



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Planning &  
Development  
Department No.: 053  
For Agenda Of: July 15, 2008  
Placement: Administrative  
Estimated Tme: 15 minutes on  
8/26/2008  
Continued Item: No  
If Yes, date from:  
Vote Required: Yes

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**TO:** Board of Supervisors  
**FROM:** John Baker: Director, Planning & Development 568-2085  
Mike Zimmer: Building Official, Building and Safety Division 568-3120  
**SUBJECT:** Adoption of California Model Codes Relating to Building Construction as the Santa Barbara County Building Code (Chapter 10), and fee ordinance for Planning and Development, Building and Safety Division.

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

Set hearing date for August 26, 2008 to consider the following:

- (1) Introduction/first reading of the ordinance amending Chapter 10 of the Santa Barbara County Building Code relating to Building Regulations;
- (2) Introduction/first reading of an ordinance adjusting fees for Planning and Development Building and Safety Division.
- (3) Continue to September 2, 2008 (second reading) to consider the adoption of an ordinance amending Chapter 10 of the Santa Barbara County Code and to consider the adoption the Building fee ordinance, to be effective 60 days from adoption.

**Summary Text:**

Every three years, the Building and Safety Division of Planning & Development recommends revisions in county construction codes based on State amendments in the latest editions of the California Model Codes for Building, Plumbing, Electrical and Mechanical construction projects. These model codes are adopted by the California Building Standards Commission and used throughout the state as a basis for

uniform regulations. Conceptually the new codes are consistent with previous California model codes. However, this Code revision includes changes to our local high fire zone maps which identify three new high fire zones within Santa Barbara County and new construction requirements for development based upon specific fire zones as defined by the California State Fire Marshall's office. The new fire zone construction requirements are intended to provide minimum fire protection through new construction requirements based upon the potential of wild land fire exposure to the new development.

The Building and Safety Division of Planning & Development fee ordinance is in accordance with California Government Code Section(s) 66012-66014 and the State Attorney General's opinion 92-506 which calls for an independent cost analysis to develop a fee model tailored to address the particular nature of the Building and Safety costs and identifies a direct relationship between fees levied and the services provided. The purpose of the new State requirement is to replace the former development valuation based permit fee system as listed in previous California Building Codes, to a cost of service system of permit fees, based on the actual Building and Safety Division's cost to provide the mandated regulatory service. The Building and Safety Division and the independent consultant worked together to convert the County's current system of valuation-based fees to cost-based fees. This enhanced analytical approach is consistent with industry trends for Building fees and is intended to improve accuracy and to ensure compliance with state law. The cost analysis revealed that the current fees recover about 98% of the full cost of providing the fee-related services. The recommended fees presented in the study reflect the full cost of providing the services. Any increase of building permits outlined in the recommended fee adjustment study will amount to approximately 2% above current permit fees based on the projected number and types of permits issued by Building and Safety over the next fiscal year.

The Building and Safety Division held two public workshops in Santa Maria and Santa Barbara in June 2008, to provide an opportunity for the stakeholders to review and comment on the proposed to the County Building Code and Fee ordinance. In addition, Copies of the proposed Building Code and Fee ordinance changes were sent to the Santa Maria Valley contractors association, Santa Barbara Contractors Association, The Santa Barbara Association of Architects and local designers and contractors and Petroleum operators.

**Background:**

The recommendation(s) are primarily aligned with Goal No. 2 A safe and healthy community in which to live, work and visit.

**Performance Measure:**

**Fiscal and Facilities Impacts:**

Building permitting revenues are budgeted in the Building and Safety division on page D-309 of the adopted 2008-09 Fiscal Year budget. The 2% increase in fees is not reflected in the adopted budget. The department will monitor revenues during the fiscal year and work the County Executive Office if any revisions to the budget are necessary.

**Fiscal Analysis:**

The \$20,000 contract for the fee study was funded in FY 07/08 by building permit revenue

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized</u> <u>On-going Cost:</u>	<u>Total One-Time</u> <u>Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

Direct the Clerk to notice the proposed ordinance amendments in a newspaper of general circulation in the County of Santa Barbara; once at least 5 days prior to the first reading and again in accordance with section two of the ordinance within fifteen days after its' passage

**Attachments:**

- A: 2008 Building Fee Ordinance
- B: 2008 Santa Barbara Building Code
- C: Ordinance Update 2008 Strikeout of 2006 Building Code
- D: Preliminary Results Worksheets June 9 2008
- E: Preliminary Results Other
- F: Preliminary Results MPE
- G: Preliminary Results Misc

**Authored by:** Mike Zimmer, Building Official, Planning and Development Department, ext. 3120

**CC:**

- John Baker, Deputy CEO, Director, P&D
- Dianne Black, Director, Development Services
- Steve Mason, Deputy Director Administration
- Kevin Ready, Senior County Counsel
- Jennifer Christensen, Auditor-Controller
- Brandon Benjamin, Auditor-Controller

