

TOWN OF WOODSIDE

TOWN COUNCIL MEETING AGENDA

December 13, 2016

Independence Hall, 2955 Woodside Road, Woodside

7:30 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

*Persons wishing to address the Council on any matter not on the posted agenda are invited to do so. Please note, however, that the Council is not able to undertake extended discussion or to act on non-agendized items. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. This communication period is limited to five persons, three minutes each. Any additional persons wishing to be heard will be scheduled at the end of Regular Business.*

PROCLAMATION

In Honor of Richard Marshall Gordon

REORGANIZATION OF TOWN COUNCIL

Election of Mayor and Mayor Pro Tem

ACKNOWLEDGEMENTS

Commendation for Deborah C. Gordon in Recognition of Her Service as Mayor of the Town of Woodside

CONSENT CALENDAR

*All items on the Consent Calendar are considered to be routine and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.*

1. Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934.
2. Approval of Minutes: Town Council Special Meeting of November 15, 2016 and Regular Meeting of November 15, 2016.
3. Adoption of an Ordinance Adding Subsection (C) to Section 30.01 to Title III, Administration, of the Woodside Municipal Code to Consolidate Municipal Elections with Statewide Elections Beginning in 2018, as Mandated by Senate Bill 415. Ordinance No. 2016 - \_\_\_\_
4. Resolution Reducing the Membership of the Woodside Circulation Committee. Resolution 2016 - \_\_\_\_
5. Resolution Approving a \$775,000 Loan from the General Fund to the Town Center Pump Station Fund and Approving a Repayment Schedule for the Town Center Sewer Pump Station Improvements Project. Resolution 2016 - \_\_\_\_
6. Resolution Accepting Completion of the 2016 Road Rehabilitation Project and Authorizing the Town Clerk to Record a Notice of Completion. Resolution 2016 - \_\_\_\_

PUBLIC HEARING

*The Mayor will declare the public hearing open. Town staff will present a staff report on the aspects of the application or issue, which will be followed by staff recommendations. The applicant or his/her representative may make a presentation. Thereafter, those in support of or in opposition to the proposal may speak. When all interested parties have had an opportunity to be heard, the hearing will be closed. After that time, no further discussion from the floor will be held. The Town Council will consider the evidence and either approve, disapprove, or continue the item to a subsequent meeting date.*

7. Introduction of an Ordinance to Amend Woodside Municipal Code Chapter 153, Zoning, to: 1) Exempt Utility Pads from Paved Area and Surface Coverage Calculations; 2) Allow Utility Meters Within Setbacks; 3) Reduce the Required Setbacks from Highway 280 and Skyline Boulevard; and 4) Locate the Development Standards for Commercial Projects in One Code Section. Ordinance No. 2016 - \_\_\_\_\_
8. Adoption of an Ordinance Amending Woodside Municipal Code Chapter 150: Building Regulations to Adopt the 2016 California Building Standards Code. Ordinance No. 2016 - \_\_\_\_\_

#### NEW BUSINESS

9. Review and Comment on Woodside Fire Protection District Draft Ordinance No. 11, Which Would Adopt by Reference the 2015 International Fire Code with the 2016 California Amendments and Woodside Fire Protection District Board Determined Amendments and Additions.

#### REPORTS

10. Mayor and Councilmember Communications.
11. San Mateo County City Selection Committee Vacancies.

#### COMMUNICATIONS

#### ADJOURNMENT

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE TOWN CLERK AT (650) 851-6790. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

PLEASE NOTE THAT PURSUANT TO THE STATE OF CALIFORNIA'S OPEN MEETING RULES, THIS MEETING IS BEING AUDIO TAPED.

ANY WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE TOWN COUNCIL REGARDING ANY ITEM ON THIS AGENDA WILL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE ADMINISTRATION COUNTER AT TOWN HALL LOCATED AT 2955 WOODSIDE ROAD DURING NORMAL BUSINESS HOURS.

**TOWN OF WOODSIDE**

**Report to Town Council**

**Agenda Item 2**

From: Dora Wong Seamans, Town Clerk  
Reviewed By: Kevin Bryant, Town Manager

**SUBJECT: MINUTES FOR APPROVAL**

The minutes of the Special Town Council Closed Session and Special Regular Town Council Meetings of November 15, 2016 are attached for review and approval.

Attachment

TOWN OF WOODSIDE

TOWN COUNCIL SPECIAL CLOSED SESSION MEETING MINUTES November 15, 2016  
Independence Hall, 2955 Woodside Road, Woodside 7:00 P.M.

CALL TO ORDER

ROLL CALL

COMMUNICATIONS

7:00 P.M. CLOSED SESSION

Conference with Legal Counsel - Anticipated Litigation  
[Government Code §54956.9(b)]: Three Potential Cases

REPORT FROM CLOSED SESSION

There were no reportable actions.

COMMUNICATIONS

ADJOURNMENT

The meeting adjourned at approximately 7:25 p.m.

## TOWN OF WOODSIDE

**TOWN COUNCIL SPECIAL MEETING MINUTES**  
**Independence Hall, 2955 Woodside Road, Woodside**

**November 15, 2016**  
**7:30 p.m.**

**CALL TO ORDER**

Mayor Gordon called the meeting to order at 7:30 P.M.

**ROLL CALL**

Present: Councilmembers Kasten, Livermore, Mason (arrived at 7:33 p.m.),  
 Tanner, Yost, and Mayor Gordon  
 Absent: Councilmember Shaw

**Staff Present:**

Kevin Bryant, Town Manager  
 Jean Savaree, Town Attorney  
 Jackie Young, Planning Director  
 Sean Rose, Town Engineer/Director of Public Works  
 Dora Wong Seamans, Town Clerk

**PLEDGE OF ALLEGIANCE**

Mayor Gordon led the Pledge of Allegiance.

**COMMUNICATIONS**

Timothy A. Johnson, Jr. submitted a letter about Grandview Drive to Council and for the record, with approved time ceded to him by Linda Switzer. He characterized their concerns and questions as a matter of public policy: there are 38 properties in the neighborhood that are served by two roads, Espinoza Road and Grandview Drive and the easements on these roads have been thought to be 50 feet in width; in 2007, the Town Attorney ruled that the Grandview Drive private easement was 50 feet wide; in 2012 the Deputy Town Attorney ruled that the Grandview Drive private easement was 18 feet wide; the other neighbors did not hear of this ruling until approximately two years later and state that there was a lack of notice or opportunity for neighborhood property owners to be heard; he is a retired real state attorney, found the 18-foot easement ruling unsupported, and appealed in March 2014; he suggested that the Town consider this a dispute between two private property owners that should be resolved in court; he stated that there have been multiple requests for a meeting with the Town Attorney and the property owners of 215 Grandview Drive but no meeting has been granted. In September 2016, he stated that the Town Attorney reaffirmed the 18-foot wide easement, and because the drainage systems, trees and other vegetative growth are located outside of the 18 foot-paved easement area and they cannot be legally maintained. He noted that they have had multiple landslides and sometimes the roads and retaining walls have had to be completely rebuilt and the use of equipment was outside the 18-foot easement. He stated that the neighbors' only recourse is to file litigation against the Town; the possible outcomes to the Town may include claims against the Town for reimbursement and litigation costs; he requested that the Town take no position and back out of this matter because it is between private citizens and it is for the courts to make the decision regarding this dispute; he requested this item be placed on a future Town Council agenda.

Mayor Gordon referred this matter to the Town Attorney for follow up.

Phil Venuti, resident on Grandview Drive, noted that a recent project to replace a culvert above his house by the Grandview - Espinoza Road Committee was outside of the 18-foot wide easement and opined that it would have been impossible to have done it inside the 18-foot easement. He also spoke in support of the prior speaker and the need for the 50-foot easement.

Roger Chapman, resident on Grandview Drive, said his title company is considering this because he was guaranteed a 50-foot easement. He spoke in support of looking further into the dispute because he opined that a 50-foot easement is necessary to maintain the roads.

Timothy Johnson asked for those who support this to stand up and observed that perhaps 90 percent of the audience (13 people) stood up. He asked that this matter be placed on the next Town Council agenda.

Mayor Gordon stated that the Town Attorney will respond to Mr. Johnson's letter and answer any other questions.

#### CONSENT CALENDAR

1. **Approval of Minutes: Town Council Special Meeting of October 25, 2016 and Regular Meeting of October 25, 2016.**
2. **Town Manager's Report.**
3. **Resolution Accepting Completion of the Woodside School Pathway Improvement Project - Phase 2 and Authorizing the Town Clerk to Record a Notice of Completion. Resolution No. 2016 - 7128.**
4. **Resolution Accepting Completion of the Woodside Library Renovation Project and Authorizing the Town Clerk to Record a Notice of Completion. Resolution No. 2016 - 7129.**
5. **Resolution: (1) Approving a Sewer Service Allocation to 1450 Cañada Road, Pursuant to Municipal Code Section 51.126; (2) Consenting to the Annexation of this Property into the Town Center Sewer Assessment District; and (3) Authorizing the Town Manager to Execute Revised Agreements with the City of Redwood City and Fair Oaks Sewer Maintenance District to Add this Property into the Approved Service Area for the Town Center Sewer Assessment District. Resolution No. 2016 - 7130.**
6. **Resolutions (1) Authorizing Staff to Apply for the Rubberized Pavement Grant Program through the California Department of Resources Recycling and Recovery and (2) Adopting an Environmentally Preferred Purchasing Policy. Resolution No. 2016 - 7131 and Resolution No. 2016 - 7132.**

Councilmember Kasten pulled Item 2 and Mayor Gordon pulled Item 6 for discussion.

Councilmember Tanner moved approval of Item 1, 3, 4, and 5 as presented.

Motion seconded by Councilmember Yost and carried by roll call vote:

AYES: Councilmembers Kasten, Livermore, Mason, Tanner, Yost, and Mayor Gordon  
 NOES: None  
 ABSENT: Councilmember Shaw

In response to Councilmember Kasten's request for further clarification on the Community Foundation and Caltrans, Mr. Bryant noted that there has been interest in improving the medians on Highway 84 particularly around Interstate 280. He said that a member of the Community Foundation recently approached them on this matter and the Town would like to work on this - the Community Foundation will do the fundraising while the Town Engineer/Director of Public Works will provide expertise in helping move this project forward. They are looking at a median in front of the parking lot.

Councilmember Kasten noted that this project has been a matter of interest for many years and Councilmember Mason opined that Caltrans needs to maintain these areas because it is not being done.

Mr. Bryant noted that it may be best for Council to apply political pressure, and in response to other Council questions about the Town's right to possibly maintain Highway 84, he said it would require an encroachment permit process. He spoke about the agreement between Redwood City and Caltrans and how Redwood City took on a significant portion of the cost to maintain their section of Highway 84 despite some reimbursement from Caltrans. In response to Council comments, Mr. Bryant said they will consider what is workable, negotiable, and

start a conversation with Caltrans on improving the area, including possibly doing this in phases due to cost concerns, and should the Town gain the right to work on these medians, have a contractor do the work and ensure it will fit into the character of the Town.

In response to Councilmember Kasten's question about the unfinished landscaping and weeds along Woodside Road between Alameda de las Pulgas and 280, Ms. Young stated that the Planning staff has had ongoing conversations with the Menlo Country Club and she noted that the Club had submitted a landscape plan for that entire frontage, which was reviewed and approved by the ASRB (Architectural and Site Review Board) but the Club has not followed through. Planning staff recently notified the Menlo Country Club that the recent work it has done does not meet the plan nor the Town's expectations.

Councilmember Mason suggested that the Town Attorney send a letter to Menlo Country Club on this matter.

Councilmember Kasten expressed her disappointment in the work Caltrans did in shoring up the failing retaining wall, opposite Southgate Drive, and opined that it is shorter, narrower, more dangerous, and it is already failing.

In response to Councilmember Kasten's request to have the Community Foundation come and do a presentation on what they are doing and her hope that it would help make people more excited to participate and volunteer, Mr. Bryant said he would extend that invitation to the Foundation.

Mayor Gordon stated that she pulled Item 6 because there may be someone in the audience to speak on it.

Mr. Bryant shared the suggestions George Offen made to edit the Environmentally Preferred Purchasing Policy, under 3.2 Source Reduction, 3.2.1, to add at the end "and purchase bulk quantities to minimize packaging materials" and to add a new section "3.2.3 Whenever practical, preference will be given to purchases in bulk quantities so that the quantity of packaging materials is minimized."

George Offen, Raymundo Drive, Chair of the Sustainability and Conservation Committee, noted that the Committee strongly endorsed the Climate Action Plan and while the Committee was not able review the policy as a Committee at its last meeting, he expressed support for the policies on a philosophical basis.

Councilmember Yost moved approval of Item 2 as presented and Item 6 as amended: 3.2.1 - add at the end "and purchase bulk quantities to minimize packing materials" and to add a new section 3.2.3 "Whenever practical, preference will be given to purchases in bulk quantities so that the quantity of packaging materials is minimized."

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES: Councilmembers Kasten, Livermore, Mason, Tanner, Yost and Mayor Gordon  
 NOES: None  
 ABSENT: Councilmember Shaw

#### **NEW BUSINESS**

7. **Resolution Extending the Interim Ordinance No. 2016-578 Regulating Cultivation and Prohibiting the Manufacture, Processing, Laboratory Testing, Labeling, Storing, Wholesale, and Retail Distribution of Nonmedical Marijuana in the Town of Woodside and Report Pursuant to Government Code 65858(D) as Prerequisite to Extension of Urgency Ordinance No. 2016-578. Resolution No. 2016 - 7134**

Ms. Savaree provided the staff report noting that Council had approved Urgency Ordinance 2016-578 which called for a time out on the regulation of the cultivation and distribution of Nonmedical Marijuana. While the time extension could be until September 20, 2017 to hear public comment, Council may consider it sooner as per their earlier input to have it brought back

sooner. She said that they are monitoring what the state and other cities are doing and all the Town and City Attorneys recently met with County Counsel on this. County Counsel would like to provide some regulations and analysis of the tax implications of this for all the cities and towns. Staff recommended that Council affirm the extension and to bring this item back as quickly as possible so that they can begin the process on what they wish to do on a more permanent basis.

In response to Councilmember Kasten's and Mayor Gordon's questions, Ms. Savaree stated that this may come back to Council around the end of January and while County Counsel hopes that cities may adopt their regulations, they may tweak it as they see fit.

#### Public Comment

Neal Roberts, Montecito Road, stated that consumption of cannabis is now legal with the passage of Proposition 64 and opined that it would be too expensive to cultivate and grow marijuana in Town. He spoke against the ordinance and resolution as wasteful of both Town and police resources, archaic, and having no effect on the commercial production of pot.

An anonymous speaker spoke in opposition to this item because prohibition of this substance is ineffective and he would rather get rid of the liquor licenses downtown and prevent the problems associated with alcohol instead.

Randall Schwabacher, Audiffred Lane, a 30-year resident questioned the agenda wording for this item as opposed to the resolution wording; asked for clarification on personal uses; why an urgency ordinance was done; why and where is the threat to the health and safety of the community; this should have been brought up earlier to allow for more discussion and consideration since the Proposition was on the ballot for months; the ordinance is not clear; questioned use of marijuana outdoors; the ordinance should only pertain to commercial and industrial uses; Council should not take any stance on personal use or the growth of marijuana indoors or outdoors.

In response to Mr. Schwabacher's questions, Ms. Savaree clarified the following: the urgency ordinance would not allow for outdoor growth during the time it is in effect and thereby allow Council time to consider if they wish to propose regulation on this; the Council has not taken a position on use and the urgency ordinance does not prohibit use nor is this something Council is being asked to consider; this was brought before the Council to give them the time and opportunity to involve the community in a discussion on possibly imposing any regulation should they choose to do so.

Mayor Gordon commented that there are different viewpoints and that Council wanted to give everyone the opportunity to weigh in; some people do feel the commercial aspect is a threat and impacts neighborhoods; the Town Council has not taken any stance because they wish to give those with different points of view the time to express them.

Randall Schwabacher continued to question the use of the urgency ordinance as a draconian measure despite the passage of the state proposition. He said that he does not personally use marijuana and he urged Council to modify the ordinance to pertain only to commercial and industrial uses and to state that it will not take a stance on the personal use or growth of marijuana indoors and outdoors, unless there is evidence that growth outdoors is a problem because many people have sufficient land to grow it outdoors.

Mayor Gordon closed the public hearing.

Council deliberations included the following: the urgency ordinance was initially a placeholder to allow time for discussion at a future study session.

Councilmember Yost stated that while he voted for Proposition 64, he observed some confusion expressed online at Nextdoor Woodside on this; he would not have supported the urgency ordinance had there not been a sunset measure in it; at the last Council meeting, they heard that some people do not want the large-scale manufacturing of marijuana or tobacco and given the way

Proposition 64 was written, the Town would have lost any opportunity to regulate that without passing the urgency ordinance; for the future, he spoke in favor of having a light, permissive touch on allowing plants outside, they have heard some people favor some regulation and that large scale industrial growth may not be appropriate; there is a September 2017 expiration date; County Counsel is working on this and they hope to get more information on this at the end of January and may hopefully resolve it shortly thereafter.

Additional Council comments included the following: this urgency ordinance is not definitive and it is just a placeholder; community input will be taken in the normal fashion used for the development of any regulations with study session(s); the imposition of the urgency ordinance is short-lived and it does not say smoking is illegal; support for the time and opportunity for people to weigh in; support to start the process as soon as possible in January; observation that 1920s prohibition policy was not successful; there is a need for community input on whether there should be any ordinance or restriction on commercial sale; some people are concerned about home sales and stands and there is hyperbole on both sides; the goal is to have everyone who wishes to weigh in on this have the opportunity to discuss and come to a consensus on their vision(s) for what life in Woodside is like.

Mayor Gordon noted that Council is not weighing in on what is going to happen and asked Mr. Bryant to comment on the vote count for Proposition 64 in the Town of Woodside.

Mr. Bryant stated that the vote count in Woodside mirrors the statewide vote count with perhaps a higher approval rate on Proposition 64 than statewide.

Councilmember Livermore moved approval of Item 7 as presented.

Motion seconded by Councilmember Mason and carried by roll call vote:

AYES: Councilmembers Kasten, Livermore, Mason, Tanner, Yost, and Mayor Gordon  
NOES: None  
ABSENT: Councilmember Shaw

REPORTS

8. Mayor and Councilmember Communications.

There were no communications.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 8:19 P.M.

**TOWN OF WOODSIDE**

Report to Town Council

Agenda Item # 3

From: Kevin Bryant, Town Manager

December 13, 2016

**SUBJECT: ADOPTION OF AN ORDINANCE ADDING SUBSECTION (C) TO SECTION 30.01 TO TITLE III, ADMINISTRATION, OF THE WOODSIDE MUNICIPAL CODE TO CONSOLIDATE MUNICIPAL ELECTIONS WITH STATEWIDE ELECTIONS BEGINNING IN 2018, AS MANDATED BY SENATE BILL 415**

**RECOMMENDATION**

It is recommended that the Town Council adopt an Ordinance adding Subsection (C) to Section 30.01 (Regular Meetings of Council) to Title III, Administration, of the Woodside Municipal Code to consolidate municipal elections with statewide elections beginning in 2018, as mandated by Senate Bill (SB) 415.

**DISCUSSION/ANALYSIS**

On October 25, 2016, the Town Council introduced the attached draft ordinance, which would consolidate the Town's general municipal election with the statewide election beginning in 2018. The terms of currently seated elected officials would be extended by no more than 12 months pursuant to Elections Code section 10403.5, subdivision (b). Elected officials whose terms are scheduled to end in 2017 will have their terms extended to 2018 and elected officials whose terms are scheduled to end in 2019 will have their terms extended to 2020.

SB 415 prohibits a local government, like the Town of Woodside ("Town"), from holding an election on any date other than a statewide election date if doing so has resulted in local election turnout that is at least twenty-five percent (25%) below the average Woodside turnout in the last four statewide general elections.

The table below shows the voter turnout percentages in the past four statewide elections (even numbered years) and the Town's voter turnout in the regular municipal elections in 2015, 2013, 2011 and 2009. Given these percentages, Woodside must comply with SB 415.

<b>SB 415 - Percent Turnout per Election</b>								
<b>Municipal Elections</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>
Woodside	38.5%	55.4%	23.8%	84.2%	31.1%	76.4%	24.8%	84.2%
# Registered Voters	3,796	3,806	3,889	3,920	3,699	3,775	3,696	4,088

Once the Ordinance is adopted, it will then require approval of the County Board of Supervisors. Within thirty (30) days after the approval by the County Board of Supervisors, the Town Clerk will send out a notice to all registered voters in the Town informing them of the change in the general municipal election date and elected officials' terms affected by the Ordinance, as per Election Code section 10403.5, subdivision (e).

If the Town fails to comply with SB 415 and holds a nonconcurrent, odd-numbered year municipal election after 2018 without a plan in place to align the local elections with the statewide elections by 2022, the Town may be subject to a lawsuit initiated by any local voter. The same would be true if the Town held an off-cycle, odd-numbered year regular election any time after 2022, even with a plan in place.

The initial cost savings to the Town of consolidating its 2017 election with the statewide 2018 election is unknown, and will depend on how many other jurisdictions consolidate their off-cycle elections with the statewide election, but it is anticipated that the Town will realize some election related cost savings beginning in 2018.

#### **CONCLUSION**

It is recommended that the Town Council adopt an Ordinance adding Subsection (C) to Section 30.01 to Title III of the Woodside Municipal Code to consolidate municipal elections with statewide elections beginning in 2018, as mandated by Senate Bill 415.

**Attachment:** Ordinance Adding Subsection (C) to Section 30.01  
(Regular Meeting of the Council) to Title III of the  
Woodside Municipal Code

**ORDINANCE NO. 2016-\_\_\_\_\_**

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE  
 AMENDING WOODSIDE MUNICIPAL CODE CHAPTER 30: TOWN  
 COUNCIL, SECTION 30.01

**WHEREAS**, following the enactment of Senate Bill 415, all California cities with municipal elections held in a year that was not concurrent with statewide elections and resulted in a significant decrease in voter turnout must align its municipal elections with the statewide elections beginning in 2018 or have a plan in place to do so by 2022; and

**WHEREAS**, the Town wishes to align the Town's general municipal elections with statewide elections beginning in 2018.

**IT IS HEREBY ORDAINED** by the Town Council of the Town of Woodside to amend the Woodside Municipal Code as follows:

**SECTION ONE:** Chapter 30, Town Council, Section 30.01, of the Woodside Municipal Code is hereby amended as follows:

§30.01 REGULAR MEETING OF THE COUNCIL.

(A) All regular meetings of the Council shall be held at Independence Hall in Woodside, California. Regular meetings of the Town Council shall be held on the second and fourth Tuesday of each month. All regular meetings shall commence at the hour of 7:30 p.m.

(B) In years of general municipal elections, for Town Council positions, no regular or special meeting of the Town Council shall be held 'immediately after said general municipal election', excepting for an emergency meeting, as defined in Government Code § 54956.5, until the said general municipal election results have been canvassed and certified.

(C) After January 1, 2018, the general municipal elections of the town shall be consolidated with the statewide election date in accordance with Elections Code sections 1301, 10000 to 10735, and 14050 to 14057, as amended. The terms for the local elected officials that are scheduled to end in 2017 and 2019 are hereby extended by 12 months. As used in this section, "12 months" means the period between the day upon which the term of office would otherwise have commenced and the first Tuesday after the second Monday in the 12th month before or after that day, inclusive.

**SECTION TWO:** In the event that any provision of this ordinance is in conflict with any other ordinances of the Town of Woodside or the Woodside Municipal Code, the provisions of this ordinance shall prevail.

**SECTION THREE:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or

invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

**SECTION FOUR:** Pursuant to Section 36937 of the Government Code of the State of California, the Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

**SECTION FIVE:** The Town Clerk shall cause this Ordinance to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 2016- \_\_\_ of the Town of Woodside entitled as above; that it was introduced on the 25<sup>th</sup> day of October, 2016, and was passed and adopted by the Town Council on the 13<sup>th</sup> day of December, 2016, by the following vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor of the Town of Woodside

ATTEST:

\_\_\_\_\_  
Town Clerk of the Town of Woodside

**TOWN OF WOODSIDE**

Report to Town Council

Agenda Item 4

From: Kevin Bryant, Town Manager

December 13, 2016

**SUBJECT: RESOLUTION REDUCING THE MEMBERSHIP OF THE WOODSIDE  
CIRCULATION COMMITTEE**

**RECOMMENDATION**

It is recommended that the Town Council adopt the attached draft resolution reducing the number of members of the Woodside Circulation Committee.

**BACKGROUND AND DISCUSSION**

The Woodside Circulation Committee currently has a total of eleven committee positions with two committee vacancies. As a result of the vacancies, the Committee sometimes is unable to establish a quorum to hold meetings.

At its meeting on October 27, 2016, the Circulation Committee discussed, and then voted 7 - 2 to request that the Town Council reduce the number of members from 11 to 9.

**CONCLUSION**

The Town Council periodically changes the operational characteristics and membership of citizen advisory committees. The attached draft resolution would modify the membership of the Woodside Circulation Committee.

**ATTACHMENT**

**RESOLUTION NO. 2016 -**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE  
REDUCING MEMBERSHIP FOR THE WOODSIDE CIRCULATION COMMITTEE**

**WHEREAS**, the Woodside Circulation Committee supports the General Plan goal to balance circulation system user needs and works to foster a community for all users of the public roadway system; and

**WHEREAS**, the membership size and the establishment of a quorum of all of the Town's advisory committees is adjusted from time to time, based upon individual circumstances; and

**WHEREAS**, the Circulation Committee currently has nine appointed members and two vacant seats; and

**WHEREAS**, on October 27, 2016, the Woodside Circulation Committee voted to request that the membership for the Woodside Circulation Committee be reduced to nine members.

**NOW, THEREFORE BE IT RESOLVED THAT**, the Town Council of the Town of Woodside does hereby establish that the membership of the Woodside Circulation Committee is set at nine members and a quorum of the Woodside Circulation Committee for purposes of undertaking committee business is set at five members.

\* \* \* \* \*

**PASSED AND ADOPTED** by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 13<sup>th</sup> of December 2016 by the following vote of the members thereof:

- AYES, and in favor thereof, Councilmembers:
- NOES, Councilmembers:
- ABSENT, Councilmembers:
- ABSTAIN, Councilmembers:

\_\_\_\_\_  
Mayor of the Town of Woodside

ATTEST:

\_\_\_\_\_  
Clerk of the Town of Woodside

## TOWN OF WOODSIDE

Report to Town Council

Agenda Item 5

Prepared by: Kevin Bryant, Town Manager

December 13, 2016

**SUBJECT: RESOLUTION APPROVING A \$775,000 LOAN FROM THE GENERAL FUND TO THE TOWN CENTER PUMP STATION FUND AND APPROVING A REPAYMENT SCHEDULE FOR THE TOWN CENTER SEWER PUMP STATION IMPROVEMENTS PROJECT**

**RECOMMENDATION**

It is recommended that the Town Council adopt a resolution approving a \$775,000 loan from the General Fund to the Town Center Pump Station Fund and approving a repayment schedule for the Town Center Sewer Pump Station Improvements Project.

**BACKGROUND**

In July 2010 the Town completed a Sanitary Sewer Master Plan which recommended various upgrades and capital improvements to the sanitary sewer system within the Town Center Sewer Assessment District (TCSAD), including replacement of the TCSAD sewer pump station originally constructed in 1986.

On July 8, 2014 the Town Council authorized Mark Thomas & Company to prepare the design and construction bid documents for the project. The project will replace the existing pump station with a new, modern pump station. The new station will have significantly increased capacity and state of the art remote monitoring capability. Specific improvements include a larger sewage wet well with better access for maintenance, two submersible pumps that are more efficient and less prone to failure than the existing suction pumps, a new control cabinet with an integrated System Control and Data Acquisition (SCADA) remote monitoring system, a new sewer manhole, new driveway paving and improved drainage system, and associated valves, piping and other improvements. The project should improve service reliability, and minimize the potential for sanitary sewer overflows into, and inundation from, Dry Creek immediately adjacent to the pump station.

On May 24, 2016 the Town Council approved the project plans and specifications and authorized the Town Manager to advertise for bids and execute a contract with the lowest responsive and responsible bidder.

The Town advertised the project on June 1, 2016. Staff notified local builder's exchanges, posted the invitation and project bid documents on the Town's website, advertised in two local newspapers, and contacted 22 firms known to perform this type of work. Bids were opened on July 6, 2016. The Town received one bid from Casey Construction in the amount of \$956,150, approximately 21% over the engineer's estimate of \$791,000. On July 26, 2016, at the recommendation of staff, the Town Council rejected the bid.

On October 25, 2016 the Town Council authorized the re-advertising of bids for the project and authorized the Town Manager to execute a contract with the lowest responsive and responsible bidder for the project.

The Town advertised the project again on October 28, 2016. Bids were opened on December 1, 2016. The Town received three bids, with the lowest being from McGuire and Hester in the amount of \$798,890, very close to the engineer's estimate of \$791,000. Town staff will be verifying that McGuire and Hester meet the bidding requirements to complete the project. Construction would begin in April 2017.

#### **DISCUSSION**

Including soft costs, the estimated total project cost is \$1,242,500 (Attachment 2). About \$150,000 of the total project cost was expended by June 30, 2016 and the remainder, about \$1,092,500 will be expended in Fiscal Years 2016-17 and 2017-18.

In May and October, staff presented a plan for financing the improvements. Based on current projections for the Town Center Sewer funds (Attachment 3), there is approximately \$300,000 available for operational costs and the Pump Station improvements in the fiscal year which began on July 1st. This will leave the funds \$775,000 short to fund the project. Staff has reached out to Bartle Wells, the firm which helped the Town conduct its most recent sewer rate study, to explore funding options. Bartle Wells advised staff that the fixed costs associated with issuing bonds would likely be between \$125,000 and \$150,000, while the fixed costs for a bank loan would likely be between \$30,000 and \$60,000. As shown in the most recent projection (Attachment 4), the General Fund finished the 2015-16 fiscal year with a balance of approximately \$7.032 million, a reserve of nearly 89%. Due to the strength of the reserve, the Town has the option of loaning to the Town Center Sewer District from the General Fund. Staff recommends the Town loan \$775,000 from the General Fund to the Town Center Sewer District at a 2.5% annual interest rate, which is comparable to a 10-year commercial loan rate. This rate exceeds the current rate earned by the General Fund's idle cash, about 0.6%. The recommended repayment schedule would be \$100,000 per year for eight years, with the final payment of about \$72,400 due by June 30, 2026. Sewer rates for the Town Center Sewer District, including the Canada Corridor extension area, are approved through 2017-18. During 2016-17, the Town will conduct the Proposition 218 process to adjust sewer rates for the years beginning 2018-19 to ensure the Town Center sewer funds maintain a reserve. Based on the Town Center Pump Station project estimates, an increase of 7% per year for sewer rates is anticipated starting in 2018-19.

#### **CONCLUSION**

The attached draft resolution would provide the necessary authorization of the Town Council to loan \$775,000 from the General Fund to the Town Center Pump Station Fund and establish a repayment schedule from Town Center Pump Station Fund back to the General Fund.

**ATTACHMENTS**

1. Resolution 2016-
2. Town Center Sewer Pump Station Project Budget
3. Town Center Sewer Fund Projections
4. General Fund Five-Year Forecast

## RESOLUTION NO. 2016 -

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE APPROVING A \$775,000 LOAN FROM THE GENERAL FUND TO THE TOWN CENTER PUMP STATION FUND AND APPROVING A REPAYMENT SCHEDULE FOR THE TOWN CENTER SEWER PUMP STATION IMPROVEMENTS PROJECT**

**WHEREAS**, in July 2010 the Town completed a Sanitary Sewer Master Plan which recommended various improvements to the sanitary sewer system within the Town Center Sewer Assessment District (TCSAD), including replacement of the TCSAD sewer pump station; and

**WHEREAS**, on July 8, 2014 the Town Council authorized Mark Thomas & Company to prepare the design and construction bid documents for the Town Center Sewer Pump Station Improvements Project; and

**WHEREAS**, the proposed improvements include construction of a new and larger wet well, two submersible pumps, control panel including remote monitoring system, manhole, and associated valves, piping, and other improvements; and

**WHEREAS**, the Town has adequate funding available in the Town Center Sewer Funds and the General Fund to complete the project; and

**WHEREAS**, on May 24, 2016, the Town Council approved the project plans and specifications and authorized the Town Manager to advertise for bids and execute a contract with the lowest responsive and responsible bidder; and

**WHEREAS**, the Town advertised for bids on June 1, 2016 and opened bids on July 6, 2016; and

**WHEREAS**, one bid was received in the amount of \$956,150, which was approximately 21% over the \$791,000 engineer's estimate; and

**WHEREAS**, on July 26, 2016, the Town Council rejected the bid; and

**WHEREAS**, on October 25, 2016, the Town Council authorized the Town Manager to re-advertise for bids and to execute a contract with the lowest responsive and responsible bidder; and

**WHEREAS**, the Town advertised for bids on October 28, 2016 and opened bids on December 1, 2016; and

**WHEREAS**, the Town received three bids, the lowest of which was for \$798,890, approximately the same as the engineer's estimate; and

**WHEREAS**, the Town anticipates proceeding with the project with construction commencing in April 2017.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Town Council of the Town of Woodside does hereby approve a \$775,000 loan from the General Fund to the Town Center Pump Station Fund at an annual rate of 2.5% interest and does approve the repayment schedule attached as "Exhibit A" for the repayment of the loan.

\* \* \* \* \*

Passed and adopted by the Town Council of the Town of Woodside, California, at a meeting there held on the 13<sup>th</sup> day of December 2016, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

\_\_\_\_\_  
Mayor of the Town of Woodside

ATTEST:

\_\_\_\_\_  
Clerk of the Town of Woodside

## EXHIBIT A

**Principal Amount:** \$775,000.00  
**Annual Interest Rate:** 2.50%  
**Term (annual)** 9

Payment #	Payment	Interest	Principal	Cum. Int.	Cum. Prin.	Payment	
						Prin. Bal.	Due
1	\$100,000.00	\$19,375.00	\$80,625.00	\$ 19,375.00	\$80,625.00	\$694,375.00	6/30/2018
2	\$100,000.00	17,359.38	82,640.63	36,734.38	163,265.63	611,734.38	6/30/2019
3	\$100,000.00	15,293.36	84,706.64	52,027.73	247,972.27	527,027.73	6/30/2020
4	\$100,000.00	13,175.69	86,824.31	65,203.43	334,796.57	440,203.43	6/30/2021
5	\$100,000.00	11,005.09	88,994.91	76,208.51	423,791.49	351,208.51	6/30/2022
6	\$100,000.00	8,780.21	91,219.79	84,988.73	515,011.27	259,988.73	6/30/2023
7	\$100,000.00	6,499.72	93,500.28	91,488.44	608,511.56	166,488.44	6/30/2024
8	\$100,000.00	4,162.21	95,837.79	95,650.66	704,349.34	70,650.66	6/30/2025
9	\$72,416.92	1,766.27	70,650.65	97,416.92	775,000.00	0.00	6/30/2026

<b>Town Center Pump Station</b>		
<b>Budget</b>		
<b>Item</b>	<b>Task</b>	<b>Approved Budget</b>
<b>Preliminary Engr. &amp; Design</b>		
1	Pump Sta. Preliminary Evaluation	\$38,080.00
2	Pump Sta. PS&E	\$57,260.00
3	Funding & Phasing Implementation Plan	\$1,820.00
4	Environmental Clearances	\$3,100.00
5	Advertisement & Construction Support	\$9,320.00
6	Pipe Replacement PS&E (Future)	\$33,600.00
7	Flow Monitoring (Future)	\$36,000.00
8	Amendment 1.- Bio Assessment	\$7,914.00
<b>Sub Total</b>		<b>\$187,094.00</b>
<b>Construction</b>		<b>Estimated</b>
9	Construction Bid Items	\$798,890.00
10	Contingency	\$79,889.00
11	Construction Management (Joe Hill)	\$112,055.00
12	Bio Monitoring	\$24,569.00
13	Pre-Bird Survey	\$2,511.00
14	Arborist	\$500.00
15	Geotech analysis	\$14,992.00
16	Fence, retaining wall & enclosure	\$15,000.00
17	Compaction Testing	\$7,000.00
<b>Sub Total</b>		<b>\$1,055,406.00</b>
<b>Total Project Cost</b>		<b>\$1,242,500.00</b>
	Amount Spent by End of FY2016	\$150,000.00
	Amount Spent by after July 1, 2016	\$1,092,500.00

TOWN CENTER SEWER FUND PROJECTIONS

	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
<b>Beginning Fund Reserves</b>	<b>324,539</b>	<b>300,453</b>	<b>630,498</b>	<b>93,930</b>	<b>100,782</b>	<b>124,648</b>	<b>160,506</b>	<b>214,475</b>
TCSAD Sewer Charge (Residential)	1,160	1,350	1,450	1,550	1,660	1,775	1,900	2,025
Canada Sewer Charge (Residential)	1,071	1,257	1,353	1,448	1,549	1,657	1,774	1,898

REVENUES

Canada Corridor Service Charge	27,811	32,682	34,970	37,418	40,037	42,839	45,838	49,047
Town Center Service Charge	295,218	335,278	358,747	383,860	410,730	439,481	470,245	503,162
Property Tax	45,709	45,835	47,439	49,100	50,818	52,597	54,438	56,343
Interest	2,745	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Connection Fees	-	-	-	-	-	-	-	-
<b>Total Operational Revenues</b>	<b>371,483</b>	<b>414,795</b>	<b>442,156</b>	<b>471,377</b>	<b>502,585</b>	<b>535,917</b>	<b>571,521</b>	<b>609,552</b>
Loan from General Fund		775,000						
<b>Total Revenues</b>		<b>1,189,795</b>						

EXPENSES

<u>O&amp;M</u>								
Salaries & Benefits	33,428	45,000	46,350	47,741	49,173	50,648	52,167	53,732
Overhead	47,800	40,800	42,024	43,285	44,583	45,921	47,298	48,717
Wastewater Treatment & Capital (to RWC)	64,230	95,000	124,000	149,000	156,000	170,000	180,000	184,000
Wastewater Transmission (to Fair Oaks)	45,526	47,700	50,100	52,400	54,700	57,000	59,300	63,000
Contract Services	95,388	85,000	70,000	72,100	74,263	76,491	78,786	81,149
<b>Subtotal</b>	<b>286,372</b>	<b>313,500</b>	<b>332,474</b>	<b>364,525</b>	<b>378,719</b>	<b>400,060</b>	<b>417,551</b>	<b>430,599</b>
<b>Operational Revenues - Expenses</b>	<b>85,111</b>	<b>101,295</b>	<b>109,682</b>	<b>106,852</b>	<b>123,866</b>	<b>135,858</b>	<b>153,969</b>	<b>178,953</b>
<u>Capital</u>								
Town Capital Improvements	79,873	546,250	546,250					
Repayment to General Fund			100,000	100,000	100,000	100,000	100,000	100,000
County/SBSA Improvements	29,324	included in "Wastewater Treatment & Capital" above						
<b>Subtotal</b>	<b>109,197</b>	<b>546,250</b>	<b>646,250</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>
<b>Total Expenses</b>	<b>395,569</b>	<b>859,750</b>	<b>978,724</b>	<b>464,525</b>	<b>478,719</b>	<b>500,060</b>	<b>517,551</b>	<b>530,599</b>
Revenues less expenses	(24,086)	330,045	(536,568)	6,852	23,866	35,858	53,969	78,953
<b>Ending Fund Reserves</b>	<b>300,453</b>	<b>630,498</b>	<b>93,930</b>	<b>100,782</b>	<b>124,648</b>	<b>160,506</b>	<b>214,475</b>	<b>293,428</b>

**GENERAL FUND: FIVE YEAR FORECAST**

	2015-16 ACTUAL	2016-17 ADOPTED	2016-17 FORECAST	2017-18 FORECAST	2018-19 FORECAST	2019-20 FORECAST	2020-21 FORECAST
<b>BEGINNING BALANCE</b>	<b>6,134,604</b>	<b>7,032,204</b>	<b>7,032,204</b>	<b>5,812,814</b>	<b>5,734,088</b>	<b>4,971,249</b>	<b>4,794,020</b>
<b>REVENUES</b>							
Secured Property Tax	3,008,628	3,036,923	3,223,180	3,335,991	3,452,751	3,573,597	3,698,673
Unsecured Property Tax	164,189	150,000	171,000	150,000	150,000	150,000	150,000
Other Property Tax	406,543	200,000	200,000	100,000	50,000	50,000	50,000
Sales Tax	499,753	450,000	450,000	463,500	477,405	491,727	506,479
Property Transfer Tax	245,719	200,000	200,000	200,000	200,000	200,000	200,000
Business License	157,804	130,000	130,000	130,000	130,000	130,000	130,000
Building/Planning Permit Fees	1,586,757	1,073,050	1,073,050	1,100,000	1,127,500	1,155,688	1,184,580
Franchise Fees	474,533	431,400	431,400	431,400	431,400	431,400	431,400
Recreation Fees	134,296	163,900	163,900	153,400	153,400	153,400	153,400
Current Services	314,815	222,100	222,100	222,100	222,100	222,100	222,100
Other Agencies	850,896	672,000	704,129	692,160	712,925	734,313	756,342
Interest	31,916	16,000	16,000	16,000	16,000	16,000	16,000
Other Revenue	35,954	33,000	33,000	33,000	33,000	33,000	33,000
Overhead Charges	331,800	331,800	331,800	331,800	331,800	331,800	331,800
Town Center Sewer Repayment	-	-	-	100,000	100,000	100,000	100,000
One-Time Revenue	-	-	-	-	-	-	-
<b>TOTAL - REVENUES</b>	<b>8,243,603</b>	<b>7,110,173</b>	<b>7,349,559</b>	<b>7,459,351</b>	<b>7,588,281</b>	<b>7,773,024</b>	<b>7,963,774</b>
<b>EXPENDITURES</b>							
<b>Operational</b>							
Salaries & Benefits	2,015,696	2,052,380	2,052,380	2,113,951	2,177,370	2,242,691	2,309,972
PERS & Retiree Health Benefits	411,248	435,596	435,596	448,664	462,124	475,988	490,267
Service and Supplies	3,997,771	4,082,973	4,008,973	4,205,462	4,331,626	4,461,575	4,595,422
Equipment and Building Maintenance	239,153	110,000	135,000	100,000	100,000	100,000	100,000
<b>Subtotal</b>	<b>6,663,868</b>	<b>6,680,949</b>	<b>6,631,949</b>	<b>6,868,077</b>	<b>7,071,120</b>	<b>7,280,253</b>	<b>7,495,661</b>
<b>Capital Contributions</b>							
Road Program	600,000	600,000	600,000	600,000	600,000	600,000	600,000
Storm Drain Rehabilitation	82,135	522,000	522,000	50,000	310,000	50,000	310,000
Equestrian Trails and Water Crossings	-	40,000	40,000	20,000	20,000	20,000	20,000
Safe Routes to School	-	-	-	-	350,000	-	-
Loan to Town Center Sewer (Pump Station)	-	525,000	775,000	-	-	-	-
<b>Subtotal</b>	<b>682,135</b>	<b>1,687,000</b>	<b>1,937,000</b>	<b>670,000</b>	<b>1,280,000</b>	<b>670,000</b>	<b>930,000</b>
<b>TOTAL - EXPENDITURES</b>	<b>7,346,003</b>	<b>8,367,949</b>	<b>8,568,949</b>	<b>7,538,077</b>	<b>8,351,120</b>	<b>7,950,253</b>	<b>8,425,661</b>
<b>NET POSITION</b>	<b>897,600</b>	<b>(1,257,776)</b>	<b>(1,219,390)</b>	<b>(78,726)</b>	<b>(762,839)</b>	<b>(177,229)</b>	<b>(461,887)</b>
<b>OPERATING RESERVES (30% Operating Revenue)</b>	<b>2,373,541</b>	<b>2,033,512</b>	<b>2,105,328</b>	<b>2,108,265</b>	<b>2,146,944</b>	<b>2,202,367</b>	<b>2,259,592</b>
<b>UNDESIGNATED RESERVE</b>	<b>4,658,663</b>	<b>3,740,916</b>	<b>3,707,486</b>	<b>3,625,822</b>	<b>2,824,305</b>	<b>2,591,653</b>	<b>2,072,541</b>
<b>TOTAL ENDING BALANCE</b>	<b>7,032,204</b>	<b>5,774,428</b>	<b>5,812,814</b>	<b>5,734,088</b>	<b>4,971,249</b>	<b>4,794,020</b>	<b>4,332,133</b>
<b>Ending Balance as Percent of Operating Revenue</b>	<b>88.9%</b>	<b>85.2%</b>	<b>82.8%</b>	<b>81.6%</b>	<b>69.5%</b>	<b>65.3%</b>	<b>57.5%</b>

**TOWN OF WOODSIDE**

Report to Town Council

Agenda Item 6

From: Sean Rose, Town Engineer

December 13, 2016

Approved by: Kevin Bryant, Town Manager

**SUBJECT: RESOLUTION ACCEPTING COMPLETION OF THE 2016 ROAD  
REHABILITATION PROJECT AND AUTHORIZING THE TOWN CLERK TO  
RECORD A NOTICE OF COMPLETION**

**RECOMMENDATION**

It is recommended that the Town Council adopt the attached resolution accepting the completion of the 2016 Road Rehabilitation Project and authorizing the Town Clerk to record a Notice of Completion.

**BACKGROUND**

On April 26, 2016, the Town Council approved the plans and specifications and authorized the Town Manager to advertise for bids and execute a contract with the lowest responsible bidder for the 2016 Road Rehabilitation Project.

On May 24, 2016, the Town Council authorized the execution of a cost sharing agreement with the Town of Atherton to pave their portion of Stockbridge Avenue within the project limits.

On July 7, 2016, two bids were received in the amounts of \$414,796 and \$440,621. The engineers estimate was \$400,000. On July 25, 2016, the Town entered into a contract with the lowest responsive bidder, G. Bortolotto, Inc. ("Bortolotto") for the low bid amount.

The project paved approximately 3.1 miles throughout the Town and completed localized pavement "dig out" repairs, pedestrian trail repairs, drainage improvements, and striping and marking of various roads.

**DISCUSSION**

The final project construction cost is \$427,168, of which \$25,032 will be reimbursed by Atherton. Therefore, the net cost to the Town is \$402,136, within the overall project budget of \$475,000.

During the project, after contacting and receiving input from residents of Whiskey Hill Road, staff negotiated a change order with Bortolotto to restripe the road to reduce lane widths in an effort to encourage motorists to reduce speeds. The restriping also improved the

signage and striping for the equestrian trail and bike lanes, including creation of a buffer between vehicles and bicycles.

Prior to the restriping, staff separately contracted with another firm for the microsurfacing of Whiskey Hill Road to cost effectively extend the pavement life and make the new striping more visible. Taken together, the total cost of the Road Rehabilitation Project plus the work on Whiskey Hill Road was \$477,666, slightly over the \$475,000 budget.

Subsequent to the Town Council accepting this project, the Town Clerk will record a Notice of Completion with the County Recorder's Office. The project retention funds in the amount of \$21,358.41 will be released to the Bortolotto within 60 days from the filing of the Notice of Completion.

#### **CONCLUSION**

Staff recommends that the Town Council adopt the attached resolution accepting the project and authorizing the Town Clerk to record a Notice of Completion.

#### **ATTACHMENTS**

1. Resolution No.
2. Notice of Completion

RESOLUTION NO. 2016 -

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE  
ACCEPTING THE COMPLETION OF THE 2016 ROAD REHABILITATION PROJECT  
AND AUTHORIZING THE TOWN CLERK TO RECORD A NOTICE OF COMPLETION**

**WHEREAS**, On April 26, 2016 the Town Council authorized the Town Manager to advertise for bids, and award and execute a contract with the lowest responsible bidder for the 2016 Road Rehabilitation Project; and

**WHEREAS**, on May 24, 2016, the Town Council authorized the execution of a cost sharing agreement with the Town of Atherton to pave their portion of Stockbridge Avenue within the project limits; and

**WHEREAS**, on July 7, 2016, two bids were received in the amounts of \$414,796 and \$440,621; and

**WHEREAS**, on July 25, 2016, the Town entered into a contract with G. Bortolotto, Inc. for the low bid amount; and

**WHEREAS**, the project paved approximately 3.1 miles throughout the Town and completed localized pavement "dig out" repairs, pedestrian trail repairs, drainage improvements, and striping and marking of various roads; and

**WHEREAS**, the final construction cost is \$427,168, of which \$25,032 will be reimbursed by Atherton, and therefore the net cost to the Town is \$402,136, within the overall project budget of \$475,000; and

**WHEREAS**, the Town Engineer has approved the final orders and quantities of work completed, and finds that the project was completed pursuant to the approved plans and specifications; and

**WHEREAS**, subsequent to the Town Council accepting this project, the Town Clerk will record a Notice of Completion with the County Recorder's Office. The project retention funds will be released to the contractor within 60 days from the filing of the Notice of Completion.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Town Council of the Town of Woodside, does hereby accept said work and authorizes the filing of a Notice of Completion and other documents necessary to conclude said contract.

\* \* \* \* \*

**Passed and adopted** by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 13<sup>th</sup> of December 2016, by the following vote of members thereof:

**AYES**, and in favor thereof, Councilmembers:

**NOES**, Councilmembers:

**ABSENT**, Councilmembers:

**ABSTAIN**, Councilmembers:

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Mayor of the Town of Woodside

ATTEST:

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Clerk of the Town of Woodside  
2016 Road Rehabilitation Project

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
Town Clerk  
Town of Woodside  
P.O. Box 620005  
Woodside, CA 94062

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN by the undersigned Town Clerk of the Town of Woodside, San Mateo County, California, that the 2016 Road Rehabilitation Project has been completed and was accepted by the Town Council of The Town of Woodside on December 13, 2016, said work being performed by G. Bortolotto & Company Inc., San Carlos, California. Labor on the project ceased on or about September 2, 2016, and the cessation has continued until the recordation of this notice.

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Town Clerk of the Town of Woodside  
Dora Wong Seamans

**CERTIFICATE**

I, the undersigned hereby depose and say:

That I am the Town Clerk of the Town of Woodside, San Mateo County, California; that I have read said notice and know the contents thereof; that the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_

---

Town Clerk of the Town of Woodside  
Dora Wong Seamans

**TOWN OF WOODSIDE  
REPORT TO TOWN COUNCIL**

**Meeting Date:** December 13, 2016  
**Prepared by:** Jackie Young, Planning Director  
**Approved by:** Kevin Bryant, Town Manager

**Agenda Item: 7**

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**ZOAM2016-0005: Introduction of an Ordinance to Amend Woodside Municipal Code Chapter 153, Zoning, to: 1) Exempt Utility Pads from Paved Area and Surface Coverage Calculations; 2) Allow Utility Meters Within Setbacks; 3) Reduce the Required Setbacks from Highway 280 and Skyline Boulevard; and 4) Locate the Development Standards for Commercial Projects in One Code Section. Ordinance No. 2016 - \_\_\_\_**

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**RECOMMENDATION**

It is recommended that the Town Council take public testimony, and introduce the draft ordinance included as **Attachment 1**.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The proposed code changes are not subject to the provisions of the California Environmental Quality Act (CEQA), as they do not meet the definition of “project” under Section 21065.

**BACKGROUND**

*Review of Process Improvements*

On September 13, 2016, the Town Council performed a six-month review of the Architectural & Site Review Streamlining & Process Improvements adopted on December 8, 2015. At this meeting, the Town Council directed staff to complete several simple changes to the Woodside Municipal Code (WMC) Chapter 153, Zoning, as follows:

1. Exempt utility pads from Paved Area and Surface Coverage calculations;
2. Allow utility meters within setbacks;
3. Reduce the required setbacks from Highway 280 and Skyline Boulevard; and,
4. Locate the development standards for Commercial projects in one code section.

**DISCUSSION**

The first three code changes listed above serve to simplify regulations for low impact development. The fourth code change is a needed code cleanup. Each code change is discussed below:

**(1) Exempt utility pads from Paved Area and Surface Coverage calculations.**

(a) Existing Code Requirements:

- Section 153.056(A) and Tables E-1 through E-6 establish maximum paved area and surface coverage based on Lot Area. Section 153.056(D) establishes exceptions to the limitations.
- Section 153.301 (C) Paved Area and Surface Coverage:  
 Properties that exceed the maximum permitted paved area and surface coverage for the zoning district shall be subject to the following:
  - (1) Paved area and surface coverage may be repaired or replaced in the same location.

- (b) Issue to be Resolved: When utility pads are proposed for air conditioners, propane tanks, electric panels, pool equipment, and other utility components, applicants are required to prepare a Paved Area and Surface Coverage Plan demonstrating compliance with maximum Paved Area and Surface Coverage requirements. Alternatively, applicants can assume they have reached their maximum paved area, and remove comparable square footage as that proposed for the utility pad. Preparation of the Plan can be of considerable expense and delay that is not commensurate with the typical impact of a small utility pad (generally up to a maximum of 140 square feet). Exempting utility pads from Paved Area and Surface Coverage requirements would result in more reasonable project requirements and costs.
- (c) Proposed Revision: Staff proposes to amend Section 153.056(D), to add a category [Section 153.056(D)(9)] to the Paved Area and Surface Coverage exceptions listed, as follows:

**(9) Up to a maximum of 140 square feet per parcel for installation of a mechanical equipment/utility pad(s).** (Notes from the Building Official: the actual sizes of pads can vary from approximately 8 x 4 (32 square feet) for an electrical panel; 6 x 8 (48 square feet) for a propane tank; 10 x 8 (80 square feet) for a generator; and, 10 x 14 (140 square feet) for a utility pad accommodating multiple utilities. Generators and propane tanks generally have a fire suppression wall separating them.) Most pads are fenced, so they would also be subject to fence requirements in Section 153.051.

**(2) Allow utility meters within setbacks.**

- (a) Existing Code Requirement:  
Section 153.050(B)(2) identifies *Exceptions* for items which do not need to meet setback requirements:  
*(2) Walls, hedges, walks, driveways, garage aprons, uncovered decks three feet or less above the ground, landscape features, such as patios, and water features, other than swimming pools, may be located in any required setback.*
- (b) Issue to be Resolved: When a utility meter needs to be installed outside of the required setbacks, a Variance is required. This can be of considerable expense and delay that is not commensurate with the typical impact of siting a utility meter in this manner. There could be instances, however, where a “meter” is combined with a large service and could have an undesirable visual impact.
- (c) Proposed Revision: Staff proposes to amend Section 153.050(B), *Exceptions*, to allow for utility meters outside of required setbacks when it does not create an undesirable visual impact. Staff therefore proposes to add Section 153.050(B)(3) which includes discretion to review any potential visual impact, as follows:

**(3) Utility meters may be located in any required setback, at the discretion of the Planning Director.**

**(3) Reduce the required setbacks from Highway 280 and Skyline Boulevard.****(a) Existing Code Requirements:**

- Section 153.061: *Notwithstanding the other requirements of this chapter, the following special setback lines shall prevail where applicable: no building or structure shall be constructed closer than 200 feet from the right-of-way of Skyline Boulevard or I-280. However, the Architectural and Site Review Board may allow a reduction of the setback to no less than 100 feet when it finds that in such a location, the proposed building or structure will not be visible from the right-of-way of Skyline Boulevard or I-280.*
- Section 153.021(A)(2): *The Town Constraints Map, dated April, 1988 identifies constraints which have been identified as relevant to the public health, safety and welfare of the residents of the Town. The Constraint related to Scenic Corridor is defined, as follows: "Viewshed from Skyline and 280 scenic corridors".*

- (b) Issue to be Resolved:** Maintaining a 200-foot setback from Highway 280 and Skyline Boulevard can render a lot unbuildable. The flexibility of reducing the setback to 100 feet where the structure would not be visible from the right-of-way, reduces this impact for some parcels. The map in **Attachment 2** illustrates the parcels affected by the 200- and 100-foot setback requirement from Highway 280, and the map in **Attachment 3** illustrates the parcels affected by the 200- and 100-foot setback requirement from Skyline Boulevard.

The most recent Setback Variance which was processed to reduce this requirement was for the construction of a new residence on a vacant parcel at 110 Stadler Drive, a parcel which backs onto Skyline Boulevard. When the required setbacks were applied to the lot, the 50-foot setback from the north property line (along Stadler Drive) and the 200-foot special building setback from the Skyline Boulevard right-of-way overlapped, resulting in a lot without any buildable area. This Variance was approved on September 21, 2106. The application fee for this Variance was \$3,090.00

- (c) Proposed Revision:** Staff proposes to amend Section 153.061, to eliminate this setback requirement for smaller parcels, and keep this requirement in place for larger and more visible parcels. Staff therefore recommends that the increased setback requirement on Skyline Boulevard be eliminated, and that a 200-foot setback apply only to the largest parcels fronting Highway 280, as follows:

***Notwithstanding the other requirements of this chapter, the following special setback lines shall prevail where applicable for parcels located on Moore Road, Valley Road, Valley Court, Lawler Ranch Road, and Cañada College: no building or structure shall be constructed closer than 200 feet from the right-of-way of Skyline Boulevard or I-280. However, the Architectural and Site Review Board may allow a reduction of the setback to no less than 100 feet when it finds that in such a location, the proposed building or structure will not be visible from the right-of-way of Skyline Boulevard or I-280.***

Design Review will continue to be required for all parcels fronting Highway 280 and Skyline Boulevard (designated scenic corridors) pursuant to WMC Section 153.220-231.

**(4) Locate the development standards for Commercial projects in one code section.**

Staff originally conceived locating the height and setback requirements for commercial properties in one code section. Upon a deeper review of the code, however, staff identified numerous citations for commercial development standards sprinkled throughout zoning code (**Attachment 4**). This code change would therefore be more complex than anticipated; and staff did not want to delay processing the first three proposed code cleanups as they arise often for customers, while commercial projects are infrequent.

This exercise also spotlighted a more global issue: the highly disorganized state of the entire zoning code. Planning staff completed a complete cleanup of WMC Chapter 151, Site Development, when the basement ordinance was drafted. Planning staff recommends that the same be done for the entire WMC Chapter 153, Zoning. This will also be of great help in tackling the review of the nonconforming regulations, which is the next code change on the Planning work plan after completion of the Maximum Residence ordinance. Staff anticipates that the Planning Commission will complete their review of the Maximum Residence ordinance on December 7, 2016.

**CONCLUSION**

If adopted, the attached draft ordinance will reduce the time and cost of processing entitlements and permits for: 1) utility pads; 2) utility meters within setbacks; and, 3) development proposals within the Highway 280 and Skyline Boulevard scenic corridors; while having no to a de minimis impact on scenic resources.

Additionally, a cleanup of WMC Chapter 153, Zoning, would result in an organized, customer-friendly document; and would be of great help in tackling the review of the nonconforming regulations, which is the next code change on the Planning work plan after completion of the Maximum Residence ordinance.

**ATTACHMENTS:**

1. **DRAFT** Town Council Ordinance 2016-xxxx
2. Parcels affected by the 200- and 100-foot setback requirement from Highway 280.
3. Parcels affected by the 200- and 100-foot setback requirement from Skyline Boulevard.
4. WMC, Chapter 153, Zoning, Commercial Development Standards citations.

**ORDINANCE NO. 2016-\_\_\_\_\_**

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE AMENDING WOODSIDE MUNICIPAL CODE CHAPTER 153: ZONING, TO 1) EXEMPT UTILITY PADS FROM PAVED AREA AND SURFACE COVERAGE CALCULATIONS; 2) ALLOW UTILITY METERS WITHIN SETBACKS, AND 3) REDUCE THE REQUIRED SETBACKS FROM HIGHWAY 280 AND SKYLINE BOULEVARD

**IT IS HEREBY ORDAINED** by the Town Council of the Town of Woodside to amend the Woodside Municipal Code as follows:

**SECTION ONE:** The Town Council finds that the Municipal Code amendment set forth herein is consistent with the General Plan of the Town of Woodside and is required for the public convenience and to achieve the health, safety, and welfare of the Town of Woodside.

**SECTION TWO:** Title XV, Land Usage, Chapter 153, Zoning, is hereby amended as follows:

***Code Amendments concerning Exempting Utility Pads from Paved Area and Surface Coverage***

Title XV, Land Usage  
Chapter 153, Zoning:

Section 153.056(D), Measurement of Paved Area and Surface Coverage, Exceptions:

- (D) *Exceptions. The following features or designated portions thereof shall not count towards the maximum permitted paved coverage for each zoning district:*
- (1) *Constructed equestrian riding arenas so long as there is no change in use. If a change in use occurs all or a portion of the materials that are defined as paved area and surface coverage shall be removed so the remaining paved area and surface coverage on the property do not exceed the maximum permitted paved area and surface coverage.*
  - (2) *Portions of principal access driveways that are beyond 50 feet from either the structure in which the primary use occurs, or the detached garage that serves the structure in which the primary use occurs.*
  - (3) *Up to 2,500 square feet for each required fire truck turnaround, or the size of the required fire turnaround, whichever is less.*
  - (4) *Portions of informal water features, such as ponds, or other water features without formal linear or uniform circular/oval shapes if the paved material does not project above the grade so long as the portions of such informal water features cover less than 2.5% of the lot area or 10,000 square feet, whichever is less.*
  - (5) *Required drainage facilities.*

- (6) *Retaining walls and landscape walls of any material.*
- (7) *Up to 500 square feet total of decomposed granite, gravel, sand, or similar material that is not used for driveways or parking areas.*
- (8) *Up to 3,000 square feet of turnout area, or up to 1,000 square feet of turnout area per horse allowed on the property without an exception granted pursuant to § 115.14 of the Municipal Code, whichever is greater.*
- (9) **Up to a maximum of 140 square feet per parcel for installation of a mechanical equipment/utility pad(s).**

**SECTION THREE:** Title XV, Land Usage, Chapter 153, Zoning, is hereby amended as follows:

***Code Amendments concerning Allowing Utility Meters within Setbacks***

Title XV, Land Usage  
Chapter 153, Zoning:

**Section 153.050(B), Setback Requirements, Exceptions:**

- (1) *Chimneys, fire escapes, bay windows, eaves, cornices, canopies, stairway landings, uncovered balconies, decks, porches, and stairs from the ground to an uncovered balcony, deck, or porch may extend into a required side setback a distance of not more than three feet and into a required front or rear setback a distance of not more than six feet.*
- (2) *Walls, hedges, walks, driveways, garage aprons, uncovered decks three feet or less above the ground, landscape features, such as patios, and water features, other than swimming pools, may be located in any required setback.*
- (3) **Utility meters may be located in any required setback, at the discretion of the Planning Director.**

**SECTION FOUR:** Title XV, Land Usage, Chapter 153, Zoning, is hereby amended as follows:

***Code Amendments Concerning Reducing the Required Setbacks from Highway 280 and Skyline Boulevard***

Title XV, Land Usage  
Chapter 153, Zoning:

**Section 153.061, Special Building Setback Lines:**

*Notwithstanding the other requirements of this chapter, the following special setback lines shall prevail where applicable **for parcels located on Moore Road, Valley Road, Valley Court, Lawler Ranch Road, and Cañada College;** no building or structure shall be constructed closer than 200 feet from the right-of-way of ~~Skyline Boulevard or I-280. However, the Architectural and Site Review Board may allow a reduction of the setback to no less than 100 feet when it finds that in such a~~*

~~location, the proposed building or structure will not be visible from the right-of-way of Skyline Boulevard or I-280.~~

**SECTION FIVE:** In the event that any provision of this ordinance is in conflict with any other ordinances of the Town of Woodside or the Woodside Municipal Code, the provisions of this ordinance shall prevail.

**SECTION SIX:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

**SECTION SEVEN:** Pursuant to Section 36937 of the Government Code of the State of California, the Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

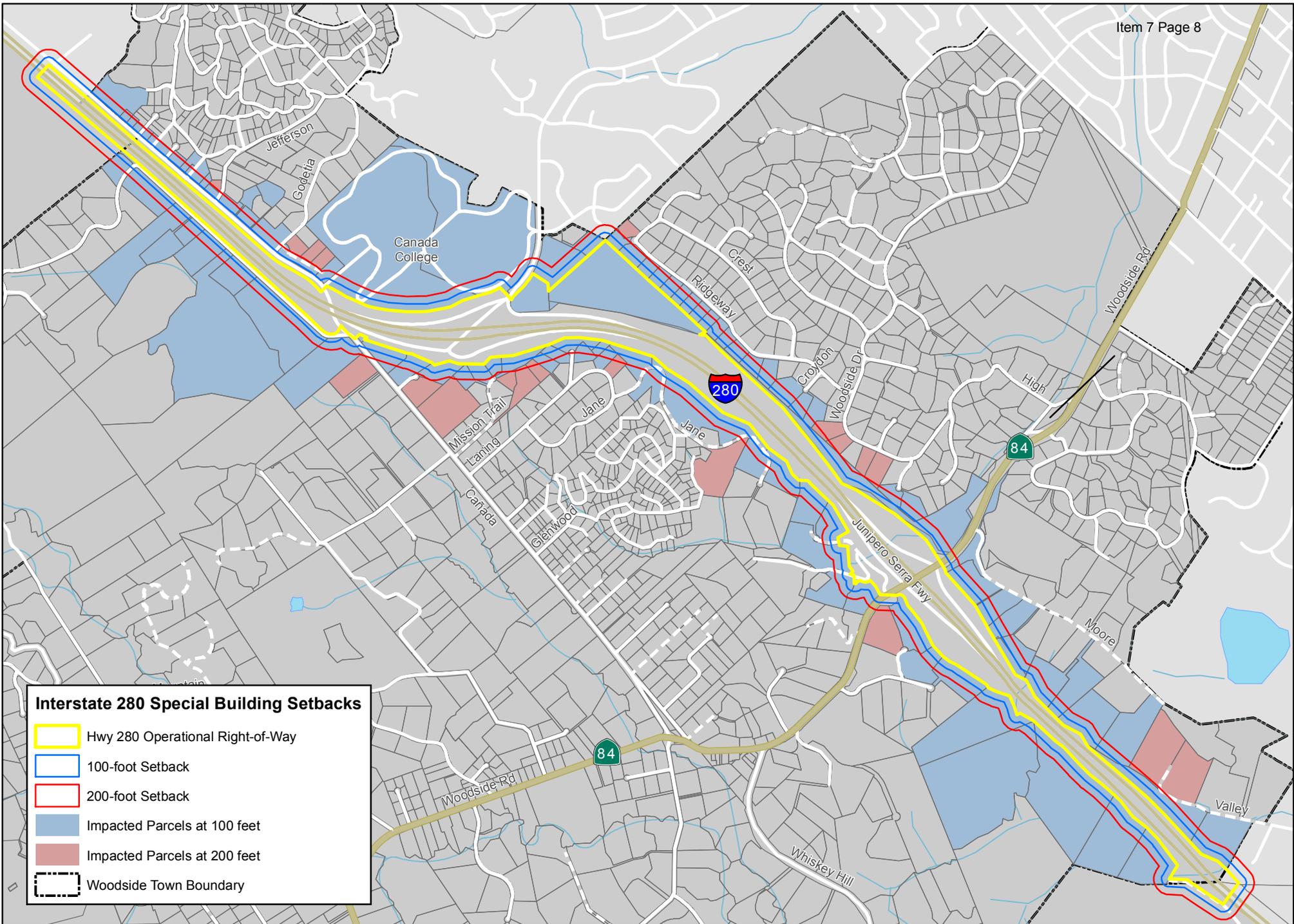
**SECTION EIGHT:** The Town Clerk shall cause this Ordinance to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 2016- \_\_\_\_ of the Town of Woodside entitled as above; that it was introduced on the 13<sup>th</sup> of December, 2016, and was passed and adopted by the Town Council on the \_\_\_\_ of \_\_\_\_\_, 2017, by the following vote:

APPROVED: \_\_\_\_\_  
Clerk of Town of Woodside

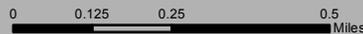
APPROVED: \_\_\_\_\_  
Mayor of Town of Woodside



**Interstate 280 Special Building Setbacks**

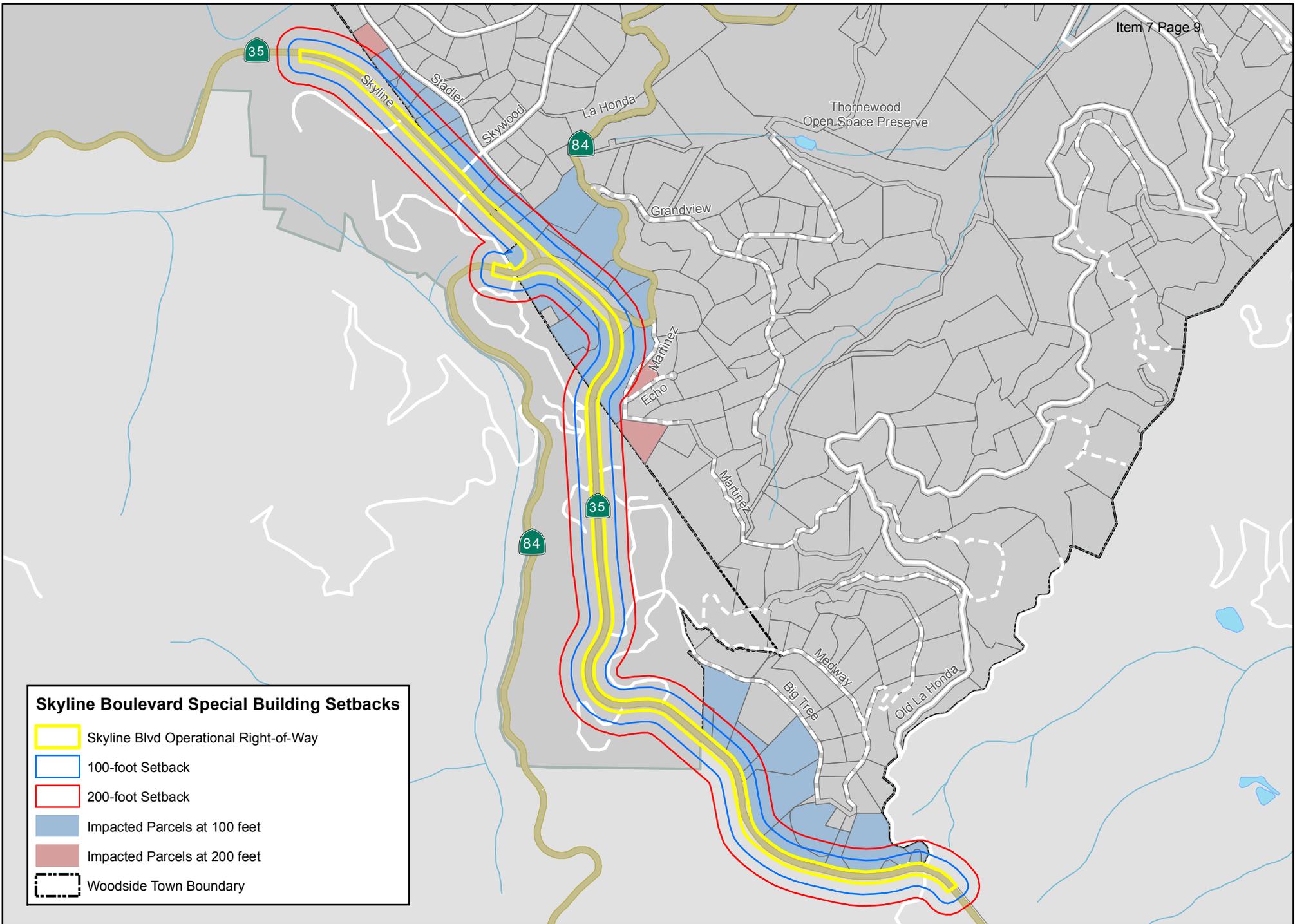
- Hwy 280 Operational Right-of-Way
- 100-foot Setback
- 200-foot Setback
- Impacted Parcels at 100 feet
- Impacted Parcels at 200 feet
- Woodside Town Boundary

# Special Building Setbacks



# Town of Woodside

December 13, 2016  
Created By Woodside GIS 12/07/16



**Skyline Boulevard Special Building Setbacks**

- Skyline Blvd Operational Right-of-Way
- 100-foot Setback
- 200-foot Setback
- Impacted Parcels at 100 feet
- Impacted Parcels at 200 feet
- Woodside Town Boundary



**WMC, Chapter 153, Zoning  
Citings for Commercial Development Standards**

Table of Contents:

- 153.027** Planned Community Development District
- 153.030** Use of residential parcels for commercial purposes in the Town Center
- 153.047** Building Limitations
- 153.076** Signs Permitted in All Districts
- 153.079** Signs permitted in the Community Commercial District
- 153.115-120** Off-Road Parking and Loading Regulations
- 153.245-255** Conditional Uses

- 153.005, Definitions:**
  - Commercial Uses
  - Garage, Commercial
  - Stable, Commercial
  
  - Building Coverage (weak definition, better to refer to 153.054)
  - Non-Residential Development (unnecessary definition)
  - Outdoor Display (primarily for CC District)
  - Standing Space (ties to commercial parking regulations)

- 153.020, Zoning Districts:**
  - CC, Community Commercial
  - PCCD, Planned Community Commercial

- 153.021, Classification of Zoning Districts:**
  - (E) CC District
  - (G) PCCD

- 153.026, Uses in Zoning Districts:** Permitted, Conditional and Accessory Uses in CC District

**151.027, Planned Community Commercial District**

**153.030, Use of Residential Parcels for Commercial Purposes in the Town Center**

**153.047, Building Limitations:**

- (C) Height Exception (appears to only apply to residential, but does not include or exclude specific Zoning Districts)

**153.047, Table B, Lot Area and Building Limitations:** Includes CC District (but is incomplete).

**153.047, Table C, Required Setbacks:** Includes CC District (but is incomplete).

**153.047(F1-5):** Development Standards for CC District. References a map not on file.

**153.048, Height Limit in Town Center Area**

**153.049, Accessory Buildings and Uses:**

- (A) Permitted Accessory Uses (awkward Section)
- (B) Accessory Structures need to comply with regulations (unnecessary Section)
- (D) Building Coverage applies to accessory structures (unnecessary Section)
- (E) Tennis court setbacks (applies to all Districts)
- (F) Pool setbacks (applies to all Districts)
- (G) Accessory structure setbacks for building containing livestock or fowl
- (H) General lighting requirements for all Districts
- (I) Outdoor lighting for commercial building and parking areas
- (J) Setback conformance reference (unnecessary Section)
- (K) Size limitation on accessory structure (doesn't specify that it does not apply to CC District, but could apply to buildings that are accessory to one or more primary commercial uses)
- (L) Accessory structure height limitations (doesn't specify that it does not apply to CC District, but could apply to buildings that are accessory to one or more primary commercial uses)
- (M) Setback for Constructed Riding Arenas

**153.050, Setback Requirements, Exceptions:**

- (A)(6) Two-foot increase in front setback for every one foot a building is above 17 feet (This particular section only excludes the R-1 District, which implies that it could apply to CC District. 153.047 Table C indicates that this does not apply in the CC District. This Section is repetitive of Table C and should be deleted.)
- (B) Exceptions to setbacks (i.e., eaves, decks, backflow devices, etc. Applies to all Districts.)

**153.051, Fences, Walls, Gates, Pylons, and Berms:**

- (B) The title of this section, which includes all of the fence regulations is ***Residential Zoning District*** (This implies there are no fence regulations in the OS or CC Districts. The title should be removed to clarify that the fence regulations are the same in all Districts.)

**153.052, Measurement of Height, Exceptions:**

- (B) Exceptions for towers, spires, cupolas, etc. (This exception for towers applies to all districts, although it could potentially conflict with other voter-approved Town Center height restrictions.)

**153.054, Measurement of Building Coverage (B): Lot coverage allowances in the Town Center Parking Assessment District****153.056, Paved Area and Surface Coverage(C): CC District****153.057, Exceptions to Measurements of Required Setbacks: Minor exception to setbacks that applies to all Districts.**

**153.061**, Special Building Setbacks: Increased setbacks from Skyline Boulevard (CC District)

**153.075-153.081**, Signs

**153.220**, Architectural and Site Review, Section 5, Non-Residential Development

Below is a list of Sections that Apply to all Zoning Districts:

<b>153.058</b>	Lot Area Requirements; Exceptions
<b>153.059</b>	Required Conditions in All Zoning Districts
<b>153.095 - 153.101</b>	Satellite Antennas
<b>153.135 - 153.139</b>	Hillside Development Regulations (35% slopes, Natural State, etc.)
<b>153.150 - 153.155</b>	Geologically Hazardous Areas
<b>153.170 - 153.178</b>	Tree Protection
<b>153.205 - 153.209</b>	Stream Corridor Protection
<b>153.295 - 153.304</b>	Nonconforming Uses, Lots, Structures, and Buildings (Various sections apply, including 153.304 concerning nonconforming signs. Some Sections are strictly for residential.)

**TOWN OF WOODSIDE**

Report to Town Council

Agenda Item 8

From: Joanne Kurz, Building Official

December 13, 2016

Approved by: Kevin Bryant, Town Manager

**SUBJECT: ADOPTION OF AN ORDINANCE AMENDING WOODSIDE MUNICIPAL CODE  
CHAPTER 150: BUILDING REGULATIONS TO ADOPT THE 2016  
CALIFORNIA BUILDING CODE STANDARDS**

**RECOMMENDATION**

It is recommended that the Town Council, after conducting a public hearing, adopt the attached draft ordinance, which amends Chapter 150 of the Woodside Municipal Code: Building Regulations.

**DISCUSSION**

The Town's building regulations are housed in Chapter 150 of the Woodside Municipal Code. Chapter 150 adopts the various State codes by reference and specifically identifies local amendments.

On January 1, 2017, the 2016 California Building Standards Code, also known as the California Code of Regulations (CCR) Title 24, will go into effect. These regulations, which include the California Building Code, are applicable to all occupancies, in all municipalities in California. These codes provide the minimum uniform standards for health and safety related to construction and for their enforcement through a system of plan review, permits, and inspections. Each municipality in California must enforce these codes. The 2016 California Codes will automatically become effective on January 1, 2017. However, by adopting the codes, the Town has the ability to amend them. Municipalities may adopt amendments to the codes that are more restrictive due to climatic, geological, or topographical conditions. Municipalities may not adopt amendments that yield a standard that is less restrictive than the State codes.

On October 25, 2016, the Town Council introduced the attached draft ordinance.

The adoption of the 2016 California Building Standards Code will include the local amendments that have previously been adopted by the Town regarding Town-wide fire-safe design standards for new and remodeled buildings. These amendments are reflected in the Chapter 7A provisions of the California Building Code, as well as the New Building definition for the alteration and re-building of existing buildings.

The Town has also previously adopted portions of "Appendix Chapter A1 Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings" and "Appendix Chapter A3 Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings."

Highlighted significant changes to the 2016 California Building Code from 2013 California Building Code include the following:

- The existing Building Code is now all housed in Title 24 part 10.
- Abatement of dangerous buildings and the housing codes are now found in the State of California's Health and Safety Codes. That is why there is the deletion of the sections 150.05 Housing Code and 150.06 Abatement of Dangerous Buildings Code.
- The California Elevator Code is now referenced in the California Building Code. This is why you will see the deletion of 150.08.

**CONCLUSION**

It is recommended that the Town Council accept public testimony on the draft and adopt the ordinance by title.

**ATTACHMENT:**

- A. Draft Ordinance

## ORDINANCE NO. 2016 -

ORDINANCE OF THE TOWN OF WOODSIDE AMENDING CHAPTER 150 OF THE WOODSIDE MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2016 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE INCLUDING THE FOLLOWING PARTS: PART 1 CALIFORNIA ADMINISTRATIVE CODE, PART 2 CALIFORNIA BUILDING CODE INCLUDING SELECTED APPENDICES, INCLUDING MODIFICATIONS REGARDING FIRE RETARDANT ROOFING MATERIALS, AND ADDITIONAL REGULATIONS REGARDING TOWN-WIDE FIRE SAFE DESIGN STANDARDS COMPLIANCE FOR NEW BUILDINGS AND REMODELED BUILDINGS, AND NEW BUILDING DEFINITIONS WITH REGARDS TO FIRE-SAFE DESIGN STANDARD COMPLIANCE, AUTOMATIC FIRE SPRINKLER COMPLIANCE, AND FIRE CODE COMPLIANCE, PART 2.5 CALIFORNIA RESIDENTIAL CODE, PART 3 CALIFORNIA ELECTRICAL CODE INCLUDING SELECTED APPENDICES, PART 4 CALIFORNIA MECHANICAL CODE INCLUDING SELECTED APPENDICES, PART 5 CALIFORNIA PLUMBING CODE INCLUDING SELECTED APPENDICES, PART 6 CALIFORNIA ENERGY CODE, PART 8 CALIFORNIA HISTORICAL BUILDING CODE, PART 10 CALIFORNIA EXISTING BUILDING CODE INCLUDING SELECTED APPENDICES, PART 11 CALIFORNIA GREEN BUILDING STANDARDS CODE, AND PART 12 CALIFORNIA REFERENCED STANDARDS

IT IS HEREBY ORDAINED by the Town Council of the Town of Woodside to amend the Woodside Municipal Code as follows:

**SECTION ONE:** The Town Council finds that the requirements of Government Code Sections 50022.4, 50022.5 and 50022.6, relating to adopting codes by reference have been met. The Town Council directs that one copy of each code adopted by reference shall be placed on file with the Town Clerk and maintained there for public inspection while the said Codes are in effect.

**SECTION TWO: FINDINGS**

Pursuant to Sections 17958.5 and 17958.7(a) of the State of California Health and Safety Code, the Town Council of the Town of Woodside has determined and finds that modifications to the California Building Code are reasonably necessary because of the local climatic, geographic, and topographic conditions.

Local conditions have an adverse effect on the prevention of major fire loss and the potential for life and property loss, making necessary changes or modifications in the 2016 California Building Code and 2016 California Residential Code, in order to provide a reasonable degree of property security and fire and life safety in the community.

Following are listed adverse local climatic, geographic, and topographic conditions:

1. Climatic Conditions

- a. Precipitation. Precipitation in Woodside ranges from less

than 10 inches in drought years to over 40 inches in hillside areas in wet years, with an average of 23 inches or 24 inches per year. Over 90% of the rainfall typically falls from November through April.

- b. Relative Humidity. Humidity generally ranges from fifty percent (50%) during daytime to seventy percent (70%) at night, but occasionally drops to below 50% during the summer months.
- c. Temperature. Average summer high temperatures are in the mid-seventies (70's) to nineties (90's), and occasionally may reach 100° or more.
- d. Winds. Prevailing winds are from the West to Northwest. However, winds originate from virtually every direction at one time or another. Velocities are generally in the five (5) to fifteen (15) miles per hour range, gusting to thirty (30) miles per hour, particularly during the summer months. Extreme winds, up to sixty (60) mph have occurred in the past.
- e. Summary. These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, or low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in the area can have a tremendous impact upon structure fires of buildings in close proximity to one another or to flammable vegetation commonly found in the area. During wood shake and shingle roof fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can force fires back into the structure and can create a blow torch effect, in addition to preventing "natural" ventilation and cross-ventilation effects.

## 2. Geographic and Topographic Conditions

- a. Geographic Location. Woodside is located in the southern portion of San Mateo County.
- b. Seismic Location. The relatively young geological processes that have created the San Francisco Bay Area are still active today. Seismically, the Town of Woodside is bisected by active traces of the San Andreas Fault.
- c. Fire Service. The Town of Woodside's planning area is served by the Woodside Fire Protection District (from fire stations in Woodside, Emerald Hills and Portola Valley), the California State Division of Forestry (fire station on

Skyline Blvd). The eastern portion of the Town's planning area is served by the Menlo Park Fire Protection District and the Redwood City Fire Department. The Kings Mountain Fire Brigade, a volunteer fire company with a station on Skyline Boulevard, also provides fire protection in the Skyline area.

- d. Roads and Streets. Many streets in the Town are narrow and/or steep. The impact of additional development and traffic flow will continue to have an adverse effect on the delivery of emergency services to many areas of the Town.
- e. Geology and Topography. The Town of Woodside contains significant areas of steep slopes, particularly in the western hills of the Santa Cruz Mountains. Landslide potential is also significant in many areas of the Town, especially as may be induced by seismic activities. The steep topography and geologic constraints further limit access for emergency vehicles and may enhance the potential for conflagration.
- f. Buildings and Vegetation. Many houses with wood roofs and siding are located close together or are located close to highly flammable dense vegetation, so that fire will readily spread from one to another.
- g. Other Variables. Other variables that may tend to intensify fire spreading or inhibit emergency response include:
  - 1. The extent of damage to water systems;
  - 2. The extent of debris blocking roadways or driveways;
  - 3. Time of day relative to traffic levels; and
  - 4. The large portion of dwellings with wood roof coverings.

### 3. Conclusion

Local climatic, geographic, and topographic conditions are likely to adversely affect fire prevention efforts and the frequency, spread, acceleration, intensity, and size of fire involving buildings in the Woodside area. Further, they may contribute to potential damage to structures from earthquake and fire. Therefore, it is found to be reasonably necessary that the 2016 Building Codes contained in this Ordinance be changed or modified to mitigate the effects of the above conditions, and that the findings stated previously apply to all such modifications.

**SECTION THREE:** Sections 150.01 through 150.14 of the Woodside Municipal Code are amended as follows:

**Section 150.01. BUILDING CODE and RESIDENTIAL CODE; AMENDMENTS.**

- A. *Adoption of ~~2013~~–2016 California Residential Code and the ~~2013~~ 2016 California Building Code:* The Code of rules, regulations and standards, published by the International Code Conference under the title, ~~2013~~ 2016 Edition of the California Building Standards Code, Part 2.5 as well as the ~~2013~~ 2016 edition of the California Building Standards Code, Part 2, Volumes 1 and 2, and including the following appendices: Appendix C Agricultural Buildings (Group -U), Appendix I Patio Covers; and Appendix J Grading, hereinafter collectively called "California Residential Code" and the "California Building Code," regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the Town of Woodside, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Residential Code and the Building Code of the Town of Woodside. The mandatory requirements of the appendix to the Building Code shall be enforceable to the same extent as if contained in the body of the Building Code. Any amendments and supplements of this Code shall be enforceable to the same extent as if contained in the body of the California Building Code.
- B. *Powers and Duties of the Building Official:* Section 104 Chapter 1 Administration of the ~~2013~~ 2016 California Building Code is hereby amended with the addition of the following language:
- Right to Disconnect Utility Service. The Building Official or authorized representative shall have the authority to disconnect or order discontinuance of any utility service or energy supply to buildings, structures, or equipment therein regulated by this Code and the construction codes in cases of emergency or where necessary for safety to life or property. Such utility service shall be discontinued until the emergency is abated or it is determined that the threat to life or property has been corrected.
- C. *Fees:* Fees shall be assessed according to the current Town of Woodside fee schedule adopted by Town Council resolution.
- D. *Fire Hazard Severity Zones* designated on a map titled "Very High Fire Hazard Severity Zones in LRA - Woodside", dated

May 2, 2008, and retained on file at Woodside Town Hall, 2955 Woodside Road, Woodside, CA 94062, are Local Agency Very High Fire Hazard Severity Zones for the purpose of applying Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, of the California Building Code, as determined in division (J).

E. *Materials and construction methods for exterior wildfire exposure.*

(1) Chapter 7A of the California Building Code, Section 701A.3, Application; is modified to read as follows:

(a) New buildings as determined in division (J) for which a complete building permit application is submitted after September 1, 2012, shall comply with the provisions of this chapter.

(b) Any addition, alteration, or repair to any building, unless determined a new building in division (J), or otherwise exempted by this code shall comply with the requirements specified for the following:

(i) Section 705A, Roofing and division (F).

(ii) Section 706A, Venting, when required due to roof or exterior wall covering replacements.

(iii) Section 707A, Exterior Covering, when the replacement of the wall exceeds 80% of the exterior wall surface to an existing building or structure within any one (1) year period from the date of permit final. The exterior venting in the affected area of work only shall be replaced with exterior venting complying with section 706A.

(iv) Section 708A, Exterior Windows and Doors

(v) Section 709A, Decking

(2) Chapter 7A of the California Building Code, Section 701A.3, Application, Exceptions; is amended as follows:

- (a) Exception 2 is removed.
- (b) Exception 3 is modified to read: Buildings classified as a Group U Agricultural Building, including barns as defined in Section 202 of the California Building Code (see also Appendix C-Group U Agricultural Buildings), when located at least 50 feet from an applicable building. Any future changes to a barn (converting to living quarters or any other non-agricultural defined use) that change occupancy type would require applicable fire-resistant construction materials and methods that are in affect at time of proposed changes.
- (c) Exception 4 is removed.

F. *Roofing Requirements:* Section 1505 of the California Building Code is hereby amended with the addition of the following language:

The roof covering or roof assembly for all structures shall be Class A fire retardant. The roof covering on any structure regulated by this Code shall be as specified in Table No. 1505.1 and as classified in Section 1505. The roof-covering assembly includes the roof deck, underlayment, insulation and covering which is assigned a roof-covering classification. Detached patio covers, spa covers, gazebos, sheds with 120 square feet or less of roof area and awning covers are exempt. Roof covering repairs of less than three hundred (300) square feet in a 12-month period are exempt from the provisions of this paragraph. These standards shall apply when there is conflict with less stringent standards of the California Building Code.

Existing and new exterior roof venting that is in the area affected by the work shall comply with the requirements of exterior venting in 706A of the current California Building Code.

G. *Automatic Fire-Extinguisher Systems:* Section 903.2 of the California Building Code and Section R313.3 of the California Residential Code is hereby amended with the addition of the following language:

- (1) The following requirements shall apply to all new buildings or structures which require a building permit from the Town of Woodside for which a complete building permit application is submitted after May 1, 2000:

- (a) Except as otherwise provided by this section, or as provided under section 903.2 of the California Building Code, or as provided under section R313-~~3.1.1~~ in the California Residential Code (whichever is most stringent), automatic fire sprinkler systems shall be installed and maintained in every new building or structure of any type, use, occupancy or size which requires a building permit issued by the Town of Woodside.
- (b) The term **AUTOMATIC SPRINKLER SYSTEM** as used in this section means an integrated system of underground and overhead piping, including a water supply such as a gravity tank, fire pump, reservoir, pressure tank, or connection by underground piping to a fire main, which system complies in all respects with the requirements for such systems contained in standards issued by the National Fire Protection Association based upon occupancy classification.
- (c) As referenced in National Fire Protection Association (NFPA) standards, Section 13D, Chapter 2, Section 2-1 - General Provisions: Every automatic sprinkler system shall have at least one (1) automatic water supply. Where stored water is used as the sole source of supply, the minimum quantity of water shall equal the water demand rate (as specified in Chapter 4 of Section 13D of the NFPA standards) times ten (10) minutes. Exception: Dwelling units that are one (1) story in height and less than 2,000 square feet in floor area shall have a water supply of at least seven (7) minutes for the two (2) sprinkler demand that is typically required as specified in Chapter 4 of Section 13D of the NFPA standards).
- (d) As referenced in National Fire Protection Association (NFPA) standards, Section 13D, Chapter 2, Section 2-2 - Water Supply Sources: The following water supply sources shall be considered to be acceptable by this standard:
1. A connection to a reliable waterworks system with or without an automatically operated pump.
  2. An elevated tank.
  3. A pressure tank designed to ASME standards for a pressure vessel with a reliable pressure source.

4. A stored water source with an automatically operated pump (which could also be used to supply the residence's domestic water supply).

(2) The following structures are exempt from the requirements of this Section:

(a) Agricultural buildings, as defined in Section 202 of the ~~2013~~ 2016 California Building Code (including but not limited to greenhouses), which are located at least 60 feet from any residential structure and barns unless otherwise specified in this code.

(b) Not used.

(c) **MANUFACTURED HOUSING** as defined by California Health and Safety Code Section 18007.

(d) Structures not exceeding 1,000 square feet in area, except for a dwelling unit (which is not exempt), as defined in the ~~2013~~ 2016 California Building Code Section 202, and as defined in the ~~2013~~ 2016 California Residential Code Section 202, and as provided under the ~~2013~~ 2016 California Residential Code Section ~~R313.3.1.1~~ R313.

(e) Mausoleums of Type I construction, as defined by the ~~1997 Uniform Building Code~~ 2016 California Building Code, which do not contain offices, chapels or other places where the public assembles on a regular basis.

(f) Open-air parking garages of Type I construction as defined by the ~~2013~~ 2016 California Building Code, which do not contain offices, stores or other places of public occupancy for purposes other than parking of vehicles.

(g) Roofed structures with no walls or doors.

(3) The requirements of this Section are intended to present minimum standards for new construction. Nothing in this Section shall prevent any fire authority having jurisdiction from adopting and enforcing any regulations which impose more stringent requirements. Further, any requirement of the current California Building Code, the Uniform Fire Code or the State Building Standards Code, which is more restrictive, specifies higher standards or mandates specific locations within a structure for automatic sprinkler systems, shall be applicable.

(4) Notwithstanding the other provisions of this section,

no existing residential building or structure shall be required to conform to the requirements of this section, unless the addition, alterations or repairs to the existing building or structure within any 12-month period exceed the mandatory compliance threshold percentage of alteration limits as set forth in §WMC Section 150.01(J) and Table A-1, as calculated by the Town Building Official or unless the provisions of Section 150.01(G)(2)(g) applied and the applicant is now seeking a permit to install any doors or walls.

(5) Residential structures with attached garages for which a complete building permit application is submitted after May 1, 2000 shall have automatic fire sprinkler heads installed in the garage in addition to those required in the 13D standards of the National Fire Protection Association. The number and location of such fire sprinkler heads shall be such that full coverage of the garage will be obtained.

(6) When a stored water source with an automatically operated pump system is installed, the Woodside Fire Protection District will conduct an annual inspection of the system to insure reliability. Any deficiencies found to exist by the District as a result of such inspections shall be corrected by the property owner within thirty (30) days of receipt of written notice from the District requiring such deficiencies to be corrected.

H. Intentionally left blank.

I. Intentionally left blank.

J. *Determination of new building classification to ascertain compliance with divisions (D), (E) and (G) for the alteration of existing residential building.*

(1) Purpose. The purposes of this division are as follows:

(a) To determine when a new building, proposed alteration, addition, or reconstruction of an existing residential building or structure will be required to be classified as a new building for the purpose of compliance with §WMC Section 150.01(E) and the adopted California Building Code Chapter-7A and Chapter-15 standards, as set forth in Table A-1 of this section.

(b) To determine when a new building, proposed alteration, addition, or reconstruction of an existing residential

building or structure will require the installation of an automatic fire sprinkler system in accordance with SWMC Section 150.01(G)(4), as set forth in Table A-1 of this section.

(c) To determine when a new building proposed alteration, addition, or reconstruction of an existing residential building or structure will require compliance with the adopted California Fire Code standards, as adopted and regulated by the Woodside Fire Protection District, as set forth in Table A-1 of this section.

(d) To establish a procedure for the determination of the percentage of an altered residential building or structure, as set forth in Table A-2 of this section, for use in conjunction with Table A-1 of this section.

(2) Definitions. For the purposes of this division, the definitions contained in Sections 153.005 and ~~153.296~~ shall apply, as well as the definition for a "Dwelling Unit", as defined in the ~~2013~~ 2016 California Building Code Section 202.

**TABLE A-1**

ITEM	DESCRIPTION OF WORK	AUTOMATIC FIRE SPRINKLER COMPLIANCE DU = Dwelling Unit ALQ = Accessory Living Quarters	NEW BUILDING CLASSIFICATION FOR WMC COMPLIANCE PURPOSES ONLY	NEW BUILDING CLASSIFICATION FOR CBC CHAPTER-7A COMPLIANCE PURPOSES ONLY	WFPD FIRE CODE COMPLIANCE
<b>1 NEW BUILDING</b>					
A	Construction of a new building.	All DU and other buildings >1000sf. Barns w/o ALQ are exempt.	Yes	Yes	Yes
B	Alteration (reconstruction) of an existing building in a different location.	All DU and other buildings >1000sf. Barns w/o ALQ are exempt.	Yes	Yes	Yes
<b>2 RECONSTRUCTED BUILDING</b>					
A	Alteration (reconstruction) or repair of fire-damaged building	All DU and other buildings >1000 sf. ≥50% alteration.	>50% alteration	>50% alteration	>50% alteration
B	Alteration (reconstruction) of building in same location, identical size & volume.	All DU and other buildings >1000 sf.	yes	yes	Yes
<b>3 ALTERATIONS (CHANGES &amp; ADDITIONS)</b>					
A	New addition & change of existing building. See Table A-2 to determine the percentage of alteration.	≥50% addition and/or ≥75% alteration	>50% addition and/or >50% alteration	≥50% addition and/or >50% alteration	≥50% addition and/or ≥50% alteration
B	Alteration only-VARIABLE scope of demolition (no change in existing building location, floor area, building height, or interior volume). See Table A-2 to determine the percentage of alteration.	≥75% alteration	>50% alteration	>50% alteration	≥50% alteration
C	New 2 <sup>nd</sup> story element addition, including associated new foundations.	≥50% addition	>50% addition	>50% addition	≥50% addition
D	New floor area added within footprint of existing structure, with minimal elective changes to unaffected areas of existing building. Example: Crawlspace area converted to living space.	≥75% addition	No	No	No
E	New addition only, no changes of existing building.	≥50% addition	>50% addition	>50% addition	≥50% addition
<b>4 FOUNDATION ALTERATION &amp; SEISMIC UPGRADE</b>					
A	Alteration or replacement of existing foundation only.	No	No	No	No
B	Voluntary seismic upgrade only, compliance with CBC 3404.5 (exception).	No	No	No	No

**TABLE A-2---METHOD OF CALCULATION TO DETERMINE THE PERCENTAGE OF ALTERATION OF A BUILDING**

For the purposes of Section 150.01(J) of the Woodside Municipal Code, the following formulas are established in order to compute the percentage of alteration of an existing residential building or structure. The component elements (roof plane, exterior wall plane, floor plane, foundation) that comprise the alteration or addition of an existing building or structure shall be used to compute the total percentage of alteration for the purpose of applying the Table A-1 compliance matrix.

An alteration is created and defined when any of the following cases occur. Where more than one of the following cases will occur simultaneously, the computed percentage of each case shall be added and used to determine the total percentage of alteration to the existing building or structure as follows:  $R\% + W\% + F\% + FDN\% = \text{total percentage of alteration of building}$ .

**Case #1. Alteration of roof plane:** Where the existing roof framing is altered, the altered horizontal roof plane area shall be used in the following 2-step process to determine the percentage of altered roof plane:

$$1^{\text{st}} \text{ step: } \frac{\text{altered roof area}}{\text{overall building roof area}} \times 100 = RA\% \text{ (this value represents the unadjusted percentage of altered roof plane).}$$

$$2^{\text{nd}} \text{ step: } RA\% \times 0.10 \text{ (weighted factor)} = R\% \text{ (percentage of roof plane alteration).}$$

**Case #2. Alteration of exterior wall plane:** Where the existing exterior wall framing is altered, or if the wall plate height is increased, the altered wall plane area and/or the raised wall plane area shall be used in the following 2-step process to determine the percentage of altered exterior wall plane:

$$1^{\text{st}} \text{ step: } \frac{\text{altered exterior wall area}}{\text{overall building exterior wall area}} \times 100 = WA\% \text{ (this value represents the unadjusted percentage of altered exterior wall plane).}$$

$$2^{\text{nd}} \text{ step: } WA\% \times 1.00 \text{ (weighted factor)} = W\% \text{ (percentage of exterior wall plane alteration).}$$

**Case #3 Alteration of floor plane:** Where the existing floor framing is altered, the altered floor plane area shall be used in the following 2-step process to determine the percentage of altered floor plane:

$$1^{\text{st}} \text{ step: } \frac{\text{altered floor area}}{\text{overall building floor area}} \times 100 = FA\% \text{ (this value represents the unadjusted percentage of altered building floor plane).}$$

$$2^{\text{nd}} \text{ step: } FA\% \times 0.25 \text{ (weighted factor)} = F\% \text{ (percentage of building floor plane alteration).}$$

**Case #4: Alteration of foundation:** Where the existing perimeter foundation is altered, or the existing slab is re-constructed, the altered linear length of foundation footing (length) or foundation slab (area) shall be used in the following 2-step process to determine the percentage of altered foundation, based on the type of existing foundation style (strip footing or slab foundation) :

$$1^{\text{st}} \text{ step (strip footing): } \frac{\text{altered length of foundation}}{\text{overall building existing foundation length}} \times 100 = FDNALT\% \text{ (This value represents the unadjusted percentage of altered building footing length).}$$

$$2^{\text{nd}} \text{ step (strip footing): } FDNALT\% \times 0.10 = FDN\% \text{ (percentage of building foundation footing length alteration).}$$

$$1^{\text{st}} \text{ step (slab foundation): } \frac{\text{altered foundation slab area}}{\text{overall building existing foundation slab area}} \times 100 = FDNALT\% \text{ (This value represents the unadjusted percentage of altered building foundation slab plane).}$$

$$2^{\text{nd}} \text{ step (slab foundation): } FDNALT\% \times 0.10 \text{ (weighted factor)} = FDN\% \text{ (percentage of building foundation slab plane alteration).}$$

**Section 150.02 ELECTRICAL CODE.**

A. The Code of rules and regulations known and designated as the ~~2013~~ 2016 *California Electrical Code*, based on the ~~2011~~ 2014 National Electrical Code, including the Appendix chapters, printed therein, and all supplements subsequently issued thereto, as published by the National Fire Protection Association, regulating all electrical work in or on any building or property, or similar installation in the Town of Woodside, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Electrical Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if fully contained in the body of the National Electrical Code.

B. Exemption from Permit Requirements. Permits are not required for the following:

1. Any electrical work done by an employee of a public utility in connection with rendering of electric service to any building or structure by said public utility.
2. The ordinary care and maintenance of an established installation of electric equipment by the owner, operator, or user thereof, except that ordinary care and maintenance shall not be construed as including additions to such installation or other work such as the repair or replacement of any electric wiring, appliances, or apparatus which is a fixed part of such installation. The replacement of lamps and fuses, plugging-in apparatus, repair of plugging-in apparatus and similar work shall be construed as ordinary care and maintenance.
3. The repair of appliances, apparatus, and materials which are not a fixed part of an established installation of electric equipment or which have been detached from such an installation for the purpose of repair.

**Section 150.03 PLUMBING CODE.**

A. The Code of rules and regulations known and designated as the ~~2013~~ 2016 *California Plumbing Code*, based on the ~~2009~~ 2015 Uniform Plumbing Code, and the appendix chapters, prepared and published by the International Association of Plumbing and Mechanical Officials, providing for the protection of the public health and safety, requiring a permit and inspection for the installation or alteration of plumbing drainage systems; creating an Administrative Authority and describing its duties; defining certain terms; establishing minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for its violation and repealing conflicting ordinances, is hereby adopted for the Town of Woodside, and by this reference incorporated herein as

if fully set forth, except as hereinafter otherwise provided, as the Plumbing Code of the Town of Woodside.

B. Section ~~103.4.1~~ 104.5 and Table ~~1-1~~ 104.5 entitled "Permit Fees" is deleted.

**Section 150.04 MECHANICAL CODE.**

A. The Code of rules and regulations known and designated as the ~~2013~~ 2016 *California Mechanical Code*, based on the ~~2011~~ 2015 Uniform Mechanical Code including Appendix Chapters, prepared and published by the International Association of Plumbing and Mechanical Officials, including the standards printed therein, hereinafter called "California Mechanical Code," regulating the installation, maintenance, alteration, or repair of heating, ventilating, comfort, cooling and refrigeration systems; and providing for the issuance of permits and the collections of fees therefore, defining terms, providing penalties for its violation, is hereby adopted and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Mechanical Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the California Mechanical Code.

B. Section ~~115.2~~ 104.5 and Table ~~1-1~~ 104.5 entitled "Permit Fees" is deleted.

~~**Section 150.05 HOUSING CODE.**~~

~~The Code of rules and regulations known and designated as the *Uniform Housing Code, 1997 Edition*, for the following Chapter 4 Definitions, Chapter 5 Occupancy, Section 701.2 Electrical and Section 701.3 Ventilation requiring a permit and inspection for construction, alteration or repair of buildings used for human occupancy, construction, alteration or repair of such buildings and the inspection thereof; repealing conflicting ordinances, is hereby adopted for the Town of Woodside, and by this reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Housing Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the Uniform Housing Code.~~

~~**Section 150.06 ABATEMENT OF DANGEROUS BUILDINGS CODE.**~~

~~The Code of rules and regulations known and designated as the *Uniform Code for Abatement of Dangerous Buildings, 1997 Edition*, published by the International Conference of Building Officials, to provide a just, equitable and practical method, to be cumulative to, with and in addition to any other remedy provided by the Building Code, Housing Code, or otherwise available at law, whereby owners or occupants of buildings or structures which from any cause endanger the life, limb, health, property, safety or welfare of the general public~~

~~or the buildings' occupant, may be required to repair, vacate, or abate said causes, and which applies to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in the Town of Woodside, is hereby adopted and by reference incorporated herein as if fully set forth, as the Abatement of Dangerous Buildings Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the Uniform Code for Abatement of Dangerous Buildings. All references to the Director of Public Works are deleted and the Building Official inserted in all such places.~~

**Section 150.07 ENERGY CODE.**

The Code of rules and regulations known and designated as the ~~2013~~ 2016 *California Energy Code*, with all previously approved errata and supplements is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Energy Code of the Town of Woodside.

~~**Section 150.08 ELEVATOR CODE.**~~

~~The Code of rules and regulations known as and designated as the *2007 California Elevator Safety Construction Code*, as published in the referenced California Code of Regulations, Title 8, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Elevator Code of the Town of Woodside.~~

**Section 150.09 HISTORICAL BUILDING CODE.**

The Code of rules and regulations known as and designated as the ~~2013~~ 2016 *California Historical Building Code*, published by the International Code Council, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Historical Building Code of the Town of Woodside.

**Section 150.10 SEISMIC STRENGTHENING FOR UNREINFORCED MASONRY BUILDING.**

The Code of rules and regulations known as and designated as ~~2013~~ 2016 *California Existing Building Code*, "Appendix Chapter A1 Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings" and "Appendix Chapter A3 Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings" excluding section A304.2, Foundations, based on the ~~2010~~ 2015 *International Existing Building Code* as published by the international Code Council, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Existing Building Code of the Town of Woodside.

**Section 150.11 REFERENCED STANDARDS CODE.**

The Code of rules and regulations known as and designated as ~~2013~~ 2016 California Referenced Standards Code ~~Building Standards~~ adopted by the Commission for the ~~2013 California Referenced Standards Code~~, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Referenced Standards Code of the Town of Woodside.

~~Section 150.12 REPAIRS TO BUILDINGS DAMAGED BY NATURAL DISASTER~~

~~The Code of rules and regulations known as and designated as 2001 California Building Code Repairs to Buildings and Structures Damaged by the Occurrence of a Natural Disaster, as published in Appendix Chapter 34, Division III, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Repairs to Buildings and Structures Damaged by the Occurrence of Natural Disaster Code of the Town of Woodside.~~

**Section 150.13 GREEN BUILDINGS STANDARDS CODE.**

The Code of rules and regulations known as and designated as ~~2013~~ 2016 California Green Building Standards Code as published in the referenced California Code of Regulations Title 24, Part 11, is hereby adopted and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Green Building Standards Code of the Town of Woodside.

**Section 150.14 EXISTING BUILDING CODE.**

The Code of rules and regulations known as and designated as 2016 California Existing Building Code as published in the referenced California Code of Regulations Title 24, Part 10, is hereby adopted and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Green Building Standards Code of the Town of Woodside.

**SECTION FOUR:** In the event that any provision of this ordinance is in conflict with any other ordinances of the Town of Woodside or the Woodside Municipal Code, the provisions of this ordinance shall prevail.

**SECTION FIVE:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof

irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

**SECTION SIX:** Pursuant to Section 36937 of the Government Code of the State of California, the Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

**SECTION SEVEN:** The Town Clerk shall cause this Ordinance to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 2016- of the Town of Woodside entitled as above; that it was introduced on the 25<sup>th</sup> of October, 2016, and was passed and adopted by the Town Council on the 13<sup>th</sup> of December, 2016, by the following vote:

AYES, Councilmembers:  
NOES, Councilmembers:  
ABSENT, Councilmembers:  
ABSTAIN, Councilmembers:

\_\_\_\_\_  
Clerk of the Town of Woodside

APPROVED:

\_\_\_\_\_  
Mayor of the Town of Woodside

**TOWN OF WOODSIDE**

Report to Town Council

Agenda Item 9

From: Kevin Bryant, Town Manager

December 13, 2016

**SUBJECT: REVIEW AND COMMENT ON WOODSIDE FIRE PROTECTION DISTRICT DRAFT ORDINANCE NO. 11, WHICH WOULD ADOPT BY REFERENCE THE 2015 INTERNATIONAL FIRE CODE WITH THE 2016 CALIFORNIA AMENDMENTS AND WOODSIDE FIRE PROTECTION DISTRICT BOARD DETERMINED AMENDMENTS AND ADDITIONS**

**RECOMMENDATION**

It is recommended that the Town Council review the proposed Woodside Fire Protection District Draft Ordinance No. 11, take any public comment, and direct staff to forward any comments to the WFPD Board of Directors.

**BACKGROUND**

Properties within the Town of Woodside receive fire suppression and prevention services through the Woodside Fire Protection District (WFPD), an independent special district that derives its powers and authority in part from the Fire Protection District Law, as delineated in the California Health and Safety Code. Section 13869.7 of the Health and Safety Code provides that "a district may adopt a fire prevention code by reference." The section also provides for the process by which a fire district board of directors is to transmit its proposed ordinance and any findings to the cities or towns that are within its geographical boundaries and to which the ordinance shall apply. Specifically, the Health and Safety Code provides the following:

- The draft ordinance and findings are to be transmitted to impacted cities not less than thirty days prior to noticing the ordinance for public hearing.
- The cities may provide the district with its written comments and they are to become a part of the fire district's public hearing record.
- Once the fire district board has adopted the ordinance, it is to be transmitted to the impacted cities and the legislative body of each city may ratify, modify, or deny the adopted ordinance and transmit its determination to the fire district within fifteen days of the determination. Any modification or denial of the adopted ordinance shall include a written statement describing the reasons for any modifications or denial.
- No ordinance adopted by the fire board shall be effective until it has been ratified by the city where it shall apply.
- Any city that ratifies an ordinance shall delegate the enforcement of the ordinance to either the chief of the fire

protection district or the chief building official of the city, or their authorized representatives.

The code is silent as to what occurs should a city deny an ordinance that has been adopted by a fire board, but the implication is that whatever Fire Code was in effect prior to the board's adoption of the ordinance remains in effect.

## DISCUSSION

On December 5, 2016, the WFPD Board of Directors introduced Ordinance No. 11 (**Attachment 1**), which would adopt by reference the 2015 International Fire Code with the 2016 California amendments. The draft ordinance has been transmitted to the Town of Woodside for review and comment before the Board of Directors considers adoption of the ordinance on January 30, 2017.

The Fire Marshal will be at the December 13<sup>th</sup> Town Council meeting to answer questions.

Draft WFPD Ordinance No. 11 makes modifications to Ordinance No. 10, which was adopted by the District in 2014 and subsequently ratified by the Town. Proposed changes from Ordinance No. 10 have been highlighted in the draft ordinance in red. These include:

- Adding definitions for "driveway" and "gross floor area";
- Under Section 6, General Fire Safety Precautions, adding a requirement to mow vacant parcels;
- Adding a new Section 7, Fire Apparatus Access Roads, to incorporate WFPD standards into the ordinance;
- Adding a new Section 8, Automatic Fire Sprinklers, to define when automatic fire sprinkler systems will be required; and
- Including the WFPD fire flow standards for buildings in Section 12.

Of particular note is the inclusion of triggers for automatic fire sprinklers. The intent of the Fire District is to defer to the Towns' own triggers that are included in the Towns' Building Regulation ordinances for changes and additions. This is reflected in items 1 and 2 of Section 903.2A of the WFPD ordinance:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or repairs that exceed more than 50% of an existing building or increase the number of floors and within the unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 shall install an automatic fire sprinkler system.

2. Any combination of alterations and/or repairs to more than 50% of the existing gross floor area or within the Unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 within a two-year timeperiod, based on the date of final fire inspection, shall require the entire existing building to be installed with an automatic fire sprinkler system.

In addition, WFPD Ordinance No. 11 includes the following triggers for automatic fire sprinkler systems:

3. Any addition, alteration or repair within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of the proposed work.

4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed in the space where the change in use or occupancy is proposed.

5. Any change of use from a non-habitable to a habitable basement requires the installation of an automatic fire sprinkler system in the basement.

#### **CONCLUSION**

The Woodside Fire Protection District Board of Directors has introduced Ordinance No. 11, which would adopt by reference the 2015 International Fire Code with the 2016 California amendments. It is appropriate for the Town Council to prepare and submit any comments to the District's Board of Directors before they adopt the ordinance.

#### **ATTACHMENT**

1. WFPD Draft Ordinance No. 11

**ORDINANCE NO. 11**  
**BOARD OF DIRECTORS OF THE**  
**WOODSIDE FIRE PROTECTION DISTRICT**  
**COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

---

AN ORDINANCE ADOPTING BY REFERENCE, THE 2015 INTERNATIONAL, FIRE CODE WITH THE 2016 CALIFORNIA AMENDMENTS INCLUDING LOCAL AMENDMENTS AND STANDARDS AS SPECIFIED PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION WITHIN THE TERRITORY OF THE WOODSIDE FIRE PROTECTION DISTRICT, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES.

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WHEREAS, Health and Safety Code section 13869 provides that the Woodside Fire Protection District Board of Directors (“Board”) has the authority to adopt a fire prevention code by reference pursuant to applicable governmental code provisions.

WHEREAS, Chapter 56 of the California Fire Code pertains to fireworks and this Board finds that the Woodside Fire Protection District enacted Ordinance No. 3 in 1986, prohibiting the use and sale of fireworks within the entire territory of the Woodside Fire Protection District; and

WHEREAS, Chapter 56 of the California Fire Code pertains to storage of explosives and fireworks where the storage and use is permitted, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and use be permitted in the District; and

WHEREAS, Section 108.1 of Chapter 1 of the California Fire Code pertains to the Board of Appeals and this Board hereby determines that the Board of Directors act as a Board of Appeals; and

WHEREAS, Chapter 61 of the California Fire Code does not specify where the storage, use, handling, or dispensing of liquid petroleum gas is permitted, and this Board finds that it is in the best interest of the District to specify where such uses should be permitted in the District; and

WHEREAS, Table B105.1(1) and B105.1(2) of Appendix B and Table B105.1 of Appendix BB of the California Fire Code provides specified fire flow requirements for buildings and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Table C102.1 of Appendix C of the California Fire Code provides specified fire hydrant locations and distribution and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Appendix D of the California Fire Code provides minimum specifications for access roads with a fire hydrant and maximum grade and this Board finds that said requirements are not practical due to the rural nature of the fire district; and

WHEREAS, Chapter 1 of the California Fire Code does not specifically authorize audio visual or other recording including photographs to assist with investigations of alleged violations of this Code or fire incidents and this Board finds that use of said technological assistance is in the best interest of the District; and

WHEREAS, Chapter 9 of the California Fire Code pertains to automatic fire sprinklers and where they are required, and this Board finds that it is in the best interest of the District to specify installations related to existing buildings and structures; and

WHEREAS, In accordance with section 102.9 of the California Fire Code for subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities, Woodside Fire Protection District finds it necessary to maintain a set of design and installation standards as deemed necessary for firefighter safety and suppression activities.

WHEREFORE, this Board does ordain as follows:

### **SECTION 1. TITLE.**

This Ordinance shall be known as the “Fire Code” of the Woodside Fire Protection District and may be cited as such, and will be referred to in this ordinance as the “California Fire Code” or “this Code”.

### **SECTION 2. ADOPTION OF THE 2015 INTERNATIONAL FIRE CODE/2016 CALIFORNIA FIRE CODE & FIRE CODE STANDARDS.**

It is hereby adopted by the Board of Directors for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2015 International Fire Code with the 2016 California Amendments Title 24 Part 9, and the whole thereof, including all Appendices and International Fire Code Standards except for Appendices A and J, as compiled, recommended and published by the International Code Council, save and accept only such portions thereof as are hereinafter expressly deleted, modified or amended by this ordinance; and including such new sections and paragraphs which are hereinafter added to and made a part of the Fire Code and of this ordinance, of which not less than two (2) copies have been and are now filed in the Office of the Fire Chief of the Woodside Fire Protection District and the same are hereby adopted and incorporated, by this reference, as fully as if set forth out at length herein, and from the date on which this ordinance shall take affect, the provisions of same shall be controlling within the Woodside Fire Protection District.

### **SECTION 3. DEFINITIONS.**

- A. Wherever the word “**jurisdiction**” is used in the International/California

Fire Code & Fire Code Standards, it shall mean the Woodside Fire Protection District, except that wherever in the Code, “jurisdiction” is used in a context which implies the ability to exercise governmental powers which the District does not have but which powers are exercised within District’s territorial boundaries by another public agency, then in that context “jurisdiction” shall mean the particular public agency authorized to and exercising that governmental power.

- B. Whenever the words “**Fire Code Official**” are used they shall be held to mean “Fire Marshal.”
- C. Wherever the words “**Fire Code**” are used it shall mean International/California Fire Code & Fire Code Standards.
- D. Wherever the word “**Driveway**” is used it shall mean an access road from the public way to a structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles
- E. For calculating compliance within the Fire Code, **Floor Area, Gross** shall mean; The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vents shafts and courts without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area shall be the usable areas under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

#### **SECTION 4. ESTABLISHMENT OF BUREAU OF FIRE PREVENTION AND DUTIES OF MEMBERS THEREOF.**

A. The Fire Code shall be enforced by the Bureau of Fire Prevention in the Woodside Fire Protection District which is hereby established and which shall be operated under the supervision of the Chief of the Department.

B. The Chief of the Fire Department shall appoint an officer of the Fire Department as Chief of the Bureau of Fire Prevention. The title shall be Fire Marshal. The appointment shall continue during good behavior and satisfactory service, and they shall not be removed from office except for cause in accordance with the rules and regulations of the Woodside Fire Protection District.

C. The Fire Marshal may appoint such members of the fire department as inspectors as shall from time to time be necessary.

D. A report of the Bureau of Fire Prevention shall be made monthly or annually and transmitted to the Board of Directors. It shall contain such statistics as the Chief of the Department or the Board of Directors may wish to include therein. The Chief of the Fire Department shall recommend any amendments to the Code, which, in his judgment, shall be desirable.

## SECTION 5. GENERAL CODE PROVISIONS.

**Section 102 Amended 102.1A** is added to read as follows:

**Section 102.1A Applicability** When alterations, additions or repairs exceed 50% of an existing building or structure, or has a Building Safety Score of less than 17, as determined by the Building Official having jurisdiction, such building or structure shall be made in its entirety to conform to the fire code requirements for new buildings or structures.

Within the Woodside Fire Protection District jurisdiction each of the Building Departments may use their specific dollar values, structural formulas and Building Safety Scores to complete the computation of existing and new square footages. The Fire District will accept the computations within the projects jurisdictional boundary. Verification must be attained by the Municipality's Building Official.

Under Section 104.1 of the California Fire Code, Section 104.1A and 104.2A will be added to read as follows:

**Section 104.1A Design Standards** Woodside Fire Protection District will maintain a set of design and installation standards that include but are not limited to: Address posting, Bridges, Emergency shut off placards, Turnarounds, Turnouts, Driveways, Knox installations, Solar PV installations, Fuel cells and Fire Sprinkler systems including those with tanks and pumps.

These standards are necessary for the Woodside Fire Protection District to provide a reasonable degree of fire and life safety for the community and firefighters within the jurisdictional boundaries of the Fire District and is hereby in accordance with section 102.9 of the California Fire Code: For subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities.

**Section 104.2.A Review Construction Documents** Woodside Fire Protection District shall review all applications and construction documents related to any type of driveway construction within its jurisdiction that have been submitted to any of the Building Departments.

**Section 106.1A** is added to read as follows:

**Section 106.1A Inspection Authority** The Fire Marshal or other designated representatives shall inspect, buildings and premises, including such other hazards or appliances for the purpose of ascertaining and causing to be corrected any conditions which would be deemed a fire hazard and reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire and life safety.

## SECTION 6. GENERAL FIRE SAFETY PRECAUTIONS.

**Section 307 Amended** Section 307 of this code is deleted in its entirety and is replaced by the following section:

**Section 307 General:** Open burning is prohibited within the jurisdictional boundaries of the Woodside Fire Protection District. Open burning does not include approved exterior fireplaces with permanent spark arrestors or barbecues that are used in a safe manner, and used for cooking or warming purposes only. The Fire Marshal prohibits burning of trash or vegetation, except for fuel reduction purposes and dedicated campfires in County Parks by special permit only.

**Exceptions:** Gas Fire Pits inspected by the Fire Prevention Bureau.

**Section 304.1.2 Amended** Section 304.1.2A is added to read as follows:

**Section 304.1.2.A Perimeter Property Line Clearance.** Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 30 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

**Section 304.1.2.B** Section 304.1.2B is added to read as follows:

**Section 304.1.2.B Weed Abatement.** Due to heavy growth of fuels, unmaintained lots are a hazard to the surrounding properties and the community. Woodside Fire Protection District shall carry out weed abatement program activities throughout the territory of the Woodside Fire Protection District. **Vacant parcels shall be mowed in their entirety with the exception of conservation areas, marsh land, creek banks and a minimum of 50 feet from any riparian corridor, prior to July 1<sup>st</sup> of every year.**

**Section 304.1.2.C** Section 304.1.2.C is added to read as follows:

**Section 304.1.2.C Re-inspection of Violation.** Re-inspections of the same violation shall incur a hourly fee of \$90.00 for every hour of re-inspection after the 3<sup>rd</sup> inspection of the same violation, at the same location, within a one year period.

## **SECTION 7. FIRE APPARATUS ACCESS ROADS**

**Section 503.2.1 Amended** Section 503.2.1 is deleted in its entirety and replaced by the following section.

**Section 503.2.1 Dimensions:** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, inclusive of all-weather surface shoulders, and a vertical clearance of not less than 13 feet 6 inches. Security gates shall be in accordance with section 503.6. Driveways for one and two dwellings shall have an unobstructed width of not less than 12 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Shared driveways serving more than one property with habitable structures shall have an unobstructed minimum width of 18 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.

## **SECTION 8. AUTOMATIC FIRE SPRINKLERS**

**Section 903.2 Amended** Section 903.2A is added to read as follows:

**Section 903.2A Existing Buildings and Structures.** An automatic fire sprinkler system shall be installed in existing buildings and structures as follows:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or repairs that exceed more than 50% of an existing building or increase the number of floors and within the unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 shall install an automatic fire sprinkler system.
2. Any combination of alterations and/or repairs to more than 50% of the existing gross floor area or within the Unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 within a two-year time period, based on the date of final fire inspection, shall require the entire existing building to be installed with an automatic fire sprinkler system.
3. Any addition, alteration or repair within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed in the space where the change in use or occupancy is proposed.
5. Any change of use from a non-habitable to a habitable basement requires the installation of an automatic fire sprinkler system in the basement.
6. All automatic fire sprinkler systems shall comply with the current edition of NFPA-13, NFPA-13D, NFPA-13R and any additional National and local standards recognized by the Woodside Fire Protection District.

**Exceptions:**

1. Seismic, Foundation or Accessibility improvements.
2. Detached group U and group U Agricultural occupancies which do not already have fire sprinklers and do not have living quarters attached.
3. Work requiring only mechanical, electrical, plumbing and/or demolition.
4. Exterior improvements, including windows, roofing or repairs that is reconstruction or renewal for the purpose of maintenance.
5. Work related to damage due to a natural disaster.
6. Mobile/manufactured or factory built homes constructed or altered on or before March 12, 2011, which were not manufactured with automatic fire sprinklers and are not subject to fire sprinkler requirements.
7. Any exemption otherwise allowable under the Fire Code, if determined by the Fire Marshal that the safety of the public is not compromised.

**SECTION 8. CHAPTER 57 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS ARE PROHIBITED.**

The limits referred to in Section 5704.2 and 5704.4.2.4 and Table 5704.4.2 of the California Fire Code in which storage of flammable or combustible liquids in outside above ground tanks is prohibited in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

**SECTION 9. CHAPTER 61 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASES IS TO BE RESTRICTED.**

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

**Section 6104.2 Amended** Section 6104.2A is added to read as follows:

**Section 6104.2A Where Permitted;** Liquefied Petroleum Gas shall not be permitted within the Woodside Fire Protection District where natural gas mains exist. Exception: Installation of Liquefied Petroleum Gas may be permitted in the Woodside Fire Protection District if used as a means of emergency standby supply for industrial operations, residential operations or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with nationally recognized good practices and all provisions of this code.”

**SECTION 10. CHAPTER 56 ESTABLISHMENT OF LIMITS IN WHICH STORAGE, OF EXPLOSIVES AND FIREWORKS AGENTS IS TO BE PROHIBITED.**

The limits referred to in Section 5608.1.1 and the California Code of Regulations Title 19, Division 1, Chapter 6 in which storage of explosives and fireworks is prohibited, are hereby established to the entire territory of the Woodside Fire Protection District.

**SECTION 11. CHAPTER 56: EXPLOSIVES AND FIREWORKS**

**Section 5608.1.1 Amended** Section 5608.1.1A is added to read as follows:

**Section 5608.1.1A Safe and Sane Fireworks Prohibited.** All non-professional fireworks listed by the California State Fire Marshal as “Safe and Sane” are prohibited within the jurisdictional boundaries of the Woodside Fire Protection District.

**5608.1 General** All professional pyrotechnical devices used for public display, or special effects, shall be in accordance with the applicable provisions of the State of California Code of Regulations, Title 19 and the applicable section of the California Amended Fire Code. Permits for public display and/or special effects shall be obtained by the Fire Marshal.

**SECTION 12. APPENDIX B SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS.**

**Section B105.1 Amended ONE AND TWO FAMILY DWELLINGS, GROUP R3 AND R4 BUILDINGS AND TOWNHOMES**

This section is modified by means of Section B103

**SECTION B105.1 (1)** of Appendix B of the California Fire Code pertaining to fire-flow requirements for buildings to be amended at any time due to the rural nature of a water system may be substituted by the following:

## **SECTION B105.1 FIRE FLOW REQUIREMENTS FOR BUILDINGS**

### **B105.1 One- and Two-Family Dwellings.**

The minimum fire flow shall be 1000 gallons per minute for structures 3601 square feet and greater and 750 gallons per minute for structures 1 - 3600 square feet. A water supply for fire protection shall mean a fire hydrant within 500 feet from the building, measured via an approved roadway/driveway, capable of the required fire flow.

Where a public or private water company is not within 1000 feet of the required fire hydrant location, or the water company cannot provide the required gallons per minute, NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2016 Edition may be adhered to for fire flow requirements as an alternate means.

## **SECTION 13. APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION.**

**Section C103.1 Amended** Section C103.2A is added to read as follows:

**Section C103.2A Modified Distribution of Fire Hydrants;** In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant may be 500 feet to the structure measured via a roadway or primary driveway as approved by the Fire Marshal.

## **SECTION 14. APPENDIX D FIRE APPARATUS ACCESS ROADS.**

**Section D103 Amended Minimum Specifications** Section D 103.1A and D103.1B is added to read as follows:

**Section D103A Access road with a hydrant:** Fire apparatus access roads shall be a minimum of 20 feet in width inclusive of all-weather shoulders.

**Section D103B Grade:** Fire apparatus access roads shall not exceed 20 percent in grade.

## **SECTION 15. PROVISIONS OF THE CALIFORNIA FIRE CODE ESTABLISHING BOARD OF APPEALS.**

The following provisions for Appeal per Section 108.1 of the California Fire Code shall be as follows:

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted the applicant may appeal the decision of the Chief by presenting, within 10 days, a written request to the District Board of Directors for a hearing on and a review of such decision appealed.

The request shall state the reasons therefore, and the District Board of Directors shall, within 30 days of the receipt of same, hold a hearing, and may, if they determine that the circumstances appear to justify such action, modify, vacate, or affirm the decision.

## **SECTION 16. PROVISIONS ADDED TO CALIFORNIA FIRE CODE.**

The following provisions shall be and are hereby added or amended to said code to read as follows:

**Section 104.10 Amended** The following is hereby added to Section 104.10 Chapter 1, of the California Fire Code:

**Section 104.10** “Authority to Photograph or Otherwise Record Investigations”.

The Chief or his duly authorized representative may make such audio, visual or other recordings including photographs, video tapes, audio tapes, diagrams, drawings, sketches, and the like, in connection with the investigation of any actual or alleged violation of this Code or in connection with the investigation of any incident as authorized by this Code.”

## **SECTION 17: FEES**

The Board of Directors may, by resolution, establish a schedule of fees to be charged and collected for checking plans and specifications, inspection services performed, and for the issuance of permits. Such schedule when adopted shall be incorporated by reference as a part of this code as fully as if set forth at length herein. Two copies of such resolution shall be kept on file in the office of the Fire Chief of the Woodside Fire Protection District and shall be available for public inspection.

## **SECTION 18. VIOLATIONS.**

A. Any person who shall violate any of the provision of the Fire Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with an order made there under, or who shall build in violation of any detailed statement or specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the District Board or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that any such prohibited conditions are maintained, shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**SECTION 19. VALIDITY**

The Woodside Fire Protection District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code of Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Woodside Fire Protection District Board of Directors that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

**SECTION 20. REPEAL OF CONFLICTING ORDINANCES.**

Ordinance No. 10 of the Woodside Fire Protection District shall be and is hereby repealed.

**SECTION 21. DATE OF EFFECT.**

This ordinance shall be published once in the Country Almanac and shall be effective upon the expiration of 30 days from its adoption.

Regularly passed and adopted this xx day of xxxx, 2016 by the following vote:

A YES and in favor of said ordinance:  
Directors:

Matt Miller

Randy Holthaus

Patrick Cain

NOES against said ordinance:  
Directors: