

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, November 28, 2016 - 7:00 PM
City Hall Council Chambers – 2nd Floor
333 – 90th Street, Daly City, CA 94015

Live Telecast: Comcast Channel 27, Astound 26, AT&T U-Verse 99

Webcast: www.dalycity.org/meetings

DRAFT

For those wishing to address the City Council on any Item on the Agenda or under Public Appearances/Oral Communications, please complete a Speaker Card located at the entrance to the Council Chambers and submit to a Staff Member as early in the meeting as possible.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should call the office of the City Clerk at 991-8078 as soon as possible.

CALL TO ORDER:

PLEDGE TO THE FLAG:

ROLL CALL:

APPROVAL OF MINUTES:

Regular Meeting of November 14, 2016

APPROVAL OF AGENDA:

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and may be approved by one roll call vote of the City Council. There shall be no separate discussion of the matters on the Consent Agenda unless requested by a member of the City Council. If discussion is required, that item will be removed from the Consent Agenda and will be considered separately at the end of the Agenda.

Resolutions:

AVAILABILITY OF PUBLIC RECORDS:

All public record to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, City Hall located at 333 90th Street, Daly City, CA during normal business hours, at the same time that the public records are distributed or made available to the legislative body.

1. Commending Chris Wilson on the Occasion of His Retirement
2. Authorizing Time Extension for Zone Change ZC-7-15-11163, Use Permit UPR-7-15-11164, and Design Review DR-7-15-11165 — Mixed-Use Building at 1590 Bryant Street
3. Authorizing Time Extension for Use Permit UPR-7-14-9291 and Design Review DR-7-14-9293 — Mixed-Use Apartment Building at 4619 Brunswick Street
4. Noticing of Completion for Rice Street and Wilson Street Water Main Improvements
5. Approving Three-Year Agreement Between the Human Services Agency of San Mateo County and the City of Daly City to Provide Funding for the Community Service Center
6. Noticing of Completion for 2016-17 Westlake Slurry Seal Project
7. Approving Professional Services Agreement for Design Services for Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation

END OF CONSENT AGENDA

COMMUNICATIONS:

8. Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-11164, and Design Review DR-1-16-11899 — Mixed-Use Building at 493 Eastmoor Avenue
 - A. EA (Categorical Exemption)
 - B. Findings
 - C. SUB-10-12-12396, UPR-1-16-11164, and DR-1-16-11899

Staff:

Alvin

Recommended Action:

Adopt Resolution

Roll Call

AWARD OF BIDS/CONTRACTS:

9. Award of Construction Contract for Mussel Rock Public Access and Amenities Improvements

Staff:

Ritchie

Recommended Action:

Adopt Resolution

Roll Call

10. Award of Construction Contract for 2016-17 Mussel Rock Landfill Site Maintenance and Seawall Repair

Staff:

Ritchie

Recommended Action:

Adopt Resolution

Roll Call

ORDINANCES:

11. Second Reading, Ordinance No. 1410, Amending Chapter 15 Re: Building Code Regulations

Staff:

Zimmerman

Recommended Action:

Adopt Ordinance

Roll Call

12. Second Reading, Ordinance No. 1411, Amending Chapter 15.32 of the Daly City Municipal Code Re: Fire Code

Staff:

Zimmerman

Recommended Action:

Adopt Ordinance

Roll Call

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

NOTE: Speakers are limited to two minutes, unless modified by the Mayor. The Council cannot take action on any matter raised under this item

APPOINTMENTS: Board/Commission Membership Committee Appointments

REPORTS:

13. Council Committee
14. City Council
15. Staff

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ADJOURNMENT:

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November 14, 2016

The meeting was called to order by Mayor Torres at 7:00 P.M.

ROLL CALL: Councilmembers Present:

Sal Torres, Mayor
Raymond A. Buenaventura
Judith A. Christensen

Staff Present:

Patricia E. Martel, City Manager
Julie T. Underwood, Assistant City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

Absent:

David J. Canepa, Vice Mayor
Michael P. Guingona

Mayor Torres introduced various dignitaries who were present in the audience.

APPROVAL OF MINUTES:

Regular Meetings of October 24, 2016

It was moved by Councilmember Buenaventura, seconded by Councilmember Christensen and carried to approve the minutes of October 24, 2016.

APPROVAL OF AGENDA:

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to approve the agenda.

PRESENTATIONS:

**Arts and Culture Commission's Event: Light Up Our World, November 19, 2016
Presented by Pauline Fong-Martinez, Chair**

Arts and Culture Commission Chair Pauline Fong-Martinez gave a presentation on their upcoming event, the Light Up Our World Festival, set to take place on November 19th from 5:00 – 9:30 P.M. at City Hall. The festival will feature over 75 visual artists, poets, singers and musicians. Preceding the event, there will be a memorial service for the recently departed musician Danongan Kalanduyan, which will take place at 4:30 P.M.

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To commemorate the event, the Octagon Gallery is currently displaying artwork done by the DeLue Clubhouse and Holy Angels students. During the event, there will be performances and or exhibitions by Aiqin Zhou, Nining Muir, Ronnie Goo, SF State University Afro-Cuban Music Ensemble, ViBO Simfani and Mission Fusion.

The commissioners credited volunteers and donations in being instrumental in the Commission's success and in getting out the word about the festival. Ms. Fong-Martinez hopes the event will bring many people from the Bay Area together to appreciate art, and to support artistic expression and arts education.

CONSENT AGENDA:

It was moved by Councilmember Buenaventura, seconded by Councilmember Christensen and carried to approve the consent agenda.

Resolutions:

Approving Annual Delegation of Authority to City Treasurer to Invest City Funds

Resolution 16-158, Renewing Delegation of Investment Authority to the City Treasurer

Accepting of Training Funds from Southbay Regional Public Safety Training Consortium

Resolution 16-159, Accepting Training Funds from Southbay Regional Public Safety Training Consortium

Accepting and Appropriating a North County Prevention Partnership/Health Right 360 Grant for Alcohol Sales Compliance Operations

Resolution 16-160, Accepting and Appropriating Grants Funds from the North County Prevention Partnership and Health Right 360

Amending Traffic Regulations to: (1) Install 60-ft. No Parking (red) zones at Hoffman Street and Lausanne Avenue (TSR 17/16); (2) Extend the passenger (white) zone along Lakeshire Drive (TSR 17/23); (3) Install white zone at 35 Hillcrest Drive (TSR 17/26); (4) Designate 60-ft. bus zone on Pope Street (TSR 17/29); (5) Install 4 ft. red zone along Acton Street (TSR 17/30); and (6) Install 8 ft. red zone along Wyandotte Avenue (TSR 17/31)

Resolution 16-161, Establishing Traffic Regulations

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Approving Notice of Completion for Serramonte Library Restroom and Accessibility Upgrades

Resolution 16-162, Accepting Completion of Certain Project in the Department of Public Works (Serramonte Library Restroom and Accessibility Upgrades)

Appointing of Daly City Bicycle-Pedestrian Advisory Committee Members

Resolution 16-163, Appointing Daly City Bicycle Pedestrian Advisory Committee Members

Authorizing Submittal of the One Bay Area 2 Grant Application to the City/County Association of Governments of San Mateo County

Resolution 16-164, Authorizing the Filing of an Application for Funding Assigned to MTC and Committing Any Necessary Matching Funds and Stating the Assurance to Complete the Project

Authorizing City Manager to Execute Professional Services Agreement for Mussel Rock Landfill Site Monitoring

Resolution 16-165, Approving Professional Services Agreement with Tetra Tech for Mussel Rock Landfill Site Monitoring

Approving Use of Federal Asset Forfeiture Funds (DEA) to Purchase Unmarked Vehicle Laptops and Mounting Equipment

Resolution 16-166, Authorizing Use of Asset Forfeiture Funds (DEA) to Purchase Unmarked Vehicle Laptops and Mounting Equipment

Authorizing City Manager to Execute Lease Agreement with San Mateo County for the Second Floor of 350 90th Street

Resolution 16-167, Authorizing Execution of Lease Agreement with San Mateo County for their Behavioral Health Services Office (350 90th Street, 2nd Floor)

Requesting Use of Federal Asset Forfeiture Funds (DEA) to Purchase Personal Protective Equipment for the Police Department

Resolution 16-168, Authorizing Use of Asset Forfeiture Funds (DEA) to Purchase Personal Protective Equipment

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Appropriating San Mateo County Arts Commission Grant and Monetary Donations for the Light Up Our World Event

Resolution 16-169, Appropriating the San Mateo County Arts Commission Grant and Monetary Donations for Light Up Our World Festival

Setting Time and Place for Public Hearing on Community Development and Housing Needs - Set Hearing 12/12/2016

Resolution 16-170, Setting Time and Place of Public Hearing Re: Assessment of Community Development and Housing Needs

Check Registers:

Check Registers for the Month of October 2016

END OF CONSENT AGENDA

PUBLIC HEARINGS:

Building Code Adoption

Chief Building Supervisor Valentino Mandapat gave an overview of the process in which Daly City adopts various building codes based on State and International Model Codes. By adopting the 2016 California Code of Regulations Title 24, Daly City will be enforcing codes that are consistent with State regulations. The new codes reflect changes in technology, fire safety techniques and building industry including environmental and sustainable construction practice. Mr. Mandapat highlighted the proposed changes to Chapter 15 of the Municipal Code including codes related to mobile homes, photovoltaic systems, and detached structures.

Discussion ensued with Mr. Mandapat addressing Council's questions regarding sewer cleanouts.

Mayor Torres opened the public hearing. There were no speakers on this matter.

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to close the public hearing.

Mr. Mandapat and Ms. Mothershead clarified that there is a case-by-case process for coming up with alternate means and methods to the building code should a case arise.

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried that Ordinance 1410 be read by title only by the City Attorney.

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Councilmember Christensen introduced the ordinance:

Ordinance 1410, Amending Title 15 of the Daly City Municipal Code, By Repealing and Replacing Chapters 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.60; Adding Chapter 15.64

Introduction of the Ordinance to Revise and Adopt the 2016 Editions for the California Fire Code

Deputy Fire Chief/Fire Marshal Richard A. Johnson reported that by adopting the 2016 California Fire Code, the City of Daly City will be enforcing codes that are consistent with State regulations. Mr. Johnson outlined the six amendments to the Daly City Municipal Codes including establishing requirements for car stackers not addressed in the code, and renumbering the existing Vegetation Management program for the Southern Hills area.

Discussion ensued with Mr. Johnson answering Council's questions regarding the location and height requirements of the car stacks.

Mayor Torres opened the public hearing. There were no speakers on this item.

It was moved by Councilmember Buenaventura, seconded by Councilmember Christensen and carried to close the public hearing.

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried that Ordinance 1411 be read by title only by the City Attorney.

Councilmember Buenaventura introduced the ordinance:

Ordinance 1411, Repealing and Replacing Chapter 15.32 of the Municipal Code Re: Adoption of the 2016 California Fire Code Based on the 2015 Edition of the International Fire Code with Changes, Additions, Amendments and Deletions

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Mariann Mann, resident, thanked and congratulated Mayor Torres for his 20 years of service to Daly City. Ms. Mann is looking forward to hearing the Councilmember-elects' new ideas for the City.

Gabriella Makstman, resident, felt that Daly City's Building Department should be adopting policies sooner to allow homeowners to take advantage of discounted solar programs and technologies.

Pamela DiGiovanni, resident, wanted to recognize Mayor Torres for his honesty, for making hard and thoughtful decisions while on the Council, and for always listening to the public.

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Marie Brizuela, Jefferson Elementary School District, commended Mayor Torres for his honesty, kindness and commitment to the City. She wished him all the happiness in the future.

APPOINTMENTS:

There were no appointments.

REPORTS:

Council Committee Meetings

There were no reports.

City Council

Councilmember Buenaventura reported that the San Francisco Airport Roundtable has been discussing altering certain flight patterns which may affect the noise levels over Daly City, particularly in the Southern Hills/Crocker area. He submitted a letter of protest to the Airport Commission in hopes that they will not shift more noise over the City.

Staff

There were no reports.

ADJOURNMENT:

It was moved by Councilmember Buenaventura, seconded by Mayor Torres and carried to adjourn the meeting at 7:55 PM.

Approved as submitted, this _____

day of _____, 2016.

City Clerk

Mayor

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
COMMENDING CHRISTOPHER WILSON ON THE OCCASION OF HIS RETIREMENT

WHEREAS, CHRISTOPHER WILSON will be retiring on December 9, 2016, concluding a ten-year career with the City of Daly City; and

WHEREAS, Chris began his employment with the City of Daly City in 2006, as a Building Inspector for the Economic and Community Development Department. In 2009, Chris was assigned to the Code Enforcement Division, where he remained until retirement; and

WHEREAS, Chris has investigated over 300 code enforcement complaints annually, and consistently worked with property owners and business owners to voluntarily bring code violations into compliance, thereby creating a safer community; and

WHEREAS, Chris has served the Daly City community as a highly skilled certified building inspector with a genuine desire to help others through educating and working with property owners who found themselves under code enforcement; and

WHEREAS, Chris has been recognized over the years for his professionalism, integrity, and dedication to making Daly City a safer place to reside; and

WHEREAS, Chris will now have the time to enjoy life with his wife Cathy in their new home in Northern California; with his family including his young grandson; to indulge in his various passions, including bee-keeping, raising chickens, and hunting for gold; and

WHEREAS, the City has been very fortunate to have had the services of CHRISTOPHER WILSON. His dedication as a Building Inspector is unsurpassed. He has worked tirelessly to provide the residents of Daly City with extraordinary customer service and safer properties;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that it does hereby commend CHRISTOPHER WILSON for his many years of dedicated service and extends its best wishes to Chris upon the occasion of his retirement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting thereof held on the _____ day of _____, 2016, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

Absent, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

MAYOR OF THE CITY OF DALY CITY



City Council Meeting Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Time Extension for Zone Change ZC-7-15-11163, Use Permit UPR-7-15-11164, and Design Review DR-7-15-11165 — Mixed-Use Building at 1590 Bryant Street

Recommended Action

Approve the Time Extension, subject to the Findings and Conditions adopted by the City Council on December 14, 2015.

Background

On December 14, 2015, the City Council approved a request by Dan Tealdi to construct a four-story mixed-use building on a 0.35-acre site located at the northwest corner of Bryant Street and Washington Avenue. The Conditions of Approval required that building permits be issued and construction diligently pursued within one year of approval of the use permit approval, otherwise the use permit and design review approvals would become invalid. Because this has not occurred, the applicant is requesting a one-year time-extension of the use permit approval. The applicant has cited a delay on his part due to the preparation of construction drawings as the primary reason for the construction delay.

Conclusion

As the Planning Division has worked with applicant to address the Conditions of Approval, which would remain unchanged, staff recommends approval of the Time Extension to December 14, 2017.

Respectfully submitted,

Michael VanLonkhuysen
Planning Manager



City Council Meeting Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Time Extension for Use Permit UPR-7-14-9291 and Design Review DR-7-14-9293 — Mixed-Use Apartment Building at 4619 Brunswick Street

Recommended Action

Approve the Time Extension, subject to the Findings and Conditions adopted by the City Council on December 14, 2015.

Background

On December 14, 2015, the City Council approved a request by Alexis Gevorgian to construct a five-story mixed-use apartment building on a vacant parcel located on the north side of Brunswick Street, across from Chelsea Court. The Conditions of Approval required that building permits be issued and construction diligently pursued within one year of approval of the use permit approval, otherwise the use permit and design review approvals would become invalid. Because this has not occurred, the applicant is requesting a one-year time-extension of the use permit approval. The applicant has cited a delay on his part due to the preparation of geotechnical studies and analyses as the primary reason for the construction delay.

Conclusion

As the Planning Division has worked with applicant to address the Conditions of Approval, which would remain unchanged, staff recommends approval of the Time Extension to December 14, 2017.

Respectfully submitted,

Michael VanLonkhuysen
Planning Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ACCEPTING
COMPLETION OF CERTAIN PROJECT IN THE
DEPARTMENT OF PUBLIC WORKS

(Rice Street and Wilson Street Water Main Improvements)

A. The Project Manager has advised that the project set forth hereinafter has been completed in accordance with the terms of the contract with the City of Daly City and Cratus, Inc., a California Corporation.

B. The City Council of the City of Daly City desires to acknowledge the completion of such project so that notice of completion may be given.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that pursuant to the above, the City of Daly City does hereby accept as complete the following described project:

RICE STREET AND WILSON STREET WATER MAIN IMPROVEMENTS

BE IT FURTHER RESOLVED by the City Council of the City of Daly City that said project be, and it is hereby accepted as complete, and at the expiration of thirty-five (35) days from this date, final payment in connection with this project be, and it is hereby authorized, provided that all statutory liens, claims and withholds are satisfied pursuant to law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a special meeting thereof held on the _____ day of _____, 20____, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

OFFICE OF THE CITY CLERK
CITY OF DALY CITY
333 - 90th Street
Daly City, California 94015

Notice of Completion

NOTICE IS HEREBY GIVEN as follows:

1. The date of completion of the work of improvement is: November 28, 2016
2. The owner of the work of improvements is: City of Daly City, a Municipal Corporation.
3. The address of the owner of the work of improvement is: City Hall
333 - 90th Street
Daly City, California 94015
4. The nature of the owner's interest or estate is: In fee.
5. The work of improvement is located in Daly City, California, and is particularly described as follows:

RICE STREET AND WILSON STREET WATER MAIN IMPROVEMENTS

The name of the original contractor for the work of improvement is:

Cratus, Inc.
945 Taraval St., #302.
San Francisco, CA 94116

Dated: _____

The undersigned, being duly sworn, says: That he is the owner of the aforesaid interest or estate in the property described in the foregoing notice; that he has read the same, and knows the contents thereof, and that the facts stated therein are true.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CITY OF DALY CITY, OWNER

John L. Fuller, Public Works Director

STATE OF CALIFORNIA,

COUNTY OF _____} ss.

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, ____ 20____,

by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

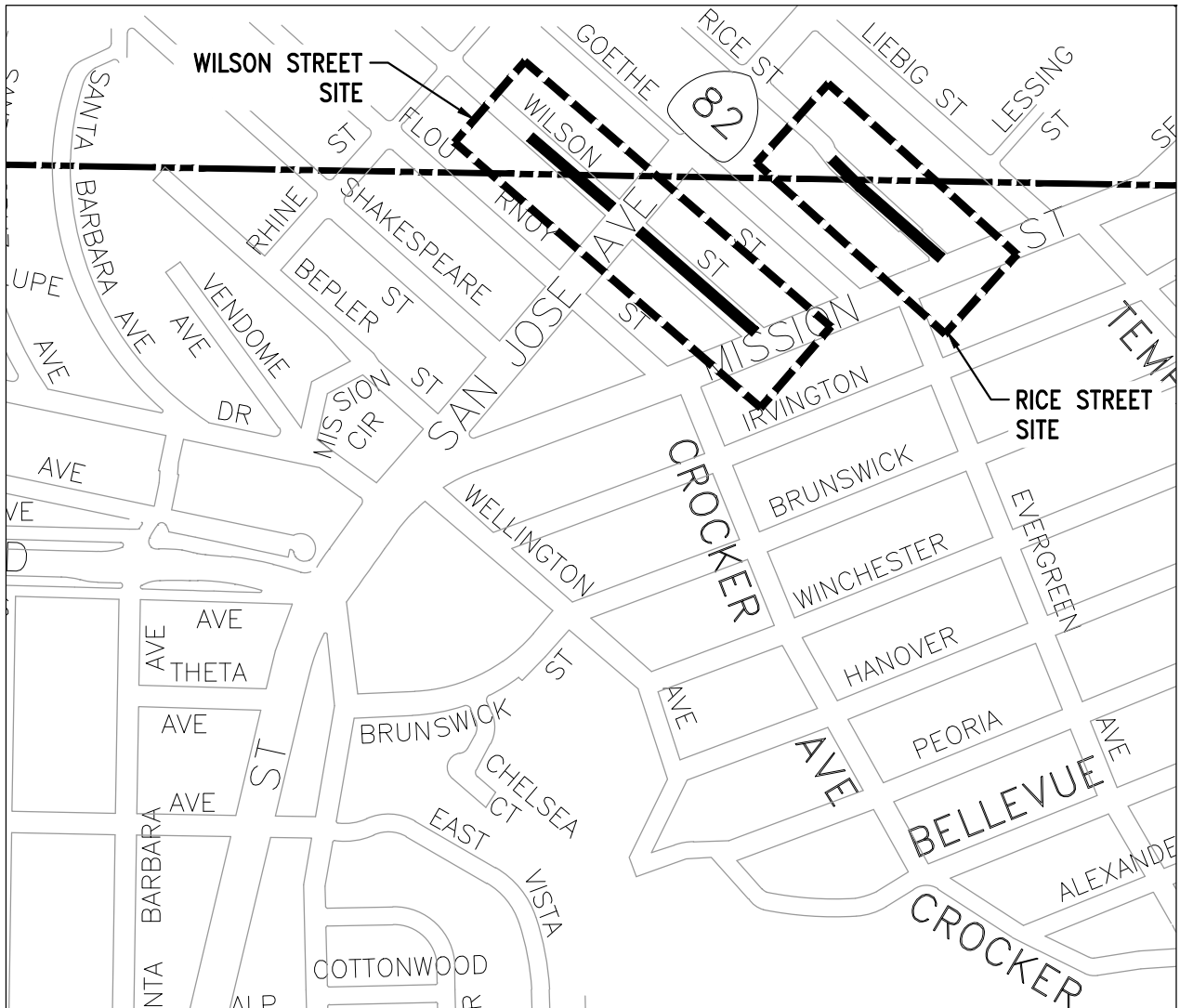
Signature _____

Name (Typed or Printed)
Notary Public in and for said County and State

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT LOCATION MAP

**RICE STREET AND WILSON STREET
WATER MAIN IMPROVEMENTS**



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City Council Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Notice of Completion for Rice Street and Wilson Street Water Main Improvements

Recommended Action

Staff recommends that the City Council accept the improvements completed in compliance with the construction contract for the Rice Street and Wilson Street Water Main Improvements Project. This project was successfully completed on schedule and within the budget approved for the project.

Background

The Rice Street and Wilson Street Water Main Improvements project included the installation of approximately 450 feet of 8-inch ductile iron (DI) water main in Rice Street and approximately 700 feet of 8-inch DI water main in Wilson Street. The existing water services were transferred to the new water mains and the old water mains located within or behind sidewalks on both sides of these streets were abandoned. The project included the replacement and installation of fire hydrants. The fire hydrants were not to have vertical obstructions and required a clearance area of 3-feet horizontally. The existing fence and bush at the property of 21 Rice Street were within the clearance area of the fire hydrant and were removed. The project limits are provided on the attached project location map.

Discussion

Cratus, Inc. of San Francisco, California, has completed all improvements required by the construction contract documents for a total of \$440,435.00 and a balancing change order crediting the City \$56,415.00. The original contract award was \$496,850.00. The difference of \$56,415.00 (approximately 11.35%) below the original contract was due to differences between estimated and actual bid item quantities.

Fiscal Impact

The contract was completed in the total amount of \$440,435.00 with funds available in the Fiscal Year 2015-16 Project Account 41-385-752.

Notice of Completion for Rice Street and Wilson Street Water Main Improvements

Meeting Date: November 28, 2016

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Summary/Conclusion

The contractor's work is now complete and acceptable for City maintenance. Staff recommends that the City Council accept the completed improvements.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Roland Yip
Civil Engineering Associate



Patrick Sweetland
Director of Water and Wastewater Resources

Attachments:

Notice of Completion and Resolution
Project Location Map



City Council Meeting Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Approving Agreement Between the Human Services Agency of San Mateo County and the City of Daly City for a Three-Year Term Starting November 15, 2016 to June 30, 2019

Recommended Action

Staff recommends that the City Council authorize the City Manager to execute a three-year agreement between the Human Services Agency of San Mateo County and the City of Daly City to provide funding in the amount of \$444,419 for the Community Service Center starting November 15, 2016 through June 30, 2019.

Background/ Discussion

The City has maintained an agreement with the Human Service Agency of San Mateo County to help fund the services provided by the Community Service Center, which has existed to serve the community for nearly 40 years. Despite substantial cuts in human services funding at the state level, the County continues to make funding of eight countywide Core Service Agencies a priority. If not for the County's funding, it would be extremely financially challenging to fund the Community Service Center. The contract continues to maintain the same scope of work as past contracts, including crisis intervention and prevention, emergency food, shelter, clothing, transportation, utilities and housing assistance for residents of Daly City, Colma, and Broadmoor (agreement attached).

The City contracts with the Daly City Partnership to manage and operate the Center. The Council will consider a contract with the Partnership at its December 12 meeting.

Fiscal Impact

The contract continues to provide funding for the Community Service Center and reduces the City's General Fund subsidy.

Summary/Conclusion

Staff recommends that the City Council authorize the City Manager to execute a three-year agreement between the Human Services Agency of San Mateo County and the City of Daly City starting November 15, 2016 through June 30, 2019 in the amount of \$444,419.

City Council Agenda Report

Subject: San Mateo County Human Service Agency – Contract to Fund the Community Services Center

Meeting Date: November 28, 2016

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Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Julie Thuy Underwood
Assistant City Manager



Patricia E. Martel
City Manager

Attachments: Agreement Between the County of San Mateo and City of Daly City- Daly City Community Service Center

AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND CITY OF DALY CITY

This Agreement is entered into this _____ day of _____, 20____, by and between the County of San Mateo, a political subdivision of the state of California, hereinafter called "County," and City of Daly City, hereinafter called "Contractor."

* * *

Whereas, pursuant to Section 31000 of the California Government Code, County may contract with independent Contractors for the furnishing of such services to or for County or any Department thereof; and

Whereas, it is necessary and desirable that Contractor be retained for the purpose of providing critical safety net services to vulnerable, low income County residents including emergency food, shelter, clothing, transportation, utilities and housing assistance. The amount of this agreement is \$444,419 for the term of November 15, 2016 through June 30, 2019.

Now, therefore, it is agreed by the parties to this Agreement as follows:

1. Exhibits and Attachments

The following exhibits and attachments are attached to this Agreement and incorporated into this Agreement by this reference:

Exhibit A: Services
Exhibit B: Payments and Rates
Exhibit C: Performance Reporting
Exhibit D: Clarity Human Services System Usage and Data Sharing Agreement for Core Service Agencies and Homeless Service Providers
Attachment I—§ 504 Compliance

2. Services to be performed by Contractor

In consideration of the payments set forth in this Agreement and in Exhibit B, Contractor shall perform services for County in accordance with the terms, conditions, and specifications set forth in this Agreement and in Exhibit A.

3. Payments

In consideration of the services provided by Contractor in accordance with all terms, conditions, and specifications set forth in this Agreement and in Exhibit A, County shall make payment to Contractor based on the rates and in the manner specified in Exhibit B. County reserves the right to withhold payment if County determines that the quantity or quality of the work performed is unacceptable. In no event shall County's total fiscal obligation under this Agreement exceed **FOUR HUNDRED FORTY FOUR THOUSAND FOUR HUNDRED NINETEEN DOLLARS (\$444,419)**. In the event that the County makes any advance payments, Contractor agrees to refund any amounts in excess of the amount owed by the County at the time of contract termination or expiration. Contractor is not entitled to payment for work not performed as required by this agreement.

4. Term

Subject to compliance with all terms and conditions, the term of this Agreement shall be from **November 15, 2016, through June 30, 2019.**

5. Termination

This Agreement may be terminated by Contractor or by the Human Services Agency Director or his/her designee at any time without a requirement of good cause upon thirty (30) days' advance written notice to the other party. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that prorated portion of the full payment determined by comparing the work/services actually completed to the work/services required by the Agreement.

County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon the unavailability of Federal, State, or County funds by providing written notice to Contractor as soon as is reasonably possible after County learns of said unavailability of outside funding.

County may terminate this Agreement for cause. In order to terminate for cause, County must first give Contractor notice of the alleged breach. Contractor shall have five business days after receipt of such notice to respond and a total of ten calendar days after receipt of such notice to cure the alleged breach. If Contractor fails to cure the breach within this period, County may immediately terminate this Agreement without further action. The option available in this paragraph is separate from the ability to terminate without cause with appropriate notice described above. In the event that County provides notice of an alleged breach pursuant to this section, County may, in extreme circumstances, immediately suspend performance of services and payment under this Agreement pending the resolution of the process described in this paragraph. County has sole discretion to determine what constitutes an extreme circumstance for purposes of this paragraph, and County shall use reasonable judgment in making that determination.

6. Contract Materials

At the end of this Agreement, or in the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and other written materials (collectively referred to as "contract materials") prepared by Contractor under this Agreement shall become the property of County and shall be promptly delivered to County. Upon termination, Contractor may make and retain a copy of such contract materials if permitted by law.

7. Relationship of Parties

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of County and that neither Contractor nor its employees acquire any of the rights, privileges, powers, or advantages of County employees.

8. Hold Harmless

a. General Hold Harmless

Contractor shall indemnify and save harmless County and its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description resulting from this Agreement, the performance of any work or services required of Contractor under this Agreement, or payments made pursuant to this Agreement brought for, or on account of, any of the following:

- (A) injuries to or death of any person, including Contractor or its employees/officers/agents;
- (B) damage to any property of any kind whatsoever and to whomsoever belonging;
- (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply, if applicable, with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended; or
- (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County and/or its officers, agents, employees, or servants. However, Contractor's duty to indemnify and save harmless under this Section shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth by this Section shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

9. Assignability and Subcontracting

Contractor shall not assign this Agreement or any portion of it to a third party or subcontract with a third party to provide services required by Contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without County's prior written consent shall give County the right to automatically and immediately terminate this Agreement without penalty or advance notice.

10. Insurance

a. General Requirements

Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this Section has been obtained and such insurance has been approved by County's Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. Contractor shall furnish County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending Contractor's coverage to include the contractual liability assumed by Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to County of any pending change in the limits of liability or of any cancellation or modification of the policy.

b. Workers' Compensation and Employer's Liability Insurance

Contractor shall have in effect during the entire term of this Agreement workers' compensation and employer's liability insurance providing full statutory coverage. In signing this Agreement, Contractor certifies, as required by Section 1861 of the California Labor Code, that (a) it is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and (b) it will comply with such provisions before commencing the performance of work under this Agreement.

c. Liability Insurance

Contractor shall take out and maintain during the term of this Agreement such bodily injury liability and property damage liability insurance as shall protect Contractor and all of its employees/officers/agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from Contractor's operations under this Agreement, whether such operations be by Contractor, any subContractor, anyone directly or indirectly employed by either of them, or an agent of either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall not be less than the amounts specified below:

(a) Comprehensive General Liability...	\$1,000,000
(b) Motor Vehicle Liability Insurance...	\$1,000,000
(c) Professional Liability.....	\$1,000,000

County and its officers, agents, employees, and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that (a) the insurance afforded thereby to County and its officers, agents, employees, and servants shall be primary insurance to the full limits of liability of the policy and (b) if the County or its officers, agents, employees, and servants have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this Section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, County, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work and payment pursuant to this Agreement.

11. Compliance With Laws

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances, and regulations, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Federal Regulations promulgated thereunder, as amended (if applicable), the Business Associate requirements set forth in Attachment H (if attached), the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including but not limited to appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and any applicable State, Federal, County, or municipal law or regulation, the requirements of the applicable law or regulation will take precedence over the requirements set forth in this Agreement.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

12. Non-Discrimination and Other Requirements

a. General Non-discrimination

No person shall be denied any services provided pursuant to this Agreement (except as limited by the scope of services) on the grounds of race, color, national origin, ancestry, age, disability (physical or mental), sex, sexual orientation, gender identity, marital or domestic partner status, religion, political beliefs or affiliation, familial or parental status (including pregnancy), medical condition (cancer-related), military service, or genetic information.

b. Equal Employment Opportunity

Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County upon request.

c. Section 504 of the Rehabilitation Act of 1973

Contractor shall comply with Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual with a disability shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of any services this Agreement. This Section applies only to Contractors who are providing services to members of the public under this Agreement.

d. Compliance with County's Equal Benefits Ordinance

Contractor shall comply with all laws relating to the provision of benefits to its employees and their spouses or domestic partners, including, but not limited to, such laws prohibiting discrimination in the provision of such benefits on the basis that the spouse or domestic partner of the Contractor's employee is of the same or opposite sex as the employee.

e. Discrimination Against Individuals with Disabilities

The nondiscrimination requirements of 41 C.F.R. 60-741.5(a) are incorporated into this Agreement as if fully set forth here, and Contractor and any subContractor shall abide by the requirements of 41 C.F.R. 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability and requires affirmative action by covered prime Contractors and subContractors to employ and advance in employment qualified individuals with disabilities.

f. History of Discrimination

Contractor certifies that no finding of discrimination has been issued in the past 365 days against Contractor by the Equal Employment Opportunity Commission, the California Department of Fair Employment and Housing, or any other investigative entity. If any finding(s) of discrimination have been issued against Contractor within the past 365 days by the Equal Employment Opportunity Commission, the California Department of Fair Employment and Housing, or other investigative entity, Contractor shall provide County with a written explanation of the outcome(s) or remedy for the discrimination prior to execution of this Agreement. Failure to comply with this Section shall constitute a material breach of this Agreement and subjects the Agreement to immediate termination at the sole option of the County.

g. Reporting; Violation of Non-discrimination Provisions

Contractor shall report to the County Manager the filing in any court or with any administrative agency of any complaint or allegation of discrimination on any of the bases prohibited by this Section of the

Agreement or the Section titled "Compliance with Laws". Such duty shall include reporting of the filing of any and all charges with the Equal Employment Opportunity Commission, the California Department of Fair Employment and Housing, or any other entity charged with the investigation or adjudication of allegations covered by this subsection within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include a general description of the circumstances involved and a general description of the kind of discrimination alleged (for example, gender-, sexual orientation-, religion-, or race-based discrimination).

Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to the following:

- i. termination of this Agreement;
- ii. disqualification of the Contractor from being considered for or being awarded a County contract for a period of up to 3 years;
- iii. liquidated damages of \$2,500 per violation; and/or
- iv. imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this Section, the County Manager shall have the authority to offset all or any portion of the amount described in this Section against amounts due to Contractor under this Agreement or any other agreement between Contractor and County.

13. Compliance with County Employee Jury Service Ordinance

Contractor shall comply with Chapter 2.85 of the County's Ordinance Code, which states that Contractor shall have and adhere to a written policy providing that its employees, to the extent they are full-time employees and live in San Mateo County, shall receive from the Contractor, on an annual basis, no fewer than five days of regular pay for jury service in San Mateo County, with jury pay being provided only for each day of actual jury service. The policy may provide that such employees deposit any fees received for such jury service with Contractor or that the Contractor may deduct from an employee's regular pay the fees received for jury service in San Mateo County. By signing this Agreement, Contractor certifies that it has and adheres to a policy consistent with Chapter 2.85. For purposes of this Section, if Contractor has no employees in San Mateo County, it is sufficient for Contractor to provide the following written statement to County: "For purposes of San Mateo County's jury service ordinance, Contractor certifies that it has no full-time employees who live in San Mateo County. To the extent that it hires any such employees during the term of its Agreement with San Mateo County, Contractor shall adopt a policy that complies with Chapter 2.85 of the County's Ordinance Code." The requirements of Chapter 2.85 do not apply if this Agreement's total value listed in the Section titled "Payments", is less than one-hundred thousand dollars (\$100,000), but Contractor acknowledges that Chapter 2.85's requirements will apply if this Agreement is amended such that its total value meets or exceeds that threshold amount.

14. Retention of Records; Right to Monitor and Audit

(a) Contractor shall maintain all required records relating to services provided under this Agreement for three (3) years after County makes final payment and all other pending matters are closed, and Contractor shall be subject to the examination and/or audit by County, a Federal grantor agency, and the State of California.

(b) Contractor shall comply with all program and fiscal reporting requirements set forth by applicable Federal, State, and local agencies and as required by County.

(c) Contractor agrees upon reasonable notice to provide to County, to any Federal or State department having monitoring or review authority, to County's authorized representative, and/or to any of their respective audit agencies access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules, and regulations, to determine compliance with this Agreement, and to evaluate the quality, appropriateness, and timeliness of services performed.

15. Merger Clause; Amendments

This Agreement, including the Exhibits and Attachments attached to this Agreement and incorporated by reference, constitutes the sole Agreement of the parties to this Agreement and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement, or specification set forth in the body of this Agreement conflicts with or is inconsistent with any term, condition, provision, requirement, or specification in any Exhibit and/or Attachment to this Agreement, the provisions of the body of the Agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications or amendments shall be in writing and signed by the parties.

16. Controlling Law; Venue

The validity of this Agreement and of its terms, the rights and duties of the parties under this Agreement, the interpretation of this Agreement, the performance of this Agreement, and any other dispute of any nature arising out of this Agreement shall be governed by the laws of the State of California without regard to its choice of law or conflict of law rules. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

17. Notices

Any notice, request, demand, or other communication required or permitted under this Agreement shall be deemed to be properly given when both: (1) transmitted via facsimile to the telephone number listed below or transmitted via email to the email address listed below; and (2) sent to the physical address listed below by either being deposited in the United States mail, postage prepaid, or deposited for overnight delivery, charges prepaid, with an established overnight courier that provides a tracking number showing confirmation of receipt.

In the case of County, to:

Name/Title: Jessica Silverberg, Manager
Address: 1 Davis Drive
Belmont, CA 94002
Telephone: (650) 802-3378
Facsimile: (650) 631-5771
Email: jsilverberg@smcgov.org

In the case of Contractor, to:

Primary Contact:

Name/Title: Patricia E. Martel, City Manager
Address: 333 90th Street
Daly City, CA 94015
Telephone: (650) 991-8127
Email: pmartel@dalycity.org

Secondary Contact:

Name/Title: Pat Bohm, Executive Director
Address: 350 90th Street
Daly City, CA 94015
Telephone: (650) 991-8007
Email: pat@dcpartnership.org

18. Electronic Signature

Both County and Contractor wish to permit this Agreement and future documents relating to this Agreement to be digitally signed in accordance with California law and County's Electronic Signature Administrative Memo. Any party to this Agreement may revoke such agreement to permit electronic signatures at any time in relation to all future documents by providing notice pursuant to this Agreement.

19. Payment of Permits/Licenses

Contractor bears responsibility to obtain any license, permit, or approval required from any agency for work/services to be performed under this Agreement at Contractor's own expense prior to commencement of said work/services. Failure to do so will result in forfeit of any right to compensation under this Agreement.

* * *

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: DALY CITY COMMUNITY SERVICE CENTER

Contractor Signature

Date

Contractor Name (please print)

For County:

Purchasing Agent Signature
(Department Head or
Authorized Designee)
County of San Mateo

Date

Iliana Rodriguez

Purchasing Agent Name (please
print)
(Department Head or **Authorized**
Designee)
County of San Mateo

Director, Human Services Agency

Purchasing Agent or **Authorized**
Designee
Job Title (please print)
County of San Mateo

Exhibit A Services

Program/Project Description November 15, 2016 – June 30, 2019

City of Daly City – Daly City Community Service Center

- 1. Clients to be Served:** Low-income County residents who need assistance meeting basic human needs (safety net services) relating to housing, food, shelter, clothing, financial support, energy assistance, advocacy, case management, counseling, and follow-up.

Contractor's primary service area is Daly City, Colma and Broadmoor.

Contractor will provide emergency services to any County resident who is homeless and is seeking services, whether or not the homeless individual was staying within the primary service area. Contractor may continue to serve any homeless person should transportation to another Core Service Agency prove difficult for them.

In addition, if a County resident from an area outside of the primary service area of that Core Service Agency seeks services, Contractor will provide one-time services to meet any immediate needs and will then refer the resident to the Core Service Agency that serves his/her home area.

- 2. Client Services:** Contractor will perform an assessment and determine the needs of the clients in the following areas.

Public Benefits

Provide information to residents about public benefits. Refer residents to appropriate public agencies to obtain these benefits and provide assistance with the completion of applications and other forms, whether by phone, on-line or paper, to begin receiving these benefits. This includes, but is not limited to, CalFresh, CalWORKs, General Assistance, health coverage programs, such as Covered California, ACE, and Medi-Cal, and Cash Assistance Program for Immigrants (CAPI) and Women, infants and Children (WIC) benefits.

Refer clients who may be eligible for public benefits to HSA. Offer information regarding how to access benefits and offer opportunities to apply.

For clients who are veterans, refer to County Veterans Service Office for any questions or needs related to veterans' benefits.

Coordinated Entry/ Shelter

Complete assessments of individuals/households seeking shelter. When shelter is needed, Contractor will refer to shelter services following the

shelter assessment and referral process as established by HSA, including following the Coordinated Entry System to be established by HSA.

Complete referrals for additional homeless services.

Housing

Refer and provide information on affordable housing options. This includes but is not limited to Department of Housing website, SMCHousingSearch.org, Moving-To-Work application online, HIP Housing, MidPen Housing.

For veterans who are homeless, also refer to SSVF and VASH program.

Food

Maintain a supply of non-perishable food on site that can be distributed to clients with immediate food needs. If space limits do not allow food to be kept onsite, Contractor will have a referral list of immediate food access points for clients with an immediate need.

Utilize Second Harvest and/or other resources to obtain food.

Assist clients with applying for and accessing food via Second Harvest and other community food programs. When possible, include access to fresh produce.

Financial Assistance

Provide rent assistance, mortgage assistance, security deposits, utilities assistance, car repair, and other emergency financial needs using all available funding sources such as Measure A Homeless Prevention Assistance Program, Season of Sharing, Community Services Block Grant (CSBG), Housing Industry Fund (HIF), and other available funding, following the guidelines and eligibility criteria established for each funding source.

Refer clients to utility assistance programs and liaise with the appropriate entities such as Central Coast Energy Services to submit the application and assist clients with completing the application process.

Material Goods

Assist clients with accessing resources for clothing, diapers, and other emergency material needs.

Transportation

Provide referrals to transportation programs, including Redi-Wheels.

Arrange for emergency transportation and assistance with the cost of fares.

Participate in the Lifeline Transportation Program for taxi vouchers, bus passes, and bus tickets, when available.

Tax Credits

Assist tax filing and access to tax credits via referral.

Promote tax preparation services to clients/the community to encourage access to tax credit programs.

Inclement Weather

Participate in the Inclement Weather Program.

Outreach

Attend community meetings regarding safety net services and provide information to community members regarding how to access safety net and homeless services.

Information & Referral

Provide information and referrals to meet the needs of clients, including the services above, as well as adult education, employment, physical and behavioral health needs, and other needs.

- 3. Effects of Service:** Services will allow county residents in crisis to stabilize their situation over the short-term and to receive assistance in working towards long-term solutions to emergency situations.

4. Additional Contractor Responsibilities

Data Quality

Contractor will enter accurate data into the Clarity System in a timely manner about all the clients to whom they provide safety net services as described in Exhibit D, Clarity Human Services System, Usage and Data Sharing Agreement for Core Service Agencies and Homeless Service Providers.

Contractor will train staff on data entry and Core Service Agency policies and procedures. Contractor will review their data regularly and ensure that the data reflects the work of the agency.

Public Benefits

Maintain staff knowledge of key public benefits that include but are not limited to CalFresh, CalWORKs, General Assistance, health coverage programs (Covered California, ACE, Medi-Cal, etc.), Cash Assistance Program for Immigrants (CAPI), and Women Infants and Children (WIC) to assist with identifying potentially eligible individuals.

Organizational

Policies and Procedures

Contractor will maintain written policies regarding the client grievance process; health and safety including fire and earthquake safety and evacuation; sanitary handling and safe storage of food; client rights; child abuse reporting; and client confidentiality.

Collaboration

Contractor will participate in the Homeless System Redesign and other County initiatives regarding safety net and homeless services planning.

Contractor will participate in County provider meetings for safety net and homeless services providers.

Contractor will participate in Point In Time/One Day Homeless Count and Survey.

Contractor will participate in Homeless Outreach Team (HOT) multi-disciplinary meetings and work collaboratively with HOT staff to provide any documentation available that helps establish eligibility for vouchers for homeless Core clients.

211 & SMC-Connect

Contractor will maintain current agency information in 211 and SMC-Connect.

Web Site

Contractor will have a minimum of one web page that provides basic information about location, contact information, services, hours of operation and other helpful safety net resources that can be accessed in the event the agency is closed, such as the contact information for St. Vincent de Paul, 211 and SMC-Connect.

Hours of Operation and Coverage

Contractor will provide the County a schedule of operations that includes hours of service for each weekday. For any weekday hours between 9:00 am - 4:00 pm that the Contractor is not open for services, the schedule will include the Contractor's plan for coverage for immediate needs (shelter/inclement weather requests, food requests) for community members who call or go to the Contractor's office seeking assistance during those hours. The plan will also include coverage for immediate needs during any additional time that the Contractor will not be open for services (i.e. staff training, holidays observed by the Contractor that are not County holidays). If the Contractor's hours of operations change, Contractor will provide the County with an updated schedule of operations and coverage within 5 business days.

Staff Changes

Contractor will notify HSA of changes in staff who provide Core services.

For staff who have a Clarity log in and who are leaving the agency, going out on a leave, or changing roles to another part of the agency, the Contractor will notify HSA immediately upon the staff's departure. For planned departures, the Contractor will notify HSA at least a week in advance so that the Clarity log on can be deactivated on the departure date.

Service Integration

Contractor will coordinate training to ensure that its staff is knowledgeable and up to date on the services provided by HSA and other community agencies.

Exhibit B

Payments and Rates November 15, 2016- June 30, 2019

City of Daly City – Daly City Community Service Center

In consideration of the services provided by Contractor as shown in Exhibit A and subject to the terms of the Agreement, the County shall pay Contractor based on the following payment schedule and terms.

A. General Payment Terms

1. Invoicing

Invoices will include line item accounting for quarterly expenses. Invoices will not be paid that do not include this detail.

2. Quality of Work and Performance

County reserves the right to withhold payment if County determines that the quantity or quality of the work performed is unacceptable. If County should find that the quantity or quality of work is unacceptable, County shall notify Contractor in writing with a detailed statement of what needs to be resolved. Contractor shall respond to County within 15 days of receipt of statement with a corrective action plan unless otherwise notified of a different timeline by County. Corrective action plans must be accepted by the County in writing. Contractor is not entitled to payment for services that are not rendered under this agreement.

3. Right of County to Adjust Funding

County shall have the option to adjust funding across quarters and fiscal years to meet program service goals as long as it does not exceed the total contract obligation.

4. Right of County to Request Additional Services

County may request a change to the scope of services to meet its program goals. County may adjust payment terms for the programs described within this Agreement to accommodate the change to the scope of services as agreed upon by the parties as long as it does not exceed the total agreement obligation and is not otherwise restricted by any grant or specific funding agreements.

B. Reporting

- **Reports are a requirement of this Agreement. Delays in submitting complete reports will delay payments of any outstanding invoices to Contractor.**

- Quarterly performance reporting details are located in Exhibit C, Performance Reporting.
- An annual line item budget and an indirect cost methodology will be provided by Contractor to HSA showing the planned usage of this contract's funding.
- Contractor will provide HSA with annual audited financial statements in accordance with generally accepted government auditing standards annually within nine months after the fiscal year end.
- Contractor will submit semi-annually a schedule of County grant programs showing award name, award amount, award date, expenditures life-to-date, amounts received life-to-date.
- In order to ensure long-term financial planning and sustainability, Contractor will provide a written financial flexibility plan that describes the risk of losing any revenue source and details the actions Contractor will take if a revenue source is lost.

C. Payment and Reporting Schedule

Contractor shall invoice County quarterly based on the payment schedule tables for each fiscal year. Itemized invoices will include a detailed accounting of expenses and funding use. Expenses must be in accordance with services outlined in this agreement or expenses may be disallowed. Reporting requirements from Exhibit C are included in the invoice and reporting schedule below. County shall pay Contractor upon receipt and approval of invoices and all required reporting.

Payment and Reporting Schedule for FY16-17

Table B1

Fiscal Year	FY16-17		
	2 nd Quarter	3 rd Quarter	4 th Quarter
Term	November 15, 2016 through December 31, 2016	January 1, 2017 through March 31, 2017	April 1, 2017 through June 30, 2017
Amount	\$40,401	\$40,402	\$40,402
Detailed Expense Invoice Due	January 20, 2017	April 20, 2017	June 26, 2017
Reporting Due	January 20, 2017 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report ▶ FY16-17 Line Item Budget	April 20, 2017 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Annual Audited Financial Statement ▶ County Grant Awards Report	July 20, 2017 A. FY Annual Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report ▶ Financial Flexibility Plan
		FY16-17 Total	\$121,205

Payment and Reporting Schedule for FY17-18

Table B2

Fiscal Year	FY17-18			
	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Term	July 1, 2017 through September 30, 2017	October 1, 2017 through December 31, 2017	January 1, 2018 through March 31, 2018	April 1, 2018 through June 30, 2018
Amount	\$40,401	\$40,402	\$40,402	\$40,402
Invoice Due	October 20, 2017	January 20, 2018	April 20, 2018	June 25, 2018
Reporting Due	October 20, 2017 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ FY17-18 Line Item Budget ▶ County Grant Awards Report	January 20, 2018 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report	April 20, 2018 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Annual Audited Financial Statement ▶ County Grant Awards Report	July 20, 2018 A. FY Annual Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report
			FY17-18 Total	\$161,607

Payment and Reporting Schedule for FY18-19

Table B3

Fiscal Year	FY18-19			
	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Term	July 1, 2018 through September 30, 2018	October 1, 2018 through December 31, 2018	January 1, 2019 through March 31, 2019	April 1, 2019 through June 30, 2019
Amount	\$40,401	\$40,402	\$40,402	\$40,402
Invoice Due	October 20, 2018	January 20, 2019	April 20, 2019	June 24, 2019
Reporting Due	October 20, 2018 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ FY18-19 Line Item Budget ▶ County Grant Awards Report	January 20, 2019 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report	April 20, 2019 A. Quarterly Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Annual Audited Financial Statement ▶ County Grant Awards Report	July 20, 2019 A. FY Annual Reporting: ▶ Narrative ▶ Numbers Served ▶ Performance Measures Results B. Additional Reporting: ▶ Customer/Client Satisfaction Report
			FY18-19 Total	\$161,607

D. Total Agreement Obligation

Payments to Contractor for the term of November 15, 2016 through June 30, 2019 including services, taxes and fees shall not exceed \$444,419.

E. Submission of Invoices and Reports

All invoices and reports shall be submitted by email to Beth Falls at bfalls@smcgov.org

Contractor shall submit invoices and reporting for approval as indicated in the "Payment and Reporting Schedule" sections of Exhibit B.

Exhibit C

Performance Reporting
November 15, 2016- June 30, 2019

City of Daly City – Daly City Community Service Center

Quarterly reporting is a requirement of payment. Delays in submission of reports will delay payments of invoices to Contractor. Quarterly reporting must include the following:

- Client services delivered (Clarity Performance Measurement Report).
- Narrative describing highlights and challenges.
- Detailed expense invoice.
- Brief report of any additional funding sources/revenue the agency has secured as well as any decrease in revenue.
- Results for each of the measures listed in the Performance Reporting section below will be submitted quarterly.
- Customer satisfaction will be reported on a semi-annual basis in the 2nd and 4th quarter reports.

A. Number of Clients Served – by Households and Individuals

Number of clients/participants served each fiscal year. The Core Clarity System will be the system of record for these targets.

	Households	Individuals
Number of Households & Individuals Who Receive Core Service Agency Safety Net Services	600	1200
*Additional Households & Individuals Who Will Receive Core Service Agency Services Based on General Fund Offset Funds	100	200
Total	700	1400

*General Fund Offset funds are variable each fiscal year and will be determined by the Department of Housing.

B. Performance Reporting

County shall have the option to modify performance measures, goals and targets by written notice. County shall notify Contractor in advance of any modifications.

Measure	FY 16-17 Target	FY 17-18 Target	FY 18-19 Target
Percent of individuals who request and receive food. (Of all individuals who request food, what percentage receive food, food program enrollment, or referral for food.)	99%	99%	99%
Data Quality • City • Zip	Less than 10% missing/other	Less than 7% missing/other	Less than 7% missing/other
**Overall customer/client satisfaction. Percent of customer survey respondents rating services as good or better.	80%	80%	80%
***For clients who receive financial assistance, percent of those contacted who remain housed six months after assistance.	80%	80%	80%

**The customer service measure will be reported on a semi-annual basis in the 2nd and fourth quarters. Methodology and structure of survey is of Contractor design.

***The survey of clients/participants who remain housed after six months will be reported on a quarterly basis.

Quarterly reporting is due by the 20th day following the last day of the quarter.

A year-end report will be submitted to include information of services provided throughout the fiscal year. The year-end report is due July 20 and will be considered the 4th quarter report.

Contractor will agree to and participate in Site Review/Contract Compliance Visits with HSA designated staff. Visits will occur at least once per year, with increased frequency if areas for improvement arise.

County may request additional data from Contractor and/or retrieve reports from Clarity to understand client requests and services being provided.

All reports shall be submitted by email to Beth Falls at bfalls@smcgov.org

Exhibit D
Clarity Human Services System
Usage and Data Sharing Agreement for Core Service Agencies and
Homeless Service Providers
October 2016 version

In 2014, Core Service Agencies and homeless service providers migrated to the secure, private and confidential Clarity Human Services system network by BitFocus (“Clarity”). This migration to Clarity allows for data sharing across providers.

Commitment to Data Entry

The Core Service Agencies and homeless service providers agree to timely enter into Clarity’s secure system accurate data about the clients to whom they provide safety net services and homeless services pursuant to their contracts with the County of San Mateo (“County”). Timely entry of this data is crucial to the Core Service Agencies and homeless service providers’ ability to refer clients to other providers, report accurate performance measures and to capture data on community need.

If any provider experiences difficulty in timely entry of data into Clarity, they will notify HSA of the delay, seek technical assistance if necessary and provide a plan within one week to bring the data entry current as soon as possible.

Confidentiality of Client Data

Core Service Agencies and homeless service providers will establish appropriate administrative, technical, and physical safeguards to protect the confidentiality of the data and to prevent unauthorized use or access to it.

The data in Clarity shall not be disclosed to anyone or any entity except in connection with the administration of the safety net and homeless service programs, as necessary to achieve the provision of homeless and safety net services, or for the analysis of the data to show performance measurements, including that of contract compliance.

The data may be reviewed by San Mateo County personnel on a need to know basis to check performance measurements, community trends, client services, and for the purpose of monitoring contract compliance. Summary results (e.g., non-identifying information such as general statistical data, caseload provide data, funding and expenditure information) is non-confidential may be shared upon request. Data that contains identifying information will be accessible and shared on a need-to-know basis only, and only to the extent permitted by applicable law.

Core Service Agencies and homeless service providers acknowledge that these confidential data are proprietary to the County and agree to comply with all applicable State and Federal confidentiality laws and regulations.

To authorize the parties to this Agreement to share individually identifiable client information, clients who are entered into the system must sign a Client Consent for Clarity System Data Collection and Release of Information form that will be kept with their records in Clarity and/or in their paper file. The release informs the client that partner agencies in San Mateo County will have access on a need-to-know basis to their records in the secure system. If a client refuses to sign a release, services will not be denied and the client will be entered into Clarity as a private client.

Agencies Entering and Accessing Data in Clarity

CORE SERVICE AGENCIES	HOMELESS SERVICE PROVIDERS
• Coastside Hope • Daly City Community Services Center • Fair Oaks Community Center • Puente de la Costa Sur • Tides/Pacifica Resource Center • Samaritan House • El Concilio of San Mateo County • YMCA Community Resource Center	• Abode Services • StarVista • San Mateo County Human Services Agency • Housing Authority of the County Of San Mateo • San Mateo County Department of Housing • San Mateo County Health System, Behavioral Health And Recovery Services • Mateo Lodge • Home and Hope • LifeMoves (formerly known as InnVision Shelter Network) • Mental Health Association of San Mateo County • Next Step Center, Veterans Resource Center of America • Project WeHOPE • Samaritan House • Service League Of San Mateo County

Efforts are made to keep this list current, however there may be Core Service Agencies and/or homeless service providers that begin to participate in the data system in the future.

Licensing

Only agency staff who provide safety net or homeless services shall be granted access to Clarity. When an agency is requesting a Clarity license for a new staff, the agency director or manager will review with the staff the confidentiality and security rules regarding Clarity and will send the completed, signed Clarity oath of confidentiality form to HSA to request a new account.

ACCESS TO THE CLARITY SYSTEM AFTER EMPLOYEMENT ENDS IS PROHIBITED. If an authorized user separates from employment with a Core Service Agency or homeless service provider, notification must be made as soon as possible to the HSA Service Desk in advance of the employee leaving. The request will provide a license termination date.

If any license goes unused for more than 90 days, that license may be deactivated. The agency holding the license will be notified prior to deactivation of the license and the agency will have 5 business days

to respond with a request if the license is to be continued.

System Configuration Change Requests

All agencies Change Requests (CR) will be evaluated by HSA. For the cost of all Change Requests (CRs) unique to one or a group of agencies and for non-Core or non-HMIS standard programs, payment shall be made by the requesting agency(ies).

User Support

If a Core Service Agency or homeless service provider experiences any technical difficulty with the system, a service request must be sent to the Human Services Agency, Business Systems Group at hsa_servicedesk@smcgov.org or (650) 802-7573.

Contractor/Service Provider Agreement

The Core Service Agencies and homeless service providers agree to train their staff and to establish internal processes and procedures to ensure all staff and volunteers safeguard clients' confidentiality and privacy and enter accurate, complete data. It is understood that accessing Clarity's secure, private and confidential network is for the sole purpose of serving clients. All authorized individuals accessing the Clarity network of Core Service Agencies and homeless service providers must have a legitimate business reason when searching and accessing information. All activity is logged and participating agencies understand and agree that this audit trail can be viewed at any time by authorized County personnel.

ATTACHMENT I

Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973, as Amended

The undersigned (hereinafter called "Contractor(s)") hereby agrees that it will comply with Section 504 of the Rehabilitation Act of 1973, as amended, all requirements imposed by the applicable DHHS regulation, and all guidelines and interpretations issued pursuant thereto.

The Contractor(s) gives/give this assurance in consideration of for the purpose of obtaining contracts after the date of this assurance. The Contractor(s) recognizes/recognize and agrees/agree that contracts will be extended in reliance on the representations and agreements made in this assurance. This assurance is binding on the Contractor(s), its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Contractor(s).

The Contractor(s): (Check a or b)

- ☐ a. Employs fewer than 15 persons.
- ☐ b. Employs 15 or more persons and, pursuant to section 84.7 (a) of the regulation (45 C.F.R. 84.7 (a), has designated the following person(s) to coordinate its efforts to comply with the DHHS regulation.

Name of 504 Person:

Name of Contractor(s):

Street Address or P.O. Box:

City, State, Zip Code:

I certify that the above information is complete and correct to the best of my knowledge

Signature:

Title of Authorized Official:

Date:

*Exception: DHHS regulations state that: "If a recipient with fewer than 15 employees finds that, after consultation with a disabled person seeking its services, there is no method of complying with (the facility accessibility regulations) other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the handicapped person to other providers of those services that are accessible."



City Council Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Notice of Completion for 2016-17 Westlake Slurry Seal Project

Recommended Action

Staff recommends that the City Council accept the improvements completed in compliance with the construction contract for the 2016-17 Westlake Slurry Seal Project.

Background

Since 1998, Daly City Public Works has undertaken a comprehensive street pavement preventative maintenance program. The “cornerstone” of this program is an annual Street Slurry Seal Project as the single most cost effective means to preserve a pavement’s condition and thereby reduce long term pavement operations and maintenance cost. Street slurry sealing and cape sealing replaces fine aggregate stripped from the pavement surface, reduces water penetration in the roadway base and thereby reduces base failures and the resultant damage that is more costly to repair. Streets selected to be surface sealed are based on several factors including the City’s Seven-Year Master Plan, the City’s computer based pavement management system recommendations, visual observation of the streets by Public Works staff and other adjacent or associated work such as utility repairs and bike lane installations.

The construction bid documents included slurry sealing approximately 13.5 miles of City streets in the Westlake neighborhood and crack sealing John Daly Boulevard from the I-280 overpass to Skyline Boulevard.

Discussion

Graham Contractors Inc. of San Jose, California has completed all improvements required by the construction contract documents for a total amount of \$913,167.64. The original contract award was for \$905,363.69. The cost difference of 0.9% between the final and original contract award was the differences between estimated bid quantities and actual quantities.

Fiscal Impact

The contract was completed in the total amount of \$913,167.64 with funds available in the Capital Improvement Project account 17-312-621.

Summary/Conclusion

The contractor’s work is now complete and acceptable for City maintenance. Staff recommends that the City Council accept the completed improvements for the City’s maintenance and use.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Notice of Completion for the 2016-17 Westlake Slurry Seal Project

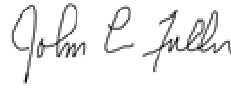
Meeting Date: November 28, 2016

Page 2 of 2

Respectfully submitted,



Ryan Brunmeier
Engineer I

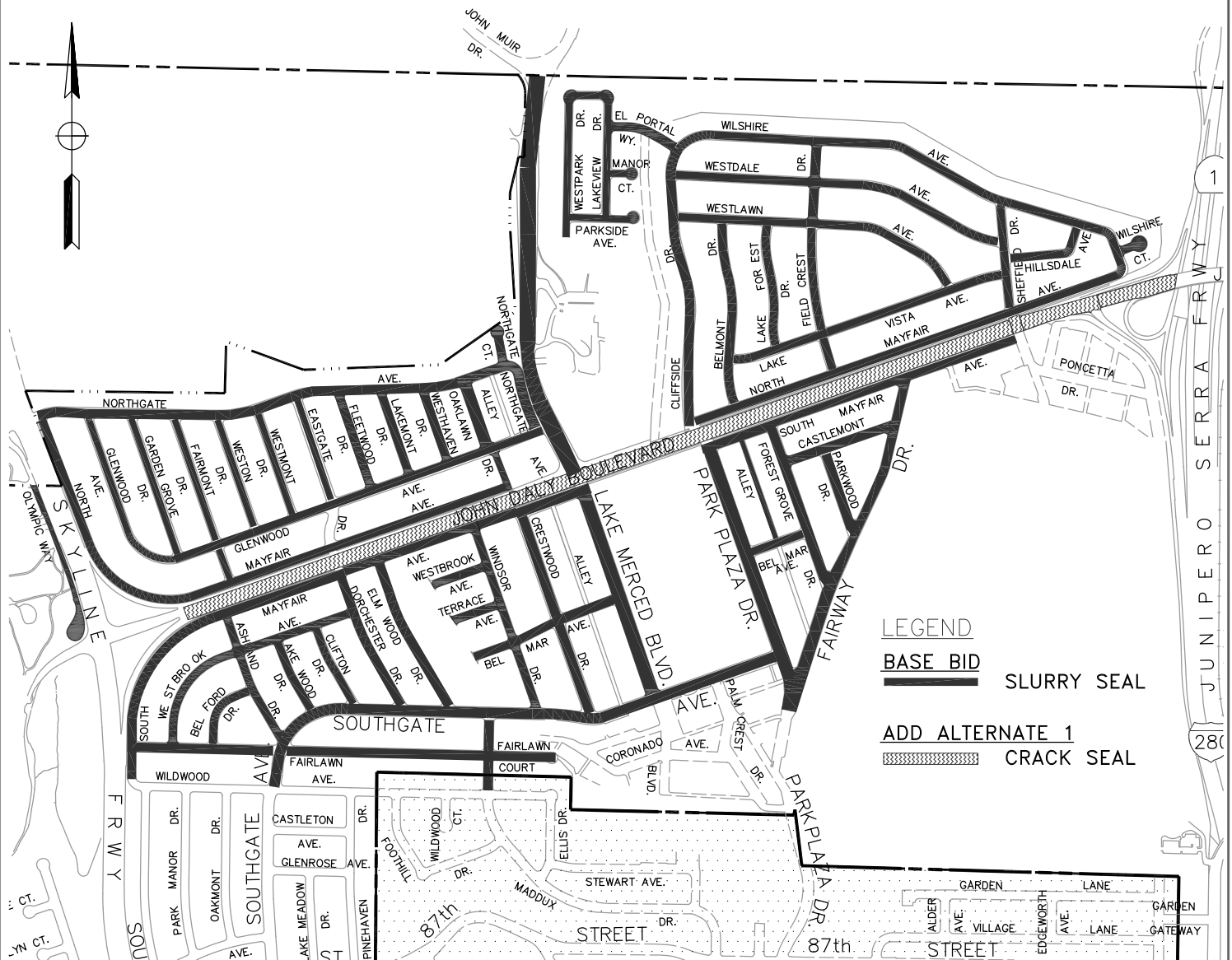


John L. Fuller
Director of Public Works

Attachments: Location Map
Notice of Completion and Resolution

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

2016-17 WESTLAKE SLURRY SEAL



RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

OFFICE OF THE CITY CLERK
CITY OF DALY CITY
333 - 90th Street
Daly City, California 94015

Notice of Completion

NOTICE IS HEREBY GIVEN as follows:

1. The date of completion of the work of improvement is: November 28, 2016
2. The owner of the work of improvements is: City of Daly City, a Municipal Corporation.
3. The address of the owner of the work of improvement is: City Hall
333 - 90th Street
Daly City, California 94015
4. The nature of the owner's interest or estate is: In fee.
5. The work of improvement is located in Daly City, California, and is particularly described as follows:

2016-17 WESTLAKE SLURRY SEAL

The name of the original contractor for the work of improvement is:

Graham Contractors, Inc.
860 Lonus Street
San Jose, CA 95126

Dated: _____

The undersigned, being duly sworn, says: That he is the owner of the aforesaid interest or estate in the property described in the foregoing notice; that he has read the same, and knows the contents thereof, and that the facts stated therein are true.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CITY OF DALY CITY, OWNER

John L. Fuller, Public Works Director

STATE OF CALIFORNIA,

COUNTY OF _____ } ss.

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, ____ 20____,

by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

Name (Typed or Printed)
Notary Public in and for said County and State

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ACCEPTING
COMPLETION OF CERTAIN PROJECT IN THE
DEPARTMENT OF PUBLIC WORKS

(2016-17 WESTLAKE SLURRY SEAL)

A. The Project Manager has advised that the project set forth hereinafter has been completed in accordance with the terms of the contract with the City of Daly City and Graham Contractors, Inc., a California Corporation.

B. The City Council of the City of Daly City desires to acknowledge the completion of such project so that notice of completion may be given.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that pursuant to the above, the City of Daly City does hereby accept as complete the following described project:

2016-17 WESTLAKE SLURRY SEAL

BE IT FURTHER RESOLVED by the City Council of the City of Daly City that said project be, and it is hereby accepted as complete, and at the expiration of thirty-five (35) days from this date, final payment in connection with this project be, and it is hereby authorized, provided that all statutory liens, claims and withholds are satisfied pursuant to law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a special meeting thereof held on the _____ day of _____, 20____, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



City Council Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Professional Services Agreement for Design Services for Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation

Recommended Action

Authorize the transfer of prior year project savings to the current year project and authorize City Manager to execute an agreement with NCE of Richmond, California, to provide design services for the Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation project.

Background

The Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation includes base failure repair, asphalt concrete (AC) overlay, and reconstruction of approximately 0.36 centerline miles of City streets as shown on the attached location map. The streets to be rehabilitated were selected by a comprehensive evaluation through the City's Pavement Management Program, recommendations from the Street Maintenance Division, fund availability, and coordination with other planned projects of the City and utility companies to avoid excavation in newly rehabilitated streets. Concrete sidewalk curb ramps at street intersections will be constructed in compliance with the American's with Disabilities Act (ADA) prior to street rehabilitation.

Discussion

The scope of work with NCE under this professional services agreement includes the following:

- Coordinate with utility agencies to help avoid potential construction delays and unnecessary disruptions to public services.
- Perform a pavement condition survey of each street section based on visual assessment of pavement conditions and deflection testing.
- Collect pavement section core samples on streets.
- Perform pavement analysis and design services, and develop pavement rehabilitation recommendations for each street section.
- Develop design plans, specifications, and construction cost estimates (PS&E).
- Bid and construction support.

Staff advertised a Request for Proposal (RFQ) for General Engineering Services on April 4, 2016. Twenty-seven firms submitted proposals by the due date on May 6, 2016. The City established a selection committee to review and evaluate the proposals based on the evaluation criteria listed in the RFQ. NCE was one of the firms that had the experience and qualifications that most closely met the needs of the project.

Fiscal Impact

The professional services agreement provides for a not-to-exceed fee of \$95,000. This amount includes utility coordination, deflection testing, asphalt coring, design services.

Once approved project savings of approximately \$152,500 from the 2015-16 Street Resurfacing Project Account (17-312-617) will be transferred to the Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation Project Account (17-312-659). The prior project savings will be used to finance the design services of \$95,000 and partially fund construction of the current project.

Summary/Conclusion

Staff recommends that the City Council authorize the transfer of prior year project savings to the current year project and authorize the City Manager to execute an agreement for professional services with NCE of Richmond, California, to provide design services for the Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation Improvements project.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Roland Yip
Civil Engineering Associate

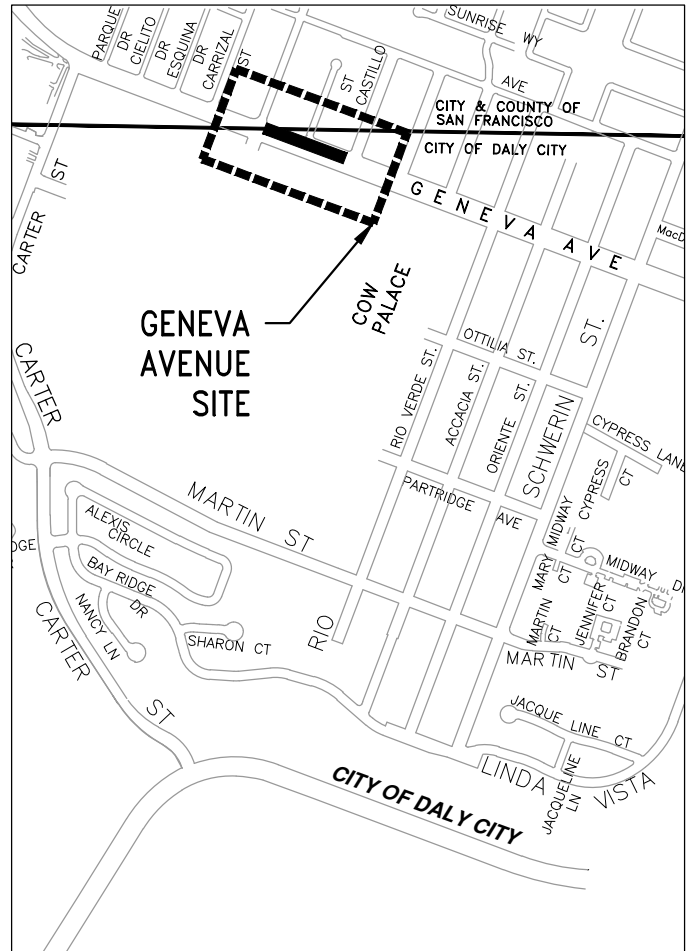
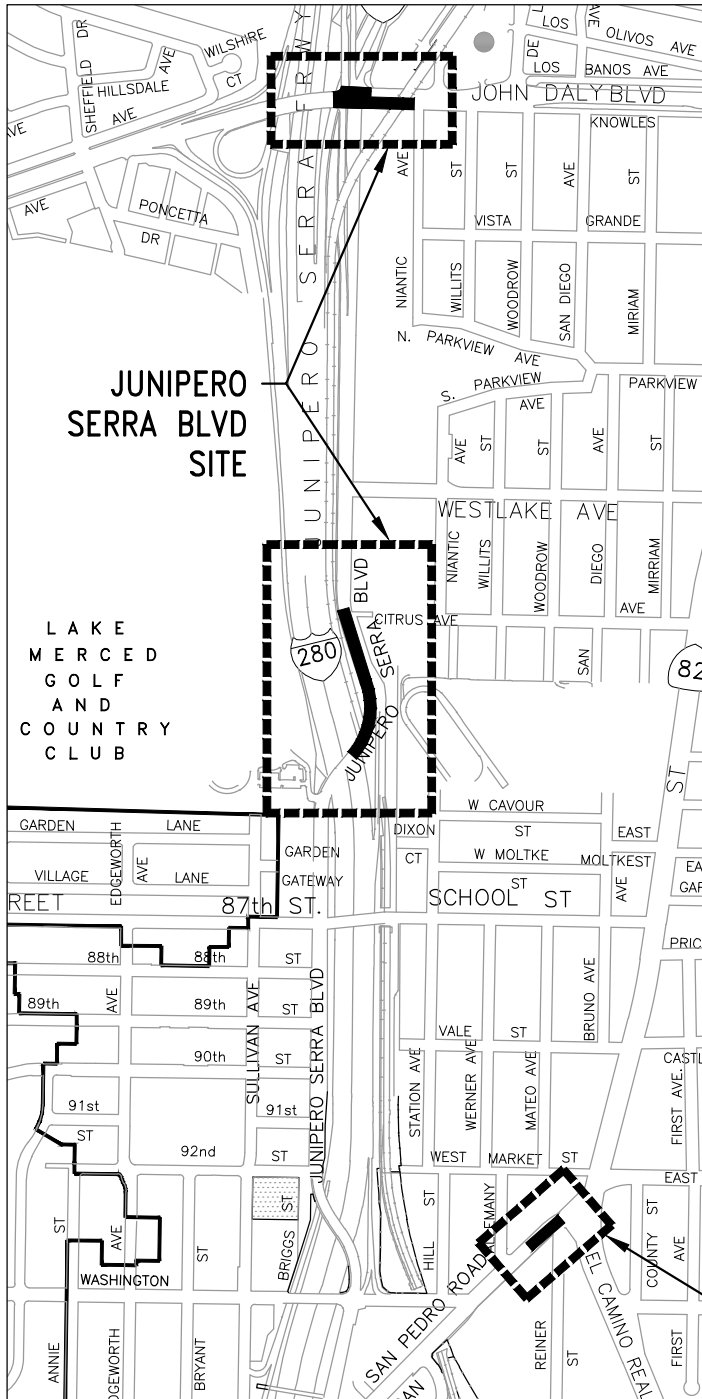


John L. Fuller
Director of Public Works

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT LOCATION MAP

**JUNIPERO SERRA BOULEVARD, GENEVA AVENUE, SAN PEDRO ROAD,
AND PAVEMENT REHABILITATION IMPROVEMENTS**



SAN PEDRO
ROAD SITE



0 500 1000

City of Daly City
Budget Transfer/ Adjustment

Department/Division: Public Works/Engineering Date: 11/22/16

Month/Fiscal year: November 16-17

Explanation/Justification:

Transfer funds from Street Resurfacing (17-312-617) to fund the Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation project (17-312-659).

Approvals:

Venus Young, Office Assistant III

Roland Yip, Civil Engineering Associate

Richard Chiu Jr., P.E., Assistant Director of
Public Works / City Engineer

Lawrence Chiu, Director of Finance and
Administrative Services

John L. Fuller, Director of Public Works

City Manager / City Council

City of Daly City Budget Transfer/Adjustment

Finance Only:

<u>Account Number</u>	<u>Account Name</u>	<u>Program/ Project Name</u>	<u>Amount</u>	<u>Budget Balance</u>	
				<u>Before</u>	<u>After</u>
Use of Funds					
17 - 312 - 659 - 4534	CONTRACTURAL SERVICES DESIGN	JSB/GEN/SAN PEDRO PAV REHAB	\$ 95,000.00	\$	\$
17 - 312 - 659 - 4536	CONTRATURAL SERVICES CONTR	JSB/GEN/SAN PEDRO PAV REHAB	57,550.55	\$	\$
		Total Use of Funds	\$ 152,550.55	\$	\$
Source of Funds:					
Reduced Expenditures					
17 - 312 - 617 - 4230	Office Expense	Street Resurfacing	\$ 722.07	\$	\$
17 - 312 - 617 - 4504	Engineering Services	Street Resurfacing	1,585.00		
17 - 312 - 617 - 4509	Streets Construction	Street Resurfacing	11,251.61		
	In-House Srv Charges				
17 - 312 - 617 - 4516	Design	Street Resurfacing	36,020.32		
	Construction Inspection				
17 - 312 - 617 - 4528	Svc	Street Resurfacing	2,971.55		
17 - 312 - 617 - 4603	Contingencies	Street Resurfacing	100,000.00		
New Revenues/Fund Balance					
- - - -			\$	\$	\$
- - - -					
- - - -					
- - - -					
		Total Source of Funds	\$ 152,550.55	\$	\$
For Capital Projects Only - Transfer of Funding Between Projects					
<u>From Account Number</u>	<u>Name/Type Code</u>	<u>Amount</u>	<u>To Account Number</u>	<u>Name/Type Code</u>	<u>\$ Amount</u>
- - - -	/	\$	- - - -	/	
- - - -	/	\$	- - - -	/	
- - - -	/	\$	- - - -	/	
- - - -	/	\$	- - - -	/	
	Total	\$		Total	\$

Finance Only:

Verified By/Date _____ Entered By/Date _____ Audited By/Date _____ Document No. _____



City Council Meeting Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-011898, and Design Review DR-1-16-011899 — Mixed-Use Building at 493 Eastmoor Avenue

Recommended Action

Approve the Subdivision, Use Permit, and Design Review, subject to the Findings and Conditions as outlined herein.

Planning Commission Discussion

On November 1, 2016, the Planning Commission voted 3-2 to recommend that the City Council approve Major Subdivision 10-12-12396, Use Permit UPR-1-16-011898 and Design Review DR-1-16-011899. Although supportive of the project, the Commission asked questions concerning parking, landscaping and open space. Planning Commission discussion items are provided in bold italics.

Background

The applicant, Tracy Hsu, requests approval to construct a five-story mixed-use building on a 0.37-acre vacant lot on the northwest corner of Eastmoor and Sullivan Avenues (see Attachment A – Site Location). The site was previously a Shell Service Station, which closed in the early 2000's.

As proposed, the building would contain 34 residential condominium units, street-level retail use, common open space, and a basement garage (see Attachment B – Project Plans).

Project Overview

As indicated in the project plans, the proposed building would be mixed-use, with a 2,100 square foot non-residential component proposed at the street level, while the residential component of the project, 34 one and two-bedroom dwelling units, is proposed on the remaining floors of the five-story building.

The second, third and fourth floors would contain nine dwelling units and the fifth floor would contain seven dwelling units. The ground floor would include one retail space of 2,100 square feet. The other spaces on the ground floor are a workshop, a meeting room and an exercise and fitness room.

Seven required parking spaces for the retail spaces are proposed on the ground floor. The basement level will house 57 parking spaces using the "Klaus Trendvario Parking System" which uses a two-car stacking system. There is also a storage room, a utility room, and 16 bicycle storage spaces.

In association with constructing the proposed condominium building, the applicant would complete improvements in the public right-of-way, including replacing the existing sidewalk and installing

street trees with decorative tree grates similar to those found in front of CVS Pharmacy along Eastmoor Avenue just north of the subject site.

With respect to the type of commercial use proposed on the ground floor that could be expected in the non-residential component of the building, likely tenants would be specialty stores, insurance agencies and medical offices. Smaller retail spaces or restaurants are unlikely tenants due to the lack of pedestrian activity and on-street parking along Sullivan and Eastmoor Avenues.

- *Commissioner Sylvester asked about garbage pick-up and why pick-up was recommended to occur before 7am or between 9am and 2pm. Staff clarified the conditions were provided by the City Engineer to avoid garbage pick-up during rush hour.*
- *Commissioner Sylvester asked if the project would provide BMR units. Staff responded by explaining the affordable housing requirement and how the applicant meets the requirement by paying an impact fee that would be added to the city's affordable housing fund.*
- *Commissioner Sylvester expressed concern regarding the environmental impact of a right turn only option for all exiting motorists. Staff explained that although the right turn only is not an ideal situation for motorists traveling north bound on Sullivan Avenue, it does not trigger a requirement to conduct an EIR.*
- *Commission Sylvester asked about capturing gray water from landscape irrigation. Staff responded that, except for street trees and potentially some potted plants placed along the periphery of the proposed building, no additional landscaping is proposed.*
- *Commissioner Sylvester asked if there were any exterior open space proposed. Staff responded that except for the outdoor balconies attached to each condominium, no exterior open space is proposed.*
- *Commissioner Edelman requested that more landscaping be provided in front of the building like a trellis that cascades up the building, provide an alarm when vehicles are exiting the garage and to explore providing rooftop open space.*

Specific Plan Designation Amendment

The proposed condominium building is located in the Sullivan Corridor Specific Plan area. The Specific Plan was adopted in October 1998 as a means to plan for the expansion of the Daly City Civic Center and to revitalize the commercial areas within the plan's geographic area. As such, the plan articulates development parameters, including land uses and development intensities, for the plan area. The subject vacant parcel lies within Sub-Area 9 of the Specific Plan defined as Eastmoor Avenue Mixed Use. The Specific Plan designates the subject parcel Service Commercial

(C-S). Commercial Service land use designations were retained for the gas station operating on the existing lot when the Specific Plan was published. Only current uses that were damaged or destroyed could be rebuilt as a matter of right. Any change of use, development intensity or site modification is considered a conditional use. The Specific Plan lists medium and high density residential use as conditionally allowed uses.

The proposed mixed-use 34-unit condominium building can be approved as a Conditional Use according to the Specific Plan. As mentioned the subject vacant parcel is designated Service Commercial (C-S) according to the Sullivan Corridor Specific Plan. The adjacent parcel to north is designated commercial Office (C-O), the adjacent parcel to south is designated Public Utility (U), the adjacent parcel to west is designated Residential High Density and I-280 is directly east of the subject parcel. The proposed mixed-use project is considered compatible with surrounding land use in terms of project scale and intensity of use combining residential and commercial use consistent with the way in which residential and commercial use presently exist on surrounding properties.

The applicant has proposed the five-story mixed use condominium building to provide the greatest portion of its massing along Sullivan Avenue. The building mass is reduced along the south and west elevations and is therefore compatible with existing building type transitions from multi-family residential to single-family residential west along Eastmoor Avenue. Additionally, the building design includes architectural elements at these elevations, in combination with color and material variation to provide both visual interest and to reduce the scale of large walls that would otherwise have a more massive appearance in the context of smaller adjacent structures.

Use Permit

The applicant is required to obtain a Use Permit under the Sullivan Corridor Specific Plan for the proposed residential use. Because the prior gas station was voluntarily removed, any development proposed on the subject vacant lot requires a use permit.

The Specific Plan includes objectives and policies that would support the proposed project density. Specific Plan Land Use Objective 2.5 encourages additional residential development that reinforces existing neighborhoods and is within walking distance to the Colma BART Station. Likewise, the General Plan Housing Element Policy HE-3 indicates that the City should provide regulatory incentives for developers to construct higher-density mixed-use development along Mission Street, Geneva Avenue, and any other locations within close proximity to public transit. In the case of this particular parcel, the Colma BART Station is less than a half-mile from the site and a SamTrans bus route runs along Eastmoor Avenue providing an ideal location for a more dense development pattern.

Design Review

The proposed building would be two stories higher than the next tallest adjacent building. The elevation of the site steeps south to near the peak of Sullivan Avenue crossing Eastmoor Avenue. The proposed building would therefore serve as a focal point on property that is currently vacant. The subject corner would become an important transition to residential from the I-280 on-and off-ramps and the heavy commercial activity to the north.

The building footprint is designed to follow the sloping typography by terracing the ground floor commercial units along Eastmoor and Sullivan Avenues. The upper residential floors read as separate townhomes utilizing strong vertical wall sections that are articulated with building reveal and setbacks. This articulation is punctuated by changes in color and materials types. Each vertical wall section is capped with a flat roof banded by a subtle cornice. The project architect proposed these design elements to break up the massing of the building and to give some articulation of the roof line of the building.

The building is designed with four major openings: a vehicle entry along Eastmoor Avenue, a vehicle exit on Sullivan Avenue, the main pedestrian entry along Sullivan Avenue, and a commercial tenant entry along Eastmoor Avenue. The foundation including the garage platform would be color split faced concrete block. The garage door for the parking structure will be recessed back from the street. The pedestrian entry door frames would be aluminum. Proposed building façade material include a dark gray ‘swisspearl’ panel, a coral ‘swisspearl’ panel, a gold ‘swisspearl’ roof cap and white stucco. These façade panels of varying color and texture are uniformly distributed and help to reduce the overall building mass. Each unit would include a balcony with wrought iron railings.

Staff believes the proposed project design is consistent with the objectives of the Sullivan Corridor Specific Plan. Although no architectural changes are proposed by staff, several Conditions of Approval are recommended, primarily as a means to clarify items in the proposed architecture:

1. All residential windows shall be dark-colored aluminum or vinyl. All street-level windows shall be dark-colored aluminum;
 2. Any metal materials shall be galvanized; and
 3. The garage entrance shall provide an arched overhead detail identified in the project perspective drawings.
- ***Commissioner Tallerico noted that the building is aesthetically affected by the unsightly vacant Seton Medical Building located adjacent and north of the proposed project.***
 - ***Commissioner Satorre expressed satisfaction with the proposed building design adding the design was modern and elegant.***

Parking and Circulation

The proposed building is considered mixed-use and is therefore eligible for a 20% parking reduction. A total of 60 parking spaces is required for the subject project. The building will exceed this requirement by providing 7 ground floor spaces for the commercial units and 57 parking spaces utilizing the Klaus stacked parking system on the basement floor. The parking system would be maintained by the homeowners association established for the project and a Condition of Approval is recommended that the association operating budget reflect regular maintenance of the system.

As identified in the project plans, there are 7 parking spaces proposed in Parking Level One. Staff is recommending a Condition of Approval that, should the applicant choose to install an electronic gate, that the gate not restrict access to these 7 spaces during business hours. The purpose for this restriction is to ensure that patrons to the retail/office portions of the building are provided off-street parking.

With regard to site circulation, no individual parking spaces would access directly onto the adjacent streets. Vehicles would enter the garage on Eastmoor Avenue and would exit on Sullivan Avenue. Although the internal circulation appears to comply with the mandated travel lane and parking space dimensions required in the Zoning Ordinance, staff will continue to work with the applicant to ensure that this remains the case for subsequent submittals.

- *Commissioner Sylvester asked about the limitations of the Klaus Parking System to accommodate large vehicles. Staff explained that a disclosure would be provided by the HOA to purchasers regarding the size limitations of the parking system.*
- *Commissioner Tallerico expressed concern with fire hazards, particularly with battery fueled vehicles. Staff explained that the Fire Department has completed their review of the parking system and is satisfied with the parking plan.*
- *Commissioner Tallerico expressed concerns with potential power outages due to a seismic event. Staff expressed that a back-up generator would be required to be in place to provide power to the parking system during an outage.*

Utility Providers

The subject property is located within a fully urbanized area and is already connected to all public services capable of serving the proposed building.

<i>Utility</i>	<i>Provider</i>
Water, Sanitary Sewers, Storm Drains	City of Daly City
Gas & Electric	PG&E
Telephone	Pacific Bell
Cable Television	Astound! Cable Services and/or Comcast
Fire/Police Protection	Daly City

Environmental Assessment

The proposed project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332: In-Fill Development Projects.

Subdivision Requirements

Pursuant to Section 66474 of the Subdivision Map Act, a legislative body of a city or county may approve a subdivision map if it makes the following findings:

1. The proposed subdivision and/or design or improvement must be consistent with applicable general and specific plans.
 - The site is designated as Service Commercial (C-S) which allows for a maximum floor area ratio of 3.0. The project site is approximately .37 acres for a maximum allowable density of 34 units. The applicant is proposing 34 units and therefore the project is consistent with the C-MU General Plan designation.
2. The site must be physically suitable for the type and density of the proposed subdivision.
 - The subject site is situated on the northwest corner of Eastmoor and Sullivan Avenues. This area is characterized by a mixture of industrial, commercial and residential use. Given the size and shape of the subject property, together with adjacent land uses, a high density development consisting of 34 condominium units is the highest and best use of the subject property.
3. The design of the proposed subdivision or improvements must not cause substantial environmental damage or injure fish or wildlife or their habitat.
 - Staff has determined that the proposed subdivision will not cause significant environmental damage or injure fish, wildlife, or their habitat. The proposed project would be constructed in a fully urbanized area. Consequently, the project site is exempt from further environmental review pursuant to Section 15332 (Infill Development) of the California Environmental Quality Act (CEQA) Guidelines.
4. The design of the proposed subdivision must not cause serious public health problems.
 - The proposed project consists of 34 condominiums, all of which will be subject to Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk.
5. The design of the proposed subdivision or improvements must not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
 - Access to the proposed new lots and utilities for the lots would be available from existing adjacent roads. No structures of any kind will be built over the property lines. Where necessary, permits for utility connections for the newly created lots would be obtained from the City of Daly City.

Fiscal Analysis

The proposed mixed-use apartment building will allow for construction of 34 condominium units apartments and 2,100 square feet of retail/office uses. Prior to the building permit issuance, the applicant will be required to pay building permit, plan check, AB 1600 development impact, and affordable housing impact fees to the City. Additionally, the value of the building will be added to the current assessed value of the subject property, which will result in additional property tax collection by the County, a portion of which would be distributed to the City. The addition of the residential units and office/retail development would add an incremental demand for City services.

Findings

The Planning Commission has found that, as conditioned, the proposed Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-011898, and Design Review DR-1-16-011899 are in compliance with Title 17 (Zoning) of the Daly City Municipal Code. Approval of the proposed project would not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or working in the neighborhood, or be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the city. These findings are based on the following facts:

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the City Council will conduct a public hearing on November 28, 2016; notice of said hearing was by newspaper publication on November 18, 2016, posting and first class mailing to property owners within 300 feet;
2. The proposed mixed-use building is consistent with the Daly City General Plan, which designates the project site as Commercial — Mixed Use (C-MU), pertaining to areas within the Sullivan Corridor Specific Plan intended for mixed-use development and where the City intends to provide regulatory incentives and/or requirements for developers to construct buildings which contain a vertical mix of uses, e.g. retail or restaurant uses at the street level and office or residential uses at levels above the street.
3. The increased density and intensity that would be allowed by the designation is supported by the General Plan Housing Element, which indicates that the City should provide regulatory incentives for developers to construct higher-density mixed-use development at locations within close proximity to public transit. The Colma BART Station is less than a half-mile from the site and a SamTrans bus route runs along Eastmoor Avenue, providing an ideal location for a more dense development pattern;
4. The available on-site parking spaces would provide ample parking spaces for the apartment residents and the commercial spaces within the building, and the proposed mixed-use building would not conflict with the adjacent uses;

5. The proposed mixed-use building complies with the open space requirements of the Zoning Ordinance, providing 5,117 square feet of open space where 5,100 square feet of open space is required yielding 150.5 square feet of open space per each of 34 condominium unit where 150 square feet of open space is required;
6. The proposed mixed-use building merits use permit approval, as the building would be compatible with existing adjacent uses, adequate utility and infrastructural capacity exists within close proximity to serve the site, and the provision of parking is substantial and, as designed, would not have a detrimental impact to the adjacent neighborhood;
7. General architectural considerations have been incorporated in order to ensure the compatibility of this development with its design concept and the character of on-site signage. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors;
8. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and determined the proposed project is categorically exempt pursuant to CEQA Guidelines Section 15332;
9. The site is designated as Service Commercial (C-S) which allows for a maximum floor area ratio of 3.0. The project site is approximately .37 acres for a maximum allowable density of 34 units. The applicant is proposing 34 units and therefore the project is consistent with the C-MU General Plan designation;
10. The subject site is situated on the northwest corner of Eastmoor and Sullivan Avenues. This area is characterized by a mixture of industrial, commercial and residential use. Given the size and shape of the subject property, together with adjacent land uses, a high density development consisting of 34 condominium units is the highest and best use of the subject property;
11. The proposed subdivision will not cause significant environmental damage or injure fish, wildlife, or their habitat. The proposed project would be constructed in a fully urbanized area. Consequently, the project site is exempt from further environmental review pursuant to Section 15332 (Infill Development) of the California Environmental Quality Act (CEQA) Guidelines;
12. The proposed project consists of 34 condominiums, all of which will be subject to Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk;
13. Access to the proposed new lots and utilities for the lots would be available from existing adjacent roads. No structures of any kind will be built over the property lines. Where necessary, permits for utility connections for the newly created lots would be obtained from the City of Daly City; and

14. The project will minimize the risk to existing public improvements and adjacent private property by providing controlled stormwater runoff from the site to City facilities in full compliance with Order R-2 NPDES Permit No. CAS612008 and Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.

Conditions of Approval

The Planning Commission recommends approval of Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-011898, and Design Review DR-1-16-011899, based on the following conditions as specified by each Department and Division. These conditions need to be complied with prior to, or as part of, any building permit for the proposed improvements.

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

General

1. The project shall be valid only in conjunction with detailed plans submitted with this project. Any modifications required, due to the Conditions of Approval, and minor changes to the plan, must be reviewed and approved by the Planning Division prior to the change. Major site or architectural modifications shall be treated as an amendment and shall be subject to review by the Planning Commission and City Council.
2. The tentative subdivision map approval granted herein shall be valid for a period of two years. If a final map has not been approved within this timeframe, the applicant shall apply for a time extension.
3. The approvals granted herein shall be valid for a period of one year. If building permits have not been issued within this timeframe, the applicant shall apply for a time extension.
4. The applicant shall pay an Affordable Housing Impact Fee in compliance with the City's Affordable Housing Ordinance. Please contact the City's Housing Division at (650) 991-8256 for details.
5. The applicant will be required to pay park-in-lieu fees, in compliance with DCMC Chapter 16.30 Parkland Dedications. Per DCMC Section 16.30.040.A, the required dedication in this specific case is 0.238 acres. Per DCMC Section 16.30.060, the in-lieu fee shall be based upon said dedication requirement. Per DCMC Section 16.30.090, in-lieu fees are required to be paid to the City of Daly City, prior to approval of the Final Map. The project is subject to full compliance with DCMC Chapter 16.30 Parkland Dedications.

Site Design

6. The applicant shall provide a detail for all walls and fencing that are to be erected on the project site. Wood fencing that will be visible from off-site locations shall incorporate a high-quality aesthetic, incorporating six-by-six nominal heavy-timber and overlapping fence panels, and be stained dark brown. Chain link is not a permissible permanent fencing material for the project. The material of retaining walls visible from the public right-of-way shall be approved by the Planning Division prior to installation. The applicant also shall provide additional landscaping to soften first story of Eastmoor and Sullivan Avenues with perhaps trellises and vines running along the façade.
7. The applicants shall fully improve and landscape the public right-of-way. This shall include installing decorative pedestrian-oriented street-lights and providing street trees along the entirety of the Sullivan and Eastmoor Avenues. The street tree placement and sidewalk design shall reflect the right-of-way improvements which the City approved for the parcel at the southwest corner of Pierce and Sullivan Streets.
8. Street trees shall be installed twenty feet on center, sized as 24-inch box, receive triple staking at installation, and receive establishment irrigation. The tree staking and establishment irrigation shall be identified in building plans submitted for a building permit. All irrigation shall be tie to the building's water system and maintenance of the street trees shall be homeowners association responsibility.
9. All street trees shall receive decorative tree grates of the same design or closely similar to those located north on Sullivan Avenue, as approved by the Planning and Engineering Divisions.
10. Backflow preventers shall be concealed and/or screened from public view to the satisfaction of the Daly City Community and Economic Development Director prior to issuance of building permit.

Building Design

11. Should the applicant desire to install a security gate within the building garage, the location of such a gate shall not preclude public access to the commercial parking spaces within the garage during business hours. At least 7 spaces shall be devoted to commercial uses.
12. The applicant shall, prior to building permit submittal, provide a sign program for Planning Division review and approval. The final building elevation design shall consider sign placement and plans submitted for building permit approval shall reflect such placement.
13. The garage entrance shall provide an arched overhead detail identified in the project perspective drawings;

14. Material transitions between thin-set brick veneer and siding shall receive a decorative course of brick veneer;
15. All rooftop mechanical equipment shall be screened from the view of all adjacent public rights-of-way by screenwalls, painting, and similar treatments acceptable to the Planning Division. The Division may require screenwalls for equipment located within 20 feet of the rooftop parapet wall.

Landscaping

16. Prior to the issuance of building permits, a detailed landscape and irrigation plan shall be submitted for review by the Planning Division, which shall comply with DCMC Chapter 17.41 Water Conservation in Landscaping. New landscaping required for the subdivision shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures. No landscaped areas shown on the preliminary plan approved by the City Council shall be changed to non-landscaped material such as decorative rock. Alternative plant and tree species may be approved by the Planning Division if it can be shown they would be more appropriate for the site.
17. Additional landscaping shall be provided to screen blank wall space on the south and east elevations. Additional open space shall be provided on roof top deck above the garage structure.
18. All landscaping shall be installed, inspected and approved prior to the issuance of occupancy permits.
19. The building permit submittal shall provide a utility location plan that identifies lateral locations for all utilities serving the homes. Conflicts between utilities and landscaping shall be rectified prior to building permit issuance.
20. All trees adjacent to the City sidewalk shall be box-specimen and shall provide a root-barrier acceptable to the City.
21. Annual inspection of the landscaping shall be conducted for the first five years following construction completion to ensure the landscaping is adequately maturing in a healthy manner. Should plants be determined to be significantly deficient in growth or health, additional landscaping shall be required to compensate for the lack of vegetation. Annual inspections shall be conducted by the Planning Division. A point of contact within the HOA shall be established to coordinate said annual inspections, and the HOA shall retain responsibility to maintain and, as necessary per the direction of the City, replace landscaping or enhance site and retaining walls.

22. The applicant shall establish an HOA budget item for tree replacement within the first five years for all trees determined by the City to be dead or dying. The applicant shall provide an initial fund for budget item of not less than \$5,000.
23. The landscape plan shall identify an excavation plan for all screen-trees which provide a sufficient trench allowing for root expansion, as determined by the City. Tree trenches shall be inspected by the City for size prior to tree installation.
24. The applicant shall provide establishment, and where necessary, long-term irrigation to all trees, shrubs, and groundcover.
25. The applicant shall triple-stake all trees and this staking shall be subject to initial inspection by the City. Trees shall remain triple-stake through the establishment period and tree staking shall be subject to the annual inspection identified above.

Homeowners Association

26. The applicant shall establish a Homeowners' Association (HOA) for the purpose of landscape maintenance within any easement areas created, any retaining walls required to be built as part of new development, permanently installed stormwater treatment systems, park lift system, and any infrastructure related to the respective systems. The HOA membership shall consist of all residential lot owners. The HOA shall be professionally managed and the HOA bylaws and initial annual operating budget shall be reviewed and approved by the Planning Division/City Attorney's Office prior to submittal to the California Department of Real Estate.
27. Prior to the recordation of a Final Map, the developer shall submit a maintenance plan, which clearly specifies methods and standards for performance of common responsibilities and maintenance for all common areas (including park lift) and equipment and fees to be assessed for such purposes. The maintenance plan shall include a budget acceptable to the City for major repairs and extraordinary expenses, and shall be incorporated into HOA bylaws.
28. The developer shall submit to the City Attorney, for review and approval, a copy of the covenants, conditions, and restrictions (CC&Rs) that will apply to the development prior to recordation of the Final Map. The CC&Rs shall clearly indicate that parking spaces within the parking garage shall not be used for storage of any kind and must remain a parking area in perpetuity.
29. The HOA shall enter into a Maintenance Agreement with the City of Daly City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.

30. Prior to the issuance of building permits, a detailed landscape and irrigation plan shall be submitted for review by the Planning Division, which shall comply with DCMC Chapter 17.41 Water Conservation in Landscaping. New landscaping required for the subdivision shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures. No landscaped areas shown on the preliminary plan approved by the City Council shall be changed to non-landscaped material such as decorative rock. Alternative plant and tree species may be approved by the Planning Division if it can be shown they would be more appropriate for the site.

Stormwater Treatment

31. The applicant shall develop and submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2-2009-0074 NPDES Permit No. CAS612008. The project must comply with Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
32. The applicant shall receive approval of the stormwater management plan from a third-party reviewer appointed by the City prior to building permit submittal. The applicant shall pay the entire cost of the third-party reviewer, beginning with a \$10,000 deposit from which the Planning Division may draw to pay for the costs from the third-party review and associated inspections.
33. All stormwater treatment facilities shall be inspected during construction to ensure eventual compliance with the stormwater management plan. The applicant shall pay the entire cost of these inspections.
34. The applicant shall enter into a Maintenance Agreement with the City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.
35. The applicant shall arrange and pay for final inspection of installed treatment measure by municipality's Special Inspector within 45 days of installation or project construction completion, whichever comes first.

Site Maintenance

36. The site shall be maintained in a safe, sanitary, and litter free condition at all times.
37. No outside storage shall be allowed, except in the approved trash enclosure area.
38. Doors to the trash enclosure area shall be kept closed except when necessary to dispose of trash or to store material to be recycled.

39. All sidewalks, walkways, driveways, parking lot facilities, and easements within and adjacent to the property, including weeds. The requirement shall not apply to adjacent State-owned highway.
40. Garbage storage areas are to be kept sanitary and free of litter and debris.

Site Remediation

41. Prior to building permit submittal, the applicant shall notify the San Mateo County Environmental Health Division to ensure proper disposal or handling of contaminated soils and groundwater. The applicant shall provide evidence of this notification and acceptance of any disposal plan approved by the Environmental Health Division to the Planning Division at the time of building permit submittal.

B. BUILDING DIVISION

42. The applicant shall provide allowable building area calculation based on the type of construction for which the building will be constructed.
43. An exit passageway shall be provided for units with bedroom windows for an emergency escape and rescue which are discharging on to the second floor roof and have direct access to the public way without re-entering the building.
44. Applicant shall install protected window opening for the exterior fire rated wall. Maximum protected window opening shall be limited to 15 percent per CBC Table 705.8.
45. Architectural roof projections at the north and west side of the building shall be limited to 24 inches measured from the face of the building.
46. The applicant shall maintain all vertical and horizontal clearances for structures required by Pacific Gas and Electric Company (PGE) located on the adjacent overhead utilities to the east of the subject parcel. Evidence of PGE review the proposed duplex shall be supplied to the City at the time of building permit application submittal.
47. Upon submittal for building permit, the applicant shall provide an acoustical analysis report that shows topographical relationships of noise sources and dwelling sites, identification of noise sources and their characteristics, predicted noise spectra, and levels at the exterior of the proposed dwelling structure considering present and future land usage, basis for the prediction, noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.
48. Construction hours will be limited to 8:00 a.m. to 5:00 p.m. Mondays through Fridays and construction on weekends and holidays shall be prohibited.

C. ENGINEERING DIVISION

49. Plans submitted for building or grading permit shall show all existing and proposed utilities, on-site and in the street, including water, sanitary sewer, and storm drain mains. Existing and proposed easements should also be shown
50. The project's electrical transformer shall not be installed within the public rights-of-way.
51. The applicant shall be financially responsible for all project-related storm drainage improvements on- and off-site, as required and approved by the City Engineer in accordance with City Standards.
52. The applicant shall replace the perimeter sidewalk, curb and gutter of the subject parcel along the property frontage. Sidewalk, curb and gutter shall comply with City Standards.
53. The applicant shall replace the existing pedestrian apron located at the northwest corner of Eastmoor Avenue and Sullivan Avenue with an accessible pedestrian ramp. The channelized raised median shall be retrofitted with truncated domes.
54. An encroachment permit is required prior to any work or underground utilities installation within the public right-of way.
55. Following new utility installation, the applicant shall replace areas of street pavement, sidewalk, curb, and gutter damaged by construction. Such repair shall be per City standard specifications.
56. All roof drainage shall be directed toward the curb gutter through pipes underneath the City sidewalk. There shall be no storm water sheet flow over the sidewalk.
57. All street trees shall be maintained by the building owner in perpetuity, with irrigation tied to and maintained by the Homeowners Association. Final location and type of street tree shall be approved by the City Engineer. Tree placement and landscaping shall not obscure the line of sight for the southbound right turn lane onto Eastmoor Avenue. A recorded document shall be implemented for the street tree maintenance.
58. Street lights along the project's frontage shall be retrofitted with LED light heads to replace the existing HPS cobra head street lights. All lighting shall be designed to minimize glare onto the adjacent property. Material and installation shall be approved by the City Engineer.
59. Delineate all easements and relinquishments of abutter's rights on the Parcel map.
60. Coordinate with Republic Services of Daly City for all requirements of solid waste disposal / access for pickup services.

61. All garbage pick-ups shall occur before 7AM or between 9AM – 2PM.
62. Install new City standard street light pole with LED fixture along Eastmoor Avenue, adjacent to the proposed driveway. Material and installation shall be approved by the City Engineer.
63. Show what method will be used to notify and enforce the one way entrance and exit for the property.
64. The applicant shall install and maintain operable an audible warning system at all garage exits. The system shall be capable of volume control.
65. Additional Right-Of-Way easement will need to be dedicated to the City.
66. Storm drain calculation will need to be prepared and approved by the City Engineer.
67. Existing and proposed striping in front of the property shall be shown on the plans for review.
68. Approval from DWR will be required for water and sewer service to the property.
69. All utilities shall be undergrounded.
70. Tentative Map shall be reviewed and approved by the City.

D. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

71. A capacity study shall be performed through the city's consultant. The study shall be done from the project location to the nearest trunk sewer 15 inches and larger, and all costs associated with the study shall be borne by the applicant.
72. All garage drains shall flow through a properly sized sand/ oil interceptor to the city's collection system. All costs associated with any water system improvements required by the City as a result of this project, shall be borne by the applicant.
73. All existing laterals projecting towards the property from the main shall be abandoned at the main, and laterals from the commercial space and the residential space shall be separate.

E. FIRE DEPARTMENT

74. The applicant shall comply with all Fire Department Fire Code, requirements prior to Certificate of Occupancy.

75. Fire sprinklers are required per the Daly City Municipal Code and the 2013 California Fire Code Chapter 9 Section 903. The commercial units and the garage shall be subject to the requirements of NFPA 13 and the residential shall be subject to the requirements of NFPA 13R.
76. Applicant shall provide and install a key box. Prior to issuance of the Final Certificate approval applicant must provide key for entry to the building. Application for a Knox box can be obtained at fire administration located at 10 Wembly Drive, Daly City.
77. Project should comply with Fire Apparatus Access per 201 3CFC Chapter 5 Fire Service Features, 501.4 for Fire Apparatus access Roads and Water Supply.
78. The applicant shall, through the Engineering Department, contact the City's third party consultants for a water systems analysis and a sewer system capacity analysis to determine the ability of the existing system to serve the project.
79. Fire sprinkler underground supply mains shall be submitted on a separate permit or in conjunction with the fire sprinkler submittal. All fire service back flow devices must be reduced pressure principle detector assemblies (RPDA) that are on the University of Southern California (USC) approved back flow list. The submission shall be submitted to the Water Department and approved by them prior to permit issuance.
80. Project shall comply with 2013 CFC Chapter 9 Section 907 Fire Alarm and Detections systems.
81. Parking garage areas containing car stackers shall be protected by an automatic wet-pipe sprinkler system designed to Extra Hazard Group 1. In addition, non-extended coverage standard sidewall sprinklers listed for Ordinary hazard shall be provided under each parking level, including the bottom level if the stacker is provided with a pit. Each sidewall sprinkler shall cover an area of 80 square feet or less. For the hydraulic calculation, flow from all sprinklers, upright or pendent sprinklers at ceiling and all sidewall sprinklers at all levels, located in the area of application shall be included in the calculation.
82. Project should include a fire hydrant to comply with 2013 CFC Chapter 5 Section 507.5.1.1.
83. Project shall comply with hydrant location and spacing per 2013 CFC Appendix C.
84. Project shall comply with 2013 CFC Section 903.4 and 903.4.2. Alarms are amended by DCMC 15.32.110.
85. All water services and all sewer laterals facing the project shall be abandoned at the main prior to construction of the new development.

86. Project shall comply with 2103 CFC Chapter 5, Section 505.1 and 2 as amended by DCMC 15.32.070.
87. Project shall comply with the fire flows per 2013 CFC Appendix B buildings with fire sprinklers and obtain a fire flow report from the local water provider showing a flow conforming to Appendix B Table B105.1 for the type construction and square footage.
88. Project shall comply with the 2013 CFC Chapter 9 Section 905 Standpipes.
89. Project shall comply with the 2013 CFC Chapter 33 – Fire Safety During Construction and Demolition.

Recommendations

The Planning Commission recommends that the City Council:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment; and
3. Approve Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-011898, and Design Review DR-1-16-011899, subject to the Conditions of Approved outlined herein.

Respectfully submitted,



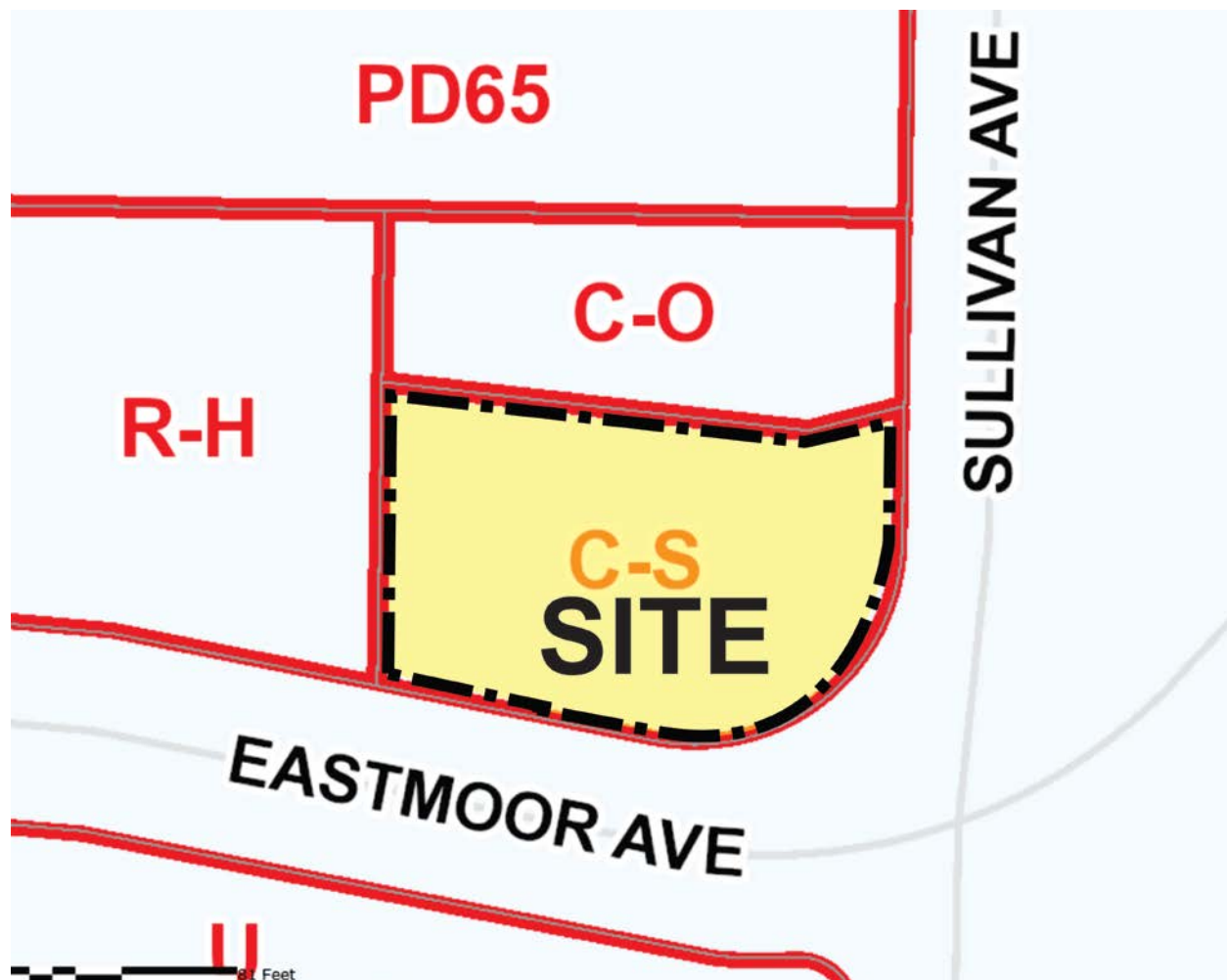
Corey Alvin
Associate Planner



Tatum Mothershead
Director of Economic and Community
Development

Attachments

Attachment A – Site Location
Attachment B – Project Plans



DEVELOPMENT AND ZONING PERMIT

493 EASTMOOR AVE

DALY CITY

APN: 008-082-200

AERIAL

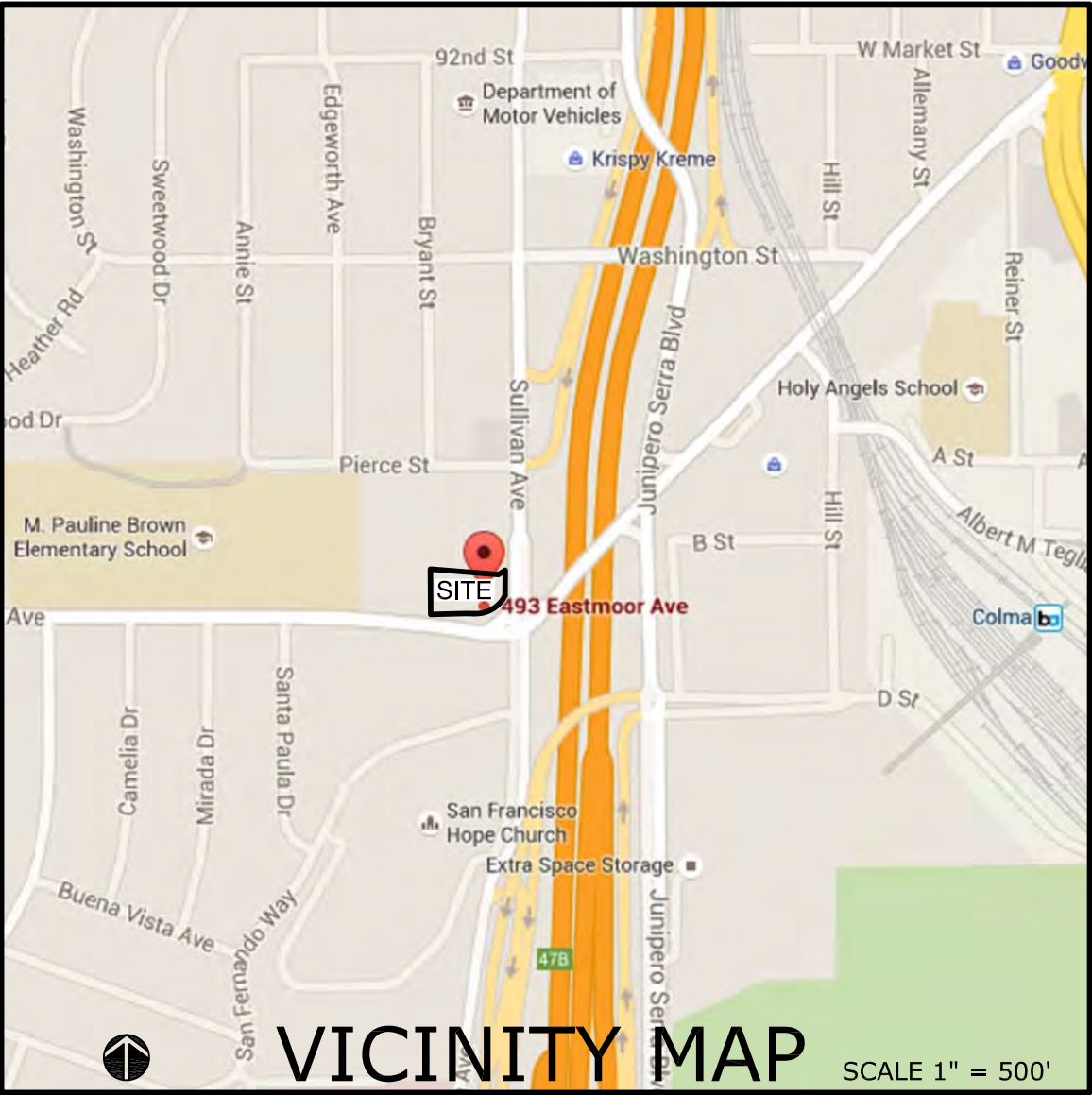
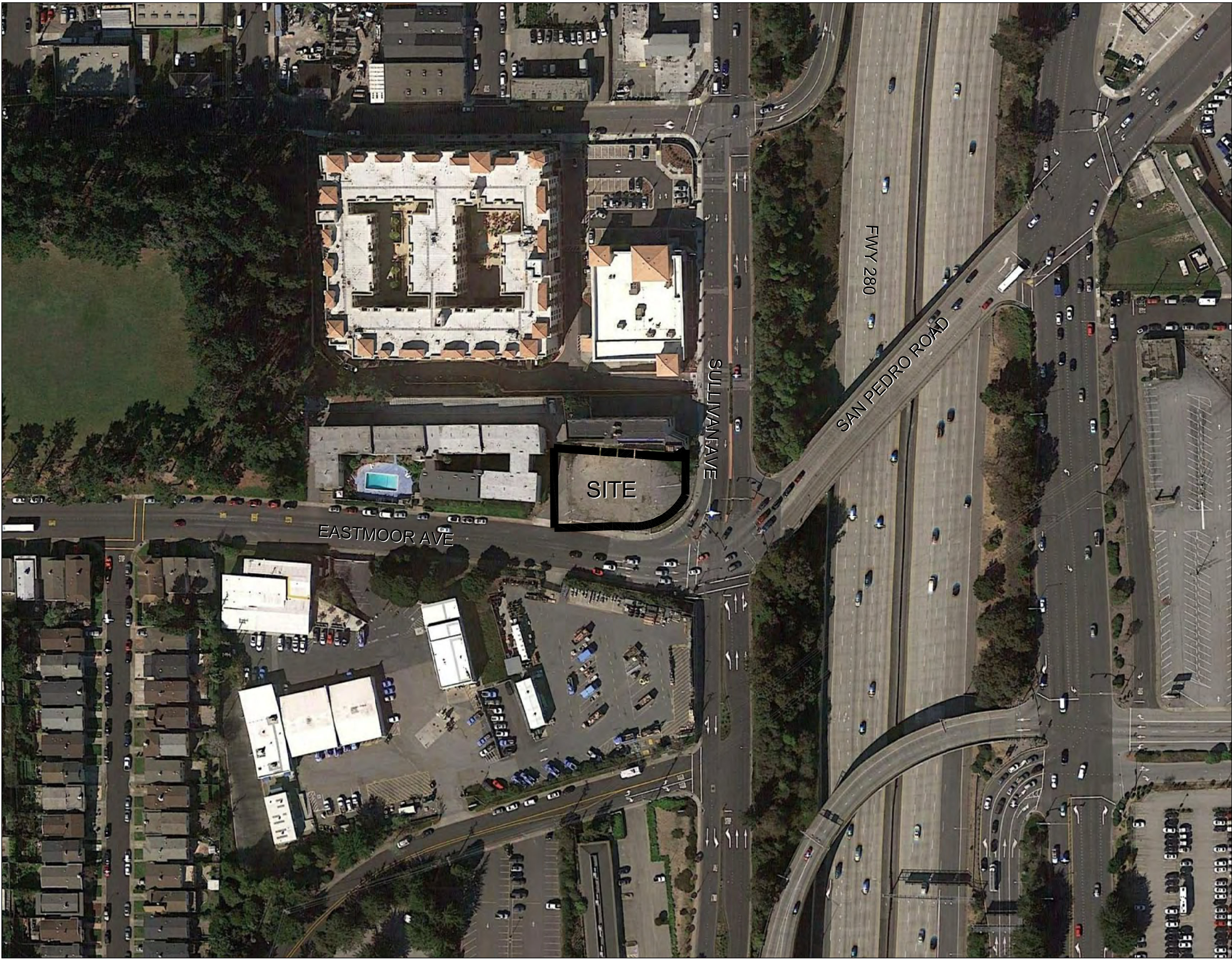


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- STORMWATER CONTROL PLAN
- 4.0
- STORMWATER CONTROL DETAIL

PROJECT INFORMATION

ASSESSOR'S PARCEL NUMBER	008-082-200
PROJECT ADDRESS	493 EASTMOOR AVE
ZONING DESIGNATION	COMMERCIAL
GENERAL PLAN	RETAIL AND OFFICE COMMERCIAL (C-RO)
GROSS SITE AREA	+/- 0.37 AC
NET SITE AREA	+/- 0.37 AC
EXISTING USE	VACANT LAND
PROPOSED USE	MIXED-USE RETAIL / 35 RESIDENTIAL

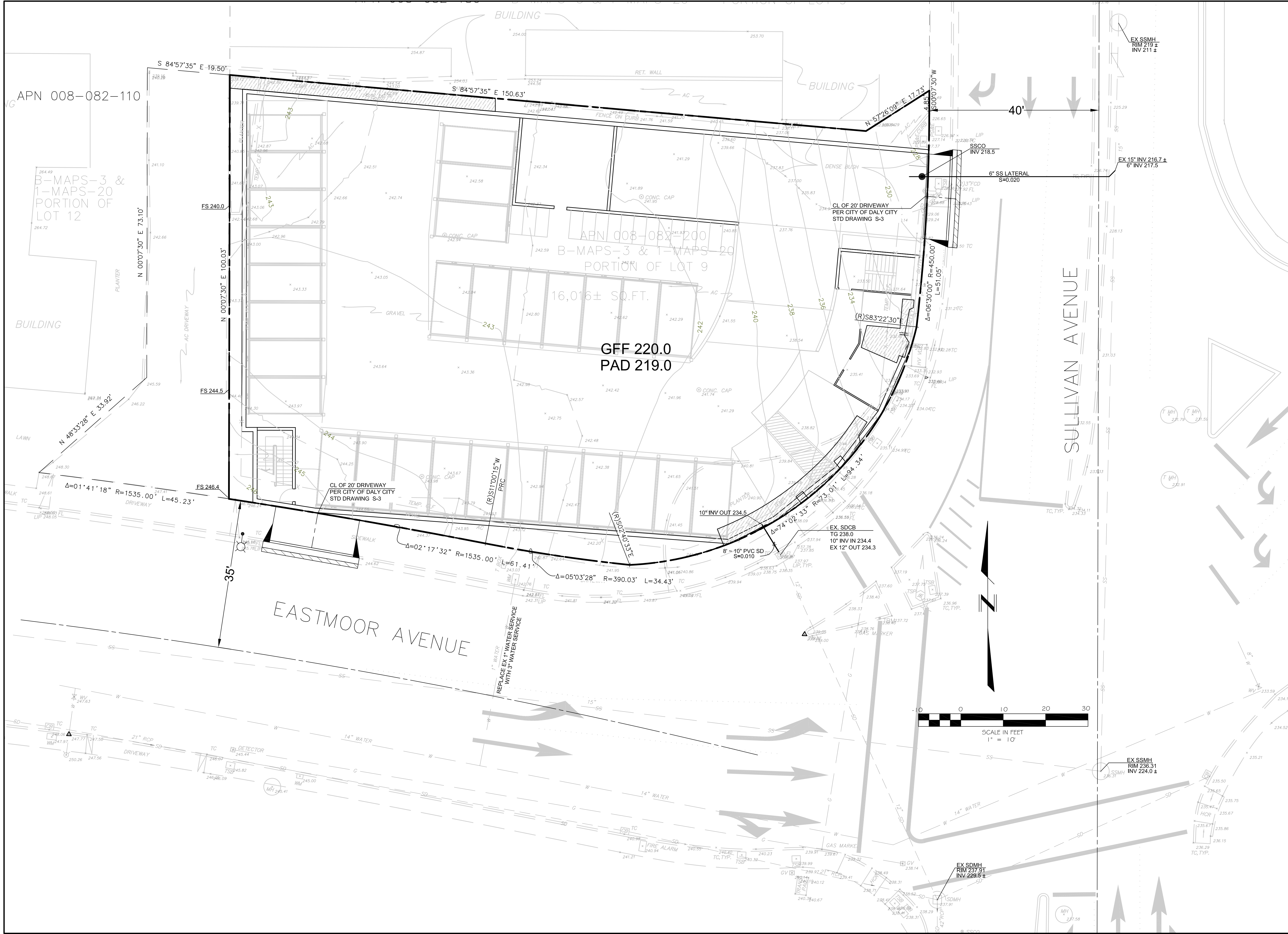
DEVELOPMENT TEAM

DEVELOPER/OWNER	LAND PLANNER
493 EASTMOOR INVESTMENT LLC	VER CONSULTANTS
493 EASTMOOR AVE	OFFICE: (408) 834-7889
DAILY CITY CA. 94015	1154 PARK AVE
	SAN JOSE CA. 95126
ARCHITECTS	ENGINEER
LPMD ARCHITECTS	VER CONSULTANTS
OFFICE: (408) 922-0280	OFFICE: (408) 834-7889
1288 KIFER RD	1154 PARK AVE
SUNNYVALE CA. 94086	SAN JOSE CA. 95126

△	PROJECT:	2015.508
△	DRAWN:	SY
△	DESIGN:	DRR
△	SCALE:	
△	DATE:	OCT 13, 2016
△	© VER-CONSULTANTS INC	
REVISIONS	PROJECT DATA	

DEVELOPMENT AND ZONING PERMIT

493 EASTMOOR AVE, DALY CITY, CA



DEVELOPMENT AND ZONING PERMIT
493 EASTMOOR AVE
GRADING PLAN

CALIFORNIA
DALY CITY

NO	DATE	DESCRIPTION
△		
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REVISIONS		
PROJECT:		2015.508
FILE:		2015.508 GP.DWG
DATE:		OCT. 13, 2016
SCALE:		
DESIGNED BY:		DRR
DRAWN BY:		SY
REVIEWED BY:		DRR
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TREATMENT CONTROL MEASURE SUMMARY TABLE								
AREA	TCM#	TREATMENT TYPE	DRAINAGE AREA (SF)	IMPERVIOUS AREA (SF)	BIO-TREATMENT REQUIRED (SF)	BIO TREATMENT PROVIDED (SF)	IMPERVIOUS AREA TYPE	RISE HEIGHT
①	1	BIO-TREATMENT	6,716	6,443	194	194	ROOF,DRIVEWAY	6.18"
②	2	BIO-TREATMENT	6,249	5,927	179	184	ROOF	6.00"
③	3	BIO-TREATMENT	3,050	2,705	82	83	ROOF	6.22"

SITE CONDITIONS	
SOIL TYPE	XXX
DEPTH TO GROUNDWATER	0 - XX Feet
100 YEAR FLOOD ELEV	Zone X
RECEIVING WATER BODY	XXX
POLLUTANTS	Sediment, Grease, Oil, Heavy Metals, Hydrocarbons, Trash, Nutrients, Pesticides, Bacteria
POLLUTANT SOURCE AREAS	Roof, Driveway, Landscaping
SOURCE CONTROL MEASURES	Sweeping Roads, Landscape Maintenance, Irrigation Controls

Soil type and depth to groundwater are taken from the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook. The 100 year flood elevation was taken from the FEMA website.

Worksheet for Calculating the Combination Flow and Volume Method

Instructions: After completing Section 1, make a copy of this Excel file for each Drainage Management Area within the project. Enter information specific to the project and DMA in the cells shaded in yellow. Cells shaded in light blue contain formulas and values that will be automatically calculated.

1.0 Project Information

1-1 Project Name:	493 EASTMOOR AVE
1-2 City application ID:	008-082-200
1-3 Site Address or APN:	
1-4 Tract or Parcel Map No:	
1-5 Rainfall Region	2
1-6 Region Mean Annual Precipitation (MAP)	24.40
1-7 Site Mean Annual Precipitation (MAP)	21

1-8 MAP adjustment factor is automatically calculated as: 0.86
(The "Site Mean Annual Precipitation (MAP)" is divided by the MAP for the applicable rain gauge, shown in Table 5-3, below.) Refer to the map in Appendix C of the C.3 Technical Guidance to identify the Rainfall Region for the site.

2.0 Calculate Percentage of Impervious Surface for Drainage Management Area (DMA)

2-1	Name of DMA:	AREA 1		
For items 2-2 and 2-3, enter the areas in square feet for each type of surface within the DMA.				
	Type of Surface	Area of surface type within DMA (Sq. Ft.)	Adjust Pervious Surface	Effective Impervious Area
2-2	Impervious surface	6,443	1.0	6,443
2-3	Pervious surface	273	0.1	27
Total DMA Area (square feet) =		6,716		
2-4	Total Effective Impervious Area (EIA)		6,470	Square feet

3.0 Calculate Unit Basin Storage Volume in Inches

Table 5-3. Unit Basin Storage Volumes in Inches for 80 Percent Capture Using 48-Hour Drawdowns, based on runoff coefficient			
Region	Station, and Mean Annual Precipitation (Inches)	Runoff Coefficient of 1.0	
1	Boulder Creek, 55.9"	2.04"	
2	La Honda, 24.4"	0.86"	
3	Half Moon Bay, 25.92"	0.82"	
4	Palo Alto, 34.6"	0.64"	
5	San Francisco, 21.0"	0.73"	
6	San Francisco airport, 20.1"	0.85"	
7	San Francisco Oceanside, 19.3"	0.72"	

3-1 Unit basin storage volume from Table 5-3: 0.86
(The coefficient for this method is always 1.0, due to the conversion of any landscaping to effective impervious area.)

3-2 Adjusted unit basin storage volume (in inches): 0.74
(The unit basin storage volume [Item 3-1] is adjusted by applying the MAP adjustment factor [Item 1-8].)

3-3 Required Capture Volume (in cubic feet): 399
(The adjusted unit basin sizing volume [Item 3-2] is multiplied by the DMA EIA [Item 2-4] and converted to cubic feet)

4.0 Calculate the Duration of the Rain Event

4-1 Rainfall intensity 0.2 Inches per hour

4-2 Divide Item 3-2 by Item 4-1 3.70 Hours of Rain Event Duration

5.0 Preliminary Estimate of Surface Area of Treatment Measure

5-1 4% of DMA EIA (Item 2-4) 259 Square feet

5-2 Area 25% smaller than Item 5-1 (i.e., 3% of DMA EIA) 194 Square feet

5-3 Volume of treated runoff for area in Item 5-2 299 Cubic feet (Item 5-2 * 5 inches per hour * 1/12 * Item 4-2)

6.0 Initial Adjustment of Depth of Surface Ponding Area

6-1 Subtract Item 5-3 from Item 3-3 100 Cubic feet (Amount of runoff to be stored in ponding area)

6-2 Divide Item 6-1 by Item 5-2 0.51 Feet (Depth of stored runoff in surface ponding area)

6-3 Convert Item 6-2 from feet to inches 6.16 Inches (Depth of stored runoff in surface ponding area)

6-4 If ponding depth in Item 6-3 meets your target depth (recommend 6"), skip to Item 8-1. If not, continue to Step 7-1.
(Note: Overflow outlet elevation should be set based on the calculated ponding depth.)

7.0 Optimize Size of Treatment Measure

7-1 Enter an area larger than Item 5-2 194 Sq.ft. (enter larger area if you need less ponding depth.)

7-2 Volume of treated runoff for area in Item 7-1 299 Cubic feet (Item 7-1 * 5 inches per hour * 1/12 * Item 4-2)

7-3 Subtract Item 7-2 from Item 3-3 100 Cubic feet (Amount of runoff to be stored in ponding area)

7-4 Divide Item 7-3 by Item 7-1 0.51 Feet (Depth of stored runoff in surface ponding area)

7-5 Convert Item 7-4 from ft. to inches 6.18 Inches (Depth of stored runoff in surface ponding area)

7-6 If the ponding depth in Item 7-5 meets target, stop here. If not, repeat Steps 7-1 through 7-5 until you obtain target depth.
(Note: Overflow outlet elevation should be set based on the calculated ponding depth.)

8.0 Surface Area of Treatment Measure for DMA

8-1 Final surface area of treatment 194 Square feet (Either Item 5-2 or final amount in Item 7-3)

Worksheet for Calculating the Combination Flow and Volume Method

Instructions: After completing Section 1, make a copy of this Excel file for each Drainage Management Area within the project. Enter information specific to the project and DMA in the cells shaded in yellow. Cells shaded in light blue contain formulas and values that will be automatically calculated.

1.0 Project Information

1-1 Project Name:	493 EASTMOOR AVE
1-2 City application ID:	008-082-200
1-3 Site Address or APN:	
1-4 Tract or Parcel Map No:	
1-5 Rainfall Region	2
1-6 Region Mean Annual Precipitation (MAP)	24.40
1-7 Site Mean Annual Precipitation (MAP)	21

1-8 MAP adjustment factor is automatically calculated as: 0.86
(The "Site Mean Annual Precipitation (MAP)" is divided by the MAP for the applicable rain gauge, shown in Table 5-3, below.) Refer to the map in Appendix C of the C.3 Technical Guidance to identify the Rainfall Region for the site.

2.0 Calculate Percentage of Impervious Surface for Drainage Management Area (DMA)

2-1 Name of DMA:

AREA 2

For items 2-2 and 2-3, enter the areas in square feet for each type of surface within the DMA.

Type of Surface	Area of surface type within DMA (Sq. Ft.)	Adjust Pervious Surface	Effective Impervious Area
2-2 Impervious surface	5,927	1.0	5,927
2-3 Pervious surface	322	0.1	32
Total DMA Area (square feet) =		6,249	
2-4 Total Effective Impervious Area (EIA)		5,959	Square feet

3.0 Calculate Unit Basin Storage Volume in Inches

Table 5-3. Unit Basin Storage Volumes in Inches for 80 Percent Capture Using 48-Hour Drawdowns, based on runoff coefficient			
Region	Station, and Mean Annual Precipitation (Inches)	Runoff Coefficient of 1.0	
1	Boulder Creek, 55.9"	2.04"	
2	La Honda, 24.4"	0.86"	
3	Half Moon Bay, 25.92"	0.82"	
4	Palo Alto, 34.6"	0.64"	
5	San Francisco, 21.0"	0.73"	
6	San Francisco airport, 20.1"	0.85"	
7	San Francisco Oceanside, 19.3"	0.72"	

3-1 Unit basin storage volume from Table 5-3: 0.86
(The coefficient for this method is always 1.0, due to the conversion of any landscaping to effective impervious area.)

3-2 Adjusted unit basin storage volume (in inches): 0.74
(The unit basin storage volume [Item 3-1] is adjusted by applying the MAP adjustment factor [Item 1-8].)

3-3 Required Capture Volume (in cubic feet): 367
(The adjusted unit basin sizing volume [Item 3-2] is multiplied by the DMA EIA [Item 2-4] and converted to cubic feet)

4.0 Calculate the Duration of the Rain Event

4-1 Rainfall intensity 0.2 Inches per hour

4-2 Divide Item 3-2 by Item 4-1 3.70 Hours of Rain Event Duration

5.0 Preliminary Estimate of Surface Area of Treatment Measure

5-1 4% of DMA EIA (Item 2-4) 238 Square feet

5-2 Area 25% smaller than Item 5-1 (i.e., 3% of DMA EIA) 179 Square feet

5-3 Volume of treated runoff for area in Item 5-2 275 Cubic feet (Item 5-2 * 5 inches per hour * 1/12 * Item 4-2)

6.0 Initial Adjustment of Depth of Surface Ponding Area

6-1 Subtract Item 5-3 from Item 3-3 92 Cubic feet (Amount of runoff to be stored in ponding area)

6-2 Divide Item 6-1 by Item 5-2 0.51 Feet (Depth of stored runoff in surface ponding area)

6-3 Convert Item 6-2 from feet to inches 6.16 Inches (Depth of stored runoff in surface ponding area)

6-4 If ponding depth in Item 6-3 meets your target depth (recommend 6"), skip to Item 8-1. If not, continue to Step 7-1.
(Note: Overflow outlet elevation should be set based on the calculated ponding depth.)

7.0 Optimize Size of Treatment Measure

7-1 Enter an area larger than Item 5-2 180 Sq.ft. (enter larger area if you need less ponding depth.)

7-2 Volume of treated runoff for area in Item 7-1 277 Cubic feet (Item 7-1 * 5 inches per hour * 1/12 * Item 4-2)

7-3 Subtract Item 7-2 from Item 3-3 90 Cubic feet (Amount of runoff to be stored in ponding area)

7-4 Divide Item 7-3 by Item 7-1 0.50 Feet (Depth of stored runoff in surface ponding area)

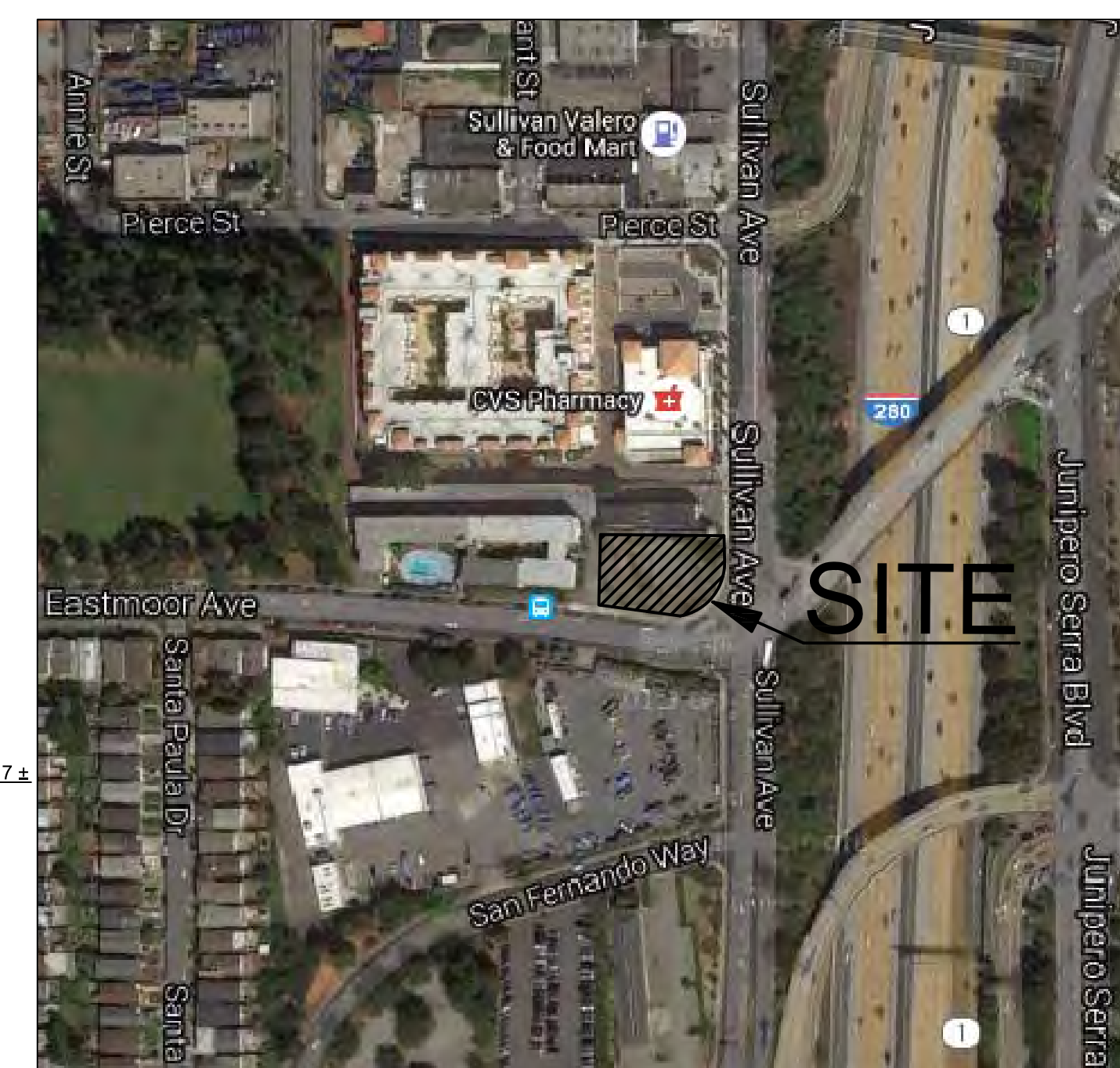
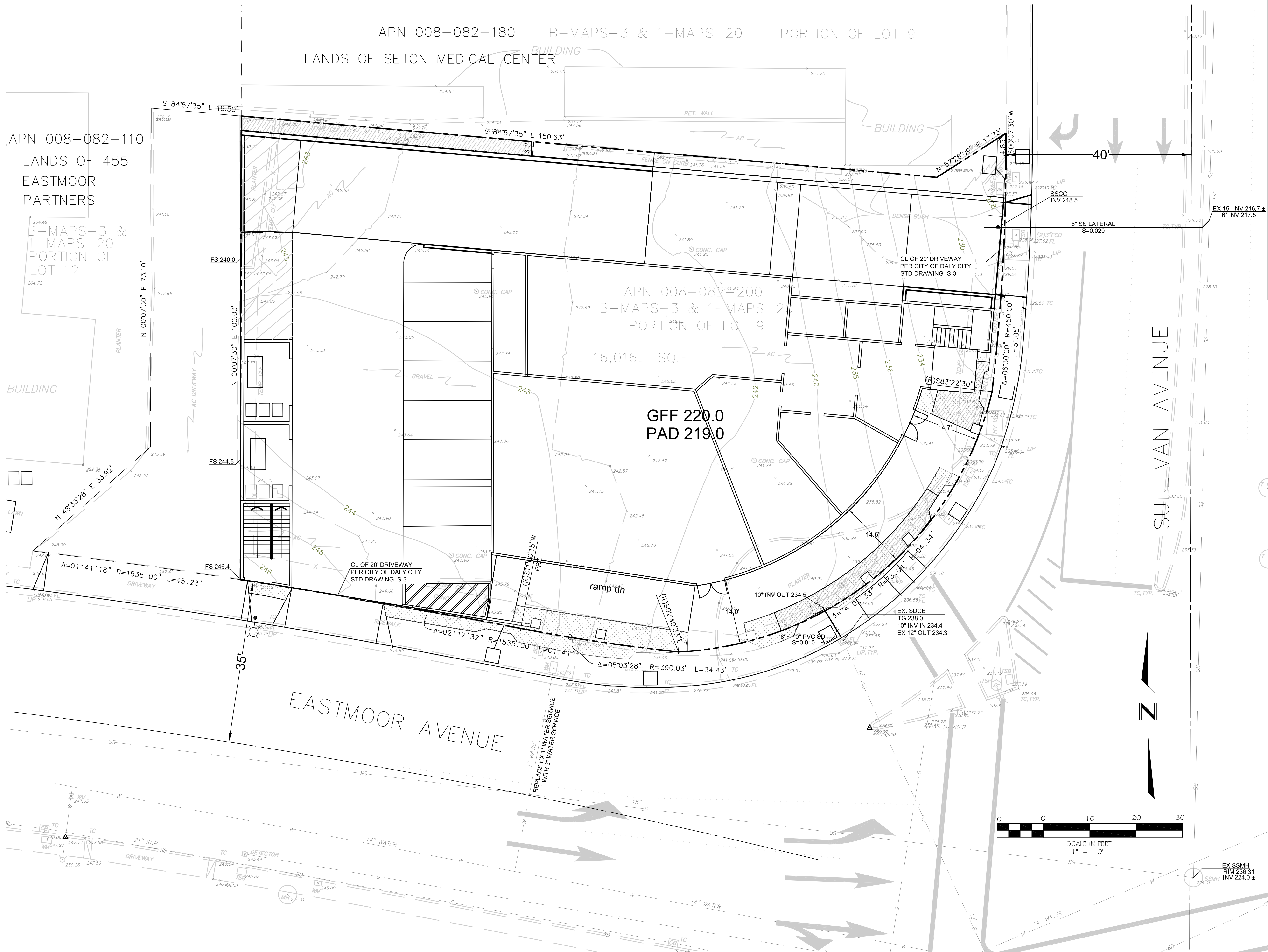
7-5 Convert Item 7-4 from ft. to inches 6.00 Inches (Depth of stored runoff in surface ponding area)

7-6 If the ponding depth in Item 7-5 meets target, stop here. If not, repeat Steps 7-1 through 7-5 until you obtain target depth.
(Note: Overflow outlet elevation should be set based on the calculated ponding depth.)

8.0 Surface Area of Treatment Measure for DMA

8-1 Final surface area of treatment 180 Square feet (Either Item 5-2 or final amount in Item 7-3)

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
Project Phase Number: (N/A, 1, 2, 3, etc.)			
Total Site (acres):	0.37	Total Area of Site Disturbed (acres):	0.37
Impervious Surfaces	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced ¹	New ²
	Roof Area(s)		14,680
	Parking		
	Sidewalks, Patios, Paths, etc.	8,576	395
	Driveway		
	Streets (public)		
	Streets (private)		
Total Impervious Surfaces:	8,576	395	14,680
Pervious Surfaces			
Landscaped Areas	1,644	664	276
Pervious Paving			
Other Pervious Surfaces (green roof, dirt walkway)	5,795		
Total Pervious Surfaces:	7,439	664	276
Total Proposed Replaced + New Impervious Surfaces:			15,075
Total Proposed Replaced + New Pervious Surfaces:			940



VICINITY MAP NOT TO SCALE

LEGEND	
EXISTING	PROPOSED
	PROPERTY LINE
	EASEMENT
	CENTER LINE
	BIO-TREATMENT CELL
	WATER
	STORM DRAIN
	SANITARY SEWER LATERAL
	CATCH BASIN
	SANITARY SEWER CLEANOUT

PROPERTY INFORMATION

OWNERS: 493 EASTMOOR INVESTMENT LLC
1299 BAYSHORE HWY #128
BURLINGAME, CA 94010-1807
ASSESSOR PARCEL NUMBER: 008-082-200

SITE ADDRESS: 493 EASTMOOR AVENUE
DALY CITY, CA 94015-2042

EXISTING PARCELS: 1 GROSS AREA: 0.368 ACRES

PROPOSED PARCELS: 1 NET AREA: 0.368 ACRES

PROPOSED BUILDING: 13,152 SF

LOT COVERAGE: 82%

EXISTING USE: COMMERCIAL

PROPOSED USE: MIXED USE

EXISTING ZONING: COMMERCIAL

GENERAL PLAN DESIGNATION: RETAIL AND OFFICE COMMERCIAL(C-RO)

WATER: DALY CITY WATER & WASTEWATER

STORM DRAIN: CITY OF DALY CITY

SEWER: CITY OF DALY CITY

PROJECT INFORMATION:

6

SITE AREA: 16,015 SF
1ST FLOOR AREA: 11,650 SF
2nd FLOOR AREA: 9,546 SF
3RD FLOOR AREA: 9,628 SF
4TH FLOOR AREA: 9,628 SF
5TH FLOOR AREA: 8,101 SF

SEE SHT. A7

TOTAL FLOOR AREA = 48,537 SF

FLOOR AREA RATIO =
48537 : 16015 = 3.0

RETAIL COMMERCIAL = 2,100 SF
NUMBER OF RESIDENTIAL UNITS = 34
1-BEDROOM : 10 (29%)
2-BEDROOM : 24 (71%)

PARKING REQUIRED :
RETAIL: 2100 X 1/300 = 7
RESIDENTIAL:
34 UNITS X 2 = 68
TOTAL = 75

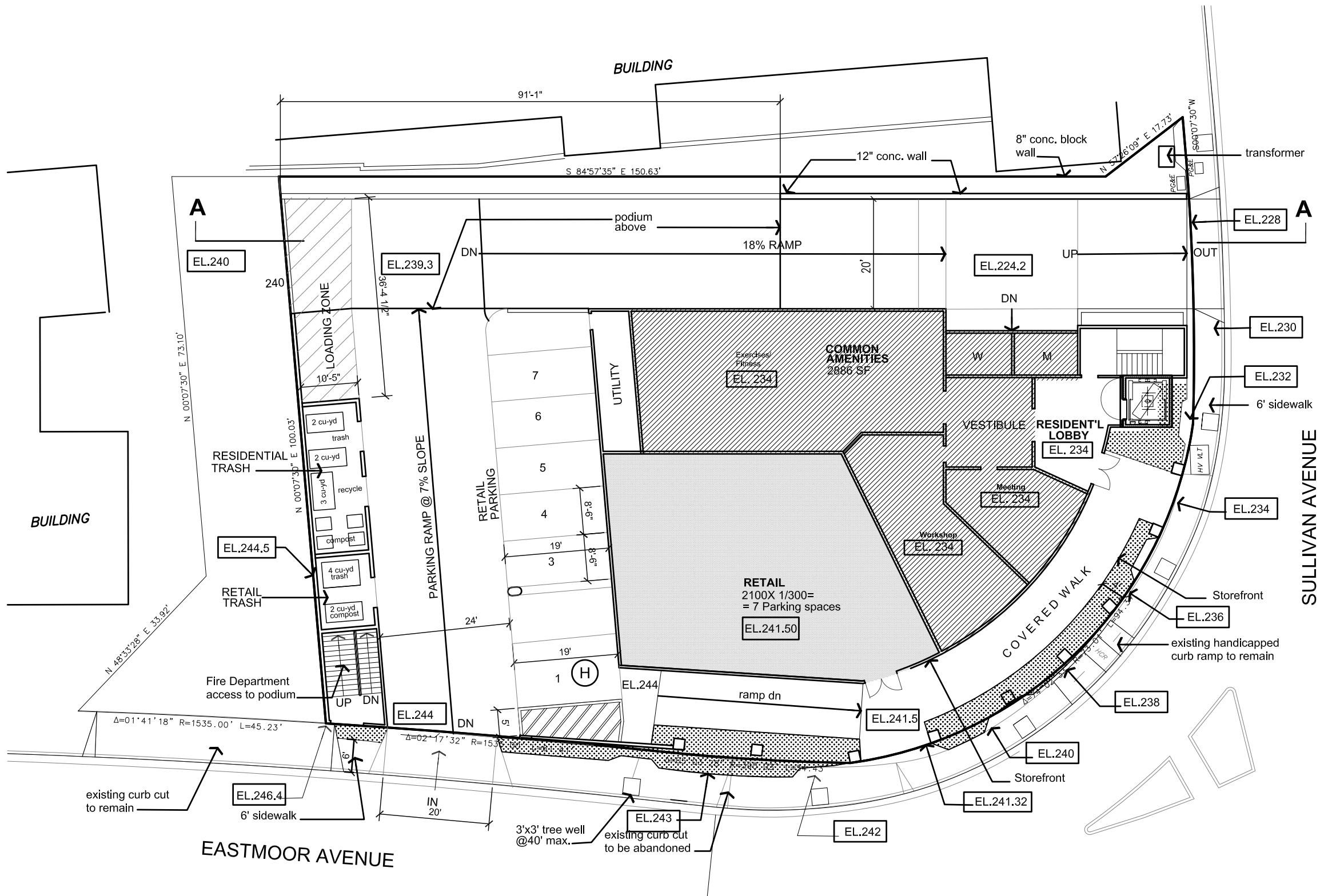
TOTAL REQUIRED @ 20% REDUCTION:
75 X 80% = 60 SPACES

PARKING PROVIDED:
1ST FLOOR : 7
BASEMENT : 57 (with 'KLAUS' MULTI-PARKING SYSTEM)
TOTAL PROVIDED : 64 SPACES

BICYCLE STORAGE PROVIDED : 16 BOXES

COMMON OPEN SPACES:
1ST FLOOR = 2886 SF
BALCONIES = 2231 SF
TOTAL = 5117 SF

RATIO:
5117 : 34 = 150 SF
REQUIRED = 150 SF



SITE AND FIRST FLOOR PLAN

SCALE : 1" = 20'

OWNER:

NAME :
ADDRESS :
TELEPHONE :
EMAIL :

EASTMOOR
RESIDENTIAL DEVELOPMENT
493 EASTMOOR AVENUE
Daly City - California

Date: 8-2-2015

Scale: 1" = 20'

Revisions:

11-29-2015

5-31-2016

7-7-2016

8-11-2016

10-7-2016

Drawing Title:

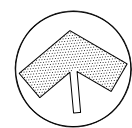
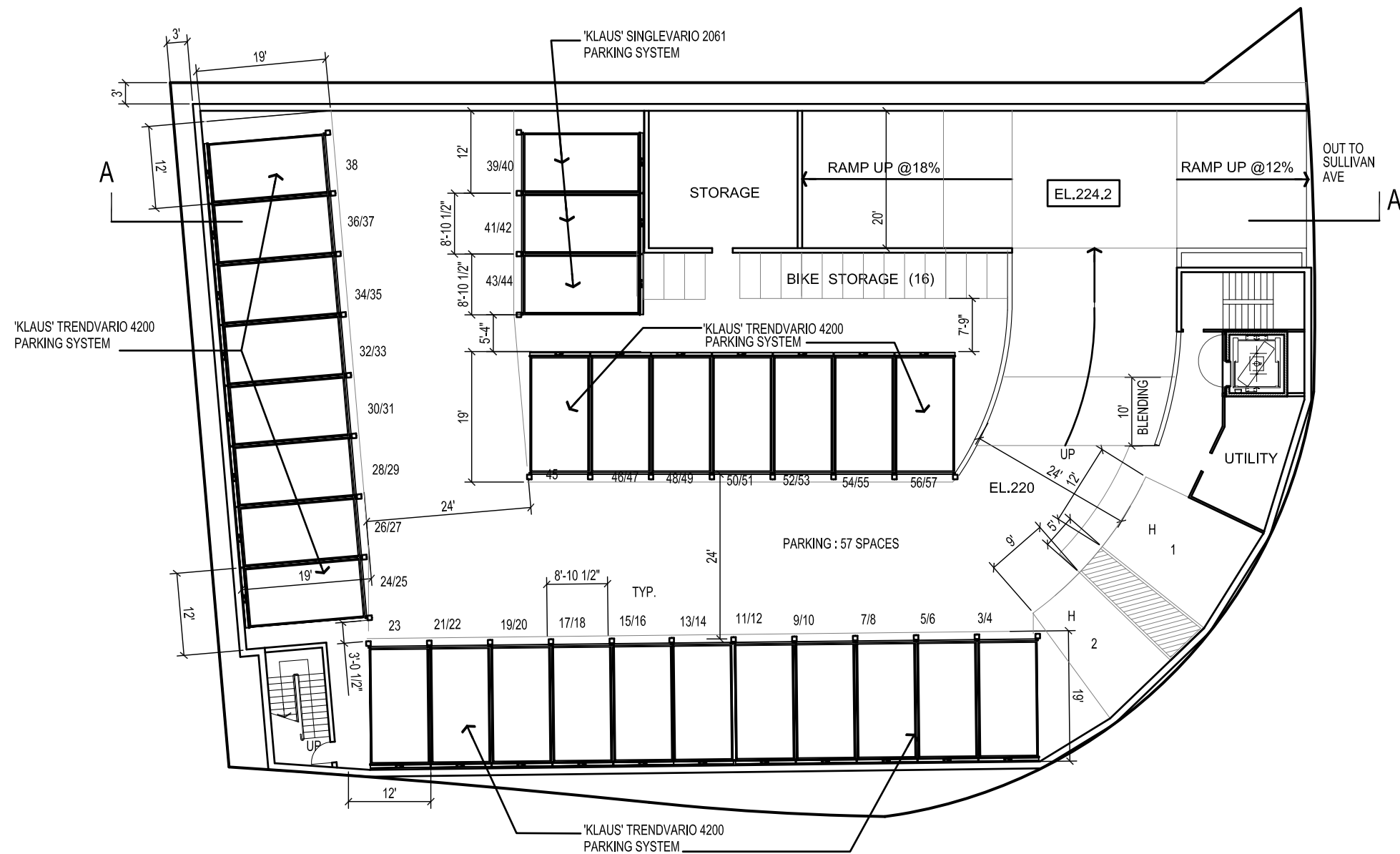
SITE & 1ST
FLOOR PLAN

Sheet No:

A1

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Fax : 408-992-0281



PARKING BASEMENT

SCALE : 1" = 20'

OWNER:

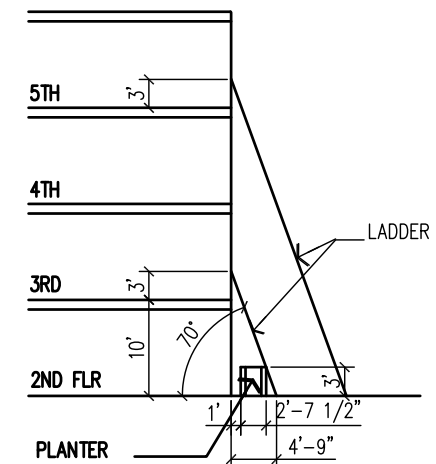
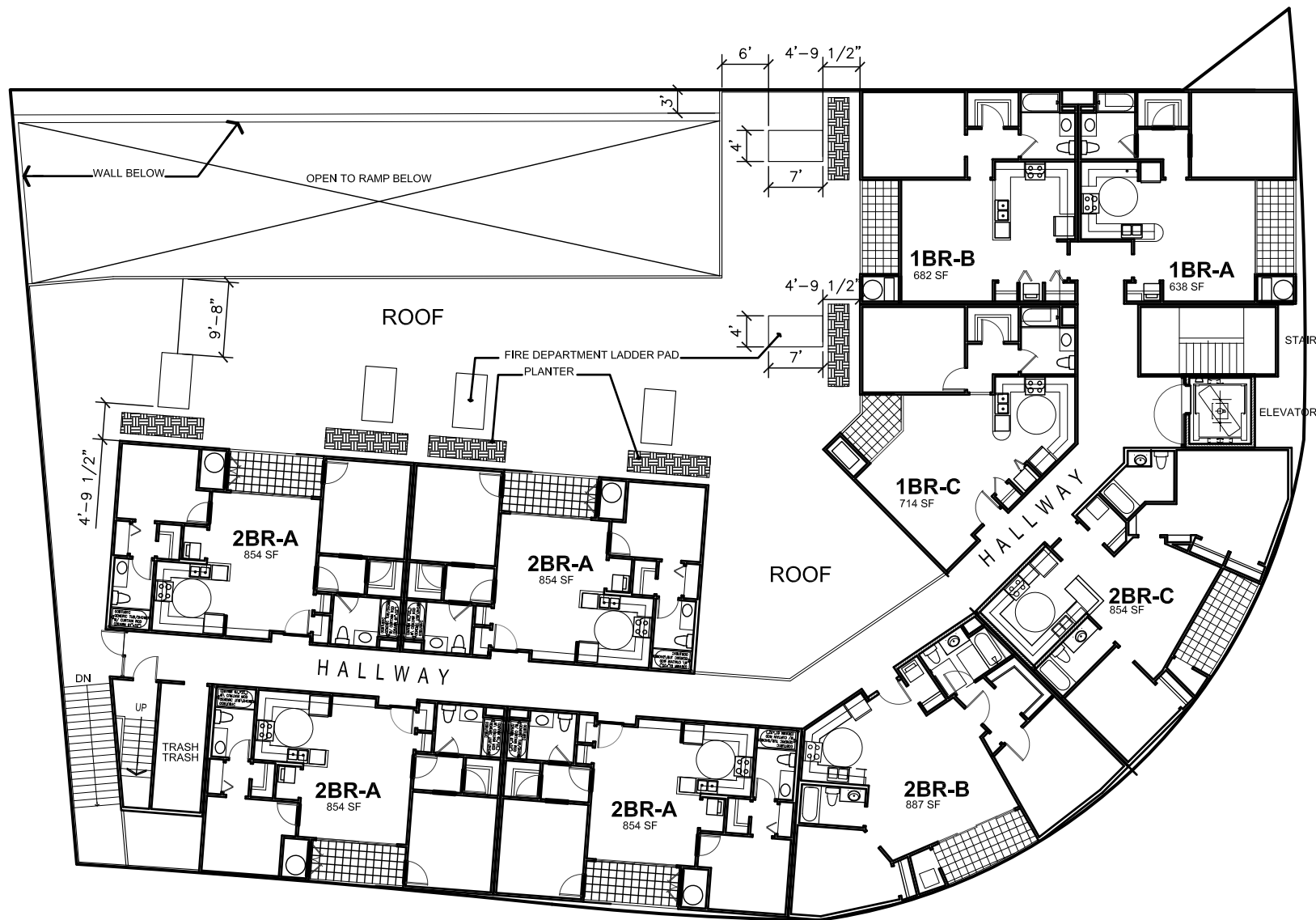
NAME :
ADDRESS :
TELEPHONE :
EMAIL :

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493 EASTMOOR AVENUE
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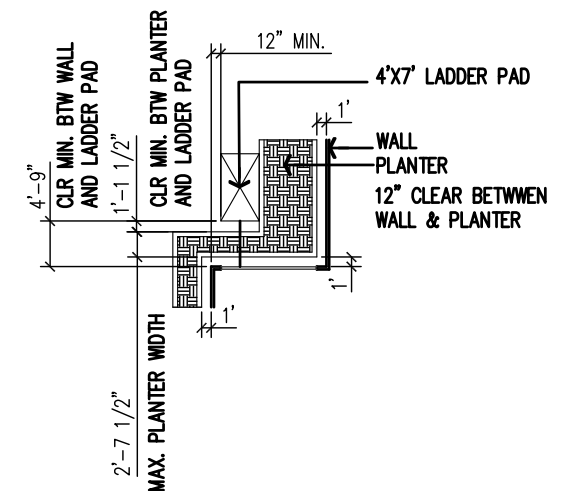
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4	8-11-2016
5	10-7-2016

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PARKING BASEMENT
Sheet No:
A2

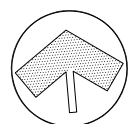
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SECTION @ WINDOW



PLANTER @ PODIUM



FLOOR 2

SCALE : 1" = 20'

OWNER:

NAME :
ADDRESS :
TELEPHONE:
EMAIL :

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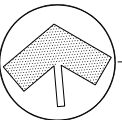
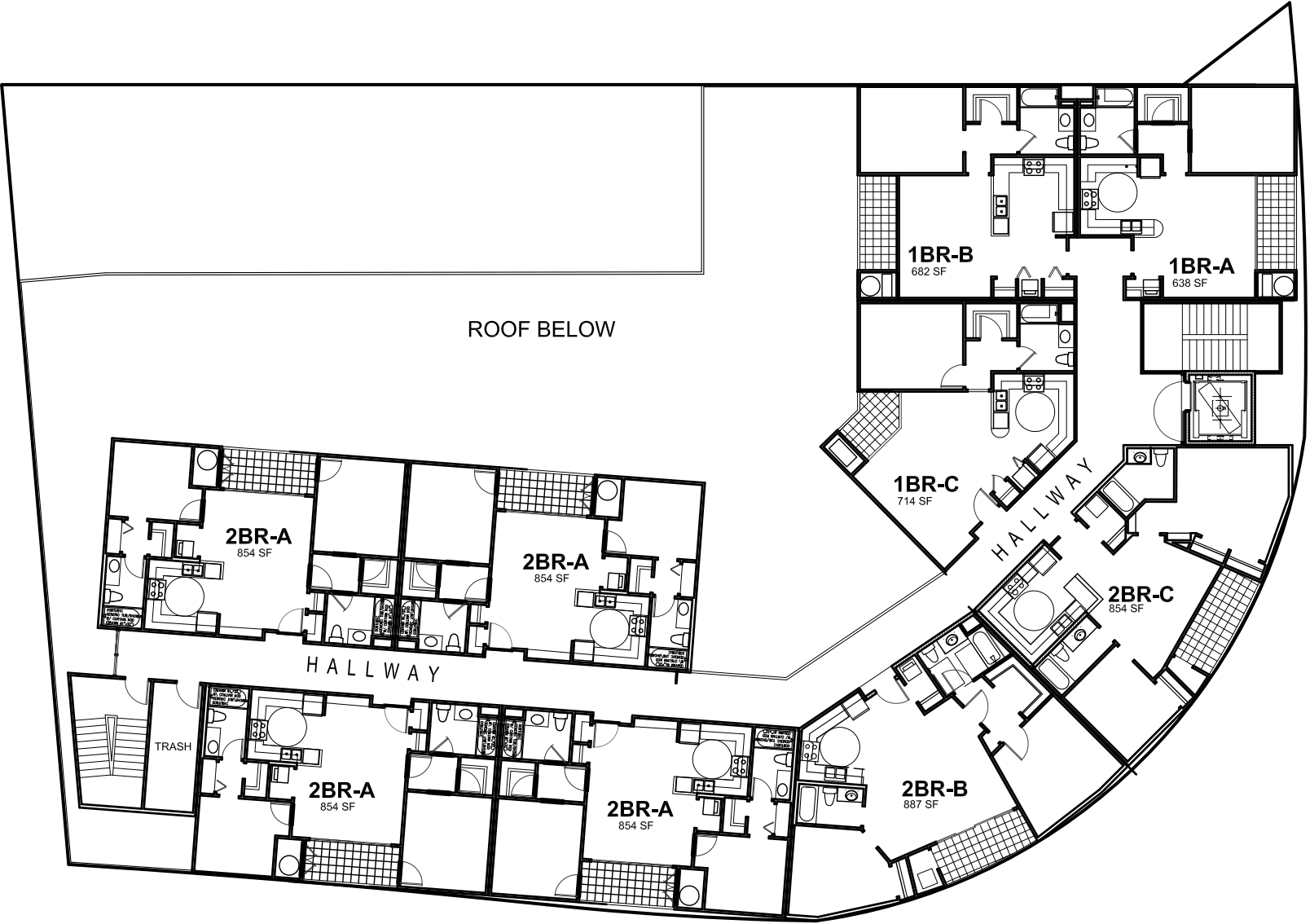
FLOOR
2

Sheet No:

A3

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FLOORS 3 & 4

SCALE : 1" = 20'

OWNER:

NAME :
ADDRESS :
TELEPHONE:
EMAIL :

EASTMOOR RESIDENTIAL DEVELOPMENT

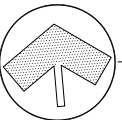
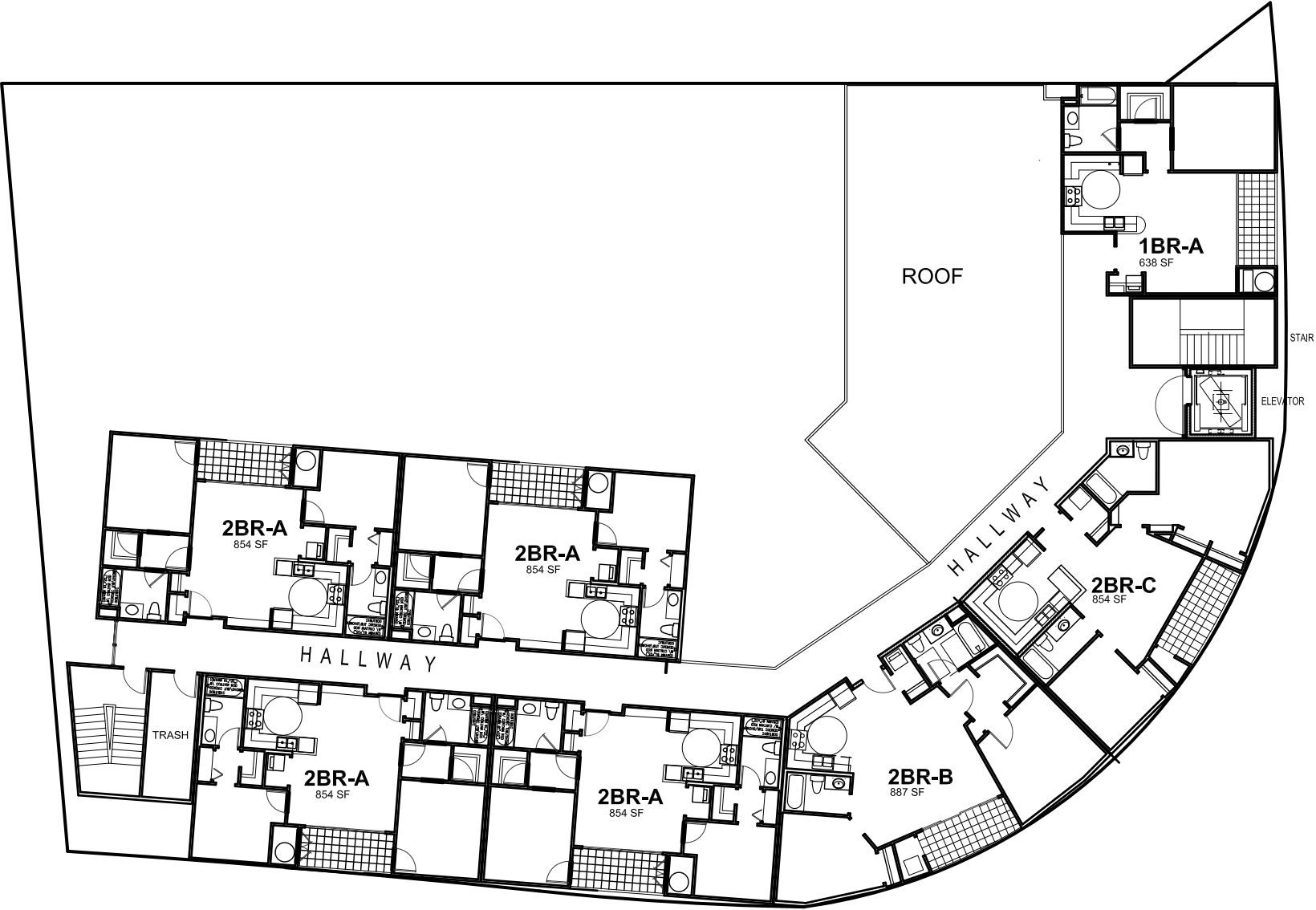
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Daly City - California

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Revisions:	
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3	7-7-2016
4	8-11-2016
5	10-7-2016

Drawing Title:
**FLOORS
3 & 4**
Sheet No:
A4

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FLOOR 5

SCALE : 1" = 20'

OWNER:

NAME :
ADDRESS :
TELEPHONE:
EMAIL :

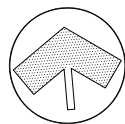
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493 EASTMOOR AVENUE
Daly City - California

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Revisions:	
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2	5-31-2016
3	7-7-2016
4	8-11-2016
5	10-7-2016

Drawing Title:	
FLOOR	5
Sheet No:	A5

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ROOF PLAN

SCALE : 1" = 20'

OWNER:

NAME :
ADDRESS :
TELEPHONE :
EMAIL :

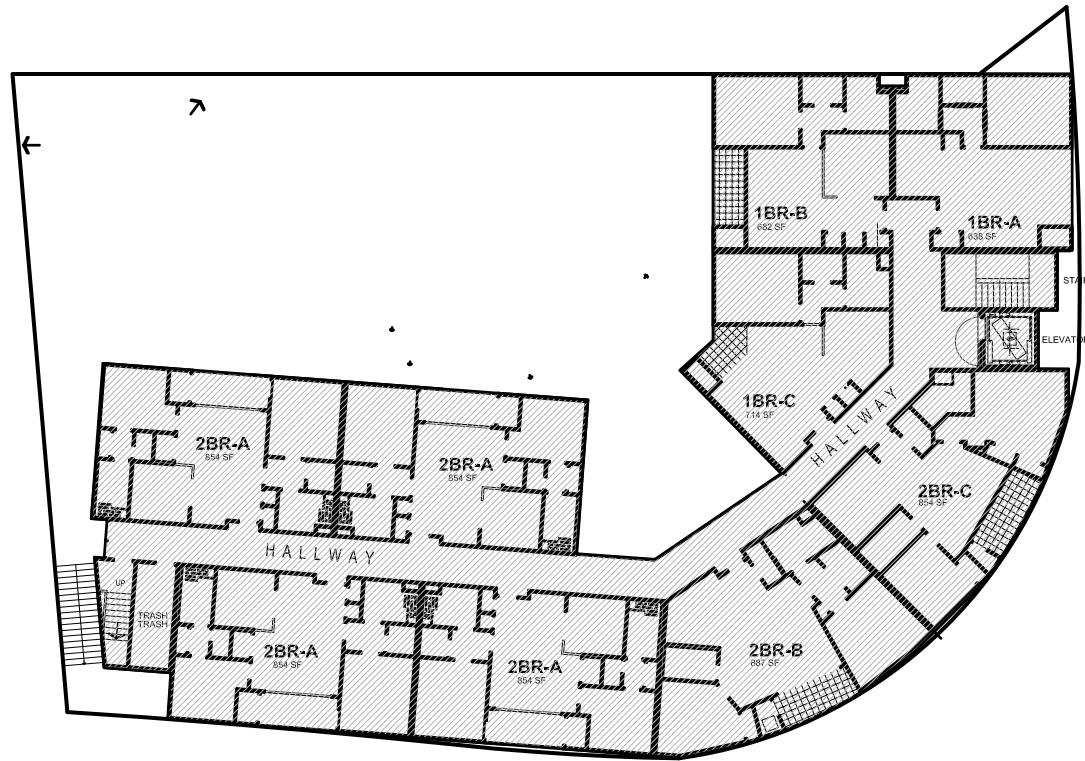
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493 EASTMOOR AVENUE
Daly City - California

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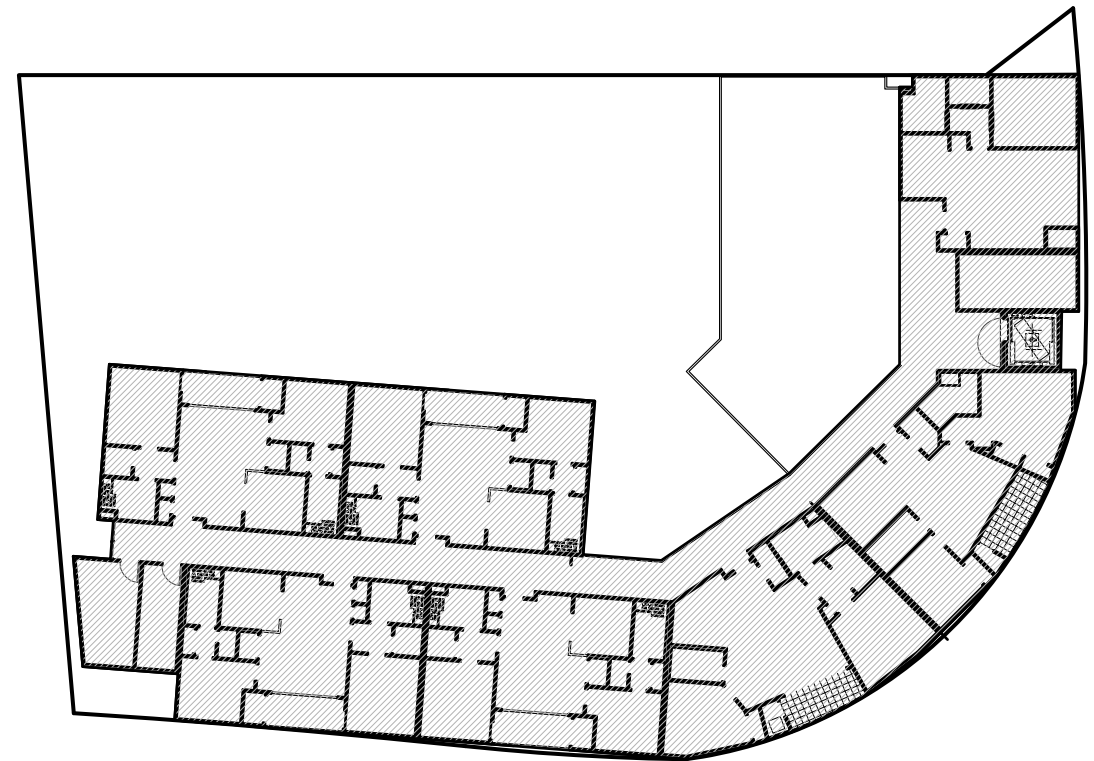
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ROOF PLAN	
Sheet No:	
A6	

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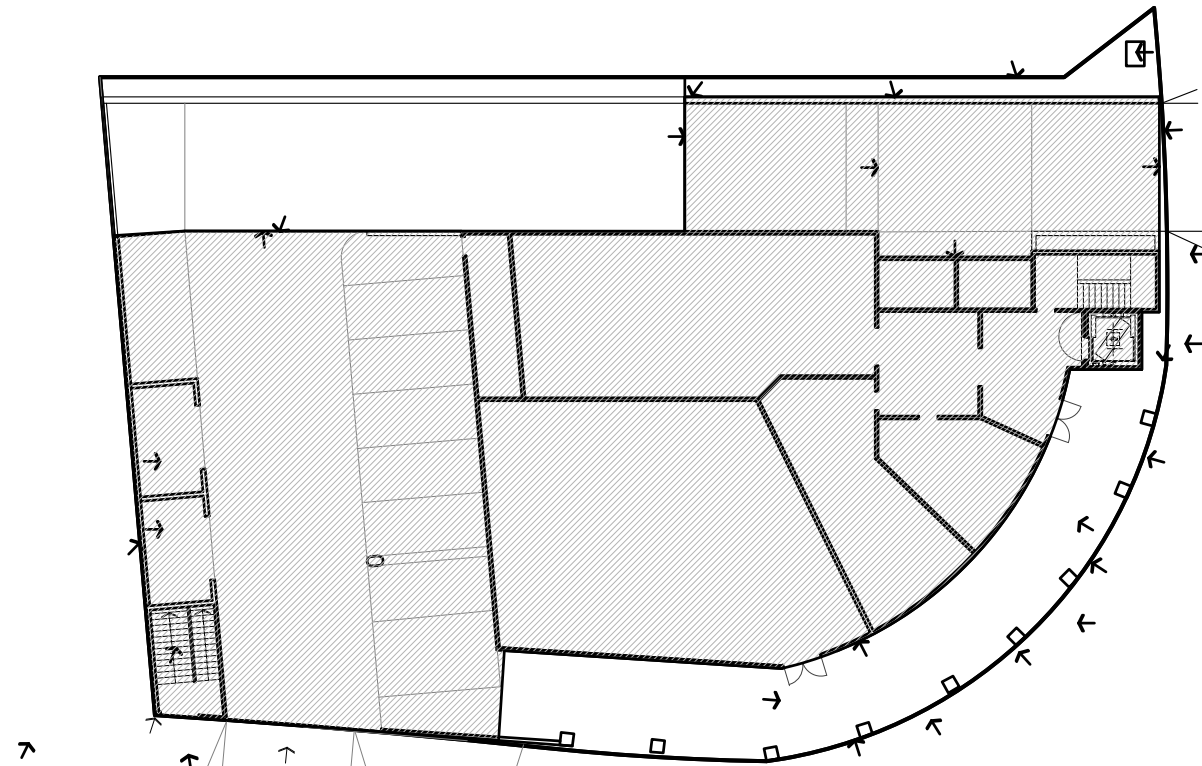
FLOOR 2 = 9,546 SF

SCALE = 1/16" = 1'-0"



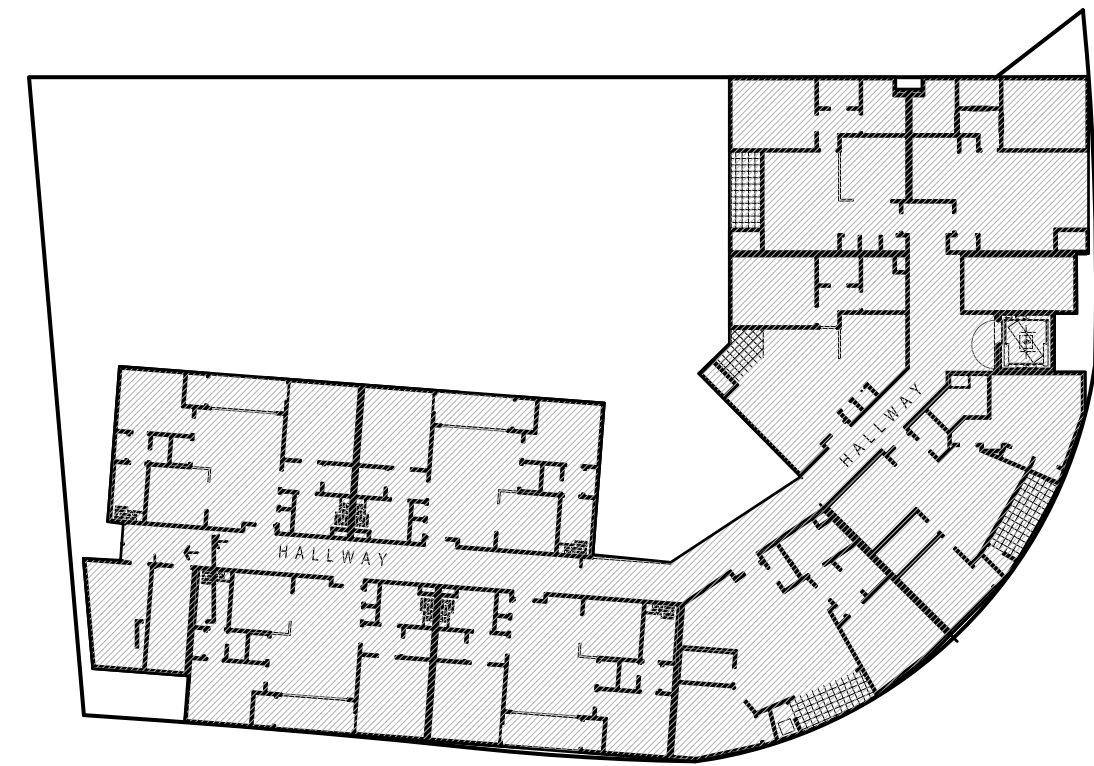
FLOOR 5 = 8,101 SF

SCALE = 1/16" = 1'-0"



FLOOR 1 = 11,650 SF

SCALE = 1/16" = 1'-0"



FLOORS 3 & 4 = 9,628 SF

SCALE = 1/16" = 1'-0"

OWNER:

NAME :
ADDRESS :
TELEPHONE :
EMAIL :

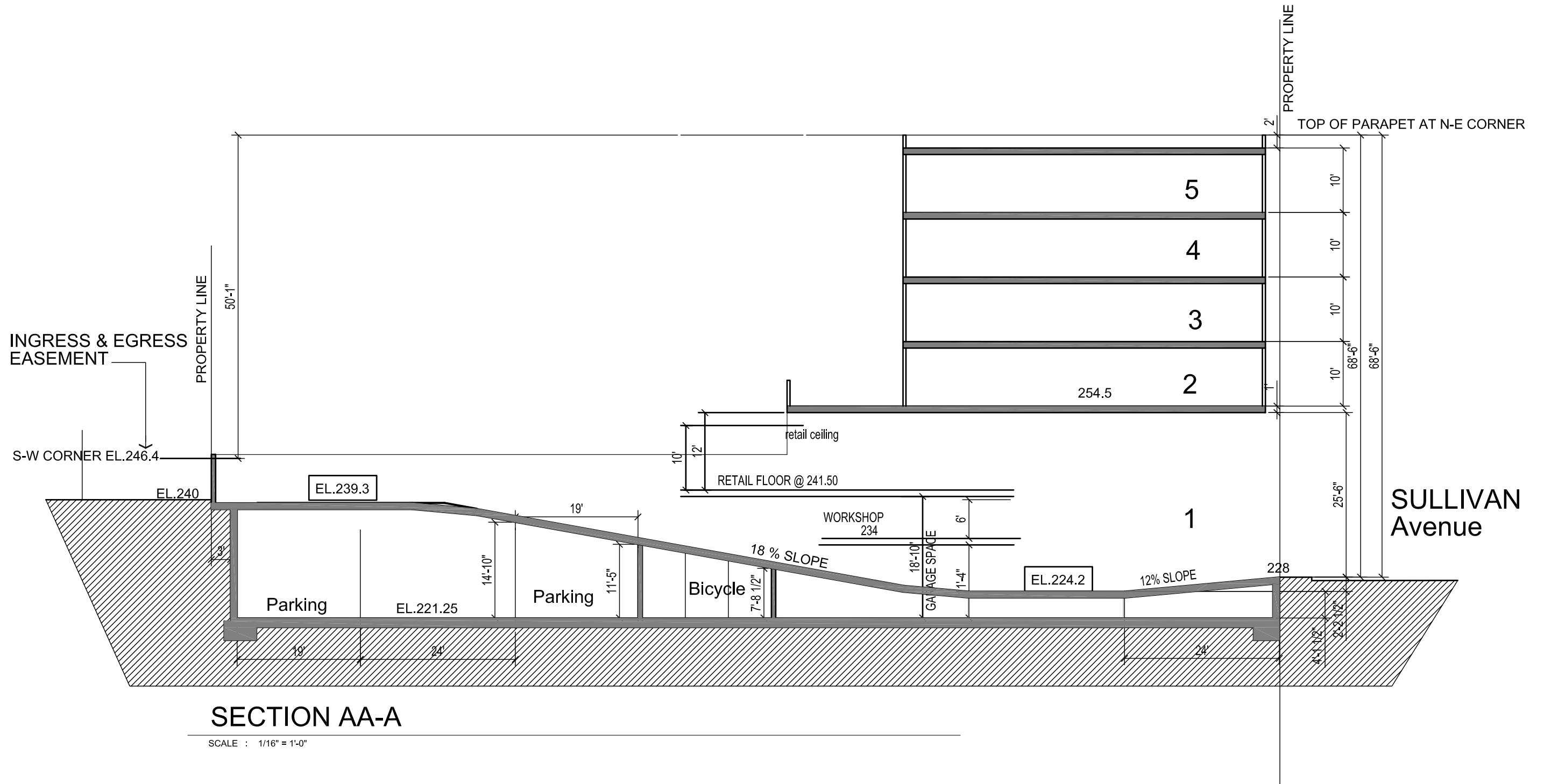
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493 EASTMOOR AVENUE
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Revisions:	
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3	5-31-2016
4	7-7-2016
5	8-11-2016

Drawing Title:
FLOOR AREAS
Sheet No:

A7

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NAME :
ADDRESS :
TELEPHONE :
EMAIL :

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Date:	8-2-2015
Scale:	1" = 20'
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6	

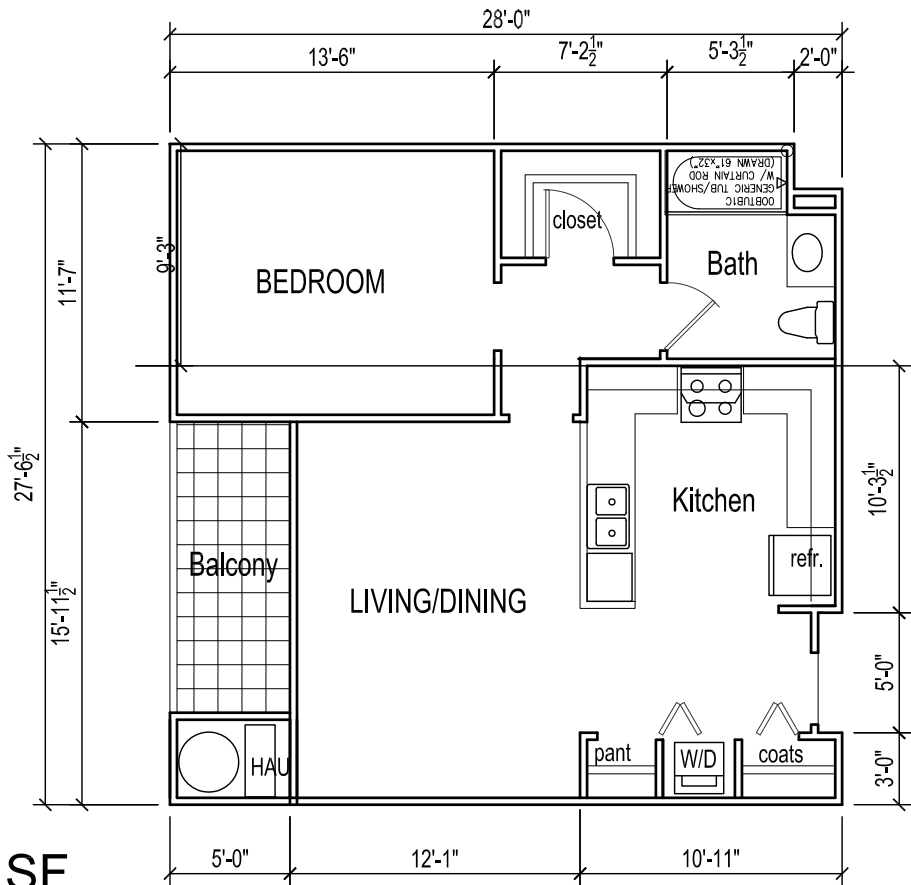
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BUILDING SECTION	
Sheet No:	
A8	

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1BR-A UNIT

682 SF

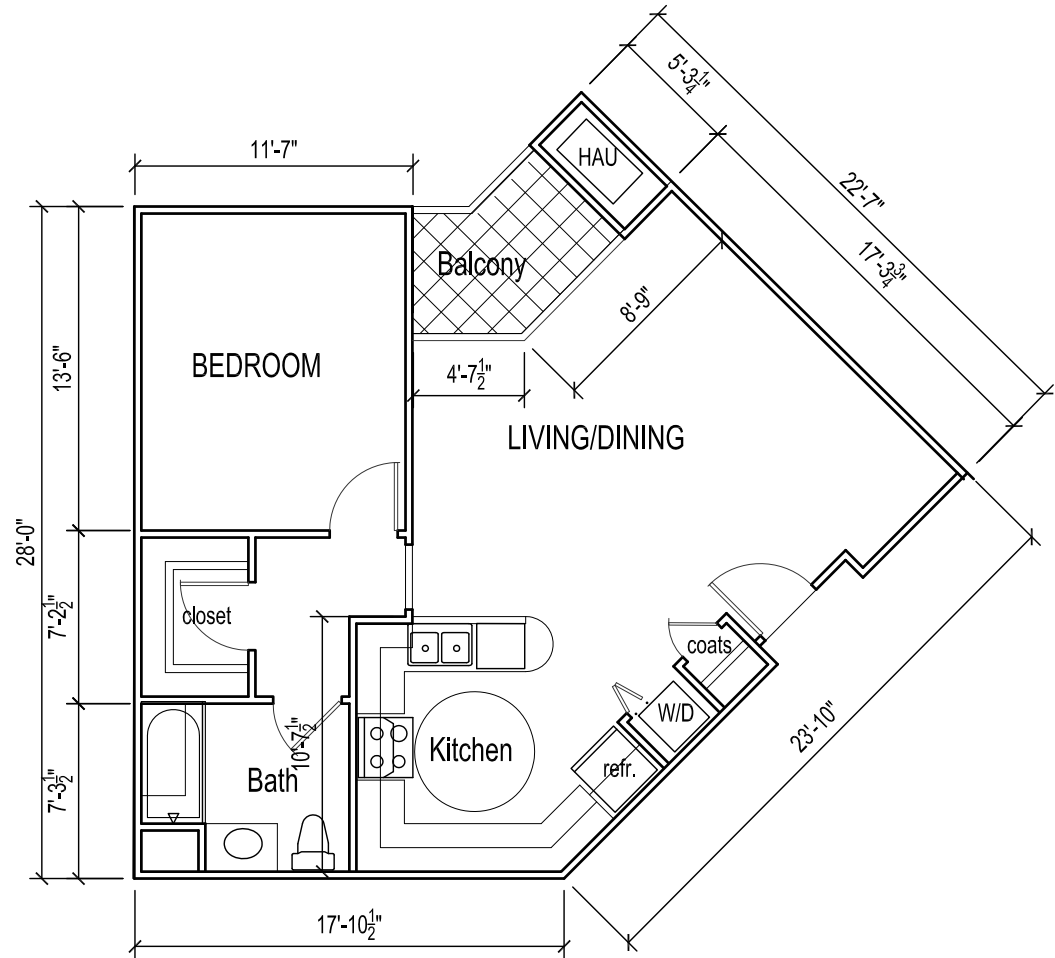
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1BR-C UNIT

725 SF

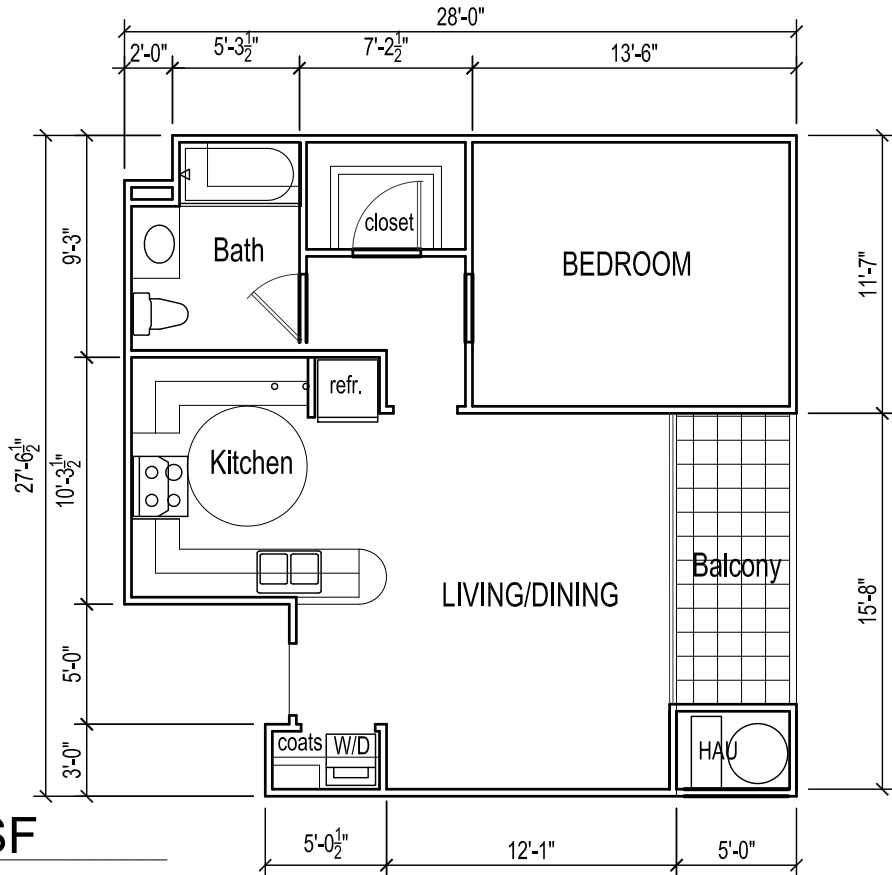
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1BR-B UNIT

682 SF

SCALE : 1/8" = 1'-0"



OWNER:

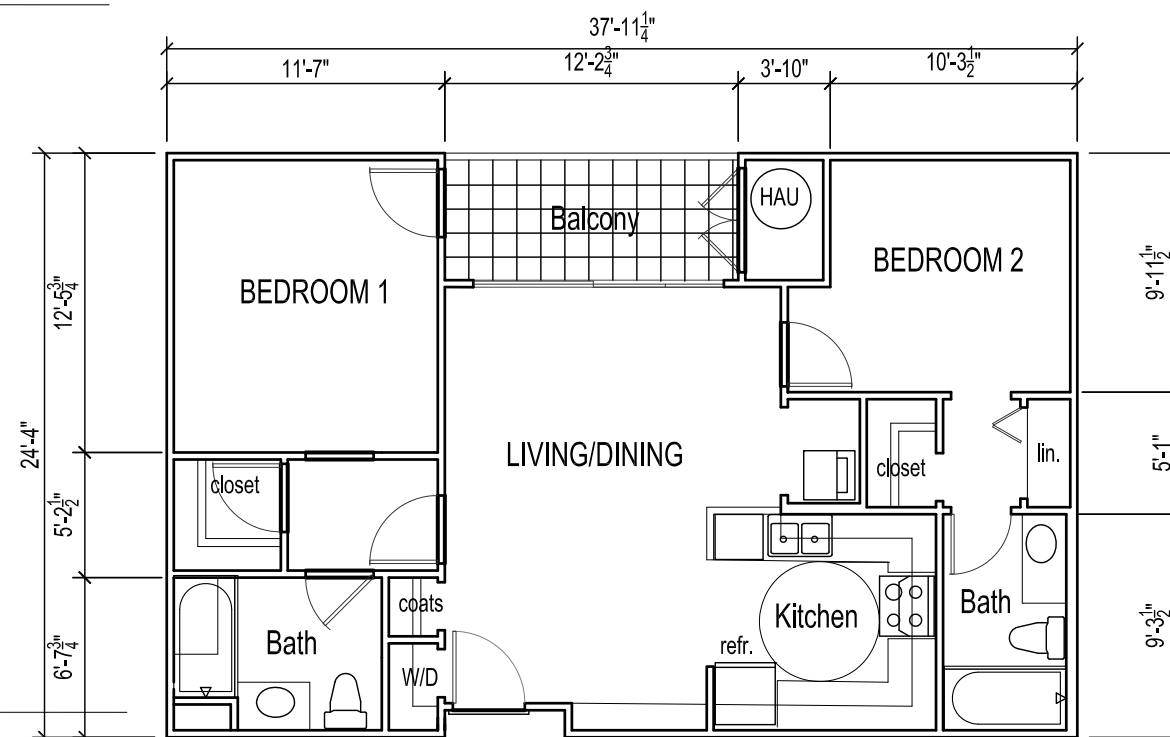
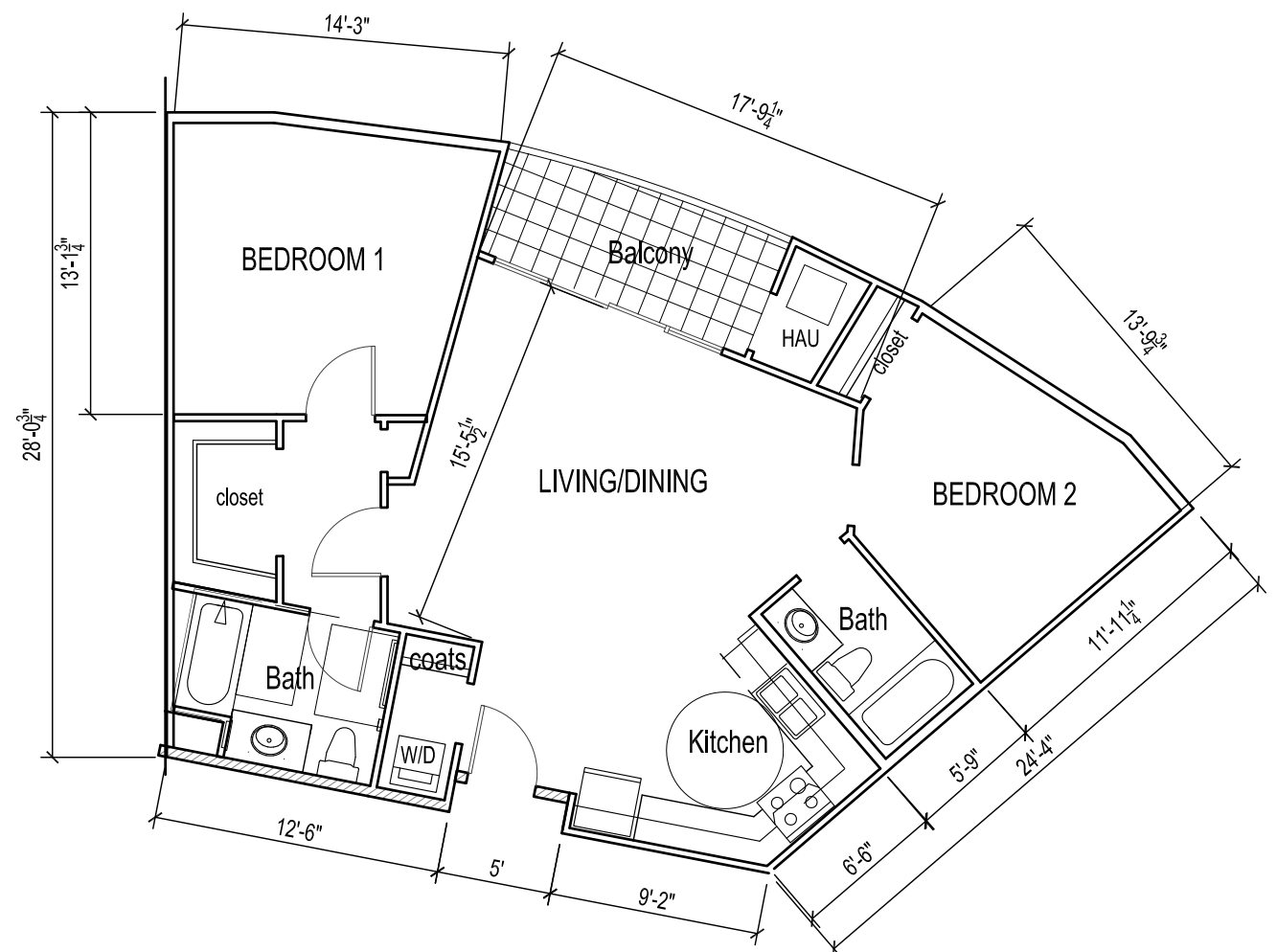
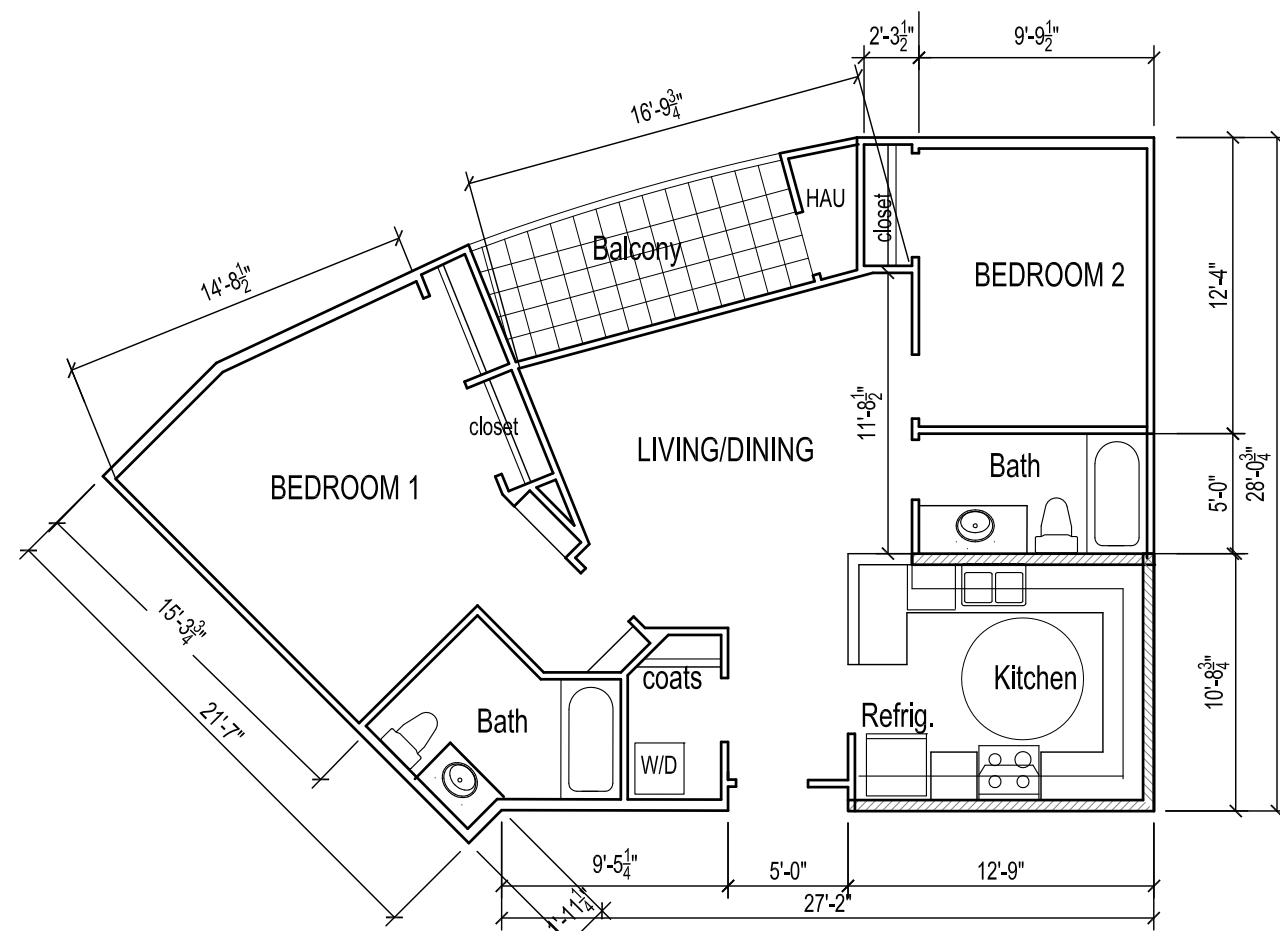
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EMAIL :

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493 EASTMOOR AVENUE
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Date:	
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Revisions:	
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4	8-11-2016
5	10-7-2016

Drawing Title:	
UNIT PLANS	
Sheet No:	
A9	

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NAME :
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EMAIL :

EASTMOOR
RESIDENTIAL DEVELOPMENT
493 EASTMOOR AVENUE
Daly City - California

Date:	
Scale:	1/8" = 1'-0"
Revisions:	
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3	5-31-2016
4	7-7-2016
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6	10-7-2016

Drawing Title:

- UNIT PLANS

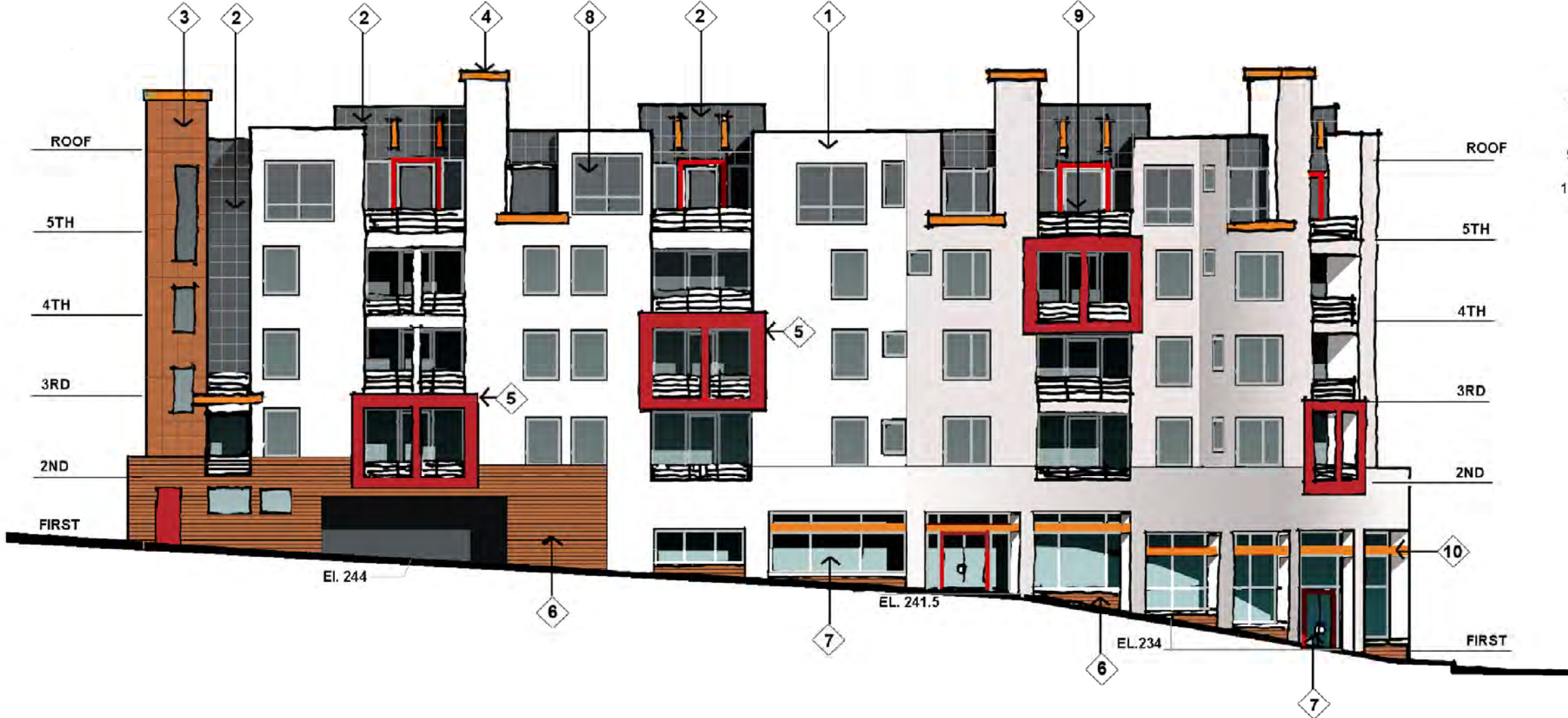
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A10

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- LEGEND:**
- 1 - STUCCO - PAINTED - TYP.
 - 2 - 'SWISSPEARL' PANEL
CARAT Azurite 7041
 - 3 - 'SWISSPEARL' PANEL
CARAT Coral 7033
 - 4 - 'SWISSPEARL' PANEL
REFLEX Gold 9272
 - 5 - CERAMIC TILE
COLOR : RED
 - 6 - COLOR SPLIT FACED
CONCRETE BLOCK
 - 7 - 'KAWNEER' ALUMINUM
STOREFRONT
 - 8 - 'MILGARD' FIBERGLASS
WINDOW SYSTEM
 - 9 - WROUGHT IRON RAILING
 - 10 - ALUMINUM SIGN BAND



SOUTH ELEVATION-Eastmoor Ave

SCALE : 1/16" = 1'-0"

OWNER:

NAME
ADDRESS
TELEPHONE
EMAIL

**EASTMOOR
RESIDENTIAL DEVELOPMENT**
493 EASTMOOR AVENUE
Daly City - California

Date: 10-7-2016
Scale: 1/16" = 1'-0"
Revision:

Drawing Title:
**SOUTH
ELEVATION**
Sheet No:
A11

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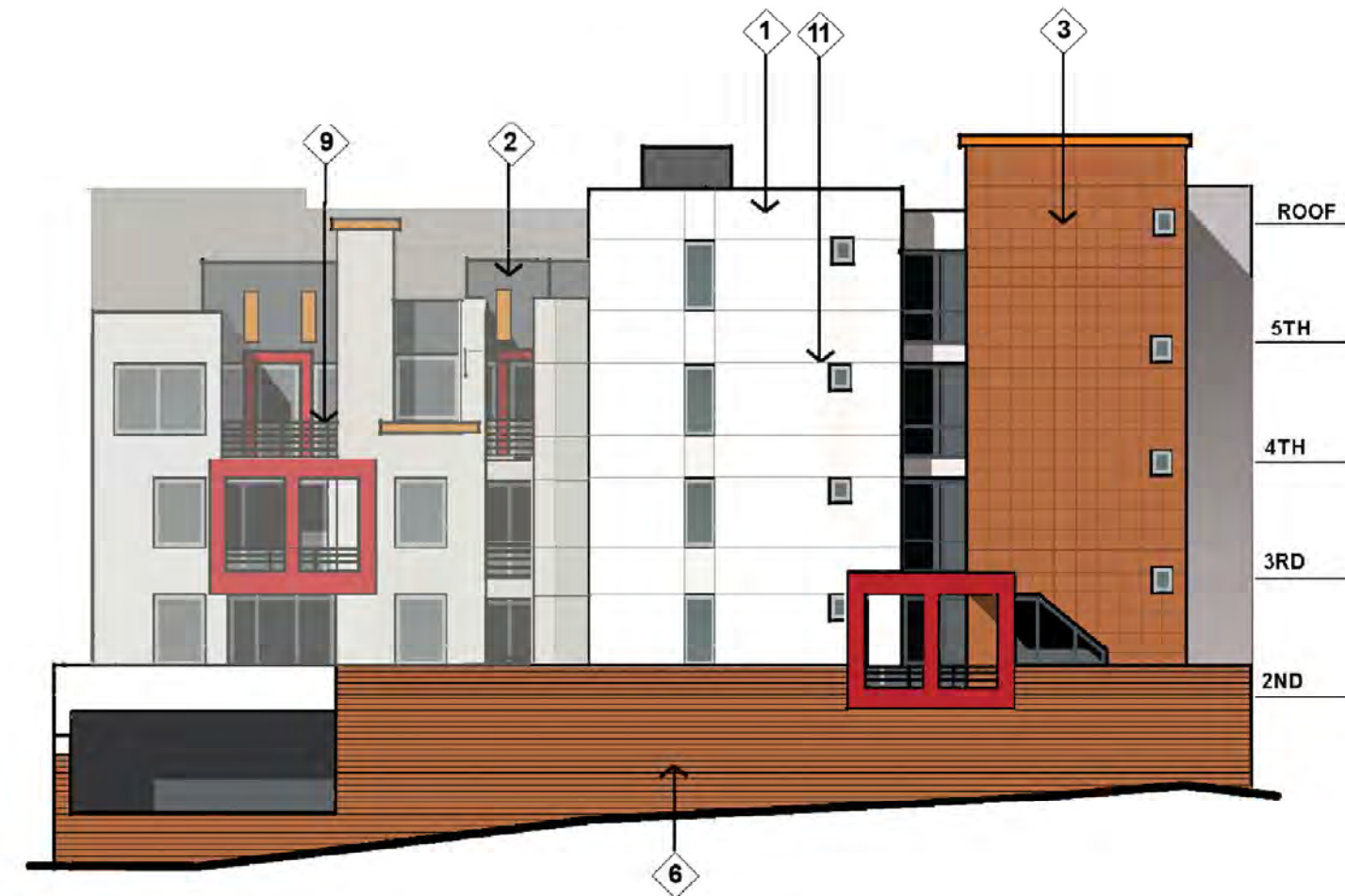
LEGEND:

- | | |
|---|--|
| 1 - STUCCO - PAINTED - TYP. | 6 - COLOR SPLIT FACED CONCRETE BLOCK |
| 2 - 'SWISSPEARL' PANEL CARAT Azurite 7041 | 7 - 'KAWNEER' ALUMINUM STOREFRONT |
| 3 - 'SWISSPEARL' PANEL CARAT Coral 7033 | 8 - 'MILGARD' FIBERGLASS WINDOW SYSTEM |
| 4 - 'SWISSPEARL' PANEL REFLEX Gold 9272 | 9 - WROUGHT IRON RAILING |
| 5 - CERAMIC TILE COLOR : RED | 10 - ALUMINUM SIGN BAND |
| | 11- STUCCO V GROOVE |



EAST ELEVATION -Sullivan Ave

SCALE : 1/16" = 1'-0"



WEST ELEVATION

SCALE : 1/16" = 1'-0"

OWNER:

NAME:
ADDRESS:
TELEPHONE:
EMAIL:

**EASTMOOR
RESIDENTIAL DEVELOPMENT**
493 EASTMOOR AVENUE
Daly City - California

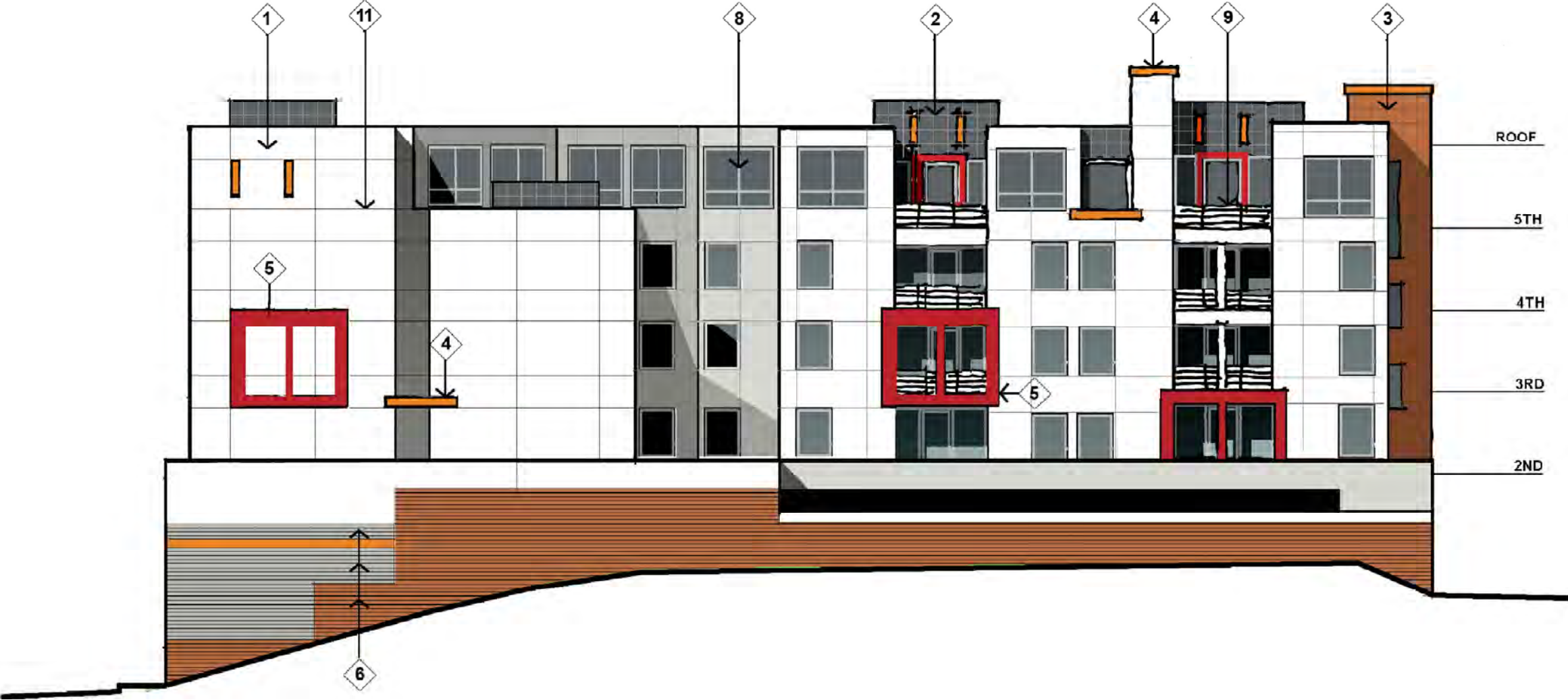
Date: 10-7-2016
Scale: 1/16" = 1'-0"
Revisions: 08-10-2016

Drawing Title:
**EAST & WEST
ELEVATIONS**
Sheet No:

A12

**LPMD
Architects**
1288 Kifer Road, Suite 206
Sunnyvale, CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

- LEGEND:**
- 1 - STUCCO - PAINTED - TYP.
 - 2 - 'SWISSPEARL' PANEL
CARAT Azurite 7041
 - 3 - 'SWISSPEARL' PANEL
CARAT Coral 7033
 - 4 - 'SWISSPEARL' PANEL
REFLEX Gold 9272
 - 5 - CERAMIC TILE
COLOR : RED
 - 6 - COLOR SPLIT FACED
CONCRETE BLOCK
 - 7 - 'KAWNEER' ALUMINUM
STOREFRONT
 - 8 - 'MILGARD' FIBERGLASS
WINDOW SYSTEM
 - 9 - WROUGHT IRON RAILING
 - 10 - ALUMINUM SIGN BAND
 - 11 - STUCCO V GROOVE



NORTH ELEVATION

SCALE : 1/16" = 1'-0"

OWNER:

NAME
ADDRESS
TELEPHONE:
EMAIL

EASTMOOR
RESIDENTIAL DEVELOPMENT
493 EASTMOOR AVENUE
Daly City - California

Date: 10-7-2016
Scale: 1/16" = 1'-0"
Revisions:

Drawing Title:
**NORTH
ELEVATION**
Sheet No:

A13

LPMD
Architects
1288 Kifer Road, Suite 206
Sunnyvale, CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

COLOR & MATERIAL SAMPLES

1

STUCCO



2

SWISSPEARL WALL PANEL
CARAT Azurite 7041



3

SWISSPEARL WALL PANEL
CARAT Coral 7033



4

SWISSPEARL WALL PANEL
REFLEX Gold 9272



5

DAL-TILE GLAZED
CERAMIC WALL TILE
Roma Red QH96



6

APPLE (Rose)



APPLE PINE (Standard White)



9

WROUGHT IRON
RAILING



OWNER:
NAME
ADDRESS
TELEPHONE
EMAIL

EASTMOOR
RESIDENTIAL DEVELOPMENT
493 EASTMOOR AVENUE
Daly City - California

Date: 10-7-2016
Scale: 1/16" = 1'-0"
Revisions:

Drawing Title:
COLOR &
MATERIAL
SAMPLES
Sheet No:
A14

LPMD
Architects
1288 Kifer Road, Suite 205
Sunnyvale, CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281



City Council Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Award of Construction Contract for Mussel Rock Public Access and Amenities Improvements

Recommended Action

Staff recommends that the City Council approve the design documents, waive minor irregularities, accept the single bid received, and award a construction contract to Southwest Construction & Property Management of San Bruno, California, in the amount of \$181,070.00 for the subject project. Staff further recommends that the City Council authorize the City Manager to execute the contract with Southwest Construction & Property Management.

Background

The Mussel Rock Landfill was closed in 1978 and requires routine repair and maintenance activities, which include but are not limited to the maintenance of the seawall, access roads, gabion walls, sedimentation ponds, surface and subsurface drainage systems, and fences and gates. In 2010, a section of seawall was identified as needing repair. The seawall repair work extended into and below the water line and therefore required a Coastal Development Permit (CDP) from the California Coastal Commission (CCC). The CDP issued by the CCC was conditionally approved.

One condition outlined in the CDP was the development and construction of a public access management plan that addressed public access, signage, fencing, gabion wall screening, and amenities. This project fulfills most of the requirements of this condition. Due to the uncertainty in the feasibility of screening the gabion walls with native plants as required in the CDP, the CCC allowed the City to first conduct a pilot project of various planting methods on shorter sections of gabion wall. In approximately one year after project completion, the City will analyze the results of the pilot project plantings and subsequently propose to the CCC a plan for implementing gabion screening of the remainder of the site.

Discussion

Only one (1) bid was received on November 2, 2016. The following table summarizes the bid and the Engineer's Estimate:

Bidder	Base Bid	Comments
Southwest Construction & Property Management	\$181,070.00	Responsive Bid
Engineer's Estimate	\$98,200.00	

The apparent low bidder, Southwest Construction & Property Management of San Bruno, California, has been in business since March 2001. This bidder holds the required Class A

Award of Construction Contract for Mussel Rock Access and Amenities Improvements

Meeting Date: November 28, 2016

Page 2 of 2

contractor's license which is current and in good standing. The bidder's references indicate the bidder has successfully completed a reservoir roof replacement project for the City's Department of Water and Wastewater Resources and work for the California Department of Parks & Recreation.

If the contract is awarded, then construction is anticipated to commence in December 2016 and be substantially completed by March 2017.

Fiscal Impact

The construction cost for the project is \$181,070.00. The project cost, including a ten percent (10%) contingency and a ten percent (10%) construction inspection and contract administration cost, is approximately \$220,000. Adequate funding is available in the Mussel Rock Landfill Capital Project Account 31-310-552.

Summary/Conclusion

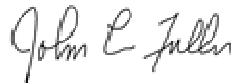
Staff recommends that the City Council approve the design documents, waive minor irregularities, accept the bid received, and award a construction contract to Southwest Construction & Property Management of San Bruno, California, in the amount of \$181,070.00 for the subject project. Staff also recommends that the City Council authorize the City Manager to execute the contract with Southwest Construction & Property Management.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Hae Won Ritchie
Senior Civil Engineer



John L. Fuller
Public Works Director



City Council Agenda Report

Item # _____

Meeting Date: November 28, 2016

Subject: Award of Construction Contract for 2016-17 Mussel Rock Landfill Site Maintenance and Seawall Repair

Recommended Action

Staff recommends that the City Council approve the design documents, accept all responsive bids and award a construction contract to Stoloski & Gonzalez, Inc. of Half Moon Bay, California, in the amount of \$1,196,805.00 for the subject project. Staff also recommends that the City Council authorize the transfer of funds from the General Fund Capital Account to help fund the project, authorize the City Manager to execute the contract with Stoloski & Gonzalez, Inc., and authorize the City Manager to execute a contract with a professional services firm not yet named to assist in the construction inspection and management of the project.

Background

The Mussel Rock Landfill was closed in 1978 and requires routine repair and maintenance activities as required by the Regional Water Quality Control Board (RWQCB). The City had been maintaining the Mussel Rock Landfill in compliance with the RWQCB Order No. 00-27, which was issued in 2000, and similar earlier orders, since the landfill's closure.

In January 2015, the open orders were rescinded by the RWQCB and replaced with Order No. R2-2015-0007 (Order). This Order updated and increased the level of site monitoring and reporting already taking place and required the City to prepare and implement new work plans to monitor landfill gas and slope movement, and conduct additional studies on the adequacy of the existing drainage system and long-term sea level rise protection. The work plans are currently being implemented and additional improvements related to the drainage system and seawall will need to be constructed in the future. In addition to the new and increased requirements, the Order continues to require the City to maintain the functionality of the drainage system, access roads, gabion walls, sedimentation ponds, fences, gates, and seawall.

Repair work on the seawall that extends below mean high tide requires a Coastal Development Permit (CDP) from the California Coastal Commission (CCC). Repair work on the seawall has historically been needed every several years. The seawall is subject to erosion caused by coastal wave action. Severe storms, such as those caused by the 2016-17 "El Nino" winter and spring, further accelerate the erosion of the seawall. The site is also located within an active landslide and is subject to ground movement, which can further negatively impact the seawall.

In issuing a CDP, the CCC can place conditions upon the City for increased monitoring, reporting, and improvements. The last CDP obtained by the City in 2012 for work on the seawall increased the level of seawall monitoring and reporting, required the submittal of various studies, plans and reports, and required the construction of public access and amenities improvements and other improvements related to visual impact.

The City has historically allocated \$400,000 annually from garbage rate revenue for the maintenance of the site and compliance with regulatory agencies. The costs of the additional requirements of the updated RWQCB Order and conditions placed upon the City by the CCC when obtaining permits have exceeded the limited funding historically available. The cost of construction has also increased due to inflation and other factors contributing to a maintenance funding shortfall. The current funding levels are not adequate to match the costs associated with increased regulatory requirements and construction costs.

The 2016-17 Mussel Rock Site Maintenance and Seawall Repair project exceeds the funding available and will require the borrowing of funds from the General Fund Capital Account. Therefore, City staff intends to propose that the City Council approve the creation of a Solid Waste Enterprise Fund funded with increased garbage rates to finance future costs and repay any General Fund loans over time.

The current project includes cleaning the existing half-round storm drain pipes of vegetation and dirt that naturally accumulate, realigning pipes to restore their functionality, replacing deteriorated pipe, and replacing outfall pipes damaged by the movement of the seawall riprap. This project also addresses a portion of the improvements identified in the drainage system analysis report required by and submitted to the RWQCB. A major component of the project is to stabilize the areas of the existing seawall that were significantly damaged during the 2015-16 winter and spring “El Nino” season. Repair of the seawall is necessary to maintain the stability at the base of the landfill, and to prevent waste materials from potentially mobilizing downslope into the ocean. The seawall repair project only addresses the areas of seawall most at risk. Additional repairs on the seawall will be needed in the near future to provide a more stable, long-term fortification.

A Coastal Development Permit (UPR-9-14-9691) was issued for the project by the Daly City Planning Commission. The City Council adopted the findings of fact and affirmed the decision of the Daly City Planning Commission in granting the permit and determination of categorical exemption (Resolution 16-157). The project was determined to be categorically exempt under Section 15303(d), “Restoration of Damaged Structures.” A public comment was received by the Planning Commission regarding the erosion of the bluff adjacent to a section of the road leading into Mussel Rock. There is an alternate road further up slope that formerly served the now closed Mussel Rock Transfer Station that can potentially be utilized should the erosion undermine the stability of the lower road. Concerns with the road will be addressed with a future capital improvement project that will consider the recommendations from the City’s Park and Open Space Master Plan.

The City applied for an emergency permit from the CCC. An emergency permit is needed in order for the seawall repairs to be performed in advance of the 2016-17 winter season. The City will be required to obtain a follow-up CDP from the CCC after performing the emergency work.

Discussion

Four (4) bids were received on November 17, 2016 with total bids ranging from approximately \$1,197,000 to \$2,481,000. The following table summarizes the three lowest bids and the Engineer's Estimate:

Bidder	Base Bid	Comments
Stoloski & Gonzalez, Inc.	\$1,196,805.00	Responsive Bid
Interstate Grading & Paving, Inc.	\$1,463,775.00	Nonresponsive Bid
Cratus, Inc.	\$1,837,150.00	Nonresponsive Bid
Engineer's Estimate	\$1,309,425.00	

The apparent low bidder, Stoloski & Gonzalez, Inc. of Half Moon Bay, California, has been in business since January 1985. This bidder holds the required Class A contractor's license which is current and in good standing. The bidder successfully completed the Muirwood Drive and Teresa Street Water Main Improvement Project, the DeLong Street and Station Avenue Sewer Main Improvement Project, and various site maintenance projects at Mussel Rock for the City of Daly City.

Interstate Grading & Paving, Inc. and Cratus, Inc. both failed to provide their statement of qualifications within the time limit stipulated in the bid documents and therefore were deemed nonresponsive.

If the contract is awarded, then construction is anticipated to commence in December 2016 and be substantially completed by March 2017.

Fiscal Impact

The construction cost for the project is \$1,196,805.00. The total project cost, including a ten percent (10%) contingency and a ten percent (10%) construction inspection and contract administration cost, is approximately \$1,436,000.

The Mussel Rock Maintenance Capital Project Account 31-310-550 currently is budgeted at \$903,000, of which \$722,000 is a loan from the General Fund Capital Account. An additional \$533,000 is needed from the General Fund Capital Account to fund the project.

Summary/Conclusion

Staff recommends that the City Council approve the design documents, accept all responsive bids and award a construction contract to Stoloski & Gonzalez, Inc. of Half Moon Bay, California, in the amount of \$1,196,805.00 for the subject project. Staff also recommends that the City Council

Award of Construction Contract for 2016-17 Mussel Rock Landfill Site Maintenance

Meeting Date: November 28, 2016

Page 4 of 4

authorize the transfer of an additional \$533,000 from the General Fund Capital Account to help fund the project, authorize the City Manager to execute the contract with Stoloski & Gonzalez, Inc., and authorize the City Manager to execute a contract with a professional services firm not yet named to assist in the construction inspection and management of the project.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Hae Won Ritchie
Senior Civil Engineer



John L. Fuller
Public Works Director

ORDINANCE NO. 1410

AN ORDINANCE OF THE CITY OF DALY CITY AMENDING TITLE 15 OF THE DALY CITY MUNICIPAL CODE, BY REPEALING AND REPLACING CHAPTERS 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.60; ADDING CHAPTER 15.64

WHEREAS, pursuant Section 17958.7 and Section 18941.5 of the California Health and Safety Code, the City Council of the City of Daly City hereby adopts the report contained herein as the “Findings of Fact” with regard to the adoption of the Daly City Municipal Code, Chapters 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.60, AND 15.64 (Attachment 1); and

WHEREAS, adopting this ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and the California Building Standards Commission; and

WHEREAS, these local amendments to the above Codes have been evaluated and recognized by the City of Daly City as reflecting changes in technology and the building industry. The amendments address problems, concerns and future direction by which the City will establish and maintain an environment which will afford a high level of safety to all those who work and live within the City’s boundaries; and

WHEREAS, the adoption of this Ordinance is based upon the “Findings of Fact”, as referenced in Attachment 1, and hereby incorporated by reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DALY CITY DOES ORDAIN as follows:

Section 1: CHAPTER 15.00, GENERAL REGULATIONS

CHAPTER 15.00 is hereby repealed and amended as set forth in EXHIBIT A.

Section 2: CHAPTER 15.08, BUILDING CODE

CHAPTER 15.08, is hereby repealed and amended as set forth in EXHIBIT B.

Section 3: CHAPTER 15.10, RESIDENTIAL BUILDING CODE

CHAPTER 15.10 is hereby repealed and amended as set forth in EXHIBIT C.

Section 4: CHAPTER 15.14, INTERNATIONAL PROPERTY MAINTENANCE CODE

CHAPTER 15.14, is hereby repealed and amended as set forth in EXHIBIT D.

Section 5: CHAPTER 15.16, MECHANICAL CODE

CHAPTER 15.16, is hereby repealed and amended as set forth in EXHIBIT E.

Section 6: CHAPTER 15.20, PLUMBING CODE

CHAPTER 15.20, is hereby repealed and amended as set forth in EXHIBIT F.

Section 7: CHAPTER 15.22, CALIFORNIA GREEN BUILDING STANDARDS CODE

CHAPTER 15.22, is hereby repealed and amended as set forth in EXHIBIT G

Section 8: CHAPTER 15.24, ELECTRICAL CODE

CHAPTER 15.24, is hereby repealed and amended as set forth in EXHIBIT H

Section 9: CHAPTER 15.60, ENERGY CODE

CHAPTER 15.60, is hereby repealed and amended as set forth in EXHIBIT I.

Section 10: CHAPTER 15.64, CALIFORNIA EXISTING BUILDING CODE

CHAPTER 15.64, is hereby added as set forth in EXHIBIT J.

Section 11: 2016 California Building Code
2016 California Residential Building Code
2015 International Property Maintenance Code
2016 California Mechanical Code
2016 California Plumbing Code
2016 California Green Building Standards Code
2016 California Electrical Code
2016 California Energy Code

including all appendices and amendments thereto, and the whole thereof is now filed with the City Clerk, and from the date on which this Ordinance takes effect, the provisions therefore shall be enforceable to the same extent as if contained in the bodies of the published editions of the Uniform Codes.

Section 12: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Daly City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 13: The City Council finds, pursuant to Title 14 of the California Administrative Code, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

MAYOR OF THE CITY OF DALY CITY

ATTACHEMENT 1
CITY OF DALY CITY
DALY CITY MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION
CHAPTER 15.00, GENERAL REGULATIONS
FINDINGS

The City Council finds and determines for administrative purposes that in order to be consistent with existing established policies and procedures that a new Chapter, Title 15.00, "General Regulations" needs to be added to the Daly City Municipal Code.

The purpose of this Chapter is to establish and set forth in one place definitions and regulations for the following Section set forth in general Regulations:

Scope and Administration

Fees Prescribed and Established by Resolution of the City Council.

Time Limitation of Application

Permit Expiration and Extension

Procedure for Appeals

Approved Numbers and Addresses

Cooperation of Other Officials and Officers

Emergency Access

Reserve

Qualification of Permit

Workmanship

Aircraft Noise Soundproofing Project Area

Storm Water Best Management Practices

Effect of Code on Past Actions and Obligations

Spark Arrester Requirement

Technology Fee

Service Utility Meters.

Further that the Definitions and regulations contained in this Chapter apply to each of the following codes.

California Building Code, 2016 Edition

California Electrical Code, 2016 Edition

California Energy Code, 2016 Edition

California Fire Code, 2016 Edition

California Green Building Standards Code, 2016 Edition

California Mechanical Code, 2016 Edition

California Plumbing Code, 2016 Edition

California Residential Code, 2016 Edition

International Property Maintenance Code, 2015 Edition

BUILDING CODE
CHAPTER 15.08

FINDINGS OF FACT:

1. Finding of Facts Sections 105.1.1 and 105.1.2

The City Council finds and determines for administrative purposes that Sections 105.1.1 and 105.2.1 of the California Building Code 2016 Edition, referencing Annual Permit and Annual Permit Record are not necessary and are deleted in their entirety inasmuch as regulations are not clearly known of its enforceability and monitoring and may not apply consistently in this jurisdiction

2. Finding of Facts Section 105.3.2

The City Council finds and determines for administrative purposes, Section 105.3.2 of the California Building Code, 2016 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth specific time limitation for a Standard Permit application from a Code Enforcement Permit application as set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

3. Finding of Facts Section 105.5

The City Council finds and determines for administrative purposes, Section 105.5 of the California Building Code, 2016 Edition, referencing "Permit Expiration and Extension", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth specific time limitation for a Standard Permit application from a Code Enforcement Permit application as set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section 107.2.1.1

The City Council finds and determines for administrative purposes Section 107.2.1 of the California Building Code 2016 shall be amended by adding subparagraph 107.2.1.1 thereto, to set forth further requirements for building permit applications to include "Construction Documents shall be drawn upon a suitable material with a minimum size of 11inch by 17 inch for easier and more efficient permit processing" thus creating consistency on the submittal of construction documents.

5. Finding of Facts Section 107.2.5.2

The City Council finds and determines for administrative purposes Section 107.2.5 of the California Building Code 2016 Edition, shall be amended by adding subparagraph 107.2.5.1 thereto, to set forth further requirements for building permit applications to include "Site Plan or Plot Plan shall include location of utility electric and natural gas meter, rapid disconnect for new photovoltaic solar system and the direction and means of disposal of storm water runoff for consistency and more efficient permit processing among different departments.

6. Finding of Facts Section 109.5.1

The City Council finds and determines for administrative purposes that by adding of Sec. 109.5.1 to section 109.5 to the California Building Code, 2016 Edition, referencing "Fees Prescribed and Established by Resolution of the City Council", is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section 113

The City Council finds and determines for administrative purposes, Section 113 of the California Building Code, 2016 Edition, referencing "Board of Appeals", is not necessary and shall be deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Section 114.4.1.

The City Council finds and determines for administrative purposes, that by adding Section 114.4.1 to Section 114.4 of the California Building Code, 2016 Edition, referencing "Violation Penalties Fee", is to established violation penalties to recover the cost for time spent by staff as set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

9. Finding of Facts Section 406.3.4.4

The City Council finds and determines because of the City's close proximity to known earthquake faults and the potential for uncontrolled fires due to the dry conditions of exiting exposed framing lumbers that Section 406.3.4. of the California Building Code 2016 Edition shall be amended by adding section 406.3.4.4 with subsections 406.1.4.4.1, 406.1.4.4.2 and 406.1.4.4.3 thereto to protect the structure and occupants of dwellings and adjacent properties from fire by requiring a fire resistive retrofit work be installed whenever habitable space is created or added to an existing home.

10. Finding of Facts Section 460

The City Council finds and determines because of potential earthquake hazards and due to the fact that there are many older non-conforming, mixed-use buildings and others in the City which undergo Substantial Improvement or Change of Occupancy to a Higher Degree of public safety, health, general welfare and hazardous conditions; Section 460, shall be added to Section to the California Building Code 2016 Edition. Tenant spaces undergoing alterations, as a result of change of tenants shall require fire resistive retrofit work.

11. Finding of Facts Section 501.2

The City Council finds and determines the topography of Daly City prevents rapid identification of addresses for emergency services when required, and therefore Section 501.2 of the California Building Code 2016 Edition is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

12. Finding of Facts Section 602.5.1

The City Council finds and determines for administrative clarification purposes, Section 602.5 of the California Building Code 2016 Edition is amended by adding 602.5.1 defining what materials are required for exterior property line walls of wood frame construction in close proximity to a property line and to providing and extended protection to the fire rated material without maintenance due to inaccessible location of the wall.

13. Finding of Facts Section 604

The City Council finds and determines that the amendment to the California Building Code 2016 Edition because of Daly City's geographic location in the Bay Area lending itself primarily to residential construction the visual impact of buildings must be regulated in order to provide for more effective control over the type of construction for commercial or industrial buildings and metal buildings, including controlling the installation of metal roof for the safety of fire personnel in the event of fire that metal roof surface can be slippery when wet or could melt the sole of rubber boots due to heat accumulation under such metal roof.

The City Council also finds that architectural copper roofing or flashings materials for exterior installation are not acceptable under storm water best management practices where the discharge of waste water to storm drains causes contamination as a result from washing due to cleaning and treating

14. Finding of Facts Section 705.4.1

The City Council finds and determines for administrative purposes and because of the geographic density of housing stock in Daly City that the amendment to the California Building Code 2016 Edition where additional requirements are necessary to provide separation between buildings, prohibit common party walls and specify materials used when buildings are of wood frame construction with exterior walls in close proximity to property lines. Section 705.4 of the California Building Code 2016 Edition shall be amended by adding subparagraph 705.4.1 thereunder to define requirements of exterior siding material that provides equivalent life span of the building and where access for maintenance is limited.

15. Finding of Facts Section 809

The City Council finds and determines that in order to provide more effective control in garbage rooms, Section 809; with sub sections 809.1, 809.2, 809.3 and 809.4 shall be added to Section 801 of the California Building Code 2016 Edition.

16. Finding of Facts Section 903.2

The City Council finds and determines that Sec. 903.2 of the California Building Code 2016 Edition is deleted and substituted with Daly City Municipal Code 15.32. Where enforcement of Automatic Fire Sprinkler System is reviewed and enforced the North County Fire Authority.

17. Finding of Facts Section 1030.1. Exception 5 and 6

The City Council finds and determines that a regulatory paragraph shall be added to Section 1030.1 of the California Building Code 2016 Edition to be numbered paragraph 1030.1 Exception: 5 and 6. The addition is needed due to the topographical and geographical conditions in Daly City where standard lots were historically divided with a minimum width of twenty five feet and a minimum length of one hundred feet. The City Council further finds that emergency escape and rescue windows may open on to a yard without direct access to a public way by requiring a minimum twenty foot deep rear yard extending to the full width of the parcel. In addition the exterior wall where the bedroom window is located shall be protected by a non-combustible siding material or a 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies. This meets the intent of providing a safe protected area.

The City Council further finds and determines that for a new building of an R-2 occupancy, three stories or less with a rear yard of not less than 10 feet measured from the

exterior wall, requiring an unobstructed exit passage way from the rear yard that leads to the public way provides a means of emergency escape for occupants and access for rescue and exit of emergency personnel's.

18. Finding of Facts Section 1203.6

The City Council finds and determines because of the local climatic conditions, it is necessary to provide additional ventilation requirements and that a regulatory paragraph shall be added to Section 1203 of the California Building Code 2016 Edition to be numbered paragraph 1203.6.1 thereunder.

19. Finding of Facts Table 1505.1

The City Council finds and determines that Table 1505.1 of the California Building Code 2016 Edition is amended by adding thereto certain requirements, including the requirement of non-combustible roofing materials to lower fire intensity and slow the rate of fire spread due to climatic conditions, specifically winds, the probability of earthquakes, proximity to major earthquake fault zones, and the close proximity of housing stock.

20. Finding of Facts Section 1705.3, exception 1

The City Council finds and determines that Section 1705.3 exception 1 of the California Building Code 2016 Edition is amended to not require a Special Inspection for buildings three stories or less when the concrete compressive strength is no greater than 2,500 psi when substantiated by an engineered structural calculation prepared by a licensed design professional.

Results from studies after the 1994 Northridge earthquake indicated that a lot of the damages were attributed to lack of quality control during construction. The proposed amendment improves quality control during construction and therefore needs to be incorporated into the Code. Revise CBC Section 1705.3 exception No. 1 to allow special inspection not to be required for isolated spread footing where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 psi. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

21. Finding of Facts Section 1807.2.4

The City Council finds and determines that the amendment to the California Building Code 2016 Edition in order to provide more effective control in the construction of retaining walls, because of the San Andreas Fault, geological instability and unstable soil conditions encountered in Daly City that further requirements in the form of an additional subparagraph 1807.2.4 shall be added to Section 1806 of the California Building Code 2016 Edition.

22. Finding of Facts Section 1905.1.7 ACI 318 Section 14.1.4.1

The amendment is needed to the California Building Code 2016 Edition due to local geological conditions clarifies that plain concrete requires at least two reinforcing bars on the longitudinal direction. The proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.

23. Finding of Facts Chapter 23 Section 2306 and 2308

The amendment is needed to the California Building Code 2016 Edition due to local geological conditions that structural grade plywood is the only panel allowed to be used as a minimum for shearwalls or conventional wood framed braced wall panels. The San Francisco Bay region is densely populated and located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. The proposed amendment addresses the problem of poor performance specially of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

24. Finding of Facts Section 3112

The City Council finds and determines that the amendment to the California Building Code 2016 Edition in order to provide for proper regulation and control of trailers, mobile homes, travel trailers, etc. within the City of Daly City, that new Section 3112, subsections 3112.1, 3112.2, 3112.3 and 3112.4 thereunder shall be added to the California Building Code 2016 Edition and that such regulations provide a better control and enforcement of unpermitted use and occupancy of trailers in locations other than an approved trailer park or mobile home park .

RESIDENTIAL BUILDING CODE
CHAPTER 15.10

FINDINGS OF FACT:

1. Finding of Facts Section R105.2

The City Council finds and determines for administrative clarification purposes to the California Residential Code 2016 Edition as the city is densely developed, that in order to effectively control the number of exempted one story detached structures used as tool and storage sheds, playhouses and similar uses; one or more detached one story structure with a maximum height of 10 feet can be permitted to be constructed on site provided the sum of the total floor area of these one story detached structure shall not exceed 120 square feet of floor area.

Location.

The City Council further finds that requiring specific distance an accessory structure from the existing residential building will provide a fire separation setback which is consistent with the California Residential Code and prevents the obstruction of a bedroom window or door that is designed to be used for emergency escape and rescue

2. Finding of Facts Section R105.3.2

The City Council finds and determines for administrative purposes, Section R105.3.2 of the California Residential Code, 2016 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

3. Finding of Facts Section R105.5

The City Council finds and determines for administrative purposes, Section R105.5 of the California Residential Code, 2016 Edition, referencing "Permit Expiration and Extension", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section R106.2.1

The City Council finds and determines for administrative purposes Section R106.2. of the California Residential Code, 2016 Edition, shall be amended by adding subparagraph R106.2.1 thereto, to set forth further requirements for building permit applications to include “Site Plan or Plot Plan shall include the direction and means of disposal of storm water runoff, location of utility meters and rapid disconnect for new installation of photo voltaic panels for consistency and more efficient permit processing among different departments.

5. Finding of Facts Section R106.2.2

The City Council finds and determines for administrative purposes Section R106.2 of the California Residential Code, 2016 Edition shall be amended by adding subparagraph R106.2.2 thereto, to set forth further requirements for building permit applications to include “Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for better clarify of documents with the least amount of paper and more efficient permit processing.

6. Finding of Facts Section R108.7

The City Council finds and determines for administrative purposes that by adding of Sec. R108.7 of the California Residential Code, 2016 Edition, referencing “Fees Prescribed and Established by Resolution of the City Council”, is referenced to the established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section R112

The City Council finds and determines for administrative purposes, Section R112 of the California Residential Code, 2016 Edition, referencing "Board of Appeals", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Section R113.2.1.

The City Council finds and determines for administrative purposes, that by adding Section R113.2.1 to Section R113.2 of the California Residential Code, 2016 Edition, referencing "Violation Penalties Fee", is to established violation penalties to recover the cost for time spent by staff as set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

9. Finding of Facts Table R301.2(1)

The City Council finds and determines because of the City's close proximity to known earthquake faults and climatic condition Table R301.2(1) of the California Residential Code 2016 Edition shall be amended by providing Climatic and Geographical Design Criteria for residential building covered by the California Residential Code..

10. Finding of Facts Section R302.6.1

The City Council finds and determines because of the City's close proximity to known earthquake faults and the potential for uncontrolled fires due to the dry conditions of exiting exposed framing lumbers that Section R302.6 of the California Residential Code 2016 Edition shall be amended by adding section 302.6.1 with subsections 302.6.1.1 and 302.6.1.2 hereto to protect the structure and occupants of dwellings and adjacent properties from fire by requiring a fire resistive retrofit work be installed whenever habitable space is created or added to an existing home.

11. Finding of Facts Section 303.1.1

The City Council finds and determines for administrative purposes, Section R303.1.1 of the California Residential Code, 2016 Edition, referencing "Court" for purposes of determining and enforcing the required width and depth of a light or exit court shall be referred to Section 1206.3 of the California Building Code 2016 Edition.

12. Finding of Facts Section R309; R309.6 and R313.

The City Council finds and determines that Sec. R309, R309.6 and R313 of the California Residential Code 2016 Edition is deleted and substituted with Daly City Municipal Code 15.32. where enforcement of Automatic Fire Sprinkler System is reviewed and enforced the North County Fire Authority.

13. Finding of Facts Section R310.1. Exception

The City Council finds and determines that a regulatory paragraph shall be added to Section R310.1 of the California Residential Code, 2016 Edition to be numbered paragraph R310.1 Exception. The addition is needed due to the topographical and geographical conditions in Daly City where standard lots were historically divided with a minimum width of twenty five feet and a minimum length of one hundred feet. The City Council further finds that emergency escape and rescue windows may open on to a yard without direct access to a public way by requiring a minimum twenty foot deep rear yard extending to the full width of the parcel. In addition the exterior wall where the bedroom window is located shall be protected by installing

5/8 inch thick an approved non-combustible siding material on the interior side of the wall or a 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies. This meets the intent of providing a safe protected area.

14. Finding of Facts Section R319

The City Council finds and determines for administrative purposes, Section R319 of the California Residential Code, 2016 Edition, referencing "Site Address", is not necessary and shall be deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

15 Finding of Facts Section R324.7.2.8

The City Council finds and determines that a regulatory section shall be added to Section R324.7.2 of the California Residential Code 2016 Edition to be numbered paragraph R324.7.2.8. The addition is needed due to the topographical, geographical and climatic conditions in Daly City where for the safety of first responders have the ability to shut down the photovoltaic system in a readily accessible location in addition to the main electrical service in the event of a fire or other emergencies where all electrical power source have to be shut down.

16. Finding of Facts Section R403.1.3

The City Council finds and determines the proposed amendment to the CRC R403.1.3 is made to be consistent that modifies the plain concrete provisions in CBC Section 1905.1.8 and ACI 318 Section 22.10.1.

This proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake".

17. Finding of Facts Section R602.10.4.

The amendment the California Residential Code 2016 Edition is needed due to local geological conditions that structural grade plywood is the only panel allowed to be used as a minimum for shearwalls or conventional wood framed braced wall panels and to be consistent with Daly City Municipal Code 15.08.250. The San Francisco Bay region is densely populated and located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. The proposed amendment addresses the problem of poor performance specially of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

18. Finding of Facts Section R703.13.

The City Council finds and determines for administrative clarification purposes, Section R703 of the California Residential Code 2016 Edition is amended by adding R703.13 with subsections:

R703.13.1 Defining what materials are required for exterior property line walls of wood frame construction for longevity in close proximity to a property line where access for maintenance is limited, with the exception of exterior walls facing the public right of way.

R703.13.2. Additional requirements are necessary to provide separation between buildings, prohibit common party walls and specify materials used when buildings are of wood frame construction for longevity with exterior walls in close proximity to property lines where access for maintenance is limited.

15. Finding of Facts Section R901.

The City Council finds and determines that R901.2 of the California Residential Code 2016 Edition is amended by adding thereto certain requirements, including the requirement of non-combustible roofing materials to lower fire intensity and slow the rate of fire spread due to climatic conditions, specifically winds, the probability of earthquakes, proximity to major earthquake fault zones, and the close proximity of housing stock.

FINDINGS OF FACT

1. Finding of Facts Section 101.1

The City Council finds and determines for administrative purposes that the title of Section of the International Property Maintenance Code 2015 Edition, be changed to "ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE CITY COUNCIL OF THE CITY OF DALY CITY" to conform with the manner in which the City regulates appeals.

2. Finding of Facts Section 103

The City Council finds and determines for administrative purposes that the references to "Terms Explained" under the general definition and anywhere used in the International Property Maintenance Code 2015 Edition, identifies the position.

3. Finding of Facts Section 106.3.1

The City Council finds and determines the title of Section 106 3 of the International Property Maintenance Code 2015 Edition, should be substituted to provide for compliance with any order of the Building Official or City Council of the City of Daly City.

4. Finding of Facts Section 106.4

The City Council finds and determines for administrative purposes Section 106.4of the International Property Maintenance Code 2012 Edition, referencing to " Violation Penalties", is not necessary and is deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

5. Finding of Facts Section 109.4.1

The City Council finds and determines for administrative purposes inasmuch as Authorized Emergency work to abate or temporarily fix an unsafe condition of a building that is of a “Life, Health and Safety Hazard” of the International Property Maintenance Code, 2015 Edition, should be added to recover the cost spent authorized emergency work.

6. Finding of Facts Section 109.6

The City Council finds and determines that for administrative purposes Section 109.6 of the International Property Maintenance Code 2015 Edition, referencing “Hearing” is not necessary and is deleted in its entirety inasmuch as regulation setting forth equivalent regulations are now set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

7. Finding of Facts Section 111

The City Council finds and determines that for administrative purposes Section 111 of the International Property Maintenance Code 2009 Edition, referencing “Means of Appeals” is not necessary and is deleted in its entirety from the International Property Maintenance Code 2015 Edition inasmuch as regulation setting forth equivalent regulations are now set forth in the City Municipal Code, Chapter 15.00, Titled "General Regulations".

MECHANICAL CODE
CHAPTER 15.16

FINDINGS OF FACT

1. Finding of Facts Section 104.3.1.1.

The City Council finds and determines for administrative purposes Section 104.3.1 of the California Mechanical Code, 2016 Edition shall be amended by adding subsection 104.3.1.1 thereto, to set forth further requirements for building permit applications to include “Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for easier better clarify of documents with the least amount of paper and more efficient permit processing.

2. Finding of Facts Section 104.3.2.1

The City Council finds and determines that Section 114.3 “Plan Review Fees” of the California Mechanical Code, 2016 Edition, is not necessary and is therefore deleted in its entirety inasmuch as equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00 titled "General Regulations.

3. Finding of Facts Section 104.3.3

The City Council finds and determines for administrative purposes, Section 104.3.3 of the California Mechanical Code, 2016 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section 104.4.3

The City Council finds and determines for administrative purposes, Section 104.4.3 of the California Mechanical Code, 2016 Edition, referencing "Expiration", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

5. Finding of Facts Section 104.4.4

The City Council finds and determines for administrative purposes, Section 104.4.4 of the California Mechanical Code, 2016 Edition, referencing "Extensions", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

6. Finding of Facts Section 104.5

The City Council finds and determines for administrative purposes that by amending Section 104.5 of the California Mechanical Code, 2016 Edition, referencing "Fees", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section 104.5.2.1

The City Council finds and determines for administrative purposes that by adding Section 104.5.2.1 to Section 104.5.2 of the California Mechanical Code, 2016 Edition, referencing "Investigation Fees", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Section 104.5.3.4

The City Council finds and determines for administrative purposes that by adding Section 104.5.3.4 to Section 104.5 of the California Mechanical Code, 2016 Edition, referencing "Fee Refunds", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

9. Finding of Facts Section 106.3.1

The City Council finds and determines for administrative purposes that by adding Section 106.3.1 to Section 106.3 the California Mechanical Code, 2016 Edition, referencing "Assessment of Penalties", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

10. Finding of Facts Section 107

The City Council finds and determines that for administrative purposes Section 107 Board of Appeals of the California Mechanical Code, 2016 Edition, is not necessary and is deleted in its entirety from the California Mechanical Code inasmuch as regulations setting forth equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

11. Finding of Facts Section 510.7.1

The City Council finds and determines that by adding an exception to Section 510.7.1 of the California Mechanical Code 2016 Edition, for existing commercial buildings which has lesser fire rating compared to newer buildings which undergoes an improvement that will require the installation of a commercial kitchen hood is required to install a fire rated shaft enclosure or an approved Fire Wrap to the grease duct that is installed in an enclosed location preventing the spread of fire in conformance with the type of construction for which the building was constructed.

PLUMBING CODE
CHAPTER 15.20

FINDINGS OF FACT:

1. Finding of Facts Section 104.3.1.1.

The City Council finds and determines for administrative purposes Section 104.3.1 of the California Plumbing Code, 2016 Edition shall be amended by adding subsection 104.3.1.1 thereto, to set forth further requirements for building permit applications to include “Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for easier better clarify of documents with the least amount of paper and more efficient permit processing.

2. Finding of Facts Section 104.3.2.1

The City Council finds and determines that Section 114.3 “Plan Review Fees” of the California Plumbing Code, 2016 Edition, is not necessary and is therefore deleted in its entirety inasmuch as equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00 titled "General Regulations.

3. Finding of Facts Section 104.3.3

The City Council finds and determines for administrative purposes, Section 104.3.3 of the California Plumbing Code, 2016 Edition, referencing "Time limitation of Application", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section 104.4.3

The City Council finds and determines for administrative purposes, Section 104.4.3 of the California Plumbing Code, 2016 Edition, referencing "Time Limitation", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

5. Finding of Facts Section 104.4.3

The City Council finds and determines for administrative purposes, Section 104.4.3 of the California Plumbing Code, 2016 Edition, referencing "Expiration", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

6. Finding of Facts Section 104.4.4

The City Council finds and determines for administrative purposes, Section 104.4.4 of the California Plumbing Code, 2016 Edition, referencing "Extensions", is not necessary and shall be deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

7. Finding of Facts Section 104.5

The City Council finds and determines for administrative purposes that by amending Section 104.5 of the California Plumbing Code, 2016 Edition, referencing "Fees", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

8. Finding of Facts Section 104.5.2.1

The City Council finds and determines for administrative purposes that by adding Section 104.5.2.1 to Section 104.5.2 of the California Plumbing Code, 2016 Edition, referencing "Investigation Fees", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

9. Finding of Facts Section 104.5.3.

The City Council finds and determines for administrative purposes that by adding Section 104.5.3. to Section 104.5 of the California Plumbing Code, 2016 Edition, referencing "Fee Refunds", is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

10. Finding of Facts Section 106.3.1

The City Council finds and determines for administrative purposes that by adding Section 106.3.1 to Section 106.3 the California Plumbing Code, 2016 Edition, referencing “Assessment of Penalties”, is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

11. Finding of Facts Section 107

The City Council finds and determines that for administrative purposes Section 107 Board of Appeals of the California Plumbing Code, 2016 Edition, is not necessary and is deleted in its entirety from the California Mechanical Code inasmuch as regulations setting forth equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

12. Finding of Facts Section 301.2.6

The City Council finds and determines because of the proximity to known earthquake faults with risk of fractured piping and local soil conditions leading to severe electrolysis damaging underground water supply piping, it is necessary to assure a healthy safe potable water system. Section 301.2. of the California Plumbing Code 2016 Edition is amended by addition of subsection 301.2.6 to define allowable materials.

13. Finding of Facts Section 310.6.1

The City Council finds and determines that a high incidence of electrolysis has been found where plumbing installations are altered, repaired for renovated and wherein dissimilar metals are joined particularly in water systems and therefore, it is necessary that Section. 310.6., of the California Plumbing Code 2016 Edition, thereof be amended and that a new subsection 311.6.1 thereof be added to set forth electrolytic protection.

14. Finding of Facts Section 401.3.1

The City Council finds and determines adding Section 401.3.1 supersedes subsections 407, 408, 411, 414, 417, and 403 of the California Plumbing Code 2016 Edition, with references to water to conserving fixtures and fittings are deleted and substituted with Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought

and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

15. Finding of Facts Section 507.27 and subsections 507.27.1, 507.27.2 and 507.27.3

The City Council finds and determines that a significant history of fires caused by water heaters demonstrates the need to add Section 507.27 of the California Plumbing Code, 2016 Edition, by addition of subparagraph 507.27.1 and subsections 507.27.2 and 507.27.3 thereto, to protect existing properties and prevent fires by requiring that existing water heaters be raised when a building permit is issued based on a valuation of \$1,000 or more for work to be performed or prior to sale or transfer of the property .

16. Finding of Facts Section 602.5

The City Council finds and determines for administrative purposes, in order to assure a healthy, safe potable water system, that subsection 602.5 shall be added to Sec. 602.0 of the California Plumbing Code, 2016 Edition, setting forth regulations for the connection of residential fire sprinkler systems to the domestic water supply piping.

17. Finding of Facts Section 604.10

The City Council finds and determines for administrative purposes, in order to assure a proper electrical grounding system, that subsection 604.10 be deleted from the California Plumbing Code, 2016 Edition, setting forth where plastic pipe for conveying domestic water is not allowed, and all grounding systems are referred to the California Electrical Code.

18. Finding of Facts Section 604.14

The City Council finds and determines for administrative purposes, in order to assure a healthy, safe potable water system, that subsection 604.14 be added to 604.0 of the California Plumbing Code, 2016 Edition, setting forth approved materials clearly defined.

19. Finding of Facts Section 604.15

The City Council finds and determines for administrative purposes, that subsection 604.15 be added to section 604 of the California Plumbing Code 2016 Edition, in order to assure a healthy, safe potable water system and proper operation of approved appliances or fixtures with Plastic Parts included with the approved listing of such appliances and fixtures when readily accessible for repair or replacement is acceptable as determined by the Administrative Authority.

20. Finding of Facts Section 612.

The City Council finds and determines that Section 612 of the California Plumbing Code 2016 Edition is deleted and substituted with Daly City Municipal Code 15.32. where enforcement of Automatic Fire Sprinkler System is reviewed and enforced the North County Fire Authority.

21. Finding of Facts Section 703.1.1

The City Council finds and determines due to the geographic location of Daly City in the Bay Area and the need for additional housing that minimum size lots have been created upon which multi-story construction is allowed. Alterations frequently occur later resulting in added fixture units, which result in the need for replacement of small diameter sewer laterals. To prevent unnecessary damage both to street paving and expense to property owners a minimum size sewer lateral is required, and that Section 703.1.1 of Chapter 7 of the California Plumbing Code, 2016 Edition, is amended to define said minimum size.

22. Finding of Facts Section 707.4

The City Council finds and determines due to the topographical nature of the vacant hillside lots available for new construction in the City including water conservation fixture mandates where waste is not fully drained through the total run of the waste line and may cause frequent stoppage of the waste line, that subsection 707.4 be added to Section 707.0 of the California Plumbing Code 2016 Edition, to provide requirements for the locations of readily accessible waste line cleanouts without removal of a plumbing fixture for access.

23. Finding of Facts Section 713.8

The City Council finds and determines for administrative purposes Section 713.0 of the California Plumbing Code 2016 Edition is amended by addition of subsection 713.8 thereto, referencing the North San Mateo County Sanitation District and the Bayshore Sanitary District for further requirements.

24. Finding of Facts Section 1208.6.1

The City Council finds and determines that Section 1208.0 of the California Plumbing Code, 2016 Edition, shall be amended to add subparagraph 1209.6.1 thereto regarding gas meter locations, due to the geographic location of Daly City in the Bay Area and State regulations that gas meters are required to be placed on the exterior of the building. Further that gas meters are unsightly and there is a need for regulations providing that gas meters be screened from public view.

CALIFORNIA GREEN BUILDING STANDARDS CODE
CHAPTER 15.22

FINDINGS OF FACT:

1. Finding of Facts Section 4.303.1.4.5

The City Council finds and determines section 4.303.1 of the California Green Building Code Standards 2013 Edition, with references to Plumbing Fixtures and Fittings, Water Use Baseline Table 4.303.1.4.5 for residential building is deleted and substituted with Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

2. Finding of Facts Section 5.303.3.5

The City Council finds and determines section 5.303.3.5 of the California Green Building Code Standards 2013 Edition, with references to Plumbing Fixtures and Fittings, Water Use Baseline Table 5.303.2.2 for non-residential building is deleted and substituted with Daly City Municipal Code 15.66.040 Minimum Indoor Fixture Requirement. The City council further finds the adoption and enforcement of this ordinance is necessary to manage the City of Daly City's potable water supply in the short and long term and to avoid or minimize the effect of drought and shortage within the City of Daly City. This ordinance is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare

3. Finding of Facts Appendix A4.

The City Council finds and determines for administrative purposes Appendix A4 of the California Green Building Standards Code 2013 Edition Tier 1 and Tier 2 enhanced residential voluntary Measures deleted and not mandatory under this code.

4. Finding of Facts Appendix A5.

The City Council finds and determines for administrative purposes Appendix A5 of the California Green Building Standards Code 2013 Edition Calgreen Tier 1 and Tier 2 enhanced non-residential voluntary measures deleted and not mandatory under this edition of the code.

ELECTRICAL CODE
CHAPTER 15.24

FINDINGS OF FACT

FINDINGS OF FACT:

1. Finding of Facts Article 89.108.4.2.1

The City Council finds and determines for administrative purposes that Article 89.108.4.2.1 of the California Electrical Code, 2016 Edition, referencing “Fees” is not necessary and is deleted in its entirety inasmuch as regulations setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

2. Finding of Facts Article 89.108.4.2.2

The City Council finds and determines for administrative purposes that adding Article 89.108.4.2.2 of the California Electrical Code, 2016 Edition, to establish “Plan Review Fee”, is necessary inasmuch as regulations setting forth regulations for cost recovery as set forth in the City Municipal Code, Chapter 15.00.020 titled " Fees Prescribed and Established by Resolution of the City Council."

3. Finding of Facts Article 89.108.4.3.1

The City Council finds and determines for administrative purposes that Article 89.108.4.3.1 of the California Electrical Code 2016 Edition, referencing “Time Limitation for an Application”, is setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Article 89.108.4.3.2

The City Council finds and determines for administrative purposes that Article 89.108.4.3.2 of the California Electrical Code 2016 Edition, referencing “Time Limitation for an Permit”, is setting forth equivalent regulations are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

5. Finding of Facts Article 89.108.8

The City Council finds and determines for administrative purposes, Article 89.108.8 of the California Building Code, 2016 Edition, referencing " Appeals Board ", is not necessary and shall be deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

6. Finding of Facts Article 210.11(C) (4)

The City Council finds and determines for administrative purposes, Article 210.11(C) (4) of the California Building Code, 2016 Edition, is added to provide limitation on the number of electrical outlet, switch and light outlet and preventing the conversion of storage rooms to habitable spaces and not complying with the health and safety regulations of California Code of Regulations Title 24.

7. Finding of Facts Article 230-43

The City Council finds and determines that Article 230-43 of the California Electrical Code, 2013 Edition, be amended because of Daly City's proximity to the ocean and resultant climatic salt and fog conditions require overhead service conduits to have a degree of resistance to rust and deterioration beyond the minimum standards of the California Electrical Code.

8. Finding of Facts Article 230-70(A) (1)

The City Council finds and determines because of Daly City's geographic location in the Bay Area and resultant dense construction that Article 230-70(A)(1) of the California Electrical Code, 2013 Edition, be amended to provide readily accessible means of disconnecting the electricity to a building, if necessary, by the Fire Department for safer and faster firefighting operations.

9. Finding of Facts Article 310-1 (A)

The City Council finds and determines that Article 310-1 (A) of the California Electrical Code, 2013 Edition, shall be amended to require the use of copper conductor material because of the corrosive fog and salt atmosphere encountered in Daly City.

10. Finding of Facts Article 690.12 (6)

The City Council finds and determines that Article 690.12(6) of the California Electrical Code, 2013 Edition is added to provide consistency with the requirements of the Daly City Municipal Code 15.10.160 "Rapid Shutdown for Small Residential Rooftop Solar System 10 kilowatts or less.

CALIFORNIA EXISTING BUILDING CODE
CHAPTER 15.64

FINDINGS OF FACT

1. Finding of Facts Section 1.8.4.2.1.

The City Council finds and determines for administrative purposes that by adding Section 1.8.4.2.1 of the California Existing Building Code, 2016 Edition, referencing “Fees”, is setting forth established fees that are set forth in the City Municipal Code, Chapter 15.00, titled "General Regulations".

2. Finding of Facts Section 1.8.4.3.1.

The City Council finds and determines for administrative purposes, that by adding Section 1.8.4.3.1 to the California Existing Building Code, 2016 Edition, referencing "Plan Review and Time limitation ", is necessary setting forth requirements in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

3. Finding of Facts Section 1.8.4.3.2.

The City Council finds and determines for administrative purposes, that by adding Section 1.8.4.3.2 to the California Existing Building Code, 2016 Edition, referencing "Permit Expiration and Extension", is necessary setting forth equivalent regulations are set forth in the Daly City Municipal Code, Chapter 15.00, titled "General Regulations".

4. Finding of Facts Section 1.8.8

The City Council finds and determines that Section 1.8.8 “Appeals Board” of the California Existing Building Code, 2016 Edition, is not necessary and is therefore deleted in its entirety inasmuch as equivalent regulations are now set forth in the Daly City Municipal Code, Chapter 15.00 titled "General Regulations.

5. Finding of Facts Section 1.8.10

The City Council finds and determines for administrative purposes that the references to “Terms Explained” under the general definition and anywhere used in the California Existing Building Code 2016 Edition, identifies the position.

6. Finding of Facts Section 106.2.1.1.

The City Council finds and determines for administrative purposes Section 106.2.1 of the California Existing Building Code, 2016 Edition shall be amended by adding subsection 106.2.1.1 thereto, to set forth further requirements for building permit applications to include “Construction Documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch for easier better clarify of documents with the least amount of paper and more efficient permit processing.

7. Finding of Facts Section 407.4.1 Exception 3

The City Council finds and determines because of potential earthquake hazards and due to the fact that there are many older non-conforming, mixed-use buildings and others in the City which undergo Substantial Improvement or Change of Occupancy to a Higher Degree of public safety, health, general welfare and hazardous conditions; Section 407.4.1 Exception 3, shall be added to Section to the California Existing Building Code 2016 Edition. Tenant spaces undergoing alterations, as a result of change of tenants shall require fire resistive retrofit work.

SECTION 1. Chapter 15.00 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.00 and Sections 15.00.010 through 15.00.180 are hereby added to Title 15, to read as follows:

EXHIBIT A

CHAPTER 15.00

GENERAL REGULATIONS

Sections:

15.00.010	Administrative Authority
15.00.020	Fees Prescribed and Established by Resolution of the City Council.
15.00.030	Time Limitation of Application.
15.00.040	Permit Expiration and Extension.
15.00.050	Procedures for Appeals.
15.00.060	Approved Numbers and Addresses.
15.00.070	Cooperation of Other Officials and Officers.
15.00.080	Emergency Access.
15.00.090	Reserve.
15.00.100	Qualification of Permit.
15.00.120	Workmanship.
15.00.130	Aircraft Noise Soundproofing Project Area.
15.00.140	Storm water best management practices.
15.00.150	Effects of Code in Past Actions and Obligations.
15.00.160	Spark Arrestor Requirements.
15.00.170	Technology Fee.
15.00.180	Service Utility Meters.

15.00.010 Administrative Authority.

Terms Explained.

A. Whenever the term “the authority having jurisdiction” or “administrative authority” is used, it shall mean the Building Official

B. Whenever the term “assistants” or “authorized representative” is used, it shall mean members of the building division.

C. Where reference is made to governing authority, it shall mean the City Council.

D. Where reference is made to private sewage disposal systems, public sewers, and/or waste department, the term "administrative authority" shall include the North San Mateo County Sanitation District, the Bayshore Sanitation District, the San Mateo County Health Department and any other public agencies dealing with sewage or sewage disposal.

E. Where reference is made to storm sewers and the water main distribution, the term "Administrative Authority" shall include the city engineer or his or her designated assistant.

15.00.020 Fees Prescribed and Established by Resolution of the City Council.

Any person desiring a permit required by these codes shall, at the time of filing an application therefore, pay fees prescribed and established by resolution of the City Council.

15.00.030 Time Limitation of Application.

Applications for which no permit is issued within one hundred eight (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the administrative authority.

Exception: Applications to abate enforcement violations shall have duration not to exceed ninety (90) days.

The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eight (180) days on request by the applicant showing that circumstances beyond the control of the application have prevented action from being taken.

Exception: An extension on an application to abate enforcement violations shall not exceed ninety (90) days.

No application shall be extended or reactivated more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Terms Explained:

- 1 Permit Application Extended – To prolong a permit application without an activity less than 180 days from the date of application without causing the permit to expire beyond limitation.
- 2 Permit Application Reactivated – To restore a permit application without an activity for more than 180 days but less than 360 days from the date of application to a state of activity.
3. Expired Permit Renewal – To restore a permit application that has been extended and reactivated or has not had an activity for more than 360 days from the date of application.

15.00.040 Permit Expiration and Extension.

The following provisions apply to all permits issued. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty days (180) from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days.

Exceptions:

A. Permits to abate enforcement violations shall have duration not to ninety days (90) and shall expire if work is not commenced or is suspended or abandoned after sixty days has expired.

B. Permits for building maintenance work shall have duration not to exceed one hundred eighty days (180) and shall expire if work is not commenced or is suspended or abandoned after one hundred eighty days has expired.

Building maintenance work shall include reroofing, water heater, furnace, siding, garage door, garage door opener, and window replacement, new electrical service installation, minor plumbing repairs and other similar work as determined by the administrative authority.

In the case of an expired permit, before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be per fees established by resolution of the City council, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew or reactivate the action on a permit after expiration exceeding 360 days, the permittee shall pay a new full permit fee

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The administrative authority may extend the time for action by the permittee for a period not exceeding one hundred eighty days on written request by the permittee showing justifiable cause that demonstrated beyond the control of the permittee have prevented action from being taken.

Exceptions:

A. Permits to abate enforcement violations may be extended for a period of time not to exceed ninety days (90).

B. Permits for building maintenance work may be extended or reactivated for a period of time not to exceed one hundred eight days (180).

C. No permit shall be extended or reactivated more than once.

Terms Explained:

c.1 Permit Extended – To prolong a permit without an activity before 180 days without causing the permit to expire beyond limitation.

c.2 Permit Reactivated – To restore a permit without an activity for more than 180 days but less than 360 day to a state of activity.

15.00.050 Procedure for Appeals.

Any person aggrieved by the decision of the building official shall have the right to appeal said decision to the city council of the city. Said appeal shall be in writing and shall be submitted to the city clerk of the city within ten days of the decision of the administrative authority. The city council, at its next regular meeting after receipt of the notice of appeal, shall set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days (40) from the date of said regular meeting. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk of the city. The time of hearing may be continued at the request of the party aggrieved at any time,

which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.

Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.

Notice of the decision of the city council shall be delivered to the appellant personally, or sent by certified mail--return receipt requested.

The effective date of said decision shall be the date of mailing of said notice of the decision, or the date same is personally delivered to said appellant. Failure to any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of any right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

15.00.060 Approved Numbers and Addresses.

Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background, shall be a minimum of one-half inch stroke by 4 inches high, and shall be either internally or externally illuminated in all new construction, alterations or repair of existing construction. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-quarter inch stroke by two inches high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be installed so that they are clearly identifiable from the street. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

15.00.070 Cooperation of other officials and officers.

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

15.00.080 Emergency access.

In the event that the building official determines that there is an immediate emergency due to the fact that dangerous or unsafe conditions exist which are an immediate menace to life, health or property, and if, after proper demand for entry therein has been made, as herein provided, no owner or occupant, or any other person having charge, custody or control of any building or premises shall fail or neglect to properly permit entry therein by the building official or authorized representative, for the purpose of inspection and examination pursuant to this code, said person shall be in violation of this section and shall be guilty of a misdemeanor.

15.00.090 Reserve.

15.00.100 Qualifications for permit.

For the purpose of this code, no permit shall be issued to any person to do or cause to be done any work regulated by this code except to:

A. A person holding a valid and unrevoked appropriate contractor's license classification issued by the State of California and a Daly City business license; or

B. A bona fide registered owner of a single family residential building who will personally perform the labor on said building and demonstrates to the satisfaction of the authorized representative that the said registered owner possesses the knowledge, training and skills necessary to complete all work in a manner which complies with all applicable codes.

C. A property management firm or corporation regularly employing one or more qualified tradespersons who performs alteration and repair to an existing components of a building, structure or on the premises owned or operated by the applicant for the permit and provides and maintain workers compensation insurance for its qualified trade's persons. This is not applicable to property management firm or corporation who hires licensed contractors to perform

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any permit approval when issued in error.

15.00.120 Workmanship.

All design, construction and workmanship shall be in conformity with accepted engineering and construction practices and shall be of such character as to secure the results sought to be obtained by this code.

15.00.130 Aircraft noise soundproofing project area.

Any home, constructed after January 1, 1993 or renovated at a cost equal to twenty-five percent or more of the value of the home and located within the 65 CNEL (FAA approved) contour map that is illustrated on the Aircraft Noise Soundproofing Project Area Map, must be insulated to meet standards applied in noise insulation programs supported by the Federal Aviation Administration.

15.00.140 Storm water best management practices.

All work undertaken in conformance with this code shall adhere to best management practices, guidelines or requirements that have been adopted by the city for any activity, operation or facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water discharge to the storm water system. Every person undertaking such activity or operation under this code shall comply with such guidelines or requirements as may be identified by the administrative authority.

Architectural features of copper metal roofing, copper granule containing asphalt shingles, copper gutters, copper downspouts, copper flashing and copper architectural ornaments shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required, where the discharge of wastewater to storm drains is generated from the installation, cleaning, treating, and washing of the surface of copper architectural features.

15.00.150 Effect of Code on Past Actions and Obligations.

The adoption of Title 15 of the Daly City Municipal Code does not affect any civil lawsuits instituted or filed, or prosecutions for ordinances violations committed on or prior to the effective date of the said Code, and does affect the validity of any bonds or cash deposits posted, filed or deposited pursuant to the requirement of any ordinance.

15.00.160 Spark Arrester Requirement

At the time of re-roofing, all existing operational chimneys as described in Chapter 10 of the California Residential Code shall terminate in a substantially constructed spark arrester either internally or externally mounted. Any spark arrester to be mounted internally shall not be installed until installation plans for such arrester have been submitted to and approved by the building division.

15.00.170 Technology Fee.

Technology fee as prescribed and established by resolution of the City Council that is collected whenever a permit is issued is a non-refundable fee.

15.00.180 - Service Utilities Meters.

Service Utilities as referenced in the California Code of Regulations Title 24 Part 2 and 2.5 limits the number of service utility meters to not more than one (1) for single family residential unit of an R-3 Occupancy including single family residential units with an approved secondary unit.

SECTION 2. Chapter 15.08 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.08 and Sections 15.08.010 through 15.08.260 are hereby added to Title 15 to read as follows:

EXHIBIT B

CHAPTER 15.08

BUILDING CODE

Sections:

15.08.010	California Building Code—Adoption—Where filed.
15.08.020	Section 105.1.1 and 105.1.2. Annual Permit and Annual Permit Record, deleted.
15.08.030	Section 105.3.2. Time Limitation, deleted.
15.08.040	Section 105.5. Permit Expiration and Extension, deleted.
15.08.050	Section 107.2.1.1. General Submittal Documents, amended.
15.08.060	Sections 107.2.5.2. Site Plan, added.
15.08.070	Section 109.5.1. Fees Prescribed and Established by Resolution of the City Council, added.
15.08.080	Section 113. Board of Appeals, deleted.
15.08.090	Section 114.4.1. Violation Penalties Fee, added.
15.08.100	Section 406.3.4.4. Additional Residential Gypsum Board Requirements, added.
15.08.110	Section 460. Requirements for Substantial Improvement or Change of Occupancy, added.
15.08.120	Section 501.2. Address Identification, deleted.
15.08.130	Reserve.
15.08.140	Section 602.5.1. Exterior Siding Material, added.
15.08.150	Section 604. Use of Metal sheets or plates for External Covering of Roofs or Wall, added.
15.08.160	Section 705.4.1. Wall Adjoining Property Line, added.
15.08.170	Section 809. Garbage Room Interior Finish, added.
15.08.180	Section 903.2. Automatic Sprinkler System, deleted.
15.08.190	Section 1030.1. Exception 5 and 6 Emergency Escape and Rescue amended.
15.08.200	Section 1203.6.1. Ventilation for Exterior Soffits, Bay, Projections and Enclosed sections under Exterior Stairs, added.
15.08.210	Table 1505.1. Minimum Roof Covering Classification for Type of Construction, amended.
15.08.220	Section 1705.3. Concrete Construction Exception 1, amended.
15.08.230	Section 1807.2.4. Retaining Wall, added.
15.08.240	Section 1905.1.7. ACI 318 Section 14.1.4.1, amended.
15.08.250	Section 2308.9.3. Sheathing Used for Shearwall and Bracing Methods, amended.
15.08.260	Sections 3112. Trailers, Modular Units, Mobile Home, added.

15.08.010 California Building Code—Adoption—Where filed.

There is adopted by the city with modification, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "2016 California Building Code, Edition, Part 2 Volume 1 and 2 ," including California Existing Building Code Part 10 with adopted sections under HCD 1 and HCD 2 excluding: Chapter 29 - Plumbing Systems;

Chapter 30 - Elevators and Conveying System; Chapter 31B - Public Pools; Chapter 31C - Radiation; Chapter 31D - Food Establishment; Chapter 31 F - Marine Oil Terminal; Chapter 34A - Existing Structures; Appendix A - Employee Qualification; Appendix B - Board of Appeals; Appendix C; Group U - Agricultural Buildings; Appendix F - Rodent proofing; Appendix G - Flood Resistant Construction; Appendix H - Signs; Appendix I - Patio Covers; Appendix J - Grading; Appendix K - Group R-3 and Group R-3.1 Occupancies Protected by the Facilities of the Central Valley Flood Protection Plan; Appendix L - Earthquake Recording Instrumentation; Appendix M – Tsunami - Generated Flood Hazard and the whole hereof, save and except for such portions as are hereinafter set forth, of which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the building code.

15.08.020 Section 105.1.1 and 105.1.2. Annual Permit and Annual Permit record, deleted.

Section 105.1.1 of the California Building Code, 2016 Edition, Annual Permit is deleted.

Section 105.1.2 of the California Building Code, 2016 Edition, Annual Permit Record is deleted.

15.08.030 Section 105.3.2. Time Limitation, deleted.

Section 105.3.2 of the California Building Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.030.

15.08.040 Section 105.5. Permit Expiration and Extension, deleted.

Section 105.5 of the California Building Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.040.

15.08.050 Section 107.2.1.1. General Submittal Documents, amended.

Section 107.2.1.1 of the California Building Code, 2016 Edition, is amended by adding section 107.2.1.1 to read as follows:

107.2.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.08.060 Section 107.2.5.2. Site Plan, added.

Section 107.2.5. of the California Building Code, 2016 Edition, is amended by adding section 107.2.5.2 to read as follows:

107.2.5.2. Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff which shall be diverted to the public way and not to adjacent properties. Site plan or plot plan shall include the following information:

- 1). Location of utility electrical meter and service disconnect.
- 2). Location of utility natural gas meter
- 3). Location of rapid disconnect for new installation of a photovoltaic solar system.

15.08.070 Section 109.5.1. Fees Prescribed and Established by Resolution of the City Council, added.

Section 109 of the California Building Code, 2016 Edition, is amended by adding Section 109.5.1 to read as follows:

Section 109.5.1. Daly City Municipal Code General Regulations 15.00.020 are related Fees Prescribed and Established by Resolution of the City Council

15.08.080 Section 113. Board of Appeals, deleted.

Section 113 of the California Building Code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050.

15.00.090 Section 114.4.1. Violation Penalties Fee, added.

Section 114.4 of the California Building Code, 2016 Edition is amended by adding section 114.4.1 to read:

Section 114.4.1 Violation penalties fee shall be assessed per Daly Municipal Code section 15.00.020.

15.08.100 Section 406.3.4.4. Additional Residential Gypsum Board Requirements, added.

Section 406.3.4 of the California Building Code, 2016 Edition is amended by adding Section 406.3.4.4 and sub Section, to be numbered 406.3.4.4.1, 406.3.4.4.2 and 406.3.4.4.3 to read as follows:

406.3.4.4. Additional residential gypsum board requirements.

406.3.4.4.1 For dwellings that do not have fire-resistive separations between the private garage area or a carport and the dwelling unit, fire-resistive retrofit shall be required when habitable space is created by altering or improving existing unimproved space or by adding habitable space by expansion of an existing structure.

406.3.4.4.2 Fire resistive separations shall be constructed by installing fire taped Type X gypsum board throughout the entire garage area complying with section 406.1.4.1 to section 406.1.4.2, meaning all walls and ceilings adjoining living areas, where the garage walls are supporting living space above, those supporting walls will be protected by installing fire-taped Type X gypsum board.

406.3.4.4.3 All framing assemblies adjoining living space protected by gypsum board as required by 302.7.1 shall be insulated to R 13 standards in walls and R 19 standards in the ceiling/floor assembly.

15.08.110 Section 460. Requirements for Substantial Improvement or Change of Occupancy, added.

Section 460 of the California Building Code, 2016 Edition, is amended by adding the Requirements for Substantial Improvement or Change of Occupancy with the following subsections as follows:

Sec. 460.1. All existing buildings which undergo substantial improvement as defined in section 202 of the California Code of Regulation Title 24 Part 1 or change of occupancy that increase the current degree of public safety, health and general welfare shall conform with all requirements of California Existing Building Code.

EXCEPTION:

The appropriate persons involved with buildings of multiple use or mixed use occupancies wherein such improvement work is limited to a particular specific tenant space may apply for and receive permits for work related only to that specific tenant space provided that:

1. Such work conforms to all requirements of the adopted California Building Codes.
2. That tenant space demising wall construction be shall be of not less than one-hour fire-resistive construction unless provided with an approved automatic fire extinguishing system.
3. That if approved automatic fire extinguishing systems are installed that such systems shall not replace other fire resistive protection requirements or materials specified in the California Building Code.
4. Compliance Alternatives per section 3412 of the California Building Code 2013 Edition can be use as an Alternate Means and Methods subject to the approval of the Building Official to evaluate the change of occupancy that increase the current degree of public safety, health and general welfare in existing building while permitting the substantial repair, alteration, addition and change of occupancy without requiring full compliance to code currently in effect.

15.08.120 Section 501.2. Address Identification, deleted.

Section 501.2 of the California Building Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code General Regulations Section 15.00.060 Approved Numbers and Addresses.

15.08.130 Reserve.

15.08.140 Section 602.5.1. Exterior Siding Material, added.

Section 602.5. of the California Building Code, 2016 Edition of the California Building Code is amended by adding the following paragraph, to be numbered 602.5.1, to read as follows:

602.5.1. When the exterior wall is within eighteen inches (18") of the property line, and is Type V (A or B) construction, the wall shall be covered with $\frac{3}{4}$ inch nominal, naturally durable wood drop siding or similar manufactured materials with comparable life span.

15.08.150 Section 604. Use of Metal Sheets or Plates for External Covering of Roofs or Wall, added.

Section 601 of the California Building Code, 2016 Edition, amended by adding the following section 604.1 and sub-sections to read as follows:

Section 604.1. The use of metal sheets or plates for the external covering of roofs or walls is prohibited, anything in the Code notwithstanding, with the following exceptions:

1. Prefabricated and prefinished module siding approved by and acceptable to the Authorized Representative for specific installations.
2. Gasoline service stations and car wash structures as provided in Section 311 of this Code.
3. Building structures in an industrial zone.
4. Metal factory-manufactured tool sheds.
5. Architectural metal roofs with demonstrated resistance to corrosion, long term durability and cut edge protection acceptable to the authorized representative for specific installations.
6. Architectural features of copper metal roofing, copper granule containing asphalt shingles prohibited per Daly City Municipal Code 15.00.140 where the discharge of wastewater to storm drains is generated from the installation, cleaning, treating, and washing of the surface of copper roof.

15.08.160 Section 705.4.1. Walls Adjoining Property Line, added.

Section 705.4 of the California Building Code, 2016 Edition, is amended by adding the section 705.4.1 to read as follows:

Sec. 705.4.1. Walls Adjoining Property Lines between buildings built of wood frame construction next to each other or within eighteen nominal inches (18") of the property line, the wall shall be covered with $\frac{11}{16}$ inch nominal naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one inch separation shall be provided between finished exterior wall surface and property line.

15.08.170 Section 809. Garbage Rooms Interior Finish, added.

Section 801 of the California Building Code, 2016 Edition, is amended by adding section 809 and sub-sections 809.1, 809.2, 809.3 and 809.4 to read as follows:

809. Garbage Rooms Interior Finish.

809.1. Shall be lined on all sides up four feet from the floor with galvanized iron of not less than No. 26 gauge U.S Standard. All seams and joints shall be interlocking and tight. As an alternate to the above, the following materials may be used: Concrete or concrete blocks finished with a smooth trowel stucco or similar materials, or one inch thick Portland cement on approved backing steel troweled to a smooth finish.

809.2. Shall have floors of concrete or quarry tile or other approved materials - no wood platforms.

809.3. Floor drains and hose bibs shall be required in, or within fifteen feet of, the garbage room in new construction.

809.4. Shall be provided with at least two garbage cans and as many more as may be considered necessary by the enforcement agency. They shall be constructed of at least No. 24 gauge U.S. Standard galvanized iron, all joints and seams riveted and soldered watertight. Each can shall be provided with a tight fitting metal cover, or any other method acceptable to the Health Department.

15.08.180 Section 903. Automatic Sprinkler System, deleted.

Section 903. of the California Building code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.32 and the 2016 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspections shall be under the North County Fire Authority.

15.08.190 Section 1030.1. Exception 5 and 6, Emergency Escape and Rescue, added.

Section 1030.1 of the California Building Code, 2016 Edition, is amended by adding the following exceptions, to be numbered exception 5 and 6, to read as follows:

Section 1030.1 exception 5. Emergency escape and rescue windows for Group R2 occupancies three (3) stories or less can open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and extends to the full width of the parcel. The exterior wall where emergency escape and rescue window is located shall be protected by installing an approved non-combustible siding material or a 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

Section 1030.1 exception 6. Emergency escape and rescue windows for Group R2 occupancies three stories or less can open onto a yard not less than 10 feet in depth measured from the exterior wall to the property line and extends to the full width of the parcel. The yard

shall have direct and unobstructed access to an Exit Passageway complying with Section 1024 that leads directly to a public way.

15.08.200 Section 1203.6.1. Ventilation for Exterior Soffits, Bays, Projections and enclosed section under Exterior Stairs, added.

Section 1203.6 of the California Building Code, 2016 Edition, is amended by adding section 1203.6.1, to read as follows:

Sec. 1203.6.1. Ventilation for Exterior Soffits, Bays, Projections and enclosed sections under stairway. Ventilation shall be provided in an approved manner for all enclosed exterior soffits, bays, projections and and enclosed sections under stairs.

15.08.210 Table 1505.1. Minimum Roof Covering Classifications for Types of Construction, amended.

Table 1505.1 of the California Building Code, 2016 Edition, is amended by to read as follows:

Table 1505.1^a

Minimum Roof Covering Classification for Types of Construction

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

a. Unless otherwise required in accordance with chapter 7A within any twelve (12) month period, roof covering alterations which includes replacement or repair exceeding 50% of the projected area of the existing roof, requires the entire existing roof to be replaced with materials and construction as required for new roofs.

15.08.220 Section 1705.3. Concrete Construction Exception 1, amended.

Section 1705.3 Concrete construction of the California Building Code, 2016 Edition is amended to read as follows. The special inspection and test of concrete construction shall be performed by this section and TABLE 1705.3

Exceptions: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where structural design of footing is based on a specified compressive strength f'_c , no greater than 2,500 pounds per square inch (psi).

15.08.230 Section 1807.2.4. Retaining Wall, added.

Section 1807.2 of the California Building Code, 2016 Edition, is amended by adding subsection 1807.2.4 to read as follows:

Section 1807.2.4. Where it is necessary to retain earth to protect structures or adjoining property, a retaining wall must be constructed. Masonry and concrete walls higher than forty-eight inches from bottom of footing to top of wall, and wood walls higher than thirty-six inches (35") from bottom grade to top grade shall be designed by a licensed architect or engineer. Walls constructed of wood may be used to protect adjoining earth but may sustain no other loads.

Exception:

Walls constructed of wood to retaining backfilled clean earth and is mainly use for leveling a landscaping area or a planter box may be used and shall not sustain no other loads such as surcharge and not to exceed thirty eight inches in height measured from the finished grade to top of wall and shall have a minimum horizontal distance of six feet from any adjacent structures or building is exempted from design by a licensed architect or engineer.

15.08.240 Section 1905.1.7. ACI 318 Section 14.1.4.1 amended.

Section 1905.1.7 ACI 318, Section 14.1.4 of the California Building Code, 2016 Edition, is amended by deleting ACI 318, Section 14.1.4 and replace with the following:

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

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

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

Exception:

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

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. For footings that exceed 8" inches (203 mm) in thickness, A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two

continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

15.08.250 Chapter 23 - Sections 2306 and 2308 Sheathing Used for Shearwall and Bracing Methods, amended.

Chapter 23 - Section 2306 and 2308 where the Type of Material used for Shearwall and Bracing Methods as described in Tables 2306.3(3) and 2308.6.3(3) are deemed to be not an approved materials and methods and are deleted:

Table 2306.3(3) Shearwall

1. Expanded metal or woven wire lath and Portland cement plaster, deleted
2. Gypsum lath, plain or perforated, deleted
3. Gypsum sheathing, deleted
4. Gypsum board, gypsum veneer base or water resistant gypsum backing board, deleted

Table 2308.6.3(3) Bracing Methods

1. LIB (Let-in-bracing), deleted
2. DWB (Diagonal wood boards), deleted
3. GB (Gypsum board- double sided), deleted
4. PBS (Particle board sheathing), deleted
5. PCP (Portland cement plaster), deleted
6. HPS (Hardboard panel siding), deleted

15.08.260 Section 3112. Trailers, Modular Units, Mobile Home added.

A new section, to be known as Section 3112 and sub-sections 3112.1, 3112.2, 3112.3 and 3112.4 to read as follows is added to Chapter of the California Building Code, 2016 Edition, which shall read as follows:

Section 3112. Trailers, Modular Units, Mobile Home:

3112.1. Trailers, modular units, mobile homes (except those mobile homes as defined in Sec. 15.40.010 B of the Daly City Municipal Code), travel trailers, house trailers, camp cars, campers or any other types of units, whether on wheels or not on wheels, and used for living quarters, shall be prohibited except in mobile home parks.

3112.2. Trailers, modular units, nor any other type unit as described in 3103.5.1, whether on wheels or not on wheels, shall not be used for any type of office-building or other business uses except they may be used for temporary offices for construction or sales purposes, formal educational occupancy and special events only, and with the specific approval of the Building Official per section 108 Temporary Structure and uses.

3112.3 Trailers, modular units or any type of unit as described in 3103.5.1 which are intended to be used for more than the specified time limitation per section California Building

Code section 108 is allowed with one extension for not more than 180 day with specific approval of the Building Official.

3112.4 Trailers, modular units or any type of unit as described in 3103.5.1 which is intended to be used as described in 3103.5.2 for more than 360 days will require specific approval of the Building Official and other Officials and Officers.

SECTION 3: Chapter 15.10 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.10 and Sections 15.10.010 through 15.10.200 are hereby added to Title 15, to read as follows:

EXHIBIT C

CHAPTER 15.10

RESIDENTIAL BUILDING CODE

Sections:

15.10.010	California Residential Building Code—Adoption—Where filed.
15.10.020	Section R105.2. Work Exempt from Permit, Building 1, amended.
15.10.030	Section R105.3.2. Time Limitation of Application, deleted.
15.10.040	Section 105.5. Permit Expiration and Extension, deleted.
15.10.050	Section R106.2.1. Site Plan or Plot Plan, added.
15.10.060	Section R106.2. 2. Construction Documents, added.
15.10.070	Section R108.7. Fees Prescribed and Established by Resolution of the City Council, added.
15.10.080	Section R112. Board of Appeals, deleted.
15.10.090	Section R113.2.1. Violation Penalties Fee, added.
15.10.100	Section 301.2. Climatic and Geographical Design Criteria Table R301.2(1), amended.
15.10.110	Section R302.6.1. Fire Protection Retrofits, added.
15.10.120	Section R303.1.1. Court, added.
15.10.130	Section R309.5. R309.6 and R313. Automatic Fire Sprinkler Systems, deleted.
15.10.140	Section R310.1.2. Emergency Escape and Rescue. Exception, substituted.
15.10.150	Section R319. Site Address, deleted.
15.10.160	Section R324.7.2.8. Location of Rapid Shutdown for Photovoltaic System, added.
15.10.170	Section R403.1.3. Seismic Reinforcement Exception, amended.
15.10.180	Section R602.10.4. Footnote “f” and “g” to Table 602.10.4, added.
15.10.190	Section R703.13. Exterior Covering, added.
15.10.200	Section R901. General Roof Assemblies, added.

15.10.10 California Residential Building Code – Adoption – Where Filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Residential Building Code, 2016 Edition," and excluding the following Appendices; A - Size and Capacities of Gas Piping; B - Size of Venting Systems Service Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents; C - Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems; D -Recommended Procedures for Safety Inspection of an Existing Appliance Installation; E -Manufactured Housing Used as Dwellings; F - Passive Radon Gas Controls; G – Piping Standards for Various Applications; I – Private Sewage Disposal; J – Existing Buildings and Structures; K – Sound Transmission; L – Permit Fees; M – Home Day Care – R-3 Occupancy; N – Venting Methods; O – Automatic Vehicular Gates; P – Sizing of Water Piping System; R – Light Straw-Clay Construction; S – Strawable

Construction; T – Recommended Procedure for Worst –Case Testing of Atmospheric Venting Systems Under N1102.4 or N1105 Conditions $\leq 5ACH_{50}$; U – Solar-Ready Provisions – detached One- and Stwo-Family Dwellings, Mutiple Single-Family Dwellings (Townhouse); V – Swimming Pool Safety Act; W – Areas Protected By the Facilities of the Central Valley Flood Protection Plan and the whole hereof, save and except for such portions as are hereinafter set forth, of which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the residential building code.

15.10.020 Section R105.2. Work Exempt from Permit, Building 1, amended.

Section R105.2 of the California Residential Code, 2016 Edition, Work Exempted from Permit Building - item1 is amended and substituting the following paragraph to read as follows:

Building: Item 1.

One or more single story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the sum of the total floor area of these accessory structures does not exceed 120 square feet, with a maximum height of 10 feet.

Location.

Detached accessory structures shall not be located less than five (5) feet from the nearest exterior face of the residential building and not less than twelve (12) inches from a fence and where it will obstruct a bedroom window or door that is designed to be used for emergency escape and rescue per Section R310.

15.10.030 Section R105.3.2. Time Limitation of Application, deleted.

Section R105.3.2 of the California Residential Code 2016 Edition is deleted and substituted by Municipal Code General Regulations 15.00.030.

15.10.040 Section R105.5. Permit Expiration and Extension, deleted.

Section R105.5. of the California Residential Code 2016 Edition is amended and substituted by Municipal Code General Regulations 15.00.040.

15.10.050 Section R106.2.1. Site Plan or Plot Plan, added.

Section R106.2 of the California Residential Code, 2016 Edition, is amended by adding subsection R106.2.1 to read as follows:

Section R106.2.1 Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff which shall be diverted to the public way and not to adjacent properties
Site plan or plot plan shall include the following information:

- 1). Location of utility electrical meter and service disconnect.
- 2). Location of utility natural gas meter
- 3). Location of rapid disconnect for new installation of a photovoltaic solar system.

15.10.060 Section R106.2.2. Construction Document, added.

Section R106.2 of the California Residential Code, 2016 Edition, is amended by adding subsection R106.2.2 to read as follows:

Section R106.2.2 Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.10.070 Section R108.7. Fees Prescribed and Established by Resolution of the City Council Fees, added.

Section R108. of the California Residential Code, 2016 Edition, is amended by adding Section R108.7 to read as follows:

Section 108.7. Daly City Municipal Code General Regulations 15.00.020 are Fees Prescribed and Established by Resolution of the City Council

15.10.080 Section R112. Board of Appeals, deleted.

Section R112 of the California Building Code, 2016 Edition, is deleted and substituted by General Regulations 15.00.050.

15.00.090 Section R113.2.1. Violation Penalties Fee, added.

Section R113.2 of the California Residential Code, 2016 Edition is amended by adding section R113.2.1 to read:

Section R113.2.1 Violation penalties fee shall be assessed per Daly Municipal Code section 15.00.020 Fees.

Section 15.10.100 Table R301.2(1). Climatic and Geographical Design Criteria, amended

Table R301.2(1) shall be as follows:

Ground Snow Load	0
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Wind Design		
	Speed MPH	85 MPH
	Topographic Effects	No
Seismic Design Category		
	Wood Frame Single Family Residential Unit three stories maximum from grade plane.	D2
Subject to Damage From		
	Weathering	Negligible
	Frostline Depth	N/A
	Termite	None to Slight Check With A Licensed Pest Control Company
Winter Design Temperature		40
Ice Barrier Underlayment Required		N/A
Flood Hazard		Check With Public Works Department for Specific Area
Air Freezing Index Basis – National Climatic Data Center – San Francisco		44.7
Mean Annual Temperature		45

15.10.110 Section R302.6.1. Fire Protection Retrofits, added.

Section R302.6 of the California Residential Code, 2016 Edition, is amended by adding Section R302.6.1 with sub Sections R302.6.1.1 and R302.6.1.2 to read as follows:

R302.6.1. Additional residential gypsum board requirements: For homes that do not have fire protection between the Group U garage area or carport and the Group R-3, dwelling, fire-protection retrofit shall be required when new habitable space is created by the alteration of existing unimproved space, or by the expansion of an existing structure as follows:

R302.6.1.1. Fire separations shall be constructed by installing fire-taped 5/8 inch thick Type “X” gypsum board throughout the entire garage area, including all walls and ceilings adjoining living areas. Where the garage walls are supporting living space above, those supporting walls, including posts and beams, will be protected by installing fire-taped 5/8 inch thick Type “X” gypsum board.

R302.6.1.2 All framing assemblies adjoining conditioned spaces protected by gypsum board as required by R302.6.1 shall be insulated with properly installed R 13 insulation in walls and R 19 in the ceiling/floor assembly or with other approved materials complying with current California Energy Code.

15.10.120 Section R303.1.1. Court, added.

Section R303.1 of the California Residential Code, 2016 Edition, is amended by adding sub Section R303.1.1 to read as follows:

Section R303.1.1 Court. Requirements of courts as defined in R202 of the California Residential Code shall comply with Section 1206.3 of the California Building Code, 2016 Edition,

15.10.130 Section R309.5; R309.6 and R313. Automatic Fire Sprinkler Systems, deleted.

Section R309.5; R309.6 and R313 of the California Residential Code, 2016 Edition, is entirely deleted and all references to Automatic Fire Sprinkler Systems requirements in Section R309.5 and R309.6 and R313 and the entire body of the California Residential Code are replaced by Daly City Municipal Code 15.32 and the 2016 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspection shall be under the North County Fire Authority.

15.10.140 Section R310.1. Emergency Escape and Rescue. Exception, amended.

Section R310. Exception of the California Residential Code, 2016 Edition, is amended and substituted by the following paragraph to read as follows:

Section R310.1..Exception. Emergency escape and rescue windows for One- and Two-Family Residential Dwelling including Townhouses may open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and that extends to the full width of the parcel. The exterior wall where emergency escape and rescue window is located shall be protected by installing an approved non-combustible siding material or a 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

15.10.150 Section R319. Site Address, deleted.

Section R319 of the California Residential Code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.08.060

15.10.160 Section R324.7.2.8. Location of Rapid Shutdown for Residential Photovoltaic System, added.

Section R324 of the California Residential Code 2016 Edition is amended by adding section R324.7.2.8 to read as follows:

Section R324.7.2.8. Rapid Shutdown as required by the Article 690.12 of the California Electrical Code 2016 Edition shall be located in a readily accessible location at the exterior of the building for small roof top solar system 10 kilowatts or less.

15.10.170 Section R403.1.3. Seismic Reinforcement Exception, amended.

Section 403.1.3 of the California Residential Code, 2016 Edition is amended by substituting the following paragraph to read as follows:

Section R403.1.3 Seismic Reinforcing for concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing. Reinforcement shall be installed with support and cover in accordance with Section R403.1.3.5.

15.10.180 Section R602.10.4. Footnote “f” and “g” to Table 602.10.4, added.

Section R602.10.4 of the California Residential Code, 2016 Edition, is amended by adding Footnote “f” to the end of Table 602.10.4 Bracing Method to read as follows:

Footnote “f”. In Seismic Design Categories D0, D1, and D2, Method **GB**-(Gypsum wall board), **LIB**-(Let-in-bracing), **DBW**-(Diagonal wood board), **SFB**-(Structural fiberboard sheathing), **PBS**-(Particleboard sheathing), **PCP**-(Portland cement plaster), **HPS**-(hardboard panel siding), are not permitted as Bracing Methods

Footnote “g” In Seismic Design Categories D0, D1, and D2, Material used for Shearwall shall comply with Daly City Municipal Code 15.08.250.

15.10.190 Section R703.13. Exterior Covering, added

Section R703 of the California Residential Code, 2016 Edition, is amended by adding Section R703.13 with sub Sections R703.13.1 and 703.13.2 to read as follows:

Section R703.13 Exterior Wall Covering

Section R703.13.1. When the exterior wall is within eighteen inches (18") of the property line, the exterior wall shall be covered with 11/16" nominal, naturally durable, wood drop siding or similar manufactured materials with comparable life span.

Exception: Exterior walls facing public right of way.

Section R703.13.2. Walls Adjoining Property Lines. On buildings built within eighteen inches (18") of each other or within eighteen inches (18") of the property line, the exterior wall shall be covered with 11/16" nominal naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one

inch separation shall be provided between the finished exterior wall surface and the property line.

15.10.200 Section R901. General Roof Assemblies, added.

Section R901 of the California Residential Code, 2016 Edition, is amended by adding R901.2 to read as follows:

Sec. R901.2 All new roof covering materials as stated in Section R902.1 for Residential Group R occupancy classifications shall have a fire rating of Class B, or better, which complies Fire-retardant Roofing, when tested in accordance with UL790 or ASTM E 108-07a

Within any twelve (12) month period, roof covering alterations which includes replacement or repair exceeding 50% of the projected area of the existing roof, requires the entire existing roof to be replaced with materials and construction as required for new roofs.

All references referring to the use of a fire-retardant roof covering Class C are hereby deleted.

SECTION 4. Chapter 15.14 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.14 and Sections 15.14.010 through 15.14.070 are hereby added to Title 15, to read as follows:

EXHIBIT D

CHAPTER 15.14

INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

- 15.14.010 Adopted.
- 15.14.020 Section [A] 101.1. Terms Explained.
- 15.14.030 Section 103. Terms Explained.
- 15.14.040 Section [A] 106.3. Failure to Obey Order, substituted.
- 15.14.050 Section 106.4. Violation Penalties, deleted.
- 15.14.060 Section 109.4.1. Cost Recovery for Authorized Emergency Abatement of Immediate Life, Health and Safety Hazards, added.
- 15.14.070 Section 109.6. Hearing, deleted.
- 15.14.080 Section 111. Means of Appeal, deleted.

15.14.010 International Property Maintenance Code Adopted as Reference.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the "International Property Maintenance Code, 2015 Edition," as published by the International Code Council, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

15.14.020 Section [A] 101.1. Terms Explained.

the International Property Maintenance Code 2015 Edition, be changed to "ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE CITY COUNCIL OF THE CITY OF DALY CITY".

15.14.030 Section 103. Terms Explained

Section 103 of the International Property Maintenance Code 2015 Terms Explained.

The term "Code Official" is the Building Official

The term "Department of Property Maintenance Inspection is changed to

"Enforcement of the Order of the Building Official or the City Council of the City of Daly City"

The term “Chief Appointing Authority” is the City Manager.

15.14.040 Section 106.3. Failure to Obey Order, substituted.

Section 106.3 of the international Property Maintenance Code 2015 Edition is amended by substituting the title Prosecution of violation to read “Failure to Obey Order”

15.14.050 Section 106.4. Violations Penalties, deleted

Section 106.4 of the International Property Maintenance Code, 2015 Edition, referencing to “Violation Penalties,” is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code Chapter 15.00.020.

15.14.060 Section 109.4.1. Cost Recovery for Authorized Emergency Abatement of Immediate Life, Health and Safety Hazards, added.

Section 109.4 of the International Property Maintenance Code, 2015 Edition, is amended by adding subsection 109.4.1 to read as follows:

Section 109.4.1. Cost Recovery. Expenses incurred for any action taken on such premises by the Enforcement of the Order of the Building Official or the City Council for authorized emergency abatement of Life, Health and Safety Hazards as authorized by the Chief Appointing Authority shall be recovered through reimbursement by the property owner.

In the event that expenses incurred for any action taken on such premises cannot be recovered through reimbursement by the property owner, the real estate upon which the structure is located shall be charge by placing a lien upon such real estate subject to the approval by City Council.

15.14.070 Section 109.6. Hearing, deleted.

Section 109.6 of the International Property Maintenance Code, 2015 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050.

15.14.080 Section 111. Means of Appeal, deleted.

Section 111 of the International Property Maintenance Code, 2015 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050.

SECTION 5: Chapter 15.16 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.16 and Sections 15.16.010 through 15.16.120 are hereby added to Title 15, to read as follows:

EXHIBIT E

CHAPTER 15.16

MECHANICAL CODE

Sections:

<u>15.16.010</u>	<u>Adopted.</u>
<u>15.16.020</u>	<u>Section 104.3.1. Construction Documents, added.</u>
<u>15.16.030</u>	<u>Section 104.3.2.1 Plan Review Established Fees, added.</u>
<u>15.16.040</u>	<u>Section 104.3.3. Time Limitation of Application, deleted.</u>
<u>15.16.050</u>	<u>Section 104.4.3. Expiration, deleted.</u>
<u>15.16.060</u>	<u>Section 104.4. Extensions, deleted.</u>
<u>15.16.070</u>	<u>Section 104.5. Fee Schedule Table 104.5 Mechanical Permit Fees, deleted.</u>
<u>15.16.080</u>	<u>Section 104.5.2.1. Investigation Fee, added.</u>
<u>15.16.090</u>	<u>Section 104.5.3.4. Fee Refunds, added.</u>
<u>15.16.100</u>	<u>Section 106.3.1. Assessment of Penalties, added.</u>
<u>15.16.110</u>	<u>Section 107. Board of Appeals, deleted.</u>
<u>15.16.120</u>	<u>Section 510.7.1. Grease Duct Enclosure Exception, added.</u>

15.16.010 Adopted.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety, that certain code known as the California Mechanical Code, 2016 Edition, including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and except Appendix A - Residential plans examiner review form for HVAC System Design, Appendix B - Procedures to be followed to place gas equipment in operation, Appendix C - Installation and testing of oil (liquid) fuel-fired equipment, Appendix D - Fuel supply: manufactured/mobile home parks and recreational vehicle parks, Appendix E - Sustainable practice, Appendix F - Sizing of venting systems and outdoor combustion and ventilation opening design, Appendix G - Example calculation of outdoor air rate are adopted for reference and such portions as are hereinafter deleted, modified or amended, as set forth in this chapter, of which code one copy has been and now is filed in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Mechanical Code shall be enforceable to the same extent as if contained in the body of the Mechanical Code.

15.16.020 Section 104.3.1.1. Construction Documents, added

Section 104.3.1 of the California Mechanical Code, 2016 Edition, is amended by adding section 104.3.1.1 to read as follows:

104.1.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.16.030 Section 104.3.2.1. Plan Review Established Fee, added

Section 104.3.2 of the California Mechanical Code , 2016 Edition is amended by adding section 104.3.2.1 to read as follows:

Section 104.3.2.1 Plan review for mechanical work shall be determined by Daly City Municipal Code section 15.00.020.

15.16.040 Section 104.3.3. Time Limitation of Application, deleted

Section 104.3.3 of the California Mechanical Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code General Regulations 15.00.030.

15.16.050 Section 104.4.3. Expiration, deleted

Section 104.4.3 of the California Mechanical Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code regulation 15.00.030

15.16.060 Section 104.4.4. Extensions, deleted

Section 104.4.4 of the California Mechanical Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code regulation 15.00.030

15.16.070 Section 104.5. –Fee Schedule Table 104.5 Mechanical Permit Fees. deleted.

Section 104.5 – Fee Schedule Table 104.5 Mechanical Permit Fees of the California Mechanical Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.020.

15.16.080 Section 104.5.2.1. Investigation Fee, added

Section 104.5.2 of the California Mechanical Code, 2016 Edition, is amended by adding section 104.5.2.1 to read as follows:

Section 104.5.2.1 Investigation fee shall be assessed per Daly City Municipal Code section 15.00.020.

15.16.090 Section 104.5.3.4. Fee Refunds, added

Section 104.5. of the California Plumbing Code, 2016 Edition, is amended by adding 104.5.4 to read as follows:

Section 104.5.4 Refunding of fee shall be per Daly City Municipal Code section 15.00.020.

15.16.100 Section 106.3.1. Assessment of Penalties Added

Section 106.3 of the California Mechanical Code, 2016 Edition, , is amended by adding section 106.3.1 to read as follows:

Section 106.3.1 Assessment of penalties shall be per Daly City Municipal Code section 15.00.020

15.16.110 Section 107. Board of Appeals, deleted.

Section 107 of the California Mechanical Code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050.

15.16.120 Section 510.7.1. Grease Duct Enclosure Exception Added.

Section 510.7.1 of the California Mechanical Code 2016 Edition is amended by adding Exception to read as follows:

Exception:

1. Grease duct wall enclosures shall be at least one-hour fire resistive construction in all buildings and shall be two-hour fire resistive construction in Types I and II fire-resistive buildings.
2. An approved Fire Wrap with an Underwriter's Laboratory (U.L.) or International Code Council Evaluation Service (ICCES) certification may be used as In-lieu of a grease duct wall enclosure and shall be installed by a certified fire wrap installer.

SECTION 6. Chapter 15.20 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.20 and Sections 15.20.010 through 15.20.240 are hereby added to Title 15, to read as follows:

EXHIBIT F

CHAPTER 15.20

PLUMBING CODE

Sections:

<u>15.20.010</u>	<u>Adopted.</u>
15.20.020	Section 104.3.1.1. Construction Documents, added
15.20.030	Section 104.3.2.1. Plan Review Established Fee, added
15.20.040	Section 104.3.3. Time Limitation of Application, deleted
15.20.050	Section 104.4.3. Expiration, deleted
15.20.060	Section 104.4. Extensions, deleted
15.20.070	Section 104.5. –Fee Schedule Table 104.5 Plumbing Permit Fees, deleted.
15.20.080	Section 104.5.2.1. Investigation Fee, added
15.20.090	Section 104.5.3. Fee Refunds, added
15.20.100	Section 106.3.1. Assessment of Penalties, added.
15.20.110	Section 107. Board of Appeals, deleted.
15.20.120	Section 301.2.6. Minimum Plumbing Standards within a Building Structure, added.
15.20.130	Section 310.6.1. Prohibited Fittings and Practices, added.
15.20.140	Section 401.3.1. Indoor Water Use Efficiency and Conservation, added.
15.20.150	Section 507.27. Additional Requirements - Protection of Water Heater from Damage, added
15.20.160	Section 602.5. Unlawful Connections, added.
15.20.170	Section 604.10. Plastic Material, deleted.
15.20.180	Section 604.14. Material for Water Piping and Fitting, added.
15.20.190	Section 604.15. Plastic Parts Included with Approved Appliance, added.
15.20.200	Section 612.0. Residential Fire Sprinkler Systems, deleted.
15.20.210	Section 703.1.1. Sizing of Building Drain and Building Sewer Pipe, added.
15.20.220	Section 707.4. Location of Cleanouts, deleted.
15.20.230	Section 713.8. Administrative Authority Relating to Building Sewer, added.
15.20.240	Section 1208.6.1. Gas Meter Location, amended.

15.20.010 Adopted.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety, that certain code known as the California Plumbing Code, 2016 Edition, including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and except : Appendix B Explanatory notes on combination waste and vent system, Appendix C Alternate plumbing systems, Appendix E, Manufactured/mobile home park and recreational Vehicle Park, Appendix F Firefighter breathing air replenishment systems, Appendix G Sizing of venting systems, Appendix H, Private Sewage disposal System, Appendix I Installation standard for PEX tubing systems for Hot-and –cold-water distribution, Appendix

J Combination of indoor and outdoor combustion and ventilation opening design, Appendix K Potable rainwater catchment systems, and Appendix L, Sustainable Practice which are adopted by reference and such portions as are hereinafter deleted, modified or amended, as set forth in this chapter, of which code one copy has been and now is filed in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Plumbing Code shall be enforceable to the same extent as if contained in the body of the mechanical code.

15.16.020 Section 104.3.1.1. Construction Documents, added

Section 104.3.1 of the California Plumbing Code, 2016 Edition, is amended by adding section 104.3.1.1 to read as follows:

104.1.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.20.030 Section 104.3.2.1. Plan Review Established Fee, added

Section 104.3.2 of the California Plumbing Code , 2016 Edition is amended by adding section 104.3.2.1 to read as follows:

Section 104.3.2.1 Plan review for plumbing work shall be determined by Daly City Municipal Code section 15.00.020 fees prescribed and established by resolution of the City Council.

15.20.040 Section 104.3.3. Time Limitation of Application, deleted

Section 104.3.3 of the California Plumbing Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code 1500.030.

15.20.050 Section 104.4.3. Expiration, deleted

Section 104.4.3 of the California Plumbing Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code 15.00.030

15.16.060 Section 104.4.4. Extensions, deleted

Section 104.4.4 of the California Plumbing Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code 15.00.030

15.16.070 Section 104.5. –Fee Schedule Table 104.5 Plumbing Permit Fees, deleted.

Section 104.5 – Fee Schedule Table 104.5 Plumbing Permit Fees of the California Plumbing Code, 2016 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.020 Fees Prescribed and Established by Resolution of the City Council.

15.20.080 Section 104.5.2.1. Investigation Fee, added

Section 104.5.2 of the California Plumbing Code, 2016 Edition, is amended by adding section 104.5.2.1 to read as follows:

Section 104.5.2.1 Investigation fee shall be assessed per Daly City Municipal Code section 15.00.020 fees prescribed and established by resolution of the City Council.

15.20.090 Section 104.5.3. Fee Refunds, amended

Section 104.5.3 of the California Plumbing Code, 2016 Edition, is amended by adding 104.5.4 to read as follows:

Section 104.5.4 Refunding of fee shall be per Daly City Municipal Code section 15.00.020 fees prescribed and established by resolution of the City Council.

15.16.100 Section 106.3.1. Assessment of Penalties, added

Section 106.3 of the California Plumbing Code, 2016 Edition,, is amended by adding section 106.3.1 to read as follows:

Section 106.3.1 Assessment of penalties shall be per Daly City Municipal Code section 15.00.020 fees prescribed and established by resolution of the City Council.

15.16.110 Section 107. Board of Appeals, deleted.

Section 107 of the California Plumbing Code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050 Procedure for Appeals.

15.20.120 Section 301.2.6. Minimum Plumbing Standards within a Building Structure, added.

Section 301.2. of the California Plumbing Code, 2016 Edition, is amended by adding Section 301.2.6 to read as follows:

Section 301.2.6. Acrylonitrile-butadiene-styrene (ABS), for drain, waste and vent fittings; Polyvinyl Chloride (PVC), for drain, waste and vent fittings; Cross-linked Polyethylene (PEX), Cross-linked Polyethylene-Aluminum-Cross-linked Polyethylene (EEX-AL-EEX), Polyethylene-Aluminum-Polyethylene (PE-AL-PE) for water; Polyethylene (PE) for building supply or for natural gas yard piping; Polyethylene (PE), Chlorinated

Polyvinyl Chloride (CPVC) and Polyvinyl Chloride (PVC) for water services are not otherwise deemed to be an approved plumbing material for use within a building or structure. All references to ABS, CPVC, PVC, PEX, EEX-AL-EEX, PE-AL-PE and PE materials throughout the body of the California Plumbing Code, 2016 Edition, are hereby deleted except as otherwise defined in this chapter.

EXCEPTION:

When a backflow preventer device is located on the exterior of the building, cold water piping for private irrigation sprinkler system installations may be PE or PVC downstream of the backflow preventer device. When such backflow preventer device is located on the interior of the building, the interior piping shall be of approved metal piping.

15.20.130 Section 310.6.1. Prohibited Fittings and Practices, added.

Section 310.6 of the California Plumbing Code, 2016 Edition, is by adding Section 310.6.1

Section 310.6.1 Approved Material Connecting Dissimilar Material.

310.6.1. Except for necessary valves, where mixing of dissimilar metals occur, the point of connection shall be confined to exposed or readily accessible locations and all connections between the two will be made by a brass nipple at least six inches (6") long or other methods approved by the Administrative Authority.

15.20.140 Section 401.3.1. Indoor Water Use Efficiency and Conservation, added.

Section 401.3 of the California Plumbing Code, 2016 Edition, is amended by adding section 401.3.1 to read as follows:

Section 401.3.1 All new construction and applicable remodels shall have, at a minimum, fixtures that comply with the Daly City Municipal Code 15.66 “Water Use Efficiency Table” for the following California Plumbing Code sections and plumbing fixtures: section 407-Lavatories, section 408-Showers, 411- section Water Closets, section 414-Diswashing Machines, section 417-Faucets and Fixture Fittings and section 420-Sinks.

Indoor Water Use Efficiency Table

Fixture	Residential	Non-Residential
Toilets	≤1.28 gpf, and ≥350 grams	≤1.28 gpf, and ≥350 grams
Urinals	≤0.5 gpf	≤0.5 gpf
Showers	≤2.0 gpm	≤2.0 gpm
Bathroom faucets	≤ 1.5 gpm	≤ 0.5 gpm
Kitchen faucets	≤ 2.2 gpm	≤ 2.2 gpm
Clothes washers	≤6.0 Water Factor	≤6.0 Water Factor

Dishwashers	≤6.5 gal/cycle, or Energy Star Qualified	Energy Star Qualified
Cooling towers	≥5 - 10 cycles, or ≥2.5 LSI	≥5 - 10 cycles, or ≥2.5 LSI
Food steamers	—	Boiler less, or Self-contained
Ice machines	—	≤25 gal/100 lbs. ice, or Air-cooled
Pre-rinse spray valves	—	≤1.15 gpm
Automatic vehicle wash facilities	—	≥50% of water that is recycled on site
Commercial refrigeration	—	Closed loop, or air cooled
Meters	Sub meters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft.	Sub meters, and separate meter for outdoor if landscape >5,000 sq. ft.

Definitions:

- a. "Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- b. "gal/cycle" means gallons per cycle.
- c. "gal/100 lbs ice" means gallons per hundred pounds of ice.
- d. "gpf" means gallons per flush.
- e. "gpm" means gallons per minute.

15.20.150 Section 507.27. Additional Requirements - Protection of Water Heater from Damage, added.

Section 507.0 of the California Plumbing Code, 2016 Edition, is amended by adding subsection 507.27, sub Sections 507.27.1, 507.27.2 and 507.27.3 to read as follows:

Section 507.27. Additional Requirements for Protection of Water Heater from Damage.

507.27.1. The owner of the property shall be required to conform to Sections 507.13 and, 507.14 in either of the following instances:

507.27.2. Whenever a building permit is issued in connection with said property, and said building permit is issued based on a valuation of \$1,000.00 or more for work adding or modifying habitable space.

507.27.3. Prior to sale or transfer of the property.

15.20.160 Section 602.5. Unlawful Connections, added.

Section 602.0 of the California Plumbing Code, 2016 Edition, amended by adding subsection 602.5 to read as follows:

Section 602.5. Other Unlawful Connections.

602.5. No installation of potable water supply piping or part thereof shall be designed in such a manner that the water system will have dead ends, incapable of being circulated, except for domestic fire sprinkler systems when sprinkler system is connected directly to the domestic service piping system. An approved backflow device shall be installed at the point of connection between the domestic piping and the sprinkler piping.

15.20.170 Section 604.10. Plastic Material, deleted.

Section 604.10 including exception of the California Plumbing Code, 2016 Edition, is deleted. Grounding methods shall be referenced to California Electrical Code:

15.20.180 Section 604.14. Material for Water Piping and Fitting, added.

Section 604.0 of the California Plumbing Code, 2016 Edition, is amended by adding subsection 604.14 to read as follows:

Section 604.14. Materials for Water Piping and Fitting.

604.14. Water piping and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. Copper water pipe, as defined in Section 903.2, manufactured to recognize standards shall be used for cold water service supply systems outside a building, between the meter and the building.

15.20.190 Section 604.15. Plastic Parts Included with Approved Appliance, added.

Section 604 of the California Plumbing Code, 2016 Edition, is amended by adding subsection 604.15 to read as follows:

Section 604.15. Plastic Plumbing Parts Included with Approved Appliance or Fixture.

604.15 Plastic Plumbing Parts included as part of an approved appliance or plumbing fixture when readily accessible for repair or replacement is deemed to be an approved material as determined by the Administrative Authority.

15.20.200 Section 612.0. Residential Fire Sprinkler Systems, deleted.

Section 612.0 of the California Plumbing Code, 2016 Edition, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.32 and the 2016 California Fire Code. Fire Sprinkler Systems requirements shall be determined by the North County Fire

Authority. Plan review, permits and inspections shall be under the North County Fire Authority.

15.20.210 Section 703.1.1. Sizing of Building Drain and Building Sewer Pipe, added.

Section 703 of the California Plumbing Code, 2016 Edition, is amended by adding section 703.1.1 to read as follows:

Section 703.1.1 Size of Building Drain and Building Sewer Pipe

703.1.1. The main building drain and building sewer waste line shall be a minimum of 4".

EXCEPTION:

Alternative Engineered Design complying with California Plumbing code section 301.5 and approved sewer pump discharge assemblies.

15.20.220 Section 707.4. Location of Cleanouts, deleted.

Section 707.4 of the California Plumbing Code, 2016 Edition, is deleted and the following paragraph is substituted to read as follows:

Section 707.4 Location of Cleanouts.

707.4 Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, which is more than fifty feet (50') in total developed length, shall be provided with a cleanout for each fifty feet (50') or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees. A cleanout shall be installed above the fixture connection fitting, serving each urinal, regardless of the location of the urinal in the building.

Exceptions:

- (1) Cleanouts shall be permitted to be omitted on a horizontal drain line less than 5 feet (1524 mm) in length unless such line is serving sinks or urinals.
- (2) Cleanouts shall be permitted to be omitted on a horizontal drainage pipe installed on a slope of 72 degrees or less from the vertical angle (one-fifth bend).
- (3) Excepting the building drain, its horizontal branches, and urinals, a cleanout shall not be required on a pipe or piping that is above the floor level of the lowest floor of the building.

15.20.230 Section 713.8. Administrative Authority Relating to Building Sewer, added.

Section 713.0 of the California Plumbing Code, 2016 Edition, is amended by adding section 713.8 to read as follows:

Section 713.8. Administrative Authority Relating to Building Sewer.

713.8. The North San Mateo County Sanitation District and the Bayshore Sanitary District is referred to as the Administrative Authority for their requirements as to fees, inspections, types of pipes and fittings, pipe sizes and other requirements, relating to building sewers.

15.20.240 Section 1208.6.1. Gas Meter Location, amended.

Section 1208.6.1 of the California Plumbing Code, 2016 Edition, is amended by substituting to read as follows:

Section 1208.6.1. Gas Meter Locations.

1208.6.1. All gas meters shall be located on the exterior and shall be installed in accordance with the State Public Utilities Commission's approved Pacific Gas and Electric Standards. All Utility service meters and related equipment shall be screened from public view by enclosure or other method approved by the Administrative Authority

SECTION 7. Chapter 15.22 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.22 and Sections 15.22.010 through 15.22.050 are hereby added to Title 15, to read as follows:

EXHIBIT G

CHAPTER 15.22

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.22.010 California Green Building Standards Code adopted.
- 15.22.020 Section 4.303.1.4.5. Minimum Indoor Plumbing Fixtures and Fitting Requirements, added by reference.
- 15.22.030 Section 5.303.5. Minimum Indoor Plumbing Fixtures and Fitting Requirements, added by reference.
- 15.22.040 Appendix A4. Residential Enhanced Voluntary Measures Division A4.6 -- Tier 1 and Tier 2, deleted.
- 15.22.050 Appendix A5. Non-Residential Enhanced Voluntary Measures Division A5.6 -- Tier 1 and Tier 2, deleted.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Green Building Standards Code, 2016 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Green Building Standards Code shall be enforceable to the same extent as if contained in the body of the California Green Building Standards Code.

15.22.020 – Section 4.303.1.4.5. Minimum Indoor Plumbing Fixtures and Fitting, added by reference.

Section 4.303.1 of the California Green Building Standards Code, 2016 Edition, is amended by adding section 4.303.1.4.5.

4.303.1.4.5 Minimum Indoor Fixture Requirements of the Daly City Municipal Code 15.66.040 is adopted by reference.

Minimum Indoor Fixture Requirements

Adopted by Reference

(Municipal Code 15.66.040)

All new construction and applicable remodels will have, at a minimum, fixtures that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Table"):

Fixture	Residential	Non-Residential
Toilets	≤ 1.28 gpf, and ≥350 grams	≤ 1.28 gpf, and ≥350 grams
Urinals	≤ 0.5 gpf	≤ 0.5 gpf
Showers	≤ 2.0 gpm	≤ 2.0 gpm
Bathroom faucets	≤ 1.5 gpm	≤ 0.5 gpm
Kitchen faucets	≤ 2.2 gpm	≤ 2.2 gpm
Clothes washers	≤ 6.0 Water Factor	≤ 6.0 Water Factor
Dishwashers	≤ 6.5 gal/cycle, or Energy Star Qualified	Energy Star Qualified
Cooling towers	≥5 - 10 cycles, or ≥2.5 LSI	≥5 - 10 cycles, or ≥2.5 LSI
Food steamers	—	Boiler less, or Self-contained
Ice machines	—	≤ 25 gal/100 lbs. ice, or Air-cooled
Pre-rinse spray valves	—	≤ 1.15 gpm
Automatic vehicle wash facilities	—	≥50% of water that is recycled on site
Commercial refrigeration	—	Closed loop, or air cooled
Meters	Sub meters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft.	Sub meters, and separate meter for outdoor if landscape >5,000 sq. ft.

Definitions:

- Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- "gal/cycle" means gallons per cycle.
- "gal/100 lbs ice" means gallons per hundred pounds of ice.
- "gpf" means gallons per flush.
- "gpm" means gallons per minute.

15.22.030 – Section 5.303.5. Minimum Indoor Plumbing Fixture and Fitting requirement, added by reference.

Section 5.303 of the California Green Building Standards Code, 2016 Edition, is amended by adding section 5.303.5 to read as follows:

5.303.5 Minimum Indoor Fixture Requirements of the Daly City Municipal Code 15.66.040 is adopted by reference.

15.22.040 – Appendix A4. Residential Enhanced Voluntary Measures Division A4.6 -- Tier 1 and Tier 2 of, deleted.

Appendix chapter A4 Division A4.6 Tier 1 and Tier 2 enhanced residential voluntary measures of the California Green Building Standards Code, 2016 Edition, are deleted. “The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.

15.22.050 Appendix A5. Non-Residential Enhanced Voluntary Measures Division A5.6 – Tier 1 and Tier 2, deleted.

Appendix Chapter A5 Division A5.6 of the California Green Building Standards Code 2016 Edition Calgreen Tier 1 and Tier 2 non-residential enhanced voluntary measures deleted. “The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.”

SECTION 7. Chapter 15.24 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.24 and Sections 15.24.010 through 15.24.120 are hereby added to Title 15, to read as follows:

EXHIBIT H

CHAPTER 15.24

ELECTRICAL CODE

Section:

- 15.24.010 Adopted.
- 15.24.020 Article 89.108.4.2.1. Fees Prescribed and Established by Resolution of the City Council. added.
- 15.24.030 Article 89.108.4.2.1. Plan Review Established Fee, added.
- 15.24.040 Article 89.108.4.3.2. Time Limitation of Application, added.
- 15.24.050 Article 89.108.4.3.3. Time Limitation of a Permit, added.
- 15.24.060 Article 89.108.8. Appeals Board, deleted.
- 15.24.070 Article 210.11(C) (4). Storage Room Branch Circuit for Residential Dwelling Units Covered under the California Residential Code, Added.
- 15.24.080 Article 230-43. Service Entrance Enclosure, Substituted.
- 15.24.090 Article 230-70(A) (1). Location of Disconnecting Means, substituted.
- 15.24.100 Article 310-1(A). Conductor Material, added.
- 15.24.120 Article 690.12 (6). Rapid Shutdown for Small Residential Rooftop Solar system10 kilowatts or less.

15.24.010 California Electrical Code—Adopted.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, that certain electrical code known as the "California Electrical Code, 2013 Edition," as published by the National Fire Protection Association, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the office of the city clerk of the city, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

15.24.020 Article 89.108.4.2.1. Fees Prescribed and Established by Resolution of the City Council Added.

Article 89.108.4.2 of the California Electrical Code, 2016 edition is amended by adding Article 89.108.4.2.1 to read as follows:

Article 89.108.4.2.1. Fees as prescribed to defray cost of enforcing rules and regulations of the Electrical Code is referenced to Daly City Municipal Code section 15.00.020, Fees Prescribed and Established by Resolution of the City Council.

15.24.030 Article 89.108.4.2.2. Plan Review Established Fee, added.

Article 89.108.4.2 of the California Electrical Code, 2016 Edition, is amended by adding section 89.108.4.2.1 to read as follows:

Article 89.108.4.2.1 Plan Review Fee for electrical work shall be determined by Daly City Municipal Code 15.00.020.

15.24.040 Article 89.108.4.3.1 Time Limitation for Application, added.

Article 89.108.4.3 of the California Electrical Code, 2016 Edition is amended by adding section 89.108.4.3.2 to read as follows:

Article 89.108.4.3.2. Time limitation for an application shall conform to Daly City Municipal code 15.00.030.

15.24.050 Article 89.108.4.3.2. Time Limitation of a Permit, added.

Article 89.108.4.3 of the California Electrical Code, 2016 Edition is amended by adding section 89.108.4.3.3 to read as follows:

Article 89.108.4.3.3. Time limitation of a Permit shall conform to Daly City Municipal code 15.00.040.

15.24.060 Article 89.108.8. Appeals Board, deleted.

Article 89.108.8 of the California Electrical Code, 2016 Edition is deleted and substituted by Daly City Municipal Code 15.00.050.

15.24.070 Article 210.11(C) (4). Storage Room Branch Circuit for Residential Dwelling Units Covered under the California Residential Code, Added.

Article 210.11(C) of the California Electrical Code, 2016 Edition is amended by adding Article 210.11(C) (4) to read:

Article 210.11(C)(4) Storage room branch circuit for residential dwelling units covered under the California Electrical Code shall be provided with a maximum of one (1) 20 ampere branch circuit to accommodate one (1) light outlet controlled by one (1) switch and one (1) AFCI receptacle outlet

15.24.080 Article 230-43. Service Entrance Enclosure, Substituted

Article 230.43 of the California Electrical Code, 2016 Edition, Wiring Method for 1000 volts nominal or less, is deleted and substituted to read as follows:

Article 230-43. Wiring Methods for 1000 Volts or Less. Overhead service entrance conductors shall be enclosed in rigid metal conduit or the equivalent factory fabricated metal duct.

15.24.090 Article 230-70(A) (1). Location of Disconnecting Means, substituted

Article 230-70(A)(1) of the California Electrical Code, 2016 Edition, Service Location is deleted and substituted with the following paragraph, to read as follows:

Article 230-70(A) (1). Location.

The main service disconnecting means and meter or meters shall be installed at a readily accessible location on the exterior of the building. All utility service meters and related equipment shall be recessed mounted and screened from public view or painted to match existing building finish, or other method approved by the Authorized Representative.

EXCEPTION:

The service disconnecting means and meter or meters, and related equipment may be installed on the interior of an apartment or commercial building in the event of unusual circumstances, if such case is determined necessary by the Administrative Authority.

15.24.100 Article 310-1(A). Conductor Material, added.

Article 310-1(A) of the California Electrical Code, 2016 Edition, Conductor Material, is amended to read as follows:

Article 310-1(A)) Conductor Material. Conductors in this article shall be copper. All other material requests shall be approved by the Administrative Authority.

15.24.120 Article 690.12 (6). Rapid Shutdown for Small Residential Rooftop Solar system10 kilowatts or Less.

Article 690.12 of the California Electrical Code 2016 Edition is amended by adding section Article 690.12(6) to read as follows:

Article 690.12(6). Rapid Shutdown shall be located in a readily accessible location at the exterior of the building for small roof top solar system 10 kilowatts or less.

SECTION 10. Chapter 15.60 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.60 and Section 15.60.010 is hereby added to Title 15, to read as follows:

EXHIBIT I

CHAPTER 15.60

ENERGY CODE

15.60.010 California Energy Code adopted.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Energy Code, 2016 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Energy Code shall be enforceable to the same extent as if contained in the body of the California Energy Code.

SECTION 10. Title 24 Part 10 Volume 2 of the California Building Code Chapter 15.64 and Section 15.64.010 to 15.64.080 is hereby added to Title 15, to read as follows:

EXHIBIT J

CHAPTER 15.64

California Existing Building Code

Sections

15.64.010	California Existing Building Code—Adoption—Where filed.
15.64.020	Section 1.8.4.2.1. Fees Prescribed and Established by Resolution of the City Council, added.
15.64.030	Section 1.8.4.3.1. Plan Review and Time Limitation, added.
15.64.040	Section 1.8.4.3.2. Permit Expiration and Extension, added.
15.64.050	Section 1.8.8. Board of Appeals, deleted.
15.64.060	Section 1.8.10. Terms Explained, added
15.64.070	Section 106.2.1.1. General Submittal Documents, added.
15.64.080	Section 407.4.1 Exception 3 Compliance Alternatives per section 3412 of the California Building Code 2013, added.

15.64.010 California Existing Building Code Adopted

There is adopted by the city, for the purpose of prescribing regulations and to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements for the protection of the public health and safety of its inhabitants, and to provide safety to firefighters and emergency responders during emergency operation that certain code known as the "California Existing Building Code 2016 Edition," as published by the International Code Council, Inc., and the adopted sections per Matrix Adoption Table found from the beginning of each chapter with notations under HCD 1 and HCD 2 and part thereof , save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the building code.

15.64.020 Section 1.8.4.2.1. Fees Prescribed and Established by Resolution of the City Council, added.

Section 1.8.4.2 of the California Existing Building Code, 2016 Edition, is amended by adding Section 1.8.4.2.1 to read as follows:

Section 1.8.4.2.1. Daly City Municipal Code General Regulations 15.00.020 are Fees Prescribed and Established by Resolution of the City Council

15.64.030 Section 1.8.4.3.1. Plan Review and Time Limitation, added.

Section 1.8.4.3 of the California Existing Building Code 2016 Edition is amended by adding Section 1.8.4.3.1 to read as follows:

Section 1.8.4.3.1. Plan Review and Time Limitation shall comply with Municipal Code General Regulations 15.00.040.

15.64.040 Section 1.8.4.3.2. Permit Expiration and Extension, added.

Section 1.8.4.3. of the California Existing Building Code 2016 Edition is amended by adding Section 1.8.4.3.2 to read as follows:

Section 1.8.4.3.2 Permit Expiration and Extension shall comply with Municipal Code General Regulations 15.00.040.

15.64.050 Section 1.8.8. Board of Appeals, deleted.

Section 1.8.8 of the California Existing Building Code, 2016 Edition, is deleted and substituted by General Regulations 15.00.050.

15.64.060 Section 1.8.10. Terms Explained, added

The terms found within the body of the “California Existing Building Code” are explained as follows:

The term “Code Official” is the Building Official

The term “Department of Department of Building Safety” is changed to
“Enforcement of the Order of the Building Official or the City Council of the City of
Daly City”

The term “Chief Appointing Authority” is the City Manager.

15.64.070 Section 106.2.1.1. General Submittal Documents, added.

Section 106.2.1 of the California Building Code, 2016 Edition, is amended by adding section 106.2.1.1 to read as follows:

106.2.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.64.080 Section 407.4.1 Exception 3 Compliance Alternatives per section 3412 of the California Building Code 2013, added.

Section 407.4.1 of the California Existing Building Code, 2016 Edition, is amended by adding Exception 3 to read as follows:

Exception 3. Compliance Alternatives per section 3412 of the California Building Code 2013 Edition can be use as an Alternate Means and Methods subject to the approval of the Building Official to evaluate the change of occupancy that increase the current degree of public safety, health and general welfare in existing building while permitting the substantial repair, alteration, addition and change of occupancy without requiring full compliance to code currently in effect.

ORDINANCE NO. 1411

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
REPEALING AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE
RE: ADOPTION OF THE 2016 CALIFORNIA FIRE CODE BASED ON THE 2015 EDITION
OF THE INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS,
AMENDMENTS AND DELETIONS

WHEREAS, pursuant to California Government Code Section 50022.1 et seq., the City Council of the City of Daly City (“City”) may adopt by reference the 2016 California Fire Code based on the International Fire Code , 2015 Edition, with errata, published by the International Code Council, as adopted by the State of California pursuant to Title 24, Part 9 of the California Code of Regulations (“2016 California Fire Code”); and

WHEREAS, California Health & Safety Code Section 17958.5 and 18941.5 authorize cities to adopt the 2013 California Fire Code, with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions; and

WHEREAS, the City desires to adopt the 2016 California Fire Code, based on the International Fire Code, 2015 Edition, with errata, published by International Code Council, with necessary amendments to assure the 2016 California Fire Code is tailored to the particular fire protection needs of the City as required by local climatic, topographic and geologic conditions and assure the maximum level of fire protection is provided to residents, businesses and other occupants; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DALY CITY DOES ORDAIN as follows:

The City Council of the City of Daly City, DOES ORDAIN as follows:

SECTION 1. Findings. The Findings of Fact are contained in Exhibit “A”, attached and herein incorporated to this ordinance by reference.

SECTION 2. Chapter 15.32 of the Municipal Code is hereby repealed.

SECTION 3. Chapter 15.32 of the Municipal Code is hereafter added to read as follows:

CHAPTER 15.32

FIRE CODE

Sections:

15.32.010 2016 California Fire Code, Title 24, Part 9, 2015 and International Fire Code Adopted—Amended

15.32.020	Bureau of Fire Prevention—Established-Enforcement Duties—Amended
15.32.030	New Materials, processes or occupancies which may require permits- Amended
15.32.040	Section 108--Amended
15.32.050	Section 105--Amended
15.32.060	Section 105.1.1--Amended
15.32.070	Section 505--Amended
15.32.080	Section 507.5.1--Amended
15.32.090	Section 914.3.8--Added
15.32.100	Section 903.2--Amended
15.32.110	Section 903.4.2--Amended
15.32.120	Section 904.2.2--Added
15.32.130	Section 907.19--Amended
15.32.140	Section 907.9.5--Amended
15.32.150	Section 319--Added
15.32.160	Section 5608.1--Amended
15.32.170	Section 5608--Amended
15.32.180	Violations--Penalty
15.32.190	Authority to Cite
15.32.200	Appendix D Fire Apparatus Access Roads
15.32.210	Vegetation Management Program for Southern Hills Area

15.32.010 - 2016 California Fire Code, Title 24, Part 9 and 2015 International Fire Code adopted.

There is hereby adopted by the City of Daly City, for the purpose of prescribing regulations governing conditions hazardous to the life and property and for protection from fire or explosion, those non-building standards contained within the International Fire Code and Building Standards contained within the California Fire Code, 2016 Edition [California Code of Regulations, Title 24, Part 9], published by the International Code Council, amended by the State of California and as adopted and/or amended by the Office of the State Fire Marshal, and the whole thereof, including Appendix B ("Fire-Flow Requirements for Buildings"), Appendix C ("Fire Hydrant Locations and Distributions") Appendix D (Fire Apparatus Access Roads"), Appendix F ("Hazard Ranking"), and Appendix L ("Requirements for Fire Fighter Air Replenishment Systems save and except such portions as are hereinafter deleted, modified or amended by this chapter, of which code and standards not less than one copy has been and is now filed in the office of the city clerk of the city and the same is adopted and incorporated as fully set out at length in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

15.32.020 - Bureau of fire prevention—Established—Enforcement duties.

- A. This code shall be enforced by the fire prevention serviced bureau in the fire department which is established and which shall be operated under the supervision of the chief of the fire department.
- B. The fire marshal in charge of the fire prevention services bureau shall be appointed by the city manager on the basis of examination to determine his/her qualifications.

15.32.030 - New materials, processes, or occupancies which may require permits:

The city manager, or designated representative, the chief and the fire marshal of the fire prevention services bureau, shall act as a committee to determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those now encumbered in the code. The fire marshal of the Fire Prevention Services Bureau shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

15.32.040 Section 108—Amended:

Section 108 of this code is deleted in its entirety and replaced by the following sections to read as follows:

Section 108 Appeals

- A. If a person is aggrieved by the decision of the fire chief or fire marshal, he/she shall have the right to appeal said decision to the city council
- B. Said appeal shall be in writing and shall be submitted to the city council within ten days of the decision of the fire chief or fire marshal. The city council shall, thereafter, at the next regular meeting of the city council after receipt of notice of appeal, set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of the regular meeting.
- C. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk.
- D. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.
- E. Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.
- F. Notice of the decision of the city council shall be delivered to appellant personally, or sent by certified mail, return receipt requested.
- G. The effective date of such decision shall be the date of mailing of such notice of the decision, or the date the same is personally delivered to the appellant.
- H. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of his/her right to an administrative hearing an adjudication of the notice and order, or to any portion thereof.

15.32.050 Section 105--Amended:

Section 105 of this code is amended by adding the following required permits:

105.6.48 Christmas Tree Lot. To operate a Christmas tree lot for the seasonal sale of Christmas trees.

105.6.49 Fire Alarm. To operate a manually or automatically actuated fire alarm in any building. Exception: smoke detectors in one and two-family dwellings.

105.6.50 Institutions and day care. To operate any and all occupancies that are set forth under Group I Occupancies, and Group E Occupancy of Title 24 of the California Code of Regulations, each accommodating more than six people.

105.6.51 Residential care facility. To operate a residential care/assisted living facility as set forth under Group R, Division 4 Occupancies.

15.32.060 Section 105.1.1--Amended:

Section 105.1.1 is amended by adding the following paragraph at the end of the section:

The city council of the city of Daly City may if it so desires, establish by resolution permit fees in connection with any permit required or authorized to be issued by the fire chief or any other authorized representative of the fire department.

15.32.070 Section 505.1--Amended:

Section 505.1 is amended by adding the following at the end of the section:

Said numbers shall be internally or externally illuminated in all new construction, or when alterations or repairs of existing construction occur.

The size and location of address numbers for multi-family dwellings and all other occupancies shall be as designated by the fire marshal.

Buildings shall be placarded in accordance with NFPA 704. The locations and size of placards shall be as required by the fire marshal.

15.32.080 Section 507.5.1—Amended:

Section 507.5.1 of this code is amended to read as follows:

Section 507.5.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions: For group R-3 and U occupancies, the distance requirements shall be 250 feet.

15.32.090 - Section 914.3.8—Added.

Section 914.3.8 is added to this code and shall read as follows:

Section 914.3.8 Multistoried. High-rise Safety Requirements.

All Group B and Group R occupancies, each having floors used for human occupancy located more than seventy-five feet (75') above the lowest level of fire department vehicular access, shall be equipped with an approved Firefighter Breathing Air Replenishment System as outlined in Appendix L. Such a system shall provide an adequate pressurized fresh air supply through a permanent piping system for the replenishment of portable life sustaining air equipment carried by fire department, rescue, and other personnel in the performance of their duties. Location and specifications of access stations to, and the installation of, such air replenishment systems shall be made in accordance with the requirements of the fire chief.

15.32.100 - Section 903.2.

Section 903.2 of this code is deleted in its entirety and is replaced with the following:

Section 903.2 Where Required.

A fire extinguishing system shall be installed in all occupancies and locations as set forth in this section.

- A. All Occupancies. All occupancies shall be protected throughout by an automatic fire sprinkler system installed in accordance with NFPA 13.

Exceptions: Detached garages less than 400 square feet in size. Detached carports and greenhouses. Sheds and auxiliary structures under 200 square feet in size and not used for human habitation.

- B. Existing Occupancies. When an existing building undergoes any alteration, renovation, addition, or repair which exceeds 50% of the building's original gross area, the entire building shall be protected by an automatic fire sprinkler system. Gross area shall be the area included within surrounding exterior walls.

Exceptions: Work involving exterior surfaces only, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

- C. Other Areas. An automatic fire sprinkler system shall be installed in all garbage compartments, rubbish and linen chutes, linen rooms, incinerator compartments, dumb waiter shafts, and storage rooms when located in all occupancies except Group R, Division 3. An accessible indicating shut off valve shall be installed.

- D. Condominium Conversions. An automatic fire sprinkler system shall be installed for all condominium conversions.

15.32.110 Section 903.4.2 - Sprinkler System Supervision and Alarms.

Section 903.4.2 is amended by adding the following to the end of the paragraph:

In addition to the audible device(s) required by this section, an approved strobe light shall be located on the exterior of the building in an approved location.

15.32.120 Section 904.2.2 – Added

Section 904.2.2 Floor Markings

The location(s) of all cooking appliances that are protected by an approved automatic fire extinguishing system shall be permanently identified either by a wall mounted “approved” appliance floor plan or marked on the floor in a manner approved by the Fire Marshal.

15.32.130 Section 907.7.3.

Section 907.7.3 of this code is amended by adding the following paragraph:

Each fire alarm system shall have posted at the main control panel instructions for silencing and resetting the system, the day and night phone numbers of the person responsible for the property, and the company or individual providing maintenance services for the alarm system.

15.32.140 Section 907.8.5

Section 907.8.5 of this code is amended by adding the following paragraph:

Each operator of a fire alarm system is required to have a maintenance/inspection contract with a company or individual licensed by the California Department of Consumer Affairs to perform work on a fire alarm system. Individuals performing maintenance or inspection services must be appropriately licensed or directly employed by an appropriately licensed contractor. A current copy of the maintenance/inspection contract shall be submitted to the fire department each year before the issuance of an annual fire alarm permit. This contract shall provide for inspections and service in accordance with NFPA 72.

15.32.150 Section 319.

Section 319 is added to this code to read as follows:

Section 318 Utility Marking All gas and electric utility services in multi-family tenant buildings shall be visibly and legibly marked with the unit identification.

15.32.160 Section 5608.1

Section 5608.1 of this code is amended by adding the following paragraph:

The sale and discharge of fireworks is permitted only as provided in Title 8, Chapter 8.24 et seq., of the Daly City Municipal Code.

15.32.170 Section 5608.

Section 5608 of this code is amended by adding Section 5608.1.2 as follows:

Section 5608.1.2. The foregoing provisions of Chapter 33 shall be subject to the provisions of Title 8, Chapter 8.24 of the Daly City Municipal Code whenever same are in conflict therewith.

15.32.180 Violation--Penalty.

Any person who shall violate any provision of this code adopted by this chapter, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, and from which no appeal has been taken, or shall fail to comply with such and order as affirmed or modified by the city council 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 as set forth in section 1.12.010 of the Daly City Municipal Code. 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 violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

15.32.190 Authority to Cite

The fire chief and/or fire marshal may, pursuant to section 836.5 of the Penal Code, and subject to the provisions thereof, cite a person whenever he/she has reasonable cause to believe that the person to be cited has committed a misdemeanor in his/her presence which is a violation of the International/California Fire Code adopted by the city and any amendments thereto, which the fire chief and/or fire marshal have duty to enforce.

15.32.200 Appendix D – Fire Apparatus Access Roads.

Appendix D is amended by deleting figure D103.1 Dead-End Fire Apparatus Access Road Turnaround and replacing it with a new Amended Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround, Attached at the end of the Ordinance.

15.32.210 Appendix D – Fire Apparatus Access Roads

– Amendment Appendix D Section D102

Section D102.2 is added to read as follows:

Section D102.2 - Fire department access shall extend to within 50 feet (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

Exception: one- or two-family dwellings or townhouses protected with 13D or 13R may be permitted to be increased to 150 ft (46 m)

15.32.220– Amendment Appendix D Section D102

Section D102.3 is added to read as follows:

Large Buildings - Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more

than 150 ft. (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

15.32.230 – Amendment Appendix D Section D102

Section D102.4 is added to read as follows:

Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m)

15.32.240– Amendment Appendix D Section D102

An Exception is added to Appendix D is added to read as follows:

Exception: When a fire department access roads cannot be installed due to location on the property, topography, waterways, non-negotiable grades, or other similar conditions the AHJ shall be authorized to require fire protection features in addition to those already required.

15.32.250– Amendment Appendix D Section D101

Section D101.2 is added to read as follows:

D101.2 – Definition - Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to at facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, access road way and drive way.

15.32.260 Append 903.1 Alternative protection

Add Sections 903.3.1.1

Purpose: To establish requirements for sprinkler protection of car stackers not specifically addressed in NFPA 13.

Parking garage areas containing car stackers shall be protected by an automatic wet-pipe sprinkler system designed to Extra Hazard Group 1. In addition, non-extended coverage standard sidewall sprinklers listed for Ordinary Hazard shall be provided under each parking level, including the bottom level if the stacker is provided with a pit. Each sidewall sprinkler shall cover an area of 80 sq. ft or less.

The area of application may be reduced from the required 2500 sq. ft. to as low as 1500 sq. ft. if:

1. 1-hour fire rated walls are provided to separate the car stacker areas from the standard parking stalls,
2. The car stacker areas are divided up into 1500 sq. ft. areas via 1-hour fire rated walls, and
3. One-hour fire rated walls are provided to separate the car stacker areas from any other areas in the garage.

One-hour fired rated walls are not required in the driveway areas. For the hydraulic calculation, flow from all sprinklers, upright or pendent sprinklers at ceiling and all sidewall sprinklers at all levels, located in the area of application shall be included in the calculation.

15.32.270 Vegetation Management Program for the Southern Hills Area.

Purpose and Intent. The purpose and intent of these regulations is to identify areas which present a fire hazard due to the accumulation of gorse plants near residential areas so that public officials are able to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Designation of vegetation management program areas. Areas identified by the fire chief shall be deemed a fire hazard and it is the duty and responsibility of property owners within such area(s) to maintain such designated property in accordance with this section.

Authority to designate and designation of vegetation management program areas.

The Daly City fire chief is authorized to designate area(s) within the boundaries of the city, as area(s) meeting the criteria governed section B.

The Daly City fire chief has designated the following area as an area meeting the criteria governed by section B:

Southern Hills: located in the northeast portion of Daly City north and east of Crocker Avenue including but not limited to South Hill Boulevard, Alta Vista Way, Oakridge Street and surrounding areas abutting San Bruno Mountain County Park which lies to the south. An exact area is delineated upon a map attached to the ordinance codified in this section as Appendix 1. An original map of the area is located within the administrative offices of the Daly City fire department.

General Requirements as to Dwellings or Structures In, Upon or Adjoining Specified Areas or Lands Within an Area(s) Meeting Criteria Governed by section B – Maintenance.

Any person who owns, leases, controls, operates, or maintains any land within an area meeting criteria governed by Section B and designated by the fire chief pursuant to this section shall at all times do all of the following:

All properties shall be entirely cleared of all flammable vegetation including but not limited to gorse, grass, weeds, and brush. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as groundcover, if they do not form a means of rapidly transmitting fire from native growth to any dwelling or structure; grass and other vegetation less than twelve inches in height above the ground may be maintained to stabilize the soil and prevent erosion;

Remove that portion of any trees that extend within ten feet of the outlet of any chimney or stovepipe;

Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size;

Maintain any tree adjacent to or overhanging any building free of dead or dying wood; and

Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

A person is not required under this section to maintain a clearing on any land if that person does not have legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by any other person without the consent of the owner of the property.

Application of maintenance standards to specified land or water areas.

This section shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:

Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government;

Lands kept in a predominately natural state as habitat for wildlife, plant or animal communities; and

Open space lands that are environmentally sensitive parklands.

This exemption applies whether the land or water area is held in fee title or any lesser interest.

This exemption applies to any public agency, any private entity that had dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies, and private entities making that decision.

Enforcement

The provisions for Section 1507 and any subsequent subsections or local amendments to Section 1507 (roof coverings) of the latest edition of the California (International) Building Code as adopted by the city, shall apply in all areas so designated in the city. The building official shall enforce the provisions of Section 1507 in all areas so designated by the fire chief and as locally amended.

The Daly City fire department shall have authority to enforce all requirements in this section as well as the enabling statutes. Violations of this section, or of the enabling state statutes may be prosecuted under Sections 51185 through 51187 of the Government Code, or alternatively under the general penalty provisions of Chapter 1.12 of this code, or under this section as specified below.

Notification of violation. Whenever the fire department determines that any property within the city is being maintained contrary to one or more of the provisions of this section, (s)he shall give written notice to the owners and/or tenant of the property stating the sections being violated.

Referral to City Attorney. In the event an owner shall fail, neglect, or refuse to comply with the notice to correct a violation, the fire department may refer the violation to the city attorney for legal action, including the institution of a civil or criminal proceeding to achieve compliance, as an alternative to the administrative appeal committee process set out in the sections below.

Referral to Administrative Appeal Committee. In the event an owner shall fail, neglect or refuse to comply with the notification, the fire department may seek compliance through the administrative appeal committee process as set forth in Part II of this section, in addition to, or as an alternative to any other remedy allowed by law or by this section.

Referral to City Council for abatement. In the event an owner shall fail, neglect, or refuse to comply with this notification, the fire department may seek compliance through abatement or physical security of the property as set forth in Part III of this section in addition to, or as an alternative to any other remedy allowed by law or by this section.

Part II – Administrative Appeals, Hearings, Orders, Penalties, and Costs.

Applicability of administrative appeal process.

This subsection provides for administrative remedies, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this section.

Use of this subsection shall be at the sole discretion of the city in general, and of the fire department in particular.

Purpose of administrative appeal process.

The administrative appeal process serves to provide the full opportunity of a person subject to a notification of violation to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a notification of violation, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.

In the absence of an appeal, the administrative appeal process is provided to review the facts of any issued notification of violation, where necessary, and upon review of such facts the administrative appeal board may:

Discharge the notification of violation

Re-issue the notification of violation; or

Without further hearing, declare such property to be a violation, and order abatement, issue administrative orders, impose administrative penalties, and recover administrative costs pursuant to the provisions of this section.

In appropriate cases, the administrative appeals board may decide or order the direct abatement of the subject property, subject to the property owner's right to timely appeal that decision to the Daly City Council.

Administrative Appeal Committee.

The administrative appeal committee shall be the body designated to conduct an administrative hearing to ascertain whether the violation exists, the abatement of which is appropriate under the police powers of the city.

The membership of the administrative appeal committee shall consist of one or more city employees appointed by the city manager or his or her designated representative, with sufficient supervisory, professional or practical experience to review the matters brought before the administrative appeals committee.

Notices.

Notice of administrative appeal committee hearing, or other actions shall be served upon the owner in accordance with the provisions of this section, and shall be served upon the property owner not less than fourteen days before the time fixed for the hearing.

Notice shall be given by delivering a written notice personally to the owner(s) of the property upon which the violation is located, or by depositing such notice in the United States mail, postage prepaid, and addressed to the owner(s) thereof at his or her last known address as the same appears on the last equalized assessment roll of the county. In the event a notice is given to the person(s) in apparent possession or control of the property, such notice shall be given in either manner specified in this section and may be addressed to "occupant" or "to whom it may concern", if the name of such person(s) is unknown.

Notice of hearing before the administrative appeal committee or notice of an action by the administrative appeal committee shall substantially contain the information as set forth below:

The date and location of the violation;

The section of this code, the adopted International codes, state law or regulations or other such statutes violated and a description of the violation;

The actions required to correct the violation;

The time period after which administrative penalties will begin to accrue if compliance with the notification has not been achieved;

Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeals process, or

The fact that this matter will be sent to the city attorney's office to seek compliance if the matter poses an immediate threat or danger.

The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken under this section of this section.

Hearing – Findings and Order.

At the place and time set forth in the notice set out above, the administrative appeal board shall conduct a hearing on the notification of violation issued pursuant to this section.

The board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.

Within a reasonable time following the conclusion of the hearing, the board shall make findings and issue its determination regarding:

The existence of the violation;

The failure of the violator/owner to take required corrective action within the required time period.

The board shall issue written findings. The findings shall be supported by evidence received at the hearing.

If the board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order. Such administrative order may direct abatement by the City.

If the board finds that no violation has occurred or that the violation was corrected within the time period specified in the notification of violation, the board shall issue a finding of those facts.

Administrative Order. If the administrative appeal board determines that a violation occurred which was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order which imposes any or all of the following:

An order to correct, including a schedule for correction where appropriate;

An order to abate, by city forces or contract, with allowance for timely appeal to the city council, and cost recovery for the costs of abatement;

Administrative penalties provided below;

Administrative costs as provided below;

Administrative penalties.

The administrative appeal board may impose administrative penalties for the violation of any provision of this code in an amount not to exceed a maximum of two thousand five-hundred dollars per day for each ongoing violation, except that the total administrative penalty shall not exceed ten thousand dollars exclusive of administrative costs, interest and restitution for compliance inspections, for any related series of violations.

In determining the amount of the administrative penalty, the board may take any and all of the following factors into consideration:

The duration of the violation;

The good-faith efforts of the violator to come into compliance;

The economic impact of the penalty on the violator;

The impact of the violation on the community;

Such other factors as justice may require.

Administrative penalties imposed by the board shall accrue from the date specified in the notification of violation and shall cease to accrue on the date the violation is corrected as determined by the fire department or the board.

The board, in its discretion, may suspend the imposition of applicable penalties for any period of time during which the violator had made good-faith efforts to achieve compliance.

Administrative penalties assessed by the board shall be due by the date specified in the administrative order.

Administrative penalties assessed by the board are a debt owed to the city, and, in addition to all other means of enforcement, may be enforced by means of a lien against the real property on which the violation occurred.

If the violation is not corrected as specified in the board's administrative order, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth.

If the violator gives written notice to the fire department that the violation has been corrected and if the fire department finds that compliance has been achieved, the city shall deem the date the written notice was postmarked or personally delivered to the fire department or the date of the city's site inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided, the violation will be deemed corrected on the date of the city's site inspection.

Administrative Costs.

The administrative appeal board may assess administrative costs against the violator when it finds that a violation has occurred, and that compliance has not been achieved within the time specified in the notification of violation.

The administrative costs may include any and all costs incurred by the city in connection with the matter before the administrative appeal board, including but not limited to costs of investigation, staffing costs incurred in the preparation for the hearing and for the hearing itself, and costs for all re-inspections necessary to enforce the notification of violation.

Failure to comply with administrative compliance order. Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the administrative appeals board may be enforced as;

A personal obligation of the violator, and/or

A lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

Right to city council review. Any person aggrieved by an administrative order or determination following a hearing by the administrative appeal board on a compliance dispute, may obtain review of the administrative order with the Daly City council as set out below.

Recovery of abatement costs and/or administrative civil penalties. The City may collect abatement costs and/or the assessed administrative penalties and administrative costs by use of all available means, including recordation of a lien.

Compliance dispute.

If a violator believes that compliance has been achieved but not agreed to or accepted as complete by the fire department, he or she may request a compliance hearing before the administrative appeal board by filing a request for a hearing with the fire department.

The hearing shall be noticed and conducted in the same manner as a hearing on a notification of violation as provided in earlier subsections of the section. The board shall determine if compliance has been achieved and, if so, when it was achieved.

Part III – Appeals to City Council and Abatement

Appeals Procedure – Hearing by City Council.

The owner receiving an abatement order, administrative order, or an order of the administrative appeal board following a compliance hearing, may request a hearing before the city council (“council”) by filing its request with the city clerk within ten calendar days of the date of service of the administrative order or an order of the administrative appeal board following a compliance hearing. The request shall contain:

A specific identification of the subject property;

The names and addresses of all legal parties requesting the hearing;

A statement of the parties legal interest in the subject property;

A statement in ordinary and concise language of the specific order or action protested and the grounds for the hearing, together with all material facts in support thereof;

The date and signatures of all requesting parties;

The verification of at least one party as to the truth of the matters stated in the request.

As soon as practical after receiving the request, the city clerk shall set a date for the council to hear the matter which date shall not be less than ten calendar days nor more than thirty calendar days from the date the appeal was filed. The city clerk shall give each party written notice of the time and place of the hearing, either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the request. Continuances of the hearing may be granted by the council on the council’s own motion.

For each appeal to the city council, there shall be assessed a fee at the time of the filing of the appeal of one hundred dollars, which fee will be refunded should the person prevail in the appeal.

Property owners who have not availed themselves of the administrative appeal process of the previous section of this ordinance shall not have right to appeal to the council the issues concerning the notification of violation, any administrative orders, administrative penalties, administrative costs, compliance matters or other issues provided for in the previous section of this section.

Decision by City Council. Upon conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a violation. If the council so finds, the council shall adopt a resolution declaring such property to be in violation, setting forth its findings and ordering or confirming the abatement of the violation. The decision and order of the council shall be final.

Service of order to abate. A copy of the resolution of the council shall be served upon the owner(s) of the property in accordance with the provisions of this section. Upon abatement or compliance in full by the owner, the proceedings hereunder shall terminate.

Abatement by the City.

If such violation is not abated as ordered by the administrative appeals board or by the city council, the fire chief, or his/her designee shall cause the same to be abated by city employees or private contract. The city manager or his/her designee is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the violation shall be billed to the owner and shall become due and payable thirty days thereafter. The term “incidental expenses” shall include, but not be limited to, personnel costs incurred in documenting the violation, the actual expenses and cost of the city in preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.

A person shall not obstruct, impede or interfere with the fire chief, or his/her designee, or his/her representative, or with any person who owns, or holds any interest or estate in, any property in the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to this section.

Filing of judicial action. Any action appealing the council's decision and order shall be commenced within thirty calendar days of the date of service of the decision.

Recording cost of abatement. The fire chief or his/her designee shall keep an account of the cost, including incidental expenses, of abating such violation on such private lot or parcel of land where the work of abatement is done by the city or under private contract, and shall render an itemized statement showing the cost of abatement. The cost accounting of abatement, including expenses, shall be provided to any person liable to be assessed for the cost of abatement.

Protests and objection to cost report. Any person liable to be assessed for the cost of an abatement action may file written protest or objection to the fire chief's statement with the city clerk within fourteen days following mailing of such cost to the assessee. The city clerk shall endorse each protest or objection received and shall present such protest or objections to the city council at the time set forth for the hearing upon the imposition of a lien, in accordance with the lien and cost recovery procedures of Part IV of this section. No other protests or objections shall be considered.

Part IV – Liens and Cost Recovery

Lien Procedure.

Whenever:

The amount of any administrative penalty and/or administrative cost is imposed by the administrative appeal board pursuant to this section in connection with real property has not been satisfied in full within ninety days and/or has not been successfully challenged by a timely appeal to the city council; or

Any cost of abatement and/or costs imposed by means of the administrative appeals board or the city council as a result of the abatement proceedings have not been satisfied in full within ninety days of issuance of a cost report by the city clerk for such abatement proceedings; then these obligations may constitute a lien against the real property on which the violation occurred.

The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the administrative order or abatement cost report shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 and 683.220, inclusive, of the Code of Civil Procedure.

Interest shall accrue on the principle amount of the judgment remaining unsatisfied pursuant to law.

Prior to recording any such lien, city staff shall prepare and file with the city clerk, a report stating the amounts due and owing.

The city clerk shall fix a time, date and place for hearing the cost report and any protests or objections thereto by the city council.

The fire chief or his/her designee shall cause the written notice to be served on the property owner not less than ten days prior to the time set for the hearing.

Public hearing and protests.

Any person whose real property is subject to a lien pursuant to this section may file a written protest with the city clerk and/or may protest orally with the city clerk and/or may protest orally at the city council meeting.

Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds for such protest or objection.

The City Council, after the hearing, shall adopt a resolution confirming, discharging, or modifying the amount of the lien.

Recording of lien. Thirty days following the adoption of a resolution or other determination imposing a lien, the city clerk shall file the same as a judgment lien in the office of the county recorder of San Mateo County, California. The lien may carry such additional administrative charges as set forth herein.

Satisfaction of lien. Once payment in full is received by the city for outstanding penalties and costs the city shall either record a notice of satisfaction or provide the property owner or financial institution with the notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien.

Abatement proceedings costs – collections. All costs associated with abatement proceedings or as a result of the administrative appeal process either before the administrative appeals board or the city council which are not satisfied through the procedures of the above sections shall be collected on behalf of the city by the city attorney using the appropriate legal remedies.

Part V – Criminal Enforcement

Alternative actions available.

Nothing in this section shall be deemed to prevent the administrative appeals board or the city council from ordering the commencement of alternative civil or criminal proceedings to abate or otherwise address a violation in conjunction with the proceedings set forth in this section.

Violation and penalties.

Violation of this section shall constitute a misdemeanor; however, any city official with citation authority may prosecute such violations as infractions wherein each infraction may be punishable by a fine not exceeding one hundred dollars for a first violation, two hundred and fifty dollars for a second violation within one year and five hundred dollars for each additional violation within one year.

Every day that any such violation continues shall constitute a separate offense.

Each violation shall be re-inspected until compliance with this section is completed. A cost of not less than one hundred dollars may be assessed for each inspection of the property beginning with the third inspection.

Criminal enforcement authority.

The City Council authorizes the fire department to issue citations (notice to appear) for any violation of:

This ordinance of the City of Daly City;

The adopted and amended fire code(s), and/or any appendices or standards of such code(s).

This ordinance may be enforced by the sworn personnel of the Daly City Police Department.

The Daly City city manager may further designate any Daly City employee with the full or limited authority to issue criminal citations for any violations of this section.

The Daly City city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this section.

Liability for Damage. The expenses for fighting fires which result from a violation of this section shall be a charge against the person whose violation caused and/or contributed to the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the city in the same manner as in the case of an obligation under contract, expressed or implied.

SECTION 3. Severability. If any section, subsection, sentence, clause, or portion of this ordinance or any part thereof is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Daly City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 4. Environmental Determination. The City Council finds pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is categorically and statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, California Code of Regulations, Section 15378(a);

In that it is further exempt under the definition of Project in Section 15378(b)(3) in that it concerns general policy and procedure making;

In that it can be seen with certainty that there is no possibility that the activity may have a significant effect upon the environment pursuant to Title 14, California Code of Regulations, Section 15061(b)(3); and

In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and therefore is categorically exempt pursuant to Title 14, California Code of Regulations, Section 15308.

SECTION 5. Compliance.

Compliance with the requirements set forth in this ordinance will commence with the initial inspections conducted by the Daly City Fire Department. Thereafter all properties shall be maintained free of all flammable vegetation or other combustible growth as spelled out in this ordinance. Inspections and verification of compliance will be undertaken by the Daly City Fire Department of such other agency as the Fire Chief may so indicate.

SECTION 6. Publication/Summary.

Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
REPEALING AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE
RE: ADOPTION OF THE 2016 CALIFORNIA FIRE CODE BASED ON THE 2015 EDITION
OF THE INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS,
AMENDMENTS AND DELETIONS

Introduced this _____ 14th _____ day of _____ November _____, 2016

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the _____ day of _____, 2016 by the following votes:

AYES, Councilmembers _____

NOES, Councilmembers _____

Absent, Councilmembers _____

CITY CLERK OF THE CITY OF DALY CITY

Approved:

MAYOR OF THE CITY OF DALY CITY

EXHIBIT “A”

FIRE CODE

CHAPTER 15.32

FINDING OF FACTS

FINDING OF FACTS

The Council of the City of Daly City finds the following:

A. Pursuant to Section 17958.5 and 18941.5 of the California Health and Safety Code, the report contained herein is submitted as the "Findings of Fact" with regard to the adoption of the Daly City Municipal Code, Chapter 15.32 which would adopt the California Fire Code 2016 Edition and amendments. Under this adopting ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and State Fire Marshal.

B. These local amendments to the California Fire Code, 2016 Edition, have been evaluated and recognized by the City of Daly City as tools for addressing the fire problem, concerns and future direction by which the city will establish and maintain an environment which will afford a high level of fire and life safety to all those who work and live within the city's boundaries.

C. Those local amendments are based upon the following climatic, geographical, and topographical conditions:

1. Climatic: Daly City received an annual average rainfall of approximately 12.1 inches between October and April. During the summer months from June through September, the city experiences a great deal of fog and wind. Winds generally prevail from the west at velocities ranging from approximately 15 to 20 mph. Temperatures range from approximately 32 to 90 degrees F.

In summary, due to these climatic conditions, driving is extremely hazardous and visibility is very poor. Therefore, arriving on scene at an emergency may require a long response time. Winds can have an impact on structure fires of buildings in close proximity to one another, common to Daly City. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross ventilation efforts.

2. Geographical: Daly City resides on the San Andreas Fault and is subject to seismic activity. An earthquake can happen at any time and cause severe stress on the department's ability to provide emergency response, i.e. water mains may rupture, and traffic congestion will cause increased delay. Parts of the city are built upon portions which contain dense shrub-type vegetation (gorse), grasses and trees or are on sloped terrain. The city responds to wildland fires on San Bruno Mt. on an annual basis. The city is surrounded by San Francisco on the north, Brisbane and Colma on the east and southeast,

and South San Francisco on the south. To the west and southwest are the Pacific Ocean and the City of Pacifica.

3. Topographical: Daly City is essentially built on steep slopes and hillsides.

Many streets are narrow and winding with congested vehicle parking. New construction is inevitably built on more slopes or areas where access is difficult. Narrow roads make response times longer and makes it difficult to place fire apparatus and equipment close to a fire scene. Additionally, many areas have structures built on zero lot lines creating difficulty in controlling fire spread and exposure. Delays in response may also be attributed to traffic patterns where major thoroughfares are often congested with traffic.

In order to mitigate the problems required in quick response to a fire, built-in automatic fire-extinguishing systems, standpipe systems or fire alarm systems are required over and above code requirements. The requirement and installation of such appliances will allow faster notification to occupants to evacuate and allow the fire to be controlled before the arrival of fire apparatus. Additional standpipe outlets will allow firefighters access to a water supply once inside a structure.

Finding of Facts (15.32.010) – Adoption

Every three years the International Code Council publishes a new edition of the International Fire Code. The City of Daly City is presently using the 2013 California Fire. Title 24 of the California Code of Regulations contains all of the Building Standards of the State of California and is divided into ten parts. Part 9, California Fire Code, references the International Fire Code. To maintain consistent current practices in the field of fire safety and building technology, changes in materials, processes, and construction, we recommend adopting the 2016 edition of the California Fire Code and appendices as indicated.

Finding of Facts (15.32.020)

Establishment of local fire prevention division, no deviation from adopted fire code.

Finding of Facts (15.32.030)

Provides a committee to review when new materials, processes or occupancies not otherwise covered under the code would require permits. This is administrative only and does not require a finding of facts.

Finding of facts (15.32.040)

This provision outlines the appeals process for persons who are aggrieved by a decision of the fire chief or fire marshal. This is administrative only and does not require a finding of facts.

Finding of facts (15.32.050)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code, except for the section number. These changes confirm permits, appeals processes, imposition of costs and fees,

Finding of Facts (15.32.060)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code. These changes confirm permits, appeals processes, imposition of costs and fees, and right of entry to other established municipal code procedures in the City of Daly City, and are administrative rather than technical in nature.

Finding of Facts (15.32.070)

Section 505.1 is amended to include additional addresses locations and the identification hazards under the NFPA 704 system. This section will assist in faster response for emergency response personnel due to climatic conditions (fog) which inhibit visibility. Previously adopted in the fire code. Duplicate language already in the fire code was deleted from this amendment.

Finding of Facts (15.32.080)

These changes relate to required locations for fire hydrants for newly constructed buildings, and are unchanged from prior ordinance amendments to the fire code except for language to conform to code. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for locations of fire hydrants within the City of Daly City than those standards set in the International Fire Code.

Finding of Facts (15.32.090)

This section remains unchanged, from the prior code adopted by the City except the name of the system was changed to conform with other of the Building codes. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for high-rise building safety in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations and firefighter safety.

Finding of Facts (15.32.100)

This section remains unchanged, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Slopes also make it difficult to place ladders for rescue and to advance those hose lines. Response time is increased due to steep grades, narrow streets, and congested traffic.

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple fires through our community. With on limited fire apparatus available after an earthquake, we must rely on built-in protection to contain a large number of incipient fires.

Access: the majority of buildings are built with zero lot lines and no direct access to rear yards. Initial fire attack is from the front of the building only. The time it may take for firefighters to reach the seat of a fire is greatly increased. The opportunity for occupants to safely exit the building is reduced. The time delay decreases the survival chances of victims in the building and increases property damage. Fire spread between buildings is more probable. An automatic fire sprinkler system will either extinguish the fire or control it until firefighters can arrive and extinguish it. Automatic fire sprinkler systems are proven to be the most effective method of saving lives and property.

Finding of Facts (15.32.110)

This section remains unchanged, except as to section title from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.120)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.130)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.140)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Findings of Facts (15.32.150)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for marking of building utilities in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on prompt identification of utility shut-off locations to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.160)

These sections remain unchanged, except for the section number, from City Council action addressing fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.170)

These sections remain unchanged, except for the section number, from City Council action addressing the use, storage and handling of explosives and fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.180 and 15.32.190)

Government Code Section 50022.4 provides that when a code is adopted by reference, penalty clauses are not deemed adopted by reference but may be enacted only if set forth in full in the adopting ordinance. Such is the action taken with these two sections, and such is the intent of the City Council.

Finding of Facts (15.32.200)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire apparatus access roads in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

Finding of Facts (15.32.210 through 15.32.250)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire apparatus access roads in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

Finding of Facts (15.32.260)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Slopes also make it difficult to place ladders for rescue and to advance those hose lines. Response time is increased due to steep grades, narrow streets, and congested traffic.

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple fires through our community. With on limited fire apparatus available after an earthquake, we must rely on built-in protection to contain a large number of incipient fires.

Access: the majority of buildings are built with zero lot lines and no direct access to rear yards. Initial fire attack is from the front of the building only. The time it may take for firefighters to reach the seat of a fire is greatly increased. The opportunity for occupants to safely exit the building is reduced. The time delay decreases the survival chances of victims in the building and increases property damage. Fire spread between buildings is more probable. An automatic fire sprinkler system will either extinguish the fire or control it until firefighters can arrive and extinguish it. Automatic fire sprinkler systems are proven to be the most effective method of saving lives and property.

Finding of Facts (15.32.270)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets, and congested traffic.