slopes to Receive Fill. Where fill is to be placed above the top of an existing slope steeper than three horizontal to one vertical, the toe of the fill shall be set back from the top edge of the slope a minimum distance of 6 feet measured horizontally or such other distance as may be specifically recommended by a Soil Engineer or Engineering Geologist and approved by the Building Official.

J107.6 Inspection of Fill. For engineered grading, the Soils Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement and compaction of the fill to be satisfied that the work is being performed in accordance with the conditions of plan approval and the appropriate requirements of this chapter. In addition to the above, the Soils Engineer shall be present during the entire fill placement and compaction of fills that will exceed a vertical height or depth of 30 feet (9144 mm) or result in a slope surface steeper than two horizontal to one vertical.

J107.6 Testing of Fills. Sufficient tests of the fill soils shall be made to determine the density thereof and to verify compliance of the soil properties with the design requirements, including soil types and shear strengths in accordance with the standards established by the Building Official.

SECTION J108 SETBACKS

J108.1 General. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the property line and shall be as shown in Figure J108.1., unless substantiating data is submitted justifying reduced setbacks.

J108.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

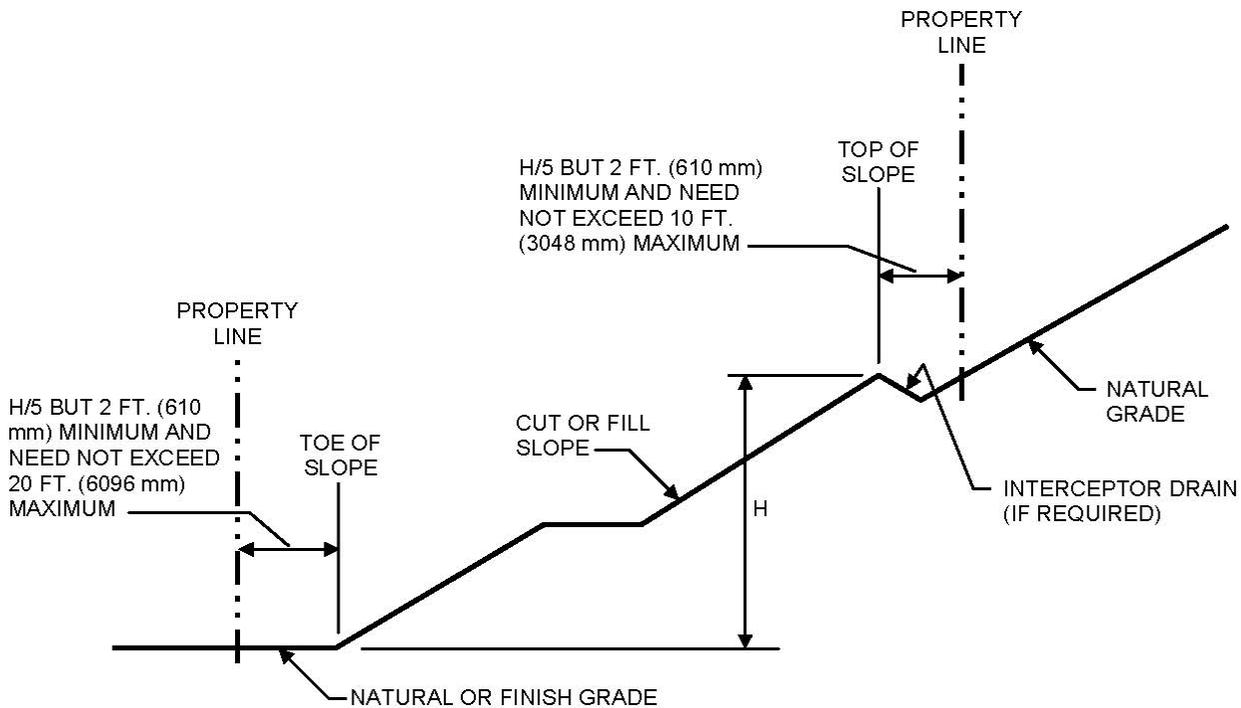


FIGURE J108.1
DRAINAGE DIMENSIONS

J108.3 Toe of Fill Slope. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

J108.4 Alternate Setbacks. The Building Official may approve alternate setbacks. The Building Official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

SECTION J109 DRAINAGE AND TERRACING

J109.1 General. Unless otherwise recommended by a registered design professional, and approved by the Building Official, drainage facilities and terracing shall be provided in accordance with the requirements of this Section .

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

J109.2 Drainage Terraces. Drainage terraces at least 8 feet (2438 mm) in width shall be established at not more than 30 foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 100 feet (30480 mm) and up to 120 feet (36,576 mm) in vertical height, one terrace at approximately mid-height shall be 20 feet (6,096 mm) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36,576 mm) in height shall be designed by the Civil Engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Drainage Swales or ditches on terraces shall have a minimum gradient of 5 percent longitudinal grade of not less than 5 percent nor more than 12 percent and a minimum depth of 1 foot (305 mm) at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade. Such terraces and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness, reinforced with 6-inch (152 mm) by 6-inch (152 mm) No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an approved equal paving. They shall have a minimum depth at the deepest point of 1 foot (305 mm) and a minimum paved width of 5 feet (1524 mm). Drainage terraces exceeding 8 feet (2438 mm) in width need only be so paved for a width of 8 feet (2438 mm) provided such pavement provides a paved channel at least 1 foot (305 mm) in depth. Downdrains or drainage outlets shall be provided at approximately 300-foot (91.44 m) intervals along the drainage terrace or at equivalent locations. Downdrains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal as defined in Section J109.5.

J109.3 Interceptor drains and overflow protection. Berms, interceptor drains or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from overflowing onto and damaging the face of a slope. Berms used for slope protection shall not be less than 12 inches (305mm) above the level of the pad and shall slope back at least 4 feet (1219 mm) from the top of the slope.

Interceptor drains shall be installed along the top of manufactured slopes receiving drainage from a slope with a tributary width greater than 40 feet (12 192 mm), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the Building Official, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

J109.4 Drainage across property lines. Surface drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices.

J109.5 Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable street, storm drain, or natural watercourse drainage way approved by the Building Official and Public Works Director or other appropriate governmental agency jurisdiction as a safe

place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices. De-silting basins, filter barriers or other methods, as approved by the Building Official and/or the Public Works Director, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipater may be required.

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, a public street or drainage structure approved to receive storm waters unless waived by the Building Official. A lesser slope may be approved by the Building Official for sites graded in relatively flat terrain, or where special drainage provisions are made, when the building official finds such modification will not result in unfavorable drainage conditions.

SECTION J110 SLOPE PLANTING AND EROSION CONTROL

J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall consist of effective planting, erosion control blankets, soil stabilizers or other means as approved by the Building Official.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials as approved by the Building Official.

Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

J110.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION J111 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) COMPLIANCE

J111.1 General. All grading plans and permits shall comply with the provisions of this section for NPDES compliance including the owner of any property on which grading has been performed and which requires a grading permit under Section J103.

J111.2 Erosion/Sedimentation Control Plan (ESCP). No grading permit shall be issued unless the plans for such work include a Erosion/Sedimentation Control Plan, that conforms to the Erosion/Sedimentation Control Policy of the City of Santa Barbara's Building & Safety Division, with details of best management practices, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to control construction-related pollutants which originate from the site as a result of construction related activities. Sites which have been graded and which requires a grading permit under Section J103 are subject to penalties and fines per Section J111.4

All best management practices shall be installed before grading begins. As grading progresses, all best management practices shall be updated as necessary to prevent erosion and control constructed related pollutants from discharging from the site. All best management practices shall be maintained in good working order to the satisfaction of the Building Official unless final grading

approval has been granted by the Building Official and all permanent drainage and erosion control systems, if required, are in place.

J111.4 Erosion/Sedimentation Control Plan, Effect of Noncompliance. Should the owner fail to install the best management practices required by Section J111.2 it shall be deemed that a default has occurred under the conditions of the grading permit security. There upon, the Building Official may enter the property for the purpose of installing, by City forces or by other means, the drainage, erosion control and other devices shown on the approved plans, or if there are no approved plans, as the Building Official may deem necessary to protect adjoining property from the effects of erosion, flooding, or the deposition of mud, debris or constructed related pollutants, or the Building Official may cause the owner to be prosecuted as a violator of this Code or may take both actions. The Building Official shall have the authority to collect the penalties imposed by this section upon determining that the site is non-compliance. Payment of penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

If the best management practices for storm water pollution prevention are not installed as prescribed in Section J111.2 and approved by the Building Official, the following penalties shall be imposed:

Grading Permit Volume Penalty:

1--10,000 cubic yards (1--7645.5 m³) = \$100.00 per day

10,001--100,000 cubic yards (7646.3--76455 m³) = \$250.00 per day

More than 100,000 cubic yards (76455 m³) = \$500.00 per day

NOTE: See Section J108 for inspection request requirements.

SECTION J112 DUST CONTROL

Santa Barbara County Air Pollution Control District's dust control measures identified as Construction Impact Mitigation: PM10 Mitigation Measures in SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* shall be adhered to during all ground disturbing activities.

SECTION J113 REFERENCED STANDARDS

These regulations establish minimum standards and are not intended to prevent the use of alternate materials, methods or means of conforming to such standards, provided such alternate has been approved.

The Building Official shall approve such an alternate provided he or she finds that the alternate is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the alternate.

The standards listed below are recognized standards, compliance with these standards recognized standards shall be prima facie evidence with the standard of duty set forth in Section 107.

1. Testing.

- a) ASTM D 1557, Laboratory Characteristics Compaction of Soil Using Modified Effort
- b) ASTM D 1556, Density and Unit Weight of Soils In Place by the Sand Cone Method
- c) ASTM D 2167, Density and Unit Weight of Soils In Place by the Rubber--Balloon Method
- d) ASTM D 2937, Density of Soils in Place by the Drive--Cylinder Method
- e) ASTM D 2922, Density of Soil and Soil Aggregate In Place by Nuclear Methods
- f) ASTM D 3017, Water Content of Soil and Rock in Place by Nuclear Methods

SECTION 3. Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is amended by adding Section 22.04.025 to read as follows:

22.04.025 Amendments to California Residential Code

The 2013 California Residential Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.025.

A. Section R105.1 "Required" is amended by adding Section R105.1.1 "Driveways and parking areas" and 105.1.2 "Demolition permits" to read as follows:

Section R105.1.1 Driveways and Parking Areas. Any work that is intended to create new, or to alter or demolish existing vehicular driveways and/or parking areas shall require a building permit. Prior to commencement of such work the owner or authorized agent shall first make application to the building official and obtain the required permit.

Section 105.1.2 Demolition Permits. Building permits shall be required to demolish any building, portion of a building, or structure within the City of Santa Barbara and shall be subject to the following conditions:

1. The applicant shall ensure all utility connections have been removed by the appropriate utility providers, except such utility services that are approved for use in connection with the work of the demolition. The applicant shall provide verification from the utility providers that utility service has been disconnected.

2. All resulting building debris, trash, junk, vegetation, dead organic matter, rodent harborage, or combustible material that constitutes a threat to life, health, or property, or is detrimental to the public welfare or which may reduce adjacent property value shall be removed from the site within thirty (30) days after the demolition of the structure.

B. Section R105.2 is deleted in its entirety and readopted to read as follows:

Section R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Note - For work, other than work involving, or accessory to,

detached one- and two-family dwellings or townhouses, see Section 105 of the 2013 California Building Code as amended):

Building:

1. One-story detached residential accessory structures used as tool and storage sheds, playhouses, portable and fixed playground equipment, bicycle or skateboard ramps and similar uses, provided the floor area does not exceed 120 square feet and the height does not exceed 10 feet at the highest point; and further provided the structure does not encroach into required setbacks or required open yards, does not obstruct required parking, and is not served by any utilities. The combined square footage of exempt accessory structures may not exceed 200 square feet on any single parcel.

2. Residential fences and walls not over 3 ½ feet high, as measured from the lowest adjacent grade of the fence or wall, and that such fence or wall will not adversely affect drainage or cause erosion.

3. Residential retaining walls which are not over 4 feet in height as measured from the bottom of the footing to the top of the wall, and that such wall will not support a surcharge, will not adversely affect drainage or cause erosion and is not located on a slope greater than 20%.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.

5. Uncovered residential platforms, decks, porches, walks, patios, flatwork and similar structures not more than 10 inches above adjacent grade, and not over any basement or story below.

6. Interior painting, papering, tiling, carpeting, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 24" deep.

8. Ground mounted radio, television and other masts or antenna or dish shaped communication reception or transmitting structures less than 3 feet in diameter, which do not extend more than 15 feet above grade and are not served by electrical circuits regulated under the National Electrical Code NEC). Light- weight roof-mounted radio, television, and other masts or antenna or dish shaped communication reception or transmitting structures less than 2 feet in diameter, which do not extend more than 15 feet above the roof, are not served by electrical circuits regulated under the NEC, and which are not subject to design review by the Architectural Board of Review, Historic Landmarks Commission, or Single Family Design Board.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.

2. Reinstallation of attachment plug receptacles but not the outlets therefore.

3. Replacement of branch circuit over current devices of the required capacity in the same location.

4. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

C. Section R112.1 "General" of Section R112 "Board Of Appeals" is amended to read as follows:

R112.1 General. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020 of this Code.

D. Section R313.1 "Townhouse automatic fire sprinkler systems" is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904 *R313.3 or NFPA 13D*.

E. Section R313.2 "One- and two- family dwellings automatic fire sprinkler systems" 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.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 *R313.3 or NFPA 13D*.

R313.2.2 City of Santa Barbara Local Requirements. Approved sprinkler systems shall be provided throughout a building in connection with the projects or changes of occupancy listed in this Section R313.2.2 or as specified elsewhere in this Section R313, whichever is more protective.

R313.2.3 Additions to or Remodels of Single Family Residences, duplexes and townhouses. Sprinklers are required for the addition of floor area to, or the modification or alteration of the interior of, an existing building that contains a Group R, Division 3 occupancy and townhouses, where the floor area of the portion of the building that is added, modified, or altered exceeds 75% of the existing floor area of the building. For purposes of this section, all additions, modifications, or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 75% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

R313.2.4 Computation of Square Footage. For the purposes of this Section R313, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

R313.2.5 Existing use. Except as provided in this Section R313, any building in existence at the time of the effective date of the ordinance adopting this section may continue with such use if such use was legal at the time.

F. Section R327.1.1 "Scope" is amended to read as follows:

R327.1.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, remodels or additions to existing buildings located within a Wildland-Urban Interface Fire Area as defined in Section R327.2 and R327.1.3.1 Item #3.

G. Section R327.1.3 "Application" is amended to read as follows:

R327.1.3. Application. New buildings, remodeled buildings or additions to existing buildings in any Fire Hazard Severity Zone or Wildland-Urban Interface Area designated by the enforcing agency constructed after the application date shall comply with this chapter.

Exception: Accessory and/or Group U occupancy buildings may be exempted from all or portions of this chapter upon approval of the Fire Marshall and/or Chief Building Official.

H. Section R327.5 "Roofing" is deleted in its entirety and readopted to read as follows:

R327.5 Roofing

R327.5.1 General. Roofs shall comply with the requirements of Sections R327 and R902. Roofs shall have a roofing assembly installed in accordance with its listing and manufacturers installation instructions.

R327.5.2 Roof Coverings. Roof coverings on new buildings shall be class A noncombustible in accordance with adopted CRC Standards or otherwise as may be approved by the Chief Building Official. Roof coverings shall be class A or noncombustible fire retardant materials on existing buildings and additions or repairs to existing buildings. Treated or untreated wood shakes or

shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two (2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles. Green” or “Vegetated” roofs shall not be used in the Wildland-Urban Interface Fire Area.

R327.5.3 Roof valleys. Where valley flashing is installed, the flashing shall be not less than 0.019-inch (0.48 mm) No. 26 gage galvanized sheet corrosion-resistant metal installed over not less than one layer of minimum 72 pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D 3909, at least 36-inch wide (914 mm) running the full length of the valley.

R327.5.4 Roof Gutters. Roof gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.

R327.5.5 Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

I. Section R327.6.2 “Requirements” is amended to read as follows:

R327.6.2 Requirements. Ventilation openings for enclosed attics, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, and underfloor ventilation openings shall be fully covered with metal wire mesh, vents, other materials, or other devices that meet the following requirements:

1. The dimensions of the openings therein shall be a minimum of 1/16th inch (1.6 mm) and shall not exceed 1/8th inch (3.2mm).
2. The materials used shall be noncombustible.

Exception to item #2: Vents located under the roof covering, along the ridge of roofs, with the exposed surface of the vent covered by noncombustible wire mesh, may be of combustible materials.

3. The materials used shall be corrosion resistant.
4. Individual ventilation openings shall not exceed 144 square inches.
5. Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.
6. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with this subsection.

J. Section R327.8.2 “Exterior glazing” is amended to read as follows:

R327.8.2 Exterior glazing. The following exterior glazing materials and/or assemblies shall comply with this section:

1. Exterior windows and/or skylights.
2. Exterior glazed doors.
3. Glazed openings within exterior doors.
4. Glazed openings within exterior garage doors.
5. Exterior structural glass veneer.

K. Chapter 3 "Building Planning" is amended by adding Sections R332 through R334 to read as follows:

R332 Special Inspections and Structural Tests. When structural tests and special inspections are required due to the methods of construction the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

R333. Encroachments into the Public Right of Way. Encroachments into the public right of way shall comply with the standards of Chapter 32 of the California Building Code.

R334. Safeguards During Construction. Provisions for pedestrian safety during construction and the protection of adjacent public and private properties shall be governed by the requirements of Chapter 33 of the California Building Code.

L. Section R401 "Foundations" is amended by adding Section 401.5 "Grading" to read as follows:

R401.5 Grading. All grading, excavations and earthwork, including work required and/or related to structures regulated by this code, shall comply with Appendix J "Grading" of the 2013 California Building Code as amended.

M. Section R401.4 "Soils tests" is deleted in its entirety and readopted to read as follows:

R401.4. Soils Reports/Geotech Investigations. A Soils Report or Geotechnical Investigation shall be required as outlined in Section 1803 of the California Building Code.

Exceptions:

1. Single-story additions with less than a 500 sq. ft. "footprint" and that are less than 50% of the existing structure they are attached to.
2. Second story additions to an existing slab on grade structure that does not require new footings.
3. Detached "U" Occupancy Category buildings.

N. Section R401.4.1 "Geotechnical Evaluations" is amended to read as follows:

R401.4.1 Load Bearing Values. Projects utilizing any of the exceptions of Section R401.4 shall use the presumptive load-bearing values of Table R401.4.1. Table R401.4.1 is not amended.

O. Section R403.1.2 "Continuous footing in seismic design categories D₀, D₁ and D₂" is amended to read as follows:

R403.1.2 Continuous footing in seismic design categories D₀, D₁ and D₂. The braced wall panels at exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ shall be supported by continuous footings. All required interior braced wall panels in buildings shall be supported by continuous footings.

P. Section R403.1.5 "Slope" is amended to read as follows:

R403.1.5 Slope. The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in ten units horizontal (10-percent slope). Footings

shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in ten units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁, D₂, and E, stepped footings shall be reinforced with four ½-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be placed at the top of the footing and two bars shall be placed at the bottom of the footing.

Q. Section R404.2 “Wood foundation walls” is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures 403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Categories D₀, D₁, D₂, and E.

R. Section R802.10.2 “Design” is amended to read as follows:

R802.10.2 Design. Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a professional registered by the State of California.

S. Section R902.1 “Roofing covering materials” is amended to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roof shall be installed in areas designated by this section. Classes A and B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

T. Section R902.1.1 “Roof coverings within very-high fire hazard severity zones” is amended to read as follows:

R902.1.1 Roof coverings within Wildland-Urban Interface Fire Area. The roofing and re-roofing requirements of structures within a Wildland-Urban Interface Fire Area as defined in Section R327.2 and R327.1.3.1 Item #3 shall meet the requirements of R327.

U. Section R902.1.2 “Roof coverings within state-responsibility areas” is deleted in its entirety without replacement.

V. Section R902.1.3 “Roof coverings in all other areas” is deleted in its entirety and readopted to read as follows:

R902.1.3 Roof coverings in all other areas. The roof covering or roofing assembly of any new building or the re-roofing of any existing building, regardless of type or occupancy classification, shall be no less than Class B, except that Group H, Division 1 and Group I occupancies shall be Class A. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two-year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

Exception: In the High Fire Hazard District, roof coverings shall be in accordance with Section R327 as amended.

W. Appendix Chapter G - Section AG105.2 "Outdoor swimming pool" is amended to read as follows:

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa, shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1524mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow the passage of a 4-inch diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is 45 inches (1143) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where the decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches (44 mm).

6. Maximum mesh size for chain link fences shall be a 2 ½-inch (57 mm) square, unless the fence has slats fastened at the top of the bottom or the bottom which reduce the openings to not more than 1 ¾ inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 ¾ inches (44 mm).

8. Access gates shall comply with the requirements of Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and have a self-latching device. Gates, other than pedestrian access gates, shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1 The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and

8.2 The gate and barrier shall have no opening larger than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions will be met:

9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346;

9.2 Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3 Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described herein.

10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

10.1 The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

10.2 The ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 9. When ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere.

X. Appendix Chapter I - Section AI101 "I" is deleted in its entirety and readopted to read as follows:

AI101.1 General Private sewage disposal systems shall conform to the 2013 California Plumbing Code Appendix Chapter H.

SECTION 4. Section 22.04.030 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.030. Amendments to California Plumbing Code.

The 2013 California Plumbing Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.030.

A. Section 102.3 "Board of appeals" is hereby deleted in its entirety and readopted to read as follows:

102.3 Board of Appeals. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

B. Section 103.4 "Fees" is deleted in its entirety and readopted to read as follows:

103.4 Fees. Fee payments, fee schedules, work commencing prior to permit issuance, related fees and refunds shall be in accordance with 2013 California Residential Code Section R108 for one- and two-family dwellings and townhomes and in accordance with 2013 California Building Code Section 109 for all other fees.

C. Section 402 "Installation" is amended by adding subsections 402.13 "Fountains" and 402.14 "Vehicle wash facilities" to read as follows:

402.13 Fountains. All fountains and other decorative bodies of water shall be equipped with a recirculation system and shall be designed to operate without a continuous supply of water.

402.14 Vehicle Wash Facilities.

402.14.1. All vehicle wash facilities using conveyorized, touchless and/or rollover in-bay technology shall reuse a minimum of fifty percent (50%) of water from previous vehicle rinses in subsequent washes.

402.14.2. Vehicle wash facilities using reverse osmosis to produce water rinse with a lower mineral content, shall incorporate the unused concentrate in subsequent vehicle washes.

402.14.3. All hoses pipes and faucets designed for the manual application of water to vehicles at vehicle wash facilities shall be equipped with a positive shut-off valve designed to interrupt the flow of water in the absence of operator applied pressure.

D. Section 422.1 "Fixture count" is deleted in its entirety and readopted to read as follows:

422.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 422.1 [**OSHPD 1, 2, 3, & 4**] and *Table 4-2*.

Exception: Within existing buildings, the Chief Building Official may make alternate consideration findings for partial compliance on the basis of one or more of the following criteria:

1. The cost of compliance is in excess of 15% of all cost of construction as proposed or incurred within one (1) year before or after the work proposed; or
2. The proposed use does not intensify the occupant load by more than 15% of the existing occupant load; or
3. Due to physical constraints of existing buildings and occupancies relative to disabled access regulations.

The total occupant load and occupancy classification shall be determined in accordance with *Occupant Load Factor Table A*. Occupancy classification not shown in Table 422.1 shall be considered separately by the Authority Having Jurisdiction.

The minimum number of fixtures shall be calculated at 50 percent male and 50 percent female based on the total occupant load. Where information submitted indicates a difference in the distribution of the sexes such information shall be used in order to determine the number of fixtures for each sex. Once the occupancy load and occupancy are determined, Table 422.1 shall be applied to determine the minimum number of plumbing fixtures required. Where applying the fixture ratios in Table 422.1 results in fractional numbers, such numbers shall be rounded to the next whole number. For multiple occupancies, fractional numbers shall be first summed and then rounded to the next whole number.

422.1.1 Family or Assisted-Use Toilet and Bathing Facilities. Where family or assisted-use toilet and bathing rooms are required, in applicable building regulations, the facilities shall be installed in accordance with those regulations.

422.1.2 [DSA-AC] *Effective January 1, 1990, in new construction and those existing facilities which occupancy type are listed in Tables 422.1 and 4-4 for public use, which apply for permit to undertake construction, structural alterations, repairs or improvements which exceed 50 percent of the square footage of the entire facility, shall install water closets, urinals, lavatories and drinking fountains as stipulated in Tables 422.1 and 404 for public use. Community and/or municipal parks with bleacher capacity not exceeding 500 seats shall be exempt from the requirements of this section and Tables 422.1 and 4-4. Each bathroom shall comply with Part 2, Chapter 11A and 11B of the California Building Code.*

E. Chapter 4 “Plumbing Fixtures and Fixture Fittings” is amended by the addition of Section 423 “Water meters required”.

423. Water meters required.

423.1. Group R Occupancies. Each dwelling unit, including apartments units and secondary units, shall be served by a separate City water meter. For projects of five (5) dwelling units or more, such meter shall serve only uses within the dwelling unit. All other uses, including but not limited to irrigation, water features (pools, spas, fountains), and shared laundry facilities, shall be served by an additional separate City water meter.

423.2. Occupancies Other Than Group R. All occupancies other than Group R serving a separate legal parcel shall be served by a single meter and no such meter shall also serve Group R occupancy.

F. Section 603.1 “General” is amended to read as follows:

603.1 General. Cross-connection control shall be provided in accordance with the provisions of this chapter and Sections 7583 through 7630 “Drinking Water Supplies” of Title 17 of the California Administrative Code, and where there is a conflict between the requirements, the higher level of protection shall apply.

No person shall install any water-operated equipment or mechanism, or use any water-treating chemical or substance, if it is found that such equipment, mechanism, chemical, or substance causes pollution or contamination of the domestic water supply. Such equipment or mechanism shall be permitted only when equipped with an approved backflow prevention device or assembly.

G. Section 608.2 “Excessive Water Pressure” is amended to read as follows

608.2 Excessive Water Pressure. Regardless of the pressure at the main, all occupancies served by the City of Santa Barbara Water Resource Division shall be equipped with an approved pressure regulator preceded by a strainer (unless a strainer is built into the device). Any irrigation system or other secondary piping that bypasses said regulator shall be equipped with its own approved pressure regulator and strainer, installed upstream of any piping, backflow device, valve, solenoid or outlet. Such regulator(s) shall control the pressure to all water outlets in the building unless otherwise approved by the Authority Having Jurisdiction. Each such regulator and strainer shall be accessibly located above ground or in a vault equipped with a properly sized and sloped bore-sighted drain to daylight, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. Pipe size determinations shall be based on 80 percent of the reduced pressure when using

Table 6-6. An approved expansion tank shall be installed in the cold water distribution piping downstream of each such regulator to prevent excessive pressure from developing due to thermal expansion and to maintain the pressure setting of the regulator. The expansion tank shall be properly sized and installed in accordance with the manufacturer's instructions and listing. Systems designed by registered engineers shall be permitted to use approved pressure relief valves in lieu of expansion tanks provided such relief valves have a maximum pressure relief setting of one hundred (100) pounds per square inch (689 kPa) or less.

H. Section 710.0 "Drainage of Fixtures Below the Next upstream Manhole or Below the Main Sewer Level" is amended by adding Sections 710.14 "Sewage Pump Signaling Device" and 710.15 "Approved Type Backwater Valve" to read as follows:

710.14 Sewage Pump Signaling Device. Specially designed sewage disposal systems which depend upon a sewage lift pump or ejector for their operation shall be provided with an approved audible signaling device to warn building occupants in the event of pump failure.

710.15. Approved Type Backwater Valve. When the valuation of an addition, alteration, or repair to a building exceeds \$1,000.00 or when additions, alterations, or repairs are made to the plumbing system or fixtures and a permit is required, an approved backwater valve shall be installed in accordance with Section 710.0 of this Code.

Exception: Repairs to the exterior surface of a building are exempt from the requirements of this section.

I. Section 713.2 "Private Sewage Disposal System" is amended to read as follows:

713.2 When no public sewer intended to serve any lot or premises is available in any thoroughfare or right of way abutting such lot or premises, drainage piping from any building or works shall be connected to an approved private sewage disposal system.

Approved private systems may be used until a public system is available. Upon written notice by the Chief Building Official to the record owner of title, such private systems shall be abandoned in accordance with the provisions of Section 722.0 of this code and permits to connect to the public system must be secured.

SECTION 5. Section 22.04.040 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.040 Amendments to the California Mechanical Code.

The 2013 California Mechanical Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.040.

A. Section 108 "Board of Appeals" is hereby deleted in its entirety and readopted to read as follows:

108 Board of Appeals. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and

Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

B. Section 114.0 “Fees” is deleted in its entirety and readopted to read as follows:

114.0 Permit fees. Fee payments, fee schedules, work commencing prior to permit issuance, related fees and refunds shall be in accordance with CRC Section R108 for one- and two-family dwellings and townhomes and in accordance with CBC Section 109 for all other fees.

SECTION 6. Section 22.04.050 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.050. Amendments to the California Electrical Code.

A. The 2013 California Electrical Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.050. Article 89.108.8 California Electrical Code is deleted and readopted to read as follows:

89.108.8 Appeals Board. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

SECTION 7. Section 22.04.060 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.060 Amendments to the 2013 California Green Building Standards Code

The 2013 California Green Building Standards Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.060.

A. Section 4.304 “Outdoor Water Use” is amended by adding Section 4.304.2 “Fountains” to read as follows:

4.304.2 Fountains. All fountains directly plumbed by potable water, on a single parcel of land, shall not exceed a total water surface area of twenty five square feet.

B. Section 5.304.2 “Outdoor Potable Water Use” is deleted in its entirety and readopted to read as follows:

5.304.2 Outdoor potable water use. For new water service or for addition or alteration requiring upgraded water service for landscaped areas of at least 1,000 square feet but not more than 5,000 square feet (the level at which Water Code § 535 applies), a separate City-issued irrigation meter shall be installed for outdoor potable water use.

C. Section 5.304 is amended by adding Section 5.304.4 to read as follows:

5.304.4 Fountains. All fountains directly plumbed by potable water, on a single parcel of land, total water surface area shall not exceed twenty five square feet.

SECTION 8. Section 22.04.070 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.060 Amendments to the 2012 International Property Maintenance Code

The 2012 International Property Maintenance Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.060.

A. Section 101.1 “Title” is amended to read as follows:

101.1 Title. These regulations shall be known as the *International Property Maintenance Code* of the City of Santa Barbara, hereinafter referred to as “this code”.

B. Section 103 “Department of Property Maintenance Inspection” is deleted in its entirety without replacement.

C. Section 111 “Means of Appeal” is deleted and readopted to read as follows:

111 Means of Appeal. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

D. Section 112.4 “Failure to Comply” is amended to read as follows:

112.4 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, may be assessed a citation as outlined in Santa Barbara Municipal Code Section 1.25.

E. Section 302.4 “Weeds” is amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12”. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

F. Section 304.14 “Insect Screens” is amended to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fittings screens of minimum 12 mesh per inch (16

mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

G. Section 602.2 “Residential Occupancies” is deleted in its entirety and readopted to read as follows:

602.2 Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating

H. Section 602.3 “Heat Supply” is deleted in its entirety without replacement.

I. Section 602.4 “Occupiable work spaces” is deleted in its entirety without replacement.

SECTION 9. Section 22.04.070 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.080. Amendments to the 1997 Uniform Code for Abatement of Dangerous Buildings

A. The 1997 Uniform Code for Abatement of Dangerous Buildings, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.080. Section 205 is deleted and readopted to read as follows:

205 Board of Appeals. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

SECTION 10. Whenever in this Ordinance or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, such reference shall incorporate and adopt by reference such other codes, standards or rules or regulations as part of this ordinance. A copy of said primary and secondary codes are on file and shall be maintained for public inspection by the Chief Building Official as provided in Title 5, Division 1, Part 1, Chapter 1 of the California Government Code while this Ordinance is in force.

SECTION 11. Ordinance Number 5536 repealed upon the effective date of this ordinance.

SECTION 12. The provisions of this ordinance shall take effect at 12:01 a.m. on January 1, 2014.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: State Water Project Contract Extension

RECOMMENDATION:

That Council receive a presentation on the role of State Water in Santa Barbara's water supply, on the State Water Project contract extension, and on the Bay Delta Conservation Plan.

DISCUSSION:

Role of State Water in Santa Barbara's Water Supply

The City has a diverse water supply portfolio. It includes water received from the State Water Project, water from lake Cachuma and the Gibraltar Reservoir, groundwater, a permitted desalination plant, and recycled water. The City also has a comprehensive water conservation program to reduce demand and stretch water supplies.

The City's state water entitlement is 3,300 acre feet/year (AF/yr) of the highest priority water entitlement for the State Water Project. An entitlement of 3,300 AF/yr does not translate to a guaranteed supply of that amount of water each year as actual deliveries are dependent on how much precipitation occurs in the watersheds flowing to Lake Oroville and the Sacramento Delta (Delta). Each year, the Department of Water Resources (DWR) allocates some percentage of the total water as available for deliveries. The 2013 allocation is 35% (1,155 AF), and in recent years, the allocation has averaged 54%.

The City has been able to "carry forward" unused state water allocations from year to year. Currently, there is 4,886 AF of City water stored in reservoirs or groundwater banks in other parts of the state. This is approximately one third of the typical annual demand for the City. In the current dry period, this stored water will augment local supplies and delay the need to restart the City's desalination plant. Additionally, being connected to the State Water Project makes it possible for the City to buy and import water from other parts of the state during periods of water shortage.

Contract Extension

The terms and conditions for delivery of and payment for the City's allocation of state water, and the infrastructure necessary to deliver it, are specified in a Water Supply Agreement between the City and the Central Coast Water Authority (CCWA). Similarly, the terms and conditions regulating CCWA's participation in the State Water Project are governed by a State Water Supply contract between the DWR and Santa Barbara County. The County has assigned the rights and obligations of the contract to CCWA.

Although the contract between Santa Barbara County and DWR does not expire until 2035, the parties have begun the formal extension process. The need to extend the contract is primarily driven by the need to finance upcoming capital improvements. Currently, any bonds issued to finance capital work must be repaid by the end of the contract period (22 years). The State currently sells \$200 million a year in bonds to finance capital improvements on the State Water Project and it is estimated that upwards of \$2.5 billion dollars of capital improvements and upgrades are needed to repair and restore aging State Water Project infrastructure such as pumping plants and electrical turbines, and to strengthen dams at reservoirs. If the contract is not extended, the City and other CCWA members will have to pay for the projects over a much shorter time, significantly compressing costs.

In addition to extending the term of the agreement, a number of issues, primarily related to funding, are being negotiated. CCWA's Executive Director is representing CCWA and Santa Barbara County and is part of the group leading negotiations with DWR. Contract negotiations are expected to be completed in the near future, with agreements in principle to be drafted thereafter. An Environmental Impact Report will be prepared to analyze the agreements in principle. Although the County has assigned the rights and obligations of the Water Supply Agreement to CCWA, it is still the party responsible for signing the contract extension. The terms of the City's Water Supply Agreement with CCWA provide that it remains in place until the State Water Supply Agreement expires. Therefore extension of the State agreement would also extend the City's agreement.

Bay Delta Conservation Plan (BDCP)

Currently, water for the State Water Project is pumped out of the southern end of the Sacramento Delta into the 444-mile long State Water Project canal. The pumps used to pump water from the Delta to the canal are so powerful that they change the way water flows through the Delta. The disruption of natural water flow and the entrainment of fish in the pumps have created environmental impacts that are currently being mitigated by managing the pumping schedule. The changed pumping schedule has reduced the reliability of state water supplies by reducing the amount of water than can be pumped out of the Delta. The BDCP is a comprehensive conservation strategy aimed at protecting dozens of species of fish and wildlife, while permitting the reliable operation of the State Water Project. The BDCP is being prepared through a voluntary collaboration of state, federal, and local water agencies, state and federal fish and wildlife agencies, environmental organizations, and other interested parties. The Draft

Environmental Impact Report (EIR) for the proposed project is currently being completed and is expected to be released on November 15, 2013, unless delayed by the Federal government shut down. There is a 120 day comment period on the Draft EIR and the final document is expected to be completed and certified in September 2014.

The BDCP calls for the construction of two 30-mile long tunnels under the Delta to allow water to be transported to communities south of the Delta without travelling through the Delta. It also includes the restoration and protection of 145,000 acres of habitat in the Delta. The BDCP would result in long-term permits from regulatory agencies in return for meeting the Delta's ecological needs. It creates a durable regulatory framework that would allow for fundamental and systematic improvements in the Delta. This reflects a significant departure from the species-by-species approach, utilized in previous efforts to manage Delta-specific species and habitats. Instead, the BDCP seeks to improve the health of the ecological system as a whole.

Restoration and protection of habitat will occur as large restoration projects are implemented. Conservation measures that address water operations and other stressors will be implemented beginning soon after environmental regulatory permit issuance, which is currently estimated to be the end of 2014. Construction of the new conveyance facilities would begin approximately two years after permit issuance and continue for an estimated nine to ten years. Operations could begin as early as year eleven.

BUDGET/FINANCIAL INFORMATION:

The BDCP is projected to cost approximately \$25 billion. Cost allocation is still being negotiated. Current estimates would require the State Water Contractors to pay \$10 billion and Federal Water Contractors to pay approximately \$7 billion. Assuming capital costs can be financed over 40 years, annual operating and capital costs for the city would increase by approximately \$500,000. Current annual operating and capital costs for CCWA are \$4.7 million.

Under the terms of the current contracts, the City is responsible for its proportionate share of operating and capital costs for the State Water Project. Contract extension would allow financing of capital costs over a longer period of time. This is particularly important as the state continues to move forward with the BDCP.

PREPARED BY: Rebecca Bjork, Water Resources Manager/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Administration, Housing & Human Services Division, Community Development Department

SUBJECT: Casa Esperanza Programmatic Changes

RECOMMENDATION: That Council:

- A. Amend the City's Program Year 2013-14 Annual Action Plan;
- B. Approve a Revision to Casa Esperanza's Community Development Block Grant Agreement for Day Center Services #24,420; and
- C. Authorize the Assistant City Administrator to execute an Agreement with Casa Esperanza for the operation of the Winter Shelter from December 1, 2013 through March 31, 2014, subject to City Attorney approval as to form.

DISCUSSION:

Due to ongoing financial challenges, Casa Esperanza Homeless Center has undergone several programmatic changes. As of July 1, 2013, they switched to a sobriety-based shelter program for their 100-bed year-round shelter program and they plan to do the same on December 1st when they expand to the 200-bed emergency winter shelter. In addition, as of September 17, 2013, Casa Esperanza closed its drop-in Day Center services for non-shelter residents and suspended the Community Kitchen lunch program for non-shelter residents.

On September 19, 2013, the City received a request from Casa Esperanza to revise their Community Development Block Grant (CDBG) agreement for Day Center Services and their Human Services agreement for the Community Kitchen program (see attached letter). Day Center services and meals will continue to be provided to shelter residents; however the number of people served is projected to decrease due to the exclusion of non-residents.

Staff routinely approves minor revisions to Human Services contracts with the approval of the Community Development and Human Services Committee (CDHSC). However, the changes proposed by Casa Esperanza for its CDBG-funded Day Center program warrants an amendment to the City's Annual Action Plan and, as such, requires Council action.

U.S. Dept. of Housing and Urban Development (HUD) 2013-14 Annual Action Plan:

Federal regulations require that, as a recipient of federal CDBG and HOME funds, the City of Santa Barbara prepare a Consolidated Plan (CP), which outlines the City's five-year strategy and goals to address identified housing and community development needs.

In addition to the CP, the City must submit an Annual Action Plan (AAP), which identifies specific activities that will be undertaken to accomplish the goals stated in the five-year plan. The 2013-14 AAP is the fourth program year of the 5-year plan and contains the Fiscal Year 2013-14 CDBG funding recommendations that Council approved on March 26, 2013, including the Day Center program.

The City must follow its Citizen Participation Plan before amending a CP or AAP. In accordance with the Citizen Participation Plan, a public hearing was held at the September 24, 2013 Community Development and Human Services Committee (CDHSC) meeting regarding the proposed changes to Casa Esperanza's Day Center program. Also, a notice was published in the Santa Barbara News Press announcing the public hearing and requesting comments by October 21, 2013.

The proposed amendment is as follows:

Original Goal

Casa Esperanza plans to provide Day Center services to 1,300 clients per year. Day Center services are provided to any homeless person, sheltered or unsheltered. These services include hot lunches, hygiene support, medical care and social services.

Proposed Amended Goal

Casa Esperanza plans to provide Day Center services to 960 clients per year. Day Center services are provided to any sheltered homeless person. These services include hot lunches, hygiene support, medical care and social services.

At their September 24 meeting, the CDHSC voted to recommend that Council approve the City's proposed amendment to its 2013-2014 Annual Action Plan, as well as the revision to Casa Esperanza's CDBG agreement #24,420, in the amount of \$51,000, for Day Center services. The committee also approved a revision to Casa Esperanza's Human Services agreement #24,424, in the amount of \$42,500, for the Community Kitchen program reducing the number of people served from 1,700 to 960 per year (same persons that will receive Day Center services as shelter residents). As mentioned above, this revision does not require Council approval as staff routinely approves minor revisions to Human Services contracts with the approval of the Community Development and Human Services Committee (CDHSC).

Emergency Winter Shelter

In addition to the CDBG and Human Services grants awarded to Casa Esperanza, the City contributes an annual allocation of General Fund monies each year to help support the emergency winter shelter. Since its opening in 1999, Casa Esperanza has operated the winter shelter and they will continue to do so this winter; however, as mentioned above, it will change to a sobriety-based shelter. Council approved \$75,575 during the Fiscal Year 2014 budget process for this effort. Staff is recommending that Council authorize the Assistant City Administrator to execute an Agreement with Casa Esperanza for the operation of the winter shelter from December 1, 2013 through March 31, 2014, subject to City Attorney approval as to form.

Casa Esperanza's change to a sobriety-based emergency winter shelter will likely have an impact on the number of people accessing the Warming Centers this winter. The Central Coast Collaborative on Homelessness (C3H) has formed a task force to develop an emergency response plan for the safe operation of both the North and South County Warming Centers, which will be completed by November 15th. The purpose of the Warming Centers is to ensure that homeless individuals have emergency temporary shelter in order to avoid hypothermia and death on nights of inclement weather. They received a City Human Services grant of \$10,000 for Fiscal Year 2014 for this effort. Due to the expected increase in people, Council may receive a one-time request to expand the Warming Centers in the City of Santa Barbara for this winter only.

BUDGET/FINANCIAL INFORMATION:

There is no impact to the City's approved budget as a result of these requests. Funding for the winter shelter, the CDBG grant and the Human Services grant were appropriated during the Fiscal Year 2014 City budget process.

ATTACHMENT(S): Casa Esperanza Letter

PREPARED BY: Sue Gray, Community Development Business Manager

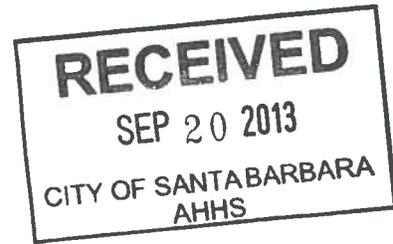
SUBMITTED BY: Paul Casey, Assistant City Administrator/Community Development Director

APPROVED BY: City Administrator's Office



Casa Esperanza Homeless Center

offering hope and help every day!



Board of Directors

Rev. Mark Asman
President

Sue Adams

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Executive Director

Board of Directors Emeritus

David Borgatello

Naomi Schwartz (Dec.)

Sandra Tripp-Jones

September 19, 2013

Sue Gray
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Dear Sue and Human Services Commissioners:

Over the past year, Casa Esperanza has taken a hard look at best practices in homeless services and the stark reality of financial shortfalls: Federal homeless services funding has shifted to support housing first rather than drop-in day services. 24% of Casa Esperanza's budget comes through the County and 13% through the City. 75% of this funding is pass-through from the federal and state government. 9% of our overall budget is derived from purely local government funding. And our experience has been that private philanthropy for homeless services has been and is likely to remain inadequate to meet the cost of the broad array of services that we have historically provided year-over-year. Casa Esperanza's previous approach for providing comprehensive services to the homeless – our: "Under One Roof" model – resulted in unsustainable deficits and borrowing that is unsustainable.

Over the past six months, we developed a sobriety-based residential model that would help us become eligible to secure new sources of funding previously unavailable. As we shared with you in the spring, we put together a fundraising campaign to support this new effort, raise capital and reduce debt. However, as we progressed, it became clear that even if the fundraising effort was successful, there would still be parts of our programming mix that simply could not be sustained year-over-year.

Unable to move forward with a major campaign, we were confronted with the real possibility that we could not meet our immediate cash needs so we stopped and made the very difficult programming changes that were necessary – drop-in services could no longer be sustained and our drop-in lunch service would need to be suspended.

Given our limited resources, it became clear that a sobriety-based shelter-care program was the best and most important priority and nearly everyone we consulted with agreed. When properly implemented, it would help us demonstrate better success rates, since individuals willing to move to sobriety have a greater chance of attaining living independence. And, a sobriety-based program would make us eligible for grant funding that had previously been unavailable to us.

So – our budget and programming mix was built from the ground up. Our priority was to provide the best possible sobriety shelter program – a program that would be open to participants 24 hours per day unlike other shelters in the region – and we created a model that meets this emerging best practice. We developed a breakeven \$1,611,000 budget that brings about

significant reductions. This budget only includes grants and contracts that we have already secured and philanthropic donations are limited to the amount which we secured last year and no more, despite the great need. The sobriety-based, 24-hour shelter program is fully funded and other activities were discontinued.

Our experience tells us that when the homeless move into a shelter and have expressed a strong desire to move into permanent housing, that leaving the culture of the streets behind is an important transition if they are to be successful. As remarkably important as our drop-in services have been, having up to 150 people who are not committed to moving to greater independence in the shelter every day diminishes our effort to build an environment where those seeking a hand up can move to a life of greater independence. We believe mixing populations of those willing to commit to sobriety with those who are not so committed is not the best way for us to move forward.

Subject to available funding, we plan to provide 30 medical respite beds with direct intakes from Cottage Hospital and for the sick and injured living on the streets. We will have 170 winter shelter beds, 72 transitional beds for mental health, social services and homeless people capable of transitioning from the streets during non-winter months. 6 beds for families, nursing care, case management, job development and job club, 3 meals per day and housing assistance. And in the next few weeks, we will launch a new volunteer-based "Homeless Services Navigator" program with existing resources.

In essence, most of the services previously provided to any person regardless of condition will now be available only to those living in the shelter – up to 200 people per day and in the winter months and up to 100 people per day in the non-winter months.

Casa Esperanza is requesting that the money we received through the City of Santa Barbara continue. This will allow Casa Esperanza to provide a case manager during day time hours and to provide a cook, which will allow us to provide all of the existing Community Kitchen functions, absent free lunch to those not living at the shelter. (Note: Should the community rally support for the free lunch effort, Casa Esperanza would provide this service once again if sustainable funding can be secured. (See attachments for the revised program objectives and budgets for The Day Center and Community Kitchen grants.)

The very best way for Casa Esperanza to continue to provide services and rid itself of debt is to secure the sale of our building to one or more 501(c)3 foundations and to lease the building back. We are now in discussions with foundations to try and make this happen. If we are successful, we would be able to retire all of our debt and move forward on a cash-neutral basis.

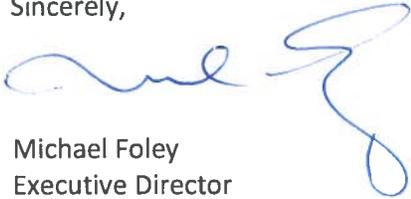
Should this fail to materialize, our current budget funds depreciation, interest on loans and some principle payback. It is likely that we would seek loan forgiveness to reduce some debt and use all or part of annual depreciation funding and interest saving to pay down principle over time.

As it relates to access to entry-level service to the homeless, we have offered C3H and our County partners access to the front portion of our building – the former detox center – for use by the County and/or others to provide many of the drop-in services that we must discontinue. So far, the Public Health Department has agreed to provide a full medical clinic to any homeless person regardless of condition three days per week in this space. We continue to encourage other County Departments and others to use this space as a resource to develop a best-practices homeless access center.

By providing continued funding for Casa Esperanza's 24-hour shelter you are clearing the way for Casa Esperanza to survive today and thrive in the future. While Casa Esperanza may not be providing a huge array of small services to thousands of people, we will be providing more intensified attention to hundreds of homeless people and we anticipate that a higher percentage of those we serve will be able to move from homelessness to housing.

Thank you for your help.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Foley', with a large, stylized flourish extending from the end of the signature.

Michael Foley
Executive Director

Exhibit "A"
PROGRAM SUMMARY

Program: Casa Esperanza Day Center & Shelter

Agreement No. 24,420

TARGET POPULATION: Any homeless person in need of assistance transitioning back into stable housing.

PROGRAM GOAL: Casa Esperanza seeks to maintain the following goals: 1) 475 persons will enter permanent housing including long-term treatment facilities; 2) 450 persons will obtain employment, benefits and/or entitlements, be reunited with family or receive education benefits; 3) 85,000 persons will make contact (including duplicate visits) with providers such as public health, social services, youth services, legal aid, domestic violence, rape crisis, alcohol and drug services.

PROGRAM OUTPUTS – Number of Persons receiving service, i.e. meals served, clients counseled, meetings held, etc.

| Output Goal | Annual Goal # |
|--|---------------------------|
| 1. 960 homeless individuals and families will accept shelter care | 960 |
| 2. 650 residents will access case management and/or medical services and/or social services with professionals and/or para-professionals while residing at Casa Esperanza (service provided during day time hours) | 650 |
| 3. Click here to enter text. | Click here to enter text. |

MEASURABLE OUTCOMES – The expected change or result client will experience from program outputs.

| Outcome Measure | % Outcome Achieved |
|--|--------------------|
| 1. 300 out of 650 will move from homelessness to housing or residential treatment | |
| 2. 70% of those housed will remain housed after 12 months | |
| 3. 300 out of 650 will secure a source of revenue (employment/entitlements) or other benefits such as educational benefits, general relief, etc. | % |

Exhibit "A"
PROGRAM SUMMARY

Program: Casa Esperanza Day Center & Shelter

Agreement No. 24,420

CLIENT DEMOGRAPHICS (GOALS)

| AGE | GOAL | ETHNICITY | GOAL |
|---|------|------------------------------|------|
| 0-10 | 0 | AFRICAN AMERICAN/BLACK | 65 |
| 11-18 | 15 | ASIAN/PACIFIC ISLANDER | 18 |
| 19-62 | 870 | WHITE/CAUCASIAN | 637 |
| 63+ | 75 | LATINO/HISPANIC | 215 |
| AREA | | NATIVE AMERICAN | 25 |
| CITY OF SANTA BARBARA | 960 | HOMELESS | |
| ALL OTHER AREAS | 0 | HOMELESS INDIVIDUALS (ALL) | 0 |
| INCOME* | | OF ALL: FAMILIES | 0 |
| EX. LOW INCOME (0-30% MFI) | 960 | OF ALL: CHRONICALLY HOMELESS | 0 |
| LOW INCOME (31-50% MFI) | 0 | GENDER | |
| MODERATE (51-80% MFI) | 0 | FEMALE | 260 |
| ABOVE MODERATE (81%+MFI) | 0 | MALE | 700 |
| OTHER | | | |
| PERSONS WITH DISABILITIES | 0 | | |
| ANNUAL UNDUPLICATED CLIENTS: 960 | | | |

*** Maximum Income for Various Income Categories
2013**

Area Median Income = \$71,000

| Category | % of Median | Number of Persons | | | | | | | |
|---------------|-------------|-------------------|--------|--------|--------|--------|--------|--------|--------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Median | 100% | | | | 71,000 | | | | |
| Extremely Low | 0 - 30% | 16,750 | 19,150 | 21,550 | 23,900 | 25,850 | 27,750 | 29,650 | 31,550 |
| Low | 31 - 50% | 27,900 | 31,850 | 35,850 | 39,800 | 43,000 | 46,200 | 49,400 | 52,550 |
| Moderate | 51 - 80% | 44,600 | 51,000 | 57,350 | 63,700 | 68,800 | 73,900 | 79,000 | 84,100 |

(rounded to nearest \$50.00)

For families above 8 people add 6.5% per additional person.

Exhibit "B"
PROGRAM BUDGET (Subject to Exhibit "F")

Program: Casa Esperanza Day Center & Shelter

Agreement No. 24,420

Prepared by: Peri & Alvarado CPA's

| REVENUE SOURCES | 7/1/2013 - 6/30/2014 |
|--|----------------------|
| City of CDBG | \$51,000 |
| Other City Funds - | \$130,575 |
| County Funds-ADMHS \$60K, ESG \$25K, HCD \$30.9K | \$349,100 |
| School District | 0 |
| State Funds- | 0 |
| Federal Funds-SHP/HUD | 0 |
| Foundations/Trusts | \$492,575 |
| Donations | \$405,186 |
| United Way | 0 |
| Special Fundraising Events | 0 |
| Client Fees (Incl. 3rd Party) | 0 |
| Other - | \$5,733 |
| | |
| | |
| | |
| TOTAL PROGRAM REVENUE | \$1,434,169 |
| In-Kind Contributions | |

Use of Funds: To assist with the salaries, taxes and benefits for direct-service employees: Residential and day center program staff.

IDENTIFY EXPENSES NEXT PAGE

Exhibit "B"
PROGRAM BUDGET (Subject to Exhibit "F")

| EXPENSES | 7/1/2013 - 6/30/2014 | Use of CDBG Funds |
|------------------------------------|-----------------------------|--------------------------|
| Salaries, Benefits, Payroll Taxes* | \$642,914 | \$51,000 |
| Consultants and Contracts | \$87,900 | 0 |
| Facility, Util., Maint. | \$239,760 | 0 |
| Telephone, Fax | \$16,200 | 0 |
| Supplies | \$30,500 | 0 |
| Postage & Shipping | \$3,000 | 0 |
| Marketing (Printing, Advert) | \$23,000 | 0 |
| Travel, Mileage, Training | \$3,656 | 0 |
| Equipment Rental/Maint./Furniture | \$7,500 | 0 |
| Insurance | \$91,964 | 0 |
| Other | \$275,775 | 0 |
| | | |
| | | |
| | | |
| | | |
| TOTAL PROGRAM BUDGET | \$1,422,169 | \$51,000 |

| *Salaries - (List all staff to whom CDBG funds are allocated): | | |
|---|-----------------|--------------------|
| Position | Name | CDBG amount |
| Case Manager | Nicole Menegon | \$46,000 |
| Case Manager | Genevieve Uribe | \$5,000 |
| | | |
| | | |

Project Supervisor _____ Date _____

Community Development _____ Date _____

Exhibit "A"
PROGRAM GOALS AND MEASURABLE OUTCOMES

Program: Community Kitchen

Agreement No. 24,424

TARGET POPULATION: Any person living in Santa Barbara County who is hungry or homeless.

PROGRAM GOAL: To feed those in need without having to turn anyone away hungry, meeting the basic human need of daily nutrition. This year we will serve up to 175,000 meals. Another vital goal is for those experiencing homelessness to access the services that will lead them from homelessness to housing when meal-sharing services have been used.

PROGRAM OUTPUTS – Number of Persons receiving service, i.e. meals served, clients counseled, meetings held, etc.

| Output Goal | Annual Goal # |
|--|---------------|
| 1. 960 unduplicated people will accept at least 90,000 nutritious meals at 816 Cacique Street. | 960 |
| 2. 200 unduplicated children, seniors and formerly homeless people (housed) will receive up to 13,000 snacks and/or meals outside the shelter. | 200 |
| 3. 960 homeless people will accept shelter care. | 960 |

MEASURABLE OUTCOMES – The expected change or result client will experience from program outputs.

| Outcome Measure | % Outcome Achieved |
|--|--------------------|
| 1. 650 residents will accept case management and/or medical care and/or social services professionals/para-professionals while residing at Casa Esperanza. | |
| 2. 300 out of 650 will move from homelessness to housing or residential treatment programs. | |
| 3. 70% will remain housed after moving from homelessness to housing. | |

Exhibit "A"
PROGRAM GOALS AND MEASURABLE OUTCOMES, Cont.

Program: Community Kitchen

Agreement No. 24,424

CLIENT DEMOGRAPHICS (GOALS)

| AGE | GOAL | ETHNICITY | GOAL |
|---|------------|------------------------------|---------------------------|
| 0-10 | 0 | AFRICAN AMERICAN/BLACK | 65 |
| 11-18 | 15 | ASIAN/PACIFIC ISLANDER | 18 |
| 19-62 | 870 | WHITE/CAUCASIAN | 637 |
| 63+ | 75 | LATINO/HISPANIC | 215 |
| AREA | | NATIVE AMERICAN | 25 |
| CITY OF SANTA BARBARA | 960 | HOMELESS | |
| ALL OTHER AREAS | 0 | HOMELESS INDIVIDUALS (ALL) | Click here to enter text. |
| INCOME* | | OF ALL: FAMILIES | Click here to enter text. |
| EX. LOW INCOME (0-30% MFI) | 960 | OF ALL: CHRONICALLY HOMELESS | 0 |
| LOW INCOME (31-50% MFI) | 0 | GENDER | |
| MODERATE (51-80% MFI) | 0 | FEMALE | 260 |
| ABOVE MODERATE (81%+MFI) | 0 | MALE | 700 |
| OTHER | | | |
| PERSONS WITH DISABILITIES | | | |
| ANNUAL UNDUPLICATED CLIENTS: 960 | | | |

*** Maximum Income for Various Income Categories
2013**

Area Median Income = \$71,000

| Category | % of Median | Number of Persons | | | | | | | |
|---------------|-------------|-------------------|--------|--------|---------------|--------|--------|--------|--------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Median | 100% | | | | 71,000 | | | | |
| Extremely Low | 0 - 30% | 16,750 | 19,150 | 21,550 | 23,900 | 25,850 | 27,750 | 29,650 | 31,550 |
| Low | 31 - 50% | 27,900 | 31,850 | 35,850 | 39,800 | 43,000 | 46,200 | 49,400 | 52,550 |
| Moderate | 51 - 80% | 44,600 | 51,000 | 57,350 | 63,700 | 68,800 | 73,900 | 79,000 | 84,100 |

(rounded to nearest \$50.00)

For families above 8 people add 6.5% per additional person.

Exhibit "A"
PROGRAM GOALS AND MEASURABLE OUTCOMES, Cont.

Program: Community Kitchen

Agreement No. 24,424

REVENUES

| REVENUE SOURCES | 7/1/13-6/30/14 |
|--|---------------------------|
| City of SB Human Services | \$42,500 |
| Other City Funds (list): Click here to enter text. | Click here to enter text. |
| County Funds (list): Click here to enter text. | \$42,900 |
| School District (list): Click here to enter text. | Click here to enter text. |
| State Funds (list): Click here to enter text. | Click here to enter text. |
| Federal Funds (list): Click here to enter text. | Click here to enter text. |
| Foundations/Trusts (list): Click here to enter text. | \$43,800 |
| Donations | \$59,900 |
| United Way | Click here to enter text. |
| Special Fundraising Events | Click here to enter text. |
| Client Fees (Incl. 3rd Party) | Click here to enter text. |
| Other (list): Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| TOTAL PROGRAM REVENUE | \$189,100 |
| In-Kind Contributions | Click here to enter text. |

USE OF FUNDS: To assist with the salaries of cooks, TBD, \$42,500

Exhibit "B"
PROGRAM BUDGET SUMMARY, Cont.

Program: Community Kitchen

Agreement No. 24,424

EXPENSES

| EXPENSES | 7/1/13-6/30/14 | Use of Human Service Funds |
|--|---------------------------|-----------------------------------|
| Salaries, Benefits, Payroll Taxes* | \$101,400 | \$42,500 |
| Consultants and Contracts | Click here to enter text. | \$Click here to enter text. |
| Facility, Util., Maint. | \$15,000 | \$Click here to enter text. |
| Telephone, Fax | \$1,800 | \$Click here to enter text. |
| Supplies | \$21,000 | \$Click here to enter text. |
| Postage & Shipping | Click here to enter text. | \$Click here to enter text. |
| Marketing (Printing, Advert) | Click here to enter text. | \$Click here to enter text. |
| Travel, Mileage, Training | \$4,800 | \$Click here to enter text. |
| Equipment Rental/Maint./Furniture | \$3,000 | \$Click here to enter text. |
| Insurance | Click here to enter text. | \$Click here to enter text. |
| Other (Food) Click here to enter text. | \$25,000 | \$Click here to enter text. |
| Other Click here to enter text. | Click here to enter text. | \$Click here to enter text. |
| Other (Agency Wide Expense Allocation) | \$17,100 | \$Click here to enter text. |
| Other Click here to enter text. | Click here to enter text. | \$Click here to enter text. |
| Other Click here to enter text. | Click here to enter text. | \$Click here to enter text. |
| TOTAL PROGRAM BUDGET | \$164,100 | \$42,500 |

*Salaries - (List all staff to whom Human Service Funds are allocated):

| Position | Name | Human Services Amount |
|---------------------------|---------------------------|------------------------------|
| Cooks | TBD | \$42,500. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: Administration, Housing and Human Services Division, Community Development

SUBJECT: Review Of Fiscal Year 2015 Human Services And Community Development Block Grant Funding Priorities, Application Release And Funding Process

RECOMMENDATION: That Council:

- A. Review and provide input and direction to the Community Development and Human Services Committee (CDHSC) on proposed funding priorities and preferences for the Fiscal Year 2015 Human Services and Community Development Block Grant allocation process;
- B. Authorize staff to release the Fiscal Year 2015 funding application along with the committee application review process, criteria and schedule; and
- C. Establish a funding commitment from the Fiscal Year 2015 General Fund in the amount of \$640,821 for the Human Services Program.

EXECUTIVE SUMMARY:

Annually, Council reviews funding priorities, approves application criteria and schedule, and determines funding availability before applications are made available for Community Development Block Grant (CDBG) and Human Services funds. Pending Council approval, applications for Fiscal Year 2015 grants are scheduled to be released on November 11, 2013. Funding recommendations will be presented to Council by the Community Development Human Services Committee (CDHSC) in late March 2014.

Based on the successful implementation of the grant process over the past years, it is important that distinct, established application criteria and funding priorities be available for use by applicants, staff and the CDHSC. Council now has the opportunity to provide direction to the CDHSC and/or to change the priorities for the upcoming grant year.

DISCUSSION:

Background

Each year since 1974, the City of Santa Barbara has received Community Development Block Grant (CDBG) funds for activities that meet one of three statutory objectives: 1) primarily benefit low and moderate-income persons; 2) eliminate/prevent slums or blight; or 3) meet other urgent local community development needs.

The U.S. Department of Housing and Urban Development (HUD), which administers the CDBG program, also requires that CDBG-funded activities provide low- and moderate-income persons with: 1) decent housing; 2) a suitable living environment; and 3) expanded economic opportunities. Council sub-awards CDBG funds annually to non-profit organizations and City Departments to undertake activities that meet these objectives.

CDBG is primarily a bricks and mortar program and the largest portion of the funds must be used for "Capital" projects, however a small portion of CDBG funds (no more than 15% of annual allocation) may be expended on "Public Service" activities.

In addition to CDBG, Council grants City Human Services funds to local agencies that provide essential social services to City of Santa Barbara residents. The City Human Services fund is allocated by Council annually, and is augmented with CDBG "Public Service" funds.

For Fiscal Year 14, \$746,454 in Human/Public Services funds was allocated to 47 programs: \$628,256 from City's Human Services funds; the remaining \$118,198 from CDBG Public Service funds. Also, \$531,536 in Capital funds was allocated for seven construction/rehabilitation projects and one economic development program. (See Attachment 1: Fiscal Year 2014 CDBG/Human Service Funding Overview)

Community Development Human Services Committee (CDHSC)

The CDHSC, a Council-appointed committee, evaluates proposals, interviews applicants, and makes funding recommendations to Council who then makes the final decisions on funding.

Throughout the year the CDHSC also monitors grantees' performance, conducts site visits of grantees, reviews mandatory HUD reports, holds public hearings, discusses issues and provides input on community development and human services needs throughout our community.

The thirteen-member CDHSC includes representatives from the following groups:

- Youth-Oriented Services
- Business Community/Economic Development
- Human Services Organization
- Latino Community
- African American Community
- Senior Community
- Housing Interests

- Four (4) Low-Income Neighborhoods:
 - Eastside; Westside; Downtown;
 - Lower Westside
- Disabled Community
- Housing Authority

Funding Priorities

Each year Council establishes the priorities for Human/Public Services funds for the CDHSC to follow. Council previously adopted the following Public/Human Services priorities:

1st Priority - Programs which help meet basic human needs **and/or** reduce the community impact of homelessness **and/or** reduce the community impact of gang violence via a formal collaboration with the South Coast Task Force on Youth Gangs; and

2nd Priority - Proposals that are preventative in nature and/or promote the highest degree of functioning the individual is capable of achieving.

Council also previously adopted the following priorities for CDBG proposals:

- Proposals which facilitate housing for low and moderate-income persons;
- Proposals which revitalize downtown neighborhoods (Census Tracts 8.01, 8.02, 9, 10, 11.02 and 12.04);
- Proposals which strengthen or expand public or social service agencies that facilitate low and moderate-income housing; and
- Economic development proposals, which leverage financial resources to create or retain jobs for low and moderate-income persons.

On September 24, the CDHSC held a HUD-mandated public hearing on Housing and Community Development Needs. At this hearing the CDHSC reviewed the City's annual performance report to HUD on use of CDBG funds, and provided input regarding current community needs. The CDHSC voted to recommend to Council that the previously adopted priorities remain unchanged for Fiscal Year 2015.

Last October, in light of concerns about Eastside traffic safety, as well as other City infrastructure needs, Council discussed setting aside CDBG Capital funds exclusively for City-initiated Neighborhood Improvement Task Force projects over requests submitted from non-profit organizations. Council chose to postpone the discussion until the Fiscal Year 2015 funding cycle while an Eastside traffic plan was formulated.

Since that time, the Public Works Department established the Eastside Neighborhood Management Plan (the Plan), which Council approved in July. The Plan, including funding options, was presented to the Neighborhood Advisory Council (NAC). The NAC endorsed the Plan, and in a memo to Council, the NAC recommended that the CDBG funding-recommendation process remain unchanged, recognizing that other organizations also rely on CDBG funds.

Application-Submittal Process and Review

The application criteria previously adopted by Council can be found on Attachment 2 of this report. Staff is not recommending any changes to the application criteria for Fiscal Year 2015.

Upon Council's authorization, funding applications will be available on-line on November 11, 2013 and due on December 13, 2013. Applicants will have over a month to prepare and submit their applications. Interviews will be held throughout February 2014 and funding recommendations are tentatively scheduled to come before Council on March 25, 2014. The full application schedule is on Attachment 3.

A mandatory application orientation/technical assistance workshop will be held on November 7, 2013. At the workshop, staff will detail the application-submittal process, as well as the funding criteria and priorities. Staff will also be available to all applicants during City business hours to provide further guidance and answer questions via email, in person or by telephone. In addition, staff will post in-depth "FAQ" information on the City website.

To encourage maximum participation in the application process and attendance at the orientation/workshop, an announcement will be mailed and e-mailed to all agencies that have expressed an interest in applying or have applied for funding in the past two years. In addition, an advertisement of the funding availability will appear in the *Santa Barbara News Press*; a press release will be issued; and an announcement will be posted on the City's website.

The applications will be completed and submitted on-line using the web-based grant management program "ZoomGrants". This system has been in place for two years and has made the application-submittal process more streamlined and efficient.

City staff will have immediate online access to applications submitted before the deadline in order to review them and provide feedback. This gives early applicants the opportunity to correct any errors prior to the due date. In addition, ZoomGrants will provide technical support and assistance for both the City and applicants. The CDHSC will also have on-line access to applications to review and analyze each proposal throughout January, prior to the applicant interviews.

BUDGET/FINANCIAL INFORMATION:

Fiscal Year 2015 CDBG Funding

In recent years the City's CDBG allocation has decreased significantly: down 16% in Fiscal Year 2012 and 18% in Fiscal Year 2013. The City's CDBG allocation remained relatively level for Fiscal Year 2014 at \$787,989.

Given the recent adversarial climate in Washington, staff cannot at this time estimate the amount of new entitlement funds the City will be awarded for Fiscal Year 2015. However, the CDHSC makes contingency plans to its recommendations to Council that account for increases or decreases in CDGB funds.

Fiscal Year 2015 Human Services Funding and Allocation

In the past, Council had expressed a desire to increase Human Services funds by 3% each year to account for inflation; however, as a result of economic challenges, Council has approved level funding in the amount of \$703,256 each year since Fiscal Year 2009. Due to an improvement in the City's fiscal outlook, staff is recommending a 2% increase to Human Services funds for Fiscal Year 2015, equivalent to the percentage increase budgeted for City staff salary increases,

For the past two years, Council has appropriated \$75,000 of Human Services funds to pay the City's share of staffing costs associated with the Central Coast Collaborative on Homelessness (C3H). This amount is in a separate line item in the Fiscal Year 2015 budget plan, and a memorandum of understanding will come to Council as a separate item for approval. Level funding in the amount of \$703,256 after being reduced by \$75,000 would result in \$628,256 available for the Human Services program for Fiscal Year 2015. Staff is recommending that Council establish a funding commitment equal to a 2% increase, or \$640,821, for the Human Services Program for Fiscal Year 2015.

- ATTACHMENTS:**
1. CDBG/HS Funding for Fiscal Year 2013 by Priority, Rating and Category
 2. CDHSC Combined Funding Application Criteria, Review and Interview Process
 3. Proposed Fiscal Year 2015 Application Schedule
 4. Previous Capital Improvement Projects by Location

PREPARED BY: Liz Stotts, Community Development Programs Specialist

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

2013-14 HS/CDBG FUNDING

| PUBLIC/HUMAN SERVICE CATEGORY | | | | Grant Amount | | |
|-------------------------------|---|--------------|------------|------------------|------------------|------------------|
| Organization Name | Proposal Title | Service Type | Avg. Score | Human Services | CDBG | Total |
| PRIORITY 1 | | | | | | |
| Pacific Pride Foundation | Necessities of Life Food Pantry | Food | 87.67 | \$25,000 | | \$25,000 |
| SB Neighborhood Clinics | Dental Care For the Homeless | Homeless | 87.67 | \$25,000 | | \$25,000 |
| Sarah House | Sarah House | Health | 87.67 | \$20,000 | | \$20,000 |
| SB Rape Crisis Center | Santa Barbara Rape Crisis Center | Emergency | 87.09 | \$29,500 | | \$29,500 |
| Youth and Family YMCA | Noah's Anchorage Youth Shelter | Youth | 84.67 | \$15,000 | | \$15,000 |
| Foodbank | Warehouse Operations | Food | 84.58 | \$25,000 | | \$25,000 |
| Transition House | Comp. Homeless Services | Homeless | 84.18 | | \$43,000 | \$43,000 |
| Unitarian Society | Freedom Warming Centers | Homeless | 83.58 | \$10,000 | | \$10,000 |
| WillBridge | WillBridge of Santa Barbara, Inc. | Homeless | 83.40 | \$22,000 | | \$22,000 |
| Casa Esperanza | Day Center & Shelter | Homeless | 82.78 | | \$51,000 | \$51,000 |
| CAC | Healthy Senior Lunch | Seniors | 82.08 | \$10,000 | | \$10,000 |
| Youth and Family YMCA | Transitional-Age Youth Housing | Housing | 81.89 | \$16,000 | | \$16,000 |
| SBC Dist. Att. | Sexual Assault Response Team | Emergency | 81.75 | \$9,000 | | \$9,000 |
| Casa Esperanza | Community Kitchen | Food | 81.44 | \$42,500 | | \$42,500 |
| Foodbank | Brown Bag for Seniors | Food | 81.08 | \$7,000 | | \$7,000 |
| Legal Aid Foundation | Emergency Legal Services | Emergency | 80.08 | \$29,845 | | \$29,845 |
| SBCHC | Riviera Life Skills/Hsing Coord. | Housing | 80.08 | \$14,500 | | \$14,500 |
| CADA | Project Recovery Detox Program | Health | 79.67 | \$16,000 | | \$16,000 |
| Casa Esperanza | Jail Discharge Program | Homeless | 79.33 | \$12,000 | | \$12,000 |
| Carrillo Counseling Services | RV Safe Park/Homeless Outreach | Homeless | 79.10 | \$13,000 | | \$13,000 |
| Peoples' Self-Help Housing | Housing the Homeless | Housing | 78.91 | \$5,000 | | \$5,000 |
| SBCHC | New Faulding Life Skills | Housing | 78.08 | \$12,000 | | \$12,000 |
| DVS | Emergency Shelter | Housing | 77.08 | \$7,802 | \$24,198 | \$32,000 |
| DVS | Second Stage | Housing | 76.75 | \$6,000 | | \$6,000 |
| St. Vincent's | Family Strengthening Program | Other | 75.25 | \$8,000 | | \$8,000 |
| Surgical Eye Expeditions | SB Vision Care Program | Health | 74.67 | \$9,000 | | \$9,000 |
| City of SB Parks and Rec. | Santa Barbara Arts Alliance | Youth | 73.83 | \$5,000 | | \$5,000 |
| Teddy Bear Cancer Found. | Asst.Families w/Pediatric Cancer | Other | 73.83 | \$7,000 | | \$7,000 |
| Planned Parenthood | Assistance Fund - Health Center | Health | 73.73 | \$7,000 | | \$7,000 |
| Casa Serena, Inc. | Scholarship Program | Other | 72.42 | \$7,000 | | \$7,000 |
| City of SB Parks and Rec. | Job Apprenticeship Program | Youth | 69.17 | \$10,000 | | \$10,000 |
| PRIORITY 2 | | | | | | |
| Storyteller Children's Center | Storyteller Children's Center | Children | 85.83 | \$23,500 | | \$23,500 |
| CC Commission for Seniors | Ombudsman | Seniors | 84.70 | \$15,000 | | \$15,000 |
| CALM | Prevention, Intervention, & Treatment | Children | 83.92 | \$20,000 | | \$20,000 |
| Rental Housing Mediation | Rental Housing Mediation Task | Other | 83.67 | \$23,000 | | \$23,000 |
| Academy of Healing Arts | Social-Emotional Learning | Youth | 82.20 | \$11,000 | | \$11,000 |
| Transition House | Homelessness Prevention Program | Other | 82.09 | \$8,500 | | \$8,500 |
| Boys & Girls Club of SB | Power Hour Homework | Children | 81.92 | \$15,000 | | \$15,000 |
| Family Service Agency | Big Brothers Big Sisters | Children | 81.83 | \$7,500 | | \$7,500 |
| Family Service Agency | Santa Barbara Family Resource Centers | Other | 80.50 | \$5,500 | | \$5,500 |
| Friendship Adult Day Center | Adult Day Services Program | Seniors | 80.17 | \$15,500 | | \$15,500 |
| Future Leaders of America | Excellence in Academics for Underserved | Youth | 80.08 | \$9,500 | | \$9,500 |
| Family Service Agency | Caregiver Mental Health and Supportive | Other | 79.42 | \$2,000 | | \$2,000 |
| Mental Health Association | Recovery Learning Center (RLC) | Other | 76.17 | \$9,000 | | \$9,000 |
| Independent Living Center | Independent Living (IL) Services | Other | 76.09 | \$13,500 | | \$13,500 |
| SB Police Activities League | PAL Jr. High After-School Program | Youth | 73.83 | \$17,000 | | \$17,000 |
| United Way | Fun in the Sun (FITS) | Children | 72.00 | \$7,609 | | \$7,609 |
| TOTALS | | | | \$628,256 | \$118,198 | \$746,454 |

2013-14 HS/CDBG FUNDING

CAPITAL CATEGORY - CDBG ONLY

| Organization Name | Proposal Title | Service Type | Avg. Score | Grant Amount |
|---------------------------|-------------------------------|--------------|------------|------------------|
| CAPITAL | | | | |
| Boys & Girls Club of SB | Roof | Capital | 80.82 | \$100,000 |
| City of Santa Barbara | Bus Shelters | Capital | 80.82 | \$69,360 |
| Girls Incorporated | Program Center Room Remodel | Capital | 80.27 | \$35,000 |
| City of Santa Barbara | Access Ramps | Capital | 79.55 | \$150,000 |
| Transition House | Emergency Shelter Rehab | Capital | 77.89 | \$121,205 |
| City of Santa Barbara | Franklin Center Improvements | Capital | 76.00 | \$15,000 |
| Jewish Federation | Client Confidentiality/Safety | Capital | 74.18 | \$20,971 |
| Women's Economic Ventures | Self Employment Training | Capital | 71.75 | \$20,000 |
| TOTALS | | | | \$531,536 |

ADMINISTRATION - CDBG ONLY

| | |
|---------------------|------------------|
| CDBG Administration | \$197,218 |
| Fair Housing | \$10,380 |
| TOTAL | \$207,598 |

| | | | |
|-------------------|------------------|------------------|--------------------|
| CDBG Entitlement | \$787,989 | Human Services | |
| CDBG Reprogram | \$69,343 | | |
| Total CDBG | \$857,332 | \$628,256 | Total |
| | | | \$1,485,588 |

TOTAL PUBLIC/HUMAN SERVICES BY CATEGORY

| Service Type | Human Services Funding |
|--------------|------------------------|
| Emergency | \$68,345 |
| Food | \$99,500 |
| Homeless | \$176,000 |
| Housing | \$85,500 |
| Children | \$73,609 |
| Youth | \$67,500 |
| Seniors | \$40,500 |
| Other | \$83,500 |
| Health | \$52,000 |

**COMMUNITY DEVELOPMENT HUMAN SERVICES COMMITTEE
CDBG/HS COMBINED FUNDING APPLICATION CRITERIA**

- Programs should primarily benefit low and moderate-income residents.
- Programs must address specific social or physical needs and conditions of the people they propose to serve. Documentation could include social indicators, demographic data, surveys, community plans and need as perceived by potential consumers.
- Programs must present a marketing strategy, which includes specific efforts to reach ethnic communities.
- Programs must demonstrate support from the people for which the program is proposed.
- Agencies must clearly identify all funding sources and justify proposal if services are available through another source.
- Agencies shall seek funding, or demonstrate funding support from other public/private sources. The City shall not be committed to total support of a program nor shall the City be committed to continue funding in the case where other support is withdrawn.
- City funds should support only those services that directly benefit residents of the City of Santa Barbara. Programs operated on a county or regional basis must show documentation that (a) services benefit City residents, and (b) sufficient funds are available to support non-city residents.
- Administrative costs shall be held to a minimum and will be scrutinized during the program review process.
- Programs shall identify geographical areas where they propose to provide services.
- Programs that pay the local minimum wage (as described in Chapter 9.128 of the City of Santa Barbara Municipal Code) to all staff for which CDBG/Human Services funds are requested shall receive an extra point in the rating process.

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE REVIEW AND INTERVIEW

A thirteen-member committee appointed by the City Council will review applications, interview agencies and make funding recommendations to the City Council. The City Council makes final decisions on funding. The Community Development and Human Services Committee include representatives of the following groups:

- Youth-Oriented Services
- Business/Economic Development Community
- Human Services
- Latino/Hispanic Community
- African American Community
- Senior Citizens
- Housing Interests
- Four (4) Low Income Neighborhoods: Eastside, Westside, Downtown, and Lower Westside
- Disabled Community
- Housing Authority Representative

At the scheduled interview, agencies will be allowed a 4-minute presentation, with 10 minutes for questions from the Committee, and an agency response/final statement. Agencies are requested to have a member of the Board of Directors and appropriate staff present at the interview.

In reviewing applications, the following criteria are used by the CDHS Committee:

- Eligibility
- Priority
- Need for service
- Quality of the program and its administration
- Cost effectiveness of the service to be provided
- Fiscal management
- Ability to implement the project and expend funds within the fiscal year. HUD may requisition unused or inappropriately used funds
- Completeness of proposal

To ensure that verbal presentations made by agency representatives are accurate and reasonable, applicants are advised that information provided to the Committee plays an important factor in formulation of specific funding recommendations; furthermore, statements made by an applicant upon which the Committee relies in making a funding recommendation shall become binding and included as part of any contract which may be executed. Agencies should come prepared to justify their proposal within the priorities outlined previously.

Applicants are further advised that the Committee may request additional information on any part of the proposal after the scheduled interview. Applicants will be required to respond in writing within 5 days of such request.

City of Santa Barbara
 Human Services and Community Development Block Grant
APPLICATION SCHEDULE AND PROCESS
 Fiscal Year 2014-2015

| Month | Event | Date |
|-----------------------|--|--|
| SEPTEMBER | Public Hearing on Community Needs | Tues., Sept. 24, 2013 |
| OCTOBER | Council Action on Application | Tues., Oct. 22, 2013 |
| NOVEMBER | <u>Mandatory</u> - Application Orientation and Technical Assistance Workshop David Gebhard Meeting Room - Community Development 630 Garden Street | Thurs., Nov. 7, 2013 2 p.m. – 4 p.m. |
| | Application Available On-line | Mon., Nov. 11, 2013 |
| DECEMBER | <u>Applications Due</u> Late applications cannot be submitted or accepted – website locked at 4:30 p.m. | Fri., Dec. 13, 2013 4:30 p.m. |
| | Applications available to CDHSC | Mon., Jan. 6, 2014 |
| JANUARY – FEBRUARY | Applicant Interviews - evenings | Jan. 30; Feb. 4; 6; 11; 13; 18 2014 |
| | CDHSC Meeting to Rank Applications | Tues., Feb 18, 2014 |
| FEBRUARY | CDHSC Subcommittee Formulates Recommendations | Fri., Feb. 21, 2014 |
| | CDHSC Meeting to Vote on Recommendations | Tues., Feb. 25, 2014 |
| | Funding Recommendations Available to Public | Mon., March 3, 2014 |
| | Action Plan Public Notice | Thurs., March 11, 2014 |
| MARCH | Action Plan Draft Due and Public Review Starts | Thurs., March 25, 2014 |
| | City Council Public Hearing on Committee Recommendations and Possible Council Action Council Chambers – 735 Anacapa St. | Tues., March 25, 2014 6 p.m. (tentative date) |
| APRIL | Environmental Reviews Start | Ongoing April 2014 |
| | Action Plan Public Review Period Ends | Fri., May 9, 2014 |
| MAY | Action Plan Due | Fri., May 16, 2014 |
| JUNE | Execution of Contracts | Ongoing June 2014 |
| JULY | Contract Period | July 1, 2014 – June 30, 2015 |

| Total Capital Recommendations by Area | | |
|--|-----------------------------------|---------------------|
| CW | City Wide (Includes HRLP Program) | \$6,067,902 |
| DT | Down Town | \$381,021 |
| East | East of Downtown | \$2,340,211 |
| West | West of Downtown | \$1,371,375 |
| East/West | Both Locations | \$553,612 |
| Other | Neither East, West or Downtown | \$338,400 |
| | | \$11,052,521 |

| Total NITF Recommendations by Area | | |
|---|------------------|--------------------|
| East | East of Downtown | \$1,476,620 |
| West | West of Downtown | \$1,127,267 |
| East/West | Both Locations | \$362,491 |
| | | \$2,966,378 |

| Area | AGENCY/PROJECT | Total Recommended |
|-------------|---|--------------------------|
| CW | Housing Rehabilitation Loan Program (HRLP) | \$5,630,702 |
| CW | Family Service Agency - SAIL | \$437,200 |
| DT | Legal Aid Foundation - Various Rehab | \$65,900 |
| DT | Unity Shoppe - Roof | \$35,000 |
| DT | Jewish Federation - Various Rehab | \$230,971 |
| DT | City S.B. - Parks & Rec. - Carrillo Rec. Center | \$40,150 |
| DT | Family Service Agency - Parking Lot Repavement | \$9,000 |
| East | Boys & Girls Club Roof | \$100,000 |
| East | CADA - Building Improvements | \$5,375 |
| East | Casa Esperanza - Bathroom Rehab | \$90,000 |
| East | Girl's Inc. - Various Rehab | \$241,386 |
| East | La Casa de la Raza - Retrofitting | \$161,000 |
| East | Primo Boxing Club - Building Rehab/Restrooms | \$74,625 |
| East | S.B. Jr. High School | \$60,000 |
| East | Transition House Shelter Rehab | \$121,205 |
| East | City S.B. - NITF Access Ramps V | \$150,000 |
| East | City S.B. - NITF Access Ramps IV | \$89,830 |
| East | City S.B. - NITF Eastside Access Ramps | \$147,200 |
| East | City S.B. - NITF Franklin Center Kitchen | \$123,000 |
| East | City S.B. - NITF Franklin Center/Library Lights | \$42,000 |
| East | City S.B. - NITF Franklin Teen Center | \$25,000 |
| East | City S.B. - NITF Franklin Center Improvements | \$15,000 |

| Area | AGENCY/PROJECT | Total Recommended |
|--------------------------------------|---|----------------------|
| East | City S.B. - NITF Ortega Park Improvements | \$145,000 |
| East | City S.B. - NITF Ortega Park Restrooms | \$224,440 |
| East | City S.B. - NITF Ortega Welcome House | \$100,000 |
| East | City S.B. - NITF Punta Gorda Infrastructure | \$306,000 |
| East | City S.B. - NITF Montecito Street Lighting | \$109,150 |
| East | Coalition for Sustainable Transportation | \$10,000 |
| East/West | Neighborhood Clinics - Various Rehab | \$191,121 |
| East/West | City S.B. - NITF Access Ramps II | \$50,000 |
| East/West | City S.B. - NITF Bus Shelters | \$200,691 |
| East/West | City S.B. - NITF Community Gardens | \$56,000 |
| East/West | City S.B. - NITF Franklin Center/Westside Center | \$55,800 |
| Other | St. Vincent's - Childcare Toilet and Sink | \$6,475 |
| Other | Domestic Violence Solutions (Shelter Svcs). | \$17,800 |
| Other | Foodbank - New Cooler/Freezer | \$214,125 |
| Other | City S.B. - NITF Cabrillo Ballfield | \$100,000 |
| West | Noah's Anchorage - Building Rehab | \$94,945 |
| West | Westside Boy's & Girl's Club - Various Rehab | \$149,163 |
| West | City S.B. - NITF Access Ramps III | \$50,000 |
| West | City S.B. - NITF Clean and Safe Neighborhoods | \$109,827 |
| West | City S.B. - NITF Coronel Street | \$297,000 |
| West | City S.B. - NITF LLD and Westside Ctrs. A/C | \$35,000 |
| West | City S.B. - NITF Loma Alta Lighting | \$200,000 |
| West | City S.B. - NITF Parks & Rec.- Bohnett Park | \$150,000 |
| West | City S.B. - NITF Sidewalk Infill | \$155,086 |
| West | City S.B. - NITF West Downtown Lighting Design | \$50,000 |
| west | City S.B. - NITF Westside Center - ADA Restrooms | \$12,200 |
| West | City S.B. - NITF Westside Center - Lighting & Benches | \$21,154 |
| West | City S.B. - NITF Parks & Rec. - Westside Center Cameras | \$47,000 |
| Total Capital Recommendations | | \$11,052,521 |



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013
TO: Mayor and Councilmembers
FROM: Accounting Division, Finance Department
SUBJECT: Fiscal Year 2013 Year-End Results For The General Fund

RECOMMENDATION: That Council:

- A. Hear a report from staff regarding the final results of operations, including final reserve balances, for the General Fund for Fiscal Year Ended June 30, 2013; and
- B. Approve the proposed adjustments to Fiscal Year 2013 estimated revenues and appropriations as detailed in the schedule of Proposed Budget Adjustments.

DISCUSSION:

At the City Council meeting of August 13, 2013, staff presented interim financial statements and a narrative analysis for the fiscal year ended June 30, 2013. At that time, staff indicated that year-end adjustments were still being recorded; and as a result, staff would be presenting final year-end results for the General Fund at a future meeting.

Staff has now completed all year-end adjustments and the City's annual financial audit is well underway. While it is possible that additional adjustments may arise out of the audit, staff does not anticipate any further changes to the results being presented in this report.

The focus of this report is on providing a summary of the final results of operations and their impacts on reserve balances for the General Fund. A summary of revenues and expenditures for the fiscal year ended June 30, 2013 is presented in Attachment 1, with a comparison to budgeted amounts.

In conjunction with this report, staff is also recommending final adjustments to the Fiscal Year 2013 budget. The adjustments at year-end are intended to address budget shortfalls and/or additional costs, to make technical corrections to departmental budgets and to appropriate the transfer of 50% of the year-end surplus per City reserve policies. A listing and description of each proposed adjustment to the current year budget is provided in Attachment 2.

Summary of Year-End Results – General Fund

The table below summarizes the General Fund results of operations for Fiscal Year 2013 after the transfer of one-time revenues amounting to \$1,136,660 to the Capital Outlay Fund. In summary, total revenues exceeded total expenditures by approximately \$3.3 million. A number of factors played into the positive year-end results; however, the most notable results were in expenditures which were significantly below budget.

| General Fund | | | | |
|--|---------------------------|------------------------|---------------------|---|
| Fiscal Year Ended June 30, 2013 | | | | |
| | Amended Budget | Year-End Totals | Encumbrances | Variance Favorable (Unfavorable) |
| Total Revenues | \$ 112,799,303 | \$ 113,296,457 | \$ - | \$ 497,154 |
| Total Expenditures | <u>111,953,197</u> | <u>110,039,024</u> | <u>293,123</u> | <u>1,621,050</u> |
| Addition to (Use of) Reserves | <u>\$ 846,106</u> | <u>\$ 3,257,433</u> | <u>\$ (293,123)</u> | <u>\$ 2,118,204</u> |

While revenues ended the year just \$497,154 ahead of budget, actual results were more favorable since the budgeted revenues include a \$1.2 million “Anticipated Year-End Variance” which represents expected savings in expenditures that occur each year primarily from turnover in staff and vacancies. Excluding this amount, actual revenues ended the year approximately \$1.7 million over budget, with tax revenues realizing most of the positive results. Detailed revenue and expenditure information is provided in Attachment 1.

General Fund Reserves

The General Fund ended the year with a total surplus of \$4,394,093 prior to the transfer of certain one-time revenues to the Capital Fund totaling \$1,136,660. The one-time revenues include \$534,207 from the sale of surplus City property on Milpas Street and \$602,453 received from the City’s insurance carrier for losses incurred in the Flores case. These one-time revenues will be included with other one-time funds received by the General Fund and brought to City Council for a broad discussion of how these one-time funds should be allocated. Staff at that time will be bringing some recommended uses.

The net General Fund surplus amounts to \$3,257,433 for Fiscal Year 2013. Per the recently revised City reserve policies, \$1,628,717 (50%) of the surplus will be transferred to the Capital Outlay Fund with an equal amount falling to reserve balances.

The status of reserves at June 30, 2013 is summarized below.

| General Fund | | | |
|---|----------------------------------|----------------------|-----------------------|
| Status of Reserves as of June 30, 2013 | | | |
| | <u>Per</u> <u>City Policy</u> | <u>Actual</u> | <u>Difference</u> |
| Disaster Reserves | \$ 16,631,577 | \$ 16,631,577 | \$ - |
| Contingency Reserves | <u>11,087,718</u> | <u>8,418,308</u> | <u>(2,669,410)</u> |
| Totals | <u>\$ 27,719,295</u> | <u>\$ 25,049,885</u> | <u>\$ (2,669,410)</u> |

As shown in the table above, the shortfall of reserves relative to policy requirements has been narrowed to approximately \$2.7 million. This is in spite of the fact that overall reserve policy requirements have grown by over \$1 million as a result of the growth in the General Fund's fiscal year 2014 operating budget relative to fiscal year 2013. More importantly, this is the fifth consecutive year in which the City has added to total reserves and reduced the deficit between available reserves and policy reserves.

ATTACHMENTS: 1. Summary of General Fund Revenues and Expenditures
 2. Summary of Recommended Adjustments to the Fiscal Year 2013 Budget

PREPARED BY: Julie Nemes, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

City of Santa Barbara
Summary of Revenues and Expenditures - General Fund **
Fiscal Year Ended June 30, 2013

| | Amended Budget | Year-End Totals | Variance Favorable (Unfavorable) |
|--|-----------------------------|-----------------------------|--|
| | <u> </u> | <u> </u> | <u> </u> |
| REVENUES: | | | |
| Taxes | | | |
| Sales & Use Tax | \$ 19,933,931 | \$ 20,133,821 | \$ 199,890 |
| Utility Users Tax | 7,015,200 | 7,030,876 | 15,676 |
| Property Tax | 26,993,313 | 27,575,163 | 581,850 |
| Transient Occupancy Tax | 14,489,200 | 14,675,922 | 186,722 |
| Business License Tax | 2,220,780 | 2,345,168 | 124,388 |
| Real Property Transfer Tax | 356,180 | 641,778 | 285,598 |
| Total Taxes | <u>71,008,604</u> | <u>72,402,728</u> | <u>1,394,124</u> |
| Other Revenues | | | |
| Franchise Fees | 3,509,700 | 3,579,375 | 69,675 |
| Licenses | 208,988 | 205,784 | (3,204) |
| Fines & Forfeitures | 2,970,304 | 2,874,156 | (96,148) |
| Use of Money & Property | 1,212,904 | 786,940 | (425,964) |
| Intergovernmental | 961,574 | 1,094,705 | 133,131 |
| Fees and Service Charges | 14,067,474 | 14,639,226 | 571,752 |
| Administrative Overhead | 5,841,852 | 5,841,852 | - |
| Miscellaneous Revenues | 3,948,069 | 4,017,706 | 69,637 |
| Transfers In | 9,069,834 | 7,853,985 | (1,215,849) |
| Total Other | <u>41,790,699</u> | <u>40,893,728</u> | <u>(896,970)</u> |
| Total Revenues | <u>\$ 112,799,303</u> | <u>\$ 113,296,457</u> | <u>\$ 497,154</u> |
| EXPENDITURES: | | | |
| Mayor and City Council | \$ 737,693 | \$ 730,019 | \$ 7,674 |
| City Attorney | 2,039,250 | 2,037,669 | 1,581 |
| City Administrator | 2,024,572 | 1,945,047 | 79,525 |
| Finance | 4,707,377 | 4,454,587 | 252,790 |
| Administrative Services | 1,733,693 | 1,620,305 | 113,388 |
| Community Development | 9,509,093 | 8,792,974 | 716,120 |
| Fire | 22,323,941 | 22,263,941 | 60,000 |
| Police | 35,853,342 | 35,853,283 | 59 |
| Public Works | 7,284,777 | 6,981,451 | 303,326 |
| Library | 4,678,836 | 4,441,201 | 237,635 |
| Parks & Recreation | 13,333,039 | 13,339,420 | (6,381) |
| Community Promotions/General Government | 7,727,584 | 7,579,127 | 148,457 |
| Total Expenditures | <u>\$ 111,953,197</u> | <u>\$ 110,039,024</u> | <u>\$ 1,914,173</u> |
| Total Increase in Available Reserves | | 3,257,433 | |
| 50% Transferred to Capital Outlay Fund per City Reserves Policy | | <u>(1,628,716)</u> | |
| Net Addition to Reserves - General Fund | | <u>\$ 1,628,717</u> | |

** Summary of Revenues and Expenditures Schedule includes adjustments for the transfer of one-time revenues of \$1,136,660 from the General Fund to the Capital Outlay Fund.

City of Santa Barbara
Fiscal Year 2013 Year-End Results
Proposed Budget Adjustments

| | <u>Increase (Decrease) in Appropriations</u> | <u>Increase (Decrease) in Estimated Revenues</u> | <u>Addition to (Use of) Fund Balance</u> |
|--|--|--|--|
| GENERAL FUND | | | |
| City Attorney | | | |
| Successor Agency Reimbursement Revenues | \$ - | \$ 6,744 | \$ 6,744 |
| Supplies and Services - Office Remodel | 6,744 | - | (6,744) |
| <p>During Fiscal Year 2013, City Attorney's office remodel exceeded budget; however, City Attorney Reimbursement Revenues from the Successor Agency also exceeded budget as of June 30, 2013. These recommended entries increase appropriations and estimated revenues to cover the additional office remodel costs.</p> | | | |
| Fire Department | | | |
| Mutual Aid Revenues | - | 12,029 | 12,029 |
| Mutual Aid Overtime Salary Costs | 12,029 | - | (12,029) |
| <p>Due to a high fire season, the Fire Department experienced higher than anticipated mutual aid expenditures related to the cost of providing assistance to other locations in the state. These recommended entries increase appropriations and estimated revenues for the additional mutual aid activities.</p> | | | |
| Parks and Recreation | | | |
| Recreation Program Revenues | - | 136,223 | 136,223 |
| Recreation Programs - Hourly Salaries/Non-Contractual Services | 136,223 | - | (136,223) |
| <p>During Fiscal Year 2013, new and expanded recreation programs resulted in additional recreation revenues and increased costs for hourly salaries and other recreation program costs. These recommended entries increase appropriations and estimated revenues for the new and expanded recreation programs.</p> | | | |
| General Government | | | |
| Transfer 20 S. Milpas St. Sale Revenues to Capital Outlay Fund | \$ 534,207 | \$ 534,207 | \$ - |
| <p>During Fiscal Year 2013, the City sold surplus property at 20 South Milpas Street for \$570,000, resulting in unbudgeted net proceeds of \$534,207. This recommended entry will increase estimated revenues for the one-time sale and transfer the funds to the Capital Outlay Fund to be appropriated by Council at a future date. Recommendations on the use of these funds will be made by staff to Council in Fiscal Year 2014.</p> | | | |
| Transfer Flores Insurance Settlement Revenues to Capital Outlay Fund | 602,453 | 602,453 | - |
| <p>During Fiscal Year 2013, the City received the final insurance settlement for the Flores case amounting to \$677,453, of which \$602,453 are General Fund revenues. This recommended entry will increase estimated revenues for the one-time settlement and transfer the funds to the Capital Outlay Fund to be appropriated by Council at a future date. Recommendations on the use of these funds will be made by staff to Council in Fiscal Year 2014.</p> | | | |
| Transfer 50% of FY 2013 Year-End Surplus to Capital Outlay Fund | 1,628,717 | - | (1,628,717) |
| <p>Per City reserve policies, 50% of each year-end surplus will be transferred to the Capital Outlay Fund to provide additional funding for capital projects. This recommended entry transfers 50% of the Fiscal Year 2013 year-end surplus, amounting to \$1,628,717, to the Capital Outlay Fund.</p> | | | |
| Total General Fund | <u>\$ 2,765,377</u> | <u>\$ 1,136,660</u> | <u>\$ (1,628,717)</u> |

| | <u>Increase (Decrease) in Appropriations</u> | <u>Increase (Decrease) in Estimated Revenues</u> | <u>Addition to (Use of) Fund Balance</u> |
|--|--|--|--|
|--|--|--|--|

CAPITAL OUTLAY FUND

| | | | |
|---|------|------------|------------|
| Transfer 20 S. Milpas St. Revenue from General Fund | \$ - | \$ 534,207 | \$ 534,207 |
|---|------|------------|------------|

During Fiscal Year 2013, the City sold surplus property at 20 South Milpas Street for \$570,000, resulting in unbudgeted net proceeds of \$534,207. This recommended entry transfers the funds from the General Fund to the Capital Outlay Fund to be appropriated by Council at a future date.

| | | | |
|---|---|---------|---------|
| Transfer Flores Settlement Revenues from General Fund | - | 602,453 | 602,453 |
|---|---|---------|---------|

During Fiscal Year 2013, the City received the final insurance settlement for the Flores case amounting to \$677,453, of which \$602,453 are General Fund revenues. This recommended entry will transfer the funds from the General Fund to the Capital Outlay Fund to be appropriated by Council at a future date.

| | | | |
|--|---|-----------|-----------|
| Transfer 50% of FY 2013 Year-End Surplus from General Fund | - | 1,628,717 | 1,628,717 |
|--|---|-----------|-----------|

Per City reserve policies, 50% of each year-end surplus in the General Fund will be transferred to the Capital Outlay Fund to provide additional funding for capital projects. This recommended entry transfers 50% of the Fiscal Year 2013 year-end surplus, amounting to \$1,628,717, from the General Fund to the Capital Outlay Fund.

| | | | |
|----------------------------------|-------------|---------------------|---------------------|
| Total Capital Outlay Fund | <u>\$ -</u> | <u>\$ 2,765,377</u> | <u>\$ 2,765,377</u> |
|----------------------------------|-------------|---------------------|---------------------|

SPECIAL REVENUE FUNDS

Federal Home Loan Program Fund (162)

| | | | |
|---|---------|------------|------------|
| Housing and Urban Development Home Loan Grant & Program Revenue | \$ - | \$ 211,465 | \$ 211,465 |
| Housing Development Loan for Salsipuedes and Haley | 177,847 | - | (177,847) |
| Appropriations Available for Housing Development Loans | 33,618 | - | (33,618) |

The Federal Department of Housing and Urban Development allocates home loan grant funding to the City on an annual basis. This entry will increase estimated revenues to match the total grant fund allocation and program income through Fiscal Year 2013. This entry also increases appropriations for the Salsipuedes and Haley loan per the loan agreement approved by Council and provides budgeted funds to be allocated in future years.

| | | | |
|---|-------------------|-------------------|-------------|
| Total Federal Home Loan Program Fund | <u>\$ 211,465</u> | <u>\$ 211,465</u> | <u>\$ -</u> |
|---|-------------------|-------------------|-------------|

ENTERPRISE FUNDS

Water Operating Fund (411)

| | | | |
|---|--------------|--------------|------|
| Transfer Surplus Revenues to Rate Stabilization in Capital Fund | \$ 1,995,596 | \$ 1,995,596 | \$ - |
|---|--------------|--------------|------|

In Fiscal Year 2013, the City refinanced Water Fund bond debt and developed a Rate Stabilization Reserve to add assurance to potential lenders of the City's ability to meet debt coverage requirements in future years. In a year when water rates revenues fall below projections, the Rate Stabilization Reserve funds may be counted as revenues to meet debt coverage. This recommended entry will increase estimated revenues for surplus water revenues in Fiscal Year 2013 and transfer \$2 million to the Rate Stabilization Reserve in the Water Capital Fund, resulting in a total Rate Stabilization Reserve balance of \$5 million.

| | | | |
|-----------------------------------|---------------------|---------------------|-------------|
| Total Water Operating Fund | <u>\$ 1,995,596</u> | <u>\$ 1,995,596</u> | <u>\$ -</u> |
|-----------------------------------|---------------------|---------------------|-------------|

| <u>Increase (Decrease) in Appropriations</u> | <u>Increase (Decrease) in Estimated Revenues</u> | <u>Addition to (Use of) Fund Balance</u> |
|--|--|--|
|--|--|--|

ENTERPRISE FUNDS (cont.)

Water Capital Fund (412)

| | | | |
|--|------|--------------|--------------|
| Transfer Surplus Water Fund Revenues to Rate Stabilization Reserve | \$ - | \$ 1,995,596 | \$ 1,995,596 |
|--|------|--------------|--------------|

In Fiscal Year 2013, the City refinanced Water Fund bond debt and developed a Rate Stabilization Reserve to add assurance to potential lenders of the City's ability to meet debt coverage requirements in future years. In a year when water rates revenues fall below projections, the Rate Stabilization Reserve funds may be counted as revenues to meet debt coverage. This recommended entry will transfer \$2 million in surplus Water Fund revenues to the Rate Stabilization Reserve in the Water Capital Fund, resulting in a total Rate Stabilization Reserve balance of \$5 million.

Total Water Capital Fund

| | | |
|-------------|---------------------|---------------------|
| <u>\$ -</u> | <u>\$ 1,995,596</u> | <u>\$ 1,995,596</u> |
|-------------|---------------------|---------------------|

Airport Capital Fund (442)

Adjust Capital Project Budgets:

| | | | |
|---|--------------|------|------------|
| Close Building 255 West Wind Remodel | \$ (311,736) | \$ - | \$ 311,736 |
| Goleta Slough Tidal Restoration Feasibility | 71,613 | - | (71,613) |
| Building Demolition | 28,050 | - | (28,050) |
| Airport Sewer System | 210,576 | - | (210,576) |
| Rehab if Taxiways C, H and J | 1,497 | - | (1,497) |

During Fiscal Year 2013, four Airport capital projects incurred additional project costs above budget and the 255 West Wind Remodel project was completed with remaining available appropriations of \$311,736. These recommended entries will close the 255 West Wind project, transfer the appropriations to cover the overspending in the other four projects and provide \$61,648 of additional appropriations to the Airport Sewer System to cover the remaining cost of the project.

Total Airport Capital Fund

| | | |
|-------------|-------------|-------------|
| <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> |
|-------------|-------------|-------------|

INTERNAL SERVICE FUNDS

Self Insurance Trust Fund (531)

| | | | |
|---|------------|------|--------------|
| Inverse Condemnation - Barajas Judgment | \$ 636,547 | \$ - | \$ (636,547) |
|---|------------|------|--------------|

In late Fiscal Year 2013, the City received a jury verdict relating to an inverse condemnation case, resulting in a judgment of \$636,547. This type of award is not typically covered by the City's self-insurance program or by the City's excess insurance for liability claims. This recommended entry will increase appropriations for the judgment in the Self Insurance Trust Fund. Recommendations on funding this judgment along with capital and other one-time projects will be submitted to Council in Fiscal Year 2014 when staff comes to Council regarding the unbudgeted, one-time revenues received in Fiscal Year 2013.

Total Self Insurance Trust Fund

| | | |
|-------------------|-------------|---------------------|
| <u>\$ 636,547</u> | <u>\$ -</u> | <u>\$ (636,547)</u> |
|-------------------|-------------|---------------------|



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General Bargaining Unit, Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 22, 2013

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Conference with Legal Counsel – Potential Litigation

RECOMMENDATION:

That Council hold a closed session to consider possible litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed. (one potential case)

SCHEDULING: Duration, 15 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office