



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:** Montecito Fire  
Protection District  
**Department No.:**  
**For Agenda Of:** December 11, 2018  
**Placement:** Administrative  
**Estimated Tme:** 2 minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** County Counsel on behalf of  
the Montecito Fire Protection  
District

Contact Info: Fire Chief Chip Hickman  
969-7762

Jerry F. Czuleger, Senior Deputy County Counsel  
x2950

**SUBJECT:** Ratification of Montecito Fire Protection District's Amendment to Its Previous adoption of building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Select\_Other

As to form: Select\_Concurrence

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:** Adopt resolution ratifying Montecito Fire Protection District's Ordinance 2018-01 that amends Section 6 of the District's Ordinance No. 2016-01, regarding the thresholds for triggering fire sprinkler installation in existing residential dwellings.

- (b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution, and the Montecito Fire Protection District's Ordinance, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.
- (c) Determine that the adoption of this resolution is categorically exempt from the California Environmental Quality Act in compliance with Section 15061 (b), (3), (No possibility of impact on the environment).

**Summary Text:**

Montecito Fire Protection District has adopted by ordinance, building standards relating to fire and panic safety that are more stringent than those adopted by the State Fire Marshal and contained in the California Residential Code and the California Building Standards Code. No ordinance adopted by a fire protection district shall be effective unless ratified by the County where the ordinance will apply. The county may ratify, modify or deny any such ordinance.

**Background:**

On January 10, 2017, the Board of Supervisors ratified Montecito Fire Protection District's Ordinance No. 2016-01 which adopted by reference and amended the 2016 California Fire Code that prescribes regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion. The Ordinance also provided for the issuance of permits for hazardous uses or operations and establishes a Bureau of Fire Prevention. Further, the Ordinance amended section R313 and Appendix J of the California Residential Code pertaining to the installation of automatic fire sprinkler systems in existing townhouses and one and two family dwellings and existing buildings and structures, and amended section 1505 of the 2016 California Building Code pertaining to roofing requirements; these amendments are more restrictive than the requirements contained in the State Codes.

On October 29, 2018, the Montecito Fire Protection District, adopted Ordinance No. 2018-01 to amend certain provisions in Ordinance No. 2016-01, with regards to the thresholds for triggering fire sprinkler installation in existing residential dwellings.

Health and Safety Code Sections 13869.7 and 17958.7 provides that a fire protection district may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code. More stringent building standards are contained in Montecito Fire Protection District's Ordinance No. 2018-01. The related findings are in section 2 of the Ordinance.

Pursuant to Health and Safety Code Section 13869.7, Montecito Fire Protection District has forwarded Ordinance 2018-01 to the County and has requested ratification by the Board of Supervisors. (November 4, 2018 Letter and Ordinance 2018-01 are attached). The Board may ratify, modify or deny the adopted ordinance and transmit its determination to the District within 15 days of its determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. Montecito Fire Protection District's Ordinance No. 2018-01 is not effective unless ratified by the Board of Supervisors.

Copies of the Ordinance were provided by the District to Supervisor Das Williams, the County Building Official and County Fire Marshal on or about August 13, 2018. After receiving comments and feedback on the draft Ordinance from County Building Official Massoud Abolhoda, the District made additional revisions and resent the current draft of the Ordinance to the County on or about September 7, 2018. The District received no written comments on the current draft of the Ordinance.

**Fiscal and Facilities Impacts:**

Not applicable.

**Staffing Impacts:**

Not applicable.

**Special Instructions:**

- (a) Transmit a copy of the resolution to Montecito Fire Protection District within 15 days of its adoption.
- (b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution and the District's Ordinance, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

**Attachments:**

- A. November 4, 2018 letter to County Counsel from Cameron Goodman, attorney for Montecito Fire Protection District.
- B. November 4, 2018 letter to Clerk of the Board from Cameron Goodman, attorney for Montecito Fire Protection District.
- C. Ordinance No. 2018-01 dated October 29, 2018.
- D. California Health & Safety Code section 13869.7
- E. Proposed Board of Supervisors Resolution to Ratify Ordinance No. 2018-01 of the Montecito Fire Protection District.

**Authored by:**

Jerry F. Czuleger  
Senior Deputy County Counsel

**cc:**

Chip Hickman, Fire Chief  
Montecito Fire Protection District

Cameron Goodman  
Price Postel and Parma

Massoud Abolhoda  
County Building Official

Steve Oaks  
County Fire Marshal